RESOLUTION 08-12068

A RESOLUTION DETERMINING PETITION 08-WD1 FOR A WAIVER OF DISTANCE FOR SEA SALT IN ORDER TO OBTAIN AN ALCOHOLIC BEVERAGE LICENSE WITHIN 500 FEET OF OTHER ESTABLISHED LICENSEES THAT SERVE ALCOHOL IN THE C1, RETAIL SHOPPING ZONING DISTRICT LOCATED AT 1186 3RD STREET SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 56-122(e) of the Code of Ordinances requires approval of a waiver of distance for establishments seeking a liquor license that are within 500 feet of any established licensee; and

WHEREAS, Neapolitan Enterprises, LLC, has requested approval of a Waiver of Distance in order to obtain an alcoholic beverage license within 500 feet of other established licensees that serve alcohol in the C1, Retail Shopping zoning district; and

WHEREAS, Neapolitan Enterprises, LLC, is the owner of the property; and

WHEREAS, John M. Passidomo, Esq., agent for the petitioner, has been authorized by the owner to file this petition; and

WHEREAS, after providing the petitioner, staff and the public an opportunity to present testimony and evidence, the City Council specifically finds that the 500-foot distance will not have an impact on the normal operation of any school, church, or established licensee, based on the factors listed in Subsection 56-122(f)(1) of the Code of Ordinances, and that it is in the best interest of the City to grant the request and that the petition should therefore be granted;

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

Section 1. That 08-WD1 for a waiver of distance is hereby granted in order for Sea Salt to obtain an alcoholic beverage license within 500 feet of other established licensees that serve alcohol in the C1, Retail Shopping Zoning District at 1186 3rd Street South, said property more fully described as:

SEE ATTACHMENT "A"

Section 2. The hours of operation shall be Monday through Sunday 11 a.m. - 11 p.m. for the restaurant and Monday through Sunday 10 a.m. - 11 p.m. for the market.

Section 3. That this resolution shall take effect immediately upon adoption.
Resolution 08-12068


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"

Legal Description of Property Involved
All that part of double Block 7 and 8, Tier 3 in City of Naples, Florida according to Plan of Naples filed in Plat Book 1 at Page 8, Collier County, Florida records, bounded and described as follows: Beginning on the East line of said Block at a point 5 feet north of the intersection of the north Line of 12th Avenue South produced; thence westerly on a line parallel with and 5 feet distant northerly from said produced line for 150 feet; thence northerly at right angles 100 feet; thence easterly at right angles 150 feet to said east line of Block; thence southerly along said east line 100 feet to the point of beginning. AND The east 170 feet of the following described land: a strip, belt or piece of ground 13 feet wide extending upon and across part of double Block 7 and 8, Tier 3, in City of Naples, according to Plan of Naples filed in Plat Book 1 at Page 8, Collier county records, the center line of which said strip is fixed as follows: beginning at a point on the east line of said double Block 208 ½ feet distant from the north line thereof, thence westerly parallel with said north line, a distance of 315 feet.