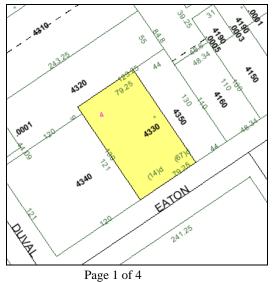
# THE CITY OF KEY WEST PLANNING BOARD Staff Report



То:	Chairman and Planning Board Members		
From:	Ashley Monnier, Planner II		
Through:	Donald Leland Craig, AICP, Planning Director		
Meeting Date: June 16, 2011			
Agenda Item:	Special Exception Request- 511 Eaton Street (RE# 00004330-000000)-A request for a special exception to the prohibition of alcoholic beverage sales within 300 feet of a church and funeral home for property located within the HRCC-1 zoning district, pursuant to Section 18-28 (b)(2) of the Code of Ordinances of the City of Key West, Florida.		
Request:	To allow the Old Town Manor to sell alcohol to guests staying overnight, or attending events hosted at the guesthouse.		
Request: Applicant:			
-	or attending events hosted at the guesthouse.		
Applicant:	or attending events hosted at the guesthouse. Walter Price and Swati Goyal		



### **Background and Request:**

The Old Town Manor has requested a Special Exception to Section 18-28 of the Code of Ordinances, so that alcoholic beverages may be sold to lodging guests as well as guests attending events hosted on the premises. Specifically, the guesthouse describes in their proposal that weddings, group sales, corporate retreats, and family gatherings are some of the events that are anticipated. They would like to sell alcohol as an accessory amenity to guests who may be attending these types of events, or who are lodging at the guest house. The Old Town Manor is located within 300 feet of St. Paul's Episcopal Church and the Florida Keys Funeral Services. To provide perspective on the characteristics of the site and location, the guesthouse is licensed to have 13 transient rooms, and is located within a block of Duval Street, in the HRCC-1 zoning district, which is one of the most intense commercial districts within the City.

Process:	
Planning Board Meeting:	May 19, 2011
	June 16, 2011

# **Evaluation for Compliance with Section 18-28 of the Code of Ordinances:**

- (a.) Pursuant to Section 18-28 of the 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. Such distance shall be measured by following the shortest route of ordinary fare from the nearest point of the property line of the place of business to the property line of the church, school, cemetery, or funeral home facilities. However, any person licensed to conduct and legally conducting a business involving the sale of alcoholic beverages as of January 4, 1995, shall be governed by the provisions of this section which existed at the time of the original licensure of such business.
- (b.) The prohibition in subsection (a) above shall not apply if a property owner is granted a Special Exception to specifically sell alcoholic beverages:
  - (1.) In conjunction with an approved conditional use application that includes consideration of the public welfare factors listed in subsection (2) below; or
  - (2.) Pursuant to authorization granted by the Planning Board that the use will not detrimentally impact the public health, safety, or welfare after consideration of all of the following criteria:

# A. Compatibility with surrounding existing uses:

The property is located within the HRCC-1 zoning district, which is described in Section 122-868 of the Land Development Regulations as being "the City's intensely vibrant tourist commercial entertainment center which is characterized by specialty shops, sidewalk-oriented restaurants, lounges, and bars with inviting live entertainment; and transient residential accommodations." This section also describes this area as being "the most intense activity center in the historic commercial core." According to the application, the Old Town Manor has been hosting events on the premises, and would like to be able to sell alcohol to event

patrons and lodging guests as a venue amenity. Though the guesthouse is located within 300 feet of a funeral home and church, the scope of requested alcohol sales accessory to the guesthouse does not appear to be incompatible with the surrounding existing uses. According to the application, the guesthouse is not proposing to sell alcohol to the general public, and indicates that all alcohol will be served and consumed on premises.

# **B.** The extent of conflict between the proposed use and the hours of operation of the facilities described in Section (a) Above:

According to the website for St. Paul's Episcopal Church (the closest of the two sensitive uses), general service times are as follows: Sunday 7:30 a.m., 9:00 a.m., and 11:00 a.m.; Tuesday 5:30 p.m.; and Wednesday 9:00 a.m. Section 18-27 regulates hours of operation for alcohol sales within City limits; prohibiting sales occurring from 4:00 a.m. to 7:00 a.m. each day except Sunday, when the prohibition extends to the hours of 4:00 a.m. to 12:00 p.m.

Based on the established service times of the church, and the City's restriction on hours of alcohol sales, the Planning Department anticipates that very little, if any, conflict would occur on Sundays should the Old Town Manor be approved to serve alcohol to guests. However, there is overlap between when alcohol sales could occur on Tuesdays and Wednesdays and when the church holds service times.

Planning staff spoke with a representative from the Dean Lopez Funeral Home to understand potential conflicts that might occur as a result of the requested alcohol sales. Based on this discussion, it appears that the greatest likelihood for conflict would appear in the afternoon or evening hours (from around 4:00 to 9:00 at night), as this is the average time for services to be held. These services are either held on location, or at an alternate location.

### C. Mitigation measures agreed to be implemented by the applicant:

The applicant met with the church to discuss the proposal, and also held a community meeting, where property owners within 300 feet of the Old Town Manor were invited to discuss potential concerns regarding alcohol sales on-site. According to the applicant, no concerns were raised as a result of either of these meetings. Staff attended the community meeting (held on January 19, 2011), and while there, no neighborhood impact concerns were raised by citizens.

