

August 16, 2017

Chairman Sam Holland, Jr.
Gregory Lloyd
James Gilleran
Fredy Varela, Sr.
Ed Russo
Michael Browning
Peter Pike
City of Key West Planning Board
1300 White Street
Key West, Florida 33040

**Re: 126-128 Duval Street Conditional Use Application
August 17, 2017 Agenda Item #4**

Dear Planning Board Members:

This firm represents the Georgeann Favelli Living Trust, owner of 124 Duval Street, and the tenant there, the Lawney Corporation. 124 Duval Street is a small quiet bed and breakfast inn – the Old Customs House Inn, which is immediately adjacent to the Applicant’s proposed bar. Ms. Favelli has owned the Old Customs House Inn since 1982. The Lawney Corporation has operated the guesthouse since 2002.

The Old Customs House Inn is one of the more historic buildings in Key West. The building was completed in 1833 and was moved from its original Front Street address to its current location in 1891. It has been operated as a B&B since 1991. Among its many charms are its breezeways, open-air decks and patios for its guests to enjoy the outdoor ambience. This, of course, also means that activity in the immediate area is literally “right there” as if on the premises.

The immediately surrounding buildings, including the Applicant’s building, are all retail stores and have been for many years. Retail stores are completely compatible neighbors. The proposed Wet Willie’s franchise is not compatible – at all. Wet Willie’s devotes itself to high energy, high volume alcohol fueled party bars open at all hours. The menu for Wet Willie’s franchises boldly admonishes in huge type at the top “**LET’S GET THIS PARTY STARTED**”! The official sign reads: “Wet Willie’s – A Bar – A Party – An Institution.” The attached

photographs, all taken from Wet Willie's website, bear testament to the success of Wet Willie's in creating a nightly party.

What guarantees a nightly brawl of a party? The "insanely strong" drinks that are the Wet Willie's hallmark product. The Wet Willie's menus boast that: "***Wet Willie's drinks taste great, but contain more alcohol than most 'normal' bar drinks.***" The main ingredient of Wet Willie's drinks is 153 proof grain alcohol! That is 76.5% alcohol. The featured drinks combine this moonshine with even more alcohol – rum or vodka. Indeed, the standard Wet Willie's recipes call for 190° grain alcohol – 95% pure alcohol. However, 190° is illegal in Florida. Never to disappoint its customer, Wet Willie's promises to skirt this legal limit on alcohol strength: "****190° proof Grain Alcohol may be substituted with 153° proof Grain Alcohol as required by certain state laws. In this case the drinks are fortified to maintain final product consistency from state to state.***" "Fortified" by definition means that more alcohol is added!

Lest there be any doubt left that Wet Willie's encourages raucous alcohol fueled partying, look at some of the drink names and descriptions:

Attitude Improvement – Very Strong!! A Wet Willie's original. A tangy orange taste complemented by 153° grain alcohol and Bacardi rum

Call-A-Cab® -- Very Strong!! The name says it all. OUR STRONGEST DRINK!! Cherry and strawberry flavors blended with plenty of 153° grain alcohol and Bacardi rum.

Shock Treatment® -- A shocking mixture of lemonade, Blue Curacao, and 153° grain alcohol. It will electrify your senses.

Press coverage completes the story:

"Boasting charismatic names such as "Call a Cab" and "Attitude Improvement," the **insanely strong, yet robust mixtures **can get one into the vibrant spirit this joint prominently promotes.**" Tampa Bay Online, June 8th, 2012**

"[T]he Miami location is an extremely happening, **amusingly rowdy destination - and that they sold daiquiris like they were going out of style." February, 2016 Franchise Times**

The Broward/Palm Beach New Times newspaper (January 11, 2011) summed it up well:

"With over a dozen locations in beach and party towns throughout America, Wet Willie's is a drinking institution. The mere sight of Wet Willie's rows of alcoholic slushie machines screams "party till you puke".

