

RESOLUTION 2020-42

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, AUTHORIZING BURGER-ISH TO OPERATE AN OUTDOOR SEATING AREA (700 SF) IN THE FRONT OF THE RESTAURANT LOCATED AT 4901 GULF BOULEVARD; INCORPORATING THE CONDITIONS OUTLINED HEREIN AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission supports independently owned businesses within the City; and,

WHEREAS, Burger-Ish desires to add an outdoor seating (50 seats) area within the front of the restaurant; and,

WHEREAS, Jeffrey Mercado filed with the City an Application on July 14, 2019, for a Conditional Use for the property located at 4901 Gulf Boulevard, St. Pete Beach, Florida; and,

WHEREAS, the application for Conditional Use Permit was reviewed by the Technical Review Committee on December 18, 2019, and the recommended conditions appropriate to mitigate potential impacts imposed by the use were determined and are outlined in the associated staff report submitted to the City Commission; and

WHEREAS, the City Commission held a quasi-judicial public hearing on September 9, 2020, to consider the Conditional Use Permit Application in accordance with all the criteria listed in the City of St. Pete Beach Land Development Code; and

WHEREAS, while the Conditional Use Permit application was reviewed, pursuant to City Land Development Code, this Resolution is for only the Conditional Use Permit approval.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Pete Beach, that:

SECTION 1. Recitals. The above recitals ("Whereas" clauses) are true and correct and adopted hereby as findings, purpose and intent of the City Commission.

SECTION 2. The City Commission hereby incorporates the following conditions into the Conditional Use permit:

1. Any new amplified speakers installed to accommodate this outdoor seating area shall be disabled between the hours of 10 pm and 7 am, and amplified noise shall comply with the city's noise standards at all times. Any amplified speakers shall be directed toward the outdoor seating area;

2. Any new lighting installed to accommodate this request shall be shielded and directed toward the outdoor seating area, and away from adjacent properties;
3. At least one trash can shall be installed in the outdoor seating area;
4. Upon issuance of a tropical storm or hurricane warning, all tables, chairs, and other temporary equipment shall be securely stored inside.
5. Any violation of these conditions shall entitle the City Commission to modify or revoke the Conditional Use.

SECTION 3. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, THIS 9TH DAY OF SEPTEMBER 2020.

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.



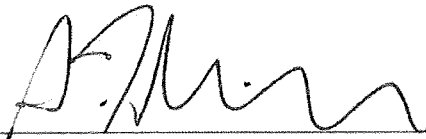
Alan Johnson, Mayor

ATTEST:



Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Andrew Dickman, City Attorney

Tampa Bay Times
Published Daily

STATE OF FLORIDA
COUNTY OF Pinellas


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RES 20-42

LEGAL NOTICE

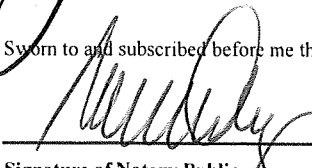
Before the undersigned authority personally appeared **Jill Harrison** who on oath says that he/she is **Legal Advertising Representative** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: CUP 19067** was published in **Tampa Bay Times: 3/13/20** in said newspaper in the issues of **Tampa Bay Times\Community Newspapers\Beaches**

Affiant further says the said **Tampa Bay Times** is a newspaper published in Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida each day and has been entered as a second class mail matter at the post office in said Pinellas County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid not promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Signature Affiant

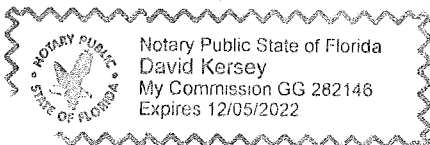
Sworn to and subscribed before me this **03/13/2020**



Signature of Notary Public

Personally known or produced identification

Type of identification produced _____



CITY OF ST. PETE BEACH
NOTICE OF PUBLIC HEARING

The City of St. Pete Beach City Commission will consider approval of the following Conditional Use Permit case:

Conditional Use Permit Case No. 19067

Jeffrey Mercado, applicant for BurgerIM in the Dolphin Village shopping center at 4901 Gulf Boulevard, is requesting a Conditional Use Permit to establish a 700 square foot outdoor seating (50 seats) area for the eating and drinking establishment.

