



GREGORY S. OROPEZA | ADELE VIRGINIA STONES | SUSAN M. CARDENAS

July 14, 2020

VIA E-mail to: khalloran@cityofkeywest-fl.gov

Katie Halloran, Planning Director
City of Key West Planning Department
PO Box 1409
Key West, FL 33040

Re: Objection to 1218 Duval Street Variance Application (RE# 00028950-000000)

Dear Director Halloran:

This firm represents Minkids Realty, LLC, the owner of the residence located at 1224 Duval Street, and its principal, Bruce Mineroff. 1224 Duval is located on the corner of Duval and United Streets, directly adjacent to 1218 Duval for which the above-referenced variance application was filed.

Minkids Realty, LLC objects to the expansion of the consumption area at 1218 Duval and it also objects to the waiver of the required 26 off-street parking spaces. The application should be denied because it does not meet the threshold criteria for the grant of either variance. There are no special conditions or circumstances which are peculiar to 1218 Duval and/or which were not created by actions of the applicant. Requiring the applicant to abide by the provisions of the land development regulations will not result in undue hardship on the applicant.

Moreover, the expansion of the consumption area to place 8 tables with 32 seats in the front yard of 1218 Duval a few feet from our clients' property would produce noise, trash, and congestion incompatible with the residential use of our clients' property. And the placement of tables/chairs adjacent to the sidewalk would violate the purposes for which this area was designated as the Duval Street Corridor Cultural District, as well as HRCC-3 zoning district restrictions which specifically proscribe "sidewalk bars and lounges."

The waiver of all 26 required off-street parking for this expanded use would create significant parking issues on Duval Street where parking is already difficult. The two off-street parking spaces at 1218 Duval do not conform with current requirements for 4 residential units and 46 licensed seats, but even these two parking spaces were eliminated on the proposed site plan in favor of more seating. Granting the requested parking variance would violate Section 122-32 of the City Code which prohibits the increase and/or creation of any new nonconformity.

For all of the above reasons, Minkids Realty, LLC respectfully objects to the grant of either of the proposed variances for 1218 Duval Street. Thank you for your kind consideration.

Sincerely,

Susan M. Cardenas
Counsel for Minkids Realty, LLC, 1224 Duval Street, Key West, FL

c: Cheri Smith, via e-mail to: csmith@cityofkeywest-fl.gov
Daniel Sobczak, via e-mail to: daniel.sobczak@cityofkeywest-fl.gov
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Meeting: Planning Board

Date: July 16, 2020

Re: 1218 Duval Street Variance Application

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated in it are true.

Signature:



A rectangular box containing a handwritten signature in blue ink. The signature is written over a horizontal line and appears to read "Susan M. Cardenas".

Print Name: Minkids Realty, LLC by its counsel, Susan M. Cardenas

Address or Organization: Oropeza Stones & Cardenas, 221 Simonton Street

Date: 7.14.2020

Please provide this form, along with your written statement, to the City of Key West Clerk's Office by 3:00 PM of the date of the meeting. Please contact 305-809-3832 with any questions. Thank you.