

STATE OF TEXAS §

COUNTY OF FORT BEND §

Resolution and Order Granting a Variance to the December 2, 1997 Order Regulating the Distance Between the Sale of Alcoholic Beverages and the Nearest Public Schools, Churches, and Public Hospitals, Day Care Centers and Child Care Facilities on behalf of d'marcos pizzeria

On this the 12th day of Aug, 2014, at a regular meeting of Commissioners Court of Fort Bend County, Texas (the "County") upon motion of Comm. Patterson, seconded by Comm. Meyers, duly put and carried:

WHEREAS, the Commissioners Court of Fort Bend County enacted a order on December 2, 1997 regulating the sale of alcoholic beverage outside of an incorporated city or town by a dealer whose place of business is within 300 feet of a daycare center as authorized pursuant to Section 109.33 Texas Alcoholic Beverage Code; and

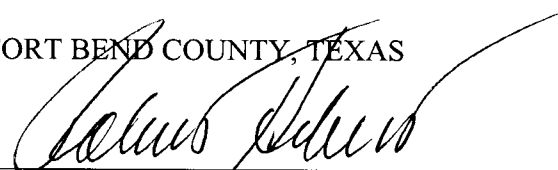
WHEREAS, the Commissioners Court of a County that has enacted a regulation under Section 109.33 of the Texas Alcoholic Beverage Code may also allow variances to the regulation if the Commissioners Court determines that enforcement of the regulation in a particular instance is not in the best interest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

WHEREAS, d'marcos pizzeria located at 11102 S. Highway 6, Suite 106, Sugar Land. TX 77498 is within 300 feet of a daycare center; and has applied for an On-Premise Permit; and

WHEREAS, the Commissioners Court of Fort Bend County does wish to grant a variance to d'marcos pizzeria, for the reason that a denial of this On-Premise 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 Order Regulating the Distance Between the Sale of Alcoholic Beverages Between the Sale of Alcoholic Beverages and the Nearest Public Schools, Churches, and Public Hospitals, Day Care Centers and Child Care Facilities to d'marcos pizzeria, located at 11102 S. Highway 6, Suite 106, Sugar Land. TX 77498, as authorized under Section 109.33 (e) of the Texas Alcoholic Beverage Code.

FORT BEND COUNTY, TEXAS


Robert E. Hebert, County Judge

ATTEST:


Dianne Wilson, County Clerk



I/MTR/TABC/Variances 08.06.2014