

## AGENDA

PLANNING COMMISSION  
MONROE COUNTY  
June 26, 2013  
10:00 A.M.

MARATHON GOV'T CENTER  
2798 OVERSEAS HIGHWAY  
MARATHON, FL 33050

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### COMMISSION:

Denise Werling, Chairman  
Jeb Hale  
Elizabeth Lustberg  
Ron Miller  
William Wiatt

### STAFF:

Townsley Schwab, Senior Director of Planning and Environmental Resources  
Susan Grimsley, Ass't County Attorney  
John Wolfe, Planning Commission Counsel  
Mayte Santamaria, Assistant Director of Planning and Environmental Resources  
Joe Haberman, Planning & Development Review Manager  
Mitch Harvey, Comp Plan Manager  
Rey Ortiz, Planning & Biological Plans Examiner Supervisor  
Emily Schemper, Planner  
Barbara Bauman, Planner  
Timothy Finn, Planner  
Matt Coyle, Planner  
Gail Creech, Planning Commission Coordinator

### COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

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### SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

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### SWEARING OF COUNTY STAFF

### CHANGES TO THE AGENDA

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### APPROVAL OF MINUTES

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### MEETING

New Item:

### 1. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE

SECTION 118-12(m) SHORELINE SETBACK, DOCKING FACILITIES; PROVIDING CRITERIA FOR LOCATION OF DOCKING FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

(File 2013-051)

[2013-051 SR PC 06.26.13.PDF](#)

[2013-051 Draft Ordinance.PDF](#)

2. Square Grouper Bar & Grill, 22658 Overseas Highway, Cudjoe Key, Mile Marker 22.6: A request for approval of a 6COP SRX (Restaurant -Beer, Wine and Liquor, no package sales) Alcoholic Beverage Special Use Permit. The subject property is legally described as Block 8, Lots 22 and 23, Cutthroat Harbor Estates (PB4-165), Cudjoe Key, Monroe County, Florida, having real estate number 00178500.000000.

(File 2013-066)

[2013-066 SR PC 06.26.13.PDF](#)

[2013-066 FILE.PDF](#)

[2013-066 Recvd 5.30.13 Site Plans.PDF](#)

Pursuant to Section 286.0105 Florida Statutes and Monroe County Resolution 131-1992, if a person decides to appeal any decision of the Planning Commission, he or she shall provide a transcript of the hearing before the Planning Commission, prepared by a certified court reporter at the appellant's expense. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

#### BOARD DISCUSSION

#### GROWTH MANAGEMENT COMMENTS

- Update from Mayte Santamaria on Keith & Schnars progress

#### RESOLUTIONS FOR SIGNATURE

#### ADJOURNMENT

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## MEMORANDUM

### MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Planning Commission

Through: Townsley Schwab, Senior Director of Planning & Environmental Resources

From: Michael Roberts, PWS; CEP; Sr. Administrator, Environmental Resources

Date: June 6, 2013

Subject: *AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 118-12(m) SHORELINE SETBACK, DOCKING FACILITIES; PROVIDING CRITERIA FOR SIDE SETBACKS AND THE LOCATION OF DOCKING FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.*

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**Meeting: June 26, 2013**

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1  
2 **I REQUEST**  
3

4 In response to public requests and to reduce inconsistency in the permitting process, the  
5 Monroe County Planning & Environmental Resources Department is proposing amendments  
6 to the text of §118-12(m) of the Monroe County Code. The purpose of the proposed  
7 amendment is to establish setback criteria for mooring facilities (elevator lifts, boat davits,  
8 etc.) from side property lines.  
9

10 **II RELEVANT PRIOR COUNTY ACTIONS:**  
11

12 To provide regulations regarding environmental development standards, the County amended  
13 Chapter 9.5-349 (currently MCC §118-12) through Ordinance #007-2002. This amendment  
14 included standards related to docking facilities, including setback requirements.  
15

16 During a regularly scheduled meeting held on May 28, 2013, the Monroe County  
17 Development Review Committee reviewed the ordinance and recommended approval to the  
18 BOCC.  
19

20 During a regularly scheduled meeting held on June 26, 2013, the Planning Commission  
21 reviewed the ordinance and recommended approval to the BOCC.  
22  
23  
24  
25

1 III REVIEW

2  
3 With increasing demand for boat lifts, davits and other means for securing vessels to existing  
4 docks, the Planning & Environmental Resources Department has been made aware of  
5 conflicts arising from the use of these structures, most notably the encroachment of vessels  
6 over side property lines and increased conflicts with navigational access to existing docks. In  
7 addition to concerns related to navigational safety and access, the sideyard setbacks required  
8 by Section 118-12(i)<sup>1</sup> have not been consistently applied in the permitting process. The  
9 amended text is proposed in order to address the aforementioned conflicts and to provide  
10 consistency in the permit review process. In an effort to evaluate optional setback criteria,  
11 staff reviewed the dock related Codes of nearby coastal communities (see Attachment 1,  
12 comparison table). The setbacks found in these Codes ranged between 7.5 feet and 25 feet.  
13 Staff has recommended 7.5 feet for the side setback. This recommendation is the midrange  
14 value of the typical side yard setback requirement within Section 130-186, is generally  
15 consistent with our average parcel size and is comparable with the standards of nearby  
16 coastal communities.

17  
18 During the Development Review Committee meeting on May 28, 2013, members of the  
19 construction industry and the public provided input regarding the proposed setback criteria.  
20 The contractors present at the meeting, expressed concern with establishing setbacks more  
21 restrictive than current code (for example: for IS lots is 10 feet on one side and 5 feet on the  
22 other) and recommended that the amendment be revised to only require that moored vessels  
23 could not extend beyond the property lines. Planning & Environmental Resources staff  
24 clarified that simply requiring that moored vessels could not extend beyond the property lines  
25 would not be sufficient. Staff pointed out that establishing a specific requirement for the  
26 permitting of docking and mooring facilities was a more appropriate action, as this would  
27 provide meaningful and predictable standards in permitting for staff and the public.  
28 Additionally, the proposed requirement provides a more efficient application of available  
29 manpower, in particular that Code Compliance does not have the resources to monitor  
30 possible encroachment of vessels over a property line.

31  
32 Therefore, staff recommends the following changes (Deletions are ~~stricken through~~ and  
33 additions are underlined. Text to remain the same is in black):

34  
35 **Section 1.** Section 118-12(m) of the Monroe County Code shall be amended as follows  
36 (deletions are ~~stricken through~~ and additions are underlined):

37  
38 (m) *Docking facilities.* Docking facilities shall be permitted, provided that:

- 39  
40 1) *Permit.* All required permits from the Florida Department of Environmental  
41 Protection and Army Corps of Engineers shall be obtained prior to issuance of a  
42 county permit~~Notice to Proceed~~.

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<sup>1</sup> 118-12(i) Applicability of side yard setbacks. Side yard setbacks shall be maintained for all structures in the shoreline setback except for docks, seawalls, fences, and retaining walls.

1  
2 2) *Width.* Docks shall not exceed ten percent of the width of the waterbody as  
3 measured laterally across the waterbody from the point of mean low water of the  
4 proposed location of placement to the opposing point of mean low water.  
5

6 3) *Setback Requirement.* Notwithstanding the provisions of 118-12(i), mooring  
7 *pilings, boat davits, lifts and other appurtenances for securing vessels to a dock,*  
8 *not including cleats, shall have a side setback requirement of 7.5 feet as measured*  
9 *from the property line (including the property line as extended into the water). No*  
10 *vessel shall be moored or docked or otherwise secured to a mooring facility in*  
11 *such a way that the vessel extends beyond the property lines (including the*  
12 *property line as extended into the water).*  
13

14 ~~3)4) *Navigable portion.*~~ No dock together with a moored vessel shall preempt more  
15 than 25 percent of the navigable portion of a manmade waterbody. To reduce  
16 navigational hazards, no 4-post or pile supported lifts shall be permitted on parcels  
17 located at the terminal (landward) end of a residential canal that is less than 50 feet  
18 wide.  
19

20 4)5) *Adjacent parcel.* Notwithstanding the provisions of the definitions of "accessory  
21 use or accessory structure" and "adjacent parcel" in section 101-1, docks or  
22 docking facilities may be constructed on adjacent parcels under the same  
23 ownership and within the same land use (zoning) district, provided that a legally  
24 established principal use and/or structure exists on one parcel. In the event that  
25 ownership of the adjacent parcel containing such an accessory dock is severed  
26 from the parcel containing the principal use/structure, the dock and any other  
27 improvements must be removed and the shoreline restored unless the new owner  
28 can also come into compliance with the adjacency requirements of this section.  
29

30 Utilities may be permitted for docks or docking facilities located on such adjacent  
31 parcels, however limited in the following manner:  
32

- 33 a. The principal use served by the accessory dock or docking facility shall be  
34 a single-family residence or two-family residence (duplex).  
35 b. Electrical service shall be limited to 30 amperes service with a maximum  
36 of two circuits. Electric service may be permitted for dock or docking  
37 facility use only and shall not be used to service appliances such as, but  
38 not limited to, bait boxes or freezers.  
39 c. Water service shall be limited to a 5/8 inch meter with back-flow  
40 preventer which shall provide service to a single-hose bib located at the  
41 dock or docking facility.

- d. Use of the dock or docking facility shall be restricted to occupants of the principal residential use. Use by any other persons or entities shall be expressly prohibited.
- e. Parking of motorized vehicles or trailers is prohibited.
- f. Storing of boats on a dry portion of the lot or parcel that is not considered part of a dock or docking facility is prohibited.
- g. Outdoor storage is prohibited.
- h. Live-aboard use of vessels stored at the dock or docking facility is prohibited.

5)6) *Required conditions.* Any docking facility shall meet at least one of the following conditions:

- a. At least four feet water depth at MLW at the terminal end of the docking facility, and continuous access to open water;
- b. A docking facility that extends across a full ten percent of the width of any body of water may terminate in water less than four feet at MLW if this water depth occurs within five horizontal feet of the terminal end of the docking facility such that the centerline of an average vessel will rest in water of adequate depth, and continuous access to open water is available;
- c. Docking facilities may be developed on the shoreline of lots in a subdivision that was approved before September 15, 1986, if the docking facility is located in a channel or canal that was dredged before September 15, 1986, and if there is a MLW depth of at least four feet at the terminal end of the docking facility. Such docks shall not exceed ten percent of the width of the channel or canal; or
- d. Docking facilities may be permitted which terminate over seagrass beds or hardbottom communities when the water depth at the terminal platform is at least four feet above the top of all seagrasses, corals, macro algae, sponges, or other sessile organisms at MLW and continuous access to open water is available. All such projects shall require approval by the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers prior to issuance of a county permit.

6)7) *Secure tie-down provisions.* All docks with boat lifts, davits or similar lifting mechanisms shall provide cleats, rings, or similar features that can be used to tie down the vessel when it is out of the water in order to stabilize the vessel during high winds.

7)8) *Floating dock allowance.* Any docking portions extending over water no shallower than four feet at mean low water (MLW) may be supported by floats.

1 | ~~8)9)~~ *Marginal docks*. On shorelines landward of a seawall, revetment or manmade  
2 canal or channel, a dock may run the entire length of the shoreline, parallel to the  
3 water's edge, provided that:

- 4 a. The landward edge of the dock is located entirely on the upland shoreline  
5 and no walkway is needed to provide access to the dock; and
- 6 b. All portions of the dock that extend over submerged lands are cantilever  
7 beam or pile supported.

8  
9 | ~~9)10)~~ *T-style docks*. Where a mangrove fringe or wetland vegetation exists  
10 along the shoreline, then a dock with a walkway perpendicular to the shoreline,  
11 such as a "T" or "L" dock, shall be the primary design permitted and shall be  
12 designed as follows:

- 13 a. The portion of the dock parallel to the shoreline may run the entire  
14 shoreline length of the parcel and shall not exceed five feet in width.
- 15 b. The dock and walkway shall be located so as to avoid or minimize  
16 covering wetland vegetation or mangroves.
- 17 c. The walkway connecting the dock to the shore shall not exceed four feet  
18 in width. One such walkway shall be allowed for every 100 feet of  
19 shoreline length or fraction thereof (for example, 75 feet of shoreline may  
20 have one walkway and 101 feet of shoreline may have two).
- 21 d. Where a mangrove fringe or wetland vegetation exists along the shoreline  
22 and a "T" or "L" style dock would extend over more than ten percent of  
23 the width of the waterbody, the county biologist will coordinate with and  
24 approve an alternative design which shall receive approval by the Florida  
25 Department of Environmental Protection and the U.S. Army Corps of  
26 Engineers prior to issuance of a county permit. Such alternate design shall  
27 only have the minimum deviations from this subsection to address this  
28 unique situation. If a mangrove fringe will be removed, the dock shall not  
29 extend more than 20 feet along the shoreline. On shorelines exceeding 100  
30 feet in length, one such dock shall be allowed for every 100 feet of  
31 shoreline.

32  
33 | ~~10)11)~~ *Pier type docks*. Pier type docks shall be permitted, provided that:

- 34 a. Such structures are oriented approximately perpendicular to the shoreline;
- 35 b. Such structures are located in an existing break in the mangroves or  
36 shoreline vegetation; however, if no such break exists, a walkway, no  
37 more than four feet in width, may be cut through the mangroves or  
38 shoreline vegetation;
- 39 c. Such structures are no longer than twice the linear shoreline frontage of  
40 the parcel or 100 feet, whichever is less. For purposes of this subsection  
41 (m)(10)c., dock length shall be measured from MLW out to the waterward

1 extension of the dock. A special exception may be granted by the director  
2 of planning and environmental resources to allow the minimum relaxation  
3 of this length restriction as is necessary to provide the upland owner with  
4 access to adequate water depths specified for docking facilities. Such  
5 special exceptions shall only be granted based on a written determination  
6 that, amongst other criteria, the proposed dock will not be inconsistent  
7 with community character, will not interfere with public recreational uses  
8 in or on adjacent waters, and will pose no navigational or safety hazard. At  
9 least 30 calendar days prior to the issuance of a county permit issued  
10 under such a special exception, the director of planning and environmental  
11 resources shall ensure that shoreline property owners within 300 feet of  
12 the subject parcel are notified by regular mail of the proposed special  
13 exception in order to allow an opportunity for appeal; and

- 14 d. If proposed, the terminal platform is no wider than eight feet in one  
15 dimension and does not exceed a total of 160 square feet in area. The  
16 terminal platform may include stairways for swimming access, provided  
17 that all stairways are contained within the square footage allowed for the  
18 terminal platform. The terminal platform may include a nonenclosed  
19 gazebo that does not exceed 100 square feet in area and the highest portion  
20 of the roof shall be no more than 12 feet above the decking or terminal  
21 platform level.  
22  
23

#### 24 IV RECOMMENDATION

25  
26 Staff has found that the proposed text amendment would be consistent with the Principles for  
27 Guiding Development in the Florida Keys Area of Critical State Concern, the Monroe  
28 County Comprehensive Plan and the Monroe County Code.  
29

30 Further, staff has found that the proposed text amendment would be in compliance with the  
31 provisions of §102-158(d)(5)(b): 1. Changed projections (e.g., regarding public service  
32 needs) from those on which the text or boundary was based; 2. Changed assumptions (e.g.,  
33 regarding demographic trends); 3. Data errors, including errors in mapping, vegetative types  
34 and natural features described in volume I of the plan; 4. New issues; 5. Recognition of a  
35 need for additional detail or comprehensiveness; or 6. Data updates. Specifically, the  
36 proposed text amendments are necessary due to recognition of a need for additional detail or  
37 comprehensiveness.  
38

39 Staff recommends that the Board of County Commissioners amend the Monroe County Code  
40 as stated in the text of this staff report.

