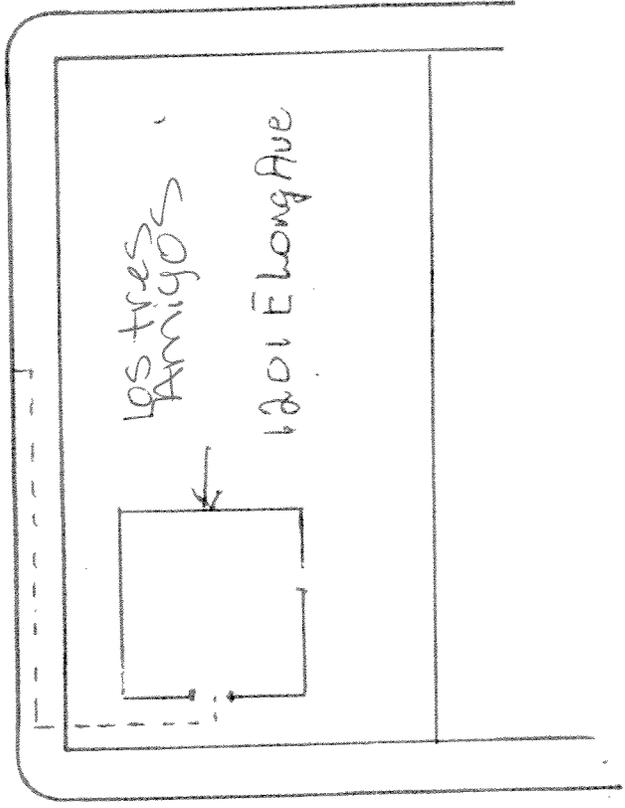


North
↑

N. Hampton St 6-293'



Long Ave



**Request to the City Council
ALCOHOL DISTANCE APPEAL APPLICATION**

Applicant(s): (Print) Margarito Albarran (Signature) _____

Applicant's Mailing Address: 5812 Bonanza Dr. #131, Haltom City, TX 76137

Phone No.: 817-471-0254 Fax No.: _____ Email: m.albarran@chevete.com

Owner(s): (Print) Margarito Albarran Owner(s) Signature _____

Owners Mailing Address: 5812 Bonanza Dr. #131, Haltom City, TX 76137

Owner Phone No.: 817-471-0254 Fax No.: _____ Email: _____

Is building leased? yes Lessee name Felipe Muñoz

Lessee Address: 1201 E. Long Ave, Ft. Worth TX 76106 Phone # _____

Name of Business: Los Tres Amigos Type of Business Mexican Restaurant

Business Address: 1201 E. Long Ave City: Ft. Worth Zip: 76106

Legal Description: Fosterco Heights Block/Ab 49 Lot/Tr 4

From: Required Setback 300' To: Requested Setback 293'

Reason(s) For Setback: _____

Requirements for Alcohol Distance Appeal:

- Building Inspectors, Ken McGowen (817-392-7834), Rejection Letter and Measurement Check
- Is Alcohol consumption to be: ON PREMISE X or OFF PREMISE _____ ?
- Processing time is approximately 4 weeks and the request will be heard at the appropriate City Council Hearing. Hearings are held at City Hall on Tuesdays.
- Staff will notify all property owners within a 300' buffer of subject property
- Letter of approval from Business Owner and from Lessee, if building is leased.
- Summary of hardship and/or reason for requesting a Distance Variance is recommended.

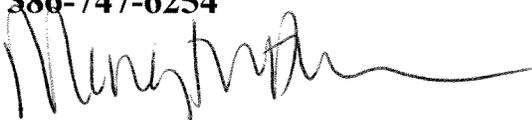
Application Fee	Received	Date	Receipt No.	Case #
Code 124 <u>\$330.00</u>	By: <u>ES</u>	_____	_____	<u>AA10-00002</u>

JULY 1ST, 2011

TO WHOM IT MAY CONCERN:

