



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES
DEPARTMENT OF PLANNING AND NATURAL RESOURCES
Cyril E. King Airport, Terminal Building 2nd Floor, St. Thomas, USVI, 00802

Report on Petition to Amend Official Zoning Map No. STZ-6

Application No. ZAT-14-9

Petition of Dun-Run Restaurants, LLC (*authorized agent- David A. Bornn, Esq.*) to amend Official Zoning Map No. STZ-6 from R-3 (*Residential- Medium Density*) to B-3 (*Business- Scattered*) for Parcels Nos. Consolidated A1-A, A3B-1, and A1-B Estate Lovenlund, No. 2 Great Northside Quarter, St. Thomas.

PROJECT PROFILE

Owner/applicant: Dun Run Restaurants, LLC as per Special Warranty Deed dated February 14, 2011, Document No. 2011002674. Mr. David A. Bornn, Esq. of The Bornn Firm is the authorized agent.

Acreeage: The properties comprise approximately 1.185 acres as described on Drawings D9-8914-T014 and A9-430-T93.

Current Use: Parcel Consolidated A1-A is developed with the Old Stone Farmhouse Restaurant. The other two properties are vacant.

Proposed Use: The applicant proposes to continue the use of the fine dining restaurant, however, the request is to allow the restaurant to operate as a "stand alone" property from the Mahogany Run community and golf course.

Surrounding Uses: The properties are surrounded by the Mahogany Run community and golf course.

Infrastructure: Water needs are supplied by cistern and wastewater handled by septic tank.

Public Response: Ten Mahogany Run community members testified during the November 20, 2014 public hearing. Prior to the public hearing, 20 emails/letters were submitted for inclusion in the file. Area residents expressed several concerns, namely:

- narrow width of roadway,
- potential increase in traffic,
- the 144 uses allowed under the B-3 zone,
- noise pollution,
- diminished security control,

- increased parking issues, and
- the presence of historical structures

The correspondence and testimony received prior to, during and after the public hearing echoed a unified lack of support for the outright re-zoning of the property. In response to their lack of support, area residents instead recommended that a “use variance” be applied for the continued operation of the restaurant only.

Subsequent to the Public Hearing and in an effort to satisfy the concerns of the Mahogany Run Community, the applicants authorized agent submitted documentation to the Department requesting a “use variance” for Restaurant Use only in the existing R-3 zone.

ANALYSIS:

The applicant's agent testified during the public hearing that the property is being leased by Island Dining, owned by Neil and Trudie Prior. The zone change is requested to allow separation of the parcels in order for them to purchase the lots from Dun Run Restaurants, LLC and continue the operation of their Old Stone Farmhouse Restaurant. The zone change would also allow them to have flexibility in the number of uses allowed.

The property's R-3 zoning only allows restaurants and bars as accessory uses to apartment houses or hotels. Thus for a stand-alone restaurant to be permitted, a zone change or use variance would have to be granted.

The properties are accessed by way of the Mahogany Run entrance, past the guardhouse. Two of the subject lots are adjacent to each other, Parcels A1-B and Consolidated A1-A, while the third lot is over 200 feet away and accessed by way of a golf cart trail.

The department assessed the area, taking into consideration: 1) the applicant's intention to continue the restaurant and bar operation; 2) they have no future plans to develop the two vacant lots, one of which is located over 200 feet away; 3) the properties are accessed by a controlled entrance also used by the Mahogany Run community and golf course; 4) the objections of the surrounding community members; 5) the surrounding community members' testimony that the restaurant currently exists in harmony with their community; and 6) the existing R-3 zone does allow reasonable use of the property, 38 uses as a matter of right, 16 conditional uses, and 31 accessory uses.

The department does not foresee any adverse impacts occurring with the continued use of the bar and restaurant and is in support of the granting of a use variance for the specific parcels on which it operates.

Recommendation:

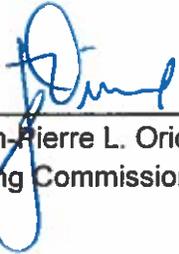
The Department of Planning and Natural Resources recommends that a use variance be granted to the R-3 (*Residential- Medium Density*) zoned Parcels Nos. Consolidated A1-A, A3B-1, and A1-B Estate Lovenlund, No. 2 Great Northside Quarter, St. Thomas, to allow the continued operation of a bar and restaurant.



T. Stuart Smith
Director/CCZP

1-15-15

Date



Jean-Pierre L. Oriol
Acting Commissioner

15-Jan-2015

Date



Member:
David A. Bornn, P.C.

5079 Norre Gade, Suite 1
St. Thomas, V.I. 00802

*St. John- By Appointment
Only*

P.O. Box 1677
St. Thomas, V.I. 00804

Tel: 340-774-2501
Facsimile: 340-774-2602

September 16, 2014

VIA HAND DELIVERY

Senator Shawn-Michael Malone
President, 30th Legislature
Capitol Building
Charlotte Amalie, St. Thomas
U.S. Virgin Islands

Mr. Jean-Pierre Oriol
Acting Commissioner
Department of Planning and Natural Resources
Cyril E. King Airport
Terminal Building, 2nd Floor
St. Thomas, VI 00802

T. Stuart Smith, Director
Division of Comprehensive and Coastal Zone Planning
Cyril E. King Airport Terminal Bldg. – 2nd Floor
St. Thomas, USVI 00802

Re: Amended Submission of Official Zoning Amendment Request Form
- Parcel Nos. Consolidated A1-A [A1-A & 5B-1], A3B-1, and
A1-B Est. Lovenlund
No. 2 Great Northside Qtr., St. Thomas, VI

Dear Senator Malone, Acting Commissioner Oriol and Director Smith:

This Law Firm represents **Island Dining Properties, Inc.**, owners and operators of The Old Stone Farmhouse Restaurant, Tenant of the subject parcels, and we are also authorized to act on behalf of **Dun Run Restaurants, LLC**, titled owners and Lessor of the referenced parcels.

On June 27, 2014 we submitted an Application for Amendment of Zoning for the above-referenced parcels. Upon preliminary review of the Application with the Department of Planning and Natural Resources (DPNR) certain revisions were requested. We hereby submit that attached supplemental and amended elements of Official Zoning Amendment Request Form for the re-zoning of Parcel Nos. Consolidated A1-A, A3B-1,

and A1-B Estate Lovenlund, St. Thomas, VI. The Application is amended and submitted pursuant to an Authorization [included in the Application] from the Lessor.

While we have previously submitted a substantially complete application package, please be advised that the following documentation, which was not contained in the previously submitted Application, is submitted herewith in supplementation:

- Adjacent Property Owner's Certification
- Tax Clearance Letter
- Zoning Map
- Flood Map
- Soil Type Map

Additionally, we are submitting herewith the following revised documentation:

- Revised As-built Survey from Marvin Berning & Associates dated 07/23/14 [showing consolidation of Parcel Nos. A1-A and 5B-1]
- Registered Survey OLG No. D9-8914-T014 for all parcels including Consolidated Parcel A1-A

We would request that your office review the attached submittal and confirm completeness at your earliest convenience and schedule this matter for hearings as expeditiously as possible.

We hereby incorporate our prior submission letter dated June 27, 2014 and the original Application submission of June 27, 2014.

If you have any questions or concerns please feel free to contact me at (340) 774-2501.

Thank you for your attention and anticipated cooperation with this matter.

Very Truly Yours,



David A. Bornn, Esq.

cc: Island Dining Restaurants, Inc.
Dun Run Restaurants, LLC



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

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DEPARTMENT OF PLANNING AND NATURAL RESOURCES

8100 LINDBERGH BAY, STE. #61
CYRIL E. KING AIRPORT TERMINAL BLDG., SECOND FLOOR
ST. THOMAS, VIRGIN ISLANDS 00802

Telephone: (340) 774-3320
Fax: (340) 775-5706

January 20, 2015

The Honorable Neville James
President
31st Legislature of the United States Virgin Islands
Capitol Building
Charlotte Amalie, St. Thomas, USVI 00802

Dear Senator James:

Enclosed please find the following:

The Department of Planning and Natural Resources' reports and recommendations for the following St. Thomas petitions for a zoning map amendment.

ZAT-14-9: Dun-Run Restaurants, LLC for Parcels Nos. Consolidated A1-A, A3B-1, and A1-B Estate Lovenlund, No. 2 Great Northside Quarter, St. Thomas from R-3 (Residential- Medium Density) to B-3 (Business- Scattered). The purpose of the request is to separate the parcels so the restaurant can operate as a "stand alone" property.

