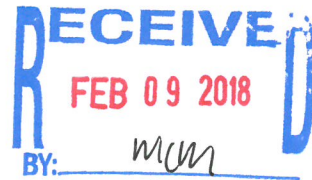


Application



THE CITY OF KEY WEST
Planning Department



**EXCEPTIONS ARE QUASI-JUDICIAL HEARINGS
AND IT IS IMPROPER TO SPEAK TO PLANNING BOARD
MEMBERS ABOUT THE REQUEST
OUTSIDE OF THE HEARING**

***Alcohol Sales Special Exception
Application***

Please print or type a response to the following:

1. Site Address : 1105 Simonton Street, Key West, FL 33040
2. Name of Applicant: Adele V. Stones
3. Applicant is: Owner Authorized Representative
 (please see the attached Verification & Authorization Forms)
4. Address of Applicant: 221 Simonton Street Key West, FL 33040
Key West, FL 33040
5. Phone # of Applicant 305 849 2352 Mobile# _____ Fax# 305 294 5788
6. E-Mail Address : Ginny@oropezastonescardenas.com
7. Name of Owner, if different than above: 1105 Simonton, LLC
8. Address of Owner: 14 Emerald Drive, Key West, Florida 33040
9. Phone Number of Owner 305 747 0123 Fax# _____
10. Email Address _____
11. Zoning District of Parcel HNC-1 RE# 0002749, 0027500,0025710-000000
12. Description of Use and Exception Requested:

Property Owner is requesting an Exception to the City Code provision which prohibits the sale of alcoholic beverages within 300 feet of churches, school, funeral homes and cemeteries. Applicant's property is located approximately 200' from the church, school and cemetery activities occurring on the property at 724 Truman Avenue owned by the Archdiocese of Miami and locally occupied by the Basilica of St Mary Star of the Sea.

This Special Exception request **is not for the purposes of operating a bar/lounge.**

Property Owner has applied concurrently for Conditional Use approval for outdoor restaurant seating on this property where restaurant use (indoor seating) is a permitted as of right. The

food service will be via food truck and the Owner wants to offer beer and wine for sale to its patrons.

The sale of alcoholic beverage is a customary accessory use to restaurant use in Key West. The physical proximity to the Basilica property requires the Owner to receive a Special Exception. The food truck/restaurant will operate 33 outdoor seats and 30 indoor seats.

Please note that any special exception granted hereunder may be approved with conditions, which conditions shall be monitored in accordance with Section 18-610. The exception shall be to the applicant only, shall not be transferable and shall only be effective in conjunction with the use(s) specified in the application. The Planning Board recognizes public input and how the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the application, and by addressing the objections expressed by these neighbors. Further, the Planning Board can consider any other factors they determine relevant to the public's health, safety and welfare.

The Planning Board may only grant the requested alcohol sales special exception after considering the following criteria. Please provide a response as to how this proposed use and exception meet or fulfill these criteria:

13. Demonstrate compatibility with surrounding existing uses:

Within 300 feet of this site there are located at least 8 restaurants with alcohol sales, commercial and residential use, (transient and non-transient) government offices and banking institutions.

14. Demonstrate the extent of conflict between the proposed use and the hours of operation of the facilities:

Food service with beverage sales would operate between 11:00 am and 10:00 pm week nights and 11:00 am until 11:00 pm weekends, holidays and special events.

15. What are the mitigative measures proposed to be implemented by the applicant:

Applicant agrees to limit alcohol sales to beer and wine (no spirits). Hours of operation weekdays from 11:00 am to 10:00 pm, weekend closing at 11:00 pm. The property is substantially enclosed by 6.0' chain link to be replaced with new picket fencing and designed with landscaping open space. Applicant will follow Florida ABT regulation on alcohol sales occurring in conjunction with food sales and is receptive to any additional suggestions for mitigation made by Planning Staff, Planning Board or from neighborhood input.