A public hearing on the above Conditional Use Permit will be held on the date and time and at the location below:

NAME OF BOARD	DATE	TIME
City Commission	March 24, 2020	6:00 PM
PUBLIC HEARING LOCATION: City of St. Pete Beach City Commission Chambers 155 Corey Avenue St. Pete Beach, FL 33706		

NOTE: The above-scheduled public hearing may be continued from time to time pending adjournment. Any written comments that are received on the subject matter will become part of the official record.

Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this hearing will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

A copy of these case applications and plans are on file in the Community Development Department and may be inspected by the public. Any interested party may appear at the hearing and be heard with respect to these cases.

FOR MORE INFORMATION OR TO VIEW THE FILE ON THIS REQUEST, PLEASE CONTACT:

City of St. Pete Beach
Community Development Department
155 Corey Avenue, St. Pete Beach, Florida 33706
(727) 363-9253

AMERICANS WITH DISABILITIES ACT: Florida Statutes Chapter 286.26. Accessibility of public hearings to the physically handicapped. In accordance with the Americans with Disabilities Act and Florida Statutes, persons needing special accommodations to participate in a hearing should contact City Hall at (727) 367-2735 no later than forty-eight (48) hours prior to the hearing for assistance.

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**Tampa Bay Times
Published Daily**

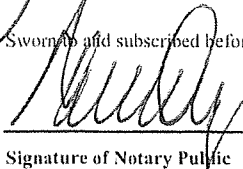
STATE OF FLORIDA
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Affiant further says the said Tampa Bay Times is a newspaper published in Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida each day and has been entered as a second class mail matter at the post office in said Pinellas County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid not promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

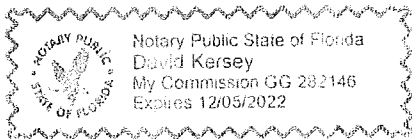

Signature Affiant

Sworn to and subscribed before me this 08/26/2020


Signature of Notary Public

Personally known X or produced identification

Type of identification produced _____



**CITY OF ST. PETE BEACH
NOTICE OF VIRTUAL
PUBLIC HEARING**

The City of St. Pete Beach City Commission will consider approval of the following:

CONDITIONAL USE - OUTDOOR SEATING - BURGER-ISH
REQUEST TO ESTABLISH A 700SF OUTDOOR SEATING AREA CONTAINING 50 SEATS FOR A NEW EATING AND DRINKING ESTABLISHMENT AT DOLPHIN VILLAGE (4901 GULF BLVD, CASE #19067).

CONDITIONAL USE - OUTDOOR SEATING - STARBUCKS
REQUEST TO ESTABLISH AN APPROXIMATELY 480SF (12'X40') OF OUTDOOR SEATING AREA CONTAINING 30 SEATS FOR A NEW STARBUCKS COFFEE AT DOLPHIN VILLAGE (4901 GULF BLVD, CASE #20032).

CONDITIONAL USE - DOCK EXTENSION - SAND COVE APARTMENTS
REQUEST FOR CONSTRUCTION OF AN 80SF (8'X10') EXTENSION TO AN EXISTING 295 SF CLASS B DOCK (LDC SEC. 42.4(C)). (3813 GULF BLVD, CASE #20038).

A public hearing on the above cases will be held on the date and time below:

NAME OF BOARD	DATE	TIME
City Commission	September 9, 2020	6:00 PM

****VIRTUAL ATTENDANCE ONLY****

PURSUANT TO FLORIDA GOVERNOR
EXECUTIVE ORDER 20-69
"LOCAL GOVERNMENT PUBLIC MEETINGS"

TO PARTICIPATE:

URL: <https://zoom.us/j/86920128836> -OR-
Dial: +1 929-205-6099 | Meeting ID: 869 2012 8836

NOTE: The above-scheduled public hearing may be continued from time to time pending adjournment. Any written comments that are received on the subject matter will become part of the official record. Any person who decides to appeal any decision of the Board of Adjustment with respect to any matter considered at this hearing will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Copies of these variance applications are on file in the Community Development Department and may be inspected by the public. Any interested party may appear at the hearing and be heard with respect to the variance applications.

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CITY OF ST. PETE BEACH NOTICE OF VIRTUAL PUBLIC HEARING

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