ZAJ-14-1: Moravian Church VI Conference for Parcel No. Remainder 10A Estate Emmaus, No. 2 Coral Bay Quarter, St. John from R-2 (Residential- Low Density- One and Two Family), W-1 (Waterfront- Pleasure), and W-2 (Waterfront- Industrial) to W-1. The purpose of the request is to develop a mixed-use project consisting of an 89-unit hotel/condominium resort, marina, retail, and recreational areas.

Sincerely,

A handwritten signature in black ink, appearing to read "Stuart Smith".

Stuart Smith
Director, CCZP



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

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**DEPARTMENT OF PLANNING AND NATURAL RESOURCES
Virgin Islands State Historic Preservation Office**

1640 Dronningens Gade 71 & 72A, Kongens Quarter
Charlotte Amalie
St. Thomas, Virgin Islands 00802

Telephone: (340) 776-8605

Facsimile: (340) 776-7236

December 19, 2014

Mr. Stuart Smith
Director
Division of Comprehensive and Coastal Zone Planning
Department of Planning and Natural Resources

Ref: The Rezoning of the Old Stone Farm House at Mahogany Run Golf Course and its Historic Status

Dear Director Smith:

This letter is to inform you that the Virgin Islands State Historic Preservation Office (VISHPO) has conducted a review of the above referenced property. The VISHPO has determined that the Old Stone Farm House is a historic structure from the mid 1800's historic Estate Lovenlund Sugar Plantation Complex. A review of various reference materials housed at VISHPO, as well as discussions with David W. Knight, a Historian and member of the St. Thomas-St. John Historic Preservation Committee, aided in the VISHPO's conclusion that the Old Stone Farm House is historic. Mr. Knight has done extensive historical research of the subject site

The VISHPO has no objection to the pending rezoning of the Old Stone Farmhouse site, because the rezoning designation is for operations conformance and not development at this time. However, because the subject site consist of open land and structures that could be sort for development and redevelopment respectively under the proposed rezoning designation, you should note that the Old Stone Farm House and associated parcels' historic status does make it subject to both the territorial and federal laws that address the treatment of historic resources in the Virgin Islands.

Thank you for the opportunity to provide you with this consultation.

Sincerely,

Sean L. Krigger
Acting Director
And Deputy State Historic Preservation Officer

cc: Attorney David Bornn, The Bornn Firm

 **The Bornn Firm**

Member:
David A. Bornn, P.C.

5079 Norre Gade, Suite 1
St. Thomas, V.I. 00802

*St. John- By Appointment
Only*

P.O. Box 1677
St. Thomas, V.I. 00804

Tel 340-774-2501
Facsimile: 340-774-2602

January 14, 2015

VIA HAND DELIVERY

T. Stuart Smith, Director
Division of Comprehensive and Coastal Zone Planning
Cyril E. King Airport Terminal Bldg. – 2nd Floor
St. Thomas, USVI 00802

**Re: Zoning Amendment Request
Parcel Nos. A1-A, A3B-1, 5B-1 and A1-B Est. Lovenlund
No. 2 Great Northside Qtr., St. Thomas, VI**

NOTICE TO PROCEED WITH VARIANCE ONLY

Dear Stuart:

As you are aware, this Law Firm represents **Island Dining Properties, Inc.**, owners and operators of The Old Stone Farmhouse Restaurant, Tenant of the subject parcels, and we are also authorized to act on behalf of **Dun Run Restaurants, LLC**, titled owners and Lessor of the referenced parcels in connection with the Application for Rezoning from current R-3 to B-3.

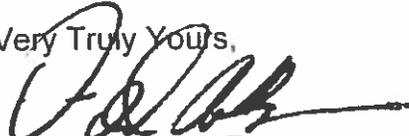
The Applicants [Dun Run Restaurants, LLC and Island Dining Properties, Inc.] hereby notify the Division of Comprehensive and Coastal Zone Planning that, pursuant to 29 Virgin Islands Code §238a, that they wish to proceed this matter as a **variance** only for Restaurant Use in the existing R-3 Zone.

We would request that your office accept this change in the rezoning application without re-submission of the entire rezoning application.

If you have any questions or concerns please feel free to contact me at (340) 774-2501.

Thank you for your attention and anticipated cooperation with this matter.

Very Truly Yours,


David A. Bornn, Esq.

cc: Island Dining Restaurants, Inc.
Dun Run Restaurants, LLC

The Bornn Firm

Member:
David A. Bornn, P.C.

5079 Norre Gade, Suite 1
St. Thomas, V.I. 00802

St. John- By Appointment
Only

P O. Box 1677
St. Thomas, V.I. 00804

Tel: 340-774-2501
Facsimile: 340-774-2602

January 14, 2015

VIA HAND DELIVERY

T. Stuart Smith, Director
Division of Comprehensive and Coastal Zone Planning
Cyril E. King Airport Terminal Bldg. – 2nd Floor
St. Thomas, USVI 00802

Re: **Zoning Amendment Request**
Parcel Nos. A1-A, A3B-1, 5B-1 and A1-B Est. Lovenlund
No. 2 Great Northside Qtr., St. Thomas, VI

NOTICE TO PROCEED WITH VARIANCE ONLY

Dear Stuart:

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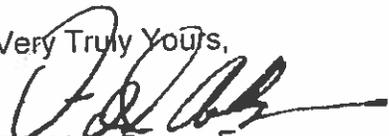
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We would request that your office accept this change in the rezoning application without re-submission of the entire rezoning application.

If you have any questions or concerns please feel free to contact me at (340) 774-2501.

Thank you for your attention and anticipated cooperation with this matter.

Very Truly Yours,


David A. Bornn, Esq.

cc: Island Dining Restaurants, Inc.
Dun Run Restaurants, LLC

**REVISED PAGE 1 REZONING
APPLICATION**

Office Use Only	
Tracking No.	_____
Date Application Received:	_____
Reviewed by:	_____
Date Application Deemed Complete:	_____
Date of Pre-Application Meeting:	_____



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

DEPARTMENT OF PLANNING AND NATURAL RESOURCES
 Division of Comprehensive & Coastal Zone Planning

St. Croix
 PH: 773-1082/ Fax: 713-2418

St. Thomas
 PH: 774-3320/ Fax: 714-9534

Official Zoning Amendment Request Form

Zoning Amendment Request is for: Rezoning Use Variance

- Applicant's Name Dun-Run Restaurants, LLC
 Mailing Address c/o Tim Denker c/o Dunhill Partners, Suite 300, 3100 Monticello Ave.
 City Dallas State Texas Zip 75205
 Telephone 214-373-7500 Fax 214-373-7535 E-mail tdenker@dunhillpartners.com

Note: Official correspondence will be mailed to the address above

- Contact Person/Representative Arthur Pomerantz
 Telephone 340-776-650 Fax 340-776-9142 E-mail aplawone@aol.com
- Property Address Parcel Nos. Consolidated A1-A, A3B1 and A1-B Est. Lovenlund, No. 2 Great Northside Qtr, St. Thomas, VI
- Tax Assessor's Parcel I.D. Number 1-03001-0220-00
- Current Zone R-3 Proposed Zone or Use Variance B-3 Business - Scattered
- Site Acreage 1.185 Acres

7. Property Owners Name(s) Dun-Run Restaurants, LLC

Address c/o Tim Denker c/o Dunhill Partners, Suite 300, 3100 Monticello Ave.

City Dallas State Texas Zip 75205

Telephone 214-373-7500 Fax 214-373-7535 Email tdenker@dunhillpartners.com

8. Detailed Description of what exists on the property. Old Stone Farmhouse Restaurant and parking lot

9. Does what exists on the property conform to its current zoning district's requirements?

Yes No

10. Detailed Description of Proposal:

The parcels and existing restaurant have been under a Lease dated 06/29/93 with an option to purchase. The parcels are a part of other property owned by the Landlord's affiliate and need to be separated and sold separately as "stand alone" property with conforming zoning to allow the continued operation of the restaurant in compliance with zoning district requirements.

11. Is the property served by municipal sewer lines? Yes No

If no, please explain plan for sewage disposal. existing

12. Is the property served by municipal water lines? Yes No

If no, please explain plan for water supply. existing

13. Are there any flood ways on the site? Yes No

14. Are there any cultural/historical resources on site? Yes No

If yes, provide letter from Division of Archaeology and Historical Preservation and describe the resources. _____

(If uncertain, verify with the Division of Archaeology and Historical Preservation at 772-2021 or 776-8605).

Describe how the cultural/historical resource(s) will be incorporated into the development. _____

15. Are there any covenants and restrictions of record on the property? Yes No

If yes, provide a copy of the restrictions.

Do they preclude undertaking of the uses that are proposed? Yes No

Required Submittals

Four Copies of this application along with four copies of those items listed in the checklist below:
Two (2) Copies for Submittal to the Division of Comprehensive and Coastal Zone Planning
One (1) Copy for the applicants records
One (1) Copy for submittal to the Legislature

Documents shall be submitted on letter sized paper (8.5" x 11")

Maps, Surveys, Plans and Renderings shall be submitted in a format no larger than 24" x 36".