Warranty Deed

Return to: Spottswood, Spottswood, Spottswood & Sterling, PLLC
500 Fleming Street
Key West, FL 33040

This Instrument Prepared By: Spottswood, Spottswood, Spottswood & Sterling, PLLC
500 Fleming Street
Key West, FL 33040
(305) 294-9556

QUIT CLAIM DEED

THIS QUIT CLAIM DEED, executed this 22nd day of January, 2018, by and between FRANK FREEMAN RATCLIFF and MARIA G. RATCLIFF, husband and wife, whose address is 16 Emerald Drive, Key West, FL 33040, parties of the first part, and 1105 SIMONTON, LLC, a Florida limited liability company, whose address is 16 Emerald Drive, Key West, FL 33040, party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars, in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, have remised, released and quit-claimed, and by these presents do remise, release and quit-claim unto the said party of the second part all the right, title, interest, claim and demand which the said parties of the first part have in and to the following described lot, piece or parcel of land, situate lying and being in the County of Monroe, State of Florida, to wit:

On the Island of Key West and being a part of Tract 11 according to Wm. A. Whitehead's Map of said Island, but better described as part of Lot 2, Square 4 of Said Tract 11, according to C.W. Tift's Map or Plan of the Island of Key West, delineated July 1874, said part of Lot 2 comprising subdivisions numbered 2 and 3. The land hereby conveyed being more particularly described by metes and bounds as follows:

Beginning at a point on the Northeasterly side of Simonton Street 42 feet, 1 inch distant Southeasterly from the corner of Virginia and Simonton Street; thence along the Northeasterly side of Simonton Street and in a Southeasterly direction a distance of 84.2 feet to a point; thence along a line parallel with Amelia Street and in a Northeasterly direction of distance of 87 feet; thence at right angles and in a Northwesterly direction a distance of 84.2 feet; thence at right angles and in a Southwesterly direction a distance of 87 feet to the Point of Beginning.

AND

On the Island of Key West and being a part of Lot 4, Square 4, Tract 11 according to Wm. A. Whitehead's Map of said Island, but better described by metes and bounds as follows:

Commencing on the Northeast corner of Simonton and Amelia Streets, said point also know as the Point of Beginning, run Northwesterly along the Northeasterly side of Simonton Street for a distance of 42.08 feet to a point; thence at right angles in a Northeasterly direction 87.0 feet to a point; thence at right angles in a Southeasterly direction 42.08 feet to a point on the Northwesterly side of Amelia Street; thence along the Northwesterly side of Amelia Street on a Southwesterly direction 87.0 feet back to the Point of Beginning.

PARCEL IDENTIFICATION NUMBERS: 00027490-000000
00027500-000000
00027510-000000

SUBJECT TO: Taxes for the year 2018 and subsequent years.


SUBJECT TO: Conditions, restrictions, limitations, reservations and easements of record, if any.

THIS DOCUMENT WAS PREPARED WITHOUT BENEFIT OF TITLE SEARCH OR ABSTRACT EXAMINATION AND IS BASED SOLELY ON THE FACTS PROVIDED BY EITHER OF THE PARTIES OR THEIR AGENTS.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said parties of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part forever.

IN WITNESS WHEREOF, the said parties of the first part have signed and sealed these presents the day and year first above written.


Signed, Sealed and Delivered
in the Presence of:



Signature of Witness


Cindy Sawyer

Printed Name of Witness



Signature of Witness
Danyel Clynes


Printed Name of Witness



Signature of Witness

Cindy Sawyer

Printed Name of Witness



Signature of Witness
Danyel Clynes

Printed Name of Witness



FRANK FREEMAN RATCLIFF



MARIA G. RATCLIFF

STATE OF FLORIDA:
COUNTY OF MONROE:

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, FRANK FREEMAN RATCLIFF and MARIA G. RATCLIFF, who are personally known to me to be the persons described in and who executed the foregoing Quit Claim Deed or who produced FL DL's as identification, and they have acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

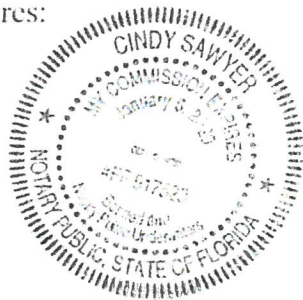
WITNESS my hand and official seal at Key West, County of Monroe, State of Florida, this 22nd day of January, 2018.

