

## Vicky Walker

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**From:** Vicky Walker  
**Sent:** Monday, December 12, 2016 4:21 PM  
**To:** Virginia Haller  
**Subject:** FW: 700 Eaton Street

fyi

-----Original Message-----

**From:** John O'Leary [mailto:joleary311@gmail.com]  
**Sent:** Monday, December 12, 2016 4:16 PM  
**To:** Vicky Walker <vwalker@cityofkeywest-fl.gov>  
**Subject:** 700 Eaton Street

December 12, 2016

To the City of Key West,

We are residents of the city of Key West and reside within 300 feet of the above mentioned property.

We do not support this request for Alcohol Sales Special Exemption.

We believe the quality of life and traffic impact will severely affect our immediate neighborhood.

Sincerely,

Karen and John O'Leary  
412 Elizabeth Street  
Key West, Florida 33040

Sent from my iPhone

## Vicky Walker

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**From:** Donna Carpenter <akeylimey@aol.com>  
**Sent:** Monday, December 12, 2016 11:37 PM  
**To:** Vicky Walker  
**Subject:** Alcohol Sales 700 Eaton Street

December 12, 2016

Members of the Key West Planning Department

I have owned my home at 330 Elizabeth Street for over 20 years, and live here full time. I am within 300 feet of the property at 700 Eaton Street.

I am strongly opposed to the Alcohol Sales Special Exception at 700 Eaton Street.

This is not a good location for a wine bar. Not only is there a church across the street from my house, but the corner of Eaton and Elizabeth is an extremely busy and dangerous intersection that has seen numerous traffic accidents. A wine bar is just going to add to the congestion at this intersection with increased cars, bicycles, and foot traffic. Most cars don't stop for people and bikes in the crosswalk trying to cross Eaton Street. People dart out expecting the cars to stop, but they don't. Double, triple or more the number of people trying to cross, and it's only a matter of time before someone is going to get killed.

Another problem is the limited amount of parking in the area. I know that there will be some parking spots behind 700 Eaton Street, but it won't be enough for a wine bar that will attract even more people. There isn't enough parking for the residents, and the spill over from a wine bar will make it even worse for residents trying to find a place to park. I expect there will be special promotions and tastings which will bring in even more people, not to mention the delivery and trash and recycle trucks that will end up double parking or parking on the sidewalk out front.

There will also be increased noise from a bar that will affect the quality of life for all the neighbors.

This is not a good fit for the neighborhood, and I urge you to uphold the ordinance to prohibit alcoholic beverage sales within 300 feet of a church, and not approve the request for a special exception.

Thank you for your consideration.

Donna Carpenter  
330 Elizabeth Street  
305 304-4584

## Vicky Walker

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**From:** Virginia Haller  
**Sent:** Tuesday, December 13, 2016 3:35 PM  
**To:** Vicky Walker  
**Subject:** FW: Comment on 700 Eaton Street / Achohol Sales Special Exception

Vicky,  
Please upload this letter as a public comment on the 700 Eaton Street alcohol exception on the PB.  
Ginny

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**From:** Stan Day [mailto:sday@sram.com]  
**Sent:** Tuesday, December 13, 2016 2:29 PM  
**To:** Virginia Haller <vhaller@cityofkeywest-fl.gov>  
**Subject:** Comment on 700 Eaton Street / Achohol Sales Special Exception

Ms. Haller:

I wrote a letter dated September 16, 2016 in support of the variation application for 700 Eaton.

When I wrote the letter my wife and I understood the principals of Poinciana Partners, Jessica Johnson and Mike Downer, would be residing adjacent the proposed wine shop. We reasoned as next door neighbors the proprietors would have every incentive to minimize neighborhood disturbance.

We've recently learned the owner/proprietors are no longer planning to stay in the neighborhood or even on Key West.

Regrettably, we feel we must withdraw our support. We live across Elizabeth Street from the proposed business and are unwilling to support the variance given the changed circumstances.

Please include this letter in the public comments to Planning Commission Agenda Item 7 - Alcohol Sales Special Exception - 700Eaton Street (RE# 00006120-000000, AK# 1006343)

Thank you.

Stan Day  
416 Elizabeth Street

## Vicky Walker

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**From:** vanessa.vkw@gmail.com on behalf of Vanessa McCaffrey <vanessa@vacationkw.com>  
**Sent:** Tuesday, December 13, 2016 3:41 PM  
**To:** Vicky Walker  
**Subject:** Alcohol Sales Special Exemption - 700 Eaton Street

Christian Science Society  
327 Elizabeth Street  
Key West, Fl 33040

Re: Alcohol Sales Special Exception - 700 Eaton Street

To the City of Key West,

Our church is located within 300 feet of the above mentioned property.  
We have taken a vote and unanimously do not support the request for Alcohol Sales Special Exception.

Please let this letter supersede any previous communication from Gloria Shaw ( who has passed away).

Sincerely,

Vanessa McCaffrey  
(Member, Christian Science Society)

## Vicky Walker

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**From:** Will Langley <will@keysrealestate.com>  
**Sent:** Tuesday, December 13, 2016 4:03 PM  
**To:** Vicky Walker  
**Cc:** 'Will Langley'  
**Subject:** Opposition to Alcohol Sales - 700 Eaton St.