Further, a meeting was held by staff with the applicants on April 20, 2011 to discuss the project, as well as neighborhood coordination attempts. At this meeting, the applicant indicated to the Planning Department that no permanent bar was being proposed on-site as part of the request, and that the sale of alcohol was not proposed to be continuously available.

# **D.** Public input:

To date, the Planning Department has not received any public input regarding the Old Town Manor's request to sell alcohol accessory to the guesthouse.

# E. That 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:

Based on information provided to the Planning Department, it appears that the applicant has met the "good neighbor policy" by reaching out to noticed property owners and informing them of their proposal. As mentioned previously, the Planning Department has not received any public input to date indicating that there are neighborhood impact concerns.

# F. Any other factors the approving body determines relevant to the public's health, safety, and welfare:

According to Section 18-28 (c), Special Exceptions granted for alcoholic beverage sales within 300 feet of sensitive uses may be approved with conditions, which conditions shall be monitored in accordance with Code Section 18-610. Should the Planning Board approve the application, Section 18-28 (c) requires that the approval be specific to the applicant only, shall not be transferable, and shall only be effective in conjunction with the use(s) specified in the application. As a result, should the Planning Board approve the proposal, these operational controls will be embedded in the approval, however, based on public input, further conditioning may be necessary to ensure continued neighborhood compatibility.

# The Planning Board shall make factual findings regarding the following:

# That the standards established by Section 18-28 (b) of the City Code for Special Exception have been met by the applicant.

Based on the information provided to the Planning Department, the standards established by Section 18-28 (b) of the City Code for Special Exception have been met by the applicant.

# **RECOMMENDATION:**

The Planning Department, based on the criteria established by the Comprehensive Plan and the City Code, recommends the request for Special Exception be approved with the following conditions:

- 1. The exception is granted exclusively to the applicants, Walter Price and Swati Goyal of Wong Song Enterprises, Inc.
- 2. The exception is not transferable.
- 3. The exception is only effective with the following uses, as specified in the application; guests staying at the Old Town Manor, or guests attending events hosted on-site.
- 4. That no permanent bar be erected on-site.

# **Draft Resolution**

# RESOLUTION NUMBER 2011-\_\_\_\_

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING A SPECIAL EXCEPTION TO WALTER PRICE AND SWATI GOYAL ALLOWING FOR THE SALE OF ALCOHOL TO OCCUR WITHIN 300 FEET OF A CHURCH AND FUNERAL HOME FOR PROPERTY LOCATED WITHIN THE HRCC-1 ZONING DISTRICT, PURSUANT TO SECTION 18-28 (b)(2)OF THE CODE OF ORDINANCES, FOR PROPERTY LOCATED AT 511 EATON STREET (RE# 00004330-000000), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 18-28 (a) of the Code of Ordinances provides that no person shall conduct in the City any business involving the sale of alcoholic beverages where such place of business is within 300 feet of any established church, school, cemetery, or funeral home; and

**WHEREAS,** Section 18-28 (b)(2) provides that the prohibition in subsection (a) above shall not apply if a property owner is granted a special exception to specifically sell alcoholic beverages pursuant to authorization granted by the Planning Board that the use will not detrimentally impact the public health, safety or welfare after consideration of all of the following criteria:

- A. Compatibility with surrounding existing uses;
- B. The extent of conflict between the proposed use and the hours of operation of the facilities described above;
- C. Mitigation measures agreed to be implemented by the applicant;

Page 1 of 6 Resolution Number \_\_\_\_\_

\_\_\_\_Chairman

\_\_\_\_Planning Director

- D. Public input;
- E. That 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;
- F. Any other factors the approving body determines relevant to the public's health, safety, and welfare; and

**WHEREAS**, the applicant requested a Special Exception to sell alcohol within 300 feet of an established church and funeral home, pursuant to Section 18-28 (b)(2); and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on \_\_\_\_\_; and

**WHEREAS**, the Planning Board finds that the applicant's proposal to sell alcohol is compatible with surrounding existing uses; and

**WHEREAS,** the Planning Board finds that the extent of conflict between the proposed use, church, and funeral home will be minimal; and

WHEREAS, the Planning Board considered the mitigation measures agreed to be implemented by

Page 2 of 6 Resolution Number \_\_\_\_\_

\_\_\_\_\_Chairman

\_\_\_\_Planning Director

the applicant; and

WHEREAS, the Planning Board considered public input; and

**WHEREAS**, the Planning Board has found that 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; and

**WHEREAS,** the Planning Board considered other factors determined relevant to the public's health, safety, and welfare; and

**NOW, THEREFORE BE IT RESOLVED** by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as if fully set forth herein. Section 2. That a Special Exception, under Section 18-28 (b) (2) of the Code of Ordinances of the City of Key West, Florida, is hereby granted as follows: EXCLUSIVE TO THE APPLICANTS WALTER PRICE AND SWATI GOYAL, of WONG SONG ENTERPRISES INC., TO BE LOCATED AT 511 EATON STREET (RE#00004330-000000), KEY WEST FLORIDA with the following conditions:

 The exception is granted exclusively to the applicants, Walter Price and Swati Goyal of Wong Song Enterprises, Inc.

> Page 3 of 6 Resolution Number \_\_\_\_\_

> > \_\_\_\_\_Chairman

Planning Director

- 2. The exception is not transferable.
- 3. The exception is only effective with the following uses, as specified in the application; guests staying at the Old Town Manor, or guests attending events hosted on-site.
- 4. That no permanent bar be erected on-site.

