

From a Map of East and West Florida by Bernard Romans c1784.
(Library of Congress)

TAVERNIER HISTORIC DISTRICT PRESERVATION GUIDELINES

MONROE COUNTY, FLORIDA: JUNE 2024

Prepared for: THE CITIZENS OF TAVERNIER AND THE FLORIDA KEYS

With the Assistance of:

MONROE COUNTY, FLORIDA

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Historical Resources

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I INTRODUCTION

The Tavernier Historic District Preservation Guidelines prescribe the basic rules for development and property maintenance in the area known as the Tavernier Historic District as recommended by the Tavernier Livable CommuniKeys Plan (LCP). The Tavernier Historic District is bounded on the North by US Highway 1, on the West by the Tavernier Creek, on the South by the Atlantic Ocean and on the East by Mile Marker 92. Within the district there are more than 76 historic structures. These Guidelines should be used to guide development and redevelopment within the Tavernier Historic District. They are an instrument for the implementation of the rules for development within Monroe County's Comprehensive Plan and Land Development Code, and the Livable CommuniKeys Plan.

The intent of the Guidelines is to provide guidance for the sustainability and evolution of the Tavernier Historic District to help preserve its cultural and architectural integrity. The Guidelines will provide principles used to regulate the appearance of new development as well as the rehabilitation and maintenance of historic structures to encourage regular maintenance, accurate restoration, and appropriate alterations or additions, in addition to work to be done on noncontributing structures. These Guidelines rely on the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Historic Preservation* as their foundation. A Certificate of Appropriateness is typically required to secure building permits in the historic district.



Aerial view of Tavernier in 1951 (Historic Preservation Society of the Upper Keys/Jerry Wilkerson).

II BRIEF HISTORY OF HISTORIC PRESERVATION

HISTORIC PRESERVATION IN EARLY AMERICA

Historic preservation in the United States began almost in tandem with the founding of the nation. In 1788, having mapped the prehistoric earthworks at the junction of the Muskingum and Ohio Rivers, Rufus Putnam planned the town of Marietta there to conform to the topography of what he saw as "evidence of an ancient history of the new nation." Long before the Mount Vernon Ladies Association saved George Washington's home in 1858, early Americans began to perceive historic structures "not solely as vessels of historical memory or metaphors for the past. They also saw them as real estate" and in so doing, "they made preservation a way of defining what should not be for sale...a strategy for making a moral economy."¹



Drawn by Henry Howe in 1846.

THE MOUND AT MARIETTA.

Public Domain, <https://commons.wikimedia.org/w/index.php?curid=6927774>

The first preservation law enacted in the United States was the Antiquities Act of 1906. It provided legal protection for cultural and natural resources of historic or scientific value on federal lands. It strove to avoid the loss of archaeological resources through heedless private collecting as exploration boomed during the continental expansion of the late 1800s. The National Historic Preservation Act of 1966 was enacted in response to widespread destruction of cultural resources by urban renewal projects in the mid-1960s. It established procedures for protecting historic and archaeological resources at the federal level and provides the model for state and local legislation. In 1976, the federal Historic Rehabilitation Tax Credit (HRTC or HTC) was established as an incentive for private capital to invest in rehabilitating historic buildings. Since then, the program has helped rehabilitate more than 48,293 buildings, created 2.67 million local jobs, and returned \$4.9 billion to the Federal Treasury.²

HISTORIC PRESERVATION IN MONROE COUNTY

Having fallen on hard economic times after the hurricane of 1926 and the stock market crash of 1929, Key West initiated the preservation of distressed structures using Federal Emergency Relief Administration funding in 1934. This program, initiated by the Federal Government and approved by the citizens was meant to transform Key West, a city dependent upon fishing, sponging, and turtling, into a tourist destination. In the late 1950's-1960's, the destruction of several historic buildings including the Convent of Saint Mary's and the near loss of the Geiger House resulted in public outrage and the beginning of the Preservation movement in Key West. The State of Florida Bureau of Historic Preservation, Division of Historical Resources established a satellite office in Key West and the Governor appointed members to the Historic Florida Keys Preservation Board as support. The Old Tavernier Town Association focused on preserving the historic character of their community and requested Florida's Historic Preservation staff to begin recording Tavernier's historic structures in 1983. A more extensive survey of historic structures throughout unincorporated Monroe County was completed in 2003. The data compiled in these studies was used for creating the Livable CommuniKeys Master Plan (LCP) for Tavernier Creek Bridge to Mile Marker 97. This was a coordinated effort by the Monroe County Planning and Environmental Resources Department and the community of Tavernier. This plan laid the groundwork for establishing the Tavernier Historic District, the development of design guidelines, establishing the Historic Preservation Commission for design review, and additional cultural resource surveys. With these accomplishments, unincorporated Monroe County met the State's requirements to achieve Certified Local Government (CLG) status. As a CLG, non-matching grants funded a detailed study of the Tavernier Historic District by Otten and Hyland in 2008 and the Monroe County Cultural Resource Assessment update by Carr et al. in 2016. A second assessment by Carr et al. in 2019 surveyed Conch Key, Duck Key, Indian Mound Estates, and several archaeological sites.



Audubon House, photographed here in 1961, was constructed for John Geiger in the 1840s (State Archives of Florida/Marks).

III. HISTORIC TAVERNIER



Mid-1930s Tavernier streetscape (Historic Preservation Society of the Upper Keys.)

The place name Tavernier comes from its small oceanside island, named Caio de Tabanos or Horsefly Key as early as 1639. It was recorded as Cayo de Tivanos in 1763. By 1775 it was labeled on a chart as Key Tavernier³.

Pioneer homesteaders developed the settlement of Planter, located several miles north of present day Tavernier. The heart of that community included the Bakers, the Lowes, and the Alburys, all from Abaco in the Bahamas.

Although the Homestead Act of 1862 opened land in the Keys to the public, the land was not surveyed until 1872.

By at least 1860, Benjamin Baker of Key West established pineapple plantations on Plantation Key and north of Planter³. His success in growing pineapples, tomatoes, and melons inspired the founding of the community of Planter.



The Planter post office c1899 (Historic Preservation Society of the Upper Keys).

William and Robert Albury were the first to settle there from Abaco, followed in 1875 by Amos and Ada Lowe who arrived in a "storm-battered sailing ship." The site of the Lowe house at the southern tip of Key Largo became known as Lowe's Point. The Alburys lived just east of the Lowes, and the Sam Johnson family arrived next.

The growing Bahamian population in Key Largo is reflected in the U.S. Census which lists sixty-one inhabitants in 1870, two hundred in 1890, and three-hundred-fifty in 1900. Planter was devastated by hurricanes in 1906, 1909, 1910, and 1911 which contributed to a blight that destroyed much of the pineapple crop. Many of the settlers moved south to the community of Tavernier which was tied to Flagler's newly constructed Over-Sea (now commonly called "Overseas") Railroad. The first post office in Tavernier was established on March 9, 1911, on land owned by Amos Lowe and Robert Albury. The population also shifted from the bayside to the oceanside of Key Largo toward the railroad right-of-way.

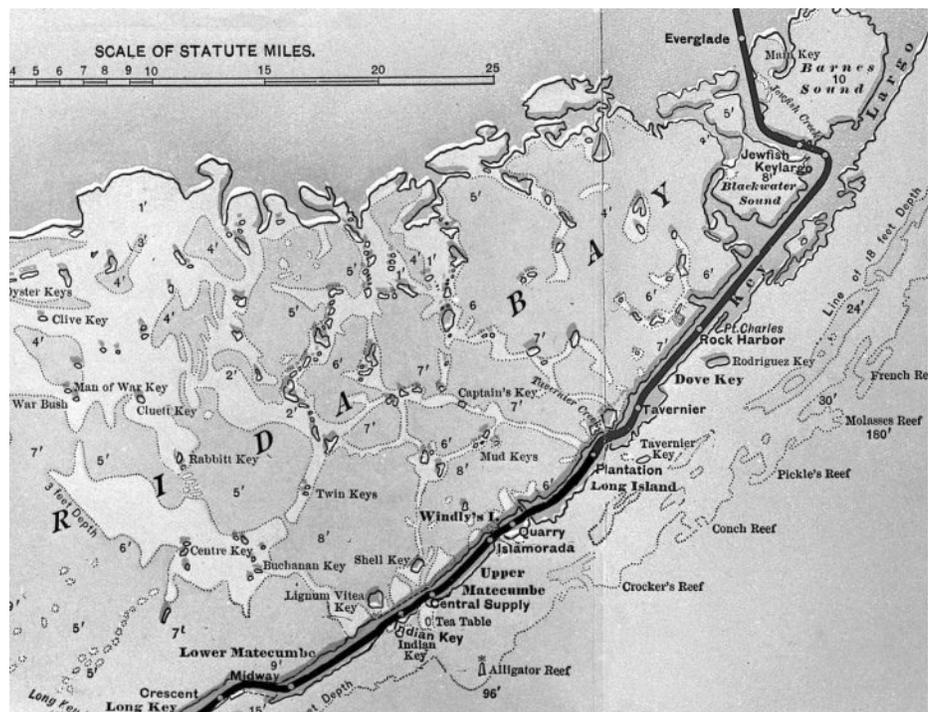


Pineapples being transported on a sailboat, Florida Keys, c1890. (State Archives of Florida/Marks).

"Planter" tended to refer to all of south Key Largo until construction of the Tavernier station by the Florida East Coast Railway in 1908. In 1909, the Planter post office closed. The following year, the Overseas railroad reached Key West, creating a fast track by train, ferry, and steamer between Jacksonville and Havana.

Flagler's railroad and the lower tariffs he charged on Cuban pineapples let them supplant the local produce³ and Tavernier farmers had to grow other crops. They grew winter vegetables in small gardens and had groves of citrus and tropical fruit trees such as date and coconut palms, bananas, mangos, guava, and sapodilla. As truck farming expanded, so did the population.

Another consequence of this abrupt revolution in transportation was the



Section of a Florida East Coast Railway brochure showing stations and stops in the upper Keys (State Archives of Florida).

growing value of Keys real estate. The Albury and Lowe children subdivided the family land and deeded lots to family members. The divisions between their lots became streets like Coconut Row, Lowe Street, Ocean Avenue, Tavernier Trail, Beach Road, and Sunrise Drive. The railroad and its successor, the Overseas Highway, also resulted in a reorientation of construction, especially public and commercial, to inland locations favoring access to the overland transportation. Architecture was influenced as access opened to new materials and techniques.



Tavernier land boom, 1925 (Historic Preservation Society of the Upper Keys).

While most places went bust after the collapse of the Florida Land Boom, Tavernier acquired several new residents. Marvin Thompson and his brothers (arriving from Key West c1919); Ollie M. Woods, H. S. McKenzie, in the late 1920s; Cliff Carpenter in the 1920s-30s; Harry Harris, the Wilkinsons, and the Allens in the 1930s; the Killingsworth family and the Alleys in the late 1930s-1940s.

Ollie Woods was involved in numerous business and real estate ventures. He is noted for platting the Olliewood development which became Tavernier 2 Subdivision in 1929. "Mac" and Hazel McKenzie moved from Miami in 1928 and partnered with Woods to build the Standard Oil gas station. Mac built other structures that are now landmarks including the drugstore (the Copper Kettle restaurant) and the Key Theater (Tavernier Hotel). He provided the first electricity (mornings and evenings) to subscribers from a diesel generator. The Old Tavern Tea Room was already built when he arrived and his first job in Tavernier was managing it³.

Cliff Carpenter worked with Mac McKenzie to build many of the houses in Tavernier that are now historic. He also had a farm on Plantation Key where he grew tomatoes and melons. A visit to Mable's Place, the restaurant owned by his sister in Key Largo, inspired Harry Harris to move to Tavernier. He started to work for McKenzie but soon inclined to politics, becoming county commissioner for a total of 28 years. He is associated with the historic homes at 114 Lowe Street and 122 Lowe Street. A monument was erected in his memory in Harry Harris Park. Doug Killingsworth had been a fireman in Homestead; he helped start the second oldest volunteer fire department in the Keys in 1934 using a hand-me-down pump from Key West towed by Eugene Lowe's pickup.

The Overseas Highway, initially State Road 4A, was a project that spanned the boom and bust. In 1919, the Miami Motor Club was looking for a way for sport fishermen to drive to Key Largo, realtors wanted access to the undeveloped Upper Keys, and locals had been lobbying for a road for tourists since 1895. A route through Card Sound was chosen, other sections of road followed, and by 1928 a highway had been completed between Homestead and Key West, with the exception of a 41-mile ferry trip between Lower Matecumbe and No Name Key. The drive to Tavernier in 1928 was over "a bumpy rock road" but it changed things in the Upper Keys even more than the railroad had. Weekend cottages proliferated, charter fishing became popular (Rodney Albury, Cliff Carpenter, and Eugene Lowe became charter boat captains) and farms gradually disappeared.



TAVERNIER 1934

Tavernier conchs navigate the Great Depression. Harry Harris is seated at far left (State Archives of Florida).

This uncommonly vigorous economy in Depression-era Tavernier was interrupted on Labor Day in 1935 by a devastating hurricane. But the disaster can be credited as being the impetus for the employment of reinforced concrete to counteract higher winds and the elevation of structures on piers or stilts to mitigate flooding. One early example in Tavernier is the Edward "Doc" and Alice Lowe/Red Cross House at 1 Ballast Trail. Doc had been a paramedic for the railroad, later settling in Tavernier. The Lowes moved into their house in 1935 as soon as it was finished. It was all-concrete, including the roof which drained into a cistern under the house.



Left: Red Cross House at 1 Ballast Trail.

Right: Wilkinson House standing on concrete piers.



Another example is the Wilkinson House: Jack Wilkinson moved from Miami to the Planter area where he fished and collected marine specimens, living in a tent. He married Kay who left her family in Miami to join him. Their children were born in the tent. They moved to Tavernier and in 1951 built a wood frame house raised a full story above ground on concrete piers. The home seems modern because it influenced so many that have followed.



Looking south at buildings that survived the hurricane, Tavernier 1935. Drug store and hotel at far left; railroad houses at far center; Captain Bob Comb's house, front right (State Archives of Florida).

The Labor Day Hurricane destroyed 40 miles of track on the Overseas Railroad. Its right-of-way and bridges were sold to the State of Florida and Monroe County, with federal funding, built the second Overseas Highway in 1938. This version of the highway made auto ferries obsolete. It built a system of auto bridges on top of the former railroad bridges between Lower Matecumbe Key and Big Pine Key. It retained sections of the original road between Card Sound and Upper Matecumbe Key, and Big Pine and Key West³. The highway was modernized in 1944. The Tavernier segment was four-laned in 1966.

Public utilities, headquartered at the Electric Co-op and the Aqueduct Authority in Tavernier, spread across the Keys in the 1940s. The 1935 New Deal-built hurricane shelter/public school became the Monroe County Health Department. Mac McKenzie was the first president of the Upper Keys Chamber of Commerce when it opened in 1947. By 1951, Tavernier and Islamorada were tied for the number of listings in the phone book: four times as many as the surrounding communities.

Architecture continued to evolve, reflecting mid-century building trends. An example is the house at 163 Coconut Row, built in 1947, bought by John C. and Lois M. Stormont in 1973. The history-conscious Stormont couple were instrumental in forming the Old Tavernier Town Association and in raising the money to relocate and preserve the 1928 Merlin Albury House and the 1936 Methodist Church.

The LCP for Tavernier Creek Bridge to Mile Marker 97 was a coordinated effort by the Monroe County Planning and Environmental Resources Department and the community of Tavernier. This plan laid the groundwork for establishing the Tavernier Historic District and recommended drafting design guidelines according to the goals outlined in the LCP:

Goal One: *direct future growth to lands that are most suitable for development, prevent sprawl into less developed areas and encourage preservation of environmentally sensitive lands.*

Goal Two: *preserve and protect the qualities of neighborhoods between Tavernier Creek Bridge and Mile Marker 97 – its small town unique character, lush natural environment and water orientation.*

Goal Three: *define, maintain and enhance the community character from MM 91 to MM 93.5, and*

Goal Four: *protect and enhance historic, cultural and archeological resources within Tavernier to maintain the integrity of the community's unique character.*

An effort was made to nominate Tavernier's Historic District for listing in the National Register of Historic Places but the nomination was rejected by the State of Florida. In 2005, Monroe County approved landmark designation for the District. Local designation, it should be noted, provides greater protection to cultural resources than does a National Register listing.



Left: Merlin Albury House at its current location on the Overseas Highway. Right: the Methodist Church as the Tavernier Masonic Lodge in 1965 before being relocated (Historic Preservation Society of the Upper Keys).



Built in 1947, this house was bought by pioneering preservationists John and Lois Stormont in 1973.

IV USING THESE GUIDELINES



Tavernier Historic District (Monroe County Planning & Environmental Resources GIS 3/8/2024).

Your historic district stabilizes and improves property values, maintains the historical integrity of the community, and promotes civic pride. By stimulating cultural tourism, it supports the economy of Tavernier and the Florida Keys. See Chapter IX of these Guidelines for a discussion of financial benefits available for rehabilitation projects.

These guidelines will help determine what repairs and improvements can be made to a property within the Tavernier Historic District—whether the property contributes to the character of the historic district or not. The following steps should help you preserve the historical characteristics of Tavernier by facilitating the rehabilitation and preservation of contributing structures, the appropriate redevelopment of structures, and the appropriate construction of new buildings.

