

**THE CITY OF KEY WEST
PLANNING BOARD
Staff Report**



To: Chair and Planning Board Members

From: Kevin Bond, AICP, LEED Green Associate, Planner II

Through: Donald Leland Craig, AICP, Planning Director

Meeting Date: March 17, 2014

Agenda Item: **Alcohol Sales Special Exception – 533 Eaton Street (RE # 00004130-000000, AK # 1004294)** – A request for special exception to the prohibition of alcoholic beverage sales within 300 feet of a church, school, cemetery or funeral home for property located within the Historic Neighborhood Commercial – Truman/Simonton (HNC-1) Zoning District pursuant to Section 18-28(b) of the Code of Ordinances of the City of Key West, Florida

Request: To grant a special exception to sell alcoholic beverages at the proposed Studios of Key West location within 300 feet of two churches and one funeral home.

Applicant: Trepanier & Associates, Inc.

Property Owner: The Studios of Key West, Inc.

Location: 533 Eaton Street (RE # 00004130-000000, AK # 1004294)

Zoning: Historic Neighborhood Commercial – Truman/Simonton (HNC-1)

Background and 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.

The property is the planned new home of the Studios of Key West, a professional non-profit arts and cultural organization. The applicant has requested a special exception in order to obtain an 11PA Performing Arts Center alcohol license from the State of Florida, which would allow beer, wine and liquor consumption on premises only in conjunction with an artistic, educational, cultural, promotional, civic or charitable event, except as part of food and beverage service for banquets or receptions. Concurrent with this request, the Studios of Key West also applied for a

major development plan / conditional use, height variance for a new roof terrace and an easement to maintain existing roof overhangs. Those applications are being reviewed separately.

The property, which is located at the western corner of Eaton and Simonton Streets, is within 300 feet of the following:

Churches:

- Key West United Methodist Church, 600 Eaton Street
- St. Paul's Episcopal Church, 401 Duval Street

Schools: None.

Funeral homes:

- Dean-Lopez Funeral Home, 418 Simonton Street

Cemeteries: None.



Process:

Development Review Committee: January 23, 2014

Planning Board Meeting: March 13, 2014

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

(a) Pursuant to Section 18-28 of the City 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;

All surrounding properties are located within the HNC-1 Zoning District. Surrounding uses include residential, retail, office, transient residential uses, church and surface parking. Zoning districts within 300 feet of the property are HNC-1, Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1) and Historic Medium Density Residential (HMDR). Uses within 300 feet of the property include single-family residential, multifamily residential, retail, office, restaurant, parking lot, hotel, church, funeral home, federal government and vacant land.

The property is located one block east of Duval Street within the HNC-1 Zoning District, which allows cultural and civic activities as a conditional use. The proposed conditional use was reviewed separately and staff recommended approval with conditions. Staff was unable to find record of a prior alcoholic beverage license at this property. Although the requested alcohol license for on-premises consumption of beer, wine and liquor during events would be a first on the property, such use would not necessarily be incompatible with the surrounding existing uses.

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 application, alcohol sales would be accessory to the principal uses of the property, and the Studios of Key West operates between the hours of 9:00 AM

and 11:00 PM. City Code Section 18-27(a) prohibits alcoholic beverages from being sold, served or consumed within the city limits between the hours of 4:00 AM and 7:00 AM.

Based on the proposed use, typical church and funeral service times and the City's restriction on hours of alcohol sales, there may be some overlaps between when alcohol sales and churches or funeral services would occur. However, all alcohol consumption would have to occur indoors for the 11PA-type license and the applicant is not proposing to sell any alcohol for off-premises consumption. Thus, there is not anticipated to be any conflict.

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

No mitigation measures are proposed.

D. Public input;

To date, the Planning Department has not received any public input regarding the application.

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;

The Planning Department has not yet received any public input indicating that there are objections by the noticed property owners.

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

According to City Code Section 18-28(c), special exceptions granted for alcoholic beverage sales within 300 feet of churches, schools, cemeteries or funeral homes may be approved with conditions, which conditions shall be monitored through a conditional approval permit in accordance with City Code Section 18-610. Should the Planning Board approve the special exception request, City Code 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, these operational controls would be embedded as conditions of approval. However, based on public input at the public hearing, additional conditions may be necessary to ensure continued neighborhood compatibility.

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.