Cindy Sawyer

Printed Name of Notary

Cindy Sawyer
NOTARY PUBLIC

My Commission Expires:



Verification Form

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an Individual)

I, Adele V. Stones, being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

1105 Simonton St. Key West, FL 33040

Street address of subject property

All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

Adele V. Stones

Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 2/9/18 by

2/9/18
date

Adele V. Stones

Name of Authorized Representative

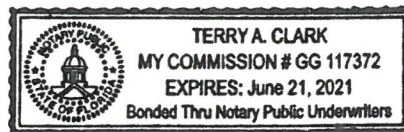
He/She is personally known to me or has presented _____ as identification.

Terry Clark

Notary's Signature and Seal

Terry Clark

Name of Acknowledger typed, printed or stamped



Commission Number, if any

Authorization Form

City of Key West
Planning Department



Authorization Form
(Where Owner is a Business Entity)

Please complete this form if someone other than the owner is representing the property owner in this matter.

I, FRANK RATCLIFF as
Please Print Name of person with authority to execute documents on behalf of entity

PRESIDENT of 1105 SIMONTON LLC
Name of office (President, Managing Member) Name of owner from deed

authorize ADELE V. STONES, Esq.
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City of Key West.

[Signature]
Signature of person with authority to execute documents on behalf on entity owner

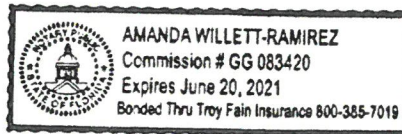
Subscribed and sworn to (or affirmed) before me on this February 9, 2018
Date

by Amanda Willett-Ramirez
Name of person with authority to execute documents on behalf on entity owner

He/She is personally known to me or has presented _____ as identification.