Step 1. These guidelines apply to all structures within the district whether *Contributing* or *Noncontributing*: determine which category applies to your property.

Step 2. Determine what work needs to be done to your property and whether a repair is possible. Repair and maintenance is always the preferred treatment.

Step 3. If an architectural feature can't be repaired, consult the following chapters of the Guidelines to determine a compatible replacement. *Contributing structures*: a replacement should match the historic feature in size, shape, material, and mechanism if operable.

Step 4. Some projects, such as elevating a structure, may require HPC review. Consider whether your project will benefit from any recommended environmental adaptations. Refer to Chapter VIII of these Guidelines.

Step 5. Apply per the rules in LDC Chapter 135, Section 6 (a), (b), and (c) for either a Regular or Special Certificate of Appropriateness (COA) according to your project type. See the COA Approval Matrix below to determine which certificate is needed. Include with the application photos of your property from the roadway, photos of adjacent properties, closeups of the project area, and illustrations of any manufactured products to be used, such as roofing, shutters, doors, and windows. Include any additional attachments per the checklist on each application. You should avoid purchasing materials or products in advance because permits may come with conditions that pertain to those items or their installation. Permits may have other provisions that affect the overall scope of work. Work done to a contributing property or structure or any noncontributing property or structure and new buildings within the Tavernier Historic District requires a certificate of appropriateness and must be in accordance with the following table.

COA APPROVAL MATRIX

Certificate of Appropriateness Approval Matrix			
Work to be Done	Contributing or Noncontributing property/structure within Tavernier Historic District	Regular Certificate^(a)	Special Certificate
Accessory Structure	Contributing; Noncontributing	—	X
ADA Improvements	Contributing	—	X
ADA Improvements	Noncontributing	X	—
Awning	Contributing	—	X
Awning	Noncontributing	X	—
Decks, Porches, or Patios	Contributing; Noncontributing	—	X
Demolition of Principal Structures	Contributing ^(b) ; Noncontributing	—	X
Demolition of Accessory Structures	Contributing ^(b)	—	X
Demolition of Accessory Structures	Noncontributing	X	—
Docks, Boat Lifts, and Dock Structures	Contributing; Noncontributing	X	—
Door Replacement	Contributing	—	X
Door Replacement	Noncontributing	X	—
Driveways	Contributing; Noncontributing	X	—
Energy Saving Devices (for example, solar devices), Visible from Street	Contributing; Noncontributing	—	X
Energy Saving Devices (for example, solar devices), Not Visible from Street	Contributing; Noncontributing	X	—
Elevation of Structures	Contributing; Noncontributing	—	X
Fences, Walls, Gates	Contributing; Noncontributing	X	—

Landscape Features (for example, fountains, or arbors) Visible from Street	Contributing; Noncontributing	—	X
Landscape Features (for example, fountains, or arbors) Not Visible from Street	Contributing; Noncontributing	X	—
Mechanical Equipment Including Pad or Stand, Visible from Street	Contributing; Noncontributing	—	X
Mechanical Equipment Including Pad or Stand, Not Visible from Street	Contributing; Noncontributing	X	—
Pools	Contributing; Noncontributing	—	X
Roof Repair/Replacement	Contributing; Noncontributing	X	—
Shutters	Contributing	—	X
Shutters	Noncontributing	X	—
Signs	Contributing; Noncontributing	—	X
Window Replacement	Contributing	—	X
Window Replacement	Noncontributing	X	—
<p>General Note: The Planning Director may refer any application to the HPC for review.</p> <p>(a) Work to be done that is located within the Tavernier Historic District and is eligible for approval by regular certificate of appropriateness per this matrix shall be reviewed per the Tavernier Historic District Preservation Guidelines. Work to be done that is inconsistent with these guidelines shall require a special certificate of appropriateness.</p> <p>(b) In accordance with subsection 135-6(d).</p>			

RECOMMENDED ADDITIONS/REVISIONS TO COA APPROVAL MATRIX

Pools and pool decks not visible from the street	Contributing; Noncontributing	X	—
Pools and pool decks visible from the street	Contributing; Noncontributing	—	X
New Construction		—	X
Additions	Contributing; Noncontributing	—	X

V ARCHITECTURAL STYLES AND DISTINGUISHING FEATURES

Tavernier has examples of several architectural styles that are typical of structures built in South Florida between the 1920s and 1960s. These include Frame Vernacular, Masonry Vernacular, Commercial Vernacular, Minimal Traditional, and Mid-Century styles. Few examples survive from the late pioneer period (1865-1920). Many of the remaining buildings are later in date and connected to the rise of tourism and increase in population after construction of the Overseas Highway and in the Post-war boom. Most the structures in the historic district represent domestic architecture. The few commercial buildings cluster along the Overseas Highway.

FRAME VERNACULAR

Vernacular buildings represent the typical method of construction used by pioneers in South Florida. Vernacular architecture is ordinary architecture. It does not adhere to a particular school of design and is not architect driven. The builder's experience coupled with local material creates a useful and practical building. Frame vernacular structures are framed in wood. In Tavernier they are usually rectilinear in form and noted for their simplicity.



Frame Vernacular

Built on foundations of masonry or stone piers they can be one, one and a half, or two stories in height, and often have a raised front porch. Exterior walls are faced with vertical board and batten, or horizontal clapboard. Early examples of this style have gabled or hipped roofs. Although many original roof coverings were wood, metal, or asbestos shingles, most have been changed to composition shingles or sheet metal. Windows are typically double hung sash and doors are simple, sometimes with a glazed panel. Oolitic limestone trim, chimneys, exposed rafters, and brackets are the only common decoration in this style. Attic louvers are common but are not there for decoration.

MASONRY VERNACULAR

Masonry Vernacular was also a common form of construction in South Florida and the Florida Keys. Nationally, brick was used in this style of construction, but the scarcity of brick in Florida limited its use. Hollow clay tile, oolitic limestone, and concrete block were the most common types of material used locally. Structures are both symmetrical and asymmetrical with some variation due to the arrangement of interior spaces. Roofs may be gabled and hipped with composition shingles or flat and parapeted.

Many shingled roofs have been re-roofed with sheet metal. Windows traditionally were double hung sash or casement, aluminum awning and jalousie windows proliferated in the 1940s and 1950s. Nearly all the masonry vernacular buildings in Tavernier are commercial rather than residential buildings.



Masonry Vernacular

COMMERCIAL VERNACULAR

Early commercial buildings built along the Overseas Highway in Tavernier were masonry vernacular structures. The prototype for several of those that had parapeted roofs was probably the Old Tavern Tea Room, possibly built by Ollie Woods, where "Mac" Mckenzie first worked when he came to Tavernier. He went on to build the adjacent theater which soon became the Keys Hotel, later known as the Tavernier Hotel, the drugstore, and many other now historic Tavernier buildings.



Commercial Vernacular

MINIMAL TRADITIONAL

During World War II most of the construction of domestic architecture in the United States came to a halt because of the lack of building supplies. When the war ended and building resumed, many of the historical precedents of earlier styles were largely abandoned. Instead, builders simplified forms building small practical houses for returning service men who bought housing under the GI Bill. Many of these houses have a front facing gable roof and few decorative ornaments. Roof pitches are low and eaves are close. These houses are built of a variety of materials and were popular as tract housing throughout the late 1940s and early 1950s.



Minimal Traditional

MID-CENTURY MODERN

Mid-Century Modern is an architectural style that generally reflects modern development in the middle years of the twentieth century. Although the term first appears in the 1950s, a further investigation shows that the period of importance for these designs is from 1933 to 1965. An American interpretation of the International and Bauhaus movements, it is generally simple in form, often geometrical, related to nature, and having ample windows and open floor plans. It may incorporate built-in planters, stucco reliefs and arches, breezeways, and intricate metal sun grilles. One of the few examples of this style in historic Tavernier is pictured below.



Mid-Century Modern

VI REHABILITATION OF HISTORIC BUILDINGS

There are four approaches to the treatment of historic buildings recognized by *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Historic Preservation*: Preservation, Restoration, Reconstruction, and Rehabilitation (detailed in Appendix II).

Rehabilitation is the technique of preserving a property's historical character while making the changes that may be needed to repair, stabilize, update, or adapt it to a new use.

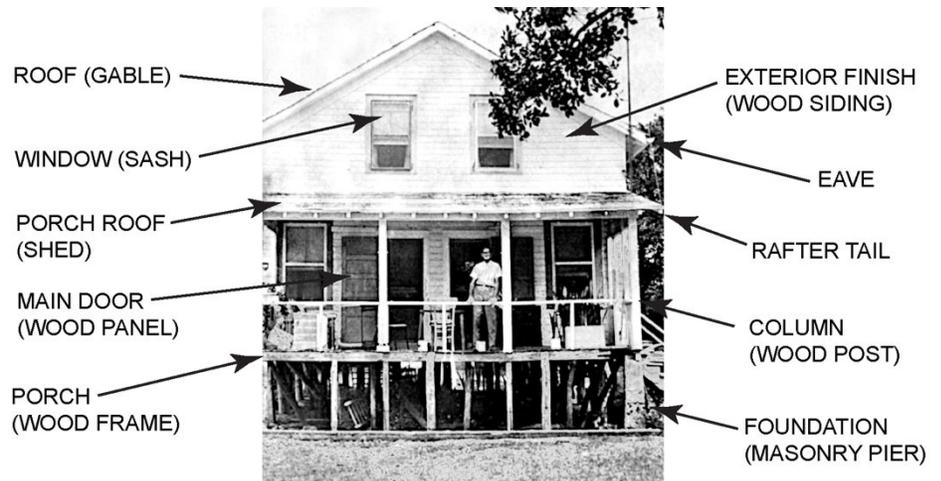
The *Standards for Rehabilitation* will be the most useful tool that residents of the Historic District can use as they approach the task of repairing or altering their contributing property and they are the focus of these Guidelines.

The Standards were originally published in 1977 and revised in 1990 as part of the Department of the Interior regulations (36 CFR Part 67, Historic Preservation Certifications). They pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior of historic buildings. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

The Secretary's Standards are the standards most often used by local historic district commissions nationwide.

ELEMENTS OF A HOUSE

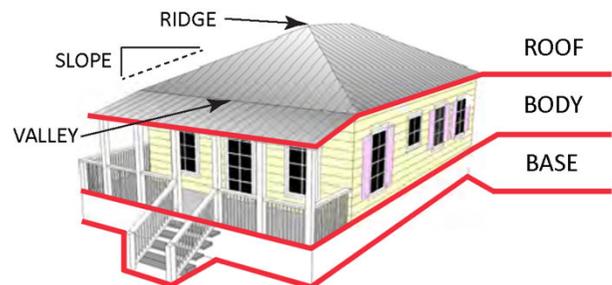
Standards of rehabilitation are analyzed below according to the basic elements of residential and commercial structures found in the Historic District. Rodney Albury's house provides a good example of a frame vernacular house that has many of its typical elements. These are the elements that in variation and combination will characterize the style or type of construction of your building.



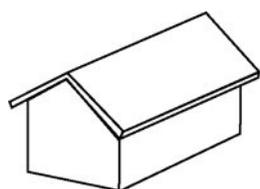
Rodney Albury on his porch in Planter, c1900 (State Archives of Florida).

ROOFS

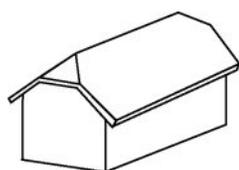
If we think of a building as divided into three basic sections, we can see that the roof is the most important insofar as it shelters the other parts of the building.



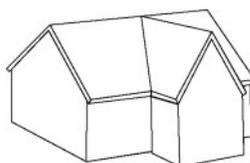
Common roof types⁴



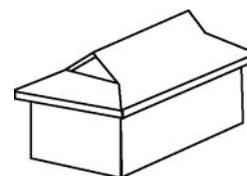
GABLE



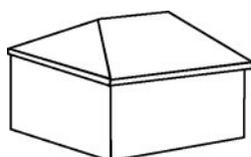
CLIPPED GABLE
or JERKIN HEAD



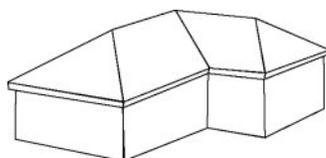
CROSS GABLE



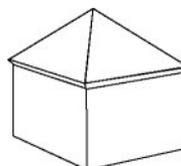
GABLE ON HIP



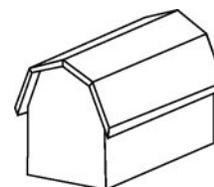
HIP



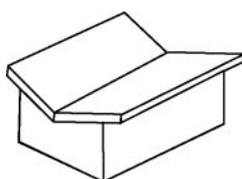
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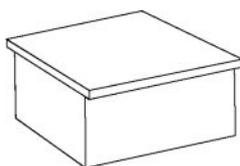
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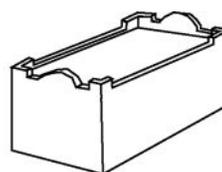
GAMBREL



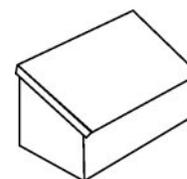
GULL WING
or BUTTERFLY



FLAT

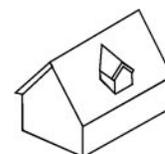


PARAPET



SHED

Roofs often have secondary structures – such as dormers, cupolas, steeples, vents, weather vanes, skylights – and chimneys.



DORMER on GABLE

Roof Recommendations

(All below apply to both *Contributing structures* and *Noncontributing structures* except for items 1 and 4.)

1. *Identify* your roof's shape, material, and its character-defining trim and other features. Preserve these features and avoid adding new features or structures that would change the roof's appearance.
2. *Clean* gutters and downspouts often. Replace deteriorating flashing, shingles, and fasteners carefully and inspect for water intrusion. Protect leaking areas while waiting to make repairs.
3. *Repair* a roof's historic materials whenever possible. If a section needs to be replaced, use the same kind of material/ If an original material is not available, substitute a compatible material, for example a replica metal tile for an original, a modern composite shingle of the same color and texture for an original, a modern clay tile of similar shape and color for an original.
4. *Reconstruct* a missing feature using historical documentation and make sure it is compatible with the building. Avoid removing a historic feature or secondary structure without replacing it.

5. *Locate* new mechanical equipment, solar panels, skylights, etc., out of public view. Place them where they do not block or obscure character-defining features.

6. *Preserve* structural components and decorative features when replacing a roof. Insure that the correct structural components are properly installed and remain in sound condition.

7. *Parapets*: when replacing a flat roof that has a parapet, avoid altering the appearance of the parapet with metal flashing or a cap that will be visible outside the building.

8. *Composition Shingles*: choose white or lighter colors for energy efficiency when replacing shingle roofs.

9. *Metal Roofs*: for new roofs use a corrosion-resistant product: aluminum would be the first choice, Galvalume a more affordable second (saltwater will shorten its normal life but it will last longer than galvanized.) Use unpainted metal. Near the waterfront, prefer a standing seam, double-folded profile with concealed clips. Avoid exposed fasteners. Rinse your roof frequently for longer life. Build a new or reconstructed roof at a minimum slope of 3:12 to let the roof drain freely.

10. *Clay Tile*: An existing clay tile roof may be rehabilitated or replaced if destroyed by natural causes but clay tile is not recommended for *Noncontributing structures or New Buildings*. Additions to *Noncontributing structures* as well as *New Buildings* must use typical roof types and materials as listed above. Addition roofs on all buildings should be nondestructive of the main roof.

11. *Flat Roofs*: are not recommended for residential buildings. New commercial buildings may have flat roofs with parapets of between 2 and 4 feet higher than the roof.

Common Roofs and Materials



Clay tile



Stamped metal shingles



Composition shingles



5v crimp sheet metal



Flat roof



Standing seam sheet metal

EXTERIOR FINISHES

Exterior finishes include the fabric that clads a building and the building's trim or finishing touches. Finish materials commonly found in Tavernier are masonry (brick, stone, concrete, stucco), wood, and metal. Trim and finishing touches can include door and window brackets. The following comments apply to both *Contributing* and *Noncontributing* structures except as noted.

Masonry

Brick is uncommon in the Tavernier Historic District and in the Florida Keys generally. It is more likely to be found as a building material in a chimney, which also is rare in the Keys. The important thing to remember is that brickwork should be cleaned gently, pressure clean on low with water and mild detergents. Chemicals are harmful. Repair loose mortar by hand. Make repairs only where and when they are necessary.



A rare brick chimney.

Historically, a lime-based cement that bonded easily to brick and stone was used as masonry mortar. It was weak, soft, and flexible and let water vapor pass through the mortar joints, allowing the walls to breathe. Portland cement, a mixture of limestone, clay, and additives became popular in the early twentieth century because it was stronger and harder and cured faster than traditional mortars, which it soon replaced. But a building is dynamic: it has thermal, moisture, and wind stresses that can cause damage if not relieved, which is what happened over the years to buildings using Portland cement. Therefore it is recommended that original mortar be analyzed and repaired with a "natural" cement that matches the original chemistry, physical properties, and aesthetics.

Stucco over concrete block is far more common. It should be repaired by patching with a stucco that matches the existing material in chemical composition, strength, coarseness, thickness, color, and surface texture. Repair a stucco feature if parts are missing or duplicate it if entirely missing. The stucco's texture should be replicated in places where repair is needed.



