

May 9, 2017

Mayor Craig Cates and Key West City Commissioners
City of Key West

Re: Request for Zoning Map and Future Land Use Map Amendments, Mel Fisher Maritime Heritage Society, Inc., 200 Greene Street

Mayor Cates and City Commissioners,

I am writing to express my opinion to the City Commission regarding the request for zoning and future land use map changes by Mel Fisher Maritime Heritage Society. My wife, Eden and I own Isle Cook Key West, a business located at 218 Whitehead Street, immediately adjacent to the Mel Fisher Museum.

As a business owner, I am pro-commerce, I support government efforts to maintain laws and regulations that promote businesses, and I support businesses doing what they can within the bounds of the law to prosper. That being said, I am confused by the zoning and land use change requests from the Mel Fisher Museum. It appears from the documentation regarding this matter that was available on the city website prior to their Planning Board hearing, that the Museum's proposed future business uses are the same as its current uses, and all of its current uses are permitted under current zoning. Our business is located in a building directly adjacent to the Museum, in the same block and on the same side of Whitehead Street. In addition to our business, 218 Whitehead Street houses space for five other local businesses (with one space currently unoccupied) and a residential apartment that overlooks the Museum's courtyard, Whitehead Street and Greene Street. We are directly across the street from a historic home and gallery (Audubon House), and several residential homes, and directly behind both our building and the Mel Fisher Museum are residential apartments. I believe that the mixed use of this area (commercial and residential) was considered by the city when it last zoned this area, and should definitely be considered when reviewing this change request. I believe that the city was attempting to balance the needs of small businesses, historical structures, museums, and galleries in this area, while ensuring that residents and businesses in this area were not overrun by the noise of bars and tourists that can be found nearby. I believe that this area was zoned specifically to create an atmosphere that was distinct from the lower Duval Street tourist area. Assuming that the Mel Fisher Museum does not plan to change their use of their property, then this change in zoning is unnecessary, as they are reportedly not planning to do anything beyond what they are already permitted to do within their current zone. However, if this change in zoning is permitted, it sets up the potential for future uses by the Museum or a future owner of that property that could substantially change the neighborhood and the atmosphere in this historic area.

As I mentioned above, I am pro-business, and I understand that as times change, the city needs to be flexible and willing to change laws and regulations to continue to effectively support local business and residents. That flexibility would certainly include zoning, and I believe that all zoning should be reviewed over time to keep up with environmental and social changes. That being said, I have seen no evidence of recent changes in the area surrounding the Museum that would require this change in zoning. In

addition, if there have been changes of which I am not aware, and the city believes that the best way to support the residents and businesses in this area is to change the zoning, then I believe that the changes should be presented for input and discussion for the entire area, not just one building and one business. The proposal by the Museum applies a change just to their building, when there are several other businesses right next door and across the street. It seems very unlikely to me that the Museum's interests would be so substantially different than the other surrounding businesses so as to require what amounts to a special zoning change just for them. Further, it is my understanding that one of the several considerations for granting a change in zoning such as the one requested by the museum is that the city would not be conferring a "special privilege" to the applicant. It appears that making a change in zoning and land use for one entity in a discreet portion of one city block, while not considering the same changes for other businesses in the same block would be conferring a special privilege to that one business.

In conclusion, based on my understanding of the matter to date and as a business owner in the Museum's immediate vicinity, I do not see a compelling need to change the zoning in this area (based on the Museum's stated plans), and there are potential future negative consequences that could be created by the requested change in zoning. In addition, if there are reasons for a change that are beyond my present knowledge, then I believe that a change in zoning should be discussed with all of the businesses and residents in this area, and a future direction planned for the entire area, not just one building and one business.

I urge the City Commission to consider these factors when making a decision in this matter.

Thank you very much for your consideration.

William Brown
Isle Cook Key West
218 Whitehead St.