

**ORDINANCE NO. 2008-0-11B**

**AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, GRANTING A VARIANCE AMENDING CHAPTER 3, SECTION 3-5 OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, ALLOWING THE SALE OF BEER FOR ON-PREMISES CONSUMPTION TO MICHELLE LEASE DBA ANGLETON BOWL, LLC, LOCATED AT 1040 S. VELASCO, ANGLETON, TEXAS, EVEN THOUGH SAID LOCATION IS WITHIN 300 FEET OF A CHURCH.**

**WHEREAS, on this 25<sup>h</sup> day of November, 2008, the City Council conducted a public hearing to hear all persons interested in either granting or denying the variance request of Michelle Lease dba Angleton Bowl, LLC, to allow it to obtain an on-premise beer permit from the Texas Alcoholic Beverage Commission, at 1040 S. Velasco, and**

**WHEREAS, the City Council has determined that the granting of said variance would not be detrimental to the church located within 300 feet of said establishment and New Life Church has not expressed any opposition to granting the variance, and**

**WHEREAS, the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines it is in the best interest of the community to grant the variance;**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS, THAT:**

**SECTION 1. A variance is hereby granted to Michelle Lease dba Angleton Bowl, LLC, to allow it to obtain a beer on-premises permit from the Texas Alcoholic Beverage Commission, even though said establishment is located within 300 feet of a church, for it's bowling alley located at 1040 S. Velasco, Angleton, Texas.**

**SECTION 2. Said variance is granted to this applicant only and is non-transferable without the written consent of the City Council of the City of Angleton.**

**SECTION 3. This ordinance shall be effective as of the date of its passage.**

**PASSED AND ADOPTED THIS 25TH DAY OF NOVEMBER, 2008.**

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J. PATRICK HENRY, MAYOR

ATTEST:

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SHELLY DEISHER, CITY SECRETARY

APPROVED AS TO FORM:

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CITY ATTORNEY