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

RECOMMENDATION:

Based on the criteria established by the Comprehensive Plan and the City Code, the Planning Department recommends the request for alcohol sales special exception be **APPROVED** with the following conditions:

1. The special exception is granted exclusively to The Studios of Key West, Inc., and shall not be transferable.
2. The special exception shall only be effective in conjunction with an 11PA Performing Arts Center alcoholic beverage license from the State of Florida.

Draft Resolution

**PLANNING BOARD
RESOLUTION NO. 2014-**

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD GRANTING WITH CONDITIONS A SPECIAL EXCEPTION TO THE STUDIOS OF KEY WEST, INC. ALLOWING FOR THE ON-PREMISES SALE OF ALCOHOLIC BEVERAGES TO OCCUR WITHIN 300 FEET OF CHURCHES AND A FUNERAL HOME FOR PROPERTY LOCATED WITHIN THE HISTORIC NEIGHBORHOOD COMMERCIAL – TRUMAN/SIMONTON (HNC-1) ZONING DISTRICT AT 533 EATON STREET (RE # 00004130-000000, AK # 1004294) PURSUANT TO SECTION 18-28(B) OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 18-28(a) of the Code of Ordinances of the City of Key West, Florida 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, City Code 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;
- D. Public input;

_____ Chairman

_____ Planning Director

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 for an 11PA license to sell alcoholic beverages within 300 feet of two established churches and one funeral home, pursuant to City Code Section 18-28(b)(2); and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on March 17, 2014; 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 and established churches will be minimal; and

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

_____ Chairman

_____ Planning Director

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 Studios of Key West, Inc., located at 533 Eaton Street (RE # 00004130-000000, AK # 1004294), Key West, Florida with the following conditions:

1. The special exception is granted exclusively to The Studios of Key West, Inc., and shall not be transferable.
2. The special exception shall only be effective in conjunction with an 11PA Performing Arts Center alcoholic beverage license from the State of Florida.

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, 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 Code of Ordinances (including the Land Development Regulations).

_____ Chairman

_____ Planning Director

Read and passed at a dually noticed meeting held this ____ day of _____, 2014.

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

Richard Klitenick, Chairman
Key West Planning Board

Date

Attest:

Donald Leland Craig, AICP
Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date

_____ Chairman

_____ Planning Director

Application

Application



THE CITY OF KEY WEST
Planning Department

**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 533 Eaton Street, Key West, FL 33040
2. Name of Applicant Trepanier & Associates, Inc.
3. Applicant is: Owner _____ Authorized Representative X
(please see the attached Verification & Authorization Forms)
4. Address of Applicant 402 Appelrouth Lane, P.O. Box 2155
Key West, Fl 33045-2155
5. Phone # of Applicant 305-293-8983 Mobile# _____ Fax# 305-293-8748
6. **E-Mail Address** patrick@owentrepanier.com
7. Name of Owner, if different than above The Studios of Key West, Inc., a
Florida Non-profit Corporation, C/o
8. Address of Owner 600 White St. Mr. Jed Dodds, Executive Director
KW, FL 33040
9. Phone Number of Owner 305-393-5920 Fax# _____
10. Email Address jed@tskw.org
11. Zoning District of Parcel HNC-1 RE# 00004130-000000
12. Description of Use and Exception Requested

The Studios of Key West seeks a special exception to Sec. 18-28(a), pursuant to 18-28(b). The Studios proposes to sell alcoholic beverages accessory to principal activities such as exhibitions, lectures, concerts, and performances.

The Studios' proposed new location, 533 Eaton Street, is located within 300ft of the following grounds:

Old Stone Methodist Church, 600 Eaton Street
Saint Paul's Episcopal Church, 401 Duval Street
Dean-Lopez Funeral Home, 418 Simonton Street

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:
Larger-scale cultural, civic, recreational, social, and worship activities are commonplace within the immediate vicinity, many of which use alcohol in an accessory capacity to their principal uses.
14. Demonstrate the extent of conflict between the proposed use and the hours of operation of the facilities:
Alcohol sales will be accessory to specific principal uses as described in section 12 above. The Studios operate between the hours of 9a.m. and 11p.m.
15. What are the mitigative measures proposed to be implemented by the applicant:
No negative impacts have been identified that necessitate mitigation.