Masonry finishes: stucco over a wood frame house. A masonry chimney and a painted block outbuilding.

Stone, either native oolitic limestone or coquina, is found in the Historic District more frequently as a decorative feature than as a structural element. Like brick, stonework should be cleaned with care and not subjected to sandblasting or high-pressure washing. Unpainted brick and stone elements, those surfaces should not be painted or treated with sealant but left bare to naturally breathe.



Oolitic limestone wall, chimney, and foundation cover examples.

Abrasion "cleans" by eroding dirt or paint but it also erodes the surface of the building, causing irreparable physical and aesthetic damage. It can wear away mortar joints and remove the natural protective surface or patina of a masonry wall, increasing its exposure to weathering. It can destroy decorative detailing on molded architectural features, ornamental carving on stone or wood, and evidence of historic craftsmanship or any woodwork that has been hand planed, milled, or carved. All historic surfaces should be cleaned with the gentlest means possible.

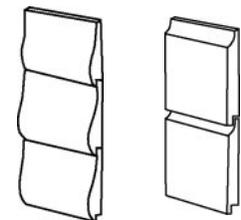
Water-repellent coatings or sealers are intended to keep liquid water from penetrating the surface while allowing water vapor to enter and leave. They are usually transparent but may change the appearance of some types of masonry. They partially penetrate the surface and as a result are nearly impossible to remove. Waterproof coatings, including elastomeric paints, seal the surface from all moisture. They may work until water enters from elsewhere and then it will not be able to escape. Moisture-related problems are usually leaky roofs and gutters, missing mortar, or cracks and open joints around doors and windows. If a historic building is kept in good repair, water-repellant coatings should not be necessary; waterproof coatings should never be used above grade.

Noncontributing structures: stucco is acceptable but its use must be reviewed on an individual basis. Chimneys may be acceptable if they are compatible with the character of the District. *New buildings:* should use traditional materials, no aluminum or vinyl siding. The use of stucco and fiber cement fabrics must be reviewed on an individual basis. Chimneys may be acceptable if they are compatible with the character of the District.

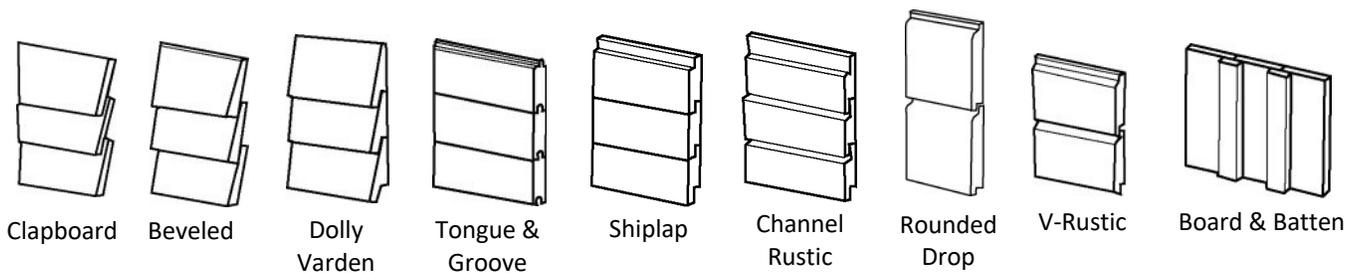
Wood

Wood is the most common building material and also the most common material for decorative features which are often displayed on the porch. The house with the stone foundation cover pictured above is a case in point: the square posts with base and cap, the balustrade with its lathe-turned balusters, the exposed rafters, the functional/decorative shutters, and the picket fence.

Wood siding itself is a feature and comes in a variety of profiles⁴ and is the most typical exterior fabric in the Historic District. It is the recommended fabric for additions to *Noncontributing structures* and for new buildings. Non-historical materials offered in the guise of convenience such as aluminum, vinyl, or fiber cement should be avoided. Wood trim should be retained and replaced in contributing structures. In *Noncontributing structures and New Buildings* brackets are allowed provided that they do not create a false sense of historical development. In all structures, brackets should be functional features. They should not be unnecessarily frilly and should not be there solely as ornaments.



Teardrop or
Double Ogee Cove Cut Lap
or Drop



Clapboard Beveled Dolly Varden Tongue & Groove Shiplap Channel Rustic Rounded Drop V-Rustic Board & Batten

Wood features that reveal a building's history can be found in surprising places. Original features found in some buildings can be clues to the age of those features in others: research that can help in making accurate restorations and reconstructions.



Front porch of Old Tavernier Post Office.



Old Tavernier Post Office: first floor ceiling signed by Robert Harold Albury.



Left: door and brackets are obvious alterations. Above: paint spatter over original Dade County pine wall.

Recommendations

(All of the below recommendations apply to both *Contributing* and *Noncontributing* structures except for items 3 and 4.)

1. *Match* the existing historic wood siding when repairing or replacing it. Stagger the new with the old such to blend them.
2. *Paint* cut ends of replacement boards before installing them. Use an appropriate varnish or sealer on parts of a building that are normally unpainted, such as the ends of exposed rafter tails. Remove paint on an existing surface only when it has to be repainted; remove the paint carefully by hand, using chemical stripper, when necessary. Avoid the use of sand- or water-blasting or torching to remove original painted surfaces.

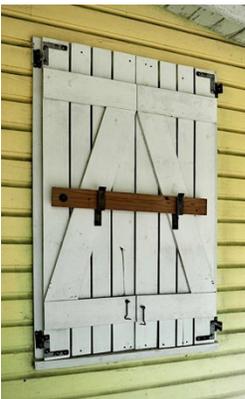
3. *Repaint* repairs and replacements with matching colors. Paint a building in colors suitable to the building and the Historic District. Stripping a painted or varnished surface to bare wood without refinishing it is not recommended.

3. *Identify* your building's character-defining wood features and photograph and measure them for future reference.

4. *Repair* a historical feature whenever possible, as opposed to replacing it. Avoid replacing an old or introducing a new feature that has no historical precedent or is incompatible in scale, material, or color. For example, the fancy brackets and oval door on the front porch of the Old Tavernier Post Office as shown above.

5. *Reconstruction*: If replacement or reconstructing it is necessary, avoid using new materials to give it a new look, as opposed to retaining its historical characteristics. Asbestos siding is safe if left in place undisturbed. Removal, if necessary, should only be done by a certified professional.

6. *Deterioration*: periodically inspect for and promptly treat deterioration, such as leaks in gutters or flashing, cracks in wood surfaces, and crumbled caulking. Correct the causes and effects of insect and fungus damage as soon as it is detected. Trim vegetation so that it does not touch the building and insure that water does not collect on wood surfaces. All surfaces should drain freely.



Wooden leaf shutter; ornamental brackets.



Exposed rafters in the old Methodist Church.

7. *Shutters*: Retain existing shutters and repair deteriorated existing shutters with cedar, cypress, or treated pine.

Noncontributing Structures: Top- or side-hinged shutters comparable to those typical of the Historic District, as pictured in many places above and below, are recommended if they are compatible with the historical character of the district. Other types are permitted but must be reviewed on an individual basis. Also see the section on Windows below and Chapter VIII under Sustainability below.

New Buildings: Top- or side-hinged shutters comparable to those typical of the Historic District, as pictured in many places above and below, are recommended if they are compatible with the

historical character of the district. Other types are permitted but must be reviewed on an individual basis. Also see the section on Windows below and Chapter VIII under Sustainability below.

Metal

The use of architectural metal is rare in the Tavernier Historic District. Common uses include doors, window frames, balustrades, secondary roof structures and trim, shutters, signage, and miscellaneous hardware. Many of the above recommendations apply. Miscellaneous hardware, such as wall mounted light fixtures, should be chosen carefully with style, scale, and mass in mind so as not to detract from the buildings architecture.

Pits or dents in metal, which often occur due to abrasive cleaning, cannot be easily filled or smoothed unless the surface was originally painted. Exposed metal that has been damaged usually will have to be replaced.

The above applies to *Contributing* and *Noncontributing* structures.



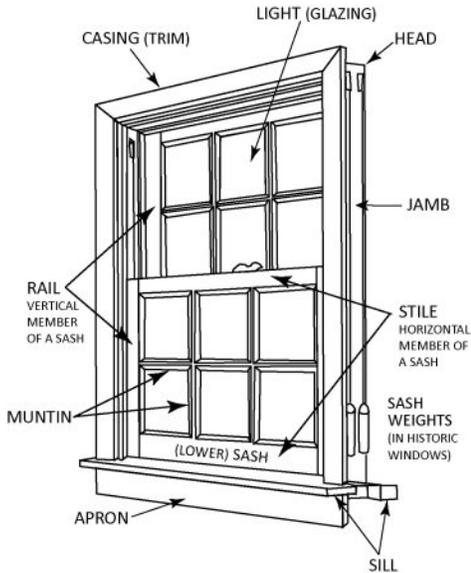
Above right: metal ornamentation and railing.

Lower left: ornamental aluminum screen door.

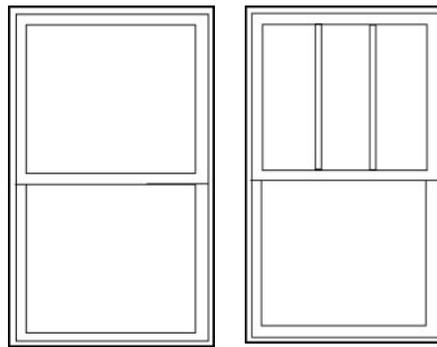
Lower right: aluminum clamshell shutter, metal door and window frames, metal eave drip edge, metal lamp.

WINDOWS

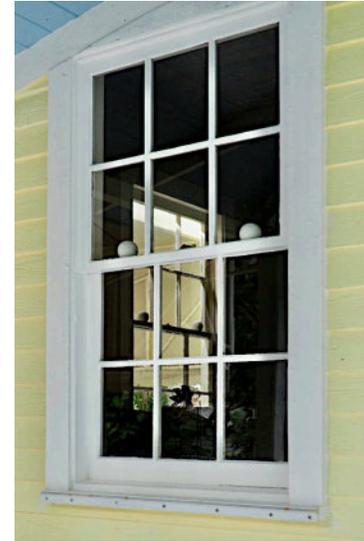
The eyes of a house, windows are key character-defining features. Original windows, their form and material, are especially important as they also are indicators of the period and type of construction. You should identify and document any original windows in your building before embarking on window repair or replacement projects. Lacking an original window, historical photos can help, as can comparison with original windows preserved in buildings of a similar style and period. Thought must go into replacing windows that are no longer made and expensive to duplicate.



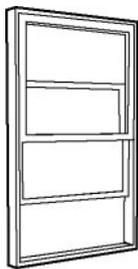
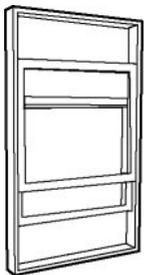
Double-hung sash (DHS) window parts: 6-over-6 lights, interior view.⁵



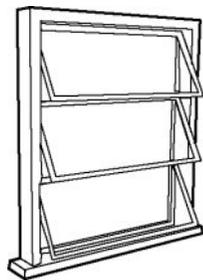
Sash window configurations⁴: 1-over-1 (1/1), 3-over-1 (3/1) - typical windows for Mission Revival or Frame Vernacular styles. The latter can be subdivided as shown left and right.



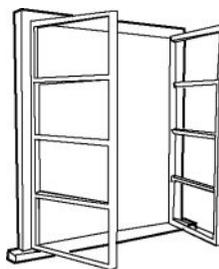
Sash window (clipped for porch roof).



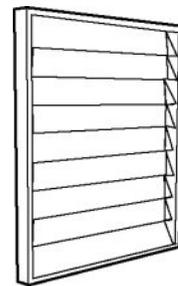
Left: double-hung window
Right: single-hung window (lower sash only operates).



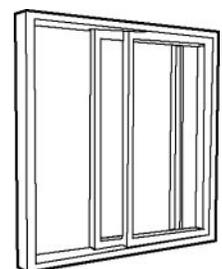
Awning



Casement



Jalousie



Slider

Awnings, casements, jalousies, and sliders⁴ are more commonly found in Masonry Vernacular or Mid-century Modern style buildings, usually with metal rather than wood frames. Fixed glass windows proliferated with the advent of air conditioning.

Recommendations for Windows

(All of the recommendations below apply to both *Contributing* and *Noncontributing* structures.)

1. *Identify* the original window types in your building. If none are original, research them using historical photos or by studying original windows in buildings comparable to your own.

2. *Repair* is always preferable to replacement. Retain original windows and protect them with shutters or storm panels.

3. *Replacement*: the choice of a replacement window should take into account material, size, proportion, type and depth of mounting, type of operation, depth of muntins, number and division of lights, trim, and header and sill type. For contributing structures, the HPC will decide if replacement or a change of type is warranted. Impact resistant windows are a replacement option if the new unit replicates the old in configuration, details, design, materials, and color.

4. *Protect* your windows with shutters or install storm panels even if the windows are impact resistant. If permanent, operable shutters are present, insure that they are functional and sufficient. If not, research an appropriate style as you would a window type, or prepare the opening for removable storm panels.



Left: Bahamas shutters under porch roof; note door with jalousie light. Right These Bahamas shutters wrap around the house.

Bahamas shutters are common in Tavernier and serve to protect as well as to shade a window. Below right, in the Wilkinson house, top-hinged shutters wrap around the house and the living area is raised a full story above the ground.





One-over-one (1/1) DHS windows and leaf shutters.



Above and below: 6/6 DHS window and shutters and second story awning window.



Old Post Office original 1/1 DHS window and original shutter.

Windows should be compatible with the historical character of the Historic District. Fixed glass or picture windows, pivoted windows, and sliding windows are not acceptable as replacements.

For *Noncontributing structures* and *New Buildings* windows should be compatible in style, generally double hung or casement, and may be impact rated.



Example of aluminum clamshell shutters.

ENTRANCES/PORCHES

The entrance to a historic building, however humble or distinctive, is an invitation. It is composed of a door and, especially in a residence, a porch: the surrounding of a door that elaborates the transition from outdoors to indoors. It can be as simple as a roof and stoop or as complex as a veranda.



The old Railroad House moved and reconstructed to have a both a veranda and an observation deck or widow's walk above.

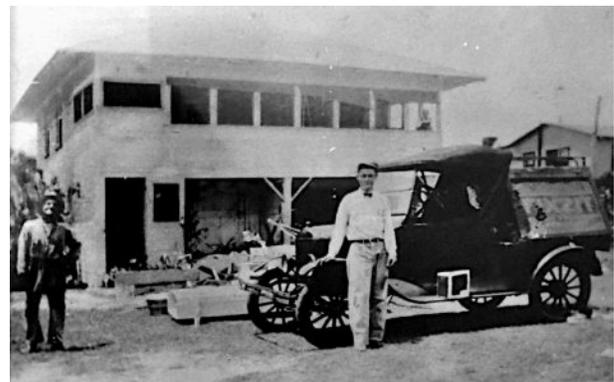


A stoop with an ornamental pediment.

Above right: the house has a panel door with one light and awning windows typical of a Minimal Traditional style. The prominent handrails add some mass to the stoop. The pediment atop the door header is one of many loans from the classical orders popular in American houses—a small gable roof sheltering the doorstep might be more in keeping. *Contributing structures* and *Noncontributing structures* may have porch additions if a review determines them compatible with the District. A porch proposed for a *New Building* must be compatible with the Historic District.



In the Florida Keys, early porches tended to run the full length of the facade. The railroad house reconstruction with its expansive veranda emulates a kind of Caribbean coastal architecture that prizes indoor/outdoor fluidity. Public or commercial buildings like the Old Tavernier Post Office or the Packing House (center right) have generous, full length porches. The latter's second floor porch addition is unobtrusive but would be improved with simpler, less ornate balusters. The rule applies to other features like brackets which should be simple and used structurally and not decoratively.



Above: second floor porch added to 1919 building in 1986. Below: Old Post Office (1926) showing first and second floor porches (Historic Preservation Society of the Upper Keys.)

When considering porches and entrances we can also discuss the base of the house which is normally visible in front. An appropriate lattice that screens a raised foundation should be made of wood, not vinyl. The Railroad House (below left) uses a vertical slats design echoing its



balustrade while the house at right uses a more common diamond grid lattice. There are several examples of stone used as a pier foundation infill that sometimes rises to a half wall or wainscot. The house below has neither a porch nor a patio but a sort of deck addition which is ahistorical.



Left: horizontal lattice over front deck addition: neither are recommended. Above: stone wainscot covering the foundation. Note incongruous match of awning window with French doors.

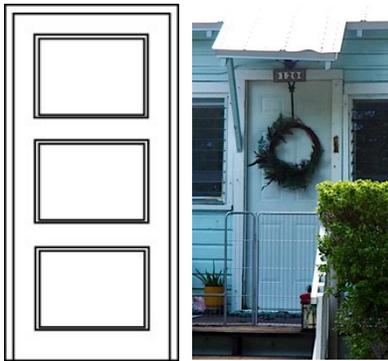
Contributing structures should retain original materials. *Noncontributing structures* and *New Buildings* should use diamond- or square-patterned lattices or native stone.