The Applicant has three other Wet Willie's locations: two in Atlantic City, and one in St. Louis. The hours for these locations are from mid-morning to 1 to 3 am. The Applicant promises to be open all hours that a bar is allowed to be open in Key West -- which means 9 am to 4 am, seven days a week. Immediately adjacent to a small quiet guest house.

The Applicant blandly asserts that there will be no excessive noise if approved. How is that possible? Do we genuinely believe that this party will be quiet? That the "shocking" grain alcohol laden drinks, which require that a cab be called, will inspire patrons to sit quietly? That the disposable ("recyclable") cups will not really be to-go cups so that the patrons can spill out of the twenty foot wide front door openings and take the party onto the sidewalk and streets? It is far more likely that Wet Willie's will be a nightly mini Fantasy Fest, a raucous street party, 365 days a year, six feet away from the Old Customs House Inn. From mid-morning until the wee hours, 4 am the Applicant promises, the guest house will be inundated with non-stop partying by revelers who seek out the "insanely strong" beverages.

This part of the Applicant's operation of Wet Willie's franchises is very telling: most Wet Willie's franchises have a food menu (wings, sandwiches, nachos and the like), but NOT the applicant -- its other three locations just serve the booze. There is no pretense here: Wet Willie's is a place to get hammered and then behave accordingly.

Applicant identifies a three-fold increase in traffic as a result in the change from retail to a bar. A tripling of the traffic would be horrendous enough, but City staff concludes that the increase in traffic will be even higher than the Applicant projects. That means the Old Customs House Inn will suffer a constant barrage of determined partiers seeking the strongest party drinks on the island at all hours of the day and night.

This proposed "bar" is completely incompatible with the immediately adjacent B&B, the Old Customs House Inn, in ways that cannot be mitigated unless the Applicant completely abandons its business model which is based on a high volume of customers consuming "insanely strong" grain alcohol concoctions.

City Code Sec. 122-62 mandates that **"a conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest."** The first of the criteria is Land Use Compatibility: **"The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with *adjacent land use* and will not *adversely impact land use activities in the immediate vicinity*"** (emphasis supplied).

We cannot conceive of a greater incompatibility than a nightly drunken party spilling out of the two ten-foot wide front doors into the street in front of a small quiet B&B where the guests

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are trying to sleep and enjoy their vacation. We strongly urge you to find that this proposed use is fundamentally incompatible at this location and deny the requested conditional use.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne LaRue Smith". The signature is fluid and cursive, with a large, sweeping initial "W" and a long, horizontal stroke for the "L".

Wayne LaRue Smith













2010 1.00 PER LB

CALL-A-C
SHOX TREATMENT
STILL WINDSIC
PICK



A BAR • A PARTY
Wet Willie's
AN INSTITUTION

NO
PARKING
STANDING
ANYTIME
TOW AWAY
ZONE

Hard Rock
CAFE

Wet Willie's
BACK PATIO
NOW OPEN!
SUPPORT LOCAL BUSINESS





Savannah, GA Wet Willie's





Play with your imagination

Buy 4 or more drinks for your party.
We'll give you a special discount. That's right, we will.
We'll give you a special discount. That's right, we will.
We'll give you a special discount. That's right, we will.
We'll give you a special discount. That's right, we will.

BAKED MILK MARGARITA PEACH MONKEY SHINE CALL-A-CHEESE TIPS ON THE BURN AFFECTION (MILKSHAKE) STRAWBERRY PINE COLADA MONSTER BELL







LET'S GET THIS PARTY STARTED

 **WILLIE'S FAMOUS TEQUILA WINGS** Eight jumbo oven-baked, herb marinated wings tossed with our famous house-made tequila sauce. Also available in Buffalo or Chipotle BBQ sauce. Served with celery sticks and ranch or bleu cheese dressing. 9.99

GOLDEN TENDERS All white meat chicken tenders lightly fried and crispy. Served with honey mustard or sweet chipotle BBQ sauce. 7.99
Available Buffalo-Style with ranch or bleu cheese dressing and celery sticks. 8.99