## ATTACHMENT 1

SUMMARY COMPARISON OF DOCK RELATED CODES OF COASTAL COMMUNITIES		
JURISDICTION	SETBACK REQUIREMENTS	WIDTH REQUIREMENTS
Broward County	<ul style="list-style-type: none"> <li>• 10 ft. setback from any side plot line.</li> <li>• Mooring pilings are to be situated no closer than 10 ft. to any lot line of contiguous property.</li> <li>• No vessel shall be docked, moored or anchored adjacent to residential property in such a manner that it extends across the property line of contiguous property.</li> </ul>	<ul style="list-style-type: none"> <li>• No boathouse, boat slip or boat lift may extend more than 33% of the width of the waterway, or 25 ft. into the waterway, whichever is less, as measured from the recorded property line along the waterway.</li> </ul>
City of Ft. Lauderdale	<ul style="list-style-type: none"> <li>• No watercraft beyond the side setback lines.</li> </ul>	<ul style="list-style-type: none"> <li>• Mooring structures shall not extend into the waterway more than 5 ft. beyond the property line unless the waterway exceeds 50 ft. in width.</li> <li>• No dock or slip shall extend more than 10% of the width of the waterway, or a maximum of 20 ft, whichever is smaller, as measured from the property line.</li> <li>• * Mooring or dolphin piles, shall not be permitted to extend more than 30% of the width of the waterway, or 25 ft. beyond the property line, whichever is less.</li> <li>• Vessels shall not extend more than 30% of the width of the waterway, or 25 feet beyond the property line, whichever is less.</li> </ul>
City of Cape Coral	<ul style="list-style-type: none"> <li>• No part of a marine improvement which extends more than six feet into a waterway shall be located less than 12 feet from the ends of the water frontage (property) line</li> <li>• no marine vessel (or any part thereof) when secured in any way to a marine improvement shall extend beyond the ends of the water frontage of the parcel from which the marine improvement projects</li> </ul>	<ul style="list-style-type: none"> <li>• no marine improvement, including but not limited to docks, mooring posts, boat lifts, lift structures, and/or walkways, may extend more than six feet into a waterway as measured from the water frontage line</li> <li>• no part of any marine improvement, including but not limited to docks, mooring posts, boat lifts, lift structures, and/or walkways shall project into a waterway to a point more than 25% of the calculated waterway width or 30 feet, whichever is less</li> </ul>

City of Ft. Myers		<ul style="list-style-type: none"> <li>no over-water structure may extend more than 25 percent of the width of the waterway. Watercraft mooring areas that are waterward of mooring structures are included in the 25 percent calculation.</li> </ul>
Charlotte County		<ul style="list-style-type: none"> <li>structures shall not extend further seaward than the lesser of ten (10) percent of the open water span or twelve (12) feet from the mean high waterline or seawall</li> <li>No pilings or other mooring devices shall extend further seaward in a man-made canal than the lesser of twenty-five (25) percent of the width of the canal or twenty-five (25) feet</li> <li>No marine elevator and/or submergible boat lift shall extend farther seaward in a man-made canal than the lesser of twenty-five (25) percent of the width of the canal or twenty-five (25) feet. Cradle ends shall be marked so that when submerged, passing boat traffic will be able to identify their location in the water.</li> </ul>
Collier County	<ul style="list-style-type: none"> <li>All dock facilities on lots with water frontage of 60 feet or greater shall have a side setback requirement of 15 feet</li> <li>All dock facilities, except boathouses, on lots with less than 60 feet of water frontage shall have a side setback requirement of 7.5 feet</li> <li>All dock facilities, except boathouses, on lots at the end or side end of a canal or waterway shall have a side setback requirement of 7.5 feet as measured from the side lot line or riparian line, whichever is appropriate</li> </ul>	<ul style="list-style-type: none"> <li>At least 50% of the true waterway width, as depicted by the survey, is maintained for navigability.</li> <li>On manmade canals 60 feet or less in width, which are not reinforced by a vertical seawall or bulkhead, at least 33 percent of the true waterway width, as depicted by the survey, must be maintained for navigability.</li> <li>For lots on a canal or waterway that is 100 feet or greater in width, no boathouse or dock facility/boat combination shall protrude more than 20 feet into the waterway (i.e. the total protrusion of the dock facility plus the total protrusion of the moored vessel).</li> <li>For lots on a canal or waterway that is less than 100 feet in width, dock facilities may occupy no more than 25 percent of the width of the waterway or protrude greater than 20 feet into the waterway, whichever is less</li> <li>On manmade canals 60 feet or less in width, which are not reinforced by a vertical seawall or bulkhead, dock facilities may protrude up to 33 percent of the width of the waterway</li> </ul>

<p>Lee County</p>	<ul style="list-style-type: none"> <li>• All private single-family docking facilities in natural waterbodies must be set back from all adjoining side lot and side riparian lines as follows:             <ul style="list-style-type: none"> <li>a) Marginal docks—No less than 10 feet.</li> <li>b) All other docks—No less than 25 feet.</li> <li>c) Boat lifts and mooring pilings—No less than 10 feet.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• 25 percent of the navigable channel width</li> </ul>
<p>City of Sanibel</p>	<ul style="list-style-type: none"> <li>• Docks, boat davits, boat lifts, and mooring pilings shall be located to the extent possible, equidistant from the lot lines, as extended into the water, of the lot served by these structures to minimize their visual impact upon adjacent waterfront properties.</li> <li>• For docks, boat davits, boat lifts and mooring pilings that are not located equidistant from lots lines, the structures shall be set back a minimum of 1½ feet from the property lines (as extended into the water) for every one foot that the docks, boat davits, boat lifts and mooring pilings extend beyond mean high water into the waterway. In all cases, whether the structure is located equal distance or meets the setbacks in this section, no dock, boat davits, boat lifts and mooring pilings shall be located closer than 15 feet to any property line as extended into the water.</li> </ul>	<ul style="list-style-type: none"> <li>• Docks, boat davits and boat lifts shall not be extended waterward (from the approximate mean high water line) to a distance greater than is necessary to provide reasonable use of the facility.</li> <li>• No such structure (including mooring pilings) on land having navigable access to state waters shall be extended waterward more than 30 feet or 20 percent of the width of the waterway, whichever is less</li> </ul>



MONROE COUNTY, FLORIDA  
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS  
ORDINANCE NO. \_\_\_\_ - 2013

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 118-12(m) SHORELINE SETBACK, DOCKING FACILITIES; PROVIDING CRITERIA FOR SIDE SETBACKS AND THE LOCATION OF DOCKING FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, to implement adopted Comprehensive Plan policies and to provide regulations regarding environmental development standards, including standards for docking facilities, the County amended Chapter 9.5-349 (currently MCC §118-12) through Ordinance #007-2002; and

WHEREAS, Chapter 118 of the Monroe County Code governs environmental protection including shoreline setbacks and docking facilities; and

WHEREAS, Monroe County Code Sec. 118-12 (i) states "Side yard setbacks shall be maintained for all structures in the shoreline setback except for docks, seawalls, fences, and retaining walls"; and

WHEREAS, the application of Monroe County Sec.118-12(i) in the permitting process has been inconsistently applied; and

WHEREAS, there are increasing requests for docking and mooring facilities to accommodate larger vessels and a concurrent increase in navigational and riparian conflicts;

NOW, THEREFORE, BE IT ORDAINED BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS:

**Section 1.** Section 118-12(m) of the Monroe County Code shall be amended as follows (deletions are ~~stricken through~~ and additions are underlined):

(m) *Docking facilities.* Docking facilities shall be permitted, provided that:

1 1. *Permit.* All required permits from the Florida Department of Environmental  
2 Protection and Army Corps of Engineers shall be obtained prior to issuance of a  
3 ~~county permit~~Notice to Proceed.  
4

5 2. *Width.* Docks shall not exceed ten percent of the width of the waterbody as  
6 measured laterally across the waterbody from the point of mean low water of the  
7 proposed location of placement to the opposing point of mean low water.  
8

9 2.3. *Setback Requirement.* Notwithstanding the provisions of 118-12(i), mooring  
10 *pilings, boat davits, lifts and other appurtenances for securing vessels to a dock,*  
11 *not including cleats, shall have a side setback requirement of 7.5 feet as measured*  
12 *from the property line (including the property line as extended into the water). No*  
13 *vessel shall be moored or docked or otherwise secured to a mooring facility in such*  
14 *a way that the vessel extends beyond the property lines (including the property line*  
15 *as extended into the water).*  
16

17 3.4. *Navigable portion.* No dock together with a moored vessel shall preempt more  
18 than 25 percent of the navigable portion of a manmade waterbody. To reduce  
19 *navigational hazards, no 4-post or pile supported lifts shall be permitted on parcels*  
20 *located at the terminal(landward) end of a residential canal that is less than 50 feet*  
21 *wide.*  
22

23 4.5. *Adjacent parcel.* Notwithstanding the provisions of the definitions of "accessory  
24 use or accessory structure" and "adjacent parcel" in section 101-1, docks or  
25 docking facilities may be constructed on adjacent parcels under the same  
26 ownership and within the same land use (zoning) district, provided that a legally  
27 established principal use and/or structure exists on one parcel. In the event that  
28 ownership of the adjacent parcel containing such an accessory dock is severed  
29 from the parcel containing the principal use/structure, the dock and any other  
30 improvements must be removed and the shoreline restored unless the new owner  
31 can also come into compliance with the adjacency requirements of this section.  
32

33 Utilities may be permitted for docks or docking facilities located on such adjacent  
34 parcels, however limited in the following manner:  
35

- 36 a. The principal use served by the accessory dock or docking facility shall be  
37 a single-family residence or two-family residence (duplex).  
38 b. Electrical service shall be limited to 30 amperes service with a maximum  
39 of two circuits. Electric service may be permitted for dock or docking  
40 facility use only and shall not be used to service appliances such as, but  
41 not limited to, bait boxes or freezers.

- c. Water service shall be limited to a 5/8 inch meter with back-flow preventer which shall provide service to a single-hose bib located at the dock or docking facility.
- d. Use of the dock or docking facility shall be restricted to occupants of the principal residential use. Use by any other persons or entities shall be expressly prohibited.
- e. Parking of motorized vehicles or trailers is prohibited.
- f. Storing of boats on a dry portion of the lot or parcel that is not considered part of a dock or docking facility is prohibited.
- g. Outdoor storage is prohibited.
- h. Live-aboard use of vessels stored at the dock or docking facility is prohibited.

5-6. *Required conditions.* Any docking facility shall meet at least one of the following conditions:

- a. At least four feet water depth at MLW at the terminal end of the docking facility, and continuous access to open water;
- b. A docking facility that extends across a full ten percent of the width of any body of water may terminate in water less than four feet at MLW if this water depth occurs within five horizontal feet of the terminal end of the docking facility such that the centerline of an average vessel will rest in water of adequate depth, and continuous access to open water is available;
- c. Docking facilities may be developed on the shoreline of lots in a subdivision that was approved before September 15, 1986, if the docking facility is located in a channel or canal that was dredged before September 15, 1986, and if there is a MLW depth of at least four feet at the terminal end of the docking facility. Such docks shall not exceed ten percent of the width of the channel or canal; or
- d. Docking facilities may be permitted which terminate over seagrass beds or hardbottom communities when the water depth at the terminal platform is at least four feet above the top of all seagrasses, corals, macro algae, sponges, or other sessile organisms at MLW and continuous access to open water is available. All such projects shall require approval by the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers prior to issuance of a county permit.

6-7. *Secure tie-down provisions.* All docks with boat lifts, davits or similar lifting mechanisms shall provide cleats, rings, or similar features that can be used to tie down the vessel when it is out of the water in order to stabilize the vessel during high winds.

1 | 7.8.Floating dock allowance. Any docking portions extending over water no  
2 shallower than four feet at mean low water (MLW) may be supported by floats.  
3

4 | 8.9.Marginal docks. On shorelines landward of a seawall, revetment or manmade  
5 canal or channel, a dock may run the entire length of the shoreline, parallel to the  
6 water's edge, provided that:

- 7 a. The landward edge of the dock is located entirely on the upland shoreline  
8 and no walkway is needed to provide access to the dock; and
- 9 b. All portions of the dock that extend over submerged lands are cantilever  
10 beam or pile supported.

11  
12 | 9.10. T-style docks. Where a mangrove fringe or wetland vegetation exists  
13 along the shoreline, then a dock with a walkway perpendicular to the shoreline,  
14 such as a "T" or "L" dock, shall be the primary design permitted and shall be  
15 designed as follows:

- 16 a. The portion of the dock parallel to the shoreline may run the entire  
17 shoreline length of the parcel and shall not exceed five feet in width.
- 18 b. The dock and walkway shall be located so as to avoid or minimize  
19 covering wetland vegetation or mangroves.
- 20 c. The walkway connecting the dock to the shore shall not exceed four feet  
21 in width. One such walkway shall be allowed for every 100 feet of  
22 shoreline length or fraction thereof (for example, 75 feet of shoreline may  
23 have one walkway and 101 feet of shoreline may have two).
- 24 d. Where a mangrove fringe or wetland vegetation exists along the shoreline  
25 and a "T" or "L" style dock would extend over more than ten percent of  
26 the width of the waterbody, the county biologist will coordinate with and  
27 approve an alternative design which shall receive approval by the Florida  
28 Department of Environmental Protection and the U.S. Army Corps of  
29 Engineers prior to issuance of a county permit. Such alternate design shall  
30 only have the minimum deviations from this subsection to address this  
31 unique situation. If a mangrove fringe will be removed, the dock shall not  
32 extend more than 20 feet along the shoreline. On shorelines exceeding 100  
33 feet in length, one such dock shall be allowed for every 100 feet of  
34 shoreline.

35  
36 | 10.11. Pier type docks. Pier type docks shall be permitted, provided that:

- 37 a. Such structures are oriented approximately perpendicular to the shoreline;
- 38 b. Such structures are located in an existing break in the mangroves or  
39 shoreline vegetation; however, if no such break exists, a walkway, no  
40 more than four feet in width, may be cut through the mangroves or  
41 shoreline vegetation;

- c. Such structures are no longer than twice the linear shoreline frontage of the parcel or 100 feet, whichever is less. For purposes of this subsection (m)(10)c., dock length shall be measured from MLW out to the waterward extension of the dock. A special exception may be granted by the director of planning and environmental resources to allow the minimum relaxation of this length restriction as is necessary to provide the upland owner with access to adequate water depths specified for docking facilities. Such special exceptions shall only be granted based on a written determination that, amongst other criteria, the proposed dock will not be inconsistent with community character, will not interfere with public recreational uses in or on adjacent waters, and will pose no navigational or safety hazard. At least 30 calendar days prior to the issuance of a county permit issued under such a special exception, the director of planning and environmental resources shall ensure that shoreline property owners within 300 feet of the subject parcel are notified by regular mail of the proposed special exception in order to allow an opportunity for appeal; and
- d. If proposed, the terminal platform is no wider than eight feet in one dimension and does not exceed a total of 160 square feet in area. The terminal platform may include stairways for swimming access, provided that all stairways are contained within the square footage allowed for the terminal platform. The terminal platform may include a nonenclosed gazebo that does not exceed 100 square feet in area and the highest portion of the roof shall be no more than 12 feet above the decking or terminal platform level.

