



THE CITY OF KEY WEST  
Planning Department

RECEIVED

DEC 03 2012

CITY OF KEY WEST  
PLANNING DEPT.

**SPECIAL 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 512 Eaton Street, Key West, Florida
2. Name of Applicant Adele V. Stones, Stones & Cardenas
3. Applicant is: Owner \_\_\_\_\_ Authorized Representative x  
(please see the attached Verification & Authorization Forms)
4. Address of Applicant 221 Simonton Street  
Key West, FL 33040
5. Phone # of Applicant (305) 294-0252 Mobile# \_\_\_\_\_ Fax# (305) 292-5442
6. **E-Mail Address** ginny@keyslaw.net
7. Name of Owner, if different than above Inter-Ocean Holdings, LLC
8. Address of Owner 600 Fleming Street  
Key West, FL 33040
9. Phone Number of Owner \_\_\_\_\_ Fax# \_\_\_\_\_
10. Email Address edeboer@bellsouth.net
11. Zoning District of Parcel HNC-1 RE# 00006500-000000
12. Description of Use and Exception Requested

Inter-Ocean Holdings, LLC is the purchaser under contract for this property. The current owner received an Alcohol Sales Special Exception in July, 2011, which is personal to the owner and non-transferable. Inter-Ocean Holdings, LLC will operate a restaurant and/or dinner theater venue pursuant to approvals previously granted by the City of Key West. Inter-Ocean Holdings, LLC seeks a Special Exception to allow alcohol sales and service as accessory to the restaurant/dinner theater use.

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:

Restaurant and/or theatre use with accessory sale of alcohol is highly consistent with existing uses within 300 feet of applicant's property. There are six (6) restaurants with alcoholic beverage service located in the two-block area contiguous to applicant's property. They are Carriage Trade, China Garden West, Marquesa Café, LaConcha, Grand Café, and Hard Rock. There are two theatre venues with alcohol sales, Tropic Cinema and Red Barn Theatre. Fausto's Food Palace and Tropical Package Store offer retail (by the bottle) alcohol sales. All of these establishments are located within 300 feet of churches, funeral homes, and/or cemetery(s). Applicant's property will house five (5) transient residential condominiums and applicant owns a 14 unit guesthouse immediately adjacent to the proposed restaurant offering alcohol beverage sales. There are four (4) other transient guest facilities in the immediate proximity to applicant's property, all of which offer alcohol service complimentary or otherwise for guests. There are a handful of single family residences and multi-family residential structures in the area. The subject property and all property within the 300 foot radius of the subject property are located in Historical Commercial zoning districts.

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

The hours of operating were limited as condition of the approval of the previously granted conditional use at this location for the restaurant and/or dinner theatre (PB Resolution No. 2007-0042 attached), with 12:00 a.m. closing midnight Sunday through Thursday, regular City hours of operation Friday and Saturday. No alcohol sale is permitted before noon on Sundays. Alcohol sales will be accessory to the approved restaurant and/or theatre use. This is not a bar/lounge use and will not serve alcohol outside of restaurant/theatre hours.

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

Existing cement block construction with no outdoor consumption or service area will minimize any impact generated by the restaurant-theatre use with accessory alcohol

sales. No window openings are proposed and the public will enter through a double entry hallway, minimizing noise impact. The applicant will consider other mitigative techniques or measures suggested by neighboring properties which facilitate the good neighbor policy.

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# 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:

512 Eaton Street, Key West, Florida

*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 11/30/12 by \_\_\_\_\_ by  
*date*

Adele V. Stones

*Name of Authorized Representative*

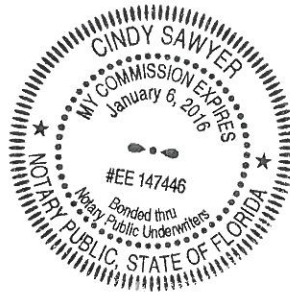
He/She is personally known to me or has presented personally known as identification.