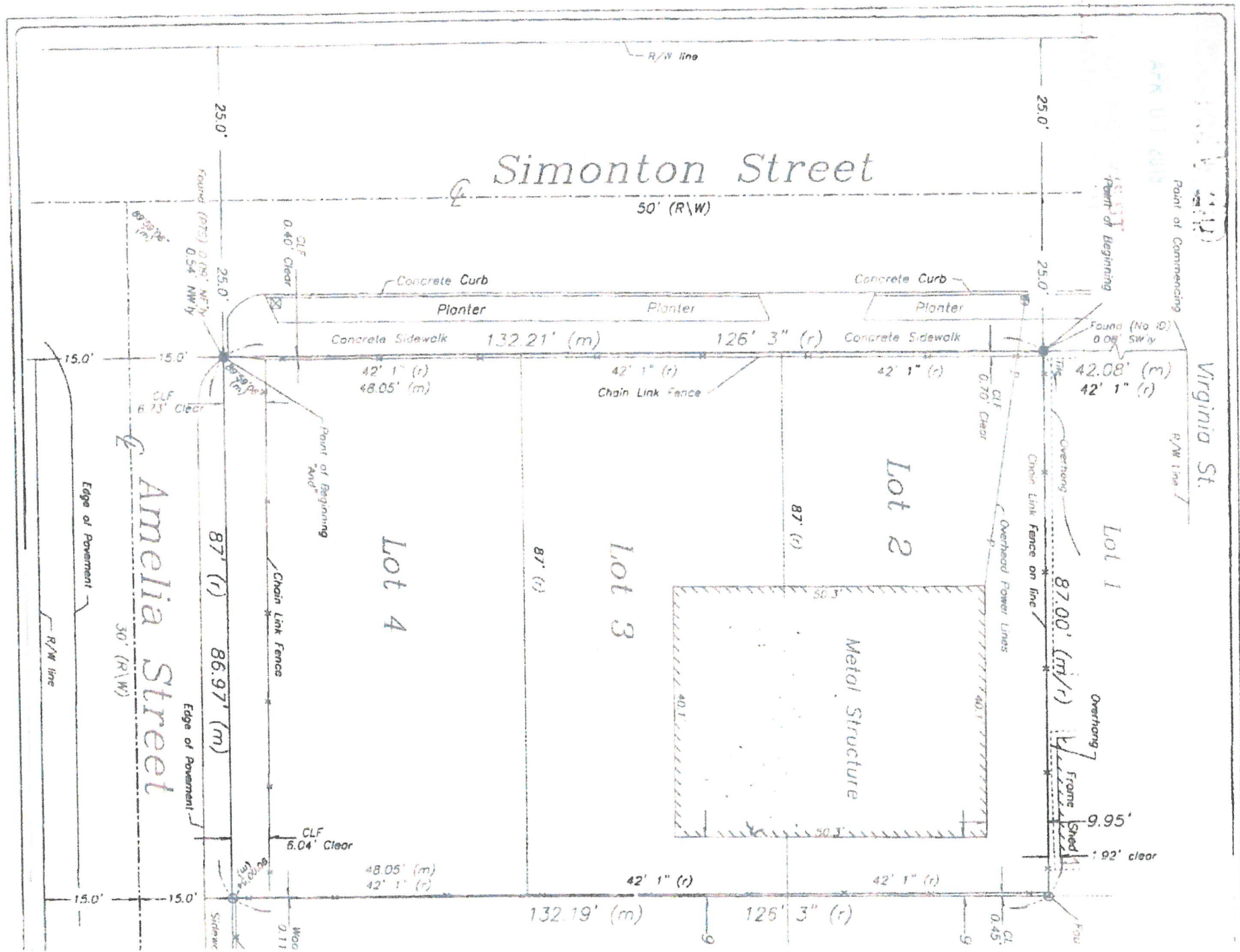
[Signature]
Notary's Signature and Seal

Amanda Willett-Ramirez
Name of Acknowledger typed, printed or stamped



GG 083420
Commission Number, if any

Site Plans

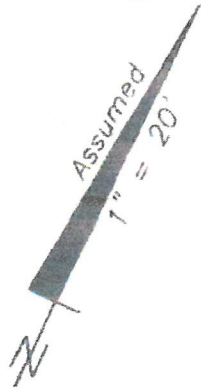


5911

LEGEND

- Found 1/2" Iron Rod (PIS)
- Set #5 rebar w/cap (LB 7131)
- △ Set Nail & Disc (LB 7131)
- ⊙ Found 2" Iron Pipe (Fence Post)
- (M) Measured
- (R) Record
- (M/R) Measured & Record
- CLF Chain Link Fence
- R\W Right of Way
- ⊕ Centerline
- ⊙ Wood Utility Pole
- ⊠ Concrete Utility Pole

Map of:
Boundary Survey for:
David Ratcliff & Frank Ratcliff of
Lots 2, 3 & 4, Square 4, Tract
11, Island of Key West



NOTES:

1. The legal descriptions shown hereon were furnished by the client or their agent.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 1105 Simonton Street, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. Error of closure exceeds one part in 10,000.
9. Date of field work: November 15, 2002
10. Adjoiners are not furnished.
11. Ownership of fences is undeterminable, unless otherwise noted.