\* \* \* \* \*

**Section 2. Severability.**

If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

**Section 3. Conflicting Provisions.**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

**Section 4. Transmittal.**

1 This ordinance shall be transmitted to the Florida State Land Planning Agency as required by F.S.  
2 380.05 (11) and F.S. 380.0552(9).

3  
4  
5  
6 **Section 5. Filing.**

7  
8 This ordinance shall be filed in the Office of the Secretary of the State of Florida but shall not  
9 become effective until a notice is issued by the Florida State Land Planning Agency or  
10 Administration Commission approving the ordinance.

11  
12 **Section 6. Inclusion in the Monroe County Code.**

13  
14 The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances  
15 of the County of Monroe, Florida, as an addition to amendment thereto, and shall be  
16 appropriately renumbered to conform to the uniform marking system of the Code.

17  
18 **Section 7. Effective Date.**

19  
20 This ordinance shall become effective as provided by law and stated above. This ordinance  
21 applies to any applicable application submitted after the effective date.

22  
23  
24 **PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida  
25 at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2013.

26  
27 Mayor George Neugent \_\_\_\_\_  
28 Mayor *Pro Tem* Heather Carruthers \_\_\_\_\_  
29 Commissioner Danny Kolhage \_\_\_\_\_  
30 Commissioner Sylvia Murphy \_\_\_\_\_  
31 Commissioner David Rice \_\_\_\_\_  
32

33  
34 **MONROE COUNTY BOARD OF COUNTY COMMISSIONERS**

35  
36 Attest: Amy Heavilin, Clerk

37  
38  
39 By \_\_\_\_\_  
40 Deputy Clerk

By \_\_\_\_\_  
Mayor George Neugent



# MEMORANDUM

## MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Planning Commission

Through: Townsley Schwab, Senior Director of Planning & Environmental Resources

From: Timothy Finn, Planner *T.F.*

Date: June 11, 2013

Subject: *Request for a 6COP SRX (Restaurant- Beer, Wine and Liquor, no package sales) Alcoholic Beverage Special Use Permit, Square Grouper Bar & Grill, 22658 Overseas Highway, Cudjoe Key, Real Estate #00178500.000000 (File #2013-066)*

**Meeting: June 26, 2013**

### I REQUEST:

The Applicant is requesting approval of a 6COP SRX (Restaurant – Beer, Wine and Liquor, no package sales) Alcoholic Beverage Special Use Permit. The new permit would serve as an upgrade, as the property owner already has a valid 2COP (Beer and wine, on-premises and package) Alcoholic Beverage Special Use Permit.



Subject Property with Land Use Districts Overlaid (Aerial dated 2012)

1 Location:

2 Address: 22658 Overseas Highway (US 1), Cudjoe Key, mile marker 22.6 (Atlantic  
3 Ocean side of US 1)

4 Legal Description: Block 8, Lots 22 and 23, Cutthroat Harbor Estates (PB4-165)

5 Real Estate Number: 00178500.000000 (Note: the property owner also owns the  
6 contiguous parcel to the west, 00178490.000000)  
7

8 Applicant:

9 Agent: Trepanier & Associates, Inc.

10 Owner: Lynn C. Bell

11 Business: Square Grouper Bar & Grill, Inc.

12 **II RELEVANT PRIOR COUNTY ACTIONS:**

13 On February 19, 1997, the property owner was granted vested rights by the board of county  
14 commissioners, as memorialized by Resolution #070-1997.

15 On July 14, 1997, the Director of Planning approved a minor conditional use permit for a  
16 7,200 SF two-story building. The building was to include 1,200 SF of floor area for light  
17 industrial use, 3,000 SF of floor area for commercial retail use (2,000 SF of sit-down  
18 restaurant and 1,000 SF of medium intensity commercial retail) and 3,000 SF of floor area  
19 for office use. The approval was memorialized by Development Order #06-97, recorded in  
20 the official records of Monroe County on September 22, 1997 (Planning Department File  
21 #97024).

22 On January 19 2000, Building Permit #961-0950 was issued for a 7,200 SF two-story  
23 building approved by Development Order #06-97.

24 On November 14 2002, the Director of Planning and Environmental Resources approved an  
25 amendment to the minor conditional use to change the use of 1,500 SF of the 3,000 SF of  
26 floor area approved for office use by Building Permit #961-0950 to medium intensity  
27 commercial. The approval was memorialized by Development Order #09-02, recorded in the  
28 official records of Monroe County on January 3, 2003 (Planning Department File #22053).

29 On March 28, 2003, following the submittal of revisions permitted by Development Order  
30 #09-02, a certificate of occupancy was issued for the 7,200 SF building approved by Building  
31 Permit #961-0950.

32 On June 11, 2003, the planning commission approved a 2COP (Beer and wine, on-premises  
33 and package) Alcoholic Beverage Special Use Permit. The approval was memorialized by  
34 Resolution #P37-03, signed by the Chair on July 23, 2003.

35 On September 24, 2004, the Director of Planning and Environmental Resources approved an  
36 amendment to the minor conditional use for a new parking lot and a curb cut to US 1. The

1 approval was memorialized by Development Order #09-04, recorded in the official records  
2 of Monroe County on November 16, 2004 (Planning Department File #22053).

3  
4 **III BACKGROUND INFORMATION:**

- 5  
6 A. Size of Site: Approximately 25,103 SF (0.58 acres) [Note: the contiguous parcel assessed  
7 as RE #00178490.0000 is aggregated with the parcel under the conditional use permit  
8 approvals and consists of additional area, approximately 12,767 SF (0.29 acres)]  
9 B. Land Use District: Suburban Commercial (SC)  
10 C. Future Land Use Map (FLUM) Designation: Mixed Use/Commercial (MC) and  
11 Residential Low (RL)  
12 D. Tier Designation: Tier 3  
13 E. Existing Use: Office, Retail and Restaurant  
14 F. Existing Vegetation / Habitat: Scarified  
15 G. Community Character of Immediate Vicinity: Commercial retail, and single family  
16 homes  
17 H. Flood Zone: AE-EL 9 and AE-EL11

18  
19 **IV REVIEW OF APPLICATION:**

20  
21 Pursuant to MCC §3-6(e), the Planning Commission shall give due consideration to the  
22 following factors as they may apply to the particular application prior to rendering its  
23 decision to grant or deny the requested permit:

24  
25 *(1) The effect of such use upon surrounding properties and the immediate neighborhood as*  
26 *represented by property owners within 500 feet of the premises:*

27  
28 The subject property is within a SC district. Commercial retail uses, which include  
29 restaurants, are permitted. There are several other commercial retail businesses in the  
30 vicinity as well as light industrial and residential uses. Single-family residential dwelling  
31 units are located on adjacent parcels, separated from the subject property by way of La  
32 Fitte Drive.

33  
34 Other commercial businesses in the vicinity that have alcoholic beverage special use  
35 permits include:

36

Business	Business Type	Type
Venture Out Community Store (701 Spanish Main Dr.)	Retail Store	2APS Beer and wine, package only
Kickin Back Foodmart (21362 US 1)	Retail Store	2APS Beer and wine, package only
Cudjoe Gardens Marina (477 Drost Drive)	Retail Store	1APS Beer, package only

1 Staff does not have any evidence that upgrading the existing 2COP permit to a 6COP  
2 SRX alcoholic beverage special use permit will adversely affect neighboring properties  
3 or existing businesses.  
4

5 Please note that no members of the community, either in support or opposition to the  
6 application, contacted the Planning & Environmental Resources Department as of the  
7 date of this report.  
8

9 *(2) The suitability of the premises in regard to its location, site characteristics and intended  
10 purpose. Lighting on the permitted premises shall be shuttered and shielded from  
11 surrounding properties, and construction of such permitted properties will be  
12 soundproofed. In the event music and entertainment is permitted, the premises shall be  
13 air conditioned:*  
14

15 The site's location, characteristics and intended purpose are within the established  
16 parameters of the existing zoning category. A restaurant with a 6COP SRX is a viable use  
17 for the site and the surrounding area.  
18

19 All future lighting installed on the site shall be required to be shuttered and shielded from  
20 surrounding properties.  
21

22 At this time, there are no outdoor seating areas associated with the restaurant. Therefore,  
23 in the event that music and entertainment occurs, it would occur inside the building which  
24 is air conditioned.  
25

26 *(3) Access, traffic generation, road capacities, and parking requirements:*  
27

28 The building is oriented towards US 1, with one vehicular access drive to/from US 1. In  
29 addition, the site can be accessed to the rear of the property from La Fitte Drive where  
30 there are two additional vehicular access drives. Staff has determined that the site has  
31 sufficient and appropriate access points.  
32

33 The daily trips associated with the restaurant and other uses within the building were  
34 approved by the previous conditional use permit approvals. The applicant did not submit  
35 a traffic study with this application. However, based on studies generated for similar  
36 applications, staff does not anticipate that an approved 6COP SRX Alcoholic Beverage  
37 Special Use Permit will significantly increase traffic to the site and the site is already  
38 approved for commercial retail/restaurant use.  
39

40 The parking areas were designed to accommodate the existing structure and its intended  
41 use. The existing parking areas were approved, most recently by Development Order  
42 #09-04.  
43  
44  
45

1 (4) *Demands upon utilities, community facilities and public services:*

2  
3 The site has been developed with commercial retail use since 2003. The issuance of a  
4 6COP SRX alcohol beverage special use permit will increase demands on utilities,  
5 community facilities or public services.  
6

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

8  
9 As of the date of this report, the site, as well as the development thereon, is in compliance  
10 with or lawfully nonconforming to the County's restrictions, requirements and  
11 regulations. There are not any open code compliance cases related to the property.  
12

13 V RECOMMENDATION:

14  
15 Staff recommends APPROVAL to the Planning Commission for a 6COP SRX Alcoholic  
16 Beverage Special Use Permit with the following conditions (however, valid objections from  
17 surrounding property owners at the public hearing may lead the Planning and Environmental  
18 Resources Department to reevaluate the recommendation and or suggested conditions):  
19

- 20 A. Alcoholic Beverage Special Use Permits issued by virtue of the Monroe County Code  
21 shall be deemed to be a privilege running with the land. The sale of the real property  
22 which has been granted an Alcoholic Beverage Special Use Permit shall  
23 automatically vest the purchaser thereof with all rights and obligations originally  
24 granted or imposed to or on the applicant. Such privilege may not be separated from  
25 the fee simple interest in the realty.  
26
- 27 B. Alcohol service sales and consumption shall occur only within areas allowed for such  
28 use and approved by the Monroe County Planning & Environmental Resources  
29 Department.  
30
- 31 C. In the event that the holder's license by the Department of Business and Professional  
32 Regulation of the State of Florida expires and lapses, this Alcoholic Beverage Special  
33 Use Permit approval shall be null and void as of the date of that expiration.  
34 Additional approval by the Planning Commission shall be required to renew the  
35 Alcoholic Beverage Special Use Permit.

1 **Attachment: Monroe County Code Section 3-6. Alcoholic Beverages**

2  
3 (a) *Purpose and Intent:* This section is designed and intended to provide for reasonable regulation and control over  
4 the sale of alcoholic beverages within the unincorporated areas of Monroe County by establishing an alcoholic  
5 beverage use permit procedure and providing criteria to be utilized to assure that all future proliferation of alcoholic  
6 beverage use enterprises within the unincorporated areas of the county be compatible with adjoining and  
7 surrounding land uses and the county's comprehensive plan, and that alcoholic beverage use permits not be granted  
8 where such uses will have an adverse impact upon the health, safety and welfare of the citizens and residents of the  
9 county. All persons, firms, partnerships or corporations who have received approval from the zoning board or board  
10 of county commissioners under the former provisions of section 19-218 of the Monroe County Code, as same  
11 heretofore existed, shall retain all rights and privileges heretofore granted under said section.  
12

13 (b) *Permits:* After the effective date of this ordinance, all persons, firms, partnerships or corporations desiring to  
14 sell alcoholic beverages upon any premises located within the unincorporated areas of Monroe County and who  
15 desire to do so upon a premises not heretofore approved by the zoning board or board of county commissioners  
16 under the former section 19-218, shall obtain an alcoholic beverage use permit utilizing the procedure outlined in  
17 subsection (d) below.  
18

19 (c) *Classifications:* Corresponding to those alcoholic beverage license classifications as heretofore and hereafter  
20 adopted by the State of Florida, alcoholic beverage use permits hereafter issued pursuant to this ordinance shall be  
21 classified as follows:

- 22 (1) 1APS: Beer, package only;
- 23 (2) 1COP: Beer, on-premises and package;
- 24 (3) 2APS: Beer and wine, package only;
- 25 (4) 2COP: Beer and wine, on-premises and package;
- 26 (5) 6COP: Beer, wine and liquor, on-premises and package;
- 27 (6) 6COP SRX: Restaurant, no package sales;
- 28 (7) 6COP SR: Restaurant, package sale;
- 29 (8) 6COP S: Motel, package sales;
- 30 (9) 6COP SBX: Bowling, no package sales;
- 31 (10) 6COP SPX: Boat, no package sales;
- 32 (11) 3BPS: Beer, wine and liquor, package sales only;
- 33 (12) 3M: Additional license for 6COP, over three (3) bars;
- 34 (13) 12RT: Racetrack, liquor, no package sales.  
35

36 (d) *Procedure:* The following procedure shall be followed on any application for an alcoholic beverage use permit  
37 hereafter made:

- 38 (1) Applications for alcoholic beverage use permits shall be submitted to the director of planning in  
39 writing on forms provided by the director. Such applications must be signed by the owner of the real  
40 property for which the permit is requested. Lessees of the premises may apply for such permits provided  
41 that proper authorization from the owner of the premises is given and the application for permit is cosigned  
42 by such owner.
- 43 (2) Upon receipt of a properly completed and executed application for alcoholic beverage use permit  
44 stating the exact classification requested along with the necessary fee, the director of planning shall  
45 schedule a public hearing before the planning commission and shall advise the applicant of the date and  
46 place of said public hearing.
- 47 (3) Notice of the application and of the public hearing thereon shall be mailed by the director of planning  
48 to all owners of real property within a radius of five hundred (500) feet of the affected premises. In the case  
49 of a shopping center, the five hundred (500) feet shall be measured from the perimeter of the entire  
50 shopping center itself rather than from the individual unit for which approval is sought. Notice shall also be  
51 provided in a newspaper of general circulation in the manner prescribed in section 110-5.
  - 52 a. For the purposes of this ordinance, a shopping center shall mean a contiguous group of
  - 53 individual units, in any combination, devoted to commercial retail low-intensity uses, commercial
  - 54 retail medium-intensity uses, commercial retail high-intensity uses, and office uses, as those

1 phrases are defined in section 101-1, with immediate off-street parking facilities, and originally  
2 planned and developed as a single project. The shopping center's single project status shall not be  
3 affected by the nature of the ownership of any of the individual office or commercial retail units,  
4 within the shopping center.

