



THE CITY OF KEY WEST

PLANNING BOARD

Staff Report

To: Chairman and Planning Board Members

Through: Taylor Brown, Planning Director

From: Ben Gagnon, Planner II

Meeting Date: May 21, 2026

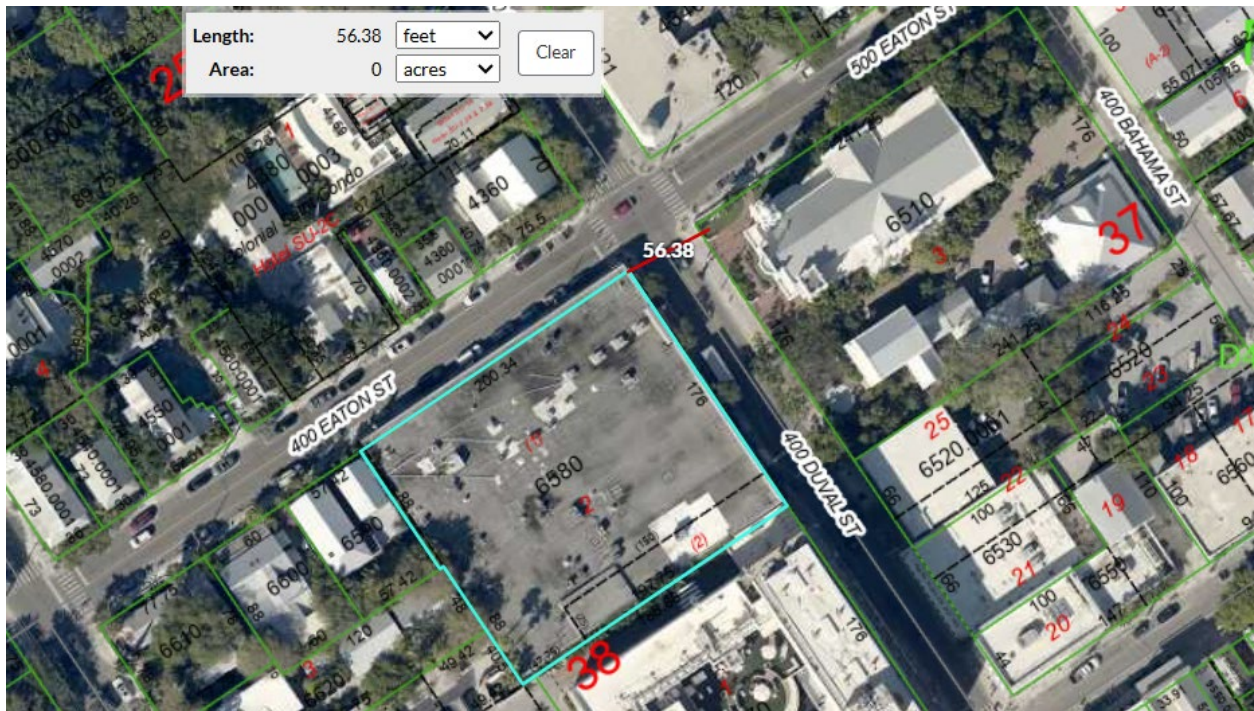
Application: **Alcohol Sales Special Exception – 418 Eaton Street (RE# 00006580-000000)** - A request for a special exception to allow the sale of alcohol in conjunction with a proposed café (restaurant) use at a property located in the Historic Residential Commercial Core-1 (HRCC-1) zoning district, pursuant to Section 18-28 of the Code of Ordinances of the City of Key West, Florida.

Request: The application is triggered by the request for the subject property at 418 Eaton Street to serve alcohol within 300' of the St. Paul's Episcopal Church which is located at 401 Duval Street.

Applicant: Sofia Hayes – Managing Member. Follow the Rabbit LLC.

Property Owner: 400 Duval Retail LLC

Zoning: Historic Residential Commercial Core (HRCC-1)



Background & Request

Section 18-28 of the Code of Ordinances of the City of Key West prohibits the sale of alcoholic beverages where such place of business is within 300 feet of an established church, school, cemetery, or funeral home. However, the Planning Board may grant a special exception if the criteria in City Code Section 18-28(b) (2) are met. An Alcohol Exception is granted exclusively to the applicant and is not transferable.