BOUNDARY SURVEY OF: On the Island of Key West and being a part of Tract 11 according to Wm. A. Whitehead's Map of said Island, but better described as part of Lot 2, Square 4 of said Tract 11, according to C.W. Tift's Map or Plan of the Island of Key West, delineated July 1874, said part of Lot 2 comprising subdivisions numbered 2 and 3, the land hereby conveyed being more particularly described by metes and bounds as follows: **BEGINNING** at a point on the Northeasterly side of Simonton Street 42 feet 1 inch distant Southeasterly from the corner of Virginia and Simonton Street; thence along the Northeasterly side of Simonton Street and in a Southeasterly direction a distance of 84.2 feet to a point; thence along a line parallel with Amelia Street and in a Northeasterly direction a distance of 87 feet; thence at right angles and in a Northwesterly direction a distance of 84.2 feet; thence at right angles and in a Southwesterly direction a distance of 87 feet to the Point of Beginning

AND,
On the Island of Key West and being a part of Lot 4, Square 4, Tract 11 according to Wm. A. Whitehead's Map of said Island, but better described by metes and bounds as follows: **COMMENCING** on the Northeast corner of Simonton and Amelia Streets, said point also known as the Point of Beginning, run Northwesterly along the Northeasterly side of Simonton Street for a distance of 42.08 feet to a point; thence at right angles in a Northeasterly direction 87.0 feet to a point; thence at right angles in a Southeasterly direction 42.08 feet to a point on the Northwesterly side of Amelia Street; thence along the Northwesterly side of Amelia Street in a Southwesterly direction 87.0 feet back to the Point of Beginning.

BOUNDARY SURVEY FOR David Charles Ratcliff; Frank Freeman Ratcliff;

NORBY & O'FLYNN SURVEYING, INC.

Lynn O'Flynn
Lynn O'Flynn, PSM
Florida Reg #6298

December 2, 2002

NORBY & O'FLYNN
Surveying, Inc.



Professional Land Surveyors
LSI No. 7131

3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 293-9924

Site Visit

1103-1105-1107 Simonton Street
SITE VISIT



1103-1105-1107 Simonton Street
SITE VISIT



1103-1105-1107 Simonton Street
SITE VISIT



1103-1105-1107 Simonton Street
SITE VISIT



1103-1105-1107 Simonton Street
SITE VISIT



1103-1105-1107 Simonton Street
SITE VISIT



1103-1105-1107 Simonton Street
SITE VISIT



1103-1105-1107 Simonton Street
SITE VISIT



1103-1105-1107 Simonton Street
SITE VISIT



Additional Information



Disclaimer

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By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID 00027500-000000
 Account # 1028282
 Property ID 1028282
 Millage Group 10KW
 Location 1105 SIMONTON ST , KEY WEST
 Address
 Legal KW SUB 3 PT LOT 2 SQR 4 TR 11 G44-67/70 OR832-1570/71 OR895-871 OR1817-1762Q/C OR1825-621-C OR1832-480-C OR2092-503 OR2888-1078/80
 Description
 (Note: Not to be used on legal documents)
 Neighborhood 32080
 Property Class HEAVY MANUFACTURING (4200)
 Subdivision
 Sec/Twp/Rng 06/68/25
 Affordable No
 Housing



Owner

1105 SIMONTON LLC
 16 Emerald DR
 Key West FL 33040

Valuation

	2017	2016	2015	2014
+ Market Improvement Value	\$51,192	\$55,031	\$60,151	\$60,151
+ Market Misc Value	\$6,340	\$6,340	\$5,513	\$5,012
+ Market Land Value	\$261,395	\$262,516	\$231,631	\$231,631
= Just Market Value	\$318,927	\$323,887	\$297,295	\$296,794
= Total Assessed Value	\$318,927	\$323,887	\$297,295	\$296,794
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$318,927	\$323,887	\$297,295	\$296,794

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
COMMERCIAL DRY (100D)	3,661.00	Square Foot	0	0

