

RESOLUTION NO. 23-2008

AN RESOLUTION OF THE TOWN OF GRANT -VALKARIA, BREVARD COUNTY, FLORIDA; GRANTING A CONDITIONAL USE PERMIT, CUP-2008-02 TO WILLIAM C. LEWIS; ALLOWING FOR THE ON PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES IN ACCORDANCE WITH BREVARD COUNTY CODE SECTION 62-1906 (1) ON THE PROPERTY DESCRIBED HEREIN; PROVIDING FOR CONDITIONS; PROVIDING FOR REVOCATION; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, WILLIAM C. LEWIS (Lewis) owns the following described real property in the Town of Grant-Valkaria:

**PROPERTY DESCRIBED AS FOLLOWS:**

**Parcel ID: 29-38-16-50-00000.0-0019.00 and Parcel ID: 29-38-16-50-00000.0-0020.00**

**(COMPLETE LEGAL DESCRIPTION ON FILE AT TOWN HALL)**

(hereinafter the "Property"); and

**WHEREAS**, Lewis requests the following Conditional Use Permit for the Property:

- 1) Conditional Use Permit (CUP) No. CUP-2008-02 to serve beer and wine, consumption on premise (State Liquor License 2-COP) at 3800 US Highway 1 in accordance with Chapter 62, Article VI, Division 4, Subdivision VI.

**WHEREAS**, sections 62- 1482 (3) and 62-1906 (1), Brevard County Code provides that a bar or cocktail lounge may be a conditional use in the BU-1 zoning classification; and

**WHEREAS**, the Property is currently zoned BU-1; and

**WHEREAS**, the Council has determined that reasonable conditions may be imposed on the CUP.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA**, that:

**Section 1.** William C. Lewis is hereby granted a conditional use permit, CUP 2008-02, to operate a bar or cocktail lounge to serve beer and wine for consumption on premises on the Property subject to the following conditions:

A. The hours of sale and/or service of alcoholic beverages shall be from 12:00 p.m. until 10:00 p.m., Monday through Sunday;

- B. The seating requirement will be in accordance to the Fire Safety Law;
- C. There will be music allowed in and outside the building according to Brevard County Code section 62-2271;
- D. There will be outside sales and consumption of beer and wine on the existing deck on the building as of this date;
- E. Applicant shall apply to the Council for an amendment to the CUP in the event of future expansion of the Property and any improvements requiring a permit located thereon;
- F. The Applicant shall comply with all requirements as set forth in applicable Brevard County ordinances and codes and future codes and ordinances of the Town;
- G. The conditional use shall only be allowed for this applicant at 3800 Highway US1, and is non-transferable to any other person, firm, corporation or other entity or to any other property.

**Section 2.** Any violation of any of the conditions set forth in section 1 of this Resolution may result in a revocation, change in conditions set forth in section 1 or other action the Council deems appropriate with respect to any CUP granted herein. Before the Council takes any action on a CUP due to an alleged violation of any condition in section 1, the Council will provide the owner a notice of hearing and an opportunity to be heard at the scheduled hearing.

**Section 3.** This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA, ON THIS 27<sup>TH</sup> DAY OF AUGUST, 2008.

TOWN OF GRANT-VALKARIA  
BREVARD COUNTY, FLORIDA

(Signature on file)

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Del Yonts, Mayor

ATTEST:

(signature on file)

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Susanne Krueger, Town Clerk