Verification

City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an entity)


I, Owen Trepanier, in my capacity as President
(print name) *(print position; president, managing member)*

of Trepanier & Associates, Inc.
(print name of entity serving as Authorized Representative)

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:

533 Eaton Street
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.

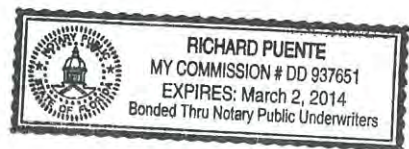
, President - Trepanier & Associates, Inc.
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this Jan 2, 2014 by
date
Trepanier & Associates, Inc.
Name of Authorized Representative

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


Notary's Signature and Seal

Richard Puente
Name of Acknowledger typed, printed or stamped



DD 937651
Commission Number, if any

Authorization

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, JOHN E. DODDS as
Please Print Name of person with authority to execute documents on behalf of entity

EXECUTIVE DIRECTOR of THE STUDIOS OF KEY WEST
Name of office (President, Managing Member) *Name of owner from deed*

authorize Trepanier and Associates, INC.
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 Jan 2, 2014 by
date

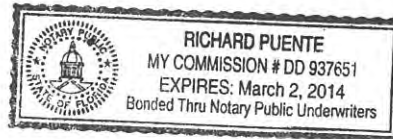
Mr. John E. DODDS
Name of Authorized Representative

D 320 - 465 - 68 - 366 - 0

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

[Signature]
Notary's Signature and Seal

Richard Puente
Name of Acknowledger typed, printed or stamped



DD 937651
Commission Number, if any

Deed

Prepared by and return to:
Gregory D. Davila, Esq.
Law Office of Gregory D. Davila, P.A.
1111 12th Street Suite 310
Key West, FL 33040

Doc# 1956079 10/31/2013 4:14PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

File Number: 13-00595

10/31/2013 4:14PM
DEED DOC STAMP CL: Krys \$15,400.00

Consideration: \$2,200,000.00

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 31st day of October, 2013 between **Scottish Rite Temple Association of Key West, Florida, Inc., a Florida non-profit corporation** whose post office address is **PO Box 1247, Key West, FL 33041**, grantor, and **The Studios of Key West, Inc., a Florida non-profit corporation** whose post office address is **600 White Street, Key West, FL 33040**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

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:

That certain parcel of land lying and being in the County of Monroe and the State of Florida. more particularly described as follows:

On the Island of Key West and known on William A. Whitehead's map of said Island delineated in February A.D. 1829. as a part of lot One (1) in Square Twenty-Four (24). commencing at the corner of Simonton and Eaton Streets and running thence along Eaton Street in a southwesterly direction Ninety-six (96) feet thence at right angles in a Northwesterly direction Fifty (50) feet; thence at right angles in a Northeasterly direction Ninety-Six(96) feet to Simonton Street; thence at right angles in a Southeasterly direction and along Simonton Street Fifty (50) feet to the place of beginning.

and

COMMENCING at the Northwest corner of Simonton and Eaton Streets, run in a Northwesterly direction along the Westerly right of way line of Simonton Street for a distance of Fifty (50) feet to a Point of Beginning; thence continue in a Northwesterly direction along said Westerly right of way line of Simonton Street for a distance of Eight (8) feet; thence at right angles in a Southwesterly direction for a distance of Fifty (50) feet; thence at right angles in a Southeasterly direction for a distance of Eight (8) feet; thence at right angles in a Northeasterly direction for a distance of Fifty (50) feet back to the Point of Beginning.

Parcel Identification Number: 00004130-000000

Subject to taxes for 2013 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2012**.

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:

Scottish Rite Temple Association of Key West, Florida, Inc.,
a Florida non-profit corporation

By: Michael Maribona
Michael Maribona, Director

Gregory D. Davila
Witness Name: Gregory D. Davila

Charles Whatts
Witness Name: Charles Whatts

(Corporate Seal)

State of Florida
County of Monroe

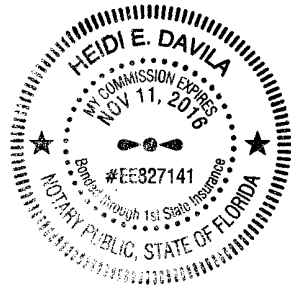
The foregoing instrument was subscribed, sworn to and acknowledged before me this ~~31st~~^{30th} day of October, 2013 by Michael Maribona, Director of Scottish Rite Temple Association of Key West, Florida, Inc., a Florida non-profit corporation, on behalf of the corporation. He/she is personally known to me or has produced a driver's license as identification.