5 (4) At the hearing before the planning commission, all persons wishing to speak for or against the  
6 application shall be heard. Recommendations or other input from the director of planning may also be  
7 heard prior to any decision by the planning commission.  
8

9 (e) *Criteria:* The planning commission shall give due consideration to the following factors as they may apply to  
10 the particular application prior to rendering its decision to grant or deny the requested permit:

11 (1) The effect of such use upon surrounding properties and the immediate neighborhood as represented by  
12 property owners within five hundred (500) feet of the premises. For the purposes of this section, "premises"  
13 shall mean the entire project site of a shopping center.

14 (2) The suitability of the premises in regard to its location, site characteristics and intended purpose.  
15 Lighting on the permitted premises shall be shuttered and shielded from surrounding properties, and  
16 construction of such permitted properties will be soundproofed. In the event music and entertainment is  
17 permitted, the premises shall be air conditioned.

18 (3) Access, traffic generation, road capacities, and parking requirements.

19 (4) Demands upon utilities, community facilities and public services.

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

22 (f) *Approval by Planning Commission:* The planning commission may grant approval based on reasonable  
23 conditions considering the criteria outlined herein.  
24

25 (g) *Where Permitted:* Alcoholic beverage use permits may be granted in the following land use districts: urban  
26 commercial; suburban commercial; suburban residential where the site abuts U.S. 1; destination resort; mixed use;  
27 industrial and maritime industries. Notwithstanding the foregoing, alcoholic beverage sales may be permitted at  
28 restaurants, hotels, marinas and campgrounds regardless of the land use district in which they are located. Nothing  
29 contained herein shall exempt an applicant from obtaining a major or minor conditional use approval when such is  
30 otherwise required by the county development regulations in part II of this Code.  
31

32 (h) *Transferability:* Alcoholic beverage use permits issued by virtue of this section shall be deemed to be a  
33 privilege running with the land. The sale of the real property which has been granted an alcoholic beverage use  
34 permit shall automatically vest the purchaser thereof with all rights and obligations originally granted or imposed to  
35 or on the applicant. Such privilege may not be separated from the fee simple interest in the realty.  
36

37 (i) *Appeals:* All persons aggrieved by the actions of the planning commission in granting or denying requested  
38 alcoholic beverage permits may request an appeal hearing before a hearing officer under chapter 102, article V1,  
39 division 2 by filing the notice required by that article within 30 days after the date of the written decision of the  
40 planning commission.  
41

42 (j) *Successive Applications:* Whenever any application for alcoholic beverage approval is denied for failure to  
43 meet the substantive requirements of this ordinance, an application for alcoholic beverage approval for all or a  
44 portion of the same property shall not be considered for a period of two (2) years unless a super-majority of the  
45 planning commission decides that the original decision was based on a material mistake of fact or that there exists  
46 changed conditions and new facts, not existing at the time of the original decision, which would justify entertaining  
47 a new application before the expiration of the two-year period. However, in the case of a shopping center, as defined  
48 in subsection (d)(3)a. of this section, this subsection shall only apply to the commercial retail unit within the  
49 shopping center for which approval was sought and not the entire shopping center site itself.  
50  
51  
52  
53

**Item # 2 Square Grouper-Alcoholic Beverage  
File**

**File #:** **2013-066**

**Owner's Name:** Bell, Lynn C.

**Applicant:** The Square Grouper

**Agent:** Trepanier & Associates

**Type of Application:** Alcoholic Beverage

**Key:** Cudjoe Key

**RE:** 00178500-000000

## **Additional Information added to File 2013-066**

County of Monroe  
Growth Management Division

Planning & Environmental Resources  
Department

2798 Overseas Highway, Suite 410  
Marathon, FL 33050  
Voice: (305) 289-2500  
FAX: (305) 289-2536



Board of County Commissioners  
Mayor Heather Carruthers, Dist. 3  
Mayor Pro Tem David Rice, Dist. 4  
Kim Wigington, Dist. 1  
George Neugent, Dist. 2  
Sylvia J. Murphy, Dist. 5

*We strive to be caring, professional and fair*

Date: 5.30.13

Time: \_\_\_\_\_

Dear Applicant:

This is to acknowledge submittal of your application for Alcoholic Beverage  
Type of application

The Square Group to the Monroe County Planning Department.  
Project / Name

Thank you.

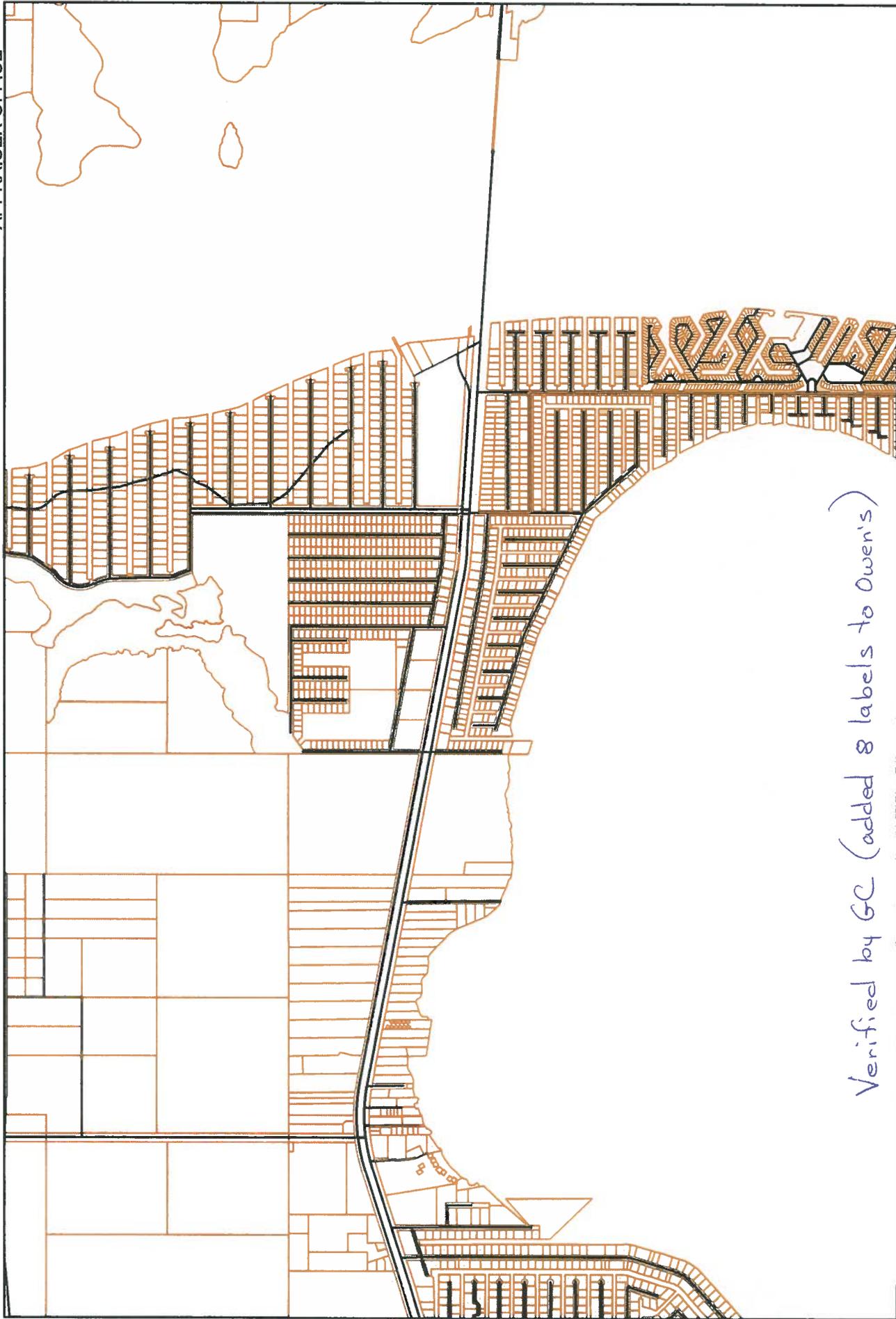
Bill Creech

Planning Staff

**ZU13-000**

**The Square Grouper**

**MONROE COUNTY PROPERTY  
APPRAISER OFFICE**



*Verified by GC (added 8 labels to Owen's)*

THIS PROPERTY LOCATION MAP HAS BEEN COMPILED FOR INTERNAL OFFICE USE AS AN AID IN THE PREPARATION OF THE MONROE COUNTY TAX ROLL. IT IS NOT A SURVEY AND THE OWNERSHIP INFORMATION DEPICTED THEREON SHOULD NOT BE RELIED UPON FOR TITLE PURPOSES. NEITHER MONROE COUNTY NOR THE OFFICE OF THE PROPERTY APPRAISER ASSUMES RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS.

**1:19,271**

**Date: 5/30/2013**

ADORNO PETER  
121 CUTLASS LN  
CUDJOE KEY, FL 33042-4226

AGUINAGA JORGE A AND GALIA M  
72 CUTTHROAT DR  
CUDJOE KEY, FL 33042

BASIL KEVIN  
27921 PORGIE PATH  
SUMMERLAND KEY, FL 33042-5712

BASLER PHILIP H K AND BONNIE  
103 COCONUT DR  
KEY WEST, FL 33040

BERMAN JEFFREY AND SHERYL A  
2806 PATTERSON AVE  
KEY WEST, FL 33040

BICKLEY WILLIAM E  
PO BOX 404  
LAKE JUNALUSKA, NC 28745-0404

BOOZER JAMES H  
PO BOX 420462  
SUMMERLAND KEY, FL 33042-0462

BOUNDRY LTD  
26351 OLD STATE ROAD 4A  
RAMROD KEY, FL 33042-5337

BOYLE RONALD W AND ANIETA B  
3985 KY HIGHWAY 2141  
STANFORD, KY 40484-8677

CASTO DONALD H AND JUDITH A  
22628 LA FITTE DR  
SUMMERLAND KEY, FL 33042-4221

CATALANO RALPH L AND ROBERTA G  
115 CUTLASS LN  
CUDJOE KEY, FL 33042-4226

CATALDO DENNIS M AND MAYRA E  
3327 HARBOR POINT RD  
BALDWIN, NY 11510-5164

CLEARY ARLENE S  
C/O BERGERON PATRICIA  
166 WEST ST  
ESSEX JUNCTION, VT 05452-4619

COLL DANIEL ARMANDO  
114 CUTTHROAT DR  
SUMMERLAND KEY, FL 33042-4223

COMPASS ROSE INVESTMENTS LLC  
4350 WILL ROGERS PKWY STE 350  
OKLAHOMA CITY, OK 73108

~~CONFIDENTIAL DATA F.S. 119.07~~

COUNTY OF MONROE  
% BOARD OF COUNTY COMMISSIONERS  
500 WHITEHEAD STREET  
KEY WEST, FL 33040

COX GRAHAM P  
121 CUTTHROAT DR  
CUDJOE KEY, FL 33042

DE BRITO NOEL R AND MARIBANEX  
6013 SW 160TH AVE  
MIAMI, FL 33176

DEUTSCHE BANK NATIONAL TRUST COMPANY  
C/O LAW OFFICES OF MARSHALL C WATSON PA  
1800 NW 49TH ST STE 120  
FORT LAUDERDALE, FL 33309-3092