Commercial Buildings

Style SERV SHOPS ETC / 25C
 Gross Sq Ft 2,400
 Finished Sq Ft 2,400
 Perimeter 0
 Stories 1
 Interior Walls
 Exterior Walls METAL SIDING
 Quality 150 ()
 Roof Type
 Roof Material
 Exterior Wall1 METAL SIDING
 Exterior Wall2
 Foundation
 Interior Finish
 Ground Floor Area
 Floor Cover

Full Bathrooms 0
 Half Bathrooms 0
 Heating Type
 Year Built 1981
 Year Remodeled 0
 Effective Year Built 1971
 Condition FAIR

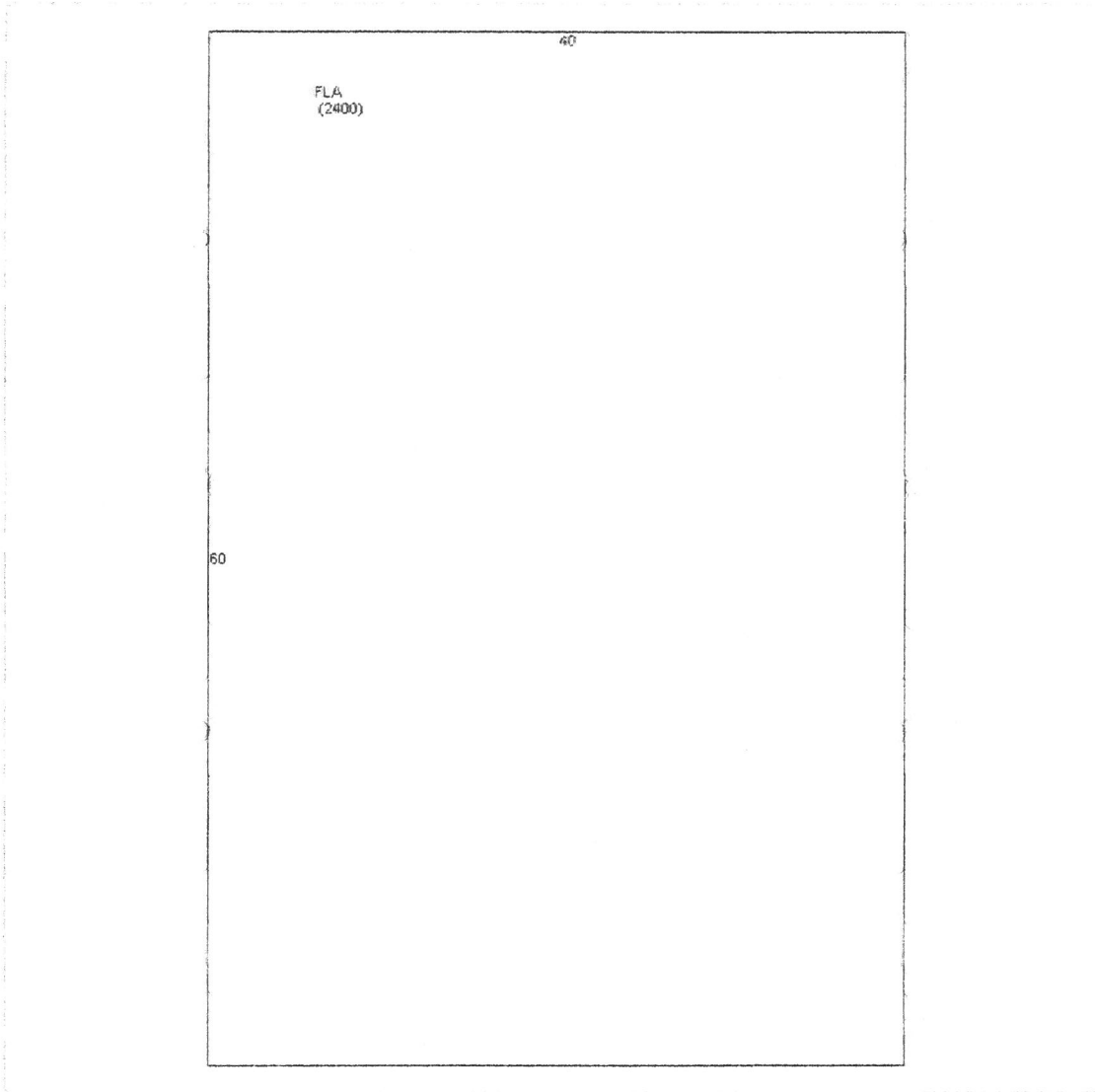
Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
CHAIN LINK FENCE	1980	1981	1	1491 SF	2
ASPHALT PAVING	1980	1981	1	4774 SF	2

