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COUNTY OF FORT BEND §

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**RESOLUTION AND ORDER GRANTING A VARIANCE TO THE FORT BEND
COUNTY LOCAL ALCOHOL DISTANCE REGULATIONS
ON BEHALF OF NIRMANZ FOOD BOUTIQUE**

On this the ____ day of _____ 2023, at a regular meeting of Commissioners Court of Fort Bend County, Texas (the “County”) upon motion of _____, seconded by _____, duly put and carried:

WHEREAS, the Commissioners Court of Fort Bend County enacted LOCAL ALCOHOL DISTANCE REGULATIONS which were effective as of July 22, 2014, as allowed by Section 109.33 Texas Alcoholic Beverage Code, which regulates the sale of alcoholic beverage outside of an incorporated city or town by a dealer whose place of business is within 300 feet a church, public or private school, or public hospital; and

WHEREAS, the Commissioners Court of a County that has enacted a regulation under Section 109.33 of the Texas Alcoholic Beverage Code may also allow variances to the regulation if the Commissioners Court determines that enforcement of the regulation in a particular instance is not in the best interest of the public; and

WHEREAS, Nirmanz Food Boutique, owned by Niymans LLC, has applied for a Wine and Malt Beverage Retail Dealer's On-Premise Permit and a Food and Beverage Certificate for the location address: 11143 Harlem Dr., Suite 410, Richmond, Texas 77406, which is within 300 feet of a public school (Travis High School in Fort Bend ISD); and

WHEREAS, the Commissioners Court of Fort Bend County does wish to GRANT a variance to Nirmanz Food Boutique, owned by Niymans LLC for the reason that a denial of this Permit would constitute waste or inefficient use of land or resources, creates an undue hardship on an applicant for a license, does not serve its intended purpose and is not in the best interest of the community.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners Court of Fort Bend County, Texas hereby grants a variance to the LOCAL ALCOHOL DISTANCE REGULATIONS to Nirmanz Food Boutique, owned by Niymans LLC located at 11143 Harlem Dr., Suite 410, Richmond, Texas 77406, as authorized under Section 109.33(e) of the Texas Alcoholic Beverage Code.

FORT BEND COUNTY, TEXAS

ATTEST:

Laura Richard, County Clerk

KP George, County Judge