DIAZ CLEMENTE J AND MARIA R  
22954 TEACH LN  
CUDJOE KEY, FL 33042

DOANE BYRON D  
PO BOX 421005  
SUMMERLAND KEY, FL 33042-  
1005AABB 33042-1005

DOT/ST OF FL (STATE OF FLORIDA SRD)  
TALLAHASSEE, FL 32399

EMBRY LINDA A MCNEAL  
1965 BRIDGEPOINTE CIR UNIT 83  
VERO BEACH, FL 32967-6869

FALCHECK WILLIAM J JR AND MICHELLE L  
817 PARMA CENTER RD  
HILTON, NY 14468-9349

FORSELL EDWARD AND JENNIFER B  
4833 GARY RD  
BONITA SPRINGS, FL 34134-3928

FUTO FRANK  
670 S LAKE RIDGE AVE  
DECATUR, IL 62521-2537

GLADSTONE STEVE D  
3360 ROUTE 940  
MOUNT POCONO, PA 18344-1151

GRAY RONALD E AND JEANNE T  
2818 BRECKENBRIDGE BLVD  
EAGLEVILLE, PA 19403

GROGAN DANIEL P AND DEBBIE S  
901 N COLUMBIA BLVD  
PORTLAND, OR 97217-1197

Verified by GC

HARRIS ROBERT WILLIAM AND MELISSA  
EDWARDS  
22306 LAFITTE RD  
CUDJOE KEY, FL 33042

KAISER GERALD L AND JANICE L  
18226 HUSON RD  
SAEGERTOWN, PA 16433-6616

LOUD RICHARD  
256 SAINT GEORGE ST  
SAINT AUGUSTINE, FL 32084-5032

MCKITTRICK MICHAEL E  
1284 CANNON CT  
BATAVIA, IL 60510-4557

MORSON CHRISTOPHER ALAN  
1207 NE 82ND ST  
MIAMI, FL 33138-4133

PIPER KEVIN M AND WENDY G  
82 CUTTHROAT DR  
CUDJOE KEY, FL 33042-4222

RIVIECCIO MICHAEL J  
218 ANHINGA LN  
JUPITER, FL 33458-8338

ROOF FRANKLIN B AND PAIGE H  
114 CUTLASS LN  
SUMMERLAND KEY, FL 33042-4226

SHIRK SAMUEL R JR AND ESTELLA  
36 TREASURE CHEST DR  
SUMMERLAND KEY, FL 33042-4715

SREDNICKI ROBERT A  
101 CUTTHROAT DR  
SUMMERLAND KEY, FL 33042-4212

IARROBINO DANIEL G  
349 AIRPORT DR N  
SUMMERLAND KEY, FL 33042-4400

KORINEK WARREN J DEC TRUST  
12/17/1999  
23078 BLUEGILL LN  
SUMMERLAND KEY, FL 33042-4705

MARINO JOHN AND BEVERLY K  
64 PARSONS DR  
GOFFSTOWN, NH 3045

MONROE COUNTY  
500 WHITEHEAD STREET  
KEY WEST, FL 33040

NELKIN FRANK M JR  
300 E 56TH ST  
NEW YORK, NY 10022-4136

RAPPAPORT MARK J AND MARJORIE D  
1740 FORGE POND RD  
BRICK, NJ 8724

ROBINSON CHARLES R  
204 KEY HAVEN RD  
KEY WEST, FL 33040

SANDERSON TERRI C  
66 YARDARM RD  
SUMMERLAND KEY, FL 33042-4713

SPERLING BENJIE TRUSTEE  
PO BOX 817058  
HOLLYWOOD, FL 33081-1058

SYKES JOHN W AND EMMA M  
22560 LAFITTE DR  
SUMMERLAND KEY, FL 33042-4220

KAHN SUSAN  
43 GOLD BOULLION RD  
SUMMERLAND KEY, FL 33042-4714

KUHN DENNIS P AND KIMBERLY  
62 CUTTHROAT DR  
SUMMERLAND KEY, FL 33042

MARTIN APHRODITE G  
22734 CUDJOE DR  
CUDJOE KEY, FL 33042-0000

MONROE COUNTY COMPREHENSIVE  
PLAN LAND AUTHORITY  
1200 TRUMAN AVE STE 207  
KEY WEST, FL 33040-7270

PEMBERTON ANNE  
22626 BAYVIEW DR  
SAINT CLAIR SHORES, MI 48081-2447

RICKS EDITH O  
22668 LA FITTE DR  
SUMMERLAND KEY, FL 33042-4221

ROCKWELL DAVID L AND SUSAN L  
15028 22 MILE RD  
TUSTIN, MI 49688-8552

SANDHUSEN CYNTHIA N  
28179 DOROTHY AVE  
LITTLE TORCH KEY, FL 33042-5651

SPOR STEPHEN T  
134 CUTTHROAT DR  
CUDJOE KEY, FL 33042-4223

TIITF  
C/O DEP  
3900 COMMONWEALTH BLVD MLSTN 115  
TALLAHASSEE, FL 32399-3000

✓ VARGAS CARLOS H  
46 YARDARM RD  
SUMMERLAND KEY, FL 33042-4716

VOLMER EUGENE  
✓ PO BOX 420816  
SUMMERLAND KEY, FL 33042-0816

WEEKS QUINTIN C AND TERESA R  
✓ 22660 LAFITTE DR  
SUMMERLAND KEY, FL 33042-4221

WEIDNER LEONARD AND JANE  
✓ 113 GALLEON LN  
CUDJOE KEY, FL 33042-4228

WOODBECK DAVID JOHN  
✓ 22652 LA FITTE DR  
SUMMERLAND KEY, FL 33042-4221

YETTER SCOTT M  
✓ 53 TREASURE CHEST DR  
SUMMERLAND KEY, FL 33042-4718

YOUNG JOHN B  
✓ PO BOX 1490  
NOKOMIS, FL 34274

ZENSEN FREDERICK  
✓ 52 CUTTHROAT DR  
SUMMERLAND KEY, FL 33042-4222

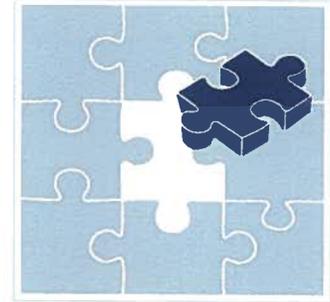
**End of Additional File 2013-066**

5/24/2013

Mr. Townsley Schwab, Senior Director  
Monroe County Planning and Environmental Resources  
2798 Overseas Hwy. Suite 400  
Marathon FL, 33040

**RE: Alcoholic Beverage Permit  
22658 Overseas Hwy., Cudjoe Key, RE # 00178500-000000**

TREPANIER



& ASSOCIATES INC

LAND USE PLANNING  
DEVELOPMENT CONSULTANTS

Dear Mr. Schwab:

Please accept the attached application and corresponding documents as a request for an application for an alcoholic beverage use permit.

The Alcoholic Beverage Permit is for an SRX liquor license at the square grouper restaurant. The restaurant currently holds a 2COP for beer and wine and is requesting to change to a 6COP SRX license.

Thank you for your time and consideration with this matter. We look forward to discussing this matter with you in person.

Thank you.



Patrick Wright

APPLICATION  
MONROE COUNTY  
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



**Alcoholic Beverage Use Permit**

**An application must be deemed complete and in compliance with the Monroe County Code by the Staff prior to the item being scheduled for review**

Alcoholic Beverage Use Permit Application Fee: \$1,264.00

*In addition to the application fee, the following fees also apply:*

Advertising Costs: \$245.00

Surrounding Property Owner Notification: \$3.00 for each property owner required to be noticed

**Date of Submittal:** 5 / 28 / 13  
Month Day Year

**Property Owner:**

Lynn C. Bell  
Name

931 Lagoon Drive Summerland Key FL 33042  
Mailing Address (Street, City, State, Zip Code)

(305) 395-2437  
Daytime Phone

squaregrouper5@aol.com  
Email Address

**Agent (if applicable):**

Trepanier & Associates Inc.  
Name

402 Appelrouth Lane Key West, FL 33040  
Mailing Address (Street, City, State, Zip Code)

(305) 293-8983  
Daytime Phone

patrick@owentrepanier.com  
Email Address

**Name of Lessee of Property:**

(If property is leased, applicant must submit a notarized statement from the owner approving the submittal of this application)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address (Street, City, State, Zip Code)

\_\_\_\_\_  
Daytime Phone

\_\_\_\_\_  
Email Address

APPLICATION

Legal Description of Property:

(If in metes and bounds, attach legal description on separate sheet)

8	22 and 23	Cutthroat Harbor Estates	Cud
Block	Lot	Subdivision	Key
00178500-000000		1230511	
Real Estate (RE) Number		Alternate Key Number	
22658 Overseas Hwy		22	
Street Address (Street, City, State, Zip Code)		Approximate Mile Marker	

Land Use District Designation(s): SC Suburban Commercial

Present Land Use of the Property: Mixed Use

Total Land Area: 25,103 sq ft

Requested Type of Alcoholic Beverage: (Please check one)

- 1APS BEER, package only
- 1COP BEER, on premise and package
- 2APS BEER and WINE, package only
- 2COP BEER and WINE, on premise and package
- 3APS PACKAGE ONLY, included beer, wine and liquor
- 5COP BEER, WINE and LIQUOR, on premise and package
- 5SRX RESTAURANT, no package sales
- 5SR RESTAURANT, package sales
- 5S HOTEL, package sales
- 5SPX EXCURSION BOAT, no package sales
- 11C PRIVATE CLUB; CABANA CLUB
- 12RT RACETRACK, LIQUOR, no package sales

All of the following must be submitted in order to have a complete application submittal:

- Complete alcoholic beverage application (unaltered and unbound);
- Correct fee (check or money order to Monroe County Planning & Environmental Resources);
- Proof of ownership (i.e. Warranty Deed);
- Current Property Record Card(s) from the Monroe County Property Appraiser;
- Location map;
- Photograph(s) of site from adjacent roadway(s);
- Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor – sixteen (16) sets or Signed and Sealed Site Plan, prepared by a Florida registered architect, engineer or landscape architect– sixteen (16) sets (drawn to a scale of 1 inch equals 20 feet, except where impractical and the

APPLICATION

Director of Planning authorizes a different scale). At a minimum, the boundary survey or site plan should include the following:

- Date, north point and graphic scale;
- Boundary lines of site, including all property lines and mean high-water lines;
- Locations and dimensions of all existing structures and drives;
- Adjacent roadways;
- Location and dimensions of all parking spaces (including handicap accessible, bicycle and scooter) and loading zones;
- Typed name and address mailing labels of all property owners within a 500 foot radius of the property. This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 500 foot radius, each unit owner must be included;
- A certificate of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation or the Department of Agriculture and Consumer Services or the Department of Health or the Monroe County Health Department, stating that the place of business wherein the business is to be conducted meets all of the sanitary requirements of the state

If applicable, the following must be submitted in order to have a complete application submittal:

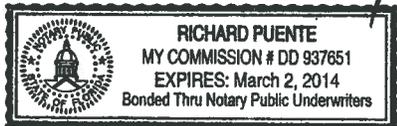
- Notarized Agent Authorization Letter (note: authorization is needed from all owner(s) of the subject property)
- Traffic Study, prepared by a licensed traffic engineer

If deemed necessary to complete a full review of the application, the Planning & Environmental Resources Department reserves the right to request additional information.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Signature of Applicant: [Signature] Date: 5-29-13

Sworn before me this 29 day of May - 2013



[Signature: Richard Puente]  
Notary Public  
My Commission Expires

Please send the complete application package to the Monroe County Planning & Environmental Resources Department, Marathon Government Center, 2798 Overseas Highway, Suite 400, Marathon, FL 33050.

5/20/13

(Date)

I hereby authorize Trepanier & Associates, Inc. be listed as authorized agent  
(Name of Agent)

for Lynn C. Bell for the application submitted for  
(Name of Property Owner(s) the Applicant(s))

Property described as Lot 22 & 23 Block 8

Subdivision Cutthroat Harbor Estates Key Island Cudjoe Key

and Real Estate number 00718500-000000

This authorization becomes effective on the date this affidavit is notarized and shall remain in effect until terminated by the undersigned. This authorization acts as a durable power of attorney only for the purposes stated.

The undersigned understands the risks and liabilities involved in the granting of this agency and accepts full responsibility for any and all of the actions of the agent named herein related to the processing of the services requested, application(s) and/or the acquisition of approvals/permits for the aforementioned applicant. The applicant(s) hereby indemnifies and holds harmless Monroe County, its officers, agents and employees for any damage to applicant caused by its agent or arising from this agency authorization.

Note: Authorization is needed from each owner of the subject property. Therefore, one or more authorization forms must be submitted with the application if there are multiple owners.

Lynn C. Bell

Property Owner(s) Signature

Lynn C. Bell

Printed Name of Owner(s)

NOTARY:  
STATE OF FLORIDA  
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 21 day of May, 2013

Lynn C. Bell is  personally known \_\_\_\_\_ produced identification

(\_\_\_\_\_ Type of Identification), did  did not take an oath.

Jody L. Kearney  
Notary



# KBP CONSULTING, INC.

May 15, 2013

Mr. Owen Trepanier  
President  
Trepanier & Associates, Inc.  
402 Appelrouth Lane  
Key West, Florida 33045

**Re: Square Grouper Bar & Grill Restaurant – Stock Island, FL  
Trip Generation Analysis**

Dear Owen:

The Square Grouper Bar & Grill Restaurant is located at 22658 Overseas Highway on Cudjoe Key in the Florida Keys, Monroe County, Florida. The subject site is located on the south (ocean) side of US 1 / Overseas Highway, near Mile Marker 22.5. The owners of this establishment are proposing to expand the existing restaurant use on this site and eliminate the existing commercial retail component. The existing and proposed uses at this site are summarized in the following exhibit provided by your office:

Use	Existing Approved	Existing Actual Use	Proposed
Sit-down Restaurant	2,000 sq. ft.	4k sq. ft. (78 rest. seats & 14 bar seats)	7.5k sq. ft. (50 rest. seats & 100 bar seats)
Package Sales	Within above area	Within above area	No package sales
Med. Intensity Commercial Retail	1,000 sq. ft.	4k sq. ft.	0 sq. ft.
Light industrial	1,200 sq. ft.	0 sq. ft.	0 sq. ft.
Office	3,000 sq. ft.	0 sq. ft.	0 sq. ft.

The purpose of this correspondence is to document the trip generation differential between the existing and proposed uses at the Square Grouper Bar & Grill Restaurant.

## **Trip Generation Analysis**

The trip generation for this project was determined using the trip generation rates and equations contained in the Institute of Transportation Engineer's (ITE) *Trip Generation (9<sup>th</sup> Edition)* report. Based upon this information, the daily (weighted average of weekday and weekend) trip generation rates for the existing and proposed development are as follows:

# KBP CONSULTING, INC.

## Quality Restaurant – ITE Land Use #931

- Daily (wt. avg.) Trip Generation Rate:  $T = 88.04 (X)$   
where  $T =$  number of trips and  $X = 1,000$  SF of gross floor area

## Specialty Retail Center – ITE Land Use #826

- Daily (wt. avg.) Trip Generation Rate:  $T = 40.58 (X)$   
where  $T =$  number of trips and  $X = 1,000$  SF of gross floor area

The resulting daily trip generation for the existing and proposed development is presented in Table 1 below.

Table 1 The Square Grouper Bar & Grill Restaurant Trip Generation Analysis Cudjoe Key, Florida		
Land Use	Size	Daily Trips
<b>Existing</b>		
Quality Restaurant	4,000 SF	352
Commercial Retail	4,000 SF	162
<b>Sub Total</b>		<b>514</b>
<b>Proposed</b>		
Quality Restaurant	7,500 SF	660
<b>Sub Total</b>		<b>660</b>
<b>Difference (Proposed - Existing)</b>		<b>146</b>

Compiled by: KBP Consulting, Inc. (May 2013).

Source: ITE Trip Generation Manual (9th Edition).

## Conclusions

Based upon the foregoing trip generation analysis, the proposed development program at the Square Grouper Bar & Grill Restaurant is projected to generate 146 additional daily vehicle trips when compared with the existing development program.

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

**KBP CONSULTING, INC.**

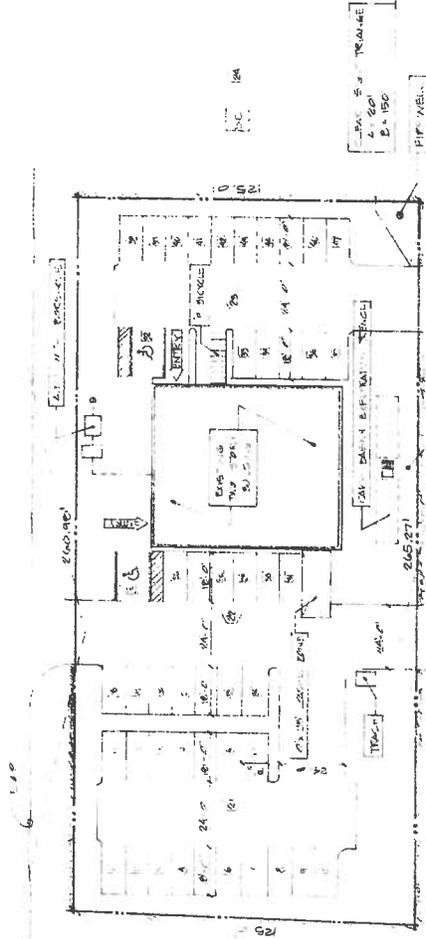


Karl B. Peterson, P.E.  
Florida Registration Number 49897  
Engineering Business Number 29939