I, MARGARITO ALBARRAN OWNER OF RESTAURANT LOS TRES AMIGOS, 1201 E. LONG AVENUE FORTWORTH TEXAS.. WAS INFORMED BY HARRIS PERMIT SERVICES THAT THE CITY OF FORTWOTH HAD REJECTED MY APPLICATAION FOR ALCHOL SALES IN THAT LOCATION. DUE TO NEAR BY CHURCH, I AM WRITING THIS LETTER BECAUSE I FEAL THAT IT IS IMPORTANT FOR ME AS A OWNER TO OPTAIN THIS PERMIT. I THINK THAT THE ALCHOL SALES IS A VERY IMPORTANT FACTOR ON THE BUISENES, AND COULD DETERMINE, THE OUTCOME OF THE RESTAURANTS, SUCCESS, BY ATTRACTING MORE PEOPLE INTO THE BUISENESS AND BOOSTING FOOD SALES. IT COULD ALSO DETERMINE WHETHER THE BUISENESS OPENS ITS DOORS. I HOPE THAT THIS LETTER WILL HELP, TO MAKE MY POINT OF VIEW WHY IT IS CRITICAL FOR THE RESTAURANT TO OBTAIN A LIQOUR / BEER LICESENCE.

**THANKS,,
LOS TRES AMIGO
MARGARITO ALBARRAN
386-747-6254**



2 of 2



On-Premise Prequalification Packet L-ON (11/2010)

Please complete this Prequalification Packet with information concerning your proposed business location for which you are applying to sell/serve alcoholic beverages. This information will be used to obtain your prequalification to hold a license/permit. You will submit this information to the proper governmental entities for certification that your proposed location is legal for the type of license/permit for which you are applying. Permit applicants will also provide this packet to their local newspaper for certification that you have published the required notice.

Please immediately contact your local TABC office to determine if you must post a 60 Day Sign at your proposed location, and for more information.

LOCATION INFORMATION

Type of On-Premise License/Permit

- | | |
|--|--|
| <input type="checkbox"/> BG Wine and Beer Retailer's Permit | <input checked="" type="checkbox"/> LB Mixed Beverage Late Hours Permit |
| <input type="checkbox"/> BE Beer Retail Dealer's On-Premise License | <input type="checkbox"/> MI Minibar Permit |
| <input type="checkbox"/> BL Retail Dealer's On-Premise Late Hours License | <input type="checkbox"/> CB Caterer's Permit |
| <input type="checkbox"/> BP Brewpub License | <input checked="" type="checkbox"/> FB Food and Beverage Certificate |
| <input type="checkbox"/> V Wine & Beer Retailer's Permit for Excursion Boats | <input type="checkbox"/> PE Beverage Cartage Permit |
| <input type="checkbox"/> Y Wine & Beer Retailer's Permit for Railway Dining Car | <input type="checkbox"/> RM Mixed Beverage Restaurant Permit with FB |
| <input checked="" type="checkbox"/> MB Mixed Beverage Permit | |

Indicate Primary Business at this Location

- | | |
|--|--|
| <input checked="" type="checkbox"/> Restaurant | <input type="checkbox"/> Sporting Arena, Civic Center, Hotel |
| <input type="checkbox"/> Bar | <input type="checkbox"/> Miscellaneous _____ |
| <input type="checkbox"/> Sexually Oriented | |

Trade Name of Location

Los Tres Amigos

Location Address

1201 E. Long Avenue

City	County	State	Zip Code
Fort Worth	Tarrant	TX	76106-

Mailing Address	City	State	Zip Code
4633 Moss Rose Drive	Fort Worth	TX	76137-

Business Phone No.	Alternate Phone No.	E-mail Address
() pending	(386) 747 - 6254	m.albarran@charter.net

OWNER INFORMATION

Type of Owner

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Individual | <input type="checkbox"/> Corporation | <input type="checkbox"/> City/County/University |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Joint Venture | |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Trust | |

Entity/Applicant	60 Day Sign Date (TABC USE ONLY)
Margarito Albarran	/ /

If Applicant Is/Who Must Be Listed Below (attach L-OIC if additional space is needed).

