RESOLUTION 08-12061

A RESOLUTION DETERMINING LIVE ENTERTAINMENT PERMIT RENEWAL FOR NAPLES YACHT CLUB, INC., LOCATED AT 700 14TH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 56-125(i) of the Land Development Code provides for annual renewal of live entertainment permits; and

WHEREAS, Resolution 07-11649 granting approval of a live entertainment permit was approved June 6, 2007, for live entertainment at Naples Yacht Club, located at 700 14th Avenue South; and

WHEREAS, the Naples Yacht Club has requested renewal of the live entertainment under the same conditions adopted in Resolution 07-11649; and

WHEREAS, Naples Yacht Club, Inc., owner of the subject property, has authorized Rhet Robicheaux to file this petition; and

WHEREAS, the Police and Emergency Services Department and the Code Enforcement Division have reported no documented noise complaints for the location in the past year; and

WHEREAS, City Council finds that the renewal of the live entertainment permit should therefore be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That live entertainment permit renewal is hereby granted for the Naples Yacht Club, Inc., located at 700 14th Avenue South, more fully described as:

See Attachment "A"

Section 2. That this live entertainment permit renewal is subject to the following conditions:

1. Live entertainment is limited to the following: a piano player on Monday, Tuesday, Thursday and Saturday evenings from 6:00 p.m. to 9:00 p.m.; and a three-piece ensemble on Fridays from 7:00 p.m. to 10:00 p.m. October to May; and a monthly big band orchestra event from 7:00 p.m. to 10:00 p.m. November through April.

2. The occasional private parties in season shall be permitted subject to the Special Events permitting process.

3. All noise levels shall comply with Code Section 22-37, "Noise."

4. All doors and windows shall remain closed during performances, with the exception that patrons may enter and exit.
5. This live entertainment approval shall expire annually and may be renewed annually.

6. In addition to any other enforcement action or penalty provided by ordinance or law, failure to comply with the conditions contained herein may subject the holder to revocation of the permit, in accordance with the City of Naples Revocation Ordinance (No. 02-9778).

Section 3. That this resolution shall take effect immediately upon adoption.


Bill Barnett, Mayor

Attest:
Tara A. Norman, City Clerk

Approved as to form and legality:
Robert D. Pritt, City Attorney

Date filed with City Clerk: 6-5-08
Attachment "A"

BEGINNING at the southeasterly corner of the intersection of 14th Avenue South and 7th Street, as shown on the replat of parts of Tiers 3 to 10, inclusive, Town of Naples, according to the plat thereof recorded in Plat Book 1, page 76, Public Records of Collier County, Florida; thence westerly along the south line of 14th Ave. South 100 feet, thence southerly on a perpendicular to 14th Ave. South 130 feet, more or less, to a canal; thence easterly along said canal to the waters of Naples Bay, thence northeasterly along the waters of Naples Bay to an intersection with an easterly prolongation on the south line of 14th Ave. South; thence westerly along said prolongation 80 feet, more or less, to the point of beginning; together with all riparian rights thereunto belonging; being a part of undivided Block G of said replat; subject to any use restriction of record.

AND

A parcel of submerged land in Naples Bay in Section 10, Township 50 South, Range 25 East, Collier County, Florida, more particularly described as follows:

From the point of intersection of the East line of 7th Street with the South line of 14th Avenue South, according to a plat or plan of the Town of Naples as recorded in Plat Book 1, at Page 8, of the Public Records of Collier County, Florida, (the said point of intersection being identical with the Phillips G. Rust Development, Plat Book 1, at Page 71, and Aqualane Shores, Unit # 1, Plat Book 1, at Page 86, both being replats of parts of the original plat of the Town of Naples), run South on a prolongation of the said East line of 7th Street for 130 feet, to the North line of a platted waterway as shown on a plat of the said Aqualane Shores, Unit # 1; thence East at right angles for 50 feet, more or less, to the mean high water line of Naples Bay to establish the point of beginning. From the described point of beginning continue East for 50 feet, more or less, along a certain bulkhead line established by the City of Naples Resolution # 753, to a point 100 feet East of the East line of the aforesaid 7th Street; thence North along the said bulkhead line for 130 feet; thence West at right angles for 20 feet, more or less, to the aforesaid mean high water line; thence Southerly following the meanders of the said mean high water line for 140 feet, more or less, to the point of beginning.

ALL right, title and interest in and to certain lands shown in Quit-Claim Deed, dated August 7th 1959, as more fully shown in O.R. Book 49, Page 317, Public Records of Collier County, Florida.