# THE SQUARE GROUPER BAR & GRILL RESTAURANT

22658 OVERSEAS HIGHWAY - CUDJOE KEY - FLORIDA

OVERSEAS HIGHWAY



**LEGAL DESCRIPTION:**  
LOTS 2122 and 23, BLOCK 8 "Cutthroat Harbor Estates"  
PLAT BOOK 4, PAGE 165

RECEIVED  
MAY 30 2013  
2013-066  
MONROE CO. PLANNING DEPT



SITE PLAN

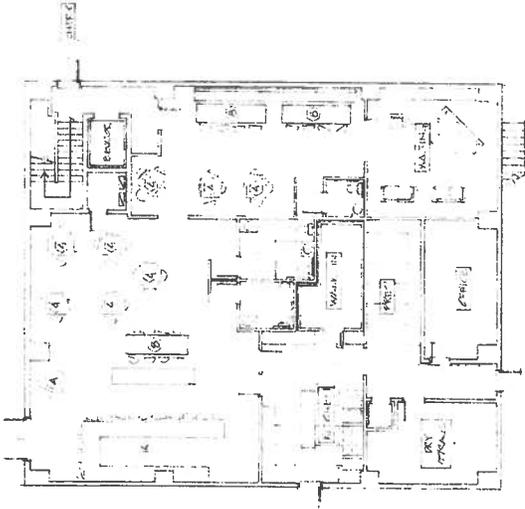
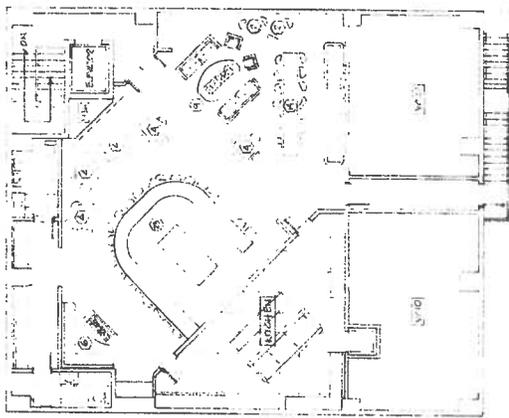
THE SQUARE GROUPER RESTAURANT  
SITE PLAN

D-1  
2

THOMAS KELLY ENTERPRISES INC.  
1841 ROCKY ROAD - SUWANEE, GA 30087  
• DESIGN CONCEPTS  
• CONSTRUCTION MANAGEMENT  
(908) 748-7100

# THE SQUARE GROUPER BAR & GRILL RESTAURANT

22658 OVERSEAS HIGHWAY - CUDJOE KEY - FLORIDA



SECOND FLOOR PLAN

FIRST FLOOR PLAN

RECEIVED  
MAY 30 2013  
2013-066  
MONROE CO. PLANNING DEPT

THOMAS KELLY ENTERPRISES INC.  
3111 ROCKY ROAD - SUWANEE, GA 30086  
DESIGN CONCEPTS  
CONSTRUCTION MANAGEMENT  
(800) 746-7100

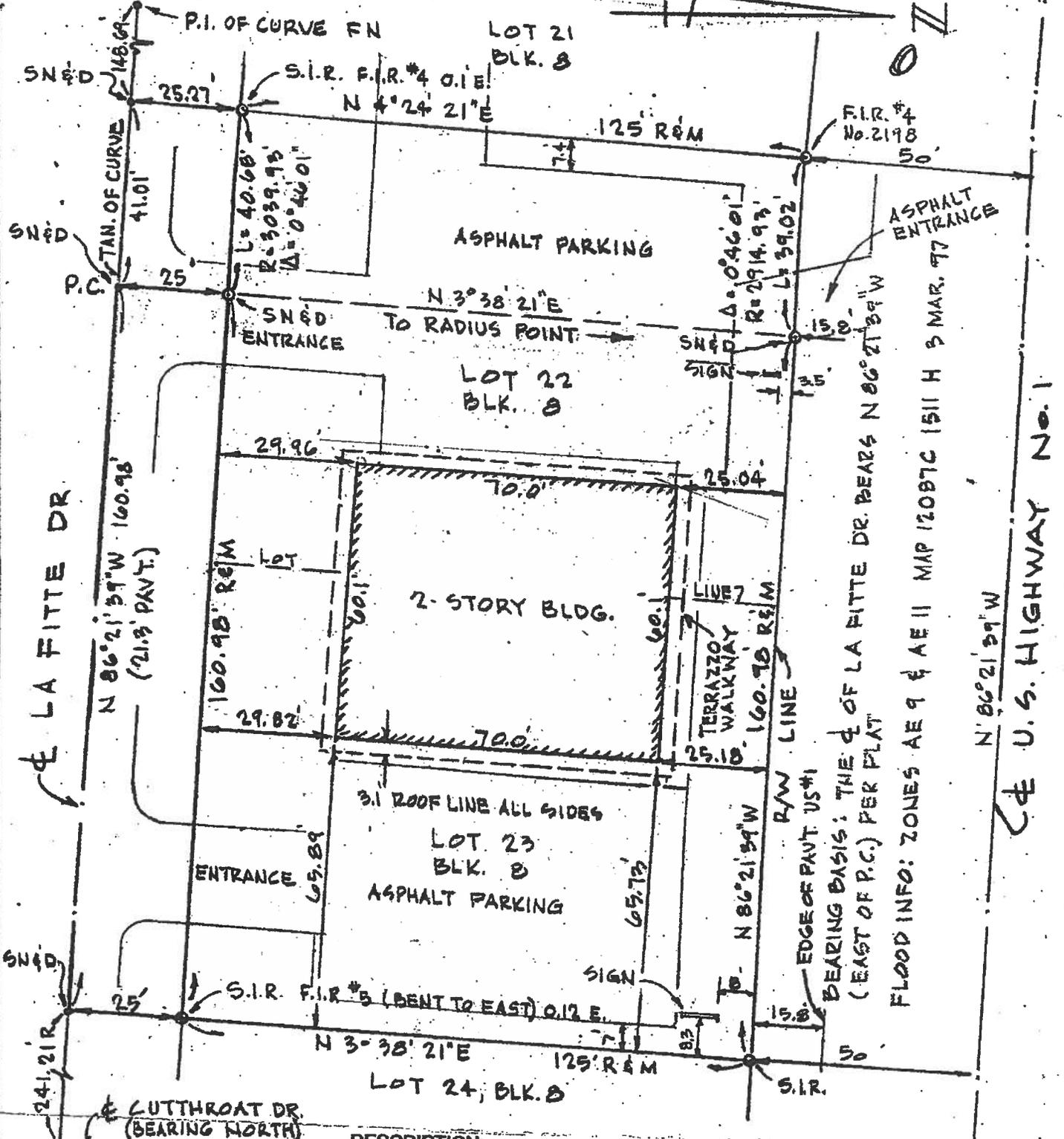
THE SQUARE GROUPER RESTAURANT  
FLOOR PLANS  
DATE: 05/20/13  
DRAWN: TKR

SHEET NUMBER  
D-2  
2

THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.

**LEGEND:**

ALL ANGLES ARE 90° UNLESS SHOWN OTHERWISE. ELEVATIONS ARE 1929 NATIONAL GEODETIC VERTICAL DATUM.  
 BM-BENCH MARK C.L.F. = CHAIN LINK FENCE, ENCRO = ENCROACHMENT F.I.P. = FOUND IRON PIPE.  
 F.I.R. = FOUND IRON ROD FN-FOUND NAIL, SN-SET NAIL M.H.W.L. = APPROX. MEAN HIGH WATER  
 LINE. S.I.R. = SET IRON ROD #4 CAP #2198 SN&D-SET NAIL & DISC. #2198 R-RECORD M-MEASURED  
 R/W= RIGHT-OF-WAY



**DESCRIPTION:**

LOTS 22 & 23, BLOCK 8, CUTTHROAT HARBOR ESTATES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 165, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

CERTIFIED TO:

DATE OF FIELD SURVEY 8 MAR. 2007

ASPHALT ENTRANCE

2-STORY BLDG.

3:1 ROOF LINE ALL SIDES

LOT 23  
BLK. 8  
ASPHALT PARKING

LOT 24, BLK. 8

F.I.R. #4  
No. 2198  
50'

N 3° 38' 21" E

TO RADIUS POINT

ASPHALT PARKING

LOT 22  
BLK. 8

29.96

70.0'

25.04

60.1'

LINE 7

TERRAZZO WALKWAY

60.1'

160.70 R&M

25.18

R/W LINE

EDGE OF PAVT. US#1

BEARING BASIS: THE d OF LA FITTE DR. BEARS N 86° 21' 39" W

(EAST OF P.C.) PER PLAT

FLOOD INFO: ZONES AE 9 & AE 11 MAP 12087C 1511 H 3 MAR. 97

N 86° 21' 39" W

U.S. HIGHWAY No. 1

CUTTHROAT DR. (BEARING NORTH)

24.21 R

25'

S.I.R.

125' R&M

N 3° 38' 21" E

25.27

P.I. OF CURVE FN

LOT 21  
BLK. 8

S.I.R. F.I.R. #4 O.I.E.

N 4° 24' 21" E

40.68'

L=

R=3039.93'

Δ=0° 46' 01"

148.69'

TAN. OF CURVE

11.01'

P.C.

25'

SN&D

ENTRANCE

29.82'

160.98 R&M

(21.8' PAVT.)

N 86° 21' 39" W

LA FITTE DR.

24.21 R

SN&D

ENTRANCE

25.04

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160.70 R&M

25.18

R/W LINE

EDGE OF

# Karl D. Borglum Property Appraiser Monroe County, Florida

office (305) 292-3420  
fax (305) 292-3501  
Website tested on Internet Explorer

----- GIS Mapping requires Adobe Flash 10.3 or higher. -----

## Property Record View

[Previous Record](#) **Alternate Key: 1230511 Parcel ID: 00178500-000000** [Next Record](#)

### Ownership Details

**Mailing Address:**

BELL LYNN C  
931 LAGOON DR  
SUMMERLAND KEY,  
FL 33042-4834

### Property Details

**PC Code:** 18 - OFFICES BUILDINGS MULTI/STORY

**Millage Group:** 100C

**Affordable Housing:** No

**Section-Township-Range:** 28-66-28

**Property Location:** 22658 OVERSEAS HWY CUDJOE  
KEY

**Subdivision:** CUTTHROAT HARBOR ESTATES

**Legal Description:** BK 8 LTS 22 AND 23 CUTTHROAT HARBOR ESTATES CUDJOE KEY PB4-165 OR486-834/35 OR486-838/39 OR707-57/58 OR1312-218 OR1724 1639 OR1928-1957/58 OR2559-1884/85

Show Parcel Map - Must have Adobe Flash Player 10.3 or higher

### Land Details

Land Use Code	Frontage	Depth	Land Area
100H - COMMERCIAL HIGHWAY	100	125	12,500.00 SF
100H - COMMERCIAL HIGHWAY	0	0	12,603.00 SF

### Building Summary

**Number of Buildings:** 1  
**Number of Commercial Buildings:** 1  
**Total Living Area:** 7200

Year Built: 2003

## Building 1 Details

**Building Type**  
**Effective Age** 9  
**Year Built** 2003  
**Functional Obs** 0

**Condition** E  
**Perimeter** 600  
**Special Arch** 0  
**Economic Obs** 0

**Quality Grade** 400  
**Depreciation %** 12  
**Grnd Floor Area** 7,200

**Inclusions:**

**Roof Type**  
**Heat 1**  
**Heat Src 1**

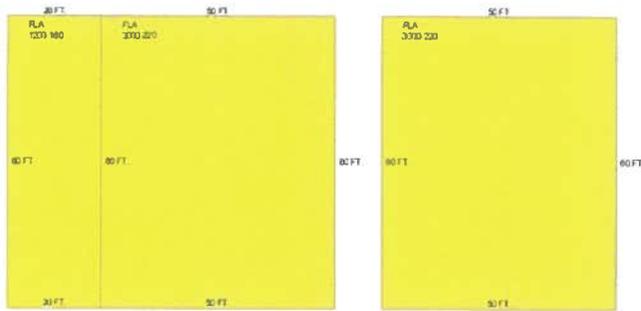
**Roof Cover**  
**Heat 2**  
**Heat Src 2**

**Foundation**  
**Bedrooms** 0

**Extra Features:**

**2 Fix Bath** 6  
**3 Fix Bath** 0  
**4 Fix Bath** 0  
**5 Fix Bath** 0  
**6 Fix Bath** 0  
**7 Fix Bath** 0  
**Extra Fix** 17

**Vacuum** 0  
**Garbage Disposal** 0  
**Compactor** 0  
**Security** 0  
**Intercom** 0  
**Fireplaces** 0  
**Dishwasher** 0



**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	2003					1,200
2	FLA		1	2003					3,000
3	FLA		1	2003					3,000

**Interior Finish:**

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	10259	SERVICE SHOPS-D	100	N	N
	10260	REST/CAFET-A-	100	N	Y
	10261	PROFESS BLDG-D	100	N	Y

**Exterior Wall:**

Interior Finish Nbr	Type	Area %
3376	C.B.S.	50
3377	METAL SIDING	50

**Misc Improvement Details**

Property Search -- Monroe County Property Appraiser

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	CL2:CH LINK FENCE	228 SF	38	6	2003	2004	1	30
2	AP2:ASPHALT PAVING	5,700 SF	95	60	2003	2004	2	25
3	AP2:ASPHALT PAVING	5,880 SF	98	60	2003	2004	2	25
4	PT3:PATIO	600 SF	60	10	2003	2004	2	50
5	PT3:PATIO	80 SF	10	8	2003	2004	2	50

### Appraiser Notes

LOT 23 (RE 00178510-000000 AK 1230529) HAS NOW BEEN COMBINED WITH THIS PARCEL FOR ASSESSMENT PURPOSES. DONE FOR THE 2008 TAX ROLL ( 04/07/2008 SCJ)
2008/04/07 BUILDING SITS ON LOTS 22 & 23. COMBINED FOR ENCROACHMENT. SCJ
2002-02-27 CHANGED THE LAND USE FROM M10D TO 100D AND THE PC CODE FROM 00 O 10 HAS PERMITS FOR A NEW COMMERCIAL RESTAURANT SKI

### Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
1	9610950	01/19/2000	03/28/2003	400,000	Commercial	COMM/RESTAURANT & C.O.

### Parcel Value History

Certified Roll Values

[View Taxes for this Parcel](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2011	1,160,789	21,660	163,170	879,583	879,583	0	879,583
2010	1,186,584	22,708	200,824	1,061,752	1,051,752	0	1,061,752
2009	1,186,584	23,755	288,685	1,235,760	1,235,760	0	1,235,760
2008	1,212,379	24,806	338,891	1,439,280	1,439,280	0	1,439,280
2007	786,933	25,815	220,553	1,033,301	1,033,301	0	1,033,301
2006	803,676	26,860	220,553	1,051,089	1,051,089	0	1,051,089
2005	820,419	27,910	75,618	923,947	923,947	0	923,947
2004	820,252	28,956	50,412	899,620	899,620	0	899,620
2003	0	0	50,412	50,412	50,412	0	50,412
2002	0	0	50,412	50,412	50,412	0	50,412
2001	0	0	28,357	28,357	28,357	0	28,357
2000	0	0	47,261	47,261	47,261	0	47,261
1999	0	0	21,425	21,425	21,425	0	21,425
1998	0	0	21,425	21,425	21,425	0	21,425
1997	0	0	21,425	21,425	21,425	0	21,425
1996	0	0	21,425	21,425	21,425	0	21,425
1995	0	0	21,425	21,425	21,425	0	21,425
1994	0	0	21,425	21,425	21,425	0	21,425
1993	0	0	26,466	26,466	26,466	0	26,466
1992	0	0	26,466	26,466	26,466	0	26,466
1991	0	0	26,466	26,466	26,466	0	26,466
1990	0	0	28,357	28,357	28,357	0	28,357

Property Search -- Monroe County Property Appraiser

<b>1989</b>	0	0	32,138	32,138	32,138	0	32,138
<b>1988</b>	0	0	20,165	20,165	20,165	0	20,165
<b>1987</b>	0	0	18,905	18,905	18,905	0	18,905
<b>1986</b>	0	0	18,905	18,905	18,905	0	18,905
<b>1985</b>	0	0	18,938	18,938	18,938	0	18,938
<b>1984</b>	0	0	18,938	18,938	18,938	0	18,938
<b>1983</b>	0	0	18,938	18,938	18,938	0	18,938
<b>1982</b>	0	0	11,854	11,854	11,854	0	11,854

### Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
<b>10/12/2011</b>	2559 / 1884	100	OC	11
<b>8/24/2001</b>	1724 / 1639	240,000	WD	M
<b>6/1/1994</b>	1312 / 0218	89,000	WD	M

This page has been visited 30,497 times.

