

CHRISTIAN SCIENCE SOCIETY, KEY WEST, FL

327 Elizabeth Street, Key West, FL 33040

April 17, 2017

TO: City of Key West Planning Board

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

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 we are responding to the email letter that the Applicants (Mike and Jessica Downer) sent to our church on March 21, 2017. Since they copied several city officials on their letter, we would like our response added to the public record.

The Board of the Christian Science Society of Key West, incorporated as a church in Key West continuously since 1901, along with our entire membership, continues to unanimously oppose the application for an Alcohol Sales Special Exemption at 700 Eaton Street.

We would also like to be clear that we have no objection to the original Mixed Use Development proposal with the downstairs portion having a commercial purpose that does not require any special exemption from city ordinances.

We would like to address several points raised by the Applicants in their March 21 email:

The Downer's letter said that they made the false assumption of non-objection from our congregation based on a written statement from the late Ms. Gloria Shaw, dated December 1, 2015:

Gloria was a Director of our church in December 2015, but as stated in her letter dated December 1, 2015, she was giving her personal opinion ("I'm not opposed ... to a wine shop"). And we presume that this was typed by the Downers, since Gloria never used a PC or typewriter.

We have no way of knowing the content of the discussions between Gloria and the Downer's or their representatives since the Applicants cannot produce anything to show what information Gloria was responding to. To be clear, in December 2015, neither the Applicants nor the City of Key West asked our church to give an official position related to alcohol sales at 700 Eaton St.

In any case, Gloria's letter is superseded by the official notice we received from the city a month later, on January 8, 2016. That notice was regarding "Approving a Minor Development Plan ... for a New Mixed Use Building ..." Gloria DID share this with me and other officers of the church. Since there was no indication from the city that there would be a request for an alcohol or other exemption, there was no need for a church within 300 feet to weigh in, so we did not make a formal response. In fact, we were delighted to welcome a permitted "Mixed Use Building" on that empty lot.

Regarding the December 13, 2016 email to the Planning Board from church officer Vanessa McCaffrey, and my March 12 letter on behalf of our church to the Planning Board:

When we were asked to give our Church's position about alcohol sales at 700 Eaton prior to the December and March Planning Board meetings, we gave our opinion – WE ARE OPPOSED.

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This is precisely the protocol that the City of Key West follows for Planning Board decisions:

- 1) The City sends a notice to affected parties (in this case residences, businesses and churches within 300 feet).
- 2) Any affected party or other community member can submit a written statement or attend the Planning Board meeting to give their opinions.
- 3) The Planning Board then makes its decision based on all of the evidence.

We note that the Applicants requested a postponement of their application to the Planning Board following our statements of the position of our church and its members in December and March, but that their request is back on the Agenda for April 20, 2017.

Regarding the Applicants claiming difficulty in having contact with our church:

Our church has held a service at 327 Elizabeth Street every Sunday since 1919, a span of 98 years. Other than a brief period when our sign was removed for maintenance this past winter, our church meeting hours and Reading Room hours have been posted on the sign in front of the church in full public view. We have also continuously advertised on the "religious services" page of the Key West Citizen for anyone wanting to know when we hold services.

It is pretty disingenuous for the Applicants to complain that they could not reach anyone at the church, then in the next paragraph they admit that Jessica Downer's own mother surreptitiously attended both our public church services and a private congregational meeting. She said she was a friend of Gloria Shaw who was interested in learning more about the teachings of Christian Science. As any church does with visitors, we welcomed her to our services.

When she attended our congregational meeting under the false pretenses of genuinely being interested in our church, she made no effort to understand that a Christian Science Society and a Christian Science Church are simply two different ways that churches are organized in the Christian Science denomination. Had she asked, or identified her true purpose, we would have been happy to educate her about our structure. And since she listened to our private discussion about 700 Eaton Street's alcohol exemption request, she knows we are unanimously opposed.

The Downer's letter also makes references to two other businesses selling alcohol (as a small part of their sales), that may or may not be within 300 feet of our building. But that is completely irrelevant, since we are not being asked for an opinion about their operations, but only about the request for an exemption for 700 Eaton Street.

Because the Applicants continue to question our standing as a church, **we repeat our request for the City Attorney to make an official declaration that we are a church**, our premises are within 300 feet of the proposed business, and we DO have standing in any discussions as to whether alcohol is sold there.

And at the Planning Board meeting on April 20 (or any future date), members of our congregation and of the Quaker service which also meets at our church will be happy to publically state our position that the Alcohol Sales Special Exemption should be denied.

Sincerely,

Philip Sheldon

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