Documents larger than 8.5" x 11" shall be folded.

- Letter of Application**- Address letter to the Senate President; Indicate name of property owner(s) and authorized agent(s) with mailing addresses and contact numbers, legal physical address and acreage of parcel(s) to be rezoned, current and requested zone, and specific intent for zoning map amendment.
- Official Recorded and Numbered PWD/OLG Map** (*Must be obtained from and certified by the Office of the Lieutenant Governor, Cadastral Division, St. Croix 773-6449; St. Thomas 774-9906*)
- Adjacent Property Owners Certification**- List of complete names, mailing addresses and plot numbers of all adjacent property owners extending a minimum radius of one hundred and fifty (150) feet from the boundary line of the subject property. (*Obtained from the Office of the Lieutenant Governor, Tax Assessor Division, St. Croix 773-6459 or 772-3115; St. Thomas 776-8505; St. John 776-6737*).
- Recorded Deed** (*Include copy of covenants and restrictions referenced in deed; obtained from the Office of the Lieutenant Governor, Recorder of Deeds, St. Croix 773-6449; St. Thomas 774-9906*)
- Tax Clearance Letter** (*Obtained from the Office of the Lieutenant Governor, Tax Assessor Division, St. Croix 773-6459 or 772-3115; St. Thomas 776-8505; St. John 776-6737*)
- Zoning Map** (*obtained from the Office of the Lieutenant Governor, Cadastral Division*)
- Flood Map** (*obtained from the Office of the Lieutenant Governor, Cadastral Division*)
- Soil Type Map** (*obtained from the Office of the Lieutenant Governor, Cadastral Division*)
- Contract of Sale and/or Lease Agreement** (*if applicable*)
- Power of Attorney** (*Notarized Power of Attorney required if applicant/representative is not the property owner(s) of record or if property is owned by more than one person.*)
- Articles of Incorporation** (*required if the property is owned by a Corporation*)
- Photographs** (*Depicting intervals along the perimeter of the property, its existing on-site conditions, and surrounding neighborhood*)

Conceptual Site Plan- At a minimum scale of 1 inch = 40 feet and includes the following:

- _____ Conceptual layout of the property.
- _____ Existing/proposed building locations and footprint.
- _____ Location of uses and open spaces.
- _____ Location of watercourses (*guts*) and existing/type of vegetation on the site.
- _____ Location of existing/proposed street and driveways, accesses, and circulation patterns.
- _____ Current use and zoning of the site and adjacent property.
- _____ Landscape design and screening/buffering plan.
- _____ Proposed lot size/density and setback.
- _____ Proposed development timing.

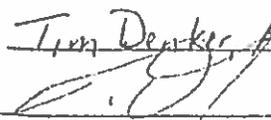
Note: You will be notified by the Planning Office if the following items are required.

- Letter from the Division of Archaeology and Historic Preservation (*if applicable; Contact Nos. St. Croix 772-2021; St. Thomas 776-8605*)
- Letter from the Division of Fish and Wildlife (*if applicable; Contact Nos. St. Croix 773-1082; St. Thomas 775-6762*)

PLEASE NOTE: Submittal of the requested information is a prerequisite for a pre-application meeting and does not constitute the submittal of an application to the Legislature for a Zoning Map Amendment or Use Variance. A determination that an application is complete **IN NO WAY** implies that additional information may not be required.

I/We attest that the information submitted on this form is a true and accurate representation of my/our development plan(s) for the property.

Print Tim Denker, Authorized Representative

Sign 

Date June 11, 2014

Print _____

Sign _____

Date _____

ADJACENT OWNERSHIP
CERTIFICATION



OFFICE OF THE LT. GOV
CASH OTHER
CHECK OR M/D _____

GOVERNMENT OF PA JUL 16 2014 ID
THE VIRGIN ISLANDS OF THE UNITED STATES
COLLECTOR NO. _____
COLLECTOR'S INITIALS _____

OFFICE OF THE TAX ASSESSOR

Charlotte Amalie, St. Thomas, U.S.V.I. 00802

OFFICE OF
THE LIEUTENANT GOVERNOR

KONGENS GADE NO. 18
CHARLOTTE AMALIE
ST. THOMAS, VIRGIN ISLANDS 00802
(808) 774-2891

ADJACENT OWNERSHIP CERTIFICATION
(CZM)

Property Ownership within 150' Radius of Parcel

#2630906

This letter is to certify that the following list of owners and addresses are consistent with the record of the Tax Assessor's Office of Charlotte Amalie, St. Thomas, U.S. Virgin Islands.

The stated ownership are those adjacent to Parcel No.(Pin) A1-A
Estate Lovelace
Island of ST THOMAS, U.S. Virgin Islands.

DEPARTMENT USE ONLY:

AUTHORIZED SIGNATURE:

Public Surveyor (Not Valid without Signature)

ALTERNATE SIGNATURE: _____

TAX ASSESSOR

DATE:

7/16/2014

FEE:

\$30.00

DELIVERED TO CASHIER NO. _____

RECEIVED BY: _____

Signature of Cashier / Assistant Cashier

DATE: _____



OFFICE OF THE LT. GOV.
CASH OTHER
CHECK OR M/O _____

PA JUL 16 2014 10

GOVERNMENT OF
THE VIRGIN ISLANDS OF THE UNITED STATES
OFFICE OF THE TAX ASSESSOR

COLLECTOR NO. _____
COLLECTORS INITIALS 1483

Charlotte Amalie, St. Thomas, U.S.V.I. 00802

OFFICE OF
THE LIEUTENANT GOVERNOR

KONGENS GADE NO. 18
CHARLOTTE AMALIE
ST. THOMAS, VIRGIN ISLANDS 00801
(808) 774-2881

ADJACENT OWNERSHIP CERTIFICATION
(CZM)
Property Ownership within 150' Radius of Parcel

#2630906

This letter is to certify that the following list of owners and addresses are consistent with the record of the Tax Assessor's Office of Charlotte Amalie, St. Thomas, U.S. Virgin Islands.

The stated ownership are those adjacent to Parcel No. (Pin) A1-P
Estate Loverland
Island of ST THOMAS, U.S. Virgin Islands.

DEPARTMENT USE ONLY:

AUTHORIZED SIGNATURE: [Signature]
Public Surveyor (Not Valid without Signature)

ALTERNATE SIGNATURE: _____
TAX ASSESSOR

DATE: 7/16/2014

FEE: \$30

DELIVERED TO CASHIER NO. _____

RECEIVED BY: _____
Signature of Cashier / Assistant Cashier

DATE: _____

**AJACENT OWNERSHIP CERTIFICATION
(CZM)**

Property Ownership within 150' Radius of

PARCEL NO/LOT NO.: A1-B

ESTATE: LOVENLUND

ISLANDS: ST. THOMAS

OWNER'S NAME AND MAILING ADDRESS

**TIM DENKER
DUN RUN DEVELOPMENT LLC
C/O DUNHILL PARTNERS
SUITE 300
3100 Monticello Ave**

PARCEL NO:

**B-1-4 ESTATE
LOVENLUND
GT. NORTHSIDE QTR.**



OFFICE OF THE LT. GOV.
CASH OTHER
CHECK OR M/O

PA JUL 15 2014 ID

GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

OFFICE OF THE TAX ASSESSOR

Charlotte Amalie, St. Thomas, U.S.V.I. 00802

OFFICE OF THE LIEUTENANT GOVERNOR

KONGENS GADE NO. 18
CHARLOTTE AMALIE
ST. THOMAS, VIRGIN ISLANDS 00802
(809) 774-2981

ADJACENT OWNERSHIP CERTIFICATION (CZM)

2630906

Property Ownership within 150' Radius of Parcel

This letter is to certify that the following list of owners and addresses are consistent with the record of the Tax Assessor's Office of Charlotte Amalie, St. Thomas, U.S. Virgin Islands.

The stated ownership are those adjacent to Parcel No. (Pin) A3B-1
Estate Coverland
Island of St. Thomas, U.S. Virgin Islands.