Dear Planning Board Members,

I am writing my opposition to the alcohol sales special exemption at 700 Eaton St. I own and live full time, year around, at the property diagonally opposite 700 Eaton St. I have to side with the overwhelming majority of my neighbors that this is not a good fit for our neighborhood. I am opposed to any conditions or restrictions and would kindly ask Mr. & Mrs. Downer to respectfully listen to what their immediate neighbors are saying and asking for and change the use of their desired use to something that fits in the neighborhood.

At this point, even the Church closest to this property is opposed to this use.

I am opposed to this use for many reasons including but not limited to:

- traffic
- trash & recycling
- noise
- box trucks delivering (his driveway is not big enough for a truck to pull in and back out on Elizabeth St.),
- quality of life issues that are left if I am left being the enforcer of conditions- (I shouldn't have to be the one to call code enforcement when they break a rule).
- Lastly I am concerned that the Downer's are now moving out of the neighborhood so they won't have to deal with what they are planting.

I am more than happy to discuss this with anyone, Feel free to call or e-mail me.

Thank you,

Will

**Will Langley**

305.294.5155 | office 305.394.9020 | mobile

[will@keysrealestate.com](mailto:will@keysrealestate.com) | e-mail

Owner of 627-629 Eaton St.

## Vicky Walker

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**From:** Gwen <gwene@bellsouth.net>  
**Sent:** Tuesday, December 13, 2016 8:01 PM  
**To:** Vicky Walker  
**Subject:** 700 Eaton St variance for alcohol exemption

Dear Planning Board Members,

I am writing to express my opposition to the alcohol sales special exemption request for 700 Eaton St. **I am a full time year-round resident and reside across Eaton Street from the subject property.** The overwhelming majority of my neighbors believe this proposal is not a good fit for our neighborhood. I hope the owners of 700 Eaton respect the wishes of their immediate neighbors and change the proposed use of this newly constructed concrete structure.

The proposed use of the commercial space by the Downers would not work because of many reasons including problems associated with:

- traffic
- trash & recycling
- δελιωερψ/box trucks and the amount of space needed for these are not present on this site
- Αλσο, I am concerned that the Downer's plan to move out of the neighborhood therefore no longer would feel the affects of this request for variance.

Thank you.

Gwen Esbensen, Realtor  
Berkshire Hathaway Home Services  
Knight & Gardner Realty  
Ph 305-923-5196  
gwene@bellsouth.net  
OWNER/RESIDENT OF 709 EATON STREET, KEY WEST, FL 33040

**From:** Jeff Cornfeld

**Sent:** Thursday, December 15, 2016 1:17 PM

**To:** '[vwalker@cityofkeywest-fl.gov](mailto:vwalker@cityofkeywest-fl.gov)' <[vwalker@cityofkeywest-fl.gov](mailto:vwalker@cityofkeywest-fl.gov)>

**Subject:** 700 Eaton Street

To Whom it may Concern:

It has come to our attention that the circumstances regarding the development at 700 Eaton Street have changed. We would therefore like to withdraw our previous letter of support at this time.

Thank you,

Jeff and Julie Cornfeld

426 Elizabeth Street

13 December 2016

Re: 700 Eaton street, key west

City of Key West Planning Board

Planning Board Members:

As a long time resident of 417 Elizabeth street, I hereby register my  
OBJECTION to the granting of an alcohol exemption for 700 Eaton street.

Although the address of their lot may be Eaton st, clearly the noise , traffic  
and activity from this business will all be on the very quiet, residential - only block of Elizabeth st  
which I call home. Please do not let this happen. DENY this exemption.

Thank you.

Arlene Brush  
417 Elizabeth st, #1  
Key West

## Vicky Walker

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**From:** Sandy archer <purplesga@aol.com>  
**Sent:** Thursday, December 15, 2016 11:14 AM  
**To:** Vicky Walker  
**Subject:** 700 Eaton St.

Key West Planning Committee:

Please deny the Alcohol Sales Special Exception for 700 Eaton Street.

I am a member of the Key West United Methodist Church that is within 300 feet of the property and have been for many years. My husband Glynn and I spoke against alcohol sales many years ago when the former First Baptist Church wanted to have alcohol sold in the new establishment there, which was one block from the church in the other direction.

I have always strongly objected to alcohol sales so close to our church. Again, please deny this exception.

Sandra Archer  
2911 Patterson Avenue

## Vicky Walker

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**From:** eggebrad@aol.com  
**Sent:** Thursday, December 15, 2016 11:26 AM  
**To:** Vicky Walker  
**Subject:** 700 Eaton Street

Key West Planning Committee:

Please deny the Alcohol Sales Special Exception for 700 Eaton Street.

I am a member of the Key West United Methodist Church that is within 300 feet of the property and have been for many years.

I strongly object to alcohol sales at 700 Eaton Street.

