

# HPC

## Monroe County Historic Preservation Commission MINUTES

Monday April 4, 2016 2:00 pm

Tavernier Fire House, 151 Marine Ave., Tavernier



### Call to Order.

### Roll Call.

Present and answering to roll call were Chair-Commissioner Alice Allen, Commissioner Bert Bender, Commissioner Ray Rhash, and Commissioner Anne-Marie Victor-Howe

Staff present: Barbara Bauman, County Planner  
Peter Morris, Assistant County Attorney  
Diane Silvia, Preservationist

### Adoption of Minutes from the March 7, 2016 meeting.

Bert Bender motioned to approve the minutes from the March 7, 2016 meeting. Ray Rhash seconded the motion. The motion carried unanimously.

### Changes to the Agenda.

There were no changes to the agenda.

### Applications for Special Certificate of Appropriateness:

1. **MARY & JOHN DELOACH** are seeking after-the-fact approval for a central AC unit on the side of the home located at 120 Sunrise Drive. The subject property 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 and recommendation

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

### Applicant presentation

The agent for the applicant was not present until the Commission was in Board Discussion.

### Public testimony

There was no public comment.

### Staff response

There was no staff response.

### Board discussion

Bert Bender said he went by the house and the AC condensing unit is on the side towards the rear.

Alice Allen explained this is an entirely new AC system. There used to be window units.

Monroe County Historic Preservation Commission

MINUTES

Monday April 4, 2016 2:00 pm

Tavernier Fire House

Mr. Bender said if that is the case and this entirely new it could have been located at the rear of the structure. He noted they have 21.5' at the rear and asked, what is the required rear setback?

Barbara Bauman said it is 20' but that does not apply to accessory structures.

Mr. Bender said a condensing unit would be considered an accessory structure.

Barbara Bauman and Peter Morris said they view that as a structure.

Mr. Morris explained an AC condensing unit could not be assigned an accessory use.

Ms. Bauman said an AC condensing unit is normally not allowed in the setbacks.

The applicant's agent Kaley Miller arrived.

Kaley Miller explained she is the previous owner of the house serving as the new owner's representative. Rex Air is handling the after-the-fact permit.

Mr. Bender said we were just discussing the location of the condensing unit. It could be relocated to the rear corner of the house. He asked if we could get an answer on whether or not a condensing unit would be allowed within the setback.

Mr. Morris read the definition of accessory structure from Section 101-1 of the Monroe County Code. By definition the condensing unit would be classified as an accessory structure as it serves the main structure.

Anne-Marie Victor-Howe wondered why it cannot be located in the rear yard. If this is new it should be located in the most appropriate place.

Ray Rhash asked if a vegetative screen would work with the existing unit location. It would be more cost effective.

Mr. Bender noted vegetation can be temporary. It could be done with a fence.

Mr. Morris said it is the HPC's obligation to review this application as if it was not a violation.

Mr. Bender said it is not our responsibility to consider cost.

Ms. Miller said you are saying it needs to be moved and that no one else has a unit on the side of the house.

Mr. Bender said it does not matter where others are located.

Monroe County Historic Preservation Commission  
MINUTES  
Monday April 4, 2016 2:00 pm  
Tavernier Fire House

Ms. Bauman and Mr. Morris reviewed Section 114-3 of the LDR's regarding accessory structures and concluded the unit would be allowed in the rear yard.

**Motion**

Bert Bender motioned to deny the proposed location of the condensing unit, but to approve relocating it to the 5.9' X 8' indentation at the rear of the building based on Standards 9 and 10 of the Secretary of the Interiors Standards and Appendix B.28 of the Florida Building Code for Existing Structures. Ray Rhash seconded the motion. The motion carried unanimously.

**Other Business:**

There was no other business.

**Adjournment.**

Bert Bender motioned to adjourn. Ray Rhash seconded the motion. The motion carried unanimously.