**Section 3.** Full, complete, and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the date hereof.

**Section 4.** This Special Exception does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

**Section 5.** This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Section 6. This resolution is subject to appeal periods as provided by the City of Key West

Page 4 of 6 Resolution Number \_\_\_\_\_

\_\_\_\_\_Chairman

\_\_\_\_Planning Director

Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Read and passed at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_

Authenticated by the Chairman of the Planning Board and the Planning Director.

Page 5 of 6 Resolution Number \_\_\_\_\_

\_\_\_\_Chairman

\_\_\_\_Planning Director

Richard Klitenick, Chairman	Date
Key West Planning Board	
Attest:	
Donald Leland Craig, AICP	Date
Planning Director	
Filed with the Clerk:	
Cheryl Smith, City Clerk	Date

Page 6 of 6 Resolution Number \_\_\_\_\_

\_\_\_\_Chairman

\_\_\_\_\_Planning Director

# Revised Request Based on Ordinance 11-03

# **Ashley Monnier**

From:	christine roberts [christine.j.roberts@gmail.com]
Sent:	Thursday, February 24, 2011 5:12 PM
То:	Ashley Monnier
Cc:	runi.goyal
Subject:	Re: 511 Eaton Street Application
Attachments:	OTM alcohols variance.docx

Ashley,

Attached please find the updated letter of request for the Planning Board.

We would like to get on the agenda as soon as you say is possible.

Please let us know if there is any additional information you need. We look forward to hearing from you soon.

Regards,

**Christine Roberts** 

On Thu, Feb 3, 2011 at 10:53 AM, Ashley Monnier <<u>amonnier@keywestcity.com</u>> wrote: Dear Runi, Walter, and Christine,

Based on the recent City Commission approval of the ordinance governing alcohol sales within 300 feet of churches, schools, cemeteries, and funeral homes, the Planning Board must now grant authorization for special exception requests to sell alcohol within 300 ft. proximity to these sensitive uses. The Planning Board must find that the use will not detrimentally impact the public health, safety, or welfare after consideration of the following criteria:

- Compatibility with surrounding existing uses;
- The extent of conflict between the proposed use and the hours of operation of the facilities;
- Mitigation measures agreed to be implemented by the applicant;
- Public input;
- That 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;
- And any other factors the approving body determines relevant to the public's health, safety, and welfare.

Can you supplement your application by addressing the criteria above through written submittal to the Department? Please let me know if there is anything that I can do to help you, or if you would like to further discuss the process. Once this information is received, our office will review and work towards scheduling your application for Planning Board consideration.

Thank you, and please do not hesitate to contact me with any questions or concerns,

Ashley Monnier Planner II City of Key West Planning Department 3140 Flagler Avenue Key West, Florida 33040 Phone: (305) 809-3725 Fax: (305) 809-3978





February 23, 2011 Key West Planning Board Key West, FL 33040



To the Key West Planning Board:

The purpose of this letter is to apply for a variance to Section 18-28: Proximity to Churches, Schools, Cemeteries and Funeral Homes.

The intent of this letter is to highlight and describe the nature by which alcohol will be served at the Old Town Manor and its subsequent minimal impact on the community.

Monroe County issued 2,704 marriage licenses in 2009. In an effort to increase "heads-in-beds", and bolster Key West as a leading US wedding destination, the Old Town Manor intends to increase weddings and group sales. As a result of meeting increased demand for destination weddings in Key West, the Old Town Manor has successfully worked with several local planners, restaurants, florists, and churches. We booked 10 wedding in 2010 and our 2011 projections have this portion of our business growing to 22. Which is wonderful for all the local businesses we partner with and support.

Our proposal for sale of alcohol is compatible with the surrounding uses for the following reasons:

- Alcohol will only be served and sold to family, friends and colleagues attending weddings, family gatherings, corporate retreats, and guests of the Old Town Manor. We will not be selling or serving alcohol to the general public – and all alcohol served on property will be consumed on property.
- 2) These gatherings will not result in increased hours of operation and the number of guests attending events is limited to the capacity of the Old Town Manor
- 3) No additional traffic congestion or need for additional parking will occur as existing guests of the Old Town Manor mostly attend our functions hence, individuals are not expected to drive or contribute to traffic or parking congestion.
- 4) Today, there are several other facilities within our area that serve alcohol to their guests on a regular basis and/or allow their guests to bring alcohol on property. They, like us, do so in a manner that is respectful to the community and mindful of our neighbors.
- 5) A member of our staff is always in attendance at any function on the property and responsibly monitors participant activities and noise levels. Our diligence has results in no complaints from neighbors or required police intervention.