[Notary Seal]

Heidi E. Davila
Notary Public

Printed Name: HEIDI E. DAVILA

My Commission Expires: Nov 11, 2016



Doc# 1956079
Bk# 2656 Pg# 2006

MONROE COUNTY
OFFICIAL RECORDS

Additional Information

Detail by Entity Name

Florida Non Profit Corporation

THE STUDIOS OF KEY WEST, INC.

Filing Information

Document Number	N06000006886
FEI/EIN Number	205116495
Date Filed	06/26/2006
State	FL
Status	ACTIVE
Last Event	CANCEL ADM DISS/REV
Event Date Filed	10/06/2009
Event Effective Date	NONE

Principal Address

600 WHITE STREET
KEY WEST, FL 33040

Changed: 01/17/2007

Mailing Address

600 WHITE STREET
KEY WEST, FL 33040

Changed: 01/17/2007

Registered Agent Name & Address

DODDS, JED
600 WHITE STREET
KEY WEST, FL 33040

Name Changed: 06/11/2013

Officer/Director Detail

Name & Address

Title ST

MCMANNIS, SANDRA

Title T

TROXEL, FRED
P.O BOX 430180
BIG PINE KEY, FL 33043

Title VP

SHELBY, KERRY
1611 VON PHISTER STREET
KEY WEST, FL 33040

Title P

WARE, ROSI
1400 OLIVIA STREET
KEY WEST, FL 33040

Annual Reports

Report Year	Filed Date
2011	01/26/2011
2012	02/08/2012
2013	04/21/2013

Document Images[04/21/2013 -- ANNUAL REPORT](#)

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[01/26/2011 -- ANNUAL REPORT](#)

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[01/07/2010 -- ANNUAL REPORT](#)

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[10/06/2009 -- REINSTATEMENT](#)

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[02/11/2008 -- ANNUAL REPORT](#)

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[01/17/2007 -- ANNUAL REPORT](#)

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[06/26/2006 -- Domestic Non-Profit](#)

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Detail by Entity Name

Florida Profit Corporation

OWEN TREPANIER & ASSOCIATES, INC.

Filing Information

Document Number P04000126065
FEI/EIN Number 432060722
Date Filed 08/30/2004
State FL
Status ACTIVE