STRONG TO THE FIN-ICH SPINACH DIP Spinach and four cheese dip served piping hot with tortilla chips. 7.99

BAVARIAN PRETZELS Three soft pretzel sticks brushed with butter and dusted with coarse salt. Baked fresh and served with queso, honey mustard, and spicy mustard dipping sauces. 6.49

 **SUNSET QUESADILLA** Giant tomato-basil tortilla filled with Pepper Jack cheese, red beans, and bell peppers folded over and grilled crisp. Served with Pico de Gallo, lettuce, guacamole, and sour cream. 7.99 Add Chicken + 2.00

QUESO DIP Premium white cheese dip served with fresh tortilla chips. 6.79
Layered with taco spiced beef + 2.00

CHIPS AND HOME MADE SALSA 4.79

NA'CHO AVERAGE NACHOS Crispy corn tortillas piled high and topped with our house-made queso, taco spiced beef or grilled chicken, red beans, pickled jalapeños, shredded lettuce, Pico de Gallo, guacamole, and sour cream. Served with a side of house-made salsa. Sharing size portion. 10.79

CRISPY TACOS Three crispy corn tacos filled with spiced ground beef, cheese, onion, Pico de Gallo, and shredded lettuce. Served with taco sauce. 6.49

BIG FAT GREEK SALAD Chopped lettuce topped with Feta cheese, imported kalamata olives, pepperoncini, cucumber, tomato, sliced red onion, and oregano. Drizzled with Athenian dressing. 7.99 Add Chicken +2.00

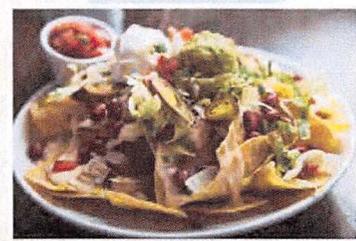
GARDEN SALAD Chopped lettuce with tomatoes, cucumber, red onion, red cabbage, and shredded Cheddar Jack cheese. Served with your choice of bleu cheese, Italian, ranch or honey mustard dressing. 6.29 Add Chicken +2.00



WILLIE'S FAMOUS TEQUILA WINGS



SUNSET QUESADILLA



NA'CHO AVERAGE NACHOS

A 15% tip will be added to tables of 5 or more. A tip is customary but NOT MANDATORY. Please feel free to raise, lower, or remove it. ALL APPLICABLE TAXES WILL BE ADDED TO YOUR BILL.



Smoking is not allowed in Wet Willie's

PANINIS AND WRAPS

ULTIMATE HAM & CHEESE MELT Ham with fontina and Swiss cheese pressed in panini bread. Served with sea salt chips. 9.99

MEATZA PANNINI Pepperoni, bacon, meatballs, mozzarella, and pizza sauce pressed in Panini bread. Served with sea salt chips. 9.99

 **BUFFALO RANCH CHICKEN WRAP** Buffalo-style chicken tenders with lettuce, tomato, Cheddar Jack cheese, and buttermilk ranch in a warm tomato-basil wrap. Served with sea salt chips. 9.99



BUFFALO RANCH CHICKEN WRAP

CHICKEN CLUBHOUSE WRAP Chicken breast, bacon, lettuce, tomato, Swiss cheese, and buttermilk ranch in a warm tomato-basil wrap. Served with sea salt chips. 9.99

THIN CRUST PIZZA

SPECIALTY PIZZAS

BBQ CHICKEN BLAST Chicken breast, red onion, cilantro, and chipotle BBQ sauce.

WILLIE'S BBQ Pepperoni, sausage, bacon, onion, and chipotle BBQ sauce.

MUSHROOM & FONTINA Drizzled with truffle oil.

ZORBA THE GREEK Feta cheese, black olives, banana peppers, and chicken breast.

CLASSICO Italian sausage and diced onion with green and red bell peppers.

