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February 13, 2012

VIA E-mail to: jjashby@bellsouth.net

J. Jon Ashby, Esq.
Sanchez & Ashby, P.A.
1720 N. Roosevelt Boulevard
Key West, FL 33040

Re: 1128-1130 Duval Street Conditional Use Application

Jeremy:

It was nice to speak with you today regarding the above-referenced Conditional Use application.

I represent Peter Wagner who has lived at 1207 Duval Street since the early 1980's. Peter has been a tireless advocate for preserving the HRCC-3 zoning district of Upper Duval Street as a respite from the intense bar centric activities of lower Duval. In 2008, Peter objected to the conversion of Alice's Restaurant into a bar / lounge. I believe Deborah Lippi joined Peter and the other neighbors who opposed that conditional use application.

As we discussed, Peter supports Ms. Lippi's plan to allow beer and wine tastings at the bar as it presently exists in the Green Pineapple retail space. Peter and Ms. Lippi have discussed the plans and it is my understanding that she and Peter have the same view of the neighborhood and the appropriate uses of properties in this district. Peter wants to ensure, however, that Ms. Lippi's small wine bar, whether operated by Ms. Lippi's or a successor owner, is not expanded into a full bar at some later date.

In order to ensure that Ms. Lippi's proposed conditional use is appropriately restricted, we would like to see the following conditions added to those already included in the proposed resolution:

- The new bar shall be limited to the existing location and size, to wit: 150 square feet at its current location inside the retail store; and
- Applicant should submit "to scale" drawings showing the size and location of the proposed bar / consumption area; and
- The seating should be limited to no more than 10 bar seats; and

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- The hours of operation should be limited to noon to 10:00 pm; and
- The proposed use should be limited to the interior of the premises only. Expansion or relocation of the alcohol consumption area outside of the building, and/or the playing of any music (amplified or otherwise) anywhere outside of the building should be prohibited.

If these provisions are acceptable to Ms. Lippi, please let me know, and we can work together with the Planning Department to draft a resolution that meets the goals of Ms. Lippi but is also acceptable to her neighbors.

Thank you for your kind cooperation.

Sincerely,



Susan M. Cardenas
Stones & Cardenas
SMC/st

c: Brendan Cunningham, via e-mail
Peter Wagner