Bradley Eggebraaten  
2911 Patterson Avenue  
Key West, FL 33040

## Vicky Walker

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**From:** Patrick Wright  
**Sent:** Wednesday, December 14, 2016 9:05 AM  
**To:** Vicky Walker  
**Cc:** Melissa Paul-Leto; Thaddeus L. Cohen  
**Subject:** FW: Planning Board agenda Dec 15, Item 7: 700 Eaton Street  
**Attachments:** 700 Eaton admin interpretation bar lounge restaurant.pdf; 700 eaton Large File Application Package (4).pdf

FYI public comment 700 Eaton Street.

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**From:** naja girard [mailto:najagirard@yahoo.com]  
**Sent:** Tuesday, December 13, 2016 6:51 PM  
**To:** Patrick Wright <pwright@cityofkeywest-fl.gov>  
**Subject:** Planning Board agenda Dec 15, Item 7: 700 Eaton Street

Hello Patrick,

Please forward this comment from my husband to the members of the Planning Board [or to the proper person who can do that for us]. Please let me know the proper procedure for future reference [I don't see emails for board members on the City website]. Please include the attachments for the board members.

Please acknowledge receipt of this email.

Thank you!

Naja

Dear Members of the Planning Board:

My name is Arnaud Girard. I own an apartment building at the corner of Eaton and Elizabeth [630 Eaton] **directly across the street from 700 Eaton**. I have two concerns: one is parking, the other is noise.

My tenants [7 apartments] have a very difficult time finding parking for their cars in our neighborhood. Their only salvation is that after 5 pm people start leaving work and parking spots on Elizabeth Street open up.

I believe the four parking spots designed for the 700 Eaton Street project will be adequate for the approved **retail store** and one apartment. People will be in and out of the retail store in the few minutes needed to make their purchase. However, if people begin to congregate socially at 700 Eaton Street to "taste wine" and meet for "wine tasting events" cars will remain in those three spots and considerable additional off-street parking will be needed to support the business. Those spots now open to my tenants and others living in the neighborhood will no longer be available. This will make the parking problem considerably worse.

My second concern is noise. I have three apartments with windows that directly face 700 Eaton. All of my tenants work days and sleep nights. I follow this rule specifically to avoid conflicting noise patterns among the residents in my apartments.

However, as the proposed business model at 700 Eaton was described to me by the owner, there will be a bar with bar stools, tables and chairs, and an outside porch seating area. He explained to me that between 5 to 10 bottles of wine will be open for "tasting by the glass" **for a fee**. If people begin to congregate socially to "taste" wine across the street then the laughter, the music, even the conversations, will impact my tenants' right to peaceful quiet nights. Under HARC guidelines I cannot replace my historic wooden windows with soundproof windows.

I also plan to move into the first floor apartment at 630 Eaton Street in the future and will be personally affected by any noise coming from a bar/lounge across the street when I do so.

It is my understanding that HNC-2 zoning prohibits bars and lounges and authorizes restaurants only with a conditional use permit. To my knowledge, 700 Eaton Street does not have such a permit. Such a permit would obviously require **adequate off-street parking** - more parking than is shown in the current approved design for 700 Eaton Street which is for a **retail shop and one apartment**.

I will support this project ONLY if the permit to allow alcohol sales clearly states that there will be NO CONSUMPTION ON THE PREMISES, NO "EVENTS", and that any "wine tasting" will be similar to tastings at local supermarkets: the offer of a VERY SMALL **FREE SAMPLE** to customers who are shopping for a take out bottle of wine.

Sincerely,  
Arnaud Girard  
1214 Newton Street  
Key West, FL 33040  
(305) 304-6882

Below is some background information and a summary of City Code that shows that the business model described by the owners of 700 Eaton Street [bar/lounge] is apparently prohibited in our neighborhood.

A Minor Development Plan for 700 Eaton was approved Jan 20, 2016: <https://keywest.legistar.com/LegislationDetail.aspx?ID=2547158&GUID=9455D077-3FD4-4FDE-B3A1-39703C8C3161&Options=&Search=>

In their application for a Minor Development Plan they responded to the question: Consumption area for restaurant and bars?: "not applicable". This is on page 25 of the attached document [large file]. The property owners said in their application that the first floor would be used for "retail" and parking was calculated accordingly. 1 for every 300 sf of retail and 1 for the market rate residential unit.

**ZONING:**

In our zone [HNC-2] small retail use [under 2500 sf] is allowed **as of right**. "Restaurants" are allowed as a **conditional use**. Bar/lounges are not listed. Any use not found specifically or provisionally in the zoning code is prohibited.

## DEFINITION OF BAR/LOUNGE

The definition of "bar or lounge" and of "restaurant" are not contained in the code, but the City came up with an administrative definition back in 2008. [See attachment page 18] Basically if wine, beer, or other alcohol is being consumed **on the premises** then it is a "bar or lounge" unless there is also food and the food portion of sales is at least 51% - then it is a restaurant.

## PARKING REQUIREMENTS

City Code Sec. 108-571. Parking for bar/lounges or restaurants **1 space for every 45 sf of consumption or serving area**. Not **1 space for every 300 sf. of retail area which is what has been permitted and is currently being built at 700 Eaton**.