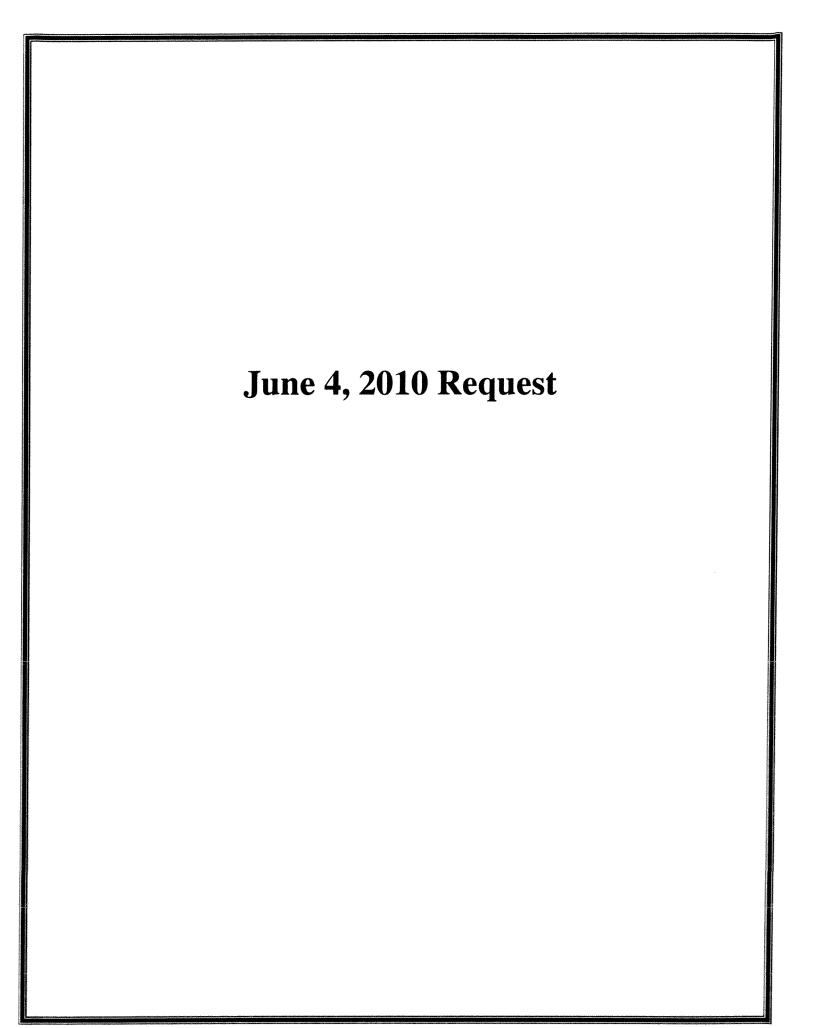


To ensure that we actively and respectfully discuss our proposal with the community, we had a wonderful meeting with the Pastor of St. John's Church and offered to meet with the vestry to discuss our proposal. Additionally, we held an informal get together at the Old Town Manor. For this meeting we sent invitations stating our intent to all parties who reside or own businesses within 300 feet. Our staff and Ashley Monnier from the Planning Department attended – no additional residents or business owners came. We welcome any input from the public on ways to ensure our proposal does not encroach on the atmosphere and enjoyment of the area – and will be happy to put additional managerial constructs in place if required by the board.

We respectfully ask for approval of this variance and are happy to address and questions or concerns that the board or public wishes to bring to our attention. We look forward to hearing from you soon.

Sincerely,

Walter Price Swati "Runi" Goyal Owners / Proprietors of the Old Town Manor



F (305) 293-0559

June 2, 2010 Key West Planning Department Key West, FL 33040

To the Key West Planning Department:

The purpose of this letter is to apply for a variance to Section 18-28: Proximity to Churches, Schools, Cemeteries, and Funeral Homes.

The intent of this letter is to highlight and describe the nature by which alcohol is served and its subsequent minimal impact on the community.

Monroe County issued 2704 marriage licenses in 2009. In an effort to increase "heads-in beds," and bolster Key West as a leading US wedding destination, the Old Town Manor intends to increase weddings and group sales. As a result of meeting increased demand for destination weddings in Key West, the Old Town Manor has successfully worked with several local event planners, restaurants, florists, and churches.

Alcohol will only be served and sold to family, friends, and colleagues attending weddings, family gatherings, corporate retreats, and guests of the Old Town Manor. The issue of this variance will not result in increased hours of operation, traffic congestion, or a need for additional parking. As existing guests of the Old Town Manor, individuals are not expected to drive or contribute to traffic and parking congestion. Alcohol will not be sold or served to the general public. The number of guests attending events is limited to the capacity of the Old Town Manor. All alcohol served on property will be consumed on property.

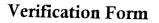
Sincerely,

Walter Price Swati "Runi" Goyal SII EATON ST KW 305 395 1825 Cell



511 EATON ST KEY WEST, FL 33040 WWW.OLDTOWNMANOR.COM

# **Verification Form**



# Please note, variances are quasi-judicial hearings and it is improper to speak to a Planning Board or Board of Adjustment Member about the variance outside of the hearing.

This form should be completed by the applicant. Where appropriate, please indicate whether applicant is the owner or a legal representative. If a legal representative, please have the owner(s) complete the following page, "Authorization Form."