The current applicant has requested a special exception to obtain a 2COP alcohol license, which would allow the sale of beer and wine, once a 6001 ABT is filed and approved through the Florida Department of Business and Professional Regulation. The current multi-unit commercial property sits on a 35,032 square foot parcel in the HRCC-1 zoning district where restaurants are a permitted use and bars and lounges are a conditional use, the proposed use is as a restaurant, specifically a café where food is served and alcohol will be accessory to the permitted use. The applicant is hoping the space will be used for coffee and light bites in the morning for clients looking for a space to work and socialize. At night the space will shift for dinner with accessory alcohol sales for guests in the café.

The subject parcel is approximately 56’ from the St. Paul’s Episcopal Church at 401 Duval Street.

Process:

Planning Board Meeting:	May 21 st , 2026
Local Appeal Period:	10 Days
Planning renders to DOC for review:	Up to 45 days

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

City of Key West Code of Ordinances Section 18-28(b)(2) provides alcohol exception review criteria for the Planning Board to ensure the following: “ . . .*that the use will not detrimentally impact the public health, safety or welfare after consideration of all the following criteria:*”

A. Compatibility with surrounding existing uses;

The property is located within the Historic Residential Commercial Core – 1 Duval Street Gulfside District (HRCC-1) zoning district which incorporates the city’s intensely vibrant tourist commercial entertainment center and is characterized by specialty shops, sidewalk-oriented restaurants, lounges and bars; and transient residential accommodations. The proposed business is surrounded by other businesses that sell alcohol: The Saint Hotel, Tropic Cinema, Kojin Noodle Bar, The Flaming Bouy, and Bali Bar.

B. The extent of conflict between the proposed use and the hours of operation of the facilities described in section (a) above;

The applicant has not provided any limitations to the hours of operation of the facilities. Per Sec 18-27 of the City Code alcohol may not be sold between the hours of 4am and 7am.

C. Mitigation measures agreed to be implemented by the applicant;

Applicant has confined service area to the interior of the proposed restaurant, there is no outdoor seating proposed at this time.

D. Public input;

As of the date of this report, the Planning Department received a letter of no objection with signature from The Rector Donna S. Mote of St. Paul’s Episcopal Church. No additional letters of public support or letters of objection were received.

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;

As of the date of this report, there have been zero objections to the applicant’s request to sell alcohol at the cafe.

F. Any other factors the approving body determines relevant to the public’s health, safety, and welfare;

The applicant is aware that the granting of this approval is for alcohol to guests only.

City of Key West Code of Ordinances Section 18-28

18-28(c) states, “Any special exception granted hereunder may be approved with conditions, which conditions shall be monitored in accordance with. 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.” In effect, conditions will be monitored through a conditional use permit as provided in Section 18-610 of City Code.

The Planning Board shall make factual findings regarding the following:

That the standards established by City Code Section 18-28(b) for special exceptions have been met by the applicant.

Per Section 18-28(e) which states “upon receipt of an application, the planning board shall hold a public hearing upon the application in accordance with the procedures cited in section 90-393 and shall render an order granting or denying such application. In granting such application the planning board must make specific findings respecting each of the matters specified in subsection (b) (2), above.”

Recommendation:

Based on the analysis above, staff finds that the application satisfies the criteria set forth in Section 18-28(b)(2) of the Code of Ordinances. The proposed use is compatible with the surrounding commercial area, is not anticipated to adversely impact nearby uses, and has received no objection from the nearby church.

Accordingly, the Planning Department recommends **APPROVAL** of the request for an Alcohol Sales Special Exception, subject to the following conditions:

General Conditions:

1. The special exception is granted exclusively to 400 Duval Retail and specifically the interior space addressed at 418 Eaton Street and shall not be transferable.
2. Alcohol service shall remain accessory to the restaurant use and shall not operate as a bar or lounge.