

HPC

Monroe County Historic Preservation Commission June 6, 2016 MINUTES



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 Donna Bosold, and Commissioner Anne-Marie Victor-Howe

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

Adoption of Minutes from the April 4, 2016 meeting.

Bert Bender motioned to the minutes from the meeting on April 4, 2016. Donna Bosold seconded the motion. As there were no objections, the motion carried unanimously.

Changes to the Agenda.

There were no changes to the agenda.

Applications for Special Certificate of Appropriateness:

1. Robert Hagenbucher Is seeking approval to construct an addition with decking and a screened porch at his single family residence at 142 Ocean View Drive. The subject property is legally described as Lot 3 Block 4 Tavernier Heights PB1-180 Key Largo, Monroe County, Florida having Real Estate Number: 00555440-000000.

Staff report

The Commissioners reviewed their copy of the staff report. Hard copies of the report were provided for the public.

Applicant presentation

Architect Timothy Bricker, 89 N. Bay Harbor Drive, Key Largo, presented the project.

Public testimony

Amy Rembisz, owner at 235 Tarpon Street, which is adjacent to the proposed project, said she has no problem with someone improving a single family home. However, this is not a single family home, it is operating as an Airbnb. The Planning Department was notified about this. Several neighbors have had guests knock on their doors asking directions to the Airbnb.

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Ms. Rembisz brought copies of some of the advertisements for the property. She said this is an on-going Code Enforcement case. These rentals have been going on since 2013. They have 329 reviews and there were probably many more guests as not everyone leaves a review.

Ms. Rembisz explained that the proposed deck and room will look directly onto her home and are being built to accommodate guests. She asked that if a permit is granted that the owner has to sign a statement saying they will discontinue these rentals. These improvements should not be allowed for illegal activity.

Leslie Sharman, the neighbor at 256 Tarpon Street, agreed with Ms. Rembisz.

Staff response

Peter Morris explained that alleged illegal use is an issue not under the HPC's jurisdiction. The HPC has no basis of law to put conditions of use on a building permit. Those findings of fact must be determined by a Special Magistrate at a code hearing. If the HPC made a stay it would be overturned.

Ms. Rembisz asked Barbara Bauman if Planning could withhold the permit.

Mr. Morris said the Director of Planning could hold the permit. Short term vacation rental cases take time.

Ms. Rembisz said she spoke with Kevin Bond about this.

Mr. Morris said having insufficient information to make a decision is adequate to vote for a stay. An alleged illegal use is not.

Board discussion

Donna Bosold said what we have before us is a residential structure. We cannot consider an illegal use.

Bert Bender said the plan shows infill. He would like to see a floor plan.

Mr. Bricker said the owner wants that to add a third bathroom on the first living floor. He said he turned in a floor plan (sheet 2.1) when he submitted the building permit application.

Motion

Bert Bender motioned to continue so that HPC has a complete package for review with a floor plan for the first living floor level. Donna Bosold seconded the motion. As there were no objections, the motion carried unanimously.

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2. Faith Pitts is seeking approval to construct a new single family residence at her property located at 262 Lincoln Avenue. The subject property is legally described as Lot 10 Block 10 Largo Beach PB1-108 Key Largo, Monroe County, Florida having Real Estate Number: 00478240-000000.

Staff report

The Commissioners reviewed their copy of the staff report. Hard copies of the report were provided for the public.

Applicant presentation

Architect Timothy Bricker presented the project.

Public testimony

There was no public testimony.

Board discussion

Bert Bender said, there again, there is no floor plan.

Mr. Bricker said the house was designed this high so the owner or future owner could later enclose it for additional living space or it could be used for RV or boat parking.

Mr. Bender said this is very tall. The first floor level should not be higher than what FEMA requires plus one foot.

Mr. Bricker said they can enclose that space.

Donna Bosold asked if the tower element was for an elevator.

Mr. Bricker said no, it is just an architectural element. He said floor plans would be helpful. They were submitted so he does not know why the HPC did not receive them.

Motion

Bert Bender motioned to continue so that HPC has a complete package for review with floor plans. Donna Bosold seconded the motion. As there were no objections, the motion carried unanimously.

3. 86701 Overseas Highway, LLC is seeking approval to remodel the existing office and apartment to include replacing apartment windows with impact windows and exterior painting at 91655 Overseas Highway. The subject property is legally described as PT Lot 10, 12, 13 and Lot 11 Block 3 Tavernier Heights Key Largo PB1-180 Key Largo, Monroe County, Florida having

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Real Estate Number: 00555410-000000.

Staff report

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Applicant presentation

William Knetge, Architect, said they would like to retain the existing character of the building.

Public testimony

There was no public testimony.

Board discussion

Alice Allen reviewed the history of the building and said the Property Appraiser's built date is incorrect.

Anne-Marie Victor-Howe said there is something inconsistent about the way the doors and windows are depicted. It is not clear as to what exactly they are doing. She would like to see more photographs.

Mr. Knetge said they are closing up two windows and moving the door.

Bert Bender said I thought you were keeping the openings the same. He motioned to continue so that we can get a floor plan.

Mr. Knetge reviewed the requirements on the applicant check list and said a floor plan is not included. He does not want this continued.

Mr. Bender said the application is not complete. We need photographs of all 4 sides. You are changing the fenestration. We need elevation drawings of the existing and what is proposed. He has a problem with altering the fenestration and asked why they need to do this.

Mr. Knetge said it is to reduce noise and increase wall space. The new windows will be impact.

Donna Bosold said there is a note on the plans about a 6' fence.

Mr. Knetge said they are not requesting a fence.

Mr. Bender reviewed the Secretary of the Interiors guidelines for windows that is included in the Existing Building Code.

Mr. Knetge said those are guidelines, not requirements.

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Cheryl Meads, property owner, said this is one of the most unattractive places I have ever lived in. This community needs help. Teachers here live in poverty. This is a two bedroom apartment for an affordable rental for people like teachers and firemen, to get them out of squalor and into a place they can be proud of.

Mr. Bender said the existing openings should be retained in-kind.

Ms. Meads said they are willing to do that.

Ms. Bosold asked about the note on the plans regarding a canopy.

Mr. Knetge said they are not doing a canopy.

Anne-Marie Victor-Howe said she would still like to see more photographs.

Mr. Bender said we should have existing and proposed floor plans and elevation drawings of all four sides. The flood elevation should be called out and there should be at least one building section.

Mr. Knetge had complete drawings with him that had not been submitted.

Peter Morris said the HPC can consider these plans as long as it goes along with the advertised work.

Ms. Bosold said it should be within the advertised scope.

Barbara Bauman asked the HPC to clearly mark on the plans and initial what they are approving.

Mr. Bender said there is an existing rhythm of solid, void, solid, void.

Motion

Bert Bender motioned to approve new windows in the existing openings on the north elevation in lieu of closing up the openings and to replace windows in the existing openings on the west elevation in lieu of expanding any openings. Donna Bosold seconded the motion. As there were no objections, the motion carried unanimously.

Other Business:

Peter Morris said the BOCC will be considering providing matching grant money for restoration of the Old Tavernier School at their June meeting.

Alice Allen said they made that commitment a long time ago and never acted on it.

Adjournment.