*Cindy Sawyer*

*Notary's Signature and Seal*

\_\_\_\_\_  
*Name of Acknowledger typed, printed or stamped*

\_\_\_\_\_  
*Commission Number, if any*



City of Key West  
Planning Department



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Adele V. Stones

*Signature of Authorized Representative* Florida Bar No. 331880

Subscribed and sworn to (or affirmed) before me on this April 1, 2011 by

*date*

Adele V. Stones

*Name of Authorized Representative*

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

Cindy Sawyer  
*Notary's Signature and Seal*

Cindy Sawyer  
*Name of Acknowledger typed, printed or stamped*

736686  
*Commission Number, if any*



# Authorization Form

Authorization Form

*Special Exception*  
Please note, ~~Conditional Use~~ requests are quasi-judicial hearings and it is improper to speak to a Planning Board or Board of Adjustment Member about the request outside of the hearing.

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

I, Lynn Kephart authorize  
Please Print Name(s) of Owner(s)

Adele V. Stones on behalf of Inter Ocean Holdings, LLC  
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the Planning Board.

[Signature]  
Signature of Owner Signature of Joint/Co-owner if applicable

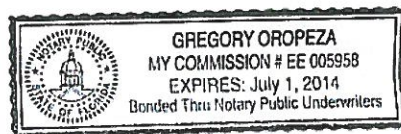
Subscribed and sworn to (or affirmed) before me on November 26/12 (date) by

Lynn H. Kephart  
Please Print Name of Affiant

He/She is personally known to me or has

presented \_\_\_\_\_ as identification.

[Signature]  
Notary's Signature and Seal



Gregory Oropeza Name of Acknowledger printed or stamped

\_\_\_\_\_ Title or Rank

\_\_\_\_\_ Commission Number (if any)



**Deed**

707404

OFF REC 188 11-0639

**WARRANTY DEED**

**THIS INDENTURE,**

wherever used herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties hereto; the use of the singular numbers shall include the plural, and the plural the singular, the use of any gender; and, if used, the term "note" shall include all the notes herein described if more than one.

**THIS INDENTURE,**

Made this <sup>7<sup>th</sup></sup> day of October, A.D. 1991

M-00  
250  
2/16/00

Between, **THE FIRST BAPTIST CHURCH OF KEY WEST INCORPORATED, A FLORIDA NOT FOR PROFIT CORPORATION a/k/a FIRST BAPTIST CHURCH OF KEY WEST, INC., a/k/a THE FIRST BAPTIST CHURCH OF KEY WEST, INC.,** which corporation is Successor to **FIRST BAPTIST CHURCH OF KEY WEST,** party of the first part, and **LYNN H. KEHEART, A SINGLE MAN,** whose address is 414 Simonton Street, Key West, Monroe County, Florida, party of the second part,  
Witnesseth, That the said party of the first part, for and in consideration of the sum of **TEN AND NO/100 (\$10.00)** Dollars to it in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey, and confirm unto the said party of the second part and his heirs and assigns forever, all that certain parcel of land lying and being in the County of Monroe and State of Florida, more particularly described as follows:

**SEE EXHIBIT "A" ATTACHED HERETO**

Property Appraiser's Parcel I.D. Number: 4 portions of 0000050-000100

Together with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, reversion, remainder and easement thereto belonging or in anywise appertaining:

**TO HAVE AND TO HOLD** the same in fee simple forever.

And the said party of the first part doth covenant with the said party of the second part that it is lawfully seized of the said premises; that they are free of all incumbrances, and that it has good right and lawful authority to sell the same; and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF,** the said party of the first part has caused these presents to be signed in its name by its Director and its corporate seal to be affixed, the date and year above written.

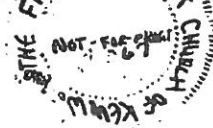
Signed, Sealed and Delivered  
In Our Presence:

**THE FIRST BAPTIST CHURCH OF KEY WEST INCORPORATED, A FLORIDA NOT-FOR-PROFIT CORPORATION, a/k/a FIRST BAPTIST CHURCH OF KEY WEST, INC., a/k/a THE FIRST BAPTIST CHURCH OF KEY WEST, INC., WHICH CORPORATION IS SUCCESSOR TO FIRST BAPTIST CHURCH OF KEY WEST.**