### City's Zoning Code:

#### Subdivision III. - Historic Neighborhood Commercial District (HNC-2)[13]

Sec. 122-836. - Intent.

The historic neighborhood commercial district (HNC-2) is restricted to small offices, neighborhood shops, restaurants with very limited seating, or other commercial uses similar in character to traditional neighborhood commercial services which have very limited square footage and generate low volumes of traffic. In the future in-fill within the HNC-2 district shall be strictly governed by performance criteria which ensures continued land use compatibility and stability within and among adjacent residential areas. The HNC-2 district mixed use subareas are comprised of both residential and commercial activities and shall continue to be allowed to develop as mixed use neighborhood centers. Qualitative and quantitative performance criteria shall be used to prevent encroachment by incompatible commercial uses characterized by excessive scale and intensity.

(Ord. No. 97-10, § 1(2.5.5.4(2)(A)), 7-3-1997; Ord. No. 99-18, § 1 (Exh. A(2-5.5.4(2)(A))), 9-8-1999)

Sec. 122-837. - Uses permitted.

Uses permitted in the historic neighborhood commercial district (HNC-2) are as follows:

- (1)  
Single-family and two-family residential dwellings.
- (2)  
Multiple-family residential dwellings.
- (3)  
Group homes with less than or equal to six residents as provided in section 122-1246.
- (4)  
Places of worship.
- (5)  
Business and professional offices.
- (6)  
Commercial retail low intensity less than or equal to 2,500 square feet.
- (7)

Medical services.

(8)

Parking lots and facilities.

(9)

Veterinary medical services, without outside kennels.

(10)

Parks and recreation, active and passive on the Truman Waterfront parcel, only.

(Ord. No. 97-10, § 1(2.5.5.4(2)(B)), 7-3-1997; Ord. No. 99-18, § 1 (Exh. A(2-5.5.4(2)(B))), 9-8-1999)

**Sec. 122-838. - Conditional uses.**

Conditional uses in the historic neighborhood commercial district (HNC-2) are as follows:

(1)

Group homes with seven to 14 residents as provided in section 122-1246.

(2)

Cultural and civic activities.

(3)

Educational institutions and day care.

(4)

Nursing homes, rest and convalescent homes.

(5)

Parks and recreation, active and passive.

(6)

Protective services.

(7)

Public and private utilities.

(8)

Commercial retail low intensity greater than 2,500 square feet and less than or equal to 5,000 square feet.

(9)

**Restaurants, excluding drive-through. However, restaurants are expressly excluded from lots fronting the south side of Caroline Street, west of William Street and extending west 50 feet past Peacon Lane to include the lot abutting both the west side of Peacon Lane and the south side of Caroline Street.**

(Ord. No. 97-10, § 1(2.5.5.4(2)(C)), 7-3-1997; Ord. No. 99-18, § 1 (Exh. A(2-5.5.4(2)(C))), 9-8-1999)

**Sec. 122-839. - Prohibited uses.**

**In the historic neighborhood commercial district (HNC-2), all uses not specifically or provisionally provided for in this subdivision are prohibited.**

(Ord. No. 97-10, § 1(2.5.5.4(2)(D)), 7-3-1997; Ord. No. 99-18, § 1 (Exh. A(2-5.5.4(2)(D))), 9-8-1999)

**Sec. 122-840. - Dimensional requirements.**

The dimensional requirements in the historic neighborhood commercial district (HNC-2) are as follows; however, construction may be limited by proportion, scale and mass considerations as expressed through the historic architectural review commission design guidelines:

(1)

Maximum density: 16 dwelling units per acre (16 du/acre).

(2)

Maximum floor area ratio: 1.0. Refer to section 122-776 for additional restrictions that regulate the square footage of gross leasable floor area based on trip generation within HNC areas.

(3)

Maximum height: 30 feet.

(4)

Maximum lot coverage:

a.

Maximum building coverage: 40 percent.

b.

Impervious surface ratio: 60 percent.

(5)

Minimum lot size: 5,000.

a.

Minimum lot width: 50 feet.

b.

Minimum lot depth: 100 feet.

(6)

Minimum setbacks:

a.

Front: 10 feet.

b.

Side: 5 feet.

c.

Rear: 15 feet.

d.

Street side: 7.5 feet.

(Ord. No. 97-10, § 1(2.5.5.4(2)(E)), 7-3-1997; Ord. No. 99-18, § 1 (Exh. A(2-5.5.4(2)(E))), 9-8-1999; Ord. No. 10-04, § 11, 1-5-2010)

## Vicky Walker

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**From:** Christine Fifer <cfiferbeach@gmail.com>  
**Sent:** Wednesday, December 14, 2016 2:04 PM  
**To:** Vicky Walker  
**Subject:** 700 Eaton Street

TO: City of Key West

I am a resident within 300 feet of 700 Eaton Street, and upon new developments, I would like to recant an earlier letter I sent to you. My previous letter was on behalf of the property owners of 700 Eaton Street, and their originally described intent to open a small wine package shop on the premises. I felt this was a reasonable option because they were living immediately adjacent to the property, and it was my understanding that it would be a small, sedate undertaking that was more of a hobby.

