



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Planning Commission

Through: Mayté Santamaria, Senior Director of Planning & Environmental Resources
Emily Schemper, Assistant Director of Planning & Environmental Resources

From: Martine Vray, Principal Planner

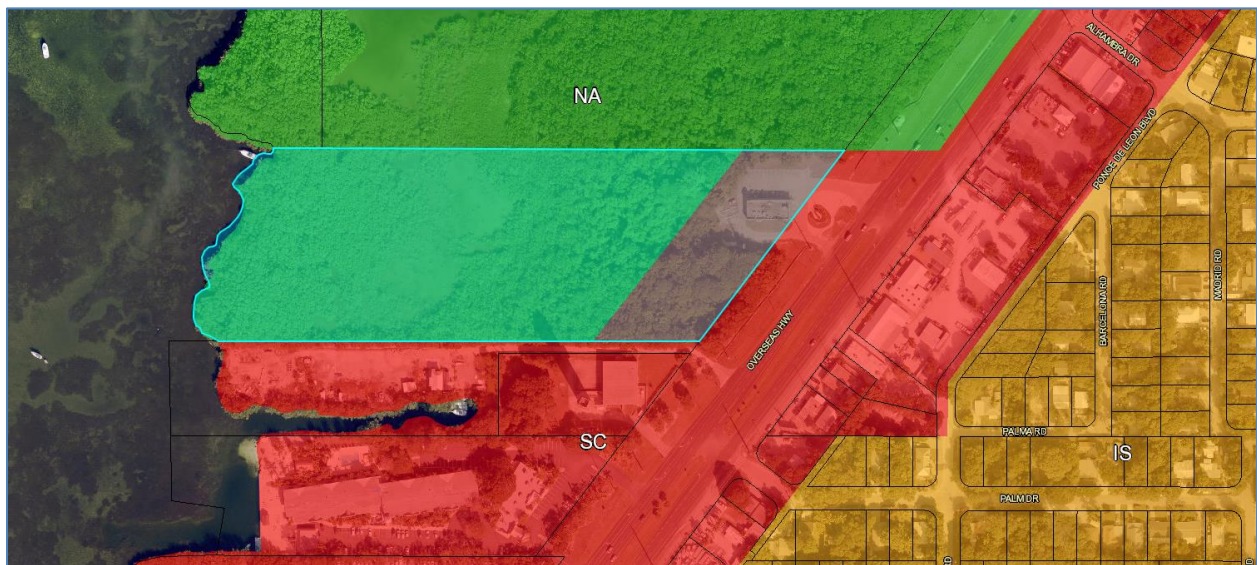
Date: December 11, 2017

Subject: **Alfredo's Kountry Kitchen DBA Alfredo's Cookhouse, 102250 Overseas Highway, Key Largo, Mile Marker 102 Bay Side:** A public hearing concerning the request for a 6COP SFS Alcoholic Beverage Use Permit, the subject property is legally described as a parcel of land in Section 22, Township 61 South, Range 39 East, Key Largo, Monroe County, Florida; having Real Estate #00086730-000000 (File #2017-122).