(PRESIDENT OF WONG SONG ENTERPRISES ING.)	
1. WALTER PRICE Swati Goual boing duly anon den	
Name(s) of Applicant(s)	
that: I am (check one) theOwnerOwner's Legal Representative for the property identified as the subject matter of this application:	
511 Eaton St. KeyWest FL 33040 Old Town Manor	
I. WALTER PRICE       Swaff       Goyal       , being duly swom, depose and say         I. WALTER PRICE       Swaff       Goyal       , being duly swom, depose and say         that: I am (check one) the Source's Legal Representative for the property identified as the subject matter of this application:       Owner's Legal Representative         511 Editor       Street Address and Commonly Used Name (if any)         All of the answers to the above questions, drawings, plans and any other attached data which make up this application, are true and correct to the best of my knowledge and belief and that if not true or correct, are grounds for revocation of any action reliant on said information.         Signature of Owner/Legal Representative       Signature of Joint Go-owner         Subscribed and swom to (or affirmed) before me on $\mu^{th}$ Daw of $\mu^{th}$ (date) by $a_{al} + (a_{al} + price)$ (name). He/She is personally known to me or has         presented       as identification.         Mamma Manuer       Improve Public - Site of Fortion for the or many public site of Fortion for the fortion for the or many public site of Fortion for the fortion for the fortion fortion for the or Rank         Notary's Signature and Seal       Name of A cknowledger typed, printed or stamped         If the or Rank       Commission Number (if any)	
not true or correct, are grounds for revocation of any action reliant on said information.	
Signature of Owner/Legal Representative Signature of Joint/Go-owner	
Grayal & Walter Prace (name). He/She is personally known to me or has	
presentedas identificat ion.	
Motary Public - State of Florida My Comm. Expires Jan 15, 2013 Commission # 0D 852202	In (check one) theOwnerOwner's Legal Representative operty identified as the subject matter of this application:       Owner's Legal Representative         Stretet Address and Commonly Used Name (if any)         answers to the above questions, drawings, plans and any other attached data which this application are true and correct to the best of my knowledge and belief and that if or correct are grounds for revocation of any action reliant on said information.         Image: Correct are grounds for revocation of any action reliant on said information.         Image: Correct are grounds for revocation of any action reliant on said information.         Image: Correct are grounds for revocation of any action reliant on said information.         Image: Correct are grounds for revocation of any action reliant on said information.         Image: Correct are grounds for revocation of any action reliant on said information.         Image: Correct are grounds for revocation of any action reliant on said information.         Image: Correct are grounds for revocation of any action reliant on said information.         Image: Correct are grounds for revocation of any action reliant on said information.         Image: Correct are grounds for revocation of any action reliant on said information.         Image: Correct are grounds for revocation of any action reliant on said information.         Image: Correct are grounds for revocation of any action reliant on said information.         Image: Correct are grounds for revocation of any action reliant on said information.         Image: Correct a
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Page 1 of 1

# Deed





Prepared by and return to: Erica N. Hughes-Sterling Attorney at Law Spottswood, Spottswood & Spottswood **500 Fleming Street** Key West, FL 33040 305-294-9556 File Number: 06-239-ET

Parcel Identification No. 00004330-000000

[Space Above This Line For Recording Data]

# Warranty Deed (STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 19th day of October, 2006 between INNISCARRA, INC., a Florida corporation whose post office address is of the County of , State of , grantor\*, and WONG SONG ENTERPRISES, INC., a Florida corporation whose post office address is 3700 Sunrise Lane, Key West, FL 33040 of the County of Monroe, State of Florida, grantee\*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida, to-wit:

Known on William A. Whitehead's Map of said City of Key West, delineated in February, A. D. 1829, as Part of Lot Four (4) in Square Twenty Four (24): Commencing at a point on Eaton Street, on the Western dividing line between land originally owned by Jeremiah Pent and Frederick W. Johnson, One Hundred and Thirty Four (134) feet from the corner of Eaton and Duval Streets and extending along said line in a Northwesterly direction at right angles to Eaton Street, One Hundred and Thirty (130) feet; thence at right angles in a Northeasterly direction Sixty Seven (67) feet; thence at right angles in a Southeasterly direction One Hundred and Thirty (130) feet to Eaton Street; thence along Eaton Street in a Southwesterly direction Sixty Seven (67) feet to the place of beginning, being same land described in deed recorded in Book "Z", Page 246 of Monroe County, Florida.

### AND:

On the Island of Key West and being a part of Lot Four (4) of Square Twenty Four (24) according to William A. Whithead's map of said Island delineated in February, A.D. 1829, being more fully described as follows: Commencing at a point on the Northwesterly side of Eaton Street distant One Hundred Thirty Four (134) feet Northeasterly from the corner of the intersection of Eaton and Duval Streets and running thence at right angles to Eaton Street in a Northwesterly direction One Hundred Thirty (130) feet, adjoining lands formerly owned by William R. Warren, deceased, and formerly occupied by him as his homestead; thence at right angles in a Southwesterly direction Fourteen (14) feet; thence at right angles in a Southeasterly direction One Hundred Thirty (130) feet to Eaton Street; thence at right angles along Eaton Street in a Northeasterly direction Fourteen (14) feet to the Point or Place of Beginning. a/k/a 511 Eaton Street, Key West, Florida.

Subject to taxes for 2005 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

The property herein conveyed does NOT constitute the Homestead property of the Grantor, as defined under the Florida Constitution.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

\* "Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

INNISCARRA, INC, a Florida corporation By: Witness 作形 Stephen J. resident/Treasurer/Director M V. HUGI Witness Name: By: Witness Name: Carolyn S. West, Vice President/Secretary/ /Director Witness Name: Weech

State of Florida County of Monroe

The foregoing instrument was acknowledged before me this 19 day of October, 2006 by Stephen J. West, President/Treasurer/Director and Carolyn S. West, Vice President/Secretary/ /Director of Inniscarra, Inc., a Florida corporation, on behalf of the corporation. They [] are personally known to me or have produced a driver's license as identification.