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
1/22/2018	\$111,100	Quit Claim Deed	2152194	2888	1078	99 - Unqualified	Improved
9/24/2002	\$66,500	Quit Claim Deed		1817	1762	M - Unqualified	Improved
10/1/1983	\$1	Warranty Deed		895	871	M - Unqualified	Improved
6/1/1981	\$45	Warranty Deed		832	1570	M - Unqualified	Vacant

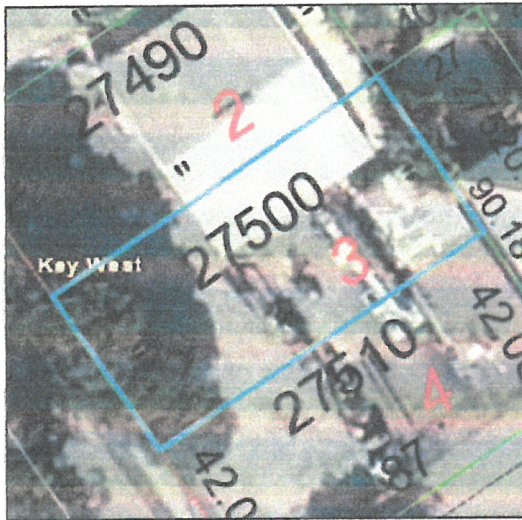
Sketches (click to enlarge)



Photos



Map



No data available for the following modules: Buildings, Mobile Home Buildings, Exemptions, Permits.

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Summary

Parcel ID 00027510-000000
 Account# 1028291
 Property ID 1028291
 Millage Group 10KW
 Location Address 1107 SIMONTON ST, KEY WEST
 Legal Description KW SUB 4 PT LOT 2 SQR 4 TR 11 G44-67/70 ORB32-1570/1571 OR974-2417 OR1825-621-C OR1832-480-C OR2092-503 OR2888-1078/80
 (Note: Not to be used on legal documents)
 Neighborhood 32080
 Property Class COMMERCIAL(1000)
 Subdivision
 Sec/Twp/Rng 06/68/25
 Affordable No
 Housing

Owner

1105 SIMONTON LLC
 16 Emerald DR
 Key West FL 33040

Valuation

	2017	2016	2015	2014
+ Market Improvement Value	\$0	\$0	\$0	\$0
+ Market Misc Value	\$0	\$0	\$0	\$0
+ Market Land Value	\$261,395	\$262,516	\$231,631	\$231,631
= Just Market Value	\$261,395	\$262,516	\$231,631	\$231,631
= Total Assessed Value	\$261,395	\$254,794	\$231,631	\$231,631
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$261,395	\$262,516	\$231,631	\$231,631

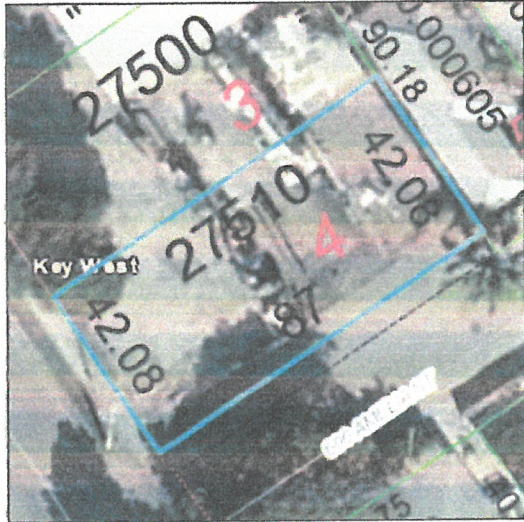
Land

Land Use	Number of Units	Unit Type	Frontage	Depth
COMMERCIAL DRY (1000)	3,661.00	Square Foot	0	0