PERSONAL SIZE (7")

Cheese	4.99
Each Additional Topping	+.69
Specialty Pizza	6.99

SHARING SIZE (12")

Cheese	10.49
Each Additional Topping	+.89
Specialty Pizza	12.99

TOPPINGS

Sausage Pickled Jalapeños Bacon Pepperoni
Onions Black Olives Meatballs Mushrooms
Bell Peppers Chicken Breast Banana Peppers

A 15% tip will be added to tables of 5 or more. A tip is customary but NOT MANDATORY. Please feel free to raise, lower, or remove it. ALL APPLICABLE TAXES WILL BE ADDED TO YOUR BILL.



Smoking is not allowed in Wet Willie's

THE WORLD'S GREATEST DAIQUIRIS

FEATURING BACARDI® RUMS, TEQUILA SAUZA®, AND WET WILLIE'S® GRAIN ALCOHOL

ATTITUDE IMPROVEMENT

Very strong!! A Wet Willie's original. A tangy orange taste complemented by 153° grain alcohol, Bacardi® rum, and Bacardi Select®.

CALL A CAB®

Very strong!! The name says it all. OUR STRONGEST DRINK!! Cherry and strawberry flavors blended with plenty of 153° grain alcohol and Bacardi® rum.

SEX ON THE BEACH

Almost as good as the real thing, but without the sand. Be careful how you ask for this drink! Made with raspberry, peach, cranberry, and plenty of vodka.

MARGARITA

The best margarita in 5 states! A PERFECT MARGARITA! Made with Sauza® Gold Tequila.

STRAWBERRY

A standard in the daiquiri "biz". Made special by our use of real strawberries blended with plenty of Bacardi® rum.

PIÑA COLADA

As cool and refreshing as a night on the Caribbean. Made with coconut, pineapple juice, ice cream, and Bacardi® rum.

MONKEY SHINE

This banana daiquiri may bring out the animal in you. Made with banana and just the right complement of Bacardi® rum.

SHOCK TREATMENT®

A shocking mixture of lemonade, Blue Curacao, and 153° grain alcohol. It will electrify your senses.

BAHAMA MAMA

If you've got a sweet tooth, bring it to mama. This adults-only blend of vanilla ice cream, banana, coconut, and raspberry flavors joined by Bacardi® rum and Bacardi Select®.

CHOCOLATE THUNDER

Tastes like a fudgesicle, but you might hear some thunder after trying this blend of real cocoa, vanilla ice cream, and vodka.

WHITE RUSSIAN

You may never like a different White Russian again after tasting ours. Made with ice cream, our special coffee flavors, 153° grain alcohol, and vodka.

MONSTER MELON

A tasty blend of honeydew melon flavor with vodka.

SOUR APPLE

Refreshingly crisp green apple with just the right amount of sweetness and vodka for a kick.

MANGO

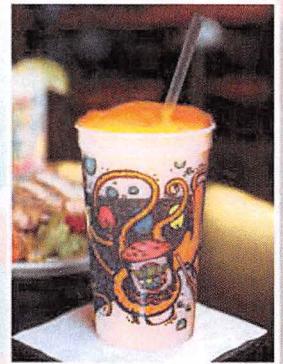
Made with real mango fruit. You'll swear you're on a Caribbean Island. Fortified with Bacardi® rum.

NAKED WILLIE®

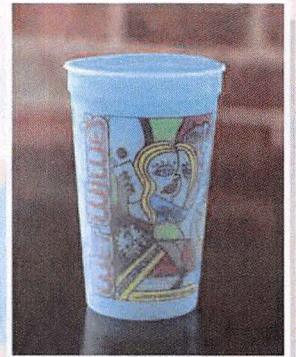
Our sugar-free, tropical punch flavored daiquiri made with Bacardi® rum. Great alone or mixed with any of our famous daiquiris! Naked Attitude, Naked in a Cab, Naked Monkey... You get the idea.

SUGAR-FREE CALL A CAB®

All the power and flavor of Call A Cab® with none of the sugar! Great alone or with any of your favorite Call A Cab® combinations!