DEPARTMENT USE ONLY:

AUTHORIZED SIGNATURE:

[Handwritten Signature]
Public Surveyor (Not Valid without Signature)

ALTERNATE SIGNATURE:

TAX ASSESSOR

DATE: 7/16/2014

FEE: \$30

DELIVERED TO CASHIER NO. _____

RECEIVED BY: _____

Signature of Cashier / Assistant Cashier

DATE: _____

**AJACENT OWNERSHIP CERTIFICATION
(CZM)
Property Ownership within 150' Radius of**

PARCEL NO/LOT NO.: A3B-1
ESTATE: LOVENLUND
ISLANDS: ST. THOMAS

OWNER'S NAME AND MAILING ADDRESS

LLOYD, LORETTA V.
PO Box 9320
St Thomas, VI 00801

LUIS ORLANDO AMARO MD REVOC FAM TR
5C No Estate Charlotte Amalie
St Thomas, VI 00802

ROBINSON, ALICE HILL
96 College Pl
Hampton, VA 23669

TRANS CARIBBEAN DAIRIES CORP.
PO Box 304800
St Thomas, VI 00803

PARCEL NO:

LOVENLUND ESTATE
B-17(151)
No.2 GREAT
NORTHSIDE QTR.

LOVENLUND ESTATE
B-16
No.2 GREAT
NORTHSIDE QTR.

ST JOSEPH &
ROSENDAHL 8A
GR NORTHSIDE QTR

LOVENLUND 3A
GREAT NORTHSIDE
QTR.

TAX CLEARANCE LETTER

INSERT



GOVERNMENT OF
THE UNITED STATES VIRGIN ISLANDS

**OFFICE OF THE LIEUTENANT GOVERNOR
DIVISION OF REAL PROPERTY TAX**

1105 King Street • Christianssted, Virgin Islands 00820 • 340.773.6449 • Fax 340.773.0330
18 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.774.2991 • Fax 340.774.6953

REAL PROPERTY TAX CLEARANCE LETTER

TO: Recorder Of Deeds

FROM: Office of the Tax Collector

In accordance with Title 28, Section 121, as amended, this shall certify that there are no outstanding Real Property Tax obligations for the following:

PARCEL NUMBER	1-03001-0220-00
LEGAL DESCRIPTION	5-B-1,A-1-A,A-1-B,A-3-B-1 LOVENLUND No.GREAT NORTHSIDE QTR
OWNER'S NAME	DUN RUN DEVELOPMENT LLC

Taxes have been researched up to and including 2012.

CERTIFIED TRUE AND CORRECT BY

**DELBERT HEWITT
DEPUTY CHIEF OF STAFF**

SIGNATURE

6/20/2014

DATE

AUTHORIZATION FROM DUN RUN

AUTHORIZATION

Dun-Run Restaurants, LLC hereby authorizes The Bornn Firm, P.L.L.C. to submit to and discuss with the Department of Planning and Natural Resources, the Official Zoning Amendment Request Form with accompanying documentation executed by Dun-Run Restaurants, LLC as of June 11, 2014.

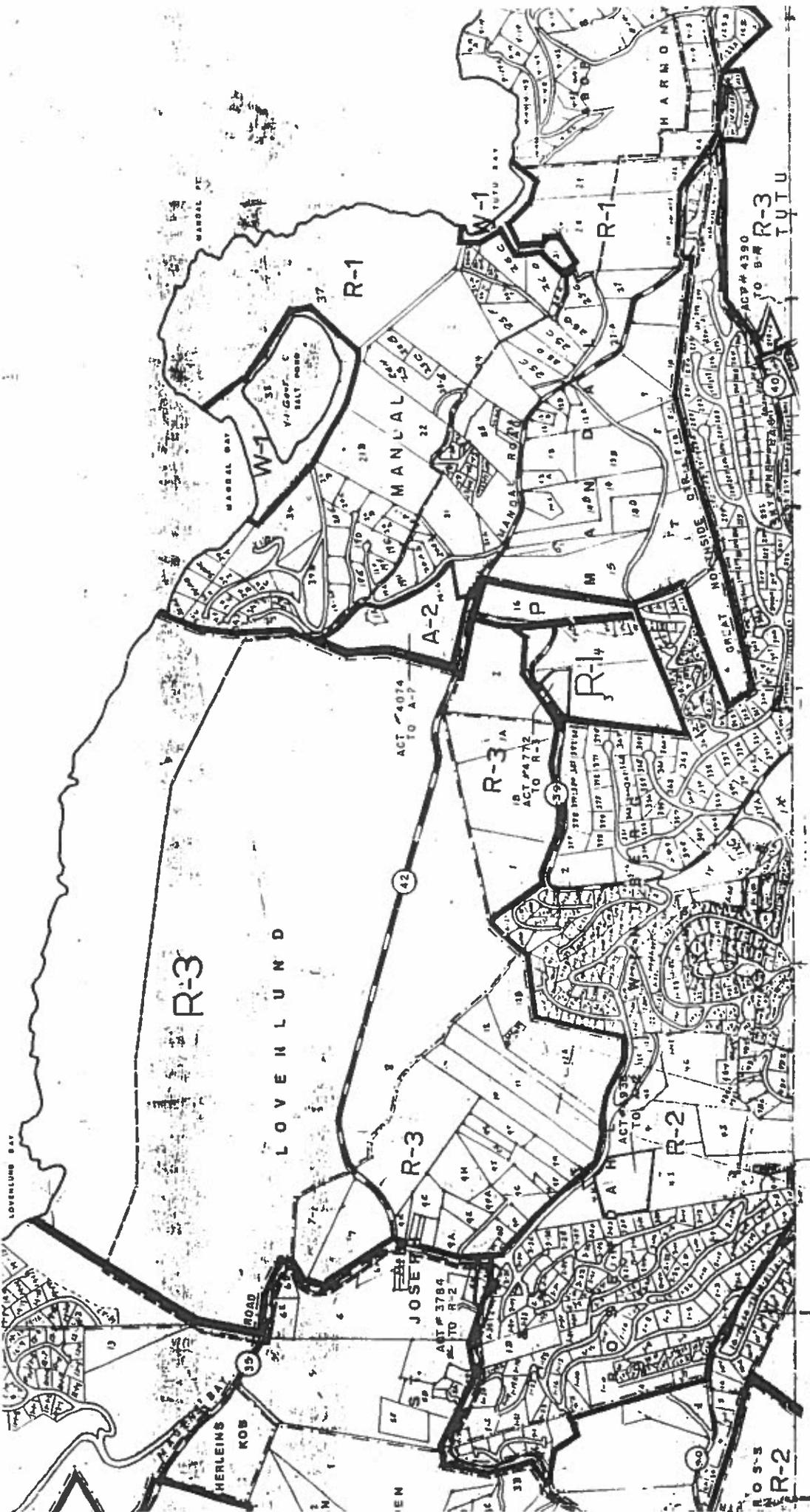
DATED: June 11, 2014

DUN-RUN RESTAURANTS, LLC

By: 