Doors

The guidelines for doors should follow those for windows—minus the protection of shutters but with the option of installing screen doors and storm doors. A door, especially a front door, gets more abuse than a window so it should be scrupulously maintained and repaired. A door is more often replaced; its effect is singular and not multiple as with windows; it meets us daily on our way in and out and it greets visitors. Consequently, as encountered in the field, a front door tends to

reflect more of a personal choice than a style or period—adhering to the historical intent is recommended. Doors often have associated windows, such as operable transoms in early buildings; sidelights and other configurations of fixed glass in later buildings – which will then limit replacement choices. Flush and batten doors are not traditional in Tavernier. Leaf shutters are historically of batten construction. Sliding glass doors and French doors can be updated and can be interchanged if the replacement matches the historic door/window materials and configuration.

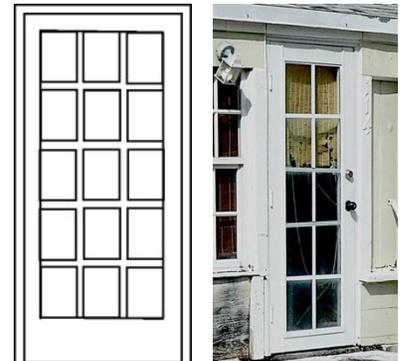
Common Door Configurations⁴



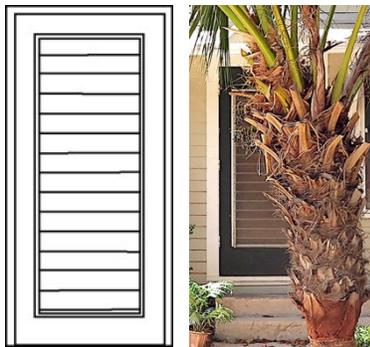
Frame Vernacular & later: panel doors in various configurations.



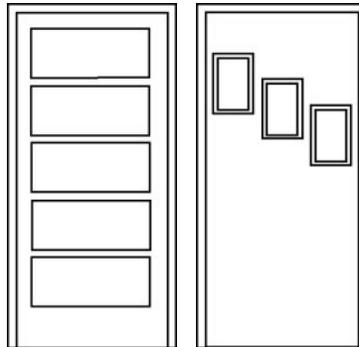
Frame Vernacular & later: panel doors with one or more lights.



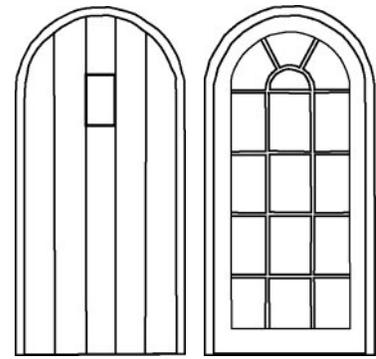
Frame Vernacular & later: French door in various configurations.



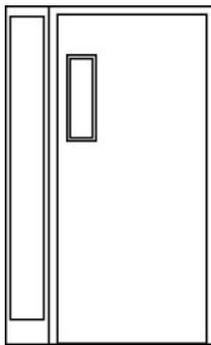
Frame and Masonry Vernacular: wood or metal framed jalousie.



Masonry Vernacular: flush doors with horizontal or staggered lights.



Mission Revival: arched doors, wood plank or multiple lights.



Minimal Traditional: sidelights and more elaborate versions of lighted panel doors become popular. Mid-century Modern: utilized many of the earlier door types with metal frames, ornamental screen doors, and the increased use of fixed pane windows. The metal screen door is compatible with the Historic District.

Noncontributing structures and *New Buildings*: doors should be compatible with the character of the Historic District.

STOREFRONTS AND SIGNS

Doors and windows in historic commercial buildings updated to new uses and historic houses converted to stores or offices lose their tethers to tradition so that the choices for replacement require more thought. Prior consultation with architectural preservation staff at Florida Division of Historical Preservation is strongly recommended.

Historic storefronts have already undergone transformations. The Tavernier Hotel and nearby buildings that have prominent parapets that were likely copied from the Old Tavern Tea Room which predates them. The current facade of the former hotel in terms of door and window openings is not far from the original, comparing it to the archival photo below. As a theater it had no window or door openings on the side. These had to be imagined.



Tavernier Hotel in 2016.



Theater under construction (Historic Preservation Society of the Upper Keys.)

In an early photo we can see that nearby parapeted buildings had facade-wide storefronts. They carried the trim around the building. We can see that storefront awnings are popular. Awnings are not only traditional but also easily replaceable, non-destructive enhancements. The point here is that archival photos can be used to make educated decisions when rehabilitating historic structures.



One of the former drugstore's modern iterations (2016.)



The theater in 1930s Tavernier. The Old Tea Room is adjacent beyond and the gas station on this side, the peak of its roof just visible. The drugstore, with striped canopy, is next to it. Next to the drugstore in the foreground is the Better Food Store. (Historic Preservation Society of the Upper Keys.)

Storefront doors and fixed glass windows are not recommended for homes in the historic district. There are precedents in commercial buildings as evidenced in the historic Tavernier street scene pictured above. However, if the precedent cannot be followed, or in a case where fixed glass is ahistorical but there is no alternative that would not create a false interpretation, it can be a neutral choice that differentiates modern from historic.



Left: Mac and Woods' Standard Oil station in the 1930s. The drugstore is visible beyond (Historic Preservation Society of the Florida Keys.) Right: one of the gas station building's modern iterations (2016.)

The Tavernier Hotel complex offers some lessons in planning: thought given not only to individual forms—solving rehabilitation problems in isolation—but also to their integration with one another in the context of their history: the discipline of fashioning a memorable old Tavernier experience. *Noncontributing structures* and *New Buildings* must be compatible with the character of the District.

Color

In the Historic District original colors should be maintained. White is typical. Shutters are often painted a dark green; porch flooring, grey; porch ceiling, sky blue; picket fences, white. Color schemes should follow historical precedent. Several paint companies carry paint lines that replicate colors common to various styles and periods. Historic Tavernier does not present a wide range of hues: primarily, white and off-white; secondarily, pastel yellows, blues, pinks, and greens.

Signs

Signs should be appropriate in scale and graphic design to the character of the Historic District. Spot-lit signs (but not fluorescent) are preferred to internally lit signs which distract from the architecture. Signs should be located in a place that does not hide important historical features and should be properly sized and lettered. All signs on buildings in the Historic District whether *Contributing* or *Noncontributing* require a special COA and they also must comply with the LDC, Chapter 142.



Examples of allowed signs in the Tavernier Historic District.

SITE, LANDSCAPE, AND FENCES

Tavernier's Historic District is a distinctive community of natural and cultural resources. The essence of the historic district's charm is to be found in its long-stewarded yard trees. Yet all forms of plants, trees and hammock were vital to the survival of the community and, therefore, inextricably tied to the history of the area.

For generations, the tall trees and hammock in Tavernier have been cared for because they provided shade, food, and a buffer against hurricane force winds and flying debris. This is in contrast to areas in the Lower Keys where the vegetation is low or was mostly removed during construction activities. In Tavernier, trees were typically not cut for lumber – although a few mahoganies may have been used for ship masts – early residents found storm-felled and dried tree trunks readily available and easier to cut than green trees. Decorative exotics like Poinciana began appearing in the 1920s and 1930s with the influx of “Yankee” settlers.

The list of fruit trees used by the settlers included edible Tamarind varieties, Sapodilla, Guava, Sugar Apple, Sea Grape, Lime trees, Coconut, Spanish Lime, Soursop, Key Lime, Barbados Cherry and Rough Skin Lemon. Less commonly Orange, Banana, and Date Palm were grown. In the 1930s before the arrival of grocery stores to the area, the only regularly available fresh produce was from trees. Although it was difficult to grow vegetables such as tomatoes and cucumbers due to the thin poor soil, the subtropical weather, and local insects, nearly everyone had a seagrape tree in their back yard.⁶



Native trees framing historic buildings in the Tavernier Historic District.

Native canopy trees you might find in Tavernier include black ironwood, buttonwood, cabbage palm, coffee columbrina, geiger tree, gumbo limbo, inkwood, Jamaica dogwood, lancewood, mahogany, mastic, milkbark, paradise tree, pigeon plum, pitch apple, poisonwood, princewood, redbay, saltbush, satin leaf, seagrape, short leaf fig, simpson stopper, slash pine, strangler fig, wild tamarind, and willow bastic. (For a thoroughgoing native planting list see LDC Section 114-105.)

In the Tavernier Historic District all trees should be conserved. Except for ten or fewer stems of exotic plant species and other exceptions noted,* "the removal of any tree regardless of size, or major pruning of any tree over six inches DBH, shall require a development permit." (LDC Section 114-103.) *Exemptions for trees presenting a danger also are discussed in that section.

Fences



Drives, walks, borders, plantings, and fences can enhance, hide, or detract from a historic property. Front yard picket fences are typical. They should be made of wood and be no higher than four feet. Fences or walls should not hide the home. The fence of the house at top, left, screens the patio but it also conceals the entrance which is an important feature of a house. It seems to be too high, the slats are too wide and close.



Below it, left, is pictured a fence that also has wide, unpainted slats; here, rising to a tall gate that obscures the main entrance to the home.



Below that is an example of a compatible fence. The height of its pickets and the spaces between them allow one to see over and through the fence, and its form leads the eye to the historic property beyond. Below it, left, would be an even better example of a transparent fence except for the tall bushes behind it.



From these examples, additional guidelines for fences can be derived: front yard fences should have pickets narrow enough and spaced apart far enough so that the view of the property is not obscured, but possibly even enhanced or framed. Side and rear yard fences may be 6 feet tall and made of wood or metal. This would apply to *Contributing* or *Noncontributing properties* and to fences proposed for *New Buildings*.

As to walls, a low wall, almost a border, of oolitic limestone rock can be allowed in all cases where it is compatible with the individual structure and its context within the District (see example below.)



Driveways

Driveways, if needed, should be no more than one car wide. They should not terminate at the front of the house but go to the side and rear. They should be made of crushed shell, gravel, or other permeable material. Asphalt is not allowed on residential properties; concrete, even as a ribbon drive or sidewalk, requires special review. These considerations apply to all properties within the Historic District.



Mechanical Equipment

Mechanical equipment should be installed so it is not visible from the street. If this is not possible, the equipment should be screened from view. *Noncontributing structures and New Buildings* also must comply.



ADA AND ACCESSORY STRUCTURES

American Disabilities Act

Examples of historic properties optimizing landscaping.

The American Disabilities Act (ADA) is the federal statute that prohibits discrimination against people with disabilities. The Florida Legislature incorporated the 1991 ADA into the Florida Building Code (FBC). The Florida Accessibility Code is a component of the FBC.

Title III of the ADA prohibits discrimination by private entities operating as places of public accommodation and commercial facilities. It applies to older commercial buildings as well as to new construction. Discrimination includes "failure to remove architectural barriers...in existing facilities" unless it can be shown that removing a barrier is "not readily achievable" or accommodation cannot be provided through other means. Achievable means "easily accomplishable and able to be carried out without much difficulty or expense."⁷ ADA regulations (Florida Accessibility Code 2023 Section 202.4.1) state: "Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 20% of the cost of the alteration to the primary function area."

The regulations state that additions and alterations to existing buildings or facilities shall comply with ADA. Exceptions include alterations where compliance is technically unfeasible (in which case compliance must be to the maximum extent feasible) and residential units.

Per ADA Advisory 202.5, Alterations to Qualified Historic Buildings and Facilities Exemptions, there are exceptions to the regulations for accessible routes (206.2.1 Exception 1 and 206.2.2 Exception 7), for entrances (206.4 Exception 2), and for toilet facilities (213.2 Exception 2). When compliance with the requirements for any of these elements would threaten or destroy the historic significance of the building an exemption or alternate means of meeting the requirements can be requested from the Florida Department of State, Bureau of Historic Preservation, Division of Historical Resources. Visit Accessibility Exceptions for Historic Buildings on the Division of Historical Resources website for more information including a consultation submittal form.

The approach to ADA compliance most visibly affecting properties in the Tavernier Historic District is the wheelchair ramp, which will be briefly discussed below.

In historic buildings the most obvious barriers are stairs: the first priority listed for accomplishing barrier removal is: "Access to places of public accommodation from public sidewalks, parking, or public transportation by, for example, installing an entrance ramp, widening an entrance, or creating accessible parking."⁷ This is how the ADA is mandated in Florida as law regarding wheelchair ramps:

Slope: a wheelchair ramp pitch of 1:12, or for every inch of rise 12 inches of length, a width of 36 inches for residential and 48 inches for commercial buildings, resting platforms 4 by 5 or 5 by 5 feet for every ramp longer than 30 inches. **Width:** the landing clear width shall be at least as wide as the widest ramp run leading to the landing. **Length:** the landing clear length shall be 60 inches long minimum. **Change in Direction:** ramps that change direction between runs at landings shall have a clear landing 60 inches minimum by 60 inches minimum, and a similar flat surface by doors if the ramp turns.

Exception: in existing sites, buildings, and facilities, ramps shall be permitted to have running slopes steeper than 1:12 complying with Florida Building Code, Table 405.2 (below) where such slopes are necessary due to space limitations (note: a slope steeper than 1:8 is prohibited):

Slope	Maximum Rise
Steeper than 1:10 but not steeper than 1:8	3 inches
Steeper than 1:12 but not steeper than 1:10	6 inches

Advisory: to accommodate the widest range of users, provide ramps with the least possible running slope and, wherever possible, accompany ramps with stairs for use by those individuals for whom distance presents a greater barrier than steps, e.g., people with heart disease or limited stamina.⁰⁰

Doorways: where doorways are located adjacent to a ramp landing, maneuvering clearances required by code (FBC 404.2.4 and 404.3.2) shall be permitted to overlap the required landing area.

As stated, private residences are not regulated under ADA, but ramps are often constructed for disabled residents. The many narrow lots and high first floors in the Historic District provide little latitude for constructing ramps. If necessitated, ramps or elevators should be located to side or rear doors.

For access to the front facades of commercial buildings, wheelchair ramps can be combined with porches or porch additions. An example is the ramp that jointly serves the relocated Merlin Albury House and the Methodist Church. The ramp joins the front porch of the Albury house to the north, and to the south a porch addition to the Methodist Church. In use in 2024 as a bakery and cafe, the properties formerly housed the Florida Keys Free Press, when the two signs now redesigned for the cafe were installed.

The wheelchair ramp leading to the front porch of the Albury House (to the left) shares an entrance with the ramp leading to the front porch of the Methodist Church (to the right.)



For a more thoroughgoing and detailed guide to handicapped-accessibility strategies for historic buildings, see Preservation Brief 32: Making Historic Properties Accessible, available on the National Park Service (NPS) website.

Pools, Sheds, and Equipment

Swimming pools are obtrusive so that and ideally they should be located in the back yard. The lot pictured is larger than most and the pool and house are located at the end of a long driveway. Pools and decks that are not visible from the street, screened by trees and shrubs, are allowable for all properties in the District under a Regular Certificate of Approval.



The large lot and dense vegetation screens a front yard pool.

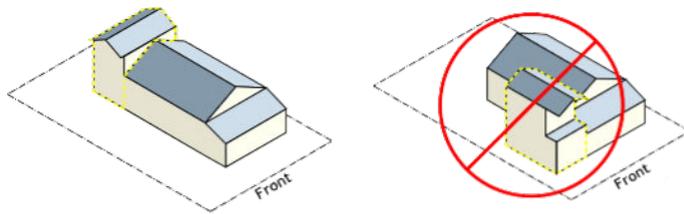
Accessory structures such as sheds and mechanical equipment should be located to the side or rear or where they do not distract from the facade and other character-defining parts of the building. If mechanical equipment cannot be discretely located, it should be screened from view. This applies to both *Contributing* and *Noncontributing structures* and to *New Buildings*.

ADDITIONS

An addition enlarges a building and alters its appearance. Consider first whether the desired result can be obtained by changing the interior. Note that the *Secretary of the Interior's Standards* states:

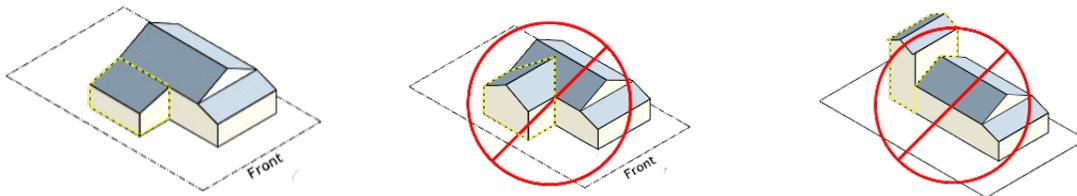
"New additions...shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features...New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."

One should not create a mystery as to what part of it a house is original, or an economic dilemma for a future owner who may wish to restore it. The first rule of thumb in designing an addition is to place it in an inconspicuous location. An addition at the rear is the least visible and typically takes advantage of the deep side of the lot. The thing to avoid is to nullify the original facade by placing the addition on or adjacent to it.



Above: an enclosed back porch or Florida room could serve the same purpose while preserving the historic entrance.