ATTITUDE IMPROVEMENT



SHOCK TREATMENT

DAIQUIRI PRICES

Small (12 oz) \$6.00 Medium (16 oz) \$7.00 Large (20 oz) \$8.00
Insulated 20 oz Koozie Cup Empty \$8.00 Full \$14.00 Refill \$8.00
WEAK WILLIE® NON-ALCOHOLIC Daiquiri Small \$4.00 Medium \$5.00 Large \$6.00



HOUSE MIXES

Try blending Wet Willie's daiquiris to make your own unique taste sensation
Here are some favorite combinations to try:

- TRIPLE PLAY** Call A Cab®, Attitude Improvement, and Sex on the Beach
- FOUR PLAY** Triple Play topped with White Russian
- PINK FLAMINGO** Strawberry with Piña Colada
- BANANA BERRY** Monkey Shine plus Strawberry
- DREAMSICLE** Attitude Improvement with Piña Colada
- BANANA COLADA** Monkey Shine and Piña Colada
- SEXY ATTITUDE** Sex on the Beach and Attitude Improvement
- PURPLE HAZE** Sex on the Beach with Shock Treatment®
- RUM RUNNER** Monkey Shine and Sex on the Beach
- EASTER EGG** Shock Treatment®, Sex on the Beach, and Attitude Improvement
- KING KONG** Attitude Improvement and Monkey Shine
- MUD SLIDE** White Russian with Chocolate Thunder
- BANANA SPLIT** Strawberry, Monkey Shine, and White Russian
- NAKED WILLIE®** Goes with anything and cuts the calories by half! Naked Attitude, Naked in a Cab, Naked Sex, Naked Monkey, Naked Mama... You get the idea.
- SUGAR-FREE CALL A CAB®** Swirl your favorite classic Call A Cab® combinations and cut the calories by half or create your own Sugar-free Call A Cab® blend!



We're always mixing it up!
Ask our bartenders & servers
about new flavors!

BAR PRICES

Wet Willie's Famous Daiquiris	Insulated Koozie® Cups (20 oz.)	Weak Willie® (Non-Alcoholic Daiquiris)
Small (12 oz.) \$6.00	Empty \$8.00	Small (12 oz.) \$4.00
Medium (16 oz.) \$7.00	Full \$14.00	Medium (16 oz.) \$5.00
Large (20 oz.) \$8.00	Refill \$8.00	Large (20 oz.) \$6.00

Jell-O® Shots (Made with 153 Grain Alcohol) \$2.00 **Red Bull** \$4.00 **Wet Willie's Finger Shot®** \$5.00 - \$7.00

Domestic Beer \$3.50 **Jager Bomb** \$7.00
Soft Drinks, Iced Tea, Coffee, Bottled Water \$2.00

WET WILLIE'S APPAREL AND NOVELTIES

- Global Cooler** Make your own Wet Willie's at home! \$5.00/bottle (Makes 80 oz.!)
 - T-Shirts and Tank Tops** \$18.00 **XXL** \$20.00 **Long Sleeve Shirts** \$22.00 **XXL** \$25.00
 - Sweat Shirts** \$36.00 **XXL** \$40.00 **Hats** \$18.00 **Rain Ponchos** \$5.00
 - Coolies** Insulated souvenir wraps for your cold drinks \$3.00



PLEASE REMEMBER, DRINKING AND DRIVING DON'T MIX.

Wet Willie's drinks taste great, but contain more alcohol than most "normal" bar drinks. PLEASE drink in moderation.
Our staff will not serve anyone who appears intoxicated. Please don't be offended if you are refused service.
If you need assistance in obtaining transportation, please ask to speak to a manager. They will be glad to help you.