Tim Denker, Authorized Representative

ZONING MAP INSERT



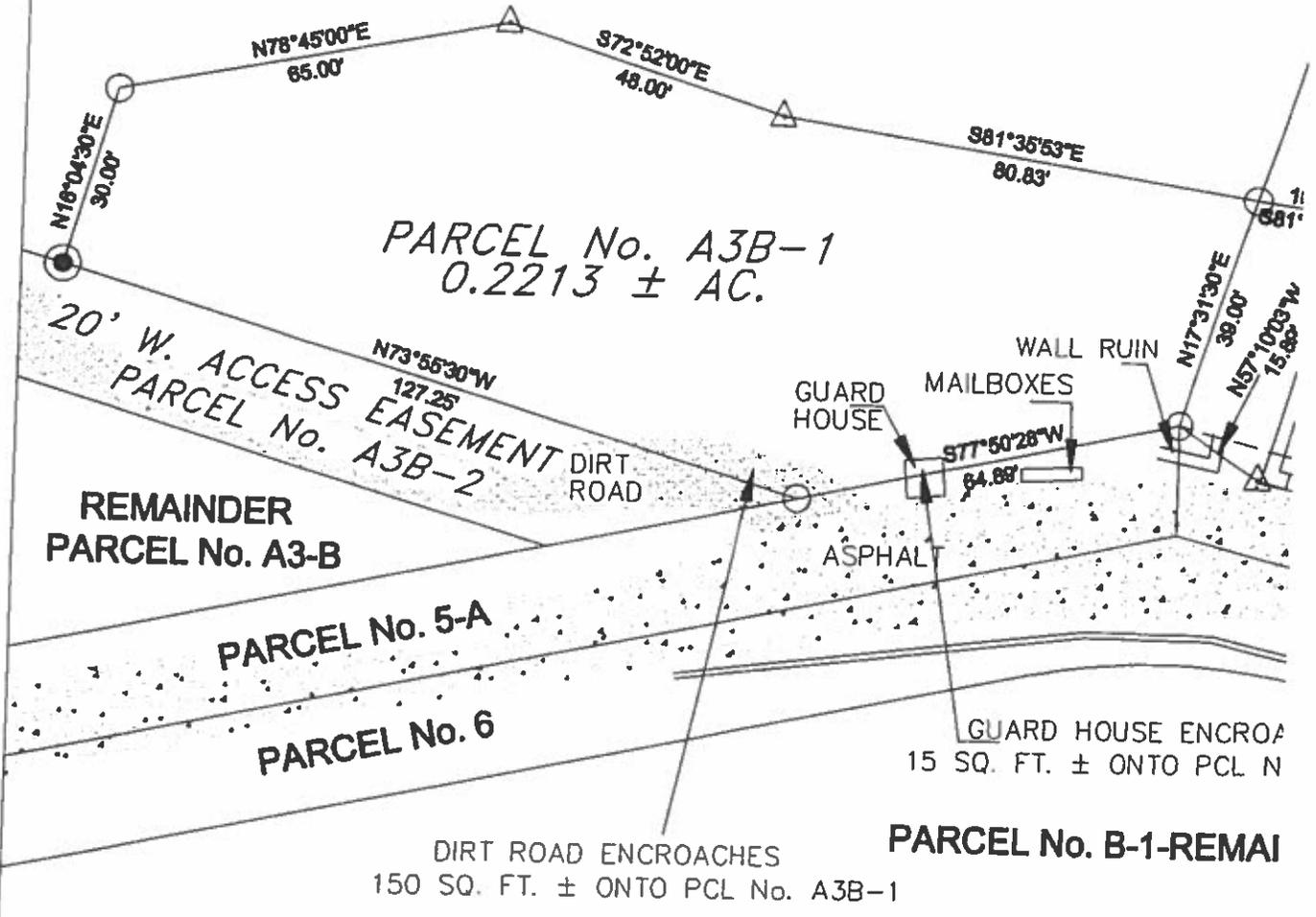
SOIL TYPE MAP INSERT

FLOOD MAP INSERT

REPLACEMENT AS BUILT SURVEY

REMAINDER PARCEL No. A3-B

SE



NOTES:
ZONE R-3



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS
 -----0-----
 DEPARTMENT OF PLANNING AND NATURAL RESOURCES
 Division of Comprehensive & Coastal Zone Planning

St. Croix District
 Tel: 340-773-1082
 Fax: 340-713-2418

St. Thomas/St. John District
 Tel: 340-774-3320
 Fax: 340-714-9534

REQUEST FOR COPY OF PUBLIC DOCUMENT(S)

1. Angela Callwood (Check one of the following):
 (Print Name)

in my capacity as an agent of Mahogany Run Condos
 in a private capacity;

Request a copy of the public document(s) listed below, that are in the custody of the Department of Planning and Natural Resources, Division of Comprehensive and Coastal Zone Planning.

1. Lovenlund Old Stone Z3-B3
2. _____
3. _____
4. _____

I agree to pay a copy fee of \$2 per page required to request for the document(s). I also understand that two (2) working days may be needed prior to the receipt of the document(s) requested, and that the document(s) will be issued only during the hours of 8:00 am and 5:00 pm. Monday through Friday.

[Signature]
 Signature

10513 Golf Village St #2
 Mailing Address

Released by: Stuart Smith

[Signature]
 Director's Signature

10/20/14
 Date

340 513-0714
 Telephone

Date of Release: 10/22/14

 Date



Member:
David A. Bornn, P.C.

5079 Norre Gade, Suite 1
St. Thomas, V.I. 00802

*St. John- By Appointment
Only*

P.O. Box 1677
St. Thomas, V.I. 00804

Tel: 340-774-2501
Facsimile: 340-774-2602

Dun Run Restaurants, LLC/Island Dining Properties, Inc. Re-Zoning Application

We have prepared the below comparison of the R-3 zone [which would be the underlying zoning if a Variance was pursued] and the B-3 zone (with Relinquished Uses) for focus on the issues at hand.

- Out of the 144 B-3 Categories and 47 Subcategories Permitted, Island Dining has relinquished all but 54 of those Categories.
- Of the 54 Categories retained under B-3, **22 of those Categories and 14 subcategories are the same as R-3; 32 of those Categories and 5 subcategories are similar to, [or could easily be categorized as] R-3 [see the similarly identified categories]; and only 3 subcategories retained are not listed on R-3.**
- The colors indicated above coordinate to the attached list
- Thus, there are only 3 Uses not in or equivalent to R-3 Uses in issue in the re-zoning to B-3 (with the relinquished uses)

Island Dining has requested the B-3 zoning designation as it pertains to business uses located near to a residential area; the parcels in issue are NOT currently being used for residential purposes; the B-3 designation allows the owner to have greatest flexibility in achieving highest and best freedom of use for the parcels while retaining their consideration of being adjacent to a residential area.

Respectfully submitted,

s/David A. Bornn

David A. Bornn
For the Applicants



Member:
David A. Bornn, P.C.

5079 Norre Gade, Suite 1
St. Thomas, V.I. 00802

P.O. Box 1677
St. Thomas, V.I. 00804

Tel: 340-774-2501
Facsimile: 340-774-2602

*St. John- By Appointment
Only*

June 25, 2014

VIA HAND DELIVERY

T. Stuart Smith, Director
Division of Comprehensive and Coastal Zone Planning
Cyril E. King Airport Terminal Bldg. – 2nd Floor
St. Thomas, USVI 00802

**Re: Submission of Official Zoning Amendment Request Form
- Parcel Nos. A1-A, A3B-1, 5B-1 and A1-B Est. Lovenlund
No. 2 Great Northside Qtr., St. Thomas, VI**

Dear Stuart:

This Law Firm represents **Island Dining Properties, Inc.**, owners and operators of The Old Stone Farmhouse Restaurant, Tenant of the subject parcels, and we are also authorized to act on behalf of **Dun Run Restaurants, LLC**, titled owners and Lessor of the referenced parcels with the submission of the attached Official Zoning Amendment Request Form for the re-zoning of Parcel Nos. A1-A, A3B-1, 5B-1 and A1-B Estate Lovenlund, St. Thomas, VI. The Application is submitted pursuant to an Authorization [included in the Application] from the Lessor.

While we have submitted a substantially complete application package, please be advised that the following documentation is not contained in the submitted Application, but will be supplemented shortly, upon receipt from the appropriate government agency:

- Adjacent Property Owner's Certification – a request to update a Certification issued on 6/13 has been requested of Cadastral and the original and required copies will be submitted upon receipt
- Tax Clearance Letter – a Request for Tax Clearance letter has been sent to the Tax Assessor's Office and the original and required copies will be submitted upon receipt
- Zoning Map – Attorney for Dun Run Restaurants, LLC has the original, but is off-island until July 1st. Upon his return we will obtain and submit the original and copies as required
- Flood Map - Attorney for Dun Run Restaurants, LLC has the original, but is off-island until July 1st. Upon his return we will obtain and submit the original and copies as required

Letter to Stuart Smith, Director CCZP
Re: Official Zoning Amendment Request Form
Dun Run Restaurants, LLC/Island Dining Properties, Inc.
Page 2 of 2

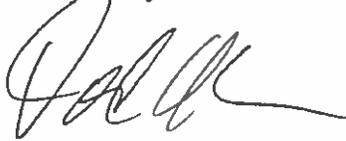
- Soil Type Map - Attorney for Dun Run Restaurants, LLC has the original, but is off-island until July 1st. Upon his return we will obtain and submit the original and copies as required

We would request that your office review the attached submittal and schedule a pre-application meeting at your earliest convenience.

If you have any questions or concerns please feel free to contact me at (340) 774-2501.

Thank you for your attention and anticipated cooperation with this matter.

Very Truly Yours,



David A. Bornn, Esq.

cc: Island Dining Restaurants, Inc.
Dun Run Restaurants, LLC

The Bornn Firm

Member:
David A. Bornn, P.C.

5079 Norre Gade, Suite 1
St. Thomas, V.I. 00802

*St. John- By Appointment
Only*

P O Box 1677
St. Thomas, V.I. 00804

Tel: 340-774-2501
Facsimile: 340-774-2602

June 24, 2014

Original letter

June 24, 2014

VIA HAND DELIVERY

Senator Shawn-Michael Malone
President, 30th Legislature
Capitol Building
Charlotte Amalie, St. Thomas
U.S. Virgin Islands

Alicia Barnes
Commissioner
Department of Planning and Natural Resources
Cyril E. King Airport
Terminal Building, 2nd Floor
St. Thomas, VI 00802

Re: **Dun-Run Restaurants, LLC**
Parcels No. A1-A, A3B-1, 5B-1 and A1-B Estate Lovenlund
No. 2 Great Northside Qtr., St. Thomas, VI

APPLICATION FOR RE-ZONING

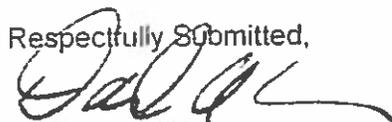
Good Day Senator Malone and Commissioner Barnes:

On behalf of Dun-Run Restaurants, LLC and its Tenant, Island Dining Properties, Inc., respectfully submitted herewith is the Official Zoning Amendment Request Form and application for the re-zoning of the above referenced parcels.