Monroe County Property Appraiser  
 Karl D. Borglum  
 P.O. Box 1176  
 Key West, FL 33041-1176





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DBPR ABT-6014 – Division of Alcoholic Beverages and Tobacco Change in Series or Type Application

Location Change

DBPR Form  
ABT-6014  
Revised 07/01/2012

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTE – This form must be submitted as part of an application package.

If you have any questions or need assistance in completing this application, please contact the Department of Business and Professional Regulation or your local district office. Please submit your completed application to your local district office. This application may be submitted by mail, through appointment, or it can be dropped off. A District Office Address and Contact Information Sheet can be found on AB&T's page of the DBPR web site at the link provided below.

[http://www.myflorida.com/dbpr/abt/district\\_offices/licensing.html](http://www.myflorida.com/dbpr/abt/district_offices/licensing.html)

SECTION 1 - CHECK TRANSACTION REQUESTED			
<b>Transaction Type:</b>			
<input type="checkbox"/> Change of Location	<input checked="" type="checkbox"/> Increase in Series		
<input type="checkbox"/> Change in Series	<input type="checkbox"/> Decrease in Series		
Also include:			
<input type="checkbox"/> Change of Business Name	<input type="checkbox"/> Retail Tobacco Products (must check one or more)		
<input type="checkbox"/> Change of Officer/Stockholder/Amended Corporate Name	<input type="checkbox"/> Pipes	<input type="checkbox"/> Over the Counter	<input type="checkbox"/> Vending Machine
Do you wish to purchase a Temporary License? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Series Requested <b>6COP</b>		Type/Class Requested <b>SRX</b>	
SECTION 2 - LICENSE INFORMATION			
If the applicant is a corporation or other legal entity, enter the name and the document number as registered with the Florida Department of State Division of Corporations on the line below.			
Full Name of Licensee: (This is the name the license is issued in)		Department of State Document #	
ORIGINAL SQUARE GROUPER LLC (THE)		P05000126447	
FEIN Number*		Business Telephone Number	
203467301		305 745 8880 ext	
Current Business Name (D/B/A)		Current License #	Series
SQUARE GROUPER BAR AND GRILL		5402892	2COP
New Business Name (D/B/A), if applicable			
SQUARE GROUPER BAR AND GRILL			
Location Address (Street and Number)			
22685 OVERSEAS HWY			
City	County	State	Zip Code
CUDJOE KEY	MONROE	FL	44042
Check either:			
<input type="checkbox"/> Location is within the city limits or <input checked="" type="checkbox"/> Location is in the unincorporated county			
Contact Person (Optional)		Telephone Number	
LYNN BELL		305 745 8880 ext	
E-Mail Address (Optional)			
squaregrouper5@aol.com			
Mailing Address (Street or P.O. Box)			
22685 OVERSEAS HWY			
City	State	Zip Code	
CUDJOE KEY	FL	33042	

ABT District Office Received / Date Stamp

**SECTION 3 – DESCRIPTION OF PREMISES TO BE LICENSED**

Business Name (D/B/A)

**SQUARE GROUPER BAR AND GRILL**

Street Address

22685 OVERSEAS HWY

City

CUDJOE KEY

County

MONROE

State

FL

Zip Code

44042

1.

Yes

No

Is the proposed premises movable or able to be moved?

2.

Yes

No

Is there any access through the premises to any area over which you do not have dominion and control?

3.

Neatly draw a floor plan of the premises in ink, including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and any other specific areas which are part of the premises sought to be licensed. A multi-story building where the entire building is to be licensed must show each floor plan.

**SECTION 4 – APPLICATION APPROVALS**

Full Name of Licensee

**ORIGINAL SQUARE GROUPER LLC (THE)**

Business Name (D/B/A)

**SQUARE GROUPER BAR AND GRILL**

Street Address

**22685 OVERSEAS HWY**

City

**CUDJOE KEY**

County

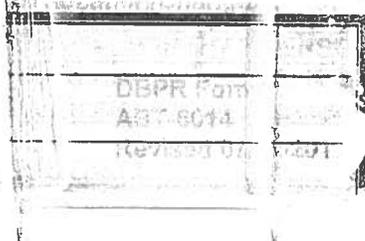
**MONROE**

State

**FL**

Zip Code

**44042**



**ZONING**

**TO BE COMPLETED BY THE ZONING AUTHORITY GOVERNING YOUR BUSINESS LOCATION**

- A. The location complies with zoning requirements for the sale of alcoholic beverages or wholesale tobacco products pursuant to this application for a Series 6COPSRX license.
- B. This approval includes outside areas which are contiguous to the premises which are to be part of the premises sought to be licensed and are identified on the sketch?  Yes  No

Signed \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_

**SALES TAX**

**TO BE COMPLETED BY THE DEPARTMENT OF REVENUE**

The named applicant for a license/permit has complied with the Florida Statutes concerning registration for Sales and Use Tax.

- 1. This is to verify that the current owner as named in this application has filed all returns and that all outstanding billings and returns appear to have been paid through the period ending \_\_\_\_\_ or the liability has been acknowledged and agreed to be paid by the applicant. This verification does not constitute a certificate as contained in Section 212.10 (1), F.S. (Not applicable if no transfer involved).
- 2. Furthermore, the named applicant for an Alcoholic Beverage License has complied with Florida Statutes concerning registration for Sales and Use Tax, and has paid any applicable taxes due.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_ Department of Revenue Stamp

**HEALTH**

**TO BE COMPLETED BY THE DIVISION OF HOTELS AND RESTAURANTS  
OR COUNTY HEALTH AUTHORITY  
OR DEPARTMENT OF HEALTH  
OR DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES**

The above establishment complies with the requirements of the Florida Sanitary Code.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_ Agency \_\_\_\_\_

**SECTION 5 – CONTRACTS OR AGREEMENTS**

Business Name (D/B/A)

**SQUARE GROUPER BAR AND GRILL**

These questions must be answered about this business for every person or entity listed as the applicant and copies of agreements must be submitted with this application. If the management, service, or other contractual agreement gives a person or entity control of the licensed premises or the sale of alcoholic beverages, disclosure of those persons must be made in the section labeled "DIRECT INTEREST" in the DISCLOSURE OF INTERESTED PARTIES section. They must also submit fingerprints and a related party personal information sheet.

1.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is there a management contract, franchise agreement, or service agreement in connection with this business?
2.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there any agreements which require a payment of a percentage of gross or net receipts from the business operation?
3.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Have you or anyone listed on this application, accepted money, equipment or anything of value in connection with this business from a manufacturer or wholesaler of alcoholic beverages?

**SECTION 6 – SPECIAL LICENSE REQUIREMENTS  
(DOES NOT APPLY TO BEER AND WINE LICENSES)**

Please check the appropriate "Special Alcoholic Beverage License" box of the license for which you are applying. Fill in the corresponding requirements for each Special License type.

- Quota Alcoholic Beverage License     Special Alcoholic Beverage License  
 Club Alcoholic Beverage License

This license is issued pursuant to 561.20, Florida Statutes or Special Act, and as such we acknowledge the following requirements must be met and maintained:

**Must maintain a bona fide restaurant consisting of 2500 square feet of**

**floor space under a permanent cover, maintain seating and equipment**

**for serving 150 patrons at one time and which derives at least 51%**

**of its gross revenue from the sale of food and non-alcoholic beverages,**

**service of full course meals must be available at all times alcoholic**

**beverages are being served. Package sales of alcoholic beverages are not**

**permitted.**

Please sign and date:

Applicant's Signature: *Lynne Bell*

Date: 5.20.13

**SECTION 7 – DISCLOSURE OF INTERESTED PARTIES**

Note: Failure to disclose an interest, direct or indirect, could result in denial, suspension and/or revocation of your license.

Business Name (D/B/A)

1. When applicable, please complete the appropriate section below. Attach

Title/Position	Name	Stock %
<b>CORPORATION (CORP/INC)</b>		
President	BELL, LYNN	100
Vice President		
Secretary		
Treasurer		
Director(s)		
Stockholder(s)		

**LIMITED LIABILITY COMPANY (LLC/LC)**

Managing Member(s) and/or Managers		
Members (must be printed if there are no managing members or managers)		

**LIMITED PARTNERSHIP (LTD/LP/LTDLLP)**

General Partner(s)		
Limited Partner(s)		

Bar Manager (Fraternal Organizations of National Scope only):

**DIRECT INTEREST**

Name of Individual or Entity (If a legal entity, list name under which the entity does business and its principles)

Title/Position	Name	Stock %

2. Are there any persons not listed above who have guaranteed or co-signed a lease or loan, or any person or entity who has loaned money to the business that is not a traditional lending institution?

Yes     No

If yes, and the terms create a direct interest in the business, you must list the person(s) or entity and indicate which of the below applies. Each directly interested person must submit fingerprints and a related party personal information sheet. Copies of agreements must be submitted with this application.

Name	Guarantor	Co-signer	Lender	Interest Rate (List)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**SECTION 3 - AFFIDAVIT OF APPLICANT  
NOTARIZATION REQUIRED**

Business Name (D/B/A)

**SQUARE GROUPER BAR AND GRILL**

"I, the undersigned individually, or if a registered legal entity for itself and its related parties, hereby swear or affirm that I am duly authorized to make the above and foregoing application and, as such, I hereby swear or affirm that the attached sketch is a true and correct representation of the premises to be licensed and agree that the place of business, if licensed, may be inspected and searched during business hours or at any time business is being conducted on the premises without a search warrant by officers of the Division of Alcoholic Beverages and Tobacco, the Sheriff, his Deputies, and Police Officers for the purposes of determining compliance with the beverage and retail tobacco laws."

"I swear under oath or affirmation under penalty of perjury as provided for in Sections 559.791, 562.45 and 837.06, Florida Statutes, that the foregoing information is true and that no other person or entity except as indicated herein has an interest in the alcoholic beverage license and/or tobacco permit, and all of the above listed persons or entities meet the qualifications necessary to hold an interest in the alcoholic beverage license and/or tobacco permit."

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

*Lynn C. Bell*

APPLICANT SIGNATURE

APPLICANT SIGNATURE

The foregoing was ( ) Sworn to and Subscribed OR ( ) Acknowledged Before me this 20 Day

of May, 20 13. By LYNN C. BELL who is  personally  
(print name(s) of person(s) making statement)

known to me OR ( ) who produced \_\_\_\_\_ as identification.

*Jody L. Kearney*  
Notary Public

Commission Exp



**SECTION 10 - CURRENT LICENSEE UPDATE DATA SHEET**

**SHEET**

This section is to be completed for all current alcoholic beverage and/or tobacco license holders listed on this application to ensure the most up to date information is captured.

License holders listed on this

Business Name (D/B/A)

**SQUARE GROUPER BAR AND GRILL**

Last Name

**BEIJ**

First

**LYNN**

M.I.

Current Alcohol Beverage and/or Tobacco License Permit/Number(s)

**5402892**

Date of Birth

**05 28 1963**

Social Security Number\*

**153 58 7254**

Street Address

**22685 OVERSEAS HWY**

City

**CUDIOE KEY**

State

**FL**

Zip Code

**33042**

Last Name

First

M.I.

Current Alcohol Beverage and/or Tobacco License Permit/Number(s)

Date of Birth

Social Security Number\*

Street Address

City

State

Zip Code

Last Name

First

M.I.

Current Alcohol Beverage and/or Tobacco License Permit/Number(s)

Date of Birth

Social Security Number\*

Street Address

City

State

Zip Code

Last Name

First

M.I.

Current Alcohol Beverage and/or Tobacco License Permit/Number(s)

Date of Birth

Social Security Number\*

Street Address

City

State

Zip Code

Last Name

First

M.I.

Current Alcohol Beverage and/or Tobacco License Permit/Number(s)

Date of Birth

Social Security Number\*

Street Address

City

State

Zip Code



00179880-000000  
ADORNO PETER  
121 CUTLASS LN  
CUDJOE KEY, FL 33042-4226

00180110-000000  
AGUINAGA JORGE A AND GALIA M  
72 CUTTHROAT DR  
CUDJOE KEY, FL 33042

00178910-000000  
BASIL KEVIN  
27921 PORGIE PATH  
SUMMERLAND KEY, FL 33042-5712

00187120-000000  
BASLER PHILIP H K AND BONNIE  
103 COCONUT DR  
KEY WEST, FL 33040

~~00178490-000000  
BELL LYNN C  
931 LAGOON DR  
SUMMERLAND KEY, FL 33042-4834~~

00178470-000000  
BICKLEY WILLIAM E  
PO BOX 404  
LAKE JUNALUSKA, NC 28745-0404

00179890-000000  
BOUNDRY LTD  
26351 OLD STATE ROAD 4A  
RAMROD KEY, FL 33042-5337

00179500-000000  
BOYLE RONALD W AND ANIETA B  
3985 KY HIGHWAY 2141  
STANFORD, KY 40484-8677

00178850-000000  
CASTO DONALD H AND JUDITH A  
22628 LA FITTE DR  
SUMMERLAND KEY, FL 33042-4221

00179870-000000  
CATALANO RALPH L AND ROBERTA  
G  
115 CUTLASS LN  
CUDJOE KEY, FL 33042-4226

00179510-000000  
CATALDO DENNIS M AND MAYRA E  
3327 HARBOR POINT RD  
BALDWIN, NY 11510-5164

00180090-000000  
COLL DANIEL ARMANDO  
114 CUTTHROAT DR  
SUMMERLAND KEY, FL 33042-4223

00179900-000000  
COMPASS ROSE INVESTMENTS LLC  
4350 WILL ROGERS PKWY  
OKLAHOMA CITY, OK 73108

~~00176440-000000  
CONFIDENTIAL DATA F.S. 119.07~~

00176970-000000  
COUNTY OF MONROE BOARD OF  
COUNTY COMMISSIONERS  
500 WHITEHEAD STREET  
KEY WEST, FL 33040

00179680-000000  
DE BRITO NOEL R AND MARIBANEX  
6013 SW 160TH AVE  
MIAMI, FL 33176

00179840-000000  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY C/O MARSHALL C  
WATSON PA 1800 NW 49TH ST STE  
120FORT LAUDERDALE, FL 33309