Principal Address

402 APPELROUTH LANE
 KEY WEST, FL 33040

Changed: 04/29/2010

Mailing Address

P.O. BOX 2155
 KEY WEST, FL 33045

Changed: 04/27/2005

Registered Agent Name & Address

PUENTE, RICHARD MR.
 1024 THOMAS STREET
 KEY WEST, FL 33040

Name Changed: 04/23/2012

Address Changed: 04/29/2010

Officer/Director Detail

Name & Address

Title PRES

TREPANIER, OWEN JMR.
 1024 THOMAS STREET
 KEY WEST, FL 33040

Title VP

PUENTE, RICHARD MR.
 1024 THOMAS STREET
 KEY WEST, FL 33040

Annual Reports

Report Year	Filed Date
2011	04/27/2011
2012	04/23/2012
2013	04/29/2013

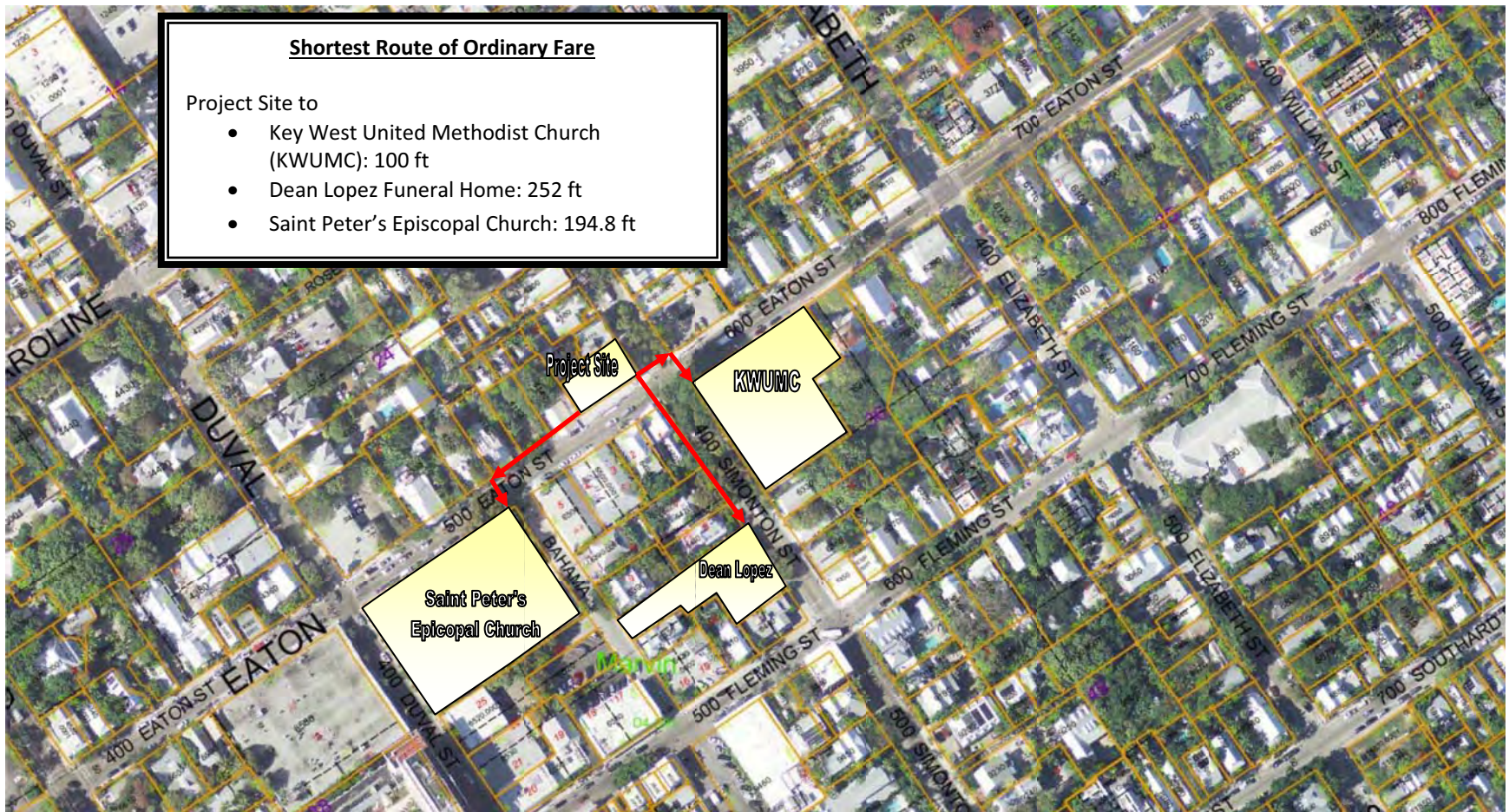
Document Images

04/29/2013 -- ANNUAL REPORT	View image in PDF format
04/23/2012 -- ANNUAL REPORT	View image in PDF format
04/27/2011 -- ANNUAL REPORT	View image in PDF format
04/29/2010 -- ANNUAL REPORT	View image in PDF format
04/28/2009 -- ANNUAL REPORT	View image in PDF format
04/29/2008 -- ANNUAL REPORT	View image in PDF format
04/26/2007 -- ANNUAL REPORT	View image in PDF format
04/27/2006 -- ANNUAL REPORT	View image in PDF format

Shortest Route of Ordinary Fare

Project Site to

- Key West United Methodist Church (KWUMC): 100 ft
- Dean Lopez Funeral Home: 252 ft
- Saint Peter's Episcopal Church: 194.8 ft



DRC
Minutes & Comments

Minutes of the Development Review Committee

Approved February 27, 2014

KEYS ENERGY:

No objections.

4. **Alcohol Sales Special Exception – 533 Eaton Street (RE # 00004130-000000; AK # 1004294)**
– A request for special exception to the prohibition of alcoholic beverage sales within 300 feet of a church, school, cemetery or funeral home for property located within the Historic Neighborhood Commercial – Truman/Simonton (HNC-1) Zoning District pursuant to Section 18-28(b) of the Code of Ordinances of the City of Key West, Florida.

