

Policy Title: Alcoholic Beverage Establishments
Policy Number: 2008-001

Effective Date: 2/27/08

Approved by:



Approved Date:

2/28/2008

DESCRIPTION: This policy letter implements how the Department of Growth Management planning staff will apply Section 2.04.01 Alcoholic Beverage Establishments, 2 COP (beer and wine for consumption on premises) licenses for restaurants.

PURPOSE/RATIONALE: Staff recognizes the fact that the Land Development Code was not written as the Board of County Commissioners intended when they approved the change on July 10, 2007. At a Board meeting held on February 19, 2008 the Board clarified that they have no objection to restaurants obtaining a 2 COP license that does not meet the criteria pursuant to 2.04.01 (A) and (B) Establishments that sell, or offer to keep for sale alcoholic beverages containing more than one (1) percent of alcohol by weight in any place, including a private club or bottle club shall be located within thousand five hundred (1,500) feet of a church, school, cemetery, residential use or residential zoning district.

**INTERPRETATION OF SECTION 2.04.01 ALCOHOLIC BEVERAGE
ESTABLISHMENTS:
LAND DEVELOPMENT CODE, ORDINANCE 91-1, AS AMENDED.**

When reviewing an application for a 2 COP license for a restaurant the following shall be required.

1. The following Sections shall be completed on the DBPR Division of Alcoholic Beverage and Tobacco Application:
 - (a) Section 1 - Check Transaction Requested
 - (b) Section 2 - Check License Category
 - (c) Section 3 - License Information
 - (d) Section 4 - Partner, officer, Stockholder Personal Information
 - (e) Section 5 - Description of Premises to be licensed
 - (f) Section 7 - To be completed by the zoning authority
 - (g) Section 9 - Contracts or Agreements
 - (h) Section 10 - Corporate Felony Conviction
 - (i) Section 12 - Disclosure of Interested Parties
 - (j) Section 13 - Affidavit of Applicant (Notarization Required)
 - (k) Section 14 - Current License Update Data Sheet

If the application is for Transfer of Ownership of an Alcoholic Beverage License, the following Sections shall be completed.

- (l) Section 1 - Check Transaction Requested
- (m) Section 2 - Check License Category
- (n) Section 3 - License Information
- (o) Section 4 - Partner, Officer, Stockholder Personal Information

- (p) Section 5 - Description of Premises to be Licensed
 - (q) Section 7 - To be completed by the zoning authority
 - (r) Section 9 - Contracts or Agreements
 - (s) Section 10 - Corporate Felony Conviction
 - (t) Section 12 - Disclosure of Interested Parties
 - (u) Section 13 - Affidavit of Applicant (Notarization Required)
 - (v) Section 14 - Affidavit of Transferor (Notarization Required)
 - (w) Section 15 - Current License Update DATA Sheet
2. A copy of the State Restaurant License.
 3. Verify zoning and future land use
 4. Acknowledgement from the license holder that the establishment must run as a restaurant and must not be open when the kitchen is closed. It cannot run as a bar, even a beer and wine bar. **(This note shall be placed in the conditions of the permit). A copy of the condition note shall be executed by the customer.**
 5. \$75.00 beverage application fee.

When you have executed the State application, please make a copy for the Beverage File, including an executed copy of the conditions by the customer.