[Notary Seal]

Notary Public

Printed Name:

(Corporate Seal)

My Commission Expires:





# **Property Appraiser Information**

# Ervin A. Higgs, CFA Property Appraiser Monroe County, Florida

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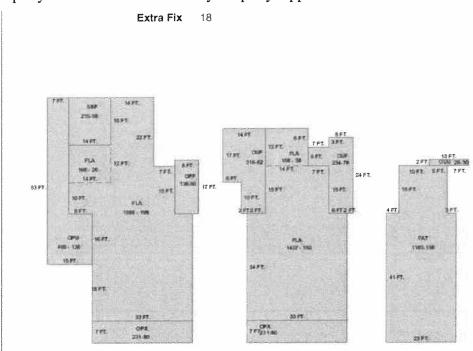
**Property Record View** 

Alternate Key: 1004502 Parcel ID: 00004330-000000

### Ownership Details Mailing Address: WONG SONG ENTERPRISES INC P O BOX 4870 KEY WEST, FL 33040 **Property Details** PC Code: 39 - HOTELS, MOTELS Millage Group: 10KW Affordable Housing: No Section-Township-Denger 06-68-25 Range: Property Location: 511 EATON ST KEY WEST Legal Description: KW PT LOT 4 SQR 24 Z-263/4 OR511-822 OR766-174/75 OR782-902/04 OR815-1449/50 OR1110-824/25 OR1267-796/98MAR/D OR1283-399/400 OR1351-1439/40 Show Parcel Map Land Details Land Use Code Frontage Depth Land Area 100D - COMMERCIAL DRY 78 130 10,302.00 SF **Building Summary** Number of Buildings: 2 Number of Commercial Buildings: 2 Total Living Area: 5222 Year Built: 1948 **Building 1 Details Building Type** Condition G Quality Grade 550 Effective Age 12 Perimeter 412 Depreciation % 15 Year Built 1948 Special Arch 0 Grnd Floor Area 3,658 Functional Obs 0 Economic Obs 0 Inclusions: Roof Cover **Roof Type** Foundation Heat 1 Heat 2 Bedrooms 0 Heat Src 1 Heat Src 2 Extra Features: 2 Fix Bath 0 Vacuum 0 3 Fix Bath 0 Garbage Disposal 0 4 Fix Bath 0 Compactor 0 5 Fix Bath Security 0 0 6 Fix Bath 0 Intercom 0

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office (305) 292-3420 fax (305) 292-3501



### Sections:

Nbr	Туре	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
1	OPF		1	1989				231
2	FLA		1	1989				1,885
3	OPF		1	1989				136
5	SBF		1	1989				210
6	OUF		1	1989				231
7	FLA		1	1989				1,437
8	OUF		1	1989				318
9	FLA		1	1989				168
10	FLA		1	1989				168
10	OUF		1	1989				234
11	FHS		1	1989				1,183
11	OPU		1	1989				499
12	OUU		1	1989				26

### Interior Finish:

Section Nbr	Interior Finish Nbr	Туре	Area %	Sprinkler	A/C	
		HOTEL/MOTEL B	100	N	Ν	
		HOTEL/MOTEL B	100	N	N	
	1217	OPF	100	N	N	
	1218	HOTEL/MOTEL B	100	N	N	
	1219	OPF	100	N	Ñ	
	1221	SBF	100	N	N	
	1222	OUF	100	N	Ν	
	1223	HOTEL/MOTEL B	100	N	N	
	1224	OUF	100	N	N	

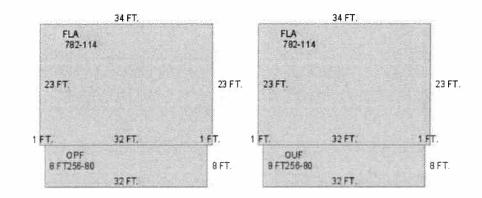
A1111/10/0	1226	OUF	100	N	N
	1227	FHS	100	N	N
	1228	OUU	100	N	N

Exterior Wall:

Interior Finish Nbr	Туре	Area %
363	AB AVE WOOD SIDING	100

# **Building 2 Details**

Building Type		Condition E	Quality Grade 450	
Effective Age 17		Perimeter 228	Depreciation % 23	
Year Built 1979		Special Arch 0	Grnd Floor Area 1,564	
Functional Obs 0		Economic Obs 0		
Inclusions:				
Roof Type		Roof Cover	Foundation	
Heat 1		Heat 2	Bedrooms 0	
Heat Src 1		Heat Src 2		
Extra Features:				
2 Fix Bath	0		Vacuum	0
3 Fix Bath	0		Garbage Disposal	0
4 Fix Bath	0		Compactor	0
5 Fix Bath	0		Security	0
6 Fix Bath	0		Intercom	0
7 Fix Bath	0		Fireplaces	0
Extra Fix	18		Dishwasher	0



Sections:

Nbr	Туре	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1989					782
2	OPF		1	1989					256
3	FLA		1	1989					782
4	OUF		1	1989					256

### Interior Finish:

Section Nbr	Interior Finish Nbr	Туре	Area %	Sprinkler	A/C
	1229	HOTEL/MOTEL B	100	N	Y
	1230	OPF	100	N	N
	1231	HOTEL/MOTEL B	100	N	Y
	1232	OUF	100	N	N

### **Exterior Wall:**

Interior Finish Nbr	Туре	Area %
364	AVE WOOD SIDING	100

# **Misc Improvement Details**

Nbr	Туре	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN2:FENCES	261 SF	0	0	1972	1973	5	30
2	HT2:HOT TUB	1 UT	0	0	1978	1979	3	50
4	PT2:BRICK PATIO	1,595 SF	0	0	1975	1976	2	50
5	AC2:WALL AIR COND	4 UT	0	0	1985	1986	2	20
6	WF2:WATER FEATURE	1 UT	0	0	2003	2004	2	20