Mr. Bond gave members an overview of the alcohol sales special exception request.

The applicant, Owen Trepanier, Trepanier & Associates and the Architect, Michael Miller gave members an overview of the variance request.

DRC Member Comments:

ART IN PUBLIC PLACES:

No comments.

URBAN FORESTRY MANAGER:

No comments.

POLICE DEPARTMENT:

No comments.

HARC PLANNER:

No comments.

PLANNING DIRECTOR:

No comments.

ENGINEERING:

No comments.

FIRE DEPARTMENT:

No comments.

BUILDING OFFICIAL:

No comments.

SUSTAINABILITY COORDINATOR:

No comments.

KEYS ENERGY:

No objections.

Public Notices
(radius map & mailing list)

Public Meeting Notice

The Key West Planning Board will hold a public hearing **at 6:00 p.m., March 6, 2014 at Old City Hall, 510 Greene Street**, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

Major Development Plan, Conditional Use, Landscape Waiver, & Alcohol Sales Special Exception – 533 Eaton Street (RE# 00004130-000000; AK# 1004294) – Requests for a major development plan, conditional use, and a waiver to landscape requirements, as part of the adaptive reuse of a former Scottish Rite Masonic club/lodge into new art studio classrooms, offices and exhibition space, and a special exception to the prohibition of alcoholic beverage sales within 300 feet of a church, school, cemetery or funeral home for property located within the HNC-1 Zoning District per Section 108-91.A.2, 108-517, 122-62, 122-808, and 18-28(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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 www.keywestcity.com.

THIS NOTICE CAN NOT BE REMOVED FROM THE SITE UNTIL AFTER PLANNING BOARD DETERMINATION

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

Request: **Major Development Plan, Conditional Use, Landscape Waiver, & Alcohol Sales Special Exception – 533 Eaton Street (RE# 00004130-000000; AK# 1004294)** – Requests for a major development plan, conditional use, and a waiver to landscape requirements, as part of the adaptive reuse of a former Scottish Rite Masonic club/lodge into new art studio classrooms, offices and exhibition space, and a special exception to the prohibition of alcoholic beverage sales within 300 feet of a church, school, cemetery or funeral home for property located within the HNC-1 Zoning District per Section 108-91.A.2, 108-517, 122-62, 122-808, and 18-28(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Applicant: **Trepanier & Associates, Inc.** **Owner: The Studios of Key West**

Project Location: **Major Development Plan, Conditional Use, Landscape Waiver, & Alcohol Sales Special Exception – 533 Eaton Street (RE# 00004130-000000; AK# 1004294)**

Date of Hearing: **Thursday, March 13, 2014** **Time of Hearing: 6:00 PM**

Location of Hearing: Old City Hall, 510 Greene, City Commission Chambers

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. Packets can be viewed online, the week of the meeting, at www.keywestcity.com. Click on City Board & Committee Agendas. 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.

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email to Stacy L. Gibson at sgibson@keywestcity.com.

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.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

Request: **Major Development Plan, Conditional Use, Landscape Waiver, & Alcohol Sales Special Exception – 533 Eaton Street (RE# 00004130-000000; AK# 1004294)** – Requests for a major development plan, conditional use, and a waiver to landscape requirements, as part of the adaptive reuse of a former Scottish Rite Masonic club/lodge into new art studio classrooms, offices and exhibition space, and a special exception to the prohibition of alcoholic beverage sales within 300 feet of a church, school, cemetery or funeral home for property located within the HNC-1 Zoning District per Section 108-91.A.2, 108-517, 122-62, 122-808, and 18-28(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Applicant: **Trepanier & Associates, Inc.** **Owner: The Studios of Key West**

Project Location: **Major Development Plan, Conditional Use, Landscape Waiver, & Alcohol Sales Special Exception – 533 Eaton Street (RE# 00004130-000000; AK# 1004294)**

