

HPC

Monroe County Historic Preservation Commission MINUTES

Monday, July 30, 2012 12:00 noon

Tavernier Fire House, 151 Marine Ave., Tavernier



Call to Order.

Alice Allen called the meeting to order.

Roll Call.

Alice Allen, Chair

Bert Bender

Jim Clupper

Donna Bosold

Staff: Pedro Mercado, Assistant County Attorney

Rey Ortiz, Planner

Diane Silvia, Preservationist

12:00-2:00 Workshop on Design Guidelines

(recording very poor quality, difficult to hear and understand)

Alice Allen said she and Jim had assignments from the last meeting. She reviewed the Development Standards for Flagstaff to look at the possibility of developing zones in Tavernier. Jim was to do a preamble for the guidelines. Jim has started this but is not done (busy with monitoring at Pigeon Key).

Based on her knowledge of Tavernier Ms. Allen divided the District into zones delineated on the Tavernier map by color.

Orange= non-historic waterfront

Green= limited development (there is a cistern in this area) The lots Alice owned are Tier 3 so they cannot be developed.

Gray= historically significant properties

Pink= mixed

White= need further research

White with red= need to be added as contributing in the next survey

Commercial= along Overseas Highway

Ms. Allen said perhaps the non-historic structures on the water should not be subject to the same standards.

Ms. Allen said in this neighborhood, almost every street is another sub-division.

Mr. Bender suggested that perhaps the west end should be one zone and the remainder the historic zone.

Ms. Allen said the green zone needs to be protected as a bicycle group already has expressed interest in making it a destination. The green at the SE end of the District is Old Settler's Park. The pavilion in the park is historic.

Mr. Tobin said this is wetlands.

Mr. Clupper said it would be great to include the other side of Tavernier.

Ms. Allen said it would be hard to force these regulations on those which never considered being in a historic district.

Rey Ortiz said any proposal to form zones would require BOCC approval. He is here to see that people have the right to speak and that the rules are applied evenly.

Mr. Bender said you cannot enforce guidelines.

Ms. Allen said we need guidelines we can follow to make fair decisions.

Mr. Mercado said the guidelines cannot be rigid. They are meant to preserve the historic character.

Mr. Bender noted the guidelines should not dissuade contemporary architecture and should encourage creativity. For example, if we are trying to determine what is appropriate for height in a development zone you might say, nothing can be built taller than the tallest historic structure in that zone.

Andy Tobin said he is happy they are looking at this. He has spent the weekend studying historic districts and guidelines. The Largo Beach Subdivision has all noncontributing structures except for the Foot Doctor building. He has lived here for 35 years. There is a core group of structures that need protection.

Mr. Tobin said when Antonio's burned down in Key West it would have looked terrible if it had to be rebuilt to base flood elevation. There is no streetscape to preserve on my street.

Mr. Bender said it would be simplest to sub-divide into Tavernier District south and Tavernier District north.

Ms. Bosold noted that leaves us where we are now. We have more control over this area than perhaps we should.

Mr. Bender noted we may want to have a staff approval process like they do in Key West. Items on the north side could go through the regular certificate of appropriateness as staff approvals.

Mr. Ortiz said he does approvals on applications already where the exterior appearance will not change.

Ms. Silvia noted that the Secretary of the Interior's Standards are adequate for protecting historic structures and their environment. Dividing the district into zones will be complex as there are always issues dealing with boundaries.

Mr. Mercado said code section 131-29 deals with the HPC.

Mr. Tobin presented a copy of the Albany guidelines to the Commission. It gives illustrated examples of what is and what is not appropriate.

Ms. Bosold asked Jim what they do in Islamorada.

Mr. Clupper said they have no contributing structures as the owners voluntarily list their property.

Ms. Allen said a lot of people in the Tavernier District do not want things to be more lenient.

2:00 pm Regular Meeting

Adoption of Minutes from the June 25, 2012

Bert Bender motioned to approve the minutes of the June 25, 2012 meeting. 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 and May 7th 2012 meetings).