# **Appraiser Notes**

2002-12-27 - 13 TRANSIENT ROOMS & 1 NON-TRANSIENT OWNER APT TPP ACCOUNT #8854625

ADJ LAND TO 10302SF PER GIS AND OR2247-470

# **Building Permits**

Bidg	Number	Date Issued	Date Completed	Amoun	Description	Notes
	05-3009	07/20/2005	10/31/2005	800	Commercial	REPLACE EXISTING RISER
	B940481	02/01/1994	10/01/1994	500	Commercial	DEMO CLOSETS ON 2ND FLOOR
	A940664	02/01/1994	10/01/1994	100	Commercial	PAINT FRONT WHITE
	E944130	12/01/1994	10/01/1995	1,000	Commercial	FIRE ALARM SYSTEM
	B951792	06/01/1995	10/01/1995	200	Commercial	PAINTING
	A952138	06/01/1995	10/01/1995	450	Commercial	1 SQ VICTORIAN SHINGLES
	96-4698	12/01/1996	07/01/1997	250	Commercial	ELECTRICAL
1	98-1541	08/12/1998	01/01/1999	1,000	Commercial	REPAIR/REPLACE FLOOR/RAIL
	00-1422	05/24/2000	07/17/2000	1,200	Commercial	ROOF
	02-0972	04/29/2002	08/19/2002	2,000	Commercial	PAINT & SHUTTERS
	02-1614	06/25/2002	08/19/2002	2,350	Commercial	RED TAG FRONT PORCH
	03-1748	05/14/2003	10/07/2003	850	Commercial	SOFFIT
	03-1699	05/14/2003	10/07/2003	9,500	Commercial	INSTALL A/C

55,000 Commercial

13 NEW SPRINKLERS, PLUMBING FOR 3RD FLOOR ATTIC, REBUILD 3RD FLOOR ATTIC, ELECTRICAL FOR 3RD FLOOR ATTIC

# **Parcel Value History**

Certified Roll Values.

View Taxes for this Parcel.

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2010	917,798	16,779	742,633	1,836,733	1,836,733	0	1,836,733
2009	917,798	17,264	1,028,912	1,974,982	1,974,982	0	1,974,982
2008	947,406	17,917	1,138,371	2,577,147	2,577,147	0	2,577,147
2007	808,837	18,570	1,138,371	2,626,934	2,626,934	0	2,626,934
2006	724,785	22,344	1,004,300	2,425,950	2,425,950	0	2,425,950
2005	700,426	23,354	903,870	1,972,441	1,972,441	0	1,972,441
2004	700,406	24,424	652,795	1,781,959	1,781,959	0	1,781,959
2003	668,865	15,248	401,720	1,587,418	1,587,418	0	1,587,418
2002	668,865	15,832	401,720	1,511,827	1,511,827	0	1,511,827
2001	668,865	16,358	401,720	1,454,234	1,454,234	0	1,454,234
2000	729,178	6,637	271,161	1,454,234	1,454,234	0	1,454,234
1999	729,178	6,830	271,161	1,454,234	1,454,234	0	1,454,234
1998	486,379	7,043	271,161	1,373,273	1,373,273	0	1,373,273
1997	486,379	7,336	251,075	1,129,028	1,129,028	0	1,129,028
1996	442,163	7,647	251,075	1,072,047	1,072,047	0	1,072,047
1995	442,163	7,942	251,075	814,804	761,135	25,000	736,135
1994	185,672	8,253	251,075	445,000	445,000	25,000	420,000
1993	407,037	8,547	251,075	808,689	808,689	808,689	0
1992	407,037	8,859	251,075	808,689	808,689	0	808,689
1991	407,037	9,152	251,075	808,689	808,689	0	808,689
1990	315,210	9,484	213,414	808,689	808,689	0	808,689
1989	294,939	9,803	210,903	879,297	879,297	0	879,297
1988	277,206	7,673	171,735	731,281	731,281	0	731,281
1987	219,001	3,103	110,724	666,036	666,036	0	666,036
1986	220,065	3,103	108,464	523,706	523,706	0	523,706
1985	213,926	3,103	90,387	437,323	437,323	0	437,323
1984	201,013	3,103	90,387	305,104	305,104	0	305,104
1983	201,013	3,103	44,845	305,104	305,104	0	305,104
1982	204,678	3,103	44,845	252,626	252,626	0	252,626

# **Parcel Sales History**

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
10/19/2006	2247 / 470	3,200,000	WD	Q
5/1/1995	1351 / 1439	1,300,000	WD	Q
11/1/1993	1283 / 0399	500,000	WD	<u>G</u>

1267 / 796	400,000	WD	<u>U</u>
1110/824	900,000	WD	Q
815 / 1449	250,000	WD	Q
	1110 / 824	1110 / 824 900,000	1110 / 824         900,000         WD           815 / 1449         250,000         WD

This page has been visited 215,670 times.

Monroe County Property Appraiser Ervin A. Higgs, CFA P.O. Box 1176 Key West, FL 33041-1176 Page 6 of

# Public Notices (radius map & mailing list)



The Key West Planning Board will hold a public hearing <u>at 6:00 p.m., May 19, 2011 at Old</u> <u>City Hall, 510 Greene Street</u>, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

**Special Exception - 511 Eaton Street (RE# 00004330-000000) -** A request for a special exception to the prohibition of alcoholic beverage sales within 300 feet of a church and funeral home for property located within the HRCC-1 zoning district, pursuant to Section 18-28 (b)(2) of the Code of Ordinances of the City of Key West.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at <u>www.keywestcity.com</u>.