[Signature]  
Tina R. Roberts

BY [Signature] **WILLIAM J. SHIB, DIRECTOR**  
DATE 10-28-91  
MONROE COUNTY  
DANNY A. KOLHAGE CLERK OF CT.  
**THE FIRST BAPTIST CHURCH OF KEY WEST**

DEED 2/160 Date 10-28-91  
MONROE COUNTY  
DANNY A. KOLHAGE CLERK OF CT.  
[Signature]



STATE OF FLORIDA :  
COUNTY OF DUVAL :

I hereby Certify that on this 7<sup>th</sup> day of October A.D. 1991, before me personally appeared WILLIAM J. SIKES, Director of THE FIRST BAPTIST CHURCH OF KEY WEST INCORPORATED, A FLORIDA NOT-FOR-PROFIT CORPORATION existing under the laws of the State of Florida, to me known to be the person described in and who executed the foregoing conveyance to LYNN H. KEMMART, A SINGLE MAN and severally acknowledged the execution thereof to be the free act and deed as such officer, for the uses and purposes therein mentioned; and that they affixed thereto the official seal of said corporation, and the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at Jacksonville, in the County DUVAL and State of FLORIDA, the day and year last aforesaid.

Tina R. Roberts  
NOTARY PUBLIC Tina R. Roberts

NOTARY PUBLIC, STATE OF FLORIDA  
My commission expires July 8, 1995



EXHIBIT "A"**PARCEL A-2**

On the Island of Key West, Monroe County, Florida and being a portion of Lot 2, Square 37 according to William A. Whitehead's Map of said Island delineated in February A.D. 1829, being more particularly described as follows:

**COMMENCE** at the Southeasterly Right-of-Way line of Eaton Street and the Southwesterly Right-of-Way line of Simonton Street; thence in a Southwesterly direction along the said Southeasterly Right-of-Way line of Eaton Street for 84.00 feet to the Point of Beginning; thence at a right angle and in a Southeasterly direction for 86.00 feet; thence at a right angle and in a Southwesterly direction for 10 feet; thence at a right angle and in a Southeasterly direction for 14 feet; thence at a right angle and in a Southwesterly direction for 117.25 feet, to the Northeasterly Right-of-Way line of Bahama Street; thence at a right angle and in a Southwesterly direction along the said Northeasterly Right-of-Way line of Bahama Street for 100.00 feet to the Southeasterly Right-of-Way line of Eaton Street; thence at a right angle and in a Northeasterly direction along the said Southeasterly Right-of-Way line of Eaton Street for 127.25 feet to the Point of Beginning.

**LESS  
LEGAL DESCRIPTION:**

All that tract or parcel of land lying and being in the City of Key West, County of Monroe and State of Florida, and more particularly described as follows:

Beginning at a point on the Southerly side of Eaton Street, 84 feet Southwesterly, measured along the Southerly side of Eaton Street from the Southwest corner of Eaton Street and Simonton Street and; running thence Southeasterly parallel with Simonton Street 86 feet; thence Southwesterly parallel with Eaton Street 10 feet; thence Southeasterly parallel with Simonton Street 14 feet; thence Southwesterly parallel with Eaton Street 62 feet, 3 inches; thence run Northwesterly parallel with Simonton Street 43 feet, 9 inches; thence run Northeasterly parallel with Eaton Street 8 inches; thence run Northwesterly parallel with Simonton Street 2 feet, 4 inches; thence run Southwesterly parallel with Eaton Street 8 inches; thence run Northwesterly parallel with Simonton Street 10 feet 6 inches; thence run Northeasterly parallel with Eaton Street 8 inches; thence run Northwesterly parallel with Simonton Street 2 feet 3 inches; thence run Southwesterly parallel with Eaton Street 8 inches; thence run Northwesterly parallel with Simonton Street 10 feet 6 inches; thence run Northeasterly parallel with Eaton Street 8 inches; thence run Northwesterly parallel with Simonton Street 2 feet 3 inches; thence run Southwesterly parallel with Eaton Street 8 inches; thence run Northwesterly parallel with Simonton Street 28 feet, 5 inches to the Southeast Right-of-Way of said Eaton Street; thence run Northeasterly along said South Right-of-Way 72 feet, 3 inches back to the point of beginning.