The roof of an addition should match that of the historic building and it should not encroach into it. Additions to the side should be as far back on the lot as possible. An addition should not overwhelm the historic building in volume or in height. Porch additions are allowed if a review determines that the addition is compatible with the architecture of the District. New porches, balconies, and greenhouses should always be located on non-character defining sides of the building. Porch expansions in association with wheelchair ramps are discussed above. It is recommended that additions be constructed with the same finished floor elevation as the historic building. *Noncontributing structures* also should comply with these principles in order to maintain compatibility with the character of the District. Some structures that are not currently contributing have the potential, after appropriate rehabilitation, to become contributing upon review.



Left: a compatible side addition to the rear that has less visual impact; the shed roof sloping from the gable could be removed without damaging the main roof. Center: an incompatible design that harms the historic roof. Right: the height of the addition is excessive and is not compatible with the District.



Above: the placement of these two garages adjacent to the front facade is not recommended: they should be set farther back. However, they succeed in demonstrating how an addition can be both stylistically compatible with and distinguishable from the historic house.



Left: the carport, when empty, seems to be a solution. But now a car can intrude into part of the house. Furthermore, the main entrance is eclipsed by the side door. None of the above addition designs is recommended, but at least they can be removed without great harm to the historic home.



Above, looking east and north: the massing and scale of these additions at first glance may look compatible, but they imbue the house with an enigmatic style. It is no longer easy to discern the original house. Facing east is a porch or foyer addition. Facing south there is likely an enclosed porch extending into a screened porch addition. The four dormers are incongruous and neither structurally nor stylistically recommended as additions to historic roofs. Dormers may be added to *Noncontributing structures* if they are structurally and spatially integrated with the building. In other respects, the above recommendation for additions apply, in order that they may remain compatible with the character of the Historic District.

DEMOLITION BY NEGLECT



Despite the best of intentions, circumstances can arise that cause repairs to be put on the back burner. Any property suffers from neglect. Repairs postponed become more complicated and arduous, while deterioration in a historic property has the added problem of damage to the structure's historical integrity which in turn weakens the integrity of the Historic District. The pictures to the left show how much a roof can rust in seven years if

neglected. The recommendation for historic siding is to repair it rather than replace it or to replace damaged areas with a similar material. This ends up taking a lot more effort than regular maintenance would have done. Pictured at right is siding in good condition alongside siding that will have to be replaced. Issues like this compromise the security and integrity of the house and pose a daunting list of repairs.



Pictured above: a pier foundation infilled with concrete and stone. There is an opportunity here to remove the solid concrete and cover the openings with a good quality wood lattice: fixing damage, allowing flow-through in a flood, and returning the house to its historical form.

When deterioration goes on until a building is unsafe for habitation and becomes a candidate for destruction, it is called "demolition by neglect." Which is a shame for any building but especially for one with historical significance. The remedy is for the HPC to determine the structure to be endangered and notify the building official, who has legal recourse. If the official concludes that the structure is unsafe, he must first try to have it repaired rather than allow it to be demolished. He must take into account the recommendations of the HPC which has several preservation options. The full text of the code follows:

Sec. 135-8. Maintenance of Designated Historic Property.

(a) Nothing in this article shall be construed to prevent the ordinary maintenance, repair, or improvement, which does not involve a change of design, appearance, or material, or prevent ordinary maintenance of landscaping features.

(b) Where the HPC determines that a designated historic property is endangered by lack of maintenance and repair, it shall notify appropriate officials of the county, so that the county may seek correction of such deficiencies under authority of applicable laws and regulations.

(c) In the event the building official determines that any designated historic structure is unsafe, he shall immediately notify the HPC of such findings. Where feasible within applicable laws and regulations, the building official shall endeavor to have the structure repaired rather than demolished and shall take into consideration any comments and recommendations of the HPC. The HPC may take appropriate actions to effect and accomplish preservation of such structure including, but not limited to, negotiations with the owner and other interested parties.

NEW BUILDINGS

The standards for new (infill) construction in the Historic District are similar to the standards for rehabilitation: compatibility with the character of the district in massing, scale, and height; placement and orientation; and materials and details.



This infill house and its garage apartment are examples of fairly compatible new construction approved by the commission in 2016. They are slightly larger and taller than is typical.



In contrast to the above, some homes—most located on the oceanfront—have little in common with Historic District typology. Like the building pictured at right, they show what not to do and persuade us that these Guidelines can aid in development planning and decision making as well as providing guidance to property owners.

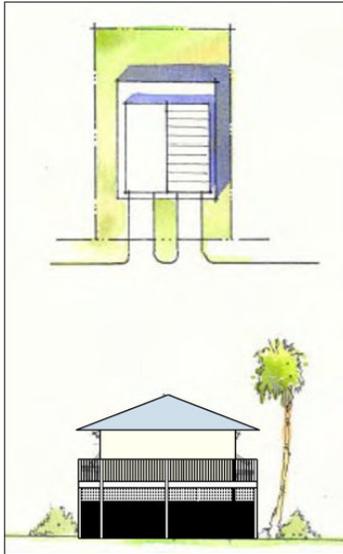


This 1940s elevated home could be a model for new oceanfront construction that aspires not to one up but to complement the Historic District.

Three building categories can be identified for new construction in the Historic District: single family homes, duplexes, and multifamily residential and commercial buildings.

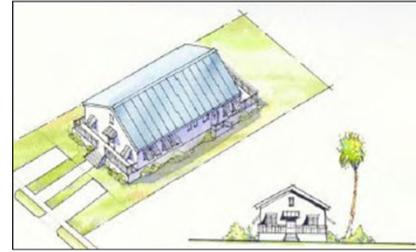


Single Family Home



Above and right: higher and lower elevation new homes.

New single family homes can be modeled on a style that is typical of the District without replicating it. It should be distinguished but complementary to its neighbors. New residences must comply with the Monroe County Comprehensive Plan and LDC, the Florida Building Code, and Federal Emergency Management Administration (FEMA) flood hazard requirements*. The first floor will generally be elevated above the Base Flood Elevation which in the Historic District is currently 9 to 15 feet above sea level higher toward the waterfront. The overall height of a building should be compatible with the scale of the District. The heights of *New Buildings* and additions to *Noncontributing structures* will be reviewed for adverse impacts on the District.



*Always consult Monroe County for current flood hazard data and requirements. See Chapter VIII below for a further discussion of environmental considerations.

Duplex

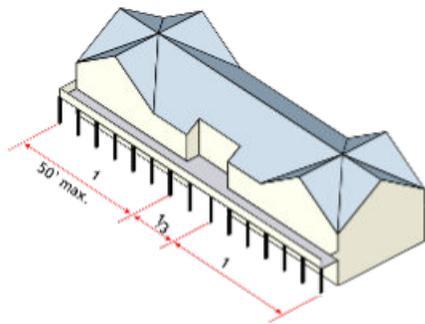
A duplex also should be inspired by a type of historic Tavernier architecture in a way that it is distinct from but complements the District and it must adhere to all building codes. It should strive to maintain compatible massing, scale, and height. The dual residences can be separated by a common wall or by a breezeway.



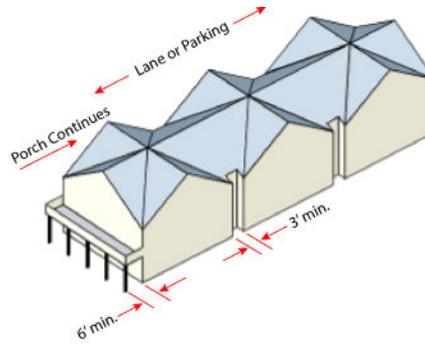
Duplex divided by a breezeway.

Multifamily Residence and Commercial

Commercial buildings and multifamily residences larger than duplexes are not allowed in the Historic District other than on the Overseas Highway. They should follow the principles outlined in these Guidelines. In addition, structures parallel to the street that are wider than 50 feet and buildings perpendicular to the street that are deeper than 50 feet should not be monolithic; rather, they should be articulated structures: units should be individualized, facades facing the street or a lane, superstructures relieved by indentations, and roof shapes repeated in a pattern as shown below:



Multifamily or commercial parallel to the street: Relieve each 50-foot or less segment by an indentation 1/3 the length of the segment. The porch should be six feet deep.



Multifamily or commercial perpendicular to street: Individualize units by relieving the superstructure and repeating roof shapes. The porch should wrap where units face a lane.

Streetscape

Streets are public spaces: the lifelines of a neighborhood, town, or city. Architects increasingly regard the streetscape as a design element crucial to cultivating community. Historic districts have provided a paradigm for modern urban design because historic streetscapes inherently knit the fabric of the street into a unique experience of place. It is important for new construction to complement and not disrupt the fabric or rhythm of the street.

Massing, Scale, Height and Placement

The most obvious disrupter of a streetscape is a building that is too big or too tall. Even when a two-story structure is permitted by code, it may overwhelm its neighbors and break the rhythm of the street. A building can be out of scale in its details as well: windows too big or atypical, columns out of proportion, or precipitous roof pitches, for example. When submitting plans for new construction it is advisable to include street elevations that show the proposed building in comparison to its historic neighbors. The new building should not have a foreign presence on the street. Front and side setbacks and the distance between houses should be respected.

Materials and Details

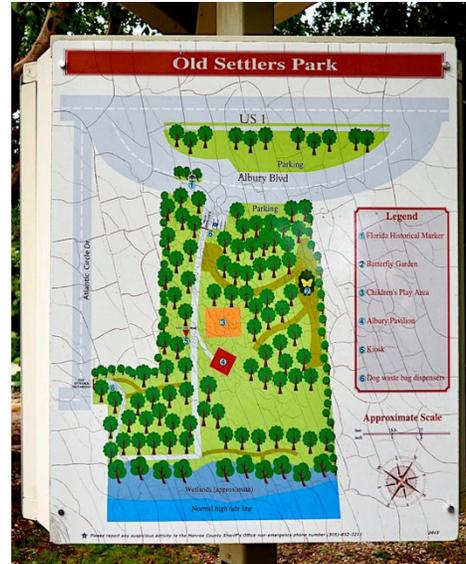
The standards for rehabilitation of historic structures are also applicable to new construction. Atypical styles and materials should not be introduced. Materials and details should be consistent with the historical type that guides the design. This applies to commercial and industrial buildings, too: they should not be outsized monolithic boxes made of glass and steel or sheet metal.



This grocery and restaurant built in 1972 is atypical but not overwhelming. Its low profile, eyebrowed and parapeted facades, and masonry construction mitigate its effect on the District.

VII ARCHAEOLOGICAL RESOURCES

The archaeological context of Tavernier is an important part of understanding the Historic District's historical context. Although prehistoric materials have not yet been documented in the District, historic archaeological materials dating back to the mid-nineteenth century have been found.



The Historic District includes grounds as well as buildings. Left: old cistern behind the Joseph V. Albury House. Above: Old Settlers Park.



Vacant lots south of the Methodist Church showing stones marking a historic feature and an elevated mound.

Despite the overall shallowness of soils in Tavernier, archaeological artifacts and features likely occur, including features such as trash pits, historic foundations, isolated graves, cisterns, agricultural rock piles, stone walls, stone borders, and stone mounds.

Ground disturbing activities that should be subject to archaeological monitoring and review include:

- Utility Excavations
- Foundation excavations
- Demolition
- New Construction

- Swimming pool excavation
- Tree removal and tree installation

Archaeological Finds

Historic artifacts that may be uncovered during ground disturbing activities include: ceramics, bricks, bottles, toys, keys, coins, and buttons. Prehistoric artifacts include: faunal bone, ceramics, and shell and bone tools.

If archaeological artifacts or features are uncovered during ground disturbing activities, Monroe County and the Florida Division of Historical Resources should be contacted immediately.



Examples of prehistoric and historic artifacts.

Upper left: *Strombus* shell celt (adze) cAD1000.



Lower left: Key Largo Incised pottery cAD1200.



Right: late nineteenth century medicine bottle fragment.

If human remains are uncovered, immediately notify the police, the medical examiner, and Florida Division of Historical Resources staff. If the medical examiner determines that the remains are prehistoric, then the State Archaeologist will be informed and the discovery will come under the provisions of Chapter 872.05, Florida Statutes, governing the discovery of unmarked human burials.

VIII ADAPTING TO THE ENVIRONMENT

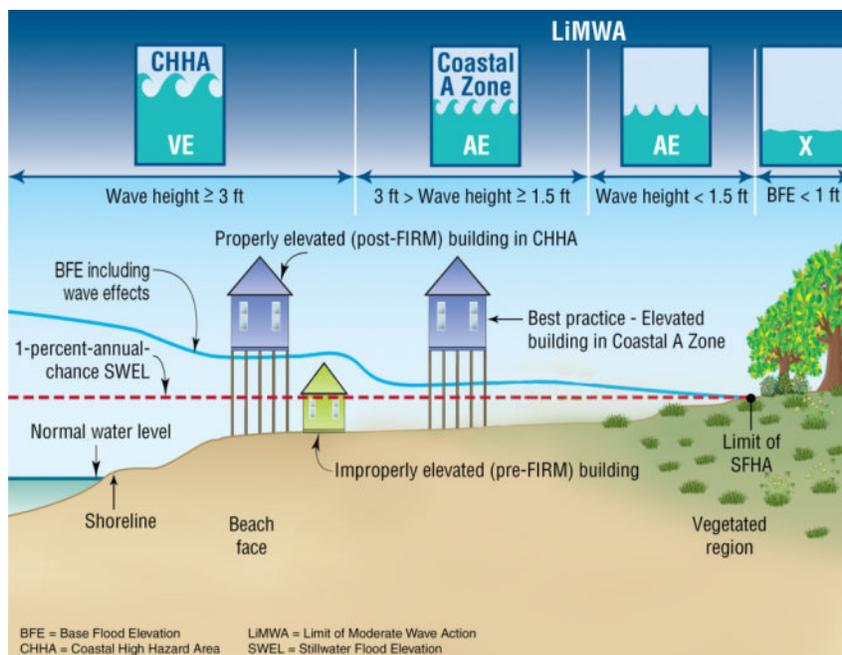
FLOOD HAZARD

Most of Monroe County is located in a floodplain where base flood elevations (BFE) range from 6 to 17 feet above mean sea level as currently measured. The Tavernier Historic District is located in a Special Flood Hazard Area (SFHA) with currently determined elevations from 9 to 15 feet. Note that methods for calculating mean sea level, coastal flood elevations, and the Flood Insurance Rate Maps are in the process of being revised.

Monroe County participates in the National Flood Insurance Program (NFIP). The program was created by Congress under the National Flood Insurance Act of 1968. It makes federally-backed flood insurance available to communities in SFHAs. Historic District homeowners are encouraged to maintain or buy a policy (it goes into effect 30 days after purchase) before the maps change to lock in a lower risk rate (if your risk goes down after the new maps become effective, you can have your policy raterated.) By renewing your policy each year you may retain grandfathered rates which can be passed on to a new owner. NFIP gives special consideration to historic properties:

- Historic properties do not have to meet floodplain requirements as long as they maintain their historical integrity/designation.
- Historic property owners can obtain flood insurance at the most advantageous rate as long their property maintains its historical integrity/designation.
- If a historic property is proposed to be elevated it must first obtain a finding of No Adverse Effect under a Section 106 review.

The relation between your building's elevation and the BFE affects your flood insurance premium. BFE is the level to which floodwater will likely rise in a base flood. A base flood is a 100-year flood (a flood that has a once in 100 years (1%) chance of happening.)



FEMA diagram illustrating flood hazard concepts and terminology. FIRM = Flood Insurance Rate Map. SFHA = Special Flood Hazard Area. Zone X is not in a SFHA. AE and VE are zones for which a BFE has been determined, VE denoting added wind velocity. Coastal A Zone is a newly created AE zone in which regulations for Design Flood Elevations are equivalent to those for Zone VE.

NFIP requires that any new construction on vacant parcels comply with floodplain regulations including the current Design Flood Elevation.

BFE is not the only factor influencing insurance rates. Since 2022, FEMA has calculated new and renewing rates using "Risk Rating 2.0" which incorporates more risk factors such as a building's replacement cost, distance from water, and type of construction. For more information, consult Monroe County and policy advocates like Fair Insurance Rates for Monroe (FIRM).

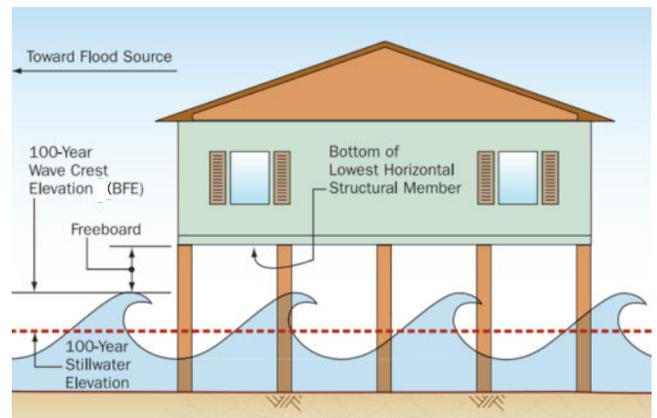
When is Flood Insurance Obligatory?

Flood insurance coverage is a requirement for all federal or federally-related financial support used for buying or building in Special Flood Hazard Areas like the Tavernier Historic District including:

- Financial institutions, commercial lenders, savings and loan associations, savings banks, and credit unions overseen by federal agencies such as the Federal Reserve, the Federal Deposit Insurance Corporation, the Comptroller of Currency, the Farm Credit Administration, the Office of Thrift Supervision, and the National Credit Union Administration.
- Loans acquired by Fannie Mae or Freddie Mac in the secondary mortgage market.
- Loans and grants from agencies like the Department of Veterans Affairs, Farmers Home Administration, Federal Housing Administration, Small Business Administration
- Disaster assistance from FEMA.