In light of recent events however, it has come to my attention that the "small wine shop" is growing in both size and scope, and I am now greatly concerned how this will effect our quality of life in our residential neighborhood, including late night noise, traffic movement and congestion, and additional parking on a street that has already lost numerous spots.

Please note that because of the aforementioned, I no longer support the Alcohol Sales Special Exemption.

Kind Regards,

Christine Fifer  
316 Elizabeth Street  
Key West, Florida 33040  
305-619-9559

**Vicky Walker**

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**From:** Peter W. Obermeyer <1PeterO@BellSouth.net>  
**Sent:** Wednesday, December 14, 2016 2:13 PM  
**To:** Vicky Walker  
**Subject:** Objection to 700 Eaton Street Alcohol Sales Special Exception

To: The Key West Planning Board  
From: Peter and Sara Obermeyer

We own two condos at [703 Eaton Street](#), units one and four, directly across from the subject project.

We strongly oppose the Alcohol Sales Special Exception.

It is not appropriate for this location and would decrease the value of our properties.

Please deny this application.

Thank you,

Peter and Sara Obermeyer

**From:** Mark Jacob <[mjkeywest@aol.com](mailto:mjkeywest@aol.com)>  
**Date:** December 14, 2016 at 2:56:58 PM EST  
**To:** [vwalker@cityofkeywest-fl.gov](mailto:vwalker@cityofkeywest-fl.gov)  
**Subject: Objection to 700 Eaton Street alcohol sales special exception**

[Vwalker@cityofkeywest-fl.gov](mailto:Vwalker@cityofkeywest-fl.gov)

Dear Key West planning board members,

I oppose the alcohol sales special exception for 700 Eaton Street for many reasons.

The intersection at Eaton and Elizabeth Street's is notoriously difficult, and has been the scene of a statistically high number of accidents, So many so that many studies have been done on the area and extra crosswalks added in an attempt to mitigate these statistics (not for pedestrians, but to slow traffic.) Elizabeth Street (the cross street) in both blocks to either side of the project is very narrow. Traffic traversing those blocks is required to slide into a driveway to allow opposing traffic to pass. There is already a lengthy discussion about the difficulty parking in the immediate vicinity of the project. Allowing the wine store to open will just make parking more difficult for residents and people with other business in the area.

Now envision people and cars darting back and forth through one of Key West's most accident prone intersections, trying to thread the needle to get up Elizabeth Street and find a parking space, all to get to one of Michael Downer's wine, caviar, and cheese extravaganzas! Customarily, with insufficient parking for his holiday house guests, he has them take over the neighbors driveways. Now, how will it be when he opens a wine shop....

The letter below is one sent out by Mr. Downer and his wife to the local neighbors, to say the least it's full of "spin." The letter and Mr. downer's application say that he has no opposition in the neighborhood to his venture, and that he has addressed neighbors concerns. The truth is he has no interest in the neighbors concerns. In the years I've been in the neighborhood Mr. downer has never shown any empathy towards his neighbors. For years if work is done on his house he has an extra crew come in after their full-time jobs and work by spotlight till 10 or 11 o'clock at night for weeks on end. That will stop when he comes to visit, but the work will resume in the evenings again when he leaves town. Construction on the corner is much the same, he didn't have to deal with it over Thanksgiving weekend, his time in his home was not disturbed, but any day that work is done on the current project, work starts well before eight, and sometimes before seven. Nothing gets the neighborhood percolating earlier than a worker hitting a metal pipe with a hammer before 7 AM.

They state the subject property has a colorful history. That is true, for years Ted would entertain tourists with his antics and they would go to visit his cats, under great old Royal Poincianas. Later when Jan took over, a home was still provided for the cats. Though he is the newcomer, Mr Downer has shown very little tolerance for the cats, the trees, and certainly not the neighbors!

Though their construction crew has said they have been instructed to plumb the building to prepare it for the advent of being a doctors office, (even without sufficient parking available) Mr.

Downer and his wife, have represented to the neighbors that that is not their intent. They have not been forthcoming with their true intentions.

After alienating the neighbors it's not likely there'll be much "local" interest in his wine store, when people can go another block and go to an epicurean grocery or wine store that have both available parking, and a welcoming atmosphere. After reviewing the support letters for Mr. Downer's project this board and the city planner should see the best place for his wine store is where it's enthusiastically welcome: a later block of Staples Avenue or a kiosk by the dumpster at Sears.

Finally, Mr. Downer and his wife have said the property would be more valuable as a private home. As a neighbor directly across from their home and this project, I agree, and feel that is the most appropriate use for the property; Best for them, best for the neighborhood, best for the city.