695234

DEC 177 PAGE 2022

707404  
DEC 188 1180642

**ACTION BY UNANIMOUS WRITTEN CONSENT  
OF THE BOARD OF TRUSTEES OF  
THE FIRST BAPTIST CHURCH OF KEY WEST, INCORPORATED**

We, the undersigned, being all of the trustees of The First Baptist Church of Key West, Incorporated, hereby designate William J. Sikes as the sole Director of The First Baptist Church of Key West, Incorporated, to execute legal documents and act on behalf of The First Baptist Church of Key West, Incorporated, and to do all other acts necessary for the purposes of consummating the sale of church property in accordance with a written agreement between the church and Lynn Kephart.

Dated this 25 day of November, 1990.

Recorded in Official Records Book  
in Monroe County, Florida  
Record Verified  
DANNY L. KOLHAGE  
Clerk Circuit Court

  
William J. Sikes, Director  
and Trustee

  
Joan S. Sikes, Trustee

  
Hastings G. Joyner, Trustee

Recorded in Official Records Book  
in Monroe County, Florida  
Record Verified  
DANNY L. KOLHAGE  
Clerk Circuit Court

# **Property Appraiser Information**

**Karl D. Borglum**  
**Property Appraiser**  
**Monroe County, Florida**

Key West (305) 292-3420  
Marathon (305) 289-2550  
Plantation Key (305) 852-7130

**Property Record Card -**  
**Map portion under construction.**

Website tested on IE8,  
IE9, & Firefox.  
Requires Adobe Flash  
10.3 or higher

Alternate Key: 1006734 Parcel ID: 00006500-000000

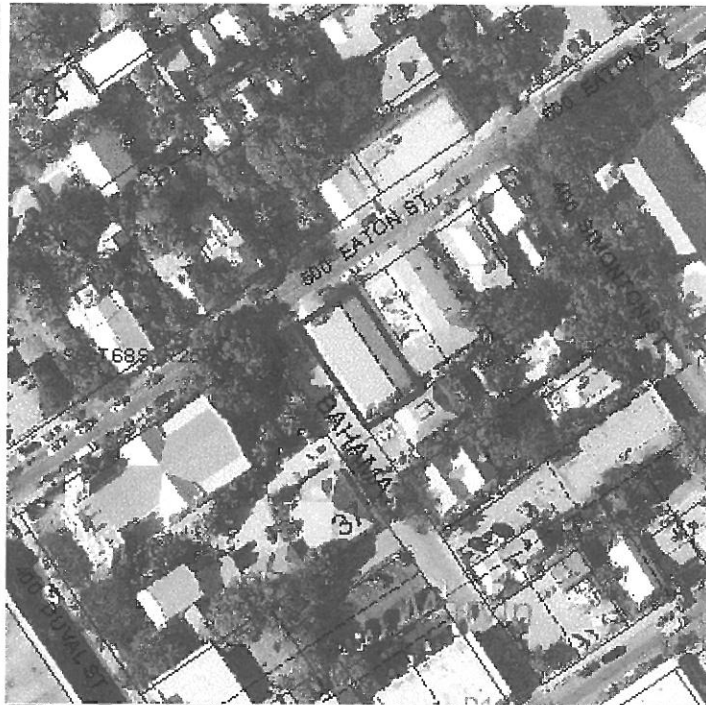
**Ownership Details**

Mailing Address:  
KEPHART LYNN H  
414 SIMONTON ST  
KEY WEST, FL 33040

**Property Details**

PC Code: 32 - ENCLOSED THEATERS/AUDITORIUMS  
Millage Group: 10KW  
Affordable Housing: No  
Section-Township-Range: 06-68-25  
Property Location: 512 EATON ST KEY WEST  
Legal Description: KW PT LOT 2 SQR 37 T-532 G36-106-108 OR1188-639/641 OR2124-1877/83(RES NO 05-204)





Show Parcel Map that can launch map - Must have Adobe Flash Player 10.3 or higher

### Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	55	100	5,504.00 SF

### Building Summary

Number of Buildings: 1  
 Number of Commercial Buildings: 1  
 Total Living Area: 6348  
 Year Built: 1968

### Building 1 Details

Building Type  
 Effective Age 11  
 Year Built 1968  
 Functional Obs 0

Condition A  
 Perimeter 646  
 Special Arch 0  
 Economic Obs 0

Quality Grade 450  
 Depreciation % 13  
 Grnd Floor Area 6,348

**Inclusions:**

Roof Type  
 Heat 1  
 Heat Src 1

Roof Cover  
 Heat 2  
 Heat Src 2

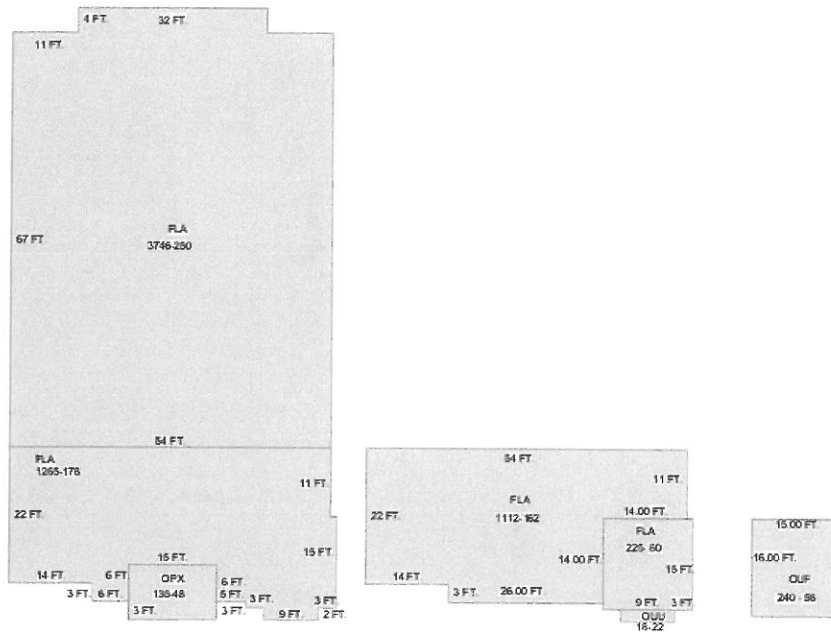
Foundation  
 Bedrooms 0

**Extra Features:**

2 Fix Bath 0  
 3 Fix Bath 0  
 4 Fix Bath 0  
 5 Fix Bath 0  
 6 Fix Bath 0  
 7 Fix Bath 0  
 Extra Fix 10

Vacuum 0  
 Garbage Disposal 0  
 Compactor 0  
 Security 0  
 Intercom 0  
 Fireplaces 0  
 Dishwasher 0





Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1990					1,265
2	OPX		1	1994					135
3	FLA		1	1994					1,112
5	OUU		1	1994					18
6	OUF		1	1994					240
7	FLA		1	1988					3,746
8	FLA		1	1988					225

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
		STAGE THEATERS	100	N	N
	1613	STAGE THEATERS	100	N	Y
	1615	STAGE THEATERS	100	N	Y
	1619	STAGE THEATERS	100	N	Y

Exterior Wall:

Interior Finish Nbr	Type	Area %
444	C.B.S.	100

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
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1	PT2:BRICK PATIO	30 SF	0	0	1993	1994	4	50
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### Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
11-4397	12/08/2011	08/13/2012	30,000		CHANGE OUT TWO 20 TON AC SYSTEMS
11-4029	11/02/2011	08/13/2012	18,000		RUN SEWER TO MAIN BOX ROUGH AND TRIM 4 LAVS,4 TOILETS,2 URINALS,2 FLOOR DRAINS,
12-0037	01/06/2012	08/13/2012	1,000		INSTALL 8 SECURITY CAMERAS
11 M941617	05/01/1994	10/01/1994	5,200	Commercial	1 10TON A/C
12 B941839	06/01/1994	10/01/1994	10,000	Commercial	2 DRS,TICKET BOOTH,TOWER
16 B942150	06/01/1994	10/01/1994	850	Commercial	70 THEATER SEATS INSULATI
1 B943420	10/01/1994	11/01/1994	900	Commercial	INTERIOR PAINTING
2 P944108	12/01/1994	10/01/1995	2,000		5 PLUMBING FIXTURES
3 P944183	12/01/1994	10/01/1995	2,500		5 ADDITIONAL FIXTURES
4 A950224	01/01/1995	10/01/1995	2,000	Commercial	5 SQS METAL V CRIMP ROOF
5 B954085	11/01/1995	12/01/1995	450	Commercial	AWNING OVER TICKET BOOTH
6 9702883	08/01/1997	10/01/1997	1,000	Commercial	REPAIRS AT SEWER LINE
13 9802475	08/10/1998	11/03/1998	8,600	Commercial	REPL ROOF
14 9901278	04/20/1999	08/16/1999	9,000	Commercial	V-CRIMP ROOF
7 99-4178	02/28/1999	08/16/1999	3,000	Commercial	RUBBER ROOF
8 01-2830	08/10/2001	10/31/2005	170,000	Commercial	RENOVATE THEATER
9 04-1322	04/26/2004	10/31/2005	22,500	Commercial	LANDING AND SIDE BALCONY IN TOWER
10 05-2251	06/09/2005	10/31/2005	900	Commercial	REPLACE TWO WC'S & ONE LAV.
15 06-2862	05/10/2006	07/24/2006	3,850	Commercial	INTERIOR WORK ONLY,DYWALL
06-3376	06/24/2006	07/24/2006	57,500		DEMO & DBRIS REMOVAL OF 3000SF OF CONCRETE FLOORS AND INTERIOR WALLS

### 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
2012	1,184,158	202	781,842	1,966,202	1,966,202	0	1,966,202
2011	1,197,769	208	868,713	2,066,690	1,947,570	0	2,066,690
2010	1,224,991	214	545,314	1,770,519	1,770,519	0	1,770,519
2009	1,252,213	221	587,416	1,839,850	1,839,850	0	1,839,850
2008	1,252,213	227	715,520	1,967,960	1,967,960	0	1,967,960
2007	845,818	233	715,520	1,561,571	1,561,571	0	1,561,571
2006	782,831	239	550,400	1,733,470	1,733,470	0	1,733,470
2005	782,831	246	495,360	1,278,437	1,278,437	0	1,278,437
2004	701,208	252	330,240	1,031,700	1,031,700	0	1,031,700
2003	701,208	258	220,160	921,626	921,626	0	921,626

2002	701,208	265	220,160	921,633	921,633	0	921,633
2001	701,208	39	220,160	921,407	921,407	0	921,407
2000	701,208	94	148,608	849,910	849,910	0	849,910
1999	763,947	96	148,608	912,651	912,651	0	912,651
1998	509,298	98	148,608	658,004	658,004	0	658,004
1997	509,298	101	137,600	646,999	646,999	0	646,999
1996	462,998	103	137,600	600,701	600,701	0	600,701
1995	458,898	105	137,600	596,603	596,603	0	596,603
1994	295,600	0	137,600	433,200	433,200	0	433,200
1993	295,600	0	137,600	433,200	433,200	0	433,200
1992	295,600	0	137,600	433,200	433,200	433,200	0
1991	295,600	0	137,600	433,200	433,200	433,200	0
1990	546,906	0	267,431	814,337	814,337	814,337	0
1989	546,906	0	264,285	811,191	811,191	811,191	0
1988	501,208	0	239,115	740,323	740,323	740,323	0
1987	493,438	0	137,806	631,244	631,244	631,244	0
1986	494,462	0	135,918	630,380	630,380	630,380	0
1985	485,716	0	113,265	598,981	598,981	598,981	0
1984	0	296,810	113,265	410,075	410,075	410,075	0
1983	0	296,810	56,896	353,706	353,706	353,706	0
1982	0	296,810	56,896	353,706	353,706	353,706	0

### 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
10/1/1991	1188 / 639	360,000	WD	U

This page has been visited 38,985 times.

Monroe County Property Appraiser  
 Karl D. Borglum  
 P.O. Box 1176  
 Key West, FL 33041-1176