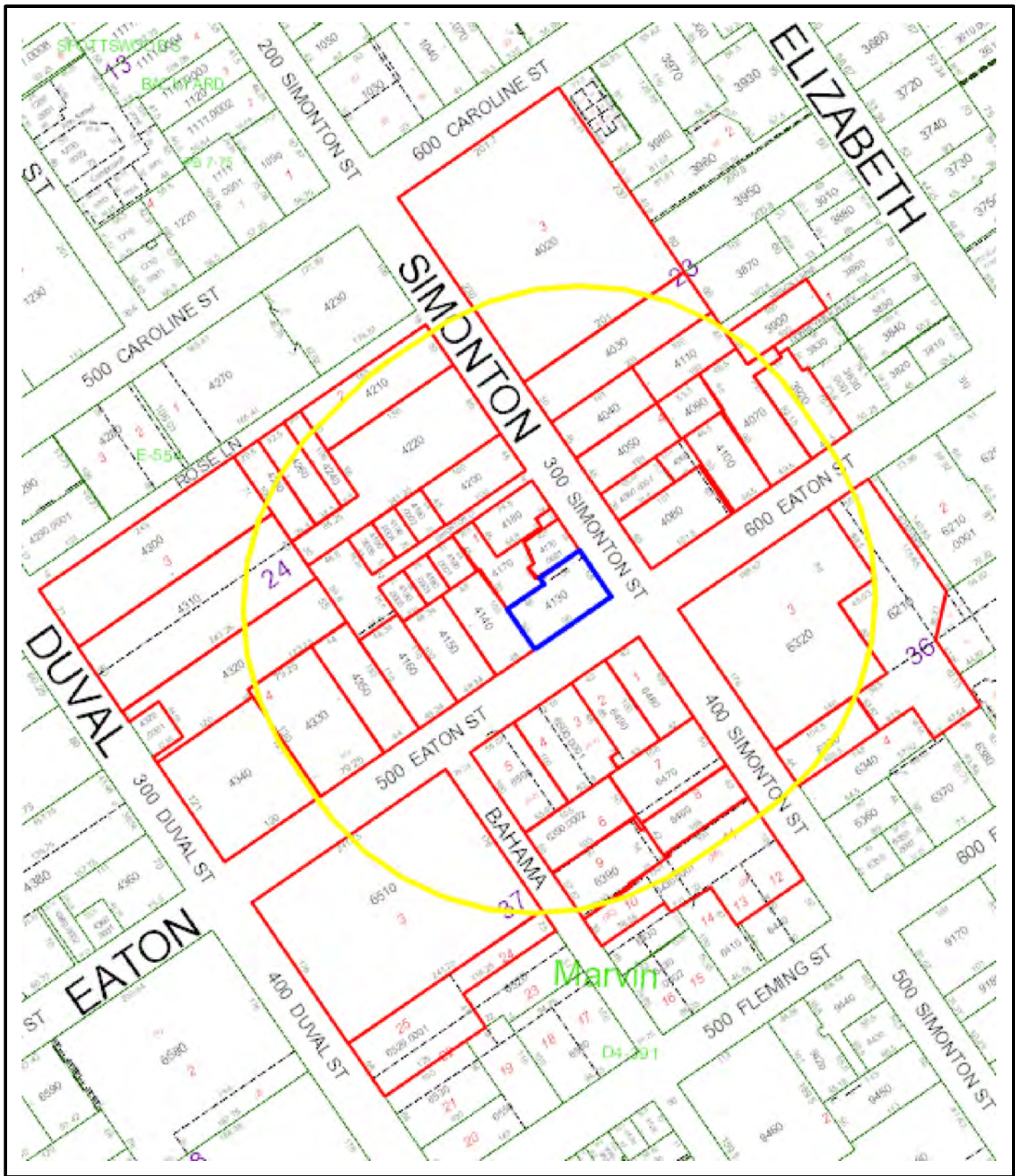
Date of Hearing: **Thursday, March 13, 2014** **Time of Hearing: 6:00 PM**

Location of Hearing: Old City Hall, 510 Greene, City Commission Chambers

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. Packets can be viewed online, the week of the meeting, at www.keywestcity.com. Click on City Board & Committee Agendas. 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.

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Monroe County, Florida

Printed: Feb 28, 2014

533 Eaton



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.



NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
DADE LODGE NO 14 FREE AND ACCEPTED MASONS	PO BOX 608		KEY WEST	FL	33041-0608	
DELAUNE ROBERT L	520 WILLIAM ST		KEY WEST	FL	33040-6856	
CONCH SHELL PROPERTIES INC	905 VONPHISTER ST		KEY WEST	FL	33040-4747	
PILOT HOUSE LLC	414 SIMONTON ST		KEY WEST	FL	33040-6815	
BAHAMA 415 LLC	2919 26TH ST W		BRADENTON	FL	34205-3737	
YATES DONALD AND KATHRYN	611 EATON ST		KEY WEST	FL	33040-6802	
SIMONTON COURT MANAGEMENT CO	324 SIMONTON ST		KEY WEST	FL	33040-6869	
COOPER LAND TRUST 12/26/1990	7705 NW 48TH ST STE 110		DORAL	FL	33166-5454	
WEAVER W TIMOTHY	526 ROSE LN		KEY WEST	FL	33040-6810	
MOLONEY SUE CLAY	PO BOX 50		KEY WEST	FL	33041-0050	
BCP LLC	1409 SUN TER		KEY WEST	FL	33040-4081	
WONG SONG ENTERPRISES INC	PO BOX 4870		KEY WEST	FL	33041-4870	
INTER-OCEAN HOLDINGS LLC	600 FLEMING ST		KEY WEST	FL	33040-6826	
DAVIDSON JUDITH H	PO BOX 4210		KEY WEST	FL	33041-4210	
WORTH MARY ANN L/E	314 SIMONTON ST		KEY WEST	FL	33040-6813	
FAVELLI GEORGEANN MARION LIVING TRUST 1/19/06	1523 PATRICIA ST		KEY WEST	FL	33040-5034	
SBM LLC	66 WESTWIND RD		LOUISVILLE	KY	40207-1521	
FELLING MICHAEL	11199 OVERSEAS HWY		MARATHON	FL	33050-3460	
ELKINS ROBERT B AND KADY CRIST	7779 STURGEON BAY DR		HARBOR SPRING MI		49740-9649	
NILES FAMILY LIVING TRUST 10/28/2002	4768 CAPE MAY AVE		SAN DIEGO	CA	92107-2226	
KEY WEST WOMANS CLUB	319 DUVAL ST		KEY WEST	FL	33040-6687	
TEMPEL DENISON	613 EATON ST		KEY WEST	FL	33040-6802	
328 SIMONTON STREET LLC	205 ELIZABETH ST UNIT 1		KEY WEST	FL	33040-6612	
KEPHART LYNN H	414 SIMONTON ST		KEY WEST	FL	33040	
TAP ALL POTENTIAL 512-524 EATON LLC	425 CAROLINE ST		KEY WEST	FL	33040-6502	
ST PAULS CHURCH	401 DUVAL ST		KEY WEST	FL	33040-6550	
THORESEN ERLING T REVOCABLE TRUST 6/13/2013	3235 MARY ST		MIAMI	FL	33133-5234	
GRIFFINS NEST LLC	12687 SUMMERWOOD DR		FORT MYERS	FL	33908-6805	
FLORIDA KEYS FUNERAL SERVICES LLC	418 SIMONTON ST		KEY WEST	FL	33040-6815	
DAVIDSON JUDITH H	PO BOX 4210		KEY WEST	FL	33041-4210	
5 HIGGS LANE LLC	3 HIGGS LN		KEY WEST	FL	33040-6808	
CARLOUGH WILLIAM ARTHUR REV TR AGREE 9/26/2003	417 SIMONTON ST		KEY WEST	FL	33040-6814	
CORLEY LUCY CLAY MOLONEY	66 WESTWIND RD		LOUISVILLE	KY	40207	
MOLONEY SUSAN	326 SIMONTON ST		KEY WEST	FL	33040-6869	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
CARRIAGE TRADE LIVING TRUST 10/22/2009	529 EATON ST		KEY WEST	FL	33040-6801	
FAR NIENTE LLC	1920 N CLARK ST APT 17P		CHICAGO	IL	60614-5401	
RAPPAPORT ROBERT	1107 KEY PLZ PMB 330		KEY WEST	FL	33040-4086	
THE STUDIOS OF KEY WEST INC	600 WHITE ST		KEY WEST	FL	33040-7153	
WHITE J LARRY	685 E LONG LAKE RD		BLOOMFIELD HIL MI		48304-2443	
FIRST UNITED METHODIST CHURCH	PO BOX 669		KEY WEST	FL	33041-0669	
ARTIST HOUSE LLC	534 EATON ST		KEY WEST	FL	33040-6881	
333 SIMONTON ST LLC	18 ETTINGER RD		WESTON	VT	05161-6500	