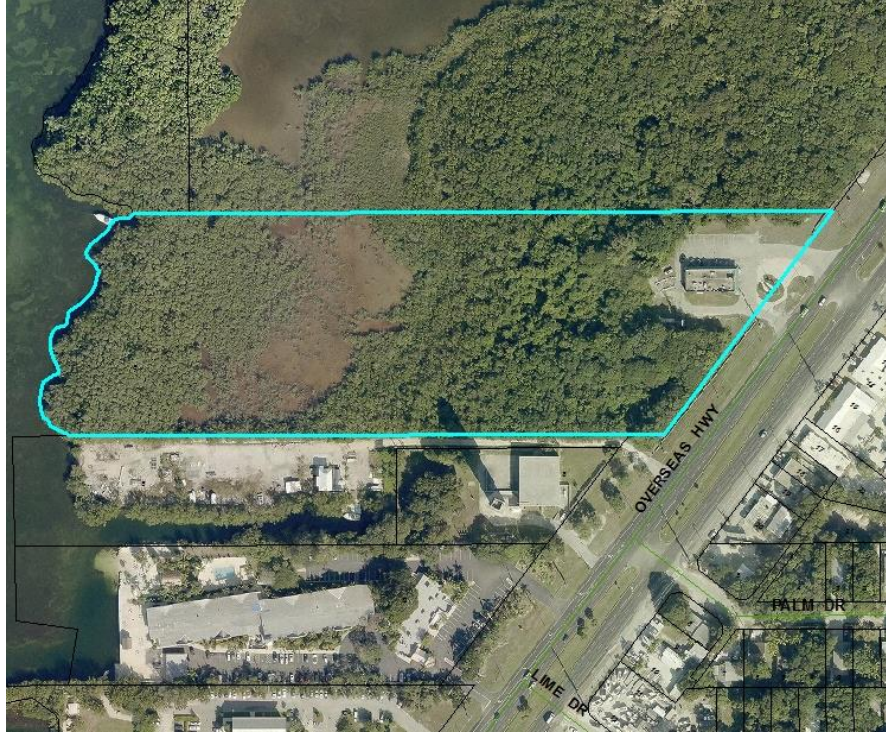
Meeting: December 20, 2017

1 **I REQUEST:**

2 The applicant, Alfredo's Cookhouse, represented by Alfredo C. Quezada, agent, requests
3 approval of a 6COP SFS Alcoholic Beverage Use Permit, which would allow for Beer, Wine,
4 and Liquor, for sale by the drink for consumption on premises only; which would allow for
5 Beer, Wine, and Liquor, for sale by the drink for consumption on premises only.
6



7 *Subject Property with Land Use Districts Overlaid (Aerial dated 2015)*



Subject Property, (Aerial dated 2015)

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2
3
4 **II BACKGROUND INFORMATION:**

5 **Size of Site:** 11.19 acres, with approximately 5.0 acres upland area – based on Monroe
6 County’s Property Record Card and GIS database. 474,368 SF (10.89 acres) – Subtotals:
7 Commercial Highway, 1.00 acre; Hardwood Hammock, 3.70 acres; Environmentally
8 Sensitive, 5.23 acres; and Transitional Lands, 0.96 acre.
9

10 **Location/Address:** 102250 Overseas Highway, Key Largo, Approximately mile marker
11 102.2 (Florida Bay Side of US 1)
12

13 **Legal Description:** The subject property is legally described as a parcel of land in Section
14 22, Township 61 South, Range 39 East, Key Largo, Monroe County, Florida; having Real
15 Estate #00086730-000000.
16

17 **Real Estate Number:** 00086730-000000
18

19 **Applicant:** Alfredo’s Kountry Kitchen DBA Alfredo’s Cookhouse
20

21 **Agent:** Alfredo C. Quezada
22

23 **Property Owner:** Herbert J. Shaw, Jr. and Diane Shaw
24

25 **Land Use District:** Suburban Commercial (SC) and Native Area (NA) (Note: the restaurant
26 is located entirely in the SC portion)
27

1 **Future Land Use Map (FLUM) Designation:** Mixed Use/Commercial (MC) and
2 Residential Conservation (RC) (Note: the restaurant is located entirely in the MC portion)

3
4 **Tier Designation:** Tier I (natural area)

5
6 **Existing Use:** Commercial Retail (Restaurant and Bar)

7
8 **Existing Vegetation/Habitat:** Area immediately surrounding restaurant is developed and
9 scarified; however, there are relatively large areas of hammock and mangroves located
10 between the restaurant and the shoreline

11
12 **Community Character of Immediate Vicinity:** Mixed uses; commercial retail, residential
13 and native areas

14
15 **Flood Zones:** X, AE-9, AE-10, AE-11, VE-13

16
17 **III RELEVANT PRIOR COUNTY ACTIONS:**

18 The building in which the restaurant is located was constructed in 1973 as a 3600 SF building
19 (40' x 90') for the former Ranch House restaurant chain, approved by Building Permit #
20 31379. The restaurant use continued to operate until 2009, at which time Building Permit #
21 10302567 was issued for interior renovations to convert the restaurant to a restaurant and bar.

22
23 Staff found a Florida Department of Business and Professional Regulation (DBPR)
24 application for a 2COP alcoholic beverage license, dated 1983, in the County's records. The
25 Assistant Building Official provided local approval for the application. Therefore, the
26 property is deemed to have had a 2COP alcoholic beverage special use permit since 1983.

27
28 On October 19, 2010, the Planning Commission adopted Resolution No. P38-10 to approve
29 the request by Dennis Duran, doing business as D-Hooker Sports Bar & Grill, for a 5-COP
30 SRX (restaurant, no package sales) Alcoholic Beverage Special Use Permit, subject to the
31 following conditions:

32
33 **IV REVIEW OF APPLICATION:**

34 Pursuant to Section 3-6(e) of the Monroe County, Florida, Code of Ordinances (the "Code"),
35 the Planning Commission shall give due consideration to the following factors as they may
36 apply to the particular application prior to rendering its decision to grant or deny the
37 requested permit:

38
39 *(1) The effect of such use upon surrounding properties and the immediate neighborhood as*
40 *represented by property owners within 500 feet of the premises. For the purposes of this*
41 *section, the term "premises" means the entire project site...:*

42
43 The subject property is within the SC District along the west side of US-1. Restaurant
44 uses are permitted in the SC District. As noted above, the property already has County
45 approval for the existing restaurant and bar use, and has previously received County
46 approval for the same type of state alcoholic beverage license. The state replaced the

1 prior 5COP SRX license with the requested 6COP SDS license, but both allow the same
2 type of on-premises beer, wine and liquor sales.
3