Thank you,

Mark Jacob  
408 Elizabeth Street  
Key West, FL

Duck & Dolphin LLC  
601 Fleming Street  
Key West FL 33040

(305) 295-0499

Attachment: Mr & Mrs Downers letter to neighbors

Begin forwarded message:

**From:** Jessica Johnson <[jessicabjohnson@yahoo.com](mailto:jessicabjohnson@yahoo.com)>  
**Date:** September 26, 2016 at 12:21:20 PM EDT  
**To:** [mjkeywest@aol.com](mailto:mjkeywest@aol.com)  
**Subject:** 700 Eaton Street

Hi Mark & Paul,

Thank you for giving my mom your email. Here's the message Mike & I are trying get out to our friends and neighbors re: 700 Eaton Street:

As you know, we have started construction at 700 Eaton Street (architect and landscape plans are attached for your reference) next door to our house at 411

Elizabeth Street. The structure was designed by Michael Ingram, a well-known local architect, who has designed many residential, government and commercial buildings in Key West. Our structure was approved by the City without any building or parking variances. Moreover, we decided that constructing a small scale mixed-use building (with a small commercial space on the ground floor and a residence above) was more in keeping with the historical character of Old Town Key West, rather than building a large single-family home. 700 Eaton has a long commercial history having been general store at least as far back as 1889, as well as a pharmacy with residence above, and The Panama Hotel, which sadly burned down decades ago. Our contractor, Rick Bird, has a good reputation and has been in business in Key West for over 30 years. He is willing to answer any questions/concerns from friends and neighbors if/when needed.

Mike and I purchased 700 Eaton from a bank in a foreclosure sale. It was a essentially a junk yard for decades. The smell from this lot was barely tolerable (we couldn't open our windows because of the smell) until we were able to clean it up. Unfortunately, the trees on the property were either not properly maintained, not native, unhealthy and/or posing a hazard. We had permission from the City Tree Commission to remove the trees (with required replacements). We're so happy that our neighbor, Arnaud, was able to contact us through our mutual friend, Wayne Fox, to transplant the Jacaranda tree that was growing into the power lines above/near our property. The lot looks terrible now, but it will get better. We will plant over 40 native and endangered replacement trees plus shrubs on the property and will properly maintain them pursuant to our landscape plan (see attached).

As you may know, I grew up in Key West and graduated from Key West High School. I left to attend college and ultimately fulfill my life-long dream of becoming a physician. I am now practicing medicine in Los Angeles as a board-certified family physician. My husband, Mike, is an executive and attorney with Capital Group, an investment firm headquartered in Los Angeles. Mike is retiring after almost 40 years at the firm in June, 2018.

After Mike retires, we're moving to Key West full-time. I plan to open or join a holistic/integrative medical practice in Key West. Mike plans to open and manage a high-end wine boutique in the commercial space on the ground floor at 700 Eaton Street. Because there are two churches within 300 feet of 700 Eaton Street, we must obtain an alcohol sales special exception from the City of Key West to open the wine shop. While we have spoken to both churches and they have indicated that they will not object to the wine shop, we understand from our attorney helping us with the application, Richard McChesney, of the Spottswood, Spottswood & Spottswood law firm, that we need as many support letters and/or e-mails from our neighbors as possible to submit with our application.

The wine boutique will be small (less than 900 square feet) and will offer upscale wine, craft beer, and gourmet food items such as caviar, artisan cheeses, truffle infused olive oil, etc. that are not available elsewhere on the island. We would like to offer limited wine tastings, but the shop will not be open late or sell spirits. We have no intention of

disrupting any of the neighbors or being a late night "hang out." We own the house next door and have as much of an interest in maintaining harmony in neighborhood as anyone. We feel that the shop will be a nice, tasteful addition to the neighborhood and be compatible with the surroundings. We hope to serve and compliment the community in a positive, upscale manner.

If you're willing to write us a short support email that would be great. You're welcome to use the sample message provided below if you'd like. Please forward my email to anyone that would like to understand our plans for 700 Eaton Street and/or willing to write a support email for us. We'd be happy to meet with you in person or discuss over the phone anytime.

Thank you!  
Jessica & Mike Downer  
411 Elizabeth Street, Key West, FL 33040  
[jessicabjohnson@yahoo.com](mailto:jessicabjohnson@yahoo.com)  
cell 310-770-4793

Sample E-mail of Support:

Dear City of Key West:

I live at \_\_\_\_\_ in the City of Key West. I would like to express my support for Mike Downer's alcohol sales exception application to open a wine shop at 700 Eaton Street.

Thank you,

Mark Jacob  
Duck & Dolphin Antiques LLC  
601 Fleming Street Key West FL 33040

(305) 295-0499

## Vicky Walker

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**From:** Shirley Freeman <shirleyfreemankeywest@gmail.com>  
**Sent:** Wednesday, December 14, 2016 12:44 PM  
**To:** Vicky Walker  
**Subject:** Objection to 700 Eaton Street Alcohol Sales Special Exception

To the Key West Planning Board

I live within 300 feet of 700 Eaton St (at 724 Eaton).

I strongly object to the Alcohol Sales Special Exception for 700 Eaton for the following reasons

\*Alcohol sales would mar this important residential area of historic Old Town and negatively impact the quality of life of the residents.

\* The corner of Eaton and Elizabeth Streets already has one of the highest number of traffic crashes on the island. Hearing wheels squeal, large bangs, people screaming and ambulance sirens is no fun.

\* This would only add more traffic from Elizabeth Street trying to cross or enter Eaton, thus more crashes.

\* Delivery trucks would have to park in the street - impeding traffic - as there is no room for them in the tiny parking area on the subject property.