July 12, 2017

To whom it may concern:

This letter is to voice strong objection to the proposed rezoning at 126-28 Duval Street by the New Jersey group. The group is requesting zoning change/variance to build a bar next the "The World's Smallest Bar" and the guesthouse known as the historic "Old customs Inn", who's address is 124 Duval Street, also to address the potential impacts that a bar would have adjacent to another bar (known as the smallest bar),

Please note that these comments are from the property owner of 30 years at 124 Duval as well as the lessee of 16 years for the worlds smallest bar the guest house Old customs Inn, (see insert; pic of historic sign designation) Additionally The property owner and tenant has always been in good standing with one another as well as the city, county and state.

This historic guest house has been in existence as an inn since the 1980s and has been dealing with noise issues from nearby liquor establishments for decades. It hasn't been easy because of the many guest house travelers complaints regarding noise and their inability to sleep. We are concerned that a bar next door (only 5 feet away) would create an even closer source of

loud noise, disturbing the guests at the guesthouse. Another noise source would basically make the guesthouse impossible to rent, thus putting us out of business..

Community wise and from the business standpoint it would not benefit anyone to have one liquor establishment adjacent to another entity that is of the same venue. Nowhere else in Key West do we currently have this scenario, a bar next to a bar. There are 40 bars in existence between Whitehead Street and Simonton St, and Front St and Eaton St., which is a 2 block by 3 block area, not to mention the entirety of the downtown area. None of these bars have a bar adjacent to them.

In conclusion we do see competition as a good thing, however in this case we see it as unhealthy and detrimental especially when it impacts the guest house, smallest bar and community. We try to create and maintain the visitors ability to rest & stay at quaint places, shop, eat and enjoy themselves, rather than going on a bar to bar scenario.

please find below the signatures of objection from nearby establishments holding liquor (only) licenses.

we, the undersigned object to and strongly oppose the proposed zoning change request at 126 and 128 Duval Street from retail zoned license to another establishment that serves alcohol and ask that it not be granted.

entity

name/title

signature

Tattoos & Scars	Casey V. Hall, Owner	Cy VA
24 Duval Jockey Montgomery	M. Montez	Manfred Montez
Bezdon Duval LLC/ Green Room	J. Hill	J. Feldman e.o.o.
Ricks Pub & Bar		Mark Ross
SMOKIN' TUNA		
24 Duval - prop owner,	Georgina Tavelli,	Georgina Tavelli
SMALLEST BAR,	owner Thomas Dix,	Thomas Dix
old customs House Inn,	MANAGER, James Dix	James Dix for Old

July 2, 2017

To whom it may concern:

This letter is to address the impending proposal to build a bar next the The World's Smallest Bar and Guesthouse.

I, Georgia Favelli, owner of 124 Duval Street for the past 40 years, strongly object to the proposed bar at 126 and 128 Duval Street.

124 Duval Street houses a bar and guesthouse. This historic guesthouse has been in existence since the late 1980's and has been dealing with noise issues, due to loud music, from Hog's Breath Saloon and Sloppy Joe's Bar for decades. It hasn't been easy, we have had to refund many guests because they were unable to sleep due to the bar noise. I am concerned that a bar next door (only 5 feet away) would create another source of loud noise disturbing the guests at the guesthouse. We have been struggling with a noise issue for decades because of the above mentioned bars. Another noise source would basically make the guesthouse impossible to rent, thus putting us out of business.

Another serious concern is the trash issue. The rear of 126 & 128 Duval St currently serves as a parking area. If a bar and restaurant were to be occupants of this property, I assume this area would also be used for trash collection. Four of my five guestrooms are adjacent to this area. This is a major concern because of the noise due to dumping of trash (primarily bottles) late at night after the bar closes and trash pickup which occurs in the very early morning hours. This would make my guestrooms impossible to rent. 124 Duval Street also has a patio restaurant adjacent to this parking area which also would be subject to noise and odor from this trash situation.

We also have an issue with a bar next to the The World's Smallest Bar. There are 40 bars in existence between Whitehead Street and Simonton St and Front St and Eaton St., which is a 2 block by 3 block area, not to mention the entirety of the downtown area. None of these bars have a bar adjacent to them.

Respectfully,

Georgia Favelli