The purpose for this request, as stated in the application, is to separate the parcels on which the restaurant operation is located so that the restaurant can continue operations as a "stand alone" property with conforming zoning in compliance with zoning district requirements. The parcel is currently a part of property owned by the Landlord's affiliate and the restaurant is operating as an accessory use. The separation and request for re-zoning of the parcels is exercised as an option of the Tenant under the current Lease.

Thank you for your attention to this matter.

Respectfully Submitted,



David A. Bornn Esq

cc: Dun-Run Restaurants, LLC
Island Dining Properties, Inc.

AUTHORIZATION

Dun-Run Restaurants, LLC hereby authorizes The Bornn Firm, P.L.L.C. to submit to and discuss with the Department of Planning and Natural Resources, the Official Zoning Amendment Request Form with accompanying documentation executed by Dun-Run Restaurants, LLC as of June 11, 2014.

DATED: June 11, 2014

DUN-RUN RESTAURANTS, LLC

By: 

Tim Denker, Authorized Representative



Member:
David A. Bornn, P.C.

5079 Norre Gade, Suite 1
St. Thomas, V.I. 00802

**St. John- By Appointment
Only**

P.O. Box 1677
St. Thomas, V.I. 00804

Tel: 340-774-2501
Facsimile: 340-774-2602

June 25, 2014

VIA HAND DELIVERY

T. Stuart Smith, Director
Division of Comprehensive and Coastal Zone Planning
Cyril E. King Airport Terminal Bldg. – 2nd Floor
St. Thomas, USVI 00802

**Re: Submission of Official Zoning Amendment Request Form
- Parcel Nos. A1-A, A3B-1, 5B-1 and A1-B Est. Lovenlund
No. 2 Great Northside Qtr., St. Thomas, VI**

Dear Stuart:

This Law Firm represents **Island Dining Properties, Inc.**, owners and operators of The Old Stone Farmhouse Restaurant, Tenant of the subject parcels, and we are also authorized to act on behalf of **Dun Run Restaurants, LLC**, titled owners and Lessor of the referenced parcels with the submission of the attached Official Zoning Amendment Request Form for the re-zoning of Parcel Nos. A1-A, A3B-1, 5B-1 and A1-B Estate Lovenlund, St. Thomas, VI. The Application is submitted pursuant to an Authorization [included in the Application] from the Lessor.

While we have submitted a substantially complete application package, please be advised that the following documentation is not contained in the submitted Application, but will be supplemented shortly, upon receipt from the appropriate government agency:

- Adjacent Property Owner's Certification – a request to update a Certification issued on 6/13 has been requested of Cadastral and the original and required copies will be submitted upon receipt
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Letter to Stuart Smith, Director CCZP
Re: Official Zoning Amendment Request Form
Dun Run Restaurants, LLC/Island Dining Properties, Inc.
Page 2 of 2

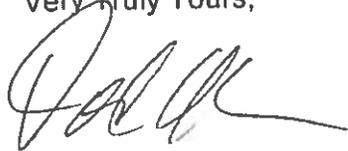
- Soil Type Map - Attorney for Dun Run Restaurants, LLC has the original, but is off-island until July 1st. Upon his return we will obtain and submit the original and copies as required

We would request that your office review the attached submittal and schedule a pre-application meeting at your earliest convenience.

If you have any questions or concerns please feel free to contact me at (340) 774-2501.

Thank you for your attention and anticipated cooperation with this matter.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'D. Bornn', with a long horizontal flourish extending to the right.

David A. Bornn, Esq.

cc: Island Dining Restaurants, Inc.
Dun Run Restaurants, LLC

November 14, 2014

VIA HAND DELIVERY

T. Stuart Smith, Director
Division of Comprehensive and Coastal Zone Planning
Cyril E. King Airport Terminal Bldg. – 2nd Floor
St. Thomas, USVI 00802

**Re: Parcel No. Consolidated A1-A [A1-A & 5B-1] Est. Lovenlund
No. 2 Great Northside Qtr., St. Thomas, VI
Voluntary Relinquishment of Certain Permitted Uses Under B-3**

Dear Director Smith:

This Law Firm represents **Island Dining Properties, Inc.**, (“Island Dining”) owners and operators of The Old Stone Farmhouse Restaurant, Tenant of the subject parcels, and we are also authorized to act on behalf of **Dun Run Restaurants, LLC**, titled owners and Lessor of the referenced parcels.

On June 27, 2014 we submitted an Application for Amendment of Zoning for the above-referenced parcels. Upon preliminary review of the Application with the Department of Planning and Natural Resources (DPNR) certain revisions were requested. We have submitted a supplemental and amended Official Zoning Amendment Request Form for the re-zoning of Parcel Nos. Consolidated A1-A, A3B-1, and A1-B Estate Lovenlund, St. Thomas, VI. The Application was amended and submitted pursuant to an Authorization [included in the Application] from the Lessor. The supplemental submission included revision of the Requested Zone Change from B-4 to B-3.

The B-3 category permits specific uses as a matter of right. Island Dining is willing to voluntarily relinquish certain uses which it feels may be incompatible, in part to be in conformity with restriction of specified uses under the Lease and further to be respectful of, and in harmony with, the residential character of the surrounding neighborhood. See *attached B-3 Zoning Permitted Uses with specified voluntary reduction of uses offered by Island Dining*. In its willingness to reduce certain incompatible uses, Island Dining wants to be perfectly clear and be understood that it is in no way relinquishing its rights to free use and development of the property. Free use and development of property has been recently emphatically supported by the Virgin Islands Supreme Court decision in *Thomas v. Virgin Islands Board of Land Use Appeals, et. al.*, 2014 V.I. Supreme

Letter to Stuart Smith, Director CCZP
Re: Voluntary Relinquishment of Certain B-3 Permitted Uses
Dun Run Restaurants, LLC/Island Dining Properties, Inc.
Page 2 of 2

LEXIS 16, wherein the Supreme Court indicated that it did not look with favor on stringent use restrictions on property. Pigeon-holing use of a property into one kind of use is not what the Court envisioned. Island Dining, in relinquishing its specified permitted uses does not intend to have its free use of the Property pigeon-holed by further conditioning or restrictions on free use and development.

We would request that in reviewing and making a determination regarding the Application submitted on June 27, 2014 and the supplemental submission to the Application filed on September 16, 2014, that the willingness of Island Dining to voluntarily relinquish certain uses which it feels may be incompatible with the Lease restrictions, and its respect to conform its free use and development of the Property within the residential character of the surrounding neighborhood will be considered.

If you have any questions or concerns please feel free to contact me at (340) 774-2501.

Thank you for your attention and anticipated cooperation with this matter.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'D. Bornn', with a long horizontal flourish extending to the right.

David A. Bornn, Esq.

cc: Island Dining Restaurants, Inc.
Dun Run Restaurants, LLC



1 of 1 DOCUMENT

Copyright © 2014 Office of the Code Revisor, Legislature of the Virgin Islands

*** Statutes current through Act 7471 of the 2012 Regular Session and Act 7569 of the 2013 Regular Session ***
*** Annotations current through January 29, 2014 ***

TITLE TWENTY-NINE Public Planning and Development
Chapter 3. Virgin Islands Zoning and Subdivision Law
Subchapter 1. Zoning Law

Go to the Virgin Islands Code Archive Directory

29 V.I.C. § 228 (2013)

§ 228. Table of permitted uses

Land, water and buildings may be used only for a use set forth in the TABLE OF PERMITTED USES and only within those districts specified in said Table and only under the circumstances indicated in said Table, subject to the provisions of sections 229 through 233 of this subchapter.

