



# Memorandum

**Meeting Details:** January 11, 2023 – BOC Regular Meeting

**Prepared For:** Hon. Mayor Hendricks and Board of Commissioners

**From:** Andrew Morris, Planner/GIS Technician, Community Development Department

**Subject:** Public hearing for **2COP ALCOHOLIC BEVERAGE LICENSE APPLICATION # 2023-03** with stated intent to sell beer and wine for consumption on or off premises at The Dock, 215 Boardwalk Place E, Madeira Beach, Florida 33708

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## **Background:**

Pursuant to Land Development Code Article VI, Division 6, Alcoholic Beverages, the applicant for ABP 2023-03, is requesting authorization from the Board of Commissioners for the approval of a (2COP) Alcoholic Beverage License with stated intent to sell beer and wine for consumption on and off premises at The Dock. This establishment is located in the C-2, John's Pass Marine Commercial Zoning District. This application is being made pursuant to Sec. 110-534 of the City of Madeira Beach Code of Ordinances, as a result of the applicant's request to change the existing (2APS) Alcoholic Beverage License to a (2COP) Alcoholic Beverage License.

## **Discussion:**

When considering the alcoholic beverage application, the Board of Commissioners shall consider the following factors:

- (1) The extent to which the location and the extent to which the proposed alcoholic beverage request will adversely affect the character of the existing neighborhood.**

Currently this property has an active (2APS) Alcoholic Beverage License for package sales of beer and wine for off premises consumption. The applicants propose to change to a (2COP) Alcoholic Beverage License that would allow for the sale of beer and wine in sealed containers for off premises consumption to continue, while allowing consumption of beer and wine on premises. The Dock is located in the C-2, John's Pass Marine Commercial Zoning District. This zoning district's purpose is to recognize the unique commercial, marine, tourist and historic value of this area. The proposed change in Alcoholic

Beverage License would be compatible with this Zoning District and does not adversely affect the character of the existing neighborhood.

**(2) The extent to which traffic generated as a result of the location of the proposed alcoholic beverage request will create congestion or present a safety hazard.**

The applicant proposes to discontinue the sale of seafood and renovate the structure to allow for the sale of beer and wine on premises. The applicant owns the land across the street from the property with additional parking. The establishment is also accessible by boat. Sale of beer and wine in sealed containers, ice, and soft drinks would continue. The Madeira Beach Code of Ordinances, *Sec. 110-954. - Special parking areas*, reduces parking requirements by 50% for properties within the C-2 Zoning District. The proposed change in alcohol beverage license use will not create congestion or present a safety hazard.

**(3) Whether or not the proposed use is compatible with the particular location for which it is proposed.**

This establishment is not located within three hundred feet of a church, synagogue, temple, or place of religious worship, public or private school operated for the instruction of minors, or youth recreation (community) center. The Dock is located in the C-2, John's Pass Marine Commercial Zoning District, which is a commercial focused district. Other nearby businesses sell alcohol within this Zoning District. The proposed change in alcohol use would be compatible with the location.

**(4) Whether or not the proposed use will adversely affect the public safety.**

This establishment currently has an active (2APS) Alcoholic Beverage License. The proposed change to a (2COP) Alcoholic Beverage License would continue to limit the sale of alcohol to just beer and wine. The only change would be allowing the consumption of beer and wine on premises. The proposed change in use would not adversely affect the public safety.

**(5) No application for review under this section shall be considered until the applicant has paid in full any outstanding charges, fees, interest, fines or penalties owed by the applicant to the city under any section of the Code.**

The applicant has no outstanding fines, or penalties owed to the City under any section of the Code.

**Fiscal Impact:** N/A

**Recommendation(s):** Staff recommends approval of ABP 2023-03 with the following conditions:

1. The proposed renovations to the existing structure need to be completed.
2. Beer and wine sold for consumption off site would need to be in sealed containers.
3. Beer and wine sold by the drink would need to be consumed onsite only.
4. The sale of beer and wine needs to end by 12:00 AM.

**Attachments:**

Application

Public Notice Mailing and Posting