\* There are more than enough places in Key West to purchase alcohol already.

Shirley Freeman

724 Eaton St

## Natalie Hill

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**From:** david descoteau <mhcdavid1@gmail.com>  
**Sent:** Wednesday, March 01, 2017 12:06 PM  
**To:** Natalie Hill  
**Subject:** 700 Eaton Street Alcohol Sales Special Exception

Good Morning Natalie: Thanks for speaking with me this morning about the referenced agenda item for your March 16th Planning Board Meeting.

My wife and I live at 3 Higgs Lane which is within 300 feet of 700 Eaton property.

We wish to join our immediate neighbors who have expressed objection to granting this alcohol exception. Our basis for objecting has more to do with future issues such as expansion of hours of operation and the potential of turning this wine and cheese shop, with "occasional wine tasting" into a music venue.

We have lived here for twenty years and know full well how things can change beyond their original mandates.

Thank you, David and Judy Descoteau

## Natalie Hill

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**From:** Julie Keefe <julieskeefe@gmail.com>  
**Sent:** Thursday, February 16, 2017 4:28 PM  
**To:** Natalie Hill  
**Subject:** Alcohol Sales Special Exception - 700 Eaton Street -

To the City of Key West Planning Department

Re: 700 Eaton Street Alcohol Sales Special Exception

David and Julie Keefe, owners of the home at 727 Street, support the request of our neighbors to sell alcohol at 700 Eaton Street. We live across the street from the Eaton Street Fish Market and have not experienced any issues with the sale of wine and beer close to our house. We believe that a wine and cheese shop will be a great addition to the neighborhood. The building under construction is of high quality, and expect that the shop will be also. The Studios of Key West and the Key West Theater have greatly improved our street, and 700 Eaton Street is continuing that improvement.

On a side note, we would like to see more one-way streets and bicycle lanes in Key West. Bicyclists have to use the sidewalks along Eaton Street because the road is so hazardous to bikers, which in turn makes it dangerous for people who walk on the sidewalk.

Dear Mr. Smith, Mr. Wallace and Mr. Wright,

I am the Chairman of the Board of Directors of the Christian Science Society, Key West, Florida, located at 327 Elizabeth Street in Key West.

Attached is a document expressing the unanimous sentiment of our congregation regarding the requested Alcohol Exemption that would allow the proprietors of 700 Eaton to sell alcohol within 300 feet of our Church.

Please add this to the official Public Comments which will be presented to the Planning Board members for the Thursday, March 16 meeting.

Please feel free to contact me if you have any questions.

Philip Sheldon  
Chairman of the Board  
Christian Science Society, Key West, Florida  
Cell: 305-849-8174

# CHRISTIAN SCIENCE SOCIETY, KEY WEST, FL

327 Elizabeth Street, Key West, FL 33040

March 12, 2017

RE: Church Opposition to Alcohol Sales Special Exemption for 700 Eaton Street

Dear Key West Planning Board Members:

The applicant for this exemption is in non-compliance with Section 18-28 of the Code of Ordinances in the City of Key West. (“Pursuant to Section 18-28 of the City Code of Ordinances, no person shall conduct in the City any business involving the sale of alcoholic beverages where such place of business is 300 feet of any established church, school, cemetery, or funeral home.”)

**Our church is within 300 feet of this business, and by unanimous vote at our congregational meeting, we oppose the application for an Alcohol Sales Special Exemption at 700 Eaton Street.**

Since 1900 the Christian Science Society, Key West, FL (aka First Church of Christ Scientist, Key West, FL) has provided a church home for quiet reflection and healing for people of all ages who are looking for an alternative to the alcohol culture which is so pervasive in other parts of the city.

Along with our Sunday services, our congregation members gather for Wednesday evening Testimony Meetings and at various other times throughout the week. Our space is also shared with the Key West Friends Worship Group (Quaker meeting) for their religious services.

Having an alcohol-related business just a half-block from our church interferes with our ability to provide a safe space for our community, since we proudly provide an alcohol-free space for adults, as well as a wholesome environment for children.

This letter supersedes the letter of non-objection from the late Gloria Shaw, a former Director of our Church. Gloria’s letter was written in response to the same false representation of this business that somehow also allowed only 3 designated parking spaces for a business that is obviously intended to be far more than a small retail shop.

Based on the business plan as described by the owners of the property in recent emails to neighbors, they intend to host events such as wine tastings, which would typically be evening events – with 100% of patrons heading to their cars in our neighborhood after consuming alcohol. A wine tasting could easily attract 40, 50 or more patrons, overwhelming the already meager parking available in the immediate neighborhood.

The applicant is clearly flaunting any obligation to provide adequate parking for the business plan which they have presented. Contrary to the owners of 700 Eaton Street, our church long ago invested in a substantial private parking lot next to our church, which significantly reduces our impact on the available parking for our neighbors. If our small non-profit can make this kind of investment, why can’t the owners of this profit-making business do the same?

# **CHRISTIAN SCIENCE SOCIETY, KEY WEST, FL**

327 Elizabeth Street, Key West, FL 33040

Finally, we would like to express our profound shock that the Applicant and their attorneys blatantly discriminated against our church by claiming that we are not a church, just because our Key West church is designated a "Society" within the Christian Science movement.