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
1/22/2018	\$111,100	Quit Claim Deed	2152194	2888	1078	99 - Unqualified	Improved
5/1/1986	\$30,000	Warranty Deed		974	2417	Q - Qualified	Vacant
6/1/1981	\$45	Warranty Deed		832	1570	M - Unqualified	Vacant

Map



No data available for the following modules: Buildings, Commercial Buildings, Mobile Home Buildings, Yard Items, Exemptions, Permits, Sketches (click to enlarge), Photos.

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Developed by
The Schneider
Corporation



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Summary

Parcel ID 00027490-000000
 Account# 1028274
 Property ID 1028274
 Millage Group 10KW
 Location Address 1105 SIMONTON ST, KEY WEST
 Legal Description KW SUB 2 PT LOT 2 SQR 4 TR 11 G44-67/70 OR832-1570/71 OR895-871 OR1817-1762 OR1825-621-C OR1832-480-C OR2092-503 OR2888-1078/80
 (Note: Not to be used on legal documents)
 Neighborhood 32080
 Property Class COMMERCIAL (1000)
 Subdivision
 Sec/Twp/Rng 06/68/25
 Affordable No
 Housing

Owner

1105 SIMONTON LLC
 16 Emerald DR
 Key West FL 33040

Valuation

	2017	2016	2015	2014
+ Market Improvement Value	\$0	\$0	\$0	\$0
+ Market Misc Value	\$455	\$455	\$396	\$360
+ Market Land Value	\$261,395	\$262,516	\$231,631	\$231,631
= Just Market Value	\$261,850	\$262,971	\$232,027	\$231,991
= Total Assessed Value	\$261,850	\$255,229	\$232,027	\$231,991
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$261,850	\$262,971	\$232,027	\$231,991

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
COMMERCIAL DRY (100D)	3,661.00	Square Foot	0	0

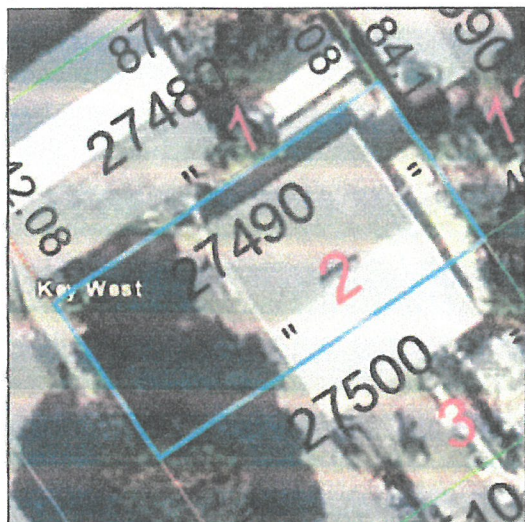
Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
FENCES	1975	1976	1	90 SF	5

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
1/22/2018	\$111,100	Quit Claim Deed	2152194	2888	1078	99 - Unqualified	Improved
9/24/2002	\$1	Quit Claim Deed		1817	1762	M - Unqualified	Improved
10/1/1983	\$39,000	Warranty Deed		895	871	M - Unqualified	Improved
6/1/1981	\$125,000	Warranty Deed		832	1570	U - Unqualified	Improved

Map



No data available for the following modules: Buildings, Commercial Buildings, Mobile Home Buildings, Exemptions, Permits, Sketches (click to enlarge), Photos.

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