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WHEREAS, CDM Hallandale LLC, doing business as Casa de Montecristo (“Casa de Montecristo”) is located at 801 N. Federal Hwy, Unit 101; and

WHEREAS, Section 5-6(b)(1) and (2) of the City's Code of Ordinances prohibits a place of business to sell beer, wine and liquor with consumption on-premises within 1,000 feet from another place of business licensed to sell beer, wine and liquor with consumption on or off premise; and

WHEREAS, waivers may be granted by the City Commission under Section 5-6(h)(1), as long as the requirements under that section are met, including, but not limited to, payment of an application fee, notice to the affected parties, and a public hearing. The City Commission may revoke the distance waiver if adverse effects result on the affected parties; and

WHEREAS, Casa de Montecristo has submitted its application, and the City Administration has reviewed the request; finding that the waiver will not have any adverse or material adverse effect on the parties sought to be protected by the particular provision sought to be varied, and that the spirit and intent of the distance separation requirements will not be violated. The primary purpose of the establishment will relate to the sale of food with beer, wine and liquor offered as supplementary to the food served; and

WHEREAS, the City Administration recommends granting the alcohol distance waiver pursuant to Section 5-6(h)(1); and

WHEREAS, the Mayor and City Commission have determined the waiver is in the best interest of the City and residents of the City of Hallandale Beach.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:

SECTION 1. Grant of Waiver to Alcohol Distance Requirement. The Mayor and the City Commission hereby waive the Alcohol Beverage Distance Requirement for Casa de Montecristo for the property located at 801 N. Federal Hwy., Unit 101 pursuant to Code Section 5-6(h)(1).

SECTION 2. Waiver Subject to Revocation. This waiver is subject to revocation by the City Commission of the City of Hallandale Beach.

SECTION 3. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

APPROVED AND ADOPTED this 28th day of November, 2018.

JOY D. ADAMS
MAYOR

SPONSORED BY: CITY ADMINISTRATION
ATTEST:

JENORGEN GUILLEN
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
FORM

JENNIFER MERINO
CITY ATTORNEY

FINAL VOTE ON ADOPTION

Mayor Adams	<u>Yes</u>
Vice Mayor Javellana	<u>Yes</u>
Commissioner Butler	<u>Yes</u>
Commissioner Lazarow	<u>Yes</u>
Commissioner Lima- Taub	<u>Yes</u>

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