# YOU ARE THIN 300 FEET OF THE SUBJEC PROPERTY

The City of Key West Planning Board will be holding a Public Hearing on the following requests:

**Request:** Special Exception - 511 Eaton Street (RE# 00004330-000000) - A request for a special exception to the prohibition of alcoholic beverage sales within 300 feet of a church and funeral home for property located within the HRCC-1 zoning district, pursuant to Section 18-28 (b)(2) of the Code of Ordinances of the City of Key West.

Applicant:	Walter Price &	& Swati Goyal	Owner:	Wong Song Enterprises, Inc.
<b>Project Location:</b>	511 Eaton Str	reet	Date of Hearing:	Thursday, May 19, 2011
Time of Hearing:	6:00 PM	Location of Hearing	: Old City Hall -	- City Commission Chambers, 510 Greene St

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm. Packets can be viewed online at www.keywestcity.com. Click on City Board & Committee Agendas. Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409, by FAX (305) 809-3978 or by email <a href="mailto:ccowart@keywestcity.com">ccowart@keywestcity.com</a>.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the ADA Coordinator at 305-809-3951 between the hours of 8:00 a.m. and 5:00 p.m., or information on access available to individuals with disabilities. To request materials in accessible format, a sign language interpreter or other assistance (5 days advance no-tice required), please call 305-809-1000 for assistance.

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PALMIS

Monroe County Property Appraiser 500 Whitehead Street Key West, FL

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for *ad valorem tax purposes* only and should not be relied on for any other purpose.

Date Created: May 4, 2011 12:45 PM

511 Eaton

305 DUVAL KW LLC 3200 RIVIERA DR KEY WEST, FL 33040

AMSTERDAM EDITH REV TR 3/14/94 511 CAROLINE ST KEY WEST, FL 33040

CARRIAGE TRADE LIVING TRUST 10/22/2009 529 EATON ST KEY WEST, FL 33040

COOPER LAND TRUST 12/26/1990 7705 NW 48TH ST MIAMI, FL 33166

DUVAL ST RETAIL CENTER LLC 561 BROADWAY NEW YORK, NY 10012

FULTON K AND E LLC 35 CROSBY ST NEW YORK, NY 10013

KEPHART LYNN H 414 SIMONTON ST KEY WEST, FL 33040

MCCLOUD STEVEN W PO BOX 1642 KEY WEST, FL 33041

MOLONEY SUSAN 326 SIMONTON ST KEY WEST, FL 33040

PILOT HOUSE LLC 524 EATON ST KEY WEST, FL 33040 328 SIMONTON STREET LLC 328 SIMONTON ST KEY WEST, FL 33040

ARTIST HOUSE LLC 534 EATON ST KEY WEST, FL 33040

COLONIAL SUITES INC 526 DUVAL ST KEY WEST, FL 33040

CORLEY LUCY CLAY MOLONEY 66 WESTWIND RD LOUISVILLE, KY 40207

FAVELLI GEORGEANN M 1523 PATRICIA ST KEY WEST, FL 33040

GIRONET HELENE 421 EATON ST KEY WEST, FL 33040

KEY WEST WOMANS CLUB 319 DUVAL STREET KEY WEST, FL 33040

MOLONEY SUE CLAY PO BOX 50 KEY WEST, FL 33041

NILES FAMILY LIVING TRUST 10/28/2002 4768 CAPE MAY AVE SAN DIEGO, CA 92107

PORTER FAMILY LIMITED PARTNERSHIP 410 CAROLINE ST KEY WEST, FL 33040



329 DUVAL ASSOCIATES LLC 1210 STIRLING RD DANIA, FL 33004

BCP LLC 1409 SUN TER KEY WEST, FL 33040

CONCH SHELL PROPERTIES INC 905 VON PHISTER ST KEY WEST, FL 33040

DAVIDSON JUDITH H PO BOX 4210 KEY WEST, FL 33041

FLORIDA KEYS FUNERAL SERVICES LLC 418 SIMONTON ST KEY WEST, FL 33040

KAVOURA DIMITRI P O BOX 308 KEY WEST, FL 33040

KNIGHT EDWARD B LIVING TRUST 336 DUVAL ST KEY WEST, FL 33040

MOLONEY SUE CLAY & DAVIDSON JUDITH H 320 SIMONTON STREET KEY WEST, FL 33040

PFAHL FAMILY LLC 301 DUVAL ST KEY WEST, FL 33040

RAPPAPORT ROBERT 5 EVERGREEN AVE KEY WEST, FL 33040 SCOTTISH RITE TEMPLE ASSOCIATION PO BOX 1247 KEY WEST, FL 33040

SPOTTSWOOD ROBERT A 500 FLEMING ST KEY WEST, FL 33040

THITF 3900 COMMONWEALTH BLVD TALLAHASSEE, FL 32399

WHITE J LARRY 685 EAST LONG LAKE BLOOMFIELD HILLS, MI 48304 SIMONTON COURT MANAGEMENT CO 324 SIMONTON ST KEY WEST, FL 33040

ST PAULS CHURCH PO BOX 1014 KEY WEST, FL 33041

TILLMAN FRED W LIVING TR 06/18/08 314 DUVAL ST KEY WEST, FL 33040

WONG SONG ENTERPRISES INC P O BOX 4870 KEY WEST, FL 33040 SPOTTSWOOD JOHN M JR 500 FLEMING ST KEY WEST, FL 33040

THORESEN ERLING T 3235 MARY ST MIAMI, FL 33133

WEAVER W TIMOTHY 526 ROSE LN KEY WEST, FL 33040

WORTH MARY ANN QUA PER RES TR 7/14/2000 314 SIMONTON ST KEY WEST, FL 33040