Designing to Code in the Floodplain

If new risk ratings are adopted, the Design Flood Elevation (DFE), which currently refers to the finished floor elevation, will refer to the bottom of the lowest horizontal structural member, which should be constructed at one foot above BFE (freeboard = 1 foot.) Consult the county app (see *New Preliminary Coastal Flood Maps* on the Monroe County website.) For further requirements refer to the Florida Building Code as discussed in *Building Responsibly & Requirements* on the county website.



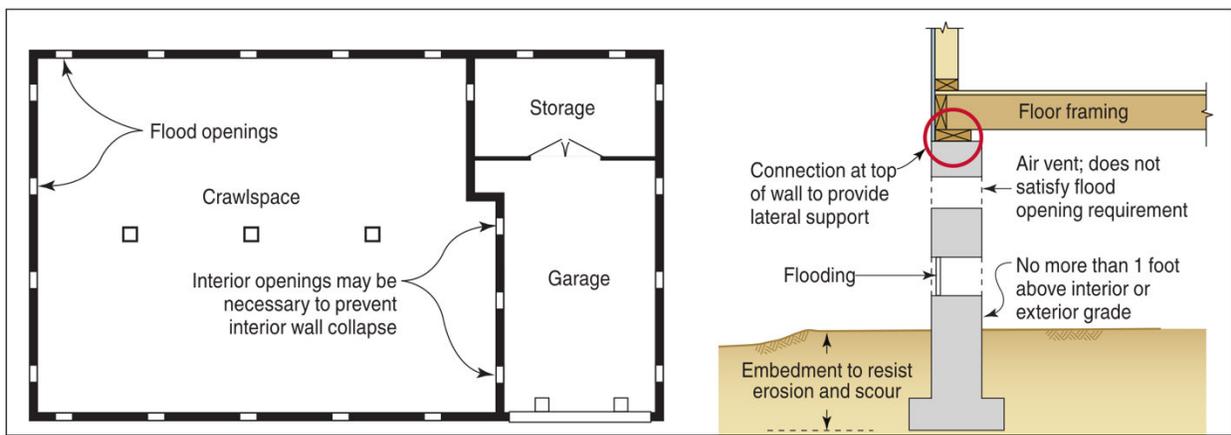
FEMA diagram illustrating space or freeboard between BFE (including wave action) with DFE established at the lowest horizontal structural member.

The Monroe County LDC (*Chapter 122 - Floodplain Management*) states that all "structures built after December 31, 1974, must have the lowest floor elevated to or above the base flood elevation." Ground level structures whose initial construction began prior to January 1, 1975; and those

structures that are listed in the National Register of Historic Places, the Florida Inventory of Historic Places or any inventory of local historic places are exempt from these restrictions.

Per NFIP and Monroe County regulations, improvements and repairs to structures in the Tavernier Historic District that cost 50% or more than the market value of the structure must meet current code, including flood elevation standards. Historic structures, i.e., structures that are listed in the National Register of Historic Places, the Florida Inventory of Historic Places or any inventory of local historic places, are exempt from the 50% rule as long as the improvement is not made for the purpose of correcting a code violation and does not damage the structure's historical integrity.

In addition to the Design Flood Elevation, the FBC establishes standards for flood openings in new construction. These standards can be used to retrofit historic buildings, as well. If your house is built on piers, the lattice should allow water to pass freely through, but if you have a continuous foundation, consider having a licensed professional create openings in the foundation wall: at least one opening in each wall of each enclosed part of the house. The opening should have 1 square inch of area inch per 1000 square feet of enclosed floor and be no more than 1 foot above grade (always reconfirm the latest standards with the county.) This is to equalize the rate of the rise and fall of water outside and inside to avoid destabilization of the house by asymmetrical pressures.



FEMA diagrams illustrating the recommended design or installation of flood openings in a residence having a continuous foundation.

Elevating a Building

Raising a building by lifting it from the existing foundation is one of the commonest means of addressing flood risk. However, elevating a building on a new foundation can adversely affect the historic character and integrity of the building and associated historic district if not carefully considered and planned. A small house will be difficult to elevate more than a few feet without impacting its historic character and elevating it a full story will not likely meet the Standards for Rehabilitation. Elevation may cause substantial changes to the appearance of foundations, porches, terraces, and other exterior features. Elevation will make handicapped access more of a challenge. Above all, elevations must be coordinated to maintain the spatial and architectural relationships among buildings and the character of the Historic District. Elevation of all structures within the

District require a Special Certificate of Appropriateness.⁸ Except for what specifically pertains to historic buildings, the following recommendations also apply to *Noncontributing structures*. Recommendations:⁸

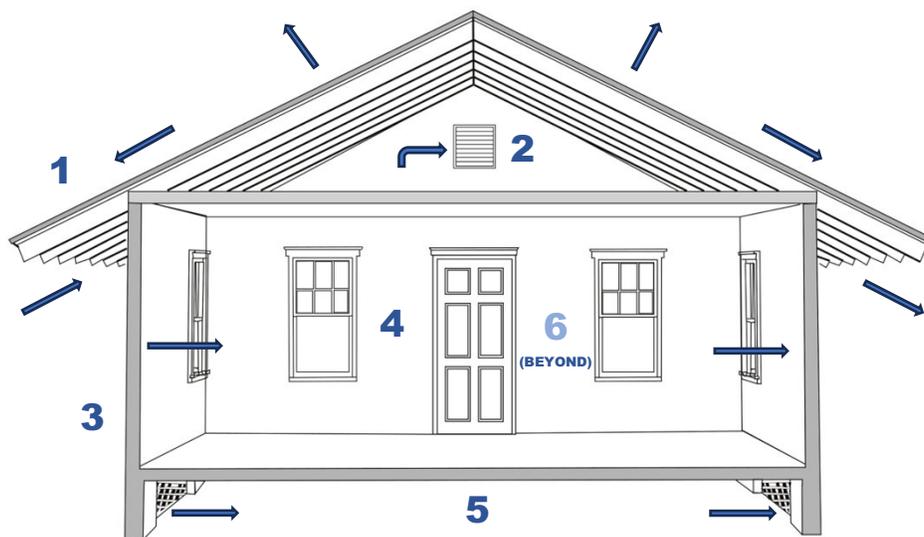
- Identify materials and features of the building that must be preserved in order to retain its historic character. Document features that may be lost or altered.
- Assess the impact of the project on the site, setting, and design of the property. It is not recommended to elevate a building that interacts with its landscape by design such as having interior spaces opening onto a terrace or courtyard.
- Inspect the building for structure deficiencies and correct them prior to starting work. The historic building must be stable or temporarily reinforced in order to be raised, and there must be a structural system that can support the building on temporary cribbing while a new foundation is constructed.
- Protect fragile features and materials, such as decorative plaster, subject to damage from minor movements or vibrations.
- Demolishing later additions and porches without regard to their historical significance is not recommended.
- Identify and retain the historic massing, scale, size, form, and proportional relationship of the major elements of the historic building and the Historic District.
- Use existing features such as porches and stairs to minimize the impact of the elevation, but do not add conjectural features such as adding a new porch.
- Elevating a small scale building to a height approaching a full story is not recommended.
- Salvage and reuse materials and features like stone from the historic foundation particularly where visible. The goal is to match the look of the new foundation to the visual characteristics of the historic foundation.
- Retain a substantial visual connection of the building to the ground when using an open foundation type. Use piers, posts, or columns large enough in width or circumference with number and placement similar to that of traditional style even if new technology structurally requires fewer supports.
- Relocate all utilities above flood risk or protect them in watertight enclosures. Conceal, insulate, and protect utility connections, ducts, or pipes located underneath the building in an open foundation.
- Alleviation of perceived change in height can be effected by adding an incremental amount of fill or raised plantings at the foot of the new foundation. Note, however, that altering a landscape, garden, or archaeological site that is historically significant in its own right or is integral to the significance of the site in conjunction with the building, is not recommended.

SUSTAINABILITY

Informational Introduction to the Concept of Sustainability

The goal of sustainability is to cultivate conditions under which our generation can live in harmony with nature in a resilient and productive way that equally benefits our children and grandchildren. A sustainable building is one that is already built. It embodies energy already expended in the extraction, manufacture, and transportation of materials and construction of the building. It only expends operational energy: HVAC, appliances, lighting, plumbing, and maintenance. The cost of making sustainable improvements to a historic building is balanced by the savings implicit in its embodied energy. It reminds us that moderns didn't invent "green building." We can have the best of both worlds when we improve historic buildings with contemporary technology while enjoying what they contribute to our experience of place and tradition.

Historic Houses: Inherent Features + Recommendations⁴



Diagrammatic cross section of a vernacular historic house showing inherent sustainable features and recommended improvements.

- 1.** Roofs have sufficient slope to allow water to drain freely. Metal roofs reflect heat. Tile roofs have insulating properties. Soffit vents allow air to flow. Wide eave overhangs provide shade.
+ Insulation is a useful improvement and licensed professionals insure best practices. When re-roofing consider cooler, more corrosion-resistant options, and reinforce hurricane bracing.
- 2.** Attics collect heat rising from the living area of the house and release it through roof vents.
+ Insulation and HVAC are useful improvements.
- 3.** Wood walls had no insulation, were drafty but allowed moisture to dissipate quickly. Concrete block walls have inherent thermal and acoustic insulation.
+ Insulation and HVAC systems are useful improvements.
- 4.** Original doors and windows are equal to new windows in terms of insulating properties.

- + Maintain caulking and weather stripping and keep windows in good working order.
Adding shutters or hurricane panels is the best way to protect windows from storm damage.
- 5. Pier and stem wall foundation openings passively cool by allowing air to flow through the crawl space. Foundation openings equalize external and internal water flow rates in floods.
 - + Insure that screens or foundation openings allow proper water flow during flood events.
- 6. Porches are character-defining features that provide shade and reduce heat gain in the house.
 - + Keep porches in good condition and maintain their historical integrity.

Energy Audits

The first thing to do before making sustainability improvements is to determine its existing efficiency by conducting an energy audit. An audit will provide you with a benchmark against which you can measure the success of any particular improvement.

You can do your own audit or you can hire a professional—with an audit by a certified professional you may be able to claim the Energy Efficient Home Improvement Credit on your federal taxes. For more information see Home Energy Assessments on the U.S. Department of Energy's website (www.energy.gov).

Passive Strategies

Any improvements not involving the installation of mechanical equipment (active improvements) are considered passive. Passive improvements are the most economical. The following passive strategies are recommended for historic structures. For more information refer to NPA's Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings. If you have questions specific to your individual home you can consult Florida Division of Historical Resources staff.

Windows and doors are character-defining features that should be preserved and carefully maintained. Air loss through windows and doors and heat gain through windows are considerable.

- Maintain weatherstripping and caulking.
- Maintain porches, eaves, and awnings that shelter openings. Add as appropriate.
- Reduce heat gain through windows with curtains, shades, and blinds.
- Use non-reflective, non-tinted "Low-E" film on windows. Avoid mirrored or tinted glass.
- When a window has to be replaced use Energy Star certified products or products with low U-factors (heat loss) and low SHGC (Solar Heat Gain Coefficient) ratings.
- Impact resistant windows can provide extra protection and reduce insurance costs. If a window has lost more than 55% of its historic fabric replacement by a new impact resistant unit is allowed if the new unit replicates the historic window in configuration, details, design, dimensions, material, and color⁵.

Roofs, too, are character-defining features that should be carefully maintained. The highest heat gain in a house is absorbed from the roof, up to 30% of the total. When a roof has to be replaced, look for a cool materials but keep to the style that is appropriate for your historic house.

- Choose Energy Star certified products or those with a high Solar Reflectance Index (SRI).
- Select light colors for greater reflectivity: white, light gray, or light tan.
- If tiles are appropriate, clay or concrete have inherent insulating properties. Vented clay tiles cool additionally by allowing hot air to escape.
- When re-roofing, take advantage of access to the structure by adding insulation and reinforcement such as hurricane strapping.

Appliances: Dryers use about 6% of your homes electricity. Water heaters can use up to 18%.

- Keep the lint trap in your dryer clean and use a clothes line whenever possible.
- Set your water heater to 120 degrees Fahrenheit, as recommended by the Department of Energy, unless a higher temperature (130-140) is needed for specific health reasons.

Electric lights generate gratuitous heat.

- Enjoy daylight as long as possible.
- Replace incandescent with LED lights which use less energy and are cooler. Unlike incandescent lights, LEDs come in different color temperatures (lower being warmer).
- Use lamps, desk lights, and spot lights whenever possible and area lighting as needed.
- Use occupancy sensors for little-used rooms and daylight sensors for outdoor lighting.

Water: You can reduce your use of water with the following strategies:

- When replacing plumbing choose low-flow or WaterSense certified products. Retrofit existing fixtures with kits that improve their efficiency.
- Collect rainwater in discretely located barrels or cisterns for use in toilets or for irrigation.
- Landscape with plants that are drought tolerant and native to our coastal environment. Shade trees properly placed reduce air conditioning costs. Trees and plants decrease pollution, reduce runoff, and by filtering rainwater improve water quality. See the Florida-Friendly Landscaping Program for more information.
- Avoid water damage to electrical and mechanical equipment by locating them in an area that is well above your building's Design Flood Elevation.

Active Strategies

Active strategies, especially those that generate energy, pose a danger to a structure's historical integrity if not thoughtfully deployed. Active improvements include solar panels, solar hot water heaters, and home energy management systems that utilize external power generators and storage batteries. Historic building owners should balance reasonable energy savings at reasonable costs with the advantages of the embodied energy and historical integrity of their property.

Solar Photovoltaics

Solar panels are placed for optimum exposure to the sun: typically on the south slope of a roof at angle of 15-40 degrees. Installing panels on historic buildings limits their placement to the least visible plane of a roof. They also can be installed on the ground or on an ancillary structure.

- Solar panels should not be installed in windows or on walls. Position panels behind existing features such as parapets, dormers, and chimneys.
- Choose low-profile, flat panels to be installed level with the roof surface matching its slope. Use panels compatible in color to the roof; use unobtrusive mounting equipment.
- The installation should be reversible: it should not damage the historical integrity of the property or the District.
- The same rules apply to installation of panels on ancillary structures. If the roof is flat, set the panel back from the eave to minimize visibility.
- Freestanding or detached panels also should be placed so as to minimize visibility from the public right of way

Solar Hot Water Heaters

Solar hot water heaters can be more obtrusive than photovoltaics because most types have a tank in addition to a panel. The same precautions apply. Consult with preservation staff before purchasing and deploying a solar hot water heater.

Home Energy Management Systems

You can make your historic building smart or smarter by using one of these monitoring systems but avoid those that require obtrusive on-site power generation. Consult preservation staff.

Not Recommended Under Any Circumstances

- Removal of historic roofing materials during installation of solar systems.
- Removal of dormers, chimneys, or other historical features to add solar systems.
- Any other installation that will cause irreversible damage to historic material or features.

New Construction/Noncontributing

The same considerations apply to *Noncontributing structures* and *New Buildings* in the Historic District. New construction has the advantage that modern technologies can be designed into the new building in a way that does not adversely affect the historical character of the District. No need for awkward add-ons. The structural design can deploy active strategies while the architectural form retains compatibility with the District.

Hurricane Force Winds

Flood insurance does not cover damage from water blown into a house by hurricane force winds. Often that type of damage is covered under homeowners insurance. Make sure your policy covers it. The best protection for windows are shutters. If your home has original or replacement shutters, check that they operate properly and are in good, storm-resistant condition. If not, you can install hurricane shutters. Available types and recommendations follow. If you need advice specific to your individual home you can consult Florida Division of Historical Resources preservation staff.

- Metal or polycarbonate corrugated storm panels—removable.
- Accordion shutters—not appropriate where visible from the public right of way.
- Hurricane Fabric Screens—light and easy to store.
- Impact resistant leaf shutters can stay in place when stylistically compatible.
- Impact resistant Bahama shutters can stay in place when stylistically compatible.
- Recessed flush bolts can be used in masonry walls and painted to match the wall.
- Panelmates screw into wood studs and attach to storm panels with wing nuts
- Removable tracks above and below the window—don't use permanent tracks.
- Install hardware in a consistent pattern: lined up vertically or horizontally.
- Take care to choose a system that does not interfere with door or window trim.

Green Building Programs

Many programs offer guidance, certifications, or financial assistance. Monroe County and the Florida Keys Electric Cooperative are worth consulting as well as those listed above and below.

