RESOLUTION 08-12071

Meeting of 5/21/08

A RESOLUTION DETERMINING LIVE ENTERTAINMENT PERMIT RENEWAL AND RESIDENTIAL IMPACT STATEMENT TO EXTEND THE LIVE ENTERTAINMENT HOURS ON SUNDAY FROM NOON TO 9 P.M. AND SATURDAY FROM NOON TO 9 P.M., IN ADDITION TO THE CURRENTLY PERMITTED HOURS FOR LIVE ENTERTAINMENT FROM 5 P.M. TO 10 P.M. THURSDAY THROUGH FRIDAY AT THE BAYFRONT INN, LOCATED AT 1221 5TH 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 07-11650 granting approval of a live entertainment permit was approved June 6, 2007, for live entertainment at Bayfront Inn, located at 1221 5th Avenue South; and

WHEREAS, the Bayfront Inn has requested renewal of the live entertainment with an additional day for live entertainment on Sunday from noon to 9 p.m. and to extend the live entertainment hours from noon to 9 p.m. on Saturday; and

WHEREAS, Tim Youngquist, owner of the subject property, has authorized Trista Youngquist to file this petition; and

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

WHEREAS, City Council finds that the renewal of the live entertainment permit to allow live entertainment with a limit of two entertainers performing outdoors with two speakers and one microphone between the hours of 5 p.m. and 10 p.m. Thursday through Friday, with the addition of allowing live entertainment on Sunday from noon to 9 p.m. and the extension of hours on Saturday from noon to 9 p.m. 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 and the residential impact statement are hereby granted for the Bayfront Inn, located at 1221 5th Avenue South, more fully described as follows:

Commencing at the Northwest corner of Government Lot 8, Section 3, Township 50 South, Range 25 East, Collier County, Florida; thence along the West line of said Lot and the Westerly right-of-way line of SR-851-A, South 0° 31' 33" East, 911.77 feet; thence North 89° 28' 27" East, intersecting the Easterly right-of-way line of SR-951-A at 100 feet, and distance of 290 feet, more or less, to the waters of the Gordon River for a Place of Beginning;
Thence South 89° 28' 27" West, along the last described line to the Easterly line of SR-851-A; thence along said Easterly line, South 0° 31' 33" East, 265.0 feet to the Northerly right-of-way line 180.12 feet along the arc of a circular curve concave to the Southwest, radius 1442.66 feet, chord bearing South 77° 21' 40" East, 180.0 feet to a Concrete Monument, thence continuing along said right-of-way line 20 feet, more or less, to the waters of the Gordon River; thence meandering Northwesterly, Westerly and Northerly along said waters of the Gordon River to the Place of the Beginning.

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

1. Live entertainment shall be limited to two entertainers performing outdoors with two speakers and one microphone between the hours of 5:00 p.m. and 10:00 p.m. Thursday through Friday and on Saturday and Sunday from noon to 9 p.m., including for weddings and special events during those times.

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

3. This live entertainment approval shall expire annually and may be renewed annually.

4. 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).

5. The entertainment shall be placed near the north wall and speakers shall be placed so as to direct the sound away from the residential areas.

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


Bill Barnett, Mayor

Attest:  Approved as to form and legality:
Tara A. Norma, City Clerk  Robert D. Pritt, City Attorney

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Date filed with City Clerk: 6-5-08