Applicant presentation of new material.

Andy Tobin said this is the third time this application has come before you. What was discussed at the workshop today is my issue. He has Attorney Nick Mulick here to represent him today. David De Haas and Larry Nix will testify as expert witnesses. Mr. Tobin noted he has lived here since 1976 and has a good working knowledge of the area. He was unhappy with the last meeting and has been studying the guidelines and new construction. He publicly thanked Bert for his efforts as the new plans are a better design. He showed the first and second sets of drawings. He has built two Key West Victorian style houses and has purchased one. He likes the style but wanted something different. Bert got him into being proud of what he builds. The guidelines indicate you should not duplicate a historic house. The ground level historic houses in Tavernier cannot be duplicated. One article noted you do not want to wake up one morning and see a structure that looks like it came from Mars. For example, if all the houses on the street are set back 30' and one has no setbacks, it would really stick out as inappropriate.

Our guidelines leave a lot to be desired.

Mr. Tobin presented page 2 of the guidelines. He noted Largo Beach is the southernmost subdivision. There is only one historic building here and that is the Foot and Ankle building.

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Larry Nix's research shows most structures on the water are built to the maximum setbacks and to the maximum height.

Mr. Tobin explained that the 33' front gable on these drawings is an architectural feature that follows that of the Tavernier Hotel. The flat portion of the roof is 31'.

Mr. Tobin presented photos of the structures on Coconut Row. You cannot build ground level like this anymore because of the floodplain. He also presented photos 1-9 of the houses on his street. None of these match the historic structures. If he built one that did, it would be the one that looked like it came from Mars. There are discrete districts in Tavernier. His lot, along with the others in Block 8, are probably all fill.

Mr. Nix reviewed the table on the cover sheet of the new plans. The table lists the widths (without overhangs) and heights of 25 structures on the water. All of these are similar. They are all to the maximum setbacks.

Mr. Tobin said there is a certain minimum size you need to build a house. Considering a stairway with drywall on both sides you need at least a 34' width. Your attorney told you there is administrative discretion. If you want to create different zones it would probably take 30 years.

David De Haas lives in the neighborhood and said his professional opinion is that this new design is attractive and blends in with the neighborhood.

Mr. Mulick said the goal is not to replicate. He lived in a house on Coconut Row that Jack London brought in from Key West. If you buy a historic structure, you must preserve it. New construction is different. The historic homes in the district are each unique but share qualities. The part of the district that is historic should remain as it is forever, but this area of the district is not historic. He does not want to see the ordinance legally challenged and jeopardized. The district should not be over-burdened by regulation.

Mr. Mercado explained Andy had been issued a building permit on this parcel prior to the formation of the Historic District. He is here now because he wants to change the permitted plans. They cannot look at it by subdivision, but instead by the whole district. All the structures shown in photos 1-9 were built prior to the District.

Mr. Tobin spoke about administrative discretion during the workshop. On page 30 it states the intent is to guide new construction. Discretion lies in proximity. There are no historic structures in the proximity of his property.

Mr. Nix said his table includes 5 subdivisions.

Mr. Tobin asked Larry if it is typical to build to the maximum setbacks.

Mr. Nix said yes.

Public testimony

There was no public testimony.

Board discussion

Mr. Bender asked Mr. Tobin if he has a permit to build.

Mr. Tobin said yes he submitted plans for a modular structure 8 years ago as a place holder. These plans are pre-approved by the State so they could be submitted to get into ROGO. Once you get the allocation you can change the plans.

Mr. Bender said you could build the modular. If you are changing the plans the Secretary of the Interior's Standards say new construction does not have to match anything. He explained you can build a contemporary structure that considers scale, proportion, and rhythm in respect to the District.

Ms. Bosold noted that the driveway has been changed from gravel to pavers. In addition, the building height is confusing.

Mr. Nix said the height is from grade to the top of the ridge.