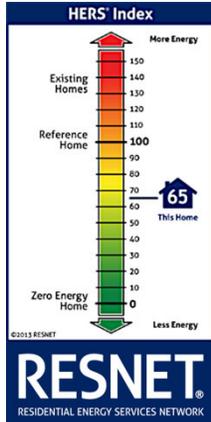


LIVING BUILDING CHALLENGE™

The Living Building Challenge asks: What if every single act of design and construction made the world a better place? Visit: Living-future.org



Better Buildings Challenge partners have saved 900 trillion Btus to date. Visit: <https://betterbuildingsolutioncenter.energy.gov/challenge>



The Residential Energy Services Network is a non-profit that provides home energy audits and ratings. Visit: resnet.us



Leadership in Energy and Environmental Design is the most widely used framework for healthy, efficient, and cost-saving green buildings in the world. For more information visit usgbc.org/leed



The *Florida-Friendly Landscaping Program* is a project of the University of Florida Institute of Food and Agricultural Sciences (IFAS) Extension, supported and sponsored in part by the Florida EPA. For further information visit ffl.ifas.ufl.edu



Energy Star is administered by the U.S. Environmental Protection Agency (US EPA). For more information visit energystar.gov



WaterSense is administered by the US EPA. For further information on saving water visit epa.gov/watersense

IX PRESERVATION AND ITS FINANCIAL BENEFITS

Owning a historic property in the Tavernier Historic District can be a source of pride in addition to the satisfaction of living with a profound sense of place. Guaranteeing the District's integrity and longevity depends on a collaboration between citizens and government. Government must provide support by enforcement as much as citizens do by adhering to the Preservation Guidelines.

Property owners are encouraged to apply for historic designation. The application is searchable online. If your application is accepted it will be reviewed at public meetings of the HPC and the Board of County Commissioners (LDC Section 135-5.) All residents are encouraged to attend and participate in these meetings. Your participation and enthusiasm can make a difference. Only a few of the many potentially eligible properties in the Historic District have been designated to date. The criteria for evaluation are provided below. Designation by Monroe County can be a step toward listing in the National Register. The application form is available on the Forms and Applications page of the Monroe County website. Designation may be a requirement for the Ad Valorem Tax Exemption described below: consult Florida Division of Historical Resources (FDHR) staff for further information.

Residents also are encouraged to consider membership in the Historic Preservation Commission. Members are appointed by the Board of County Commissioners (BOCC) and serve overlapping three-year terms. One seat is reserved for a lay member who does not need to have related professional expertise but rather a special interest in preservation. You may send a letter of interest to your county commissioner and if there is an opening it could go to the BOCC for approval. HPC members are concerned citizens but the commission itself is a quasi-judicial entity. Guidelines for commission members are summarized in Appendix 3, and Rules and Procedures in Appendix 4.

AD VALOREM TAX EXEMPTION

Apart from the benefits of historic preservation discussed above and in Chapter III there are financial incentives for the rehabilitation of historic buildings in the Tavernier Historic District.

Your historic structure may be eligible for an Ad Valorem Tax Exemption (LDC Chapter 135 Article II.) This will exempt a qualifying property from Monroe County property taxes for 100% of the cost of improvements that follow these Preservation Guidelines. The exemption will remain in effect for a period of ten years. Before you embark upon making improvements to your historic property, consider this benefit. Consult with FDHR staff to see if your building and project are eligible and to guide you through the process. The application forms are available on the Property Tax Exemption page of the FDHR website.

FEDERAL AND STATE HISTORIC TAX CREDITS

Twenty percent of the qualified expenses of a rehabilitation project may be eligible for a federal Historic Rehabilitation Tax Credit (HRTC). This 20% tax credit is claimed from the IRS. To qualify, all or part of your historic building must be income-producing as distinct from being your personal residence. For other eligibility requirements see the National Park Service and IRS websites. Applications for the HRTC are available on the FDHR website.

Florida may enact a state HRTC which includes a 20% tax credit plus a 10% bonus for properties located in Main Street program areas. It is part of a bill sponsored by the Florida Trust for Historic Preservation currently entitled the Main Street Historical Tourism and Revitalization Act. The Florida Trust will reintroduce this bill to the Florida Legislature for the fifth time in 2025.

TAX BENEFITS FOR CONVEYING CONSERVATION EASEMENTS

If you own a historic building or an archaeological site you can place a conservation easement on your property. A conservation easement is a legal agreement a property owner makes with a non-profit or government entity to protect a cultural or natural resource on the property. Conservation easements are tailored to a property owner's individual needs, allowing them to protect specific resources on their property while retaining ownership. Types of easements that may be relevant to Tavernier Historic District owners are historic preservation easements, open space, and scenic easements. Conveying (donating) a conservation easement has three benefits:

1. Property taxes. Placing a property under an easement lowers the property's fair market value because it restricts the use of the land. This can result in a reduction of property taxes. State and local law as well as individual tax assessment determine the amount of this reduction.
2. Estate taxes. Conservation easements allow families to permanently protect their land without giving up ownership. Children who have inherited land from their families often cannot afford the estate taxes and are forced to sell it. By placing an easement on family land that restricts its future development, the property's overall value is reduced which results in lower taxes.
3. Federal income taxes. A property owner who donates a conservation easement may be eligible for a federal income tax deduction if the property under easement meets specific criteria. Under IRS code, the easement must be donated in perpetuity to a qualified entity for conservation purposes only. In addition to historic preservation, IRS code recognizes easement categories in public recreation and/or education, significant natural resource, scenic enjoyment, and pursuant to local government policy.

For more information see the Conservation Easements and Tax Benefits pages, from which this section is derived, on the FDHR website.

CRITERIA FOR EVALUATION FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES

(From the National Register Bulletin "How to Apply the National Register Criteria for Evaluation.")

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- a. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- b. That are associated with the lives of significant persons in or past; or
- c. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- d. That have yielded or may be likely to yield, information important in history or prehistory.

Criteria Considerations

Ordinarily cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- a. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- b. A building or structure removed from its original location but which is primarily significant for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- c. A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life; or
- d. A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- e. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- f. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or
- g. A property achieving significance within the past 50 years if it is of exceptional importance.

Properties must also retain integrity.

Integrity is the ability of a property to convey its significance. Historic properties either retain integrity (convey their significance) or they do not. Within the concept of integrity, the National Register criteria recognizes seven aspects or qualities that, in various combinations, define integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. Determining which of these aspects are most important to a particular property requires knowing why, where, and when the property is significant.

The Seven Aspects of Integrity

The seven aspects are: Integrity of Location, Design, Setting, Materials, Workmanship, Feeling, and Association.

X GLOSSARY

Adaptive Use: The reuse of a building or structure, usually for purposed different from the original use such as residence converted into offices.

Alteration: Any change in the arrangement of a building, including work affecting the structural parts of a building or a change in wiring, plumbing, or heating systems.

Appeal: A request for a review of a decision, finding, order, interpretation or other action by an historic preservation board.

Bahamas Shutter: A type of shutter made of horizontal elements that when open allows visibility while shading the window and when closed provides storm protection.

Base Height: The height above ground to which a buildings first habitable floor is built.

Board and batten: Siding made of vertical boards having their joined edges covered by narrow strips called battens.

Building depth: The distance between a building's front and back walls.

Building height: The vertical distance measure from the crown of the road to the highest point of the roof.

Building width: The distance between the edges along a building's front which can be measured from an exterior wall or the edge of a porch.

Carport: A covered automobile shelter. It has one or more sides open to the weather.

Casement window: A window with one or two sashes hinged at the sides, usually opening outward.

Certificate of Appropriateness: an authorization for work to be done to a designated historic property or structure or any property or structure within the Tavernier Historic District. A certificate of appropriateness is not a building permit. A county building permit shall be issued prior to the commencement of work on such property or structure. There are two types of certificates: Regular and Special.

Clapboards: Horizontal wooden boards thinner at the top and overlapped to form a weather-proof exterior fabric.

Context: The setting in which a historic element, structure, site, street, or district exists.

Coquina: Stone containing fossilized remnants of marine life. Sometimes called **coral stone**.

Coral Rock: A common name for Florida oolitic limestone.

Comprehensive Plan: The guiding policy document for all land use and development regulations in Monroe County, and for regional services throughout the County including transportation, sewers, parks, and open space.

Contributing Structure: Contributing property or structure means a property or structure within the Tavernier Historic District that is listed on the National Register of Historic Places or the Florida Master Site File list of historical structures, or is a BOCC designated historic property or structure.

Demolition by Neglect: abandonment of a building or structure by the owner resulting in such a state of deterioration that its self-destruction is inevitable, or where demolition of the building or structure to remove a safety hazard is a likely result.

Design Guidelines: Criteria providing direction to rehabilitation or new construction projects in order to ensure that they respect the character of historic structures or districts.

Façade: Colloquially, the front or principle face of a building; architecturally, any specific face of a building.

Fence: An accessory structure intended to define space and used to control ingress or egress or for decorative use.

Fenestration: The disposition or arrangement of windows and other openings in a façade.

Flashing: Thin metal sheeting used to waterproof the joints of roof planes or the junctions between the roof and vertical surfaces.

Foundation: The lowest portion of a building that supports the structure above.

Front lot line: The dividing line between the lot and the street.

Gable: The triangular portion of a wall carrying a pitched roof.

Gable (or Gabled) roof: A pitched roof with one downward slope on either side of a horizontal ridge.

Hip (or Hipped) roof: A roof with four uniformly pitched sides, two sides being triangular and two being trapezoidal.

Historic District: A definable geographic area that contains a significant concentration of related structures or sites unified by past events, physical development, design, setting, materials, workmanship, sense of cohesiveness, or related historical or aesthetic considerations. The significance of a district may be recognized as local, state, or national landmarks and may be legally protected by a preservation ordinance- or land development code-authorized historic preservation board or commission.

Historic resource: Any district, site, building, structure, or object or group thereof determined to be historically significant.

Historic integrity: Of a structure, true to its original location, design, setting, materials, workmanship, feeling, and association.

Infill: New construction in historic districts on vacant lots or to replace existing buildings.

Landscape: The natural and/or man-made habitat experienced as a whole at a single place including its topography, vegetation, structures and their patterns.

Land Development Regulations: Policies and regulations on land use, development, and construction.

Liveable Communikeys Plan: Monroe County's Master Plan for the county and its parts.

Lattice: A structure consisting of strips of metal or wood or interlaced to form regularly spaced openings.

Lot Coverage: The percentage of the lot area covered by the ground floor of principal and accessory buildings.

Mullion: A vertical member that divides a window or separates one window or door from another.

Muntin: The wood or metal strips that divide a multi-pane window.

New Building: In the Tavernier Historic District Preservation Guidelines it means buildings developed within the Tavernier Historic District.

Noncontributing Structure or Property: a building within the Tavernier Historic District that is not recorded as historic and does not meet the definition of contributing structure.

Overlay: The superimposition of a district that changes the rules for development from that of the underlying zoning.

Parapet: A low solid protective wall or railing along the edge or perimeter of a roof or balcony.

Pier: A column that supports a concentrated load; or a vertical member that is an integral part of a wall, usually placed at intervals along the wall to support it laterally or to support a concentrated load.

Porch: A covered structure or recessed space on the exterior of a building.

Preservation: The act or process of applying measures to sustain the existing form, integrity and material of a structure, site, or district, and its characteristic landscape, in order to provide for continued use, including stabilization and maintenance of historically distinguishing elements such as windows and doors.

Rafter: A sloping roof member extending from the ridge or hip to the eaves that supports the roof covering.

Regular Certificate of Appropriateness: issued by the Planning Director for ordinary repairs or maintenance to a designated historic property or structure, or any property or structure within the Tavernier Historic District.

Scale: The harmonious relationship of a building or group of building parts to one another and to the human figure.

Setback: The minimum distance that structures must be held back from property lines.

Setting: The sum of the character-defining attributes of a locality, neighborhood, district, or property.

Siding: The exterior covering or fabric of a structure; sheathing.

Sign: Any device designed to inform or attract the attention of persons not on the premises.

Special Certificate of Appropriateness: issued by the Historic Preservation Commission for the renovation, rehabilitation, restoration, or demolition of a contributing or designated historic property or structure, for new construction within the Tavernier Historic District, or for permission to dig or otherwise excavate in the case of an archeological landmark. All renovation, rehabilitation, restoration, or demolition of contributing or designated historic public property or structures shall also be approved by the BOCC, following recommendation by the Historic Preservation Commission.

Stabilization: Making a deteriorating structure weather resistant and structurally sound without altering its present form, commonly in anticipation of preservation.

Streetscape: The distinguishing character of a street created by the sum of its attributes: width, curvature, paving, furnishings, vegetation, and buildings.

Vernacular architecture: Construction that largely uses local materials with traditional method and forms, adapted to local climates and customs.

Viewshed: The environment, especially the natural environment—an open space or scenic view—visible from a viewpoint of a historic site or structure, that may contribute to its historical character.

XI END NOTES

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ADDITIONAL INFORMATION:

- Florida Trust for Historic Preservation: <https://www.floridatrust.org/>

- National Park Service – Historic Preservation:

<https://www.nps.gov/subjects/historicpreservation/index.htm>

- National Park Service – Technical Preservation Services:

<https://www.nps.gov/tps/how-to-preserve/briefs.htm>

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<https://www.nps.gov/orgs/1739/preservation-briefs.htm>

<http://www.nps.history.com/publications/preservation/briefs/32.pdf>

<https://www.nps.gov/orgs/1739/upload/flood-adaptation-guidelines-2021.pdf>

<https://www.nps.gov/orgs/1739/upload/sustainability-guidelines.pdf>

<https://www.nps.gov/articles/000/guidelines-on-flood-adaptation-for-rehabilitating-historic-buildings.htm>

- National Trust for Historic Preservation: <https://savingplaces.org/>

- State of Florida, Department of State, Division of Historical Resources: <https://dos.fl.gov/historical/>

XII APPENDICES: APPENDIX 1. MAP OF THE TAVERNIER HISTORIC DISTRICT



Tavernier Historic District (Monroe County Planning & Environmental Resources GIS 3/8/2024).

APPENDIX 2. STANDARDS FOR THE REHABILITATION of HISTORIC BUILDINGS

Rooted in over 120 years of preservation ethics in both Europe and America, The Secretary of the Interior's Standards are common sense principles in non-technical language. They were developed to help protect our nation's irreplaceable cultural resources by promoting consistent preservation practices. The Standards may be applied to all properties listed in the National Register of Historic Places: buildings, sites, structures, objects, and districts. It should be understood that the Standards are a series of concepts about maintaining, repairing and replacing historic materials, as well as designing new additions or making alterations; as such, they cannot, in and of themselves, be used to make essential decisions about which features of a historic property should be saved and which might be changed. But once an appropriate treatment is selected, the Standards provide philosophical consistency to the work.⁶

The Four Approaches

Four approaches to the treatment of historic buildings are recognized by *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Historic Preservation*:

PRESERVATION means maintaining a historic building by repair, keeping to the original materials as much as possible; and replacing a feature, if necessary, by using a compatible item. It means not only preserving the original structure but also retaining parts of the building that represent a later historical period.

RESTORATION returns a property to a specific time period. It can involve removing additions, reconstructing missing portions and features, and replacing finishes. The Oldest House (1820s) and the Audubon House (1840s) in Key West are eminent examples in Monroe County.

RECONSTRUCTION means rebuilding a historical resource that has been lost using archival images and architectural drawings. It also can mean reconstructing part of a building that has been destroyed or effaced over time.

REHABILITATION is the technique of preserving a property's historical character while making the changes that may be needed to repair, stabilize, update, or adapt it to a new use.

The Ten Standards : the Secretary of the Interior's Standards for Rehabilitation

The following are the Standards most often used by local historic district commissions nationwide. They are regulatory for the Historic Preservation Tax Incentives program. All publicly owned contributing or designated historic property or structures located in unincorporated Monroe County will be reviewed according to these standards.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

APPENDIX 3. GUIDELINES FOR COMMISSION MEMBERS (Kaufman 2024)

1. **Do** utilize your local and federal Criteria and Standards to base your decisions...try to avoid using phrases that sound like you are basing decisions on personal opinion or taste, such as “I really don’t like this,” or “this is ugly,” or “this just doesn’t look right to me.”
2. **Do** treat all applicants with fairness and politeness, regardless of what you think of the project or request.
3. **Do remember** that the meeting is being recorded, and those transcripts and recordings are public record. Do not speak with other commissioners about an application if it can’t be said into the microphone for all to hear. Even if it is not about the actual project, applicants will feel like there is unjust influence happening at the dais.
4. Remember that the Historic Preservation Board is a **quasi-judicial board** and is subject to **Sunshine Laws**. Essentially this means that you cannot speak to another commissioner about any project on the agenda, or a project that you know is coming up on a future agenda, outside of the public hearing. This includes phone calls and emails. You are, however, allowed to talk with Staff about any and all items on the agenda.
5. You may speak with a concerned citizen about an agenda item outside of the meeting, but it is a **best practice to make sure that you disclose** this fact at the beginning of the agenda item in the meeting. Simply state for the record that this person called/wrote/mailed/spoke with you about this item, but that you are able to make a fair and informed decision on it that will be based on testimony provided at the meeting.
6. **Staff’s email is public record**. Therefore, be aware that anything you email to Staff is also public record. If in doubt, just call Staff. Board members’ emails, even your personal email, could potentially become public record. Best practice is, if you don’t want it in a newspaper, don’t put it in an email.
7. **Applicants have the right to a fair hearing (due process)**. It would be best if you could familiarize yourself with the project and staff recommendations before the hearing. Your decision is important, ensure that it is an informed one.
8. **Recusals from voting** can only be done if there is an actual conflict of interest. When you need to recuse yourself, simply let the Chair know at the beginning of the item, state your conflict, and leave the dais. You will be notified of when you can return when the item is finished.
9. **Respect the Chairperson**. This is something that we all forget to do sometimes, but when a Board member wants to speak to an applicant or ask a question, the proper way to “gain the floor” is to request it through the Chair. A Board member does this by simply asking “Mr./Mrs. Chair, may I have the floor,” or “Mr. Chair, may I ask a question,” or even most simply, “Through the Chair...” The Chairperson will then nod or verbally turn the floor over to the Board member wanting to speak.
10. Ask for a **deferral or continuance** if you really don’t feel like enough information was provided, but just remember people often have contractors or architects waiting to be paid. If there is adequate information provided, the Board should be making a decision, even if it is an uncomfortable one. It is Staff’s responsibility to ensure that applications are complete and are brought to you with a recommendation, but you do not have to agree with that recommendation.

