509 WHITEHEAD STREET • KEY WEST, FLORIDA 33040

WAYNE LARUE SMITH, MBA. JD ALSO ADMITTED WASHINGTON, D.C.

BRETT TYLER SMITH

January 16, 2019

Joseph J. Schroeder, President 801 Bourbon, Inc. Bourbon Street Pub, Inc. 728 Duval Street Key West, FL 33040

Re:

Little Room Jazz Club

821 Duval Street

Dear Mr. Schroeder:

We just today received your letter to Patrick Wright with regard to our pending applications to be heard by the Planning Board on January 17, 2019. We absolutely welcome your suggestion of a meeting to discuss your concerns. I will make myself available at any time convenient to you. I will also address here the issues that you raise:

- 1. Little Room Jazz Club has operated with a beer and wine license since 2011. I, and my partner Denis Hyland, took over mid-2015. Thus, I can only speak with authority from August 2015 forward. The required distributive sound system, with computerized sound monitoring system and real time monitoring access, has been in place since we took over. This has been verified with each annual Code Compliance inspection since August 2015. We will, of course, continue to comply with this requirement.
- 2. Like Bourbon Street and 801, Little Room Jazz Club is within 300 feet of St. Peter's Church. The pastor of St. Peter's, on behalf of the Vestry, has written in support of our application. Indeed, when I met with Father Haughton, he not only mentioned what a good neighbor Little Room Jazz Club has been, he volunteered that he thought the same of your establishments, Bourbon Street and 801.
- 3. Our application is limited to 821 Duval Street, and the proposed resolution (if approved) limits the application to only 821 Duval Street and Little Room Jazz Club together. The approval cannot be transferred to another location or even to another tenant other than Little Room Jazz Club. 825 Duval Street, the adjacent property, is owned by a separate LLC, though I do believe you are correct that ultimately both properties are controlled by the same owner. In any event, we have no interest in operating beyond the bounds of 821 Duval Street and I believe that is spelled out in the proposed resolution.

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I would like to point out that our application does not seek to expand the consumption area, which is the same as it has been since 2011. We have invited the same noise restrictions to remain in place, namely that there is no outdoor amplified music and a noise monitoring system, neither of which are required under the City's noise ordinance. Since August 2015, we have not had any noise complaints from anyone. Since the operation of the club will not change, except to add spirits to the menu, we do not believe that there will be any change to noise, congestion or other impacts. Nonetheless, as it is very important that we observe the good neighbor policy at all times, and not just in connection with this application, I welcome a meeting with you and any other concerned parties. We are proud to be in the neighborhood, as we are proud to have your establishments as neighbors. Our section of Duval Street is lively and vibrant, without being as over-bearing as, say, the Gulf end of Duval Street. All of the area businesses, including yours and ours, benefit from the attractive offerings of all the neighborhood establishments.

Thank you for your input, and for your consideration. Again, I welcome a meeting at any time. Feel free to call my cell at (305) 923-4080.

Sincerely,

ayne LaRue Smith