Mr. Ortiz said the rule has recently changed. Height is now considered from the height of the road or from average existing grade.

Mr. Nix asked if they liked this set of drawings better or if they would rather have a modular.

Mr. Clupper reiterated what Bert and Donna discussed.

Mr. Tobin said he sees where this is going and asked to withdraw the application. On second thought, he asked that it be tabled.

Motion

Bert Bender motioned to table the application. Donna Bosold seconded the motion. All voted in favor of the motion.

Mr. Mercado asked how much time he would like it to be tabled. Mr. Tobin agreed to 90 days.

2. BALLAST TRAIL,LLC is proposing to construct a single family residence and to convert the existing Red Cross house into a guest house at 200 Ballast Trail. The subject property is legally described as Lots 4, 9, and 10 Tavernier, Island of Key Largo, Monroe County, Florida having Real Estate Numbers: 00090220-000000; 00090230-000000; 00090230-000100; 00090260-000000; 00090270-000302; 00090270-000301 (previously tabled at the June 25th 2012 meeting).

Applicant presentation of new material.

Don Horton said he thought everything was fine at the last meeting before he left for the dentist.

He then found out there were some concerns. He was told the new house would over power the Red Cross House. They have worked to get the appearance that the new house is a one-story from the ocean. They have been careful not to obstruct the neighbor's view. The house will be setback 600' from Lowe Street and 124' from the ocean. They are required to be at least 50' from the ocean. They can set it back even further but it will impact the hammock.

Alice Allen asked for a copy of the vegetation report.

Public testimony

There was no public testimony.

Board discussion

Bert Bender said this is a good contemporary design. The pool and balcony are in the VE zone.

He asked if the chain link fence represented the property line and if fill was going to be added.

Mr. Horton said the fence is on the property line. They are not planning to add fill as they want it to remain natural.

Ms. Allen said she is very pleased they are preserving the wooded area and that the rocky

shoreline will remain as it is.

Mr. Horton said the Red Cross will be preserved. Only the kitchen will be removed.

Motion

Jim Clupper motioned to approve the project as submitted. Bert Bender seconded the motion. All voted in favor of the motion.

3. HAROLD McMAHON is proposing to add a 2 story deck on the water side of the structure, a 3' X 3' addition and a new roof on the master bedroom, and replacement of windows on the street side of the home, at the property located at 198 Lowe Street. The subject property is legally described as BK 3 AMD Plat of Tavernier Beach, Key Largo, 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

David de Haas presented the project. He noted that they plan to change out all of the windows.

The small addition will have a raised hip roof.

Public testimony

There was no public testimony.

Board discussion

Bert Bender had no comment.

Alice Allen asked to look at the elevations.

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Donna Bosold asked what they plan to use for replacement windows.

Mr. de Haas said they are now black framed and they intend to change to white framed impact windows.

Motion

Bert Bender voted to approve with the submittal of window specs. The small addition will have v-crimp roofing. Donna Bosold seconded the motion. All voted in favor of the motion.

4. RONALD J. MOUNT is proposing to install 175 feet of 5 foot high black chain link fencing at 200 Albury Lane. The subject property is legally described as 34-62-38 Island of Key Largo PB1-64 Lots 15-16, Monroe County, Florida having Real Estate Number: 00089980-000000.

Staff presentation

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

Applicant presentation

Cynthia Burns explained she is the agent for the owner, Ronald Mount.

Public testimony

There was no public testimony.

Board discussion

Alice Allen asked if the proposed fence would run along Settler's Park.

Ms. Burns said no, it will be along the other side of the property.

Motion

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

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Other Business:

Jim Clupper said he would continue to work on the preamble to the guidelines.

Bert Bender pointed out we need to discuss what should be required for submittals.

Donna Bosold said Key West has just gone through a review of what should be required.

The board agreed to have another workshop at the next meeting.

Adjournment.

As there was no other business, the meeting was adjourned.