B-3 BUSINESS--SCATTERED

Uses permitted as a matter of right:

1. Accessory Buildings
2. Accounting, Auditing & Bookkeeping Services
3. Adjustment Agencies, Offices
- ~~4. Alcoholic Beverages, Retail~~
5. Alteration, Clothing
- ~~5a. Alternative and Renewable Energy Systems and Components (solar photovoltaic, solar thermal, wind turbine or other wind converters)~~
- ~~Assembly~~
- ~~Retail~~
6. Apparel & Accessories, Retail
- ~~7. Appliances (Household)~~
- ~~Repair~~
- Sales & Service
8. Appraisers
9. Architects' & Engineering Supplies
- ~~10. Arenas & Field Houses~~
11. Art Galleries

Dancing (Studios)

Music

Nursery

~~Primary (Elementary)~~

~~Secondary~~

~~Professional~~

~~Special Education~~

~~Technical, Trade & Vocational~~

~~125. Shoe Repair Shops~~

~~126. Shoes, Retail~~

~~127. Shoeshine Stands~~

128. Soft Drinks, Retail

~~129. Sporting Goods (Athletic), Retail~~

130. Stamps & Coin Dealers

~~131. Stamps, Rubber & Metal, Sales~~

~~132. Stationery, Engravers~~

133. Stationery, Retail

~~134. Swimming Pools~~

135. Tax Consultants' Offices

~~136. Taxidermists~~

137. Telephone Answering Service

~~138. Toys, Retail~~

139. Travel Arranging Services

~~140. Variety Stores, Retail~~

~~141. Water, Mineral (Bottled), Storage and Distribution~~

~~142. Welfare & Charitable Services~~

~~143. Youth Correctional Institution~~

HODGE & HODGE

November 7, 2014

Mr. Jean-Pierre Oriol
Acting Commissioner
Department of Planning and Natural Resources
Cyril E. King Airport
Terminal Building, 2nd Floor
St. Thomas, VI 00802
Via Hand Delivery

Re: Zoning Amendment Request from Island Dining Properties, Inc. for Parcel Nos. Consolidated A1-A [A1-A & 5B-1], A3B-1, and A1-B Est. Lovenlund, No. 2 Great Northside Qtr, St. Thomas, VI

Dear Commissioner Oriol:

We represent the Mahogany Run Condominium Association. In connection with the above-referenced application for a zoning change from R-3 to B-3 for the subject property, we wish to request that your department require that a Historical Survey be conducted of this property, prior to any further action on this request to greatly expand the permitted uses of the property which lies within the existing golf-course at Mahogany Run where the Old Stone Farmhouse Restaurant is located.

Mahogany Run has been informed by the Historic Preservation Office that this is an historic site. A copy of their letter explaining this is enclosed. We think it is extremely important that a full understanding of the historic nature of the property be included in your department's consideration of this request to convert the existing use as a fine dining restaurant into a zone allowing a vast array of commercial activities that would be inconsistent with historic preservation. In fact, my client has anecdotal information suggesting that there are actual burial sites on the property, as well former slave quarters and ruins.

For these reasons, we urge your Department to require the completion of a full historic survey of the site before acting upon any request for a zoning change that would significantly increase the scope of permitted uses. (We have raised other concerns with the Department by previous correspondence, and this issue is not the sole basis for Mahogany Run's objections to the zoning change, but it is an independent and extremely important issue in its own right.)

Thank you for your consideration.

ATTORNEYS AT LAW
1340 TAARNEBERG, ST. THOMAS, VIRGIN ISLANDS
PHONE: 340-774-6845 FAX: 340-776-8900
EMAIL: MARIA@HODGELAWVI.COM



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

-----0-----

DEPARTMENT OF PLANNING AND NATURAL RESOURCES
Virgin Islands State Historic Preservation Office

1640 Dronningens Gade 71 & 72A, Kongens Quarter
Charlotte Amalie
St. Thomas, Virgin Islands 00802

Telephone: (340) 776-8605

Facsimile: (340) 776-7236

November 6, 2014

Ms. Angela Callwood
Property Manager
Mahogany Run Condominium Association
6513 310M Golf Village
St. Thomas, VI 00802

Ref: The Historic Status of the Old Stone Farm House at Mahogany Run Golf Course

Dear Ms. Callwood,

This letter is to inform you that the Virgin Islands State Historic Preservation Office (VISHPO), a division of the Department of Planning and Natural Resources (DPNR), has conducted a review of the above referenced property. It has been determined that the building, known as the Old Stone Farm House, is a historic structure from the mid 1800's and is an integral component of the historic Estate Lovenlund Sugar Plantation Complex. A review of various reference materials housed at VISHPO, as well as a discussion that I recently had with David W. Knight, Virgin Islands Historian, who has done extensive historical research of the site, aided in my conclusion that the Old Stone Farm House is a historic structure.

You should also know that the Old Stone Farm House's historic status makes it subject to both the territorial and federal laws of the Virgin Islands and the United States of America, respectively. This is important to note, specifically with regard to the federal laws of the United States, when determining the type of permits and/or funding being sought for the treatment of historic properties.

Thank you for the opportunity to provide you with this consultation.

Sincerely,

Sean L. Krigger
Acting Director
And Deputy State Historic Preservation Officer

 **The Bornn Firm**

Member:
David A. Bornn, P.C.

5079 Norre Gade, Suite 1
St. Thomas, V.I. 00802

*St. John- By Appointment
Only*

P.O. Box 1677
St. Thomas, V.I. 00804

Tel: 340-774-2501
Facsimile: 340-774-2602

November 20, 2014

VIA Hand Delivery

Stuart Smith
Director of Comprehensive & Coastal Zone Planning
Department of Planning & Natural Resources
Cyril E. King Airport Terminal Bldg., 2nd Floor
St. Thomas, VI 00802

Re: Island Dining Properties, Inc./Re-zoning

Dear Mr. Smith,

Enclosed please find the certified mail receipts evidencing all notices sent out to adjacent property owners listed below regarding the above captioned matter:

- 1.) Alice Hill Robinson
- 2.) Linda Pulley
- 3.) Trans Caribbean Dairies Corp.
- 4.) Loretta V. Lloyd
- 5.) Dun Run Developments, LLC
- 6.) Luis Orlando Armario
- 7.) Tim Denker and Dunhill Partners
- 8.) Stanley P. Chalon

Very Truly Yours,



David A. Bornn, Esq.

cc: Island Dining Properties, Inc.

CERTIFIED MAIL - RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

STAMPS USED OFFICIAL USE

Postage	\$ 0.49	0802	
Certified Fee	\$3.30	04	Postmark Here
Return Receipt Fee (Endorsement Required)	\$0.00		
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 3.79		11/04/2014

Sent To **Alice Hill Robinson**
 Street, Apt. No., or PO Box No. **96 College PI**
 City, State, ZIP+4 **Hampton, VA 23669**

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal Service
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(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

STAMPS USED OFFICIAL USE

Postage	\$ 0.49	0802	
Certified Fee	\$3.30	04	Postmark Here
Return Receipt Fee (Endorsement Required)	\$0.00		
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 3.79		11/04/2014

Sent To **Linda Palley**
 Street, Apt. No., or PO Box No. **PO Box 9040**
 City, State, ZIP+4 **St. Thomas, VE 00801**

PS Form 3800, August 2006 See Reverse for Instructions

Issue Postage: \$3.79

ST THOMAS VI 00803-4800 \$0.49

Zone-1
 First-Class Mail Letter
 0.40 oz.
 Expected Delivery: Wed 11/05/14
 Certified \$3.30
 USPS Certified Mail #: 70141200000194261284

Issue Postage: \$3.79

Total: \$30.32

Paid by: AMEX \$30.32
 Account #: XXXXXXXXXX1007
 Approval #: 545851
 Transaction #: 200
 239029010819384705894

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For delivery information visit our website at www.usps.com

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Certified Fee	\$3.30	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 03.79	

11/04/2014

Sent To *Trans Caribbean Dairies Corp.*
 Street, Apt. No., or PO Box No. *PO Box 304800*
 City, State, ZIP+4 *St. Thomas, VI 00803*

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal Service
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For delivery information visit our website at www.usps.com

ST THOMAS VI 00802

Postage	\$ 00.49	0802 04 Postmark Here
Certified Fee	\$3.30	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 03.79	

11/04/2014

Sent To *Loretta V. Lloyd*
 Street, Apt. No., or PO Box No. *PO Box 9320*
 City, State, ZIP+4 *St. Thomas, VI 00801*

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal Service
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For delivery information visit our website at www.usps.com

DALLAS TX 75205

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Certified Fee	\$3.30	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 03.79	

11/04/2014

Sent To *Tim Denker and Dunhill Partners*
 Street, Apt. No., or PO Box No. *St. 300 3100 Monticello Ave.*
 City, State, ZIP+4 *Dallas, TX 75205*

PS Form 3800, August 2006 See Reverse for Instructions

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

ST THOMAS VI 00802

Postage	\$ 00.49	0802 04 Postmark Here
Certified Fee	\$3.30	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 03.79	

11/04/2014

Sent To *Luis Orlando Armario MD*
 Street, Apt. No., or PO Box No. *56 No. Charlotte Amalie*
 City, State, ZIP+4 *St. Thomas, VI 00802*

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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For delivery information visit our website at www.usps.com

DALLAS TX 75205

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Total Postage & Fees	\$ 03.79	

11/04/2014

Sent To *Tim Denker and Dunhill Partners*
 Street, Apt. No., or PO Box No. *St. 300 3100 Monticello Ave.*
 City, State, ZIP+4 *Dallas, TX 75205*

PS Form 3800, August 2006 See Reverse for Instructions

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CERTIFIED MAIL RECEIPT
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Postage	\$ 00.49	0802 04 Postmark Here
Certified Fee	\$3.30	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 03.79	

11/04/2014

Sent To *Tim Denker and Dunhill Partners*
 Street, Apt. No., or PO Box No. *St. 300 3100 Monticello Ave.*
 City, State, ZIP+4 *Dallas, TX 75205*

PS Form 3800, August 2006 See Reverse for Instructions

7014 1200 0001 9426 1277
7014 1200 0001 9426 1252
7014 1200 0001 9426 1239

#7
Petition to stop rezoning of the Old Stone Farm House from R-3 Residential to B-3 (Business Scattered)

ACTION NEEDED FOR RE-ZONING WILL ALLOW MULTIPLE USES WITHIN THE MAHOGANY RUN COMMUNITY IF APPROVED!