Individual/Individual Owner	Limited Liability Company/All Officers or Managers
Partnership/All Partners	Joint Venture/Venturers
Limited Partnership/All General Partners	Trust/Trustee(s)
Corporation/All Officers	City, County, University/Official

Last Name	First Name	MI	Title
Albarran	Margarito	-	Owner
Last Name	First Name	MI	Title
Last Name	First Name	MI	Title

MEASUREMENT INFORMATION

Will your business be located within 300 feet of a church or public hospital? Yes No

NOTE: For churches or public hospitals measure from front door to front door, along the property lines of the street fronts and in a direct line across intersections.

Will your business be located within 300 feet of any private/public school, day care center or child care facility? Yes No

If "YES," are the facilities located on different floors or stories of the building? Yes No

NOTE: For private/public schools, day care centers and child care facilities measure in a direct line from the nearest property line of the school, day care center or child care facility to the nearest property line of the place of business, and in a direct line across intersections.

NOTE: For multistory building: businesses may be within 300 feet of a day care center or child care facility as long as the facilities are located on different floors of the building.

NOTE: If located on or above the fifth story of a multistory building: measure in a direct line from the property line of the private/public school to property line of your place of business in a direct line across intersections vertically up the building at the property line to the base of the floor on which your business is located.

Will your business be located within 1,000 feet of a private school? Yes No

Will your business be located within 1,000 feet of a public school? Yes No

60-DAY SIGN INFORMATION

If you were required to post a 60-day sign as required by Section 11.391 or 61.381 of the Texas Alcoholic Beverage Code at this location; has this sign been posted for the required sixty days? Yes No

If "NO," please be advised that your application may not be filed with our office until sixty days has passed.

WARNING AND SIGNATURE

If Applicant Is/Who Must Sign

Individual/Individual Owner	Corporation/Officer
Partnership/Partner	Limited Liability Company/ Officer or Manager
Limited Partnership/General Partner	

WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the Commission and required to be sworn commits an offense punishable by imprisonment in the penitentiary for not less than 2 nor more than 10 years."

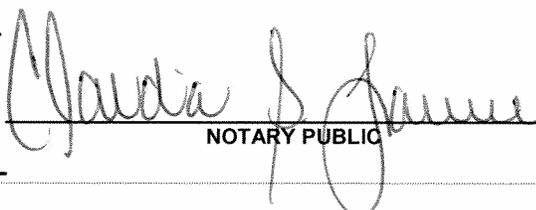
BY SIGNING YOU ARE SWEARING TO ALL INFORMATION AND ATTACHMENTS TO THIS PACKET.

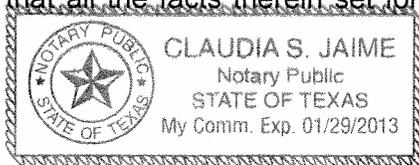
PRINT NAME Margarito Albarran

SIGN HERE 

TITLE Owner

Before me, the undersigned authority, on this 26th day of May, 2011, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.

SIGN HERE 
NOTARY PUBLIC



SEAL

CERTIFICATE OF CITY SECRETARY (FOR MB, RM, BE, BG, V, & Y)

CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

SIGN
HERE _____, TEXAS
City Secretary/Clerk

SEAL

If location can not be certified above, please complete the following:

I hereby certify on this _____ day of _____, 20____, that the location is prohibited by Charter or Ordinance No. _____, in reference to the sale of alcoholic beverages.

SIGN
HERE _____, TEXAS
City Secretary/Clerk

SEAL

CERTIFICATE OF CITY SECRETARY FOR LATE HOURS LICENSE/PERMIT

CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this _____ day of _____, 20____, that one of the below is correct:

- The governing body of this city has by ordinance authorized the sale of **mixed beverages** between midnight and 2:00 A.M.; or
- The governing body of this city has by ordinance authorized the sale of **beer** between midnight and _____ A.M.; or
- The population of the city where premises are located was 500,000 or more according to the last Federal Census.

SIGN
HERE _____, TEXAS
City Secretary/Clerk

SEAL

CERTIFICATE OF COUNTY CLERK (FOR MB, RM & BE)

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is in a "wet" area for such license/permit, and is not prohibited by any valid order of the Commissioner's Court.

