RESOLUTION 08-12062
Meeting of 5/21/08

A RESOLUTION DETERMINING RENEWAL OF LIVE ENTERTAINMENT PERMIT APPROVAL FOR OLD NAPLES PUB, LOCATED AT 255 13TH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN, SUBJECT TO THE CONDITIONS LISTED 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 07-11655 was approved June 6, 2007, granting renewal of a live entertainment permit for the Old Naples Pub, located at 255 13th Avenue South; and

WHEREAS, the Old Naples Pub has requested renewal of the live entertainment permit under the same conditions adopted in Resolution 07-11655; and

WHEREAS, Neapolitan Enterprises, owner of the subject property, has authorized Timothy J. Flock 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 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 the renewal of a live entertainment permit is hereby granted for the Old Naples Pub, located at 255 13th Avenue South, more fully described as:

See Exhibit "A"

Section 2. That this approval is subject to the following conditions:

1. Live entertainment is limited to a single amplified performer indoors between the hours of 7:30 p.m. and 10:30 p.m. Monday through Saturday in season (November through April) and Thursday through Saturday off season (May through October), and one outdoor performer amplified with one 50-watt P.A. system, from 5:00 p.m. to 8:00 p.m. on Sundays November through April.

2. For all indoor performances, all doors and windows shall remain closed during performances, with the exception that patrons may enter and exit.

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

4. This live entertainment approval shall expire annually and may be renewed annually.
5. 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. This resolution shall take effect immediately upon adoption.


Bill Barnett, Mayor

Attest:
Tara A. Norman, City Clerk
M:\REF\COUNCIL\RES\2008\08-12062

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

Date filed with City Clerk: 6-5-08
DESCRIPTION OF LANDS SURVEYED

A parcel of land lying in and being a part of Double Blocks 7 and 8, Tier 3, Plan of Naples, as recorded in Plat Book 1 at page 8, Public Records of Collier County, Florida, being more particularly described as follows:

Beginning at the Southeast corner of said Double Blocks 7 and 8, Tier 3, Plan of Naples; thence North along the East line of said Double Blocks 7 and 8 and the West line of 3rd Street South for a distance of 518.00 feet (518.30 feet as surveyed) to the Northeast corner of those lands as described in Official Record Book 195, page 48, Public Records of Collier County, Florida; thence West along the North line of said lands for a distance of 170.00 feet; thence South along the West line of said lands for a distance of 15.00 feet to the North line of those lands as described in Official Record Book 192, page 435, Public Records of Collier County, Florida; thence West along the North line of said lands for a distance of 30.00 feet; thence South, long the West line of said lands for a distance of 107.00 feet (107.19 feet as surveyed) to the Northeast corner of those lands as described in Official Record Book 215, page 445, Public Records of Collier County, Florida; thence West along the North line of said lands for a distance of 200.00 feet (199.81 feet as surveyed) to said Double Blocks 7 and 8, Tier 3 and the East line of 2nd Street (Gordon Drive); thence North along said West line of Double Blocks 7 and 8, Tier 3 and the East line of 2nd Street South (Gordon Drive) for a distance of 398.00 feet (397.70 feet as surveyed) to the Southeast corner of said Double Blocks 7 and 8, Tier 3 and the North line of 13th Avenue South; thence East along said South line of Double Blocks 7 and 8, Tier 3 and the North line of 13th Avenue South for a distance of 400.00 feet (399.84 feet as surveyed) to the Point of Beginning.

Said parcel containing 4.20 acres, more or less.

SUBJECT TO easements, restrictions and reservations of record.

W. LAMAR EVERS, INC.
Professional Land Surveyors

Florida Certificate No. 3465

DATE: 4/14/67

Ref: See Draw. C-67-091-1 for "Sketch of Description".

W.O. 67.091