Just as the Catholic Church has "Churches" and "Basilicas" and "Cathedrals", local Christian Science congregations are designated "Churches" or "Societies". This is strictly an internal administrative distinction, with smaller church congregations such as ours being called Societies. (A letter from the Christian Science Mother Church stating this is available upon request.)

We are especially disappointed that our City Attorney, whose job is to verify facts, initially seems to have supported this religious discrimination, and made no effort whatsoever to contact us for clarification. We ask the City Attorney to publicly state that we are indeed a church, to squash this attempt to belittle our church's contribution to our community.

We respectfully request the Planning Board to deny the Alcohol Sales Special Exemption and allow our mostly residential neighborhood to remain free of this new business as currently being proposed.

Sincerely,

Philip Sheldon  
Chairman of the Board  
Christian Science Society, Key West, Florida

## Natalie Hill

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**From:** cruzinconch <cruzinconch@bellsouth.net>  
**Sent:** Friday, April 14, 2017 5:34 PM  
**To:** Natalie Hill  
**Subject:** Application for Special Exception to Prohibition of alcoholic beverage sales at 700 Eaton Street

Please allow us to express our disapproval of the special exception of alcoholic beverages sales being sought by Mike and Jessica Downer for their project at 700 Eaton Street. We are long-time, permanent residents at 327 Peacon Lane, and have been for 40 years.

For all of the applicant's good intentions, this is not appropriate for this site. No matter how "high end" their wine store is projected to be, it is a fact that the homeless population will find their way up there from Caroline Street for the "wine tastings" and, if they can panhandle enough money, will be able to buy a bottle of "expensive wine".

The residents of this lane are already harassed enough with the drunkenness and loitering of vagrants due to beer sales at the corner grocery stores on Caroline Street. Opening a wine store, even just a block away that would attract these "sophisticated customers" is an attractive nuisance and one that the residents do not need.

Please, do not make this situation any worse, and do not grant this special exception.

Mary and Louis Cruz  
327 Peacon Lane  
Key West, Florida

## Virginia Haller

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**From:** Vicky Walker  
**Sent:** Thursday, April 13, 2017 4:55 PM  
**To:** Virginia Haller  
**Subject:** FW: 700 Eaton Street Special Exception

One more.....

**From:** AEIitcher@aol.com [mailto:AEIitcher@aol.com]  
**Sent:** Thursday, April 13, 2017 2:33 PM  
**To:** Vicky Walker <vwalker@cityofkeywest-fl.gov>  
**Subject:** 700 Eaton Street Special Exception

Please include the below comment in the public record concerning the application for a zoning variance for the proposed wine bar at 700 Eaton Street. This comment was originally sent to the Planning Board on December 15, 2016, subsequently appeared in the record, but does not appear in the current public record for a special exception. Thank you for your attention to this matter.

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To the City of Key West,

My wife and I have recently purchased, and reside in a home on Elizabeth Street, within 300 feet of the proposed wine bar at 700 Eaton Street. We are opposed to the granting of the Alcohol Sales Special Exception being sought for the commercial enterprise at 700 Eaton Street. The proposed on-premises consumption of alcohol at the above location presents an inappropriate use given the residential nature of the immediate environs. Additionally, the already over-subscribed parking situation would be exacerbated by the attraction of driving patrons who, not just stopping by to purchase goods, would remain for substantial periods for wine tastings, occupying scarce parking spots. This does not even address the problem of driving after imbibing.

In addition to more private vehicle and pedestrian traffic, the quality of life on our now quiet block would be deleteriously affected by the noise from delivery and waste removal vehicles. Bottles make a loud clatter.

That the owners of the proposed business are moving away from this block indicates that even they do not wish to live next to commercial premises where alcohol is sold and consumed on site.

We strongly disagree with granting a special exception for alcohol sales for 700 Eaton St.

Please acknowledge receipt of this letter by email. Thank you.

Respectfully,

Kathryn Andrea Taras and Tony Elitcher  
420 Elizabeth Street  
Key West, FL 33040

## Natalie Hill

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**From:** herbalconstance@aol.com  
**Sent:** Monday, April 17, 2017 2:36 PM  
**To:** Natalie Hill  
**Subject:** City Commissioners' Planning Board Public Hearing, April 20, 2017

To: City of Key West Planing Department  
Re: Request for Alcohol Sales Special Exemption for 700 Eaton Street  
City Commissioners' Planning Board Public Hearing, April 20, 2017

My name is Robert A. Miller. I am a resident of Key West, and a member of the Key West Worship Group o Society of Friends, commonly known as Quakers. I am writing on their behalf.

Quakers are an established religion founded in the 1600's. We have had a presence in Key West for over 5

Our Key West Worship Group meets every Sunday in the Christian Science Church at 327 Elizabeth Street. the First Church of Christ, Scientist in opposing this request for an alcohol sales special exemption.

Respectfully,

Robert A. Miller  
283 Golf Club Drive  
Key West FL 33040  
305-293-6946