00179490-000000  
DIAZ CLEMENTE J AND MARIA R  
22954 TEACH LN  
CUDJOE KEY, FL 33042

00179910-000000  
DOANE BYRON D  
PO BOX 421005  
SUMMERLAND KEY, FL 33042-  
1005AABB 33042-1005

00115760-000000  
DOT/ST OF FL (STATE OF FLORIDA  
SRD)  
TALLAHASSEE, FL 32399

~~00115770-000000  
DOT/ST OF FL (STATE ROAD DEPT)  
TALLAHASSEE, FL 32399~~

00178100-000000  
EMBRY LINDA A MCNEAL  
1965 BRIDGEPOINTE CIR UNIT 83  
VERO BEACH, FL 32967-6869

00178120-000000  
EMBRY LINDA MCNEIL  
1965 BRIDGEPOINTE CIR UNIT 83  
VERO BEACH, FL 32967-6869

00179650-000000  
FALCHECK WILLIAM J JR AND  
MICHELLE L  
817 PARMA CENTER RD  
HILTON, NY 14468-9349

00179690-000000  
FORSELL EDWARD AND JENNIFER B  
4833 GARY RD  
BONITA SPRINGS, FL 34134-3928

00177490-000000  
GLADSTONE STEVE D  
3360 ROUTE 940  
MOUNT POCONO, PA 18344-1151

00179630-000000  
GRAY RONALD E AND JEANNE T  
2818 BRECKENBRIDGE BLVD  
EAGLEVILLE, PA 19403

00179610-000000  
GROGAN DANIEL P AND DEBBIE S  
901 N COLUMBIA BLVD  
PORTLAND, OR 97217-1197

00178840-000000  
HARRIS ROBERT WILLIAM AND  
MELISSA EDWARDS  
22306 LAFITTE RD  
CUDJOE KEY, FL 33042

00178450-000000  
IARROBINO DANIEL G  
349 AIRPORT DR N  
SUMMERLAND KEY, FL 33042-4400

00177520-000000  
KAHN SUSAN  
43 GOLD BOULLION RD  
SUMMERLAND KEY, FL 33042-4714

00178790-000000  
KAISER GERALD L AND JANICE L  
18226 HUSON RD  
SAEGERTOWN, PA 16433-6616

00178520-000000  
KORINEK WARREN J DEC TRUST  
12/17/1999  
23078 BLUEGILL LN  
SUMMERLAND KEY, FL 33042-4705

00180120-000000  
KUHN DENNIS P AND KIMBERLY  
62 CUTTHROAT DR  
SUMMERLAND KEY, FL 33042

00177500-000000  
MARINO JOHN AND BEVERLY K  
64 PARSONS DR  
GOFFSTOWN, NH 3045

00187460-000000  
MARTIN APHRODITE G  
22734 CUDJOE DR  
CUDJOE KEY, FL 33042-0000

00178480-000000  
MCKITTRICK MICHAEL E  
1284 CANNON CT  
BATAVIA, IL 60510-4557

00176980-000000  
MONROE COUNTY  
COMPREHENSIVE PLAN LAND  
AUTHORITY 1200 TRUMAN AVE STE  
207KEY WEST, FL 33040-7270

00179820-000000  
MORSON CHRISTOPHER ALAN  
1207 NE 82ND ST  
MIAMI, FL 33138-4133

00178150-000000  
NELKIN FRANK M JR  
300 E 56TH ST  
NEW YORK, NY 10022-4136

00180100-000000  
PIPER KEVIN M AND WENDY G  
82 CUTTHROAT DR  
CUDJOE KEY, FL 33042-4222

00179830-000000  
RAPPAPORT MARK J AND  
MARJORIE D  
1740 FORGE POND RD  
BRICK, NJ 8724

00178900-000000  
RICKS EDITH O  
22668 LA FITTE DR  
SUMMERLAND KEY, FL 33042-4221

00179640-000000  
RIVIECCIO MICHAEL J  
218 ANHINGA LN  
JUPITER, FL 33458-8338

00180080-000000  
ROBINSON CHARLES R  
204 KEY HAVEN RD  
KEY WEST, FL 33040

00178800-000000  
ROCKWELL DAVID L AND SUSAN L  
15028 22 MILE RD  
TUSTIN, MI 49688-8552

00179860-000000  
ROOF FRANKLIN B AND PAIGE H  
114 CUTLASS LN  
SUMMERLAND KEY, FL 33042-4226

00178130-000000  
SANDHUSEN CYNTHIA N  
28179 DOROTHY AVE  
LITTLE TORCH KEY, FL 33042-5651

00176950-000000  
SHIRK SAMUEL R JR AND ESTELLA  
36 TREASURE CHEST DR  
SUMMERLAND KEY, FL 33042-4715

00179480-000000  
SPERLING BENJIE TRUSTEE  
PO BOX 817058  
HOLLYWOOD, FL 33081-1058

00180070-000000  
SPOR STEPHEN T  
134 CUTTHROAT DR  
CUDJOE KEY, FL 33042-4223

00187470-000000  
SREDNICKI ROBERT A  
101 CUTTHROAT DR  
SUMMERLAND KEY, FL 33042-4212

00178810-000000  
SYKES JOHN W AND EMMA M  
22560 LAFITTE DR  
SUMMERLAND KEY, FL 33042-4220

00115020-000000  
TIITF  
C/O DEP  
3900 COMMONWEALTH BLVD  
TALLAHASSEE, FL 32399-3000

00178040-000000  
VARGAS CARLOS H  
46 YARDARM RD  
SUMMERLAND KEY, FL 33042-4716

00178870-000000  
VOLMER EUGENE  
PO BOX 420816  
SUMMERLAND KEY, FL 33042-0816

00178890-000000  
WEEKS QUINTIN C AND TERESA R  
22660 LAFITTE DR  
SUMMERLAND KEY, FL 33042-4221

00179660-000000  
WEIDNER LEONARD AND JANE  
113 GALLEON LN  
CUDJOE KEY, FL 33042-4228

00178880-000000  
WOODBECk DAVID JOHN  
22652 LA FITTE DR  
SUMMERLAND KEY, FL 33042-4221

00176960-000000  
YETTER SCOTT M  
53 TREASURE CHEST DR  
SUMMERLAND KEY, FL 33042-4718

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NOKOMIS, FL 34274

00180130-000000  
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52 CUTTHROAT DR  
SUMMERLAND KEY, FL 33042-4222

00180130-000000  
ZENSEN FREDERICK  
52 CUTTHROAT DR  
SUMMERLAND KEY, FL 33042-4222

BERMAN JEFFREY AND SHERYL A  
2806 PATTERSON AVE  
KEY WEST, FL 33040

BOOZER JAMES H  
PO BOX 420462  
SUMMERLAND KEY, FL 33042-0462

CLEARY ARLENE S  
C/O BERGERON PATRICIA  
166 WEST ST  
ESSEX JUNCTION, VT 05452-4619

COX GRAHAM P  
121 CUTTHROAT DR  
CUDJOE KEY, FL 33042

FUTO FRANK  
670 S LAKE RIDGE AVE  
DECATUR, IL 62521-2537

LOUD RICHARD  
256 SAINT GEORGE ST  
SAINT AUGUSTINE, FL 32084-5032

PEMBERTON ANNE  
22626 BAYVIEW DR  
SAINT CLAIR SHORES, MI 48081-2447

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SUMMERLAND KEY, FL 33042-4713

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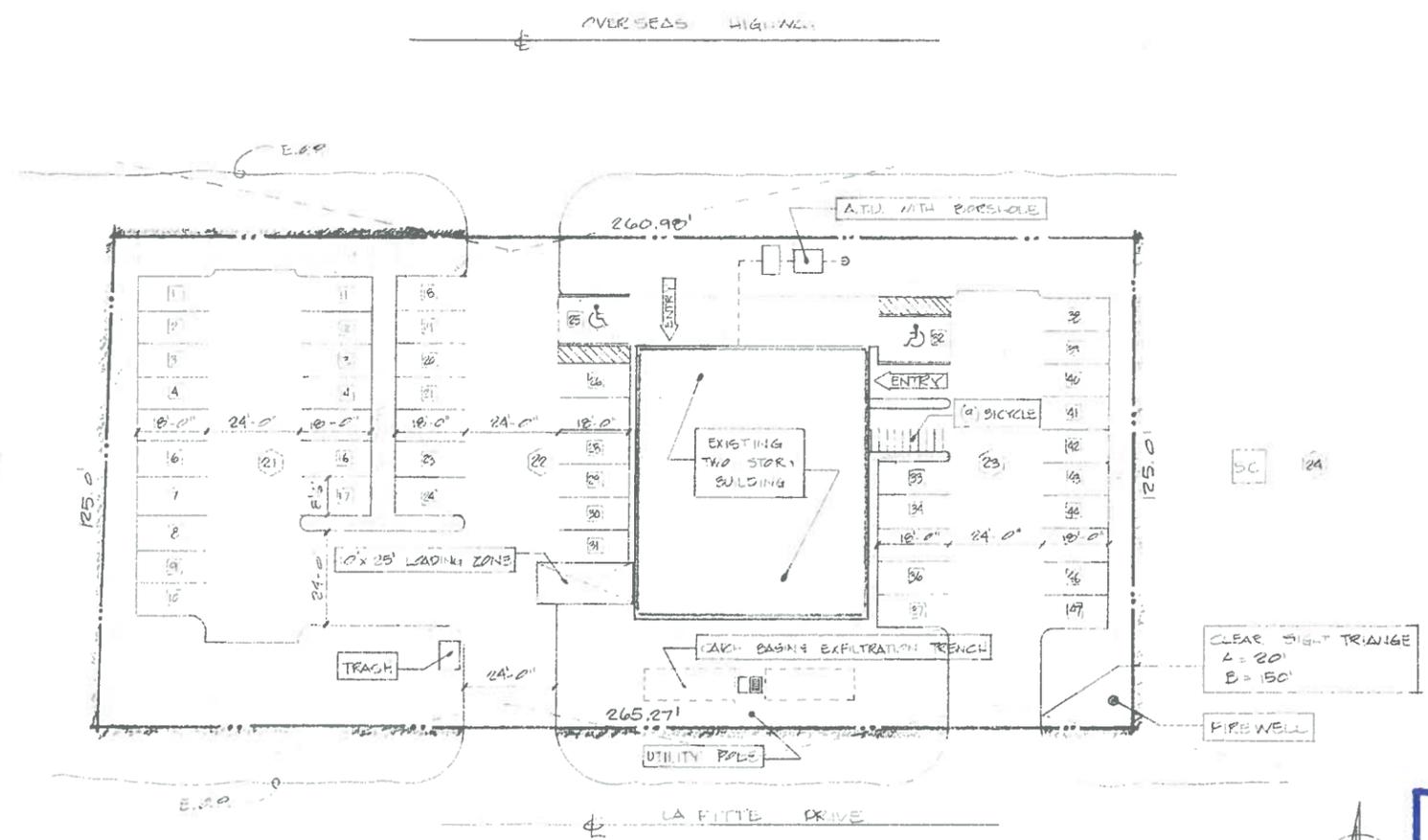
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**LEGAL DESCRIPTION:**  
 LOTS 21,22 and 23, BLOCK 8 "Cutthroat Harbor Estates"  
 PLAT BOOK 4, PAGE 165

SITE PLAN



RECEIVED  
 MAY 30 2013  
 2013-066  
 MONROE CO. PLANNING DEPT

THE SQUARE GROUPER RESTAURANT  
 SITE PLAN

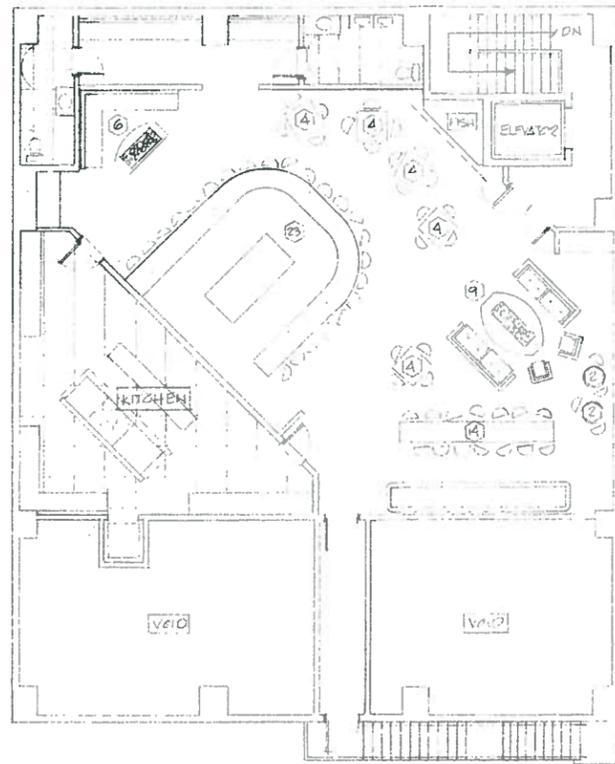
DRAWN: TKC  
 DATE: 05/10/13

SHEET NUMBER  
**D-1**  
 OF 2

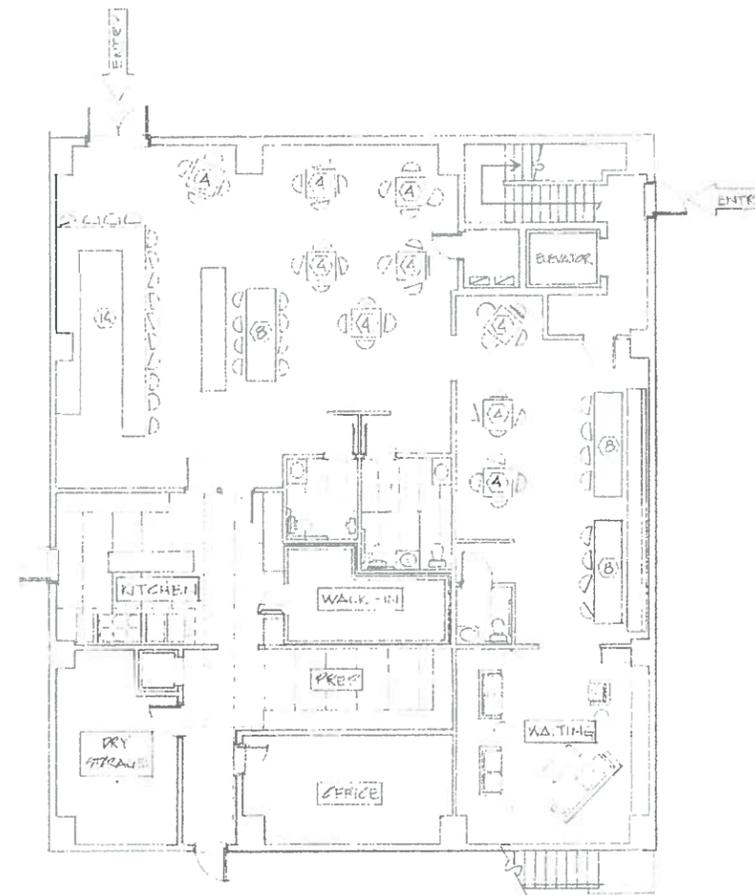
CUDJOE KEY

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SECOND FLOOR PLAN



FIRST FLOOR PLAN

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FLOOR PLANS  
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DRAWN: TCK  
DATED: 05/10/13

SHEET NUMBER  
**D-2**  
OF 2