4 Per the Florida Department of Business & Professional Regulation online services, the
5 following table lists the current alcoholic beverage within 500 feet of the subject property
6 as of 8/28/2017.
7

8 ***Known Alcohol Beverage License Locations within 500 feet of subject site:***

Surrounding Property	Business Type	Type of Alcoholic Beverage License
The Fish House and The Fish House Encore 102401 Overseas Hwy	Restaurant	6COP
VFW (Club/Lodge)Post 10211	VFW	11C Subordinate Clubs or Lodges of National, Fraternal or Benevolent Associations
Hampton Inn	Restaurant	6COP

9
10 Staff does not have any evidence that approving this 6COP SFS, Alcoholic Beverage Use
11 Permit will adversely affect neighboring properties or existing businesses.
12

13 Please note that no members of the community, either in support or opposition to the
14 application, contacted the Planning and Environmental Resources Department as of the
15 date of this report.
16

17 **IN COMPLIANCE**

- 18
19 (2) *The suitability of the premises in regard to its location, site characteristics and intended*
20 *purpose. Lighting on the permitted premises shall be shuttered and shielded from*
21 *surrounding properties, and construction of such permitted properties will be*
22 *soundproofed. In the event music and entertainment is permitted, the premises shall be*
23 *air conditioned:*
24

25 Given the property's location within the Suburban Commercial (SC) Land Use District
26 and the prior County development approvals, the subject premises would be suitable.
27 Approval of the 6COP SFS Alcoholic beverage use permit would allow beer, wine and
28 liquor to be sold for consumption within the restaurant. The requested alcohol license is
29 consistent with these intended purposes.
30

31 There is no outdoor seating area or outdoor entertainment located on site. The applicant
32 has stated there will be no music or entertainment on the property (inside or outside). If
33 entertainment is provided, the applicant has agreed it will be located inside the air
34 conditioned building. In the future, if outdoor seating or use is proposed, it shall be
35 required to receive approval from Monroe County.
36

37 The applicant has stated no additional (exterior) lighting will be installed and is aware
38 that if additional or replacement lighting is installed, it shall be shuttered and shielded
39 from the surrounding properties as required.
40

41 **IN COMPLIANCE**

1 (3) *Access, traffic generation, road capacities, and parking requirements:*
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3 The site has sufficient and appropriate access points from US1. Prior building permit
4 records pertaining to the site have indicated a total approved enclosed floor area of 3,600
5 SF. The site parking is lawfully non-conforming with 29 parking spaces, including two
6 (2) handicap-accessible parking spaces, and a loading zone. Staff does not anticipate that
7 approval of the requested 6COP SFS alcoholic beverage use permit will significantly
8 increase traffic to or from the site.
9

10 **IN COMPLIANCE**

11
12 (4) *Demands upon utilities, community facilities and public services:*
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14 It is not anticipated that the issuance of a 6COP SFS Alcoholic Beverage Use Permit
15 would increase demands on utilities, community facilities or public services. Any such
16 demands would have been reviewed during the prior County development approvals.
17

18 **IN COMPLIANCE**

19
20 (5) *Compliance with the county's restrictions or requirements and any valid regulations:*
21

22 The site, as well as the development thereon, currently is in compliance or is lawfully
23 nonconforming with the County's restrictions, requirements and regulations. As of the
24 date of this report, there are not any open code compliance cases related to the property.
25

26 **IN COMPLIANCE**
27

28 **V RECOMMENDATION:**
29

30 Staff recommends **APPROVAL** to the Planning Commission of the requested 6COP SFS
31 Alcoholic Beverage Use Permit, with the following conditions: (however, valid objections
32 from surrounding property owners at the public hearing may lead the Planning and
33 Environmental Resources Department to reevaluate the recommendation or suggested
34 conditions):
35

- 36 1. Alcoholic Beverage Special Use Permits issued by virtue of Section 3-6 of the Monroe
37 County Code shall be deemed to be a privilege running with the land. The sale of the real
38 property which has been granted an Alcoholic Beverage Use Permit shall automatically
39 vest the purchaser thereof with all rights and obligations originally granted or imposed to
40 or on the applicant. Such privilege may not be separated from the fee simple interest in
41 the realty.
42
- 43 2. Alcohol service sales and consumption shall occur only within areas allowed for such use
44 and approved by the Monroe County Planning & Environmental Resources Department.
45 Specifically, this approval shall apply only to the interior seating area of the restaurant.
46

1 3. In the event that the holder's license by the Department of Business and Professional
2 Regulation of the State of Florida expires and lapses, this Alcoholic Beverage Special
3 Use Permit approval shall be null and void as of the date of that expiration. Additional
4 approval by the Planning Commission shall be required to renew the Alcoholic Beverage
5 Special Use Permit.
6

7 **VI ATTACHMENTS:**
8

9 Attachment 1: Monroe County Code Section 3-6, Regulation and control over sale.