Elected officials and Government officers, we do not want our residential community spoiled with businesses outside the restaurant we now enjoy. While we support a variance to allow continued operation as a fine dining restaurant, in this historical structure, **WE DO NOT SUPPORT A RE-ZONING TO R-3** which could allow many types of business uses including night clubs, groceries, daycares, funeral homes, etc.... Many retirees, and public officials to include law enforcement, physicians, judges, teachers & nurses enjoy the secure serene, quiet sanctuary. Please Stop this Threat! This would set a precedent as it opens the doors to commercial development throughout this residential community! **Say NO!**

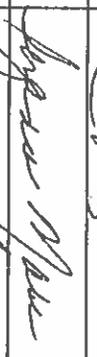
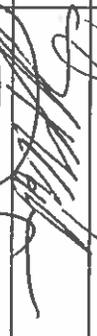
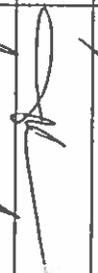
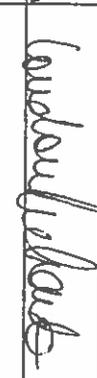
While the current use of the property for a stand-alone fine dining restaurant fits well with the surrounding residential use, that is not true of the myriad other uses allowed under the B-3 zone. Solely by way of example, this zoning change could allow such uses as liquor stores, energy plants, auto mechanics, retail businesses selling cars, clothes or appliances, dance halls, boarding houses, night clubs, youth correction institutions and funeral homes and crematoriums. Obviously, such uses would pose a tremendous change in the neighborhood's character.

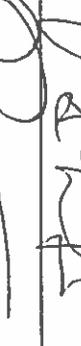
Mahogany Run

We, the undersigned, are concerned citizens & residents who urge our leaders to act now. Help us protect our investments by saying no to the rezoning request for the Old Stone Farm House at Mahogany Run. This will adversely impact our lives.

Printed Name	Signature	Address	Comment	Date
1 Cherri Henry		74 Mahogany Run	Not in my backyard have the peace + serenity	11/12/14
2 Patricia O'Hara		184 Mahogany Run	We do not want this!	11/12/14
3 Rando Jph Goeman		62 M Mahogany Run	Don't want	11/12/14
4 Denise Espinosa		314 L Mahogany Run	Not in favor	11/12/14

Printed Name	Signature	Address	Comment	Date
5 Marcos Fernandez	<i>Marcos Fernandez</i>	305c	NO TO B-3 Zoning	11/14/14
6 Amy Poe	<i>Amy Poe</i>	315L	NO	11/12/14
7 Elizabeth Rose	<i>[Signature]</i>	18-C	NO opens up exposure to Mahogany Run	11/12/14
8 Avon Biscoe	<i>Avon Biscoe</i>	C-6-H	Mahogany Run	11/12/14
9 CHARLOTTE BECK	<i>Charlotte Beck</i>	71-C	Mahogany Run	11/12/14
10 TED DAMM	<i>[Signature]</i>	45L	NO	11/12/14
11 Toussaint Gaston	<i>[Signature]</i>	315 H	NO protect our PROPERTY VALUES	11/14/14
12 EDWARD SHIELDS	<i>[Signature]</i>	509-L		11/14/14
13 RICHARD CURRAN	<i>[Signature]</i>	10L	NO B-3 zoning	11/12/14
14 PAUL FRIEDL	<i>[Signature]</i>	56MB	NO	11/12/14
15 Andrew Beckwith	<i>[Signature]</i>	9 M	NO!!	11/12/14
16 MARK KOPPEL	<i>[Signature]</i>	C-17-1	NO!!	11/12/14
17 Kristin Ferguson	<i>[Signature]</i>	20M	No way!	11/12/14
18 Diana Smith	<i>[Signature]</i>	312M	NO	11/12/14
19 Michelle Meade	<i>[Signature]</i>	57L	No to zoning	11-12-14
20 J.R.R. Pate	<i>[Signature]</i>	57C	" "	11/12/14

Printed Name	Signature	Address	Comment	Date
21 Harold Louis		46 Upper		11/12/14
22 Daniel Elfreich		B-5 C-17		11-12-14
23 Erika Kellerhals		C-6-1		11/12/14
24 Suzanne Mace		27M		11/12/14
25 Hugh P. Mabe		27M		11/12/14
26 Fanne Dan Nw		C-40		11-12-14
27 Gwenette Hargrave		D-8		11-12-14
28 Nathalie Breton		314		11/14/14
29 Julia Gardner		16M		11/12/14
30 Frances London		15L		11/12/14
31 LONDON RICHARDSON		610		11/12/14
32 Joseph M. Lopez		315 M		11/12/14
33 Clara Straker		43M		11/14/14
34 L. Emerzel		40L		11/12/14
35 C. Brundage		51L		11/12/14
36 Kevin Coak		DB		11/12/14

	Printed Name	Signature	Address	Comment	Date
37	BROOKS BROWN		41 Lower		11/22/14
38	EDWIN SCHUCHMAN		62 L		11/22/14
39	GIBBS FENUSON		28 MIDDLE MR		11/22/14
40	CHRISTINE ZUBER		W74		11/22/14
41	TRIFORRETTA		40 LOWER		11/22/14
42	E. Anderson	M.S. W.C.	308 Upper		11/22/14
43	Rogers R.		315 L		11/22/14
44	G. Knight		48 Middle		11/22/14
45	Sharon Nees	Shelley	31 Lower		11/22/14
46	Jess Williams		JD M.		11/22/14
47	Teshia Wansford		C-8 Loveland		11/22/14
48	Raylene MEHANS SABHAMPT		OSE.		11/22/14
49	Rose Miles		1513 CIBS - G44		11/22/14
50	Rose Miles		C-8-I		11/22/14
51	Cathy Smith		634		11/22/14
52	George Ethridge		C-40		11/22/14

	Printed Name	Signature	Address	Comment	Date
53	Leanne Henderson		314L		11/12/14
54	Traci Cooke		490		11/27/14
55	Rogae G.		323C		11/12/14
56	S. Ferguson		D4E		11/21/14
57	Annika Goldberg		14-123		11/12/14
58	Ray Fild		C5 B1L		11/12/14
59	Brendan Dethle		D4H		11/12/14
60	Tammy Waters		57 Lower	NW114	11/12/14
61	Jim Wm		LOT 104		11/12/14
62	DEBBIE HEATH		684		11/21/14
63	Lois Harris		C8		11/12/14
64	Thane Green		lot 1a		11/12/14
65	DELL WATERS		67L.		11/12/14
66	Angela Carson		44L		11/12/14
67	W. Decker		454		11/12
68	M K JOHNSON		D.4L		11/12

	Printed Name	Signature	Address	Comment	Date
69	Hilary Woodson GASTKENS		3101m metroport Run St. Thomas VI, 00802		11/12/14
70	HENRIQ CARL		58 L Lamer		11/12/14
71	SERGEANT CIVIL USMC	 567 USMC	416 Middle GREENDA		2014/11/12
72	CARLA MEYER	 Merge	48 Middle		11/12/14
73	ARLE TAZENDRAU	 Dnt Tazendrau	Lot 4 18		11/12/14
74	Christopher Gayve		71-M		11/12/14
75	Michelle Kim		RA # 1211		11-12-14
76	LINDY BENOAT		UNIT 9L	- NO -	11-12/14
77	COBBIN KETZWAY		7L	- NO -	11/12/14
78	Carole Davis		64M		11/14/14
79	Amy Taylor		Parid Ville 5		11/14/14
80	Rob Alpost		59 MB	no	11/14/14
81	Hawbury		C10 est Laveland		11/14/14
82	R. Dobbie		52U m.4		11/14/15
83	N. Ramos		404		11/14/14
84	—	—	Parid 9L	—	—

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