

From: GERALD M. WARD <wardgm@gate.net>
Sent: Thursday, April 22, 2021 3:24 PM
To: Donna Phillips <donna.phillips@cityofkeywest-fl.gov>
Subject: Re: Planning Board Agenda Item No. 4, 1700 Thursday 17 February 2021 (Application 20-6248)
Alcohol Sales Special Exception – 904 Whitehead Street, Key West, Florida 33040

MS PHILLIPS

AN ATTEMPT AT COPY AND PASTE:

GERALD M. WARD, P.E.

Consulting Engineer
Coastal - Environmental
409 Truman Avenue
Key West, Florida 33040
561/863-1215

Office Location:
2135 Broadway, #5
Riviera Beach, Florida

33404

22 April 2021

City of Key West Planning Board (submitted by eComment) THAT FAILED
1300 White Street
Key West, Florida 33040

907 Whitehead Street Corporation, LLC
% Richard McChesney, Esquire richard@Spottswoodlaw.com
500 Fleming Street
Key West, Florida 33040

RE: Planning Board Agenda Item No. 3, 1700 Thursday 22 April 2021 (Application 20-6248)
Alcohol Sales Special Exception – 907 Whitehead Street, Key West, Florida 33040

City of Key West Planning Board Members and Hemingway House Museum:

I was alerted this morning to the fact that referenced item was again on the City's Planning Board Agenda after a **fifth postponement** pWe have had residence in the same city block at the corner of Whitehead and Truman for over a decade. As always, The Hemingway House is and has been an extremely delightful neighbor (as are the same Whitehead Street properties of Lighthouse Court Hotel, the Key West Lighthouse properties, the Key West Mortuary and across Truman from our house is another

church, the Newman Methodist Church). It is important that Staff tells me all of these are our same zoning district. Besides the Hemingway House daily tours, its events are welcomed and have not to my decade knowledge have never been a problem.

The nine Special Exception criteria seem to be met, as needed, by the existing operations. Curiously, the Staff lead-in suggests establishing a “precedent” for similar alcohol sales. Special exceptions are addressed “case-by-case” so invoking “precedent” seems not applicable. The particular church also does not object in this case!

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RE: Planning Board Agenda Item No. 3, 1700 Thursday 22 April 2021 (Application 20-6248)

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16 February 2021

If approved, the additional five conditions are not required! As we recited last time Hemingway House has a cleanup person usually at dawn cleaning the sidewalks each day in- excess-of the City Community Services which may or may not attend to the streets. I have not seen any nuisance issues that need to be addressed nor any “potential nuisance conditions” (**RECOMMENDATIONS**) that should be addressed. What-ifs are not good fodder for approval Conditions.

Again, I strongly recommend that the Planning Board simply approve the application request which will apparently allow Hemingway to further supplement its bottom line in these crazy virus times which now will last well into the next warm Season in Key West. Such approval will then allow further detailed “licensing” and oversight monitoring by lower-level State Government which is not at City costs. The now eight pages of Staff Report then provides good evidence of numerous City generated bureaucratic issues that the Planning Board can fix itself by proposing revising City Code to eliminate its conflicting and non-conforming languages and simply the Code. Asking a for-profit enterprise to initiate a Code Amendment most likely is a year plus or minus activity and untold costs (look at the City Commission and your own Planning Board Record of “postponements”).

More importantly if waste management was a problem why did you all not address such when the Hemingway House widened its Olivia “service” gate two to three years ago to allow “pallet sized” freight to enter? Conditions need to be related to the requested Special Exception and not punitive actions thought up eight months after application and five months after first staff report.

The staff recommendation for DENIAL should have been for APPROVAL with merely a supplemental agenda item to the Planning Board for Code Amendment change if staff feels strongly enough that existing code is poor.

I will hope to be able to appear in-person for this evening's Item No. 3.

/s/ Gerry Ward /s/
Gerald M. Ward, P.E.

2103CKWHEMINWAYSPEXC2

Attachment: My letter of 16 February 2103

GERALD M. WARD, P.E.

*Consulting Engineer
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409 Truman Avenue
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RE: Planning Board Agenda Item No. 4, 1700 Thursday 17 February 2021
(Application 20-6248)

**Alcohol Sales Special Exception – 904 Whitehead Street, Key West, Florida
33040**

Board Members and Hemingway House Museum:

I received Saturday, notice of the fourth Postponed Hearing for referenced Special Exception of Alcohol Sales. We have had residence in the same city block at the corner of Whitehead and Truman for over a decade. The Hemingway House is and has been an extremely delightful neighbor (as are the same Whitehead Street properties of Lighthouse Court Hotel, the Key West Lighthouse properties, the Key West Mortuary and across Truman from our house is another church, the Newman Methodist Church). Staff says all these are the same zoning district. Besides the Hemingway House tours, its events are welcomed and have not to my decade knowledge have never been a problem.

The nine Special Exception criteria seem to be met, as needed, by the existing operations. Curiously, the first RECOMMENDATION suggests establishing an unbridled “precedent” for similar alcohol sales. In reality, special exceptions are addressed “case-by-case” so invoking “precedent” seems not applicable. The particular church, also does not object in this case!

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Hemingway House has a cleanup person usually at dawn cleaning the sidewalks each day in- excess-of the City Community Services which may or may not attend to the streets. I have not seen any nuisance issues that need to be addressed nor any “potential nuisance conditions” (**RECOMMENDATIONS**) that should be addressed. What-ifs are not good fodder for approval Conditions.

I strongly recommend that the Planning Board simply approve the application request which will apparently allow Hemingway to further supplement its bottom line in these crazy virus times. Such approval will then allow further detailed “licensing” and oversight monitoring by lower-level State Government which is not at City costs. The five pages of Staff Report then provides good evidence of numerous City generated bureaucratic issues that the Planning Board can fix itself by proposing revising City Code to eliminate its conflicting and non-conforming languages and simply the Code.

I have a government port meeting at 1600 tomorrow to attend in Riviera Beach, so I am sorry that I can not attend in person or “virtually”. Please assure that my comments are added into the D. Public Input.

/s/ Gerry Ward /s/
Gerald M. Ward, P.E.

2103CKWHEMINWAYSPEXC

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

>From: "GERALD M. WARD"

>Sent: Apr 22, 2021 3:14 PM

>To: donna.phillips@cityofkeywest-fl.gov

>Cc: RICHARD MCCHESENEY

>Subject: Planning Board Agenda Item No. 4, 1700 Thursday 17 February 2021 (Application 20-6248)
Alcohol Sales Special Exception – 904 Whitehead Street, Key West, Florida 33040

>

>MS PHILLIPS

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>IN ACCORD WITH OUR TELCON IS MY LETTER OF TODAY AND ITS ATTACHMENT LETTER OF
16 FEBRUARY 2021 BOTH ATTACHED IN WORD 2016 FOR SUBJECT AGENDA ITEM.

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>AS INDICATED I WILL BRING A DOZEN COPYS FOR THE BOARD CLERK THIS EVENING

>

>THANKS

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>

>GERALD M. WARD

>2100CKWPDHEMINGWAYHOUSE

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