APPENDIX 4. MONROE COUNTY HISTORIC PRESERVATION COMMISSION RULES AND PROCEDURES



Monroe County Historic Preservation Commission Rules and Procedures

The Monroe County Historic Preservation Commission, in Section 135-3(g)(1), Monroe County Land Development Code, is granted the authority to adopt such rules of procedure necessary for the administration of its responsibilities to govern the Historic Preservation Commission's hearings and proceedings.

1. Conduct of Meetings.

- A. The Planning and Environmental Resources Department (inclusive of its professional designee(s)) is instructed not to place any application, item, or proposal on the Historic Preservation Commission's agenda, unless and until in the professional judgment of the professional staff of the Department, all the documentation required by the Monroe County Codes and Monroe County Comprehensive Plan is/are included in the application, that the application is generally in compliance with the technical requirements of the Monroe County Codes and Monroe County Comprehensive Plan, and that the application provides all the information reasonably needed by the Commission to render its decision. The applicant may either revise the application in accordance with the recommendations of the Department's professional staff or may request, in writing, that the application be submitted to the Historic Preservation Commission at the next regularly scheduled meeting that will meet the advertisement requirements.
- B. Any information or records (including but not limited to drawings, photos, maps, and documents), or legal memoranda, from the applicant and/or participants must be received by the Planning and Environmental Resources Department no later than ten (10) calendar days before the Historic Preservation Commission meeting date at which the application is scheduled to be considered by the Historic Preservation Commission. If any such information or records, or legal memoranda, from the applicant and/or participant is received on the tenth calendar day prior to said meeting date, it must be received by the Department no later than 12:00 P.M. noon to be considered by the Historic Preservation Commission. It shall constitute legally inadequate notice to the Department's professional staff, to counsel for the County, or to the Historic Preservation Commission, for Department professional staff, for County counsel, or for the Historic Preservation Commission, to adequately understand, evaluate, or respond to such information or records, or to such legal memoranda, if any are submitted in non-compliance with this Rule of Procedure.
- C. A majority vote of the Historic Preservation Commission is required to allow the information, petitions, or records, or memoranda, as referenced in the foregoing Rule of Procedure, which is submitted in non-compliance with said Rule's ten (10) calendar day submission requirement, into the record.
- D. In presentation by speakers at the public hearing, the Historic Preservation Commission expressly reserves the right to limit presentations that are not materially relevant to the application under review, or that are clearly repetitive of points previously made.
- E. The Chairperson or presiding member of the Historic Preservation Commission may limit presentations to three minutes per individual speaker, or to five minutes to those natural persons representing an organization (non-profit or for-profit) or legal person.
 - (1) The first person representing such organization or legal person shall be allowed the five minutes. Subsequently, all other speakers on behalf of such organization or legal person shall have no more than three minutes to address the Historic Preservation Commission.
 - (2) The Historic Preservation Commission may request proof of authority to speak on behalf of an organization or on behalf of a legal person, and may request proof of the legal existence of an organization or of the legal existence of a legal person.
- F. In accordance with Rule Regulating the Florida Bar 4-3.9 (Florida Rule of Professional Conduct 4-3.9), as amended, a lawyer representing a client before the Historic Preservation Commission when it is acting as a legislative body or when the Historic Preservation Commission is acting in a non-adjudicative and/or non-quasi-adjudicative proceeding is required to disclose that the appearance is in a representative capacity, and that lawyer shall conform to Rule

Regulating the Florida Bar 4-3.3(a) through 4-3.3(d) and 4-3.4(a) through 4-3.4(c), as amended (Florida Rules of Professional Conduct 4-3.3(a) through 4-3.3(d), and 4-3.4(a) through 4-3.4(c), as amended).

- G. In quasi-judicial proceedings and in quasi-legislative proceedings, any applicant, agent of the applicant, or member of the public purporting to offer expert testimony shall identify any educational, occupational, and other ostensible expertise that they possess which is relevant to their qualifications to speak as an expert regarding the matter under consideration. Any Historic Preservation Commission Commissioner, or counsel, may inquire further as to such expertise.

2. **Burdens of Proof and Standards of Review.**

- A. The applicant has the initial burden of proof to show that its application conforms to and satisfies the requirements of the Monroe County Codes, the Monroe County Comprehensive Plan, and relevant Florida general law.

3. **Testimony and Written Comments.**

- A. The presence and ability to cross-examine the author of an affidavit or similar sworn or attested statement is required for its admissibility into the record of the Historic Preservation Commission, unless for good cause shown (such as, for example, the death of the affiant); this requirement may be waived and/or forfeited by a failure to object to the admission of such affidavit or similar sworn or attested statement.
- B. Applicants, agents for applicants, and members of the public may submit timely written comments to the Planning and Environmental Resources Department for consideration by the Historic Preservation Commission. Properly and timely submitted written comments may be considered as part of the record as provided elsewhere in these Rules of Procedure and in conformity with the Monroe County Codes and Comprehensive Plan.

4. **Quasi-judicial proceedings.**

- A. All quasi-judicial proceedings shall be in conformity with Florida general law.
- B. All quasi-judicial proceedings shall be accordance with Division 7, Article III, Chapter 2, Monroe County Code of Ordinances.
- C. All discussions between Historic Preservation Commission members and applicants, their agents, or their counsel, or members of the general public, regarding a quasi-judicial matter to be considered or decided by the Historic Preservation Commission, shall take place at public hearings and be part of the public record. Ex parte communications with the applicant, his, her, or its agent(s), and/or his, her, or its counsel, and/or with members of the general public, regarding a quasi-judicial matter to be considered or decided by the Historic Preservation Commission member, should not occur. However, if any such ex parte communication occurs or any information is communicated ex parte by such person or party to a Historic Preservation Commission member regarding any quasi-judicial matter to be considered or decided by the Historic Preservation Commission, the Historic Preservation Commission member must disclose that ex parte communication and the information communicated ex parte prior to any consideration, discussion, or decision of that item.
- D. For quasi-judicial hearings involving development applications (including but not limited to requests for special certificates of appropriateness, etc.), the following will be the order of presentation, unless varied at the meeting by the Historic Preservation Commission:
 - (1) Monroe County Planning and Environmental Resources Department professional staff will first present their professional staff report(s) and/or presentation(s);
 - (2) The hearing will be opened for the applicant to speak;
 - (3) The hearing will then be opened for public comment(s);
 - (4) After this, Department professional staff may present any clarifying information to the Historic Preservation Commission;
 - (5) The Historic Preservation Commission Commissioners will then deliberate the matter, and the Historic Preservation Commission shall thereafter conduct its vote;
 - (6) At any time during the hearing, the Historic Preservation Commission Commissioners may ask Department professional staff questions, and may ask questions of the applicant or of public speakers.
- E. The failure to file a timely, proper, and sufficiently specific objection, or to present a timely and sufficiently specific legal argument or ground for relief, or to timely raise a sufficiently specific materially relevant legal issue, shall be considered an irrevocable jurisdictional waiver and failure to preserve such objection, argument or ground for relief, or legal issue, and/or irrevocable jurisdictional forfeiture of the opportunity to file such objection or to present such

legal argument, ground for relief, or legal issue, and failure to preserve such objection, argument or ground for relief, or legal issue.

- F. Failure to properly file a timely motion for rehearing with the Historic Preservation Commission through the Monroe County Planning and Environmental Resources Department, in the Historic Preservation Commission's capacity as the lower tribunal in administrative and/or judicial appeals, proceedings, or actions, bringing to the Historic Preservation Commission's attention any and all putative insufficiencies in the findings of fact, summaries, clear statements, or conclusions of law entered in its written decision by exhaustively identifying any and all such putative insufficiencies and requesting entry of a more complete order fully addressing such insufficiencies, is and shall be deemed a binding waiver of such issue(s) and irremediable failure to preserve error on such ground(s) in any appeal, proceeding, or action, that seeks administrative or judicial relief from said written decision.
- G. Formal rules of evidence shall not apply, but basic due process¹ shall be observed and shall govern quasi-judicial proceedings before the Historic Preservation Commission. Discovery (including, but not limited to, depositions, requests for production, requests for admission, and interrogatories) is not permitted or authorized in Historic Preservation Commission proceedings.

5. **Meeting Decorum.**

A. **Scope of Discussion and Comments.**

- (1) During each item before the Historic Preservation Commission, all comments, remarks, statements, and arguments shall be exclusively be made at the lectern, to the Historic Preservation Commission as a whole, clearly into the microphone, and, if televised, visible to the T.V. audience. No comments, remarks, statements, or arguments may be made away from a location directly in front of a microphone. The purpose of this requirement is to ensure that all comments, remarks, statements, or arguments may be entered into the minutes and/or the record.
- (2) No applicant, counsel for an applicant, or member of the public may direct questions to individual members of the Historic Preservation Commission.
- (3) No applicant, counsel for an applicant, or member of the public may direct questions to a presenter, although public comment from such persons may result in a Historic Preservation Commission member asking a question to a presentation presenter to clarify a matter.
- (4) No applicant, counsel for an applicant, or member of the public may direct questions to Monroe County professional staff, although public comment from such persons may result in a member of the Historic Preservation Commission asking a question to County professional staff to clarify a matter, although a party (or, if represented, counsel for that party's counsel) may direct questions to County professional staff during authorized cross-examination in an appropriate, duly noticed quasi-judicial proceeding.
- (5) No applicant, counsel for an applicant, or member of the public may direct questions concerning materially relevant elements of a claim or appeal to a Historic Preservation Commission member, to County professional staff, or to counsel for the County, although public comment from such persons may result in the Historic Preservation Commission asking such a question to County professional staff, or to counsel for the County.
- (6) No applicant, counsel for an applicant, or member of the public may direct questions to counsel for the County.
- (7) No member of the public may direct questions to an applicant, although public comment from such persons may result in the Historic Preservation Commission asking a question to an applicant to clarify a matter.
- (8) No member of the public may direct questions to counsel for an applicant.
- (9) No applicant, counsel for an applicant, or member of the public may direct questions to the audience, or to members of the public.
- (10) Each speaker shall clearly state his or her name for the record, and, if applicable, the organization or legal person represented, if any.
- (11) Each speaker's remarks must be directed to the Historic Preservation Commission as a whole and shall not be to individual Historic Preservation Commission members, shall not be to the applicant, shall not be to counsel for the applicant, shall not be to County professional staff, shall not be to counsel for the County, and shall not be to the audience or gallery or members of the general public.
- (12) Each speaker shall confine his or her comments exclusively to the proposition before the Historic Preservation Commission he or she has requested to speak on.

¹ "Basic due process" shall be construed as synonymous with the term "fundamental due process."

- (13) Speakers may not address, or persist in addressing, immaterial and/or irrelevant topics.
- (14) Speakers may not use any form of profanity or abusive comments.
- (15) Conduct or acts in violation of a scope of discussion and comment Rule of Procedure approved herein shall not be considered by the Historic Preservation Commission in making its final decision on the matter before it.

B. Prohibited Conduct.

- (1) Speakers may not refuse to yield the lectern and/or podium when the Historic Preservation Commission Chairperson or presiding member of the Historic Preservation Commission has stated that his or her speaking time is up.
- (2) One speaker, whether a natural or a legal person, may not donate or transfer his, her, or its speaking time to another speaker.
- (3) The Historic Preservation Commission Chairperson or presiding member of the Historic Preservation Commission may notify and warn a speaker that his or her comments have exceeded the scope of the subject matter of the proposition which he or she had signed up to address.
- (4) Shouting or yelling at the Monroe County Historic Preservation Commission, at Monroe County Planning and Environmental Resources Department professional staff, or at counsel for the County, is strictly prohibited at all times. All such behavior automatically constitutes disorderly or contemptuous conduct in violation of the Historic Preservation Commission's Rules of Procedure.
- (5) Abusive comments and/or personal attacks shall be considered immaterial and irrelevant to the hearing or proceeding and shall constitute a breach of the privileges to address or offer comments, remarks, arguments, statements, or presentations to the Historic Preservation Commission, and shall not be tolerated. All such behavior automatically constitutes disorderly or contemptuous conduct in violation of the Historic Preservation Commission's Rules of Procedure.
- (6) All persons and entities are prohibited from being unduly repetitious or presenting matters not materially relevant to the item under consideration. Such behavior automatically constitutes disorderly or contemptuous conduct in violation of the Historic Preservation Commission's Rules of Procedure.
- (7) No shouting, clapping, applauding, cheering, singing, heckling, booing, or verbal outbursts in support of or in opposition to a speaker's remarks, are permitted. All such behavior shall be considered discourteous and disorderly or contemptuous conduct in violation of the Historic Preservation Commission's Rules of Procedure.
- (8) No shouting, clapping, applauding, cheering, singing, heckling, booing, or verbal outbursts in support of or in opposition to a Historic Preservation Commission Commissioner's remarks, are permitted. All such behavior shall be considered discourteous and disorderly or contemptuous conduct in violation of the Historic Preservation Commission's Rules of Procedure.
- (9) No clapping, applauding, cheering, singing, heckling, booing, or shouting from the audience or gallery, or verbal outbursts in support of or in opposition to assertions, arguments, or statements by counsel for the County or like remarks of counsel for an applicant, are permitted. All such behavior shall be considered discourteous and disorderly or contemptuous conduct in violation of the Historic Preservation Commission's Rules of Procedure.
- (10) Cellular telephone conversations shall be prohibited during Historic Preservation Commission meetings. All telephone ringers in the Historic Preservation Commission physical and digital meeting room(s) shall be set to silent mode.
- (11) All persons and entities are prohibited from committing acts of violence or threatening to commit acts of violence.
- (12) Any individual or organizational or legal person representative who attempts to disrupt a Historic Preservation Commission meeting shall be subject to legal liability and action as authorized by law.
- (13) The Historic Preservation Commission Chairperson or presiding member of the Historic Preservation Commission is authorized to request an individual who violates and thereafter refuses to cease violating and continues to violate the behavioral conduct Rules of Procedure approved herein to leave the Historic Preservation Commission physical or digital meeting room, and may request for a duly authorized law enforcement agency officer to physically remove from or physically escort out of a Historic Preservation Commission meeting room an individual who violates and thereafter refuses to cease violating and continues to violate the behavioral conduct Rules of Procedure approved herein.
- (14) Conduct or acts in violation of a behavioral conduct Rule of Procedure approved herein shall not be considered by the Historic Preservation Commission in making its final decision on the matter before it.

6. **Rules of Debate.**

- A. Every Historic Preservation Commission Commissioner shall exclusively confine his or her comments, statements, remarks, contentions, and questions to the question under debate.
- B. When a motion is presented and seconded, it is under consideration and no other motion shall be received thereafter, except to amend, to adjourn, or to lay on the table (i.e., to continue to a date certain or to table to a date uncertain/indefinitely, such as to sometime after the occurrence of an independent event which is anticipated to occur at an unknown time in the future).

7. **Decisions.**

- A. Only one Historic Preservation Commission member may have the floor at a time. When a Historic Preservation Commission member has the floor, no other Historic Preservation Commission member may interrupt.
- B. Deliberations of the Historic Preservation Commission, and decisions on all matters by the Historic Preservation Commission, shall be made at the public meeting at which the application or proposal is heard, unless the Historic Preservation Commission considers additional time for deliberation necessary and continues the hearing to another meeting.
- C. An application may not be withdrawn by an applicant after the Historic Preservation Commission vote has been ordered by the Historic Preservation Commission Chairperson or by the presiding member of the Historic Preservation Commission.
- D. When the Historic Preservation Commission's vote on a matter is evenly divided, the motion shall be deemed to have failed.
- E. When a question has been decided by the Historic Preservation Commission, only a Historic Preservation Commission Commissioner voting on the prevailing side may move for reconsideration of the question exclusively at the same meeting.

8. **Conflicts.**

In any instance where a procedure established by these Rules of Procedure violates or is in irreconcilable conflict with federal or state law or County ordinance, the procedure(s) established hereunder shall be inoperative only to the extent of such irreconcilable conflict. If any portion hereof is held by an administrative hearing officer or court of competent jurisdiction to be invalid, such portion shall be deemed severable from the remainder and, to the extent possible, the remainder shall be operative without the invalid portion.

9. **Robert's Rules of Order.**

In all events and cases not covered by these procedures, Robert's Rules of Order shall be used as a general guide and may be followed by the Historic Preservation Commission Chairperson or the presiding member of the Historic Preservation Commission, unless the Historic Preservation Commission overrules the Chairperson or presiding member of the Historic Preservation Commission.

PASSED AND ADOPTED by the Historic Preservation Commission of Monroe County, Florida, at a duly noticed public meeting this 6th day of February, 2023.