SIGN
HERE _____ COUNTY
County Clerk

SEAL

CERTIFICATE OF COUNTY CLERK (FOR BG, V & Y)

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is in a "wet" area and is not prohibited by any valid order of the Commissioner's Court for a Wine & Beer Retailer's Permit.

Most current election for given location was held for:

- legal sale of all alcoholic beverages for off-premise consumption
- legal sale of all alcoholic beverages
- legal sale of all alcoholic beverages except mixed beverages
- legal sale of all alcoholic beverages including mixed beverages
- legal sale of mixed beverages
- legal sale of mixed beverages in restaurants by food and beverage certificate holders
- legal sale of wine on the premises of a holder of a winery permit
- legal sale of wine/beer (17%) on-premise or wine/beer off-premise **AFTER** Sept. 1, 1999
- legal sale of wine/beer (14%) on-premise or wine/beer off-premise **BEFORE** Sept. 1, 1999

SIGN
HERE _____ COUNTY
County Clerk

SEAL

CERTIFICATE OF COUNTY CLERK FOR LATE HOURS LICENSE/PERMIT

I hereby certify on this _____ day of _____, 20____, that one of the below are correct:

- The Commissioner's Court of the county has by order authorized the sale of **mixed beverages** between midnight and 2:00 A.M.; or
- The Commissioner's Court of the county has by order authorized the sale of **beer** between midnight and _____ A.M.; or
- The population of the county where premises are located was 500,000 or more according to the last Federal Census.

SIGN HERE _____ COUNTY

County Clerk

SEAL

COMPTROLLER OF PUBLIC ACCOUNTS CERTIFICATE

This is to certify on this 2ND day of JUNE, 2011, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit.

Sales Tax Permit Number 32044222761 Outlet Number 1

Print Name of Comptroller Employee MICHAEL R. MARTINEZ

Print Name of Comptroller Employee ENFORCEMENT OFFICER

SIGN HERE [Signature] FIELD OFFICE 2146



SEAL

PUBLISHER'S AFFIDAVIT (FOR MB, LB, RM, & BP)

Name of newspaper	
City, County	
Dates notice published in daily/weekly newspaper (mm/dd/yyyy)	/ /
<i>Publisher or designee certifies attached notice was published in newspaper stated on dates shown</i>	
Signature of publisher or designee	
Sworn to and subscribed before me on this date	/ /
Signature of Notary Public	
SEAL	

ATTACH PRINTED COPY OF THE NOTICE HERE

4 of 4

Tarrant Appraisal District

Real Estate

06/29/2011

Account Number: 00991465

Georeference: 14570-49-4

Property Location: 1201 E Long Ave, Fort Worth

Owner Information: Munoz, Felipe Etux Rosa

3415 N Hampton St

Fort Worth Tx 76106-4502

1 Prior Owner

Legal Description: Fostepco Heights Addition

Blk 49 Lot 4

Taxing Jurisdictions: 026 City of Fort Worth

099 Regional Water District

220 Tarrant County

224 Tarrant County Hospital Dist

225 Tarrant County College Dist

905 Fort Worth ISD

This information is intended for reference only and is subject to change. It may not accurately reflect the complete status of the account as actually carried in TAD's database.

Proposed Values for Tax Year 2011

	Land	Impr	2011 Total**
Market Value	\$14,950	\$318,242	\$333,192
Appraised Value*	\$14,950	\$318,242	\$333,192
Approximate Size***			4,018
Land Acres			0.1716
Land SqFt			7,475

* Appraised value may be less than market value due to state-mandated limitations on value increases

** A zero value indicates that the property record has not yet been completed for the indicated tax year

*** Rounded

5-Year Value History

Tax Year	XMPT	Appraised Land	Appraised Impr	Appraised Total	Market Land	Market Impr	Market Total
2010	000	\$14,950	\$318,242	\$333,192	\$14,950	\$318,242	\$333,192
2009	000	\$14,950	\$318,242	\$333,192	\$14,950	\$318,242	\$333,192
2008	000	\$14,950	\$335,300	\$350,250	\$14,950	\$335,300	\$350,250
2007	000	\$11,213	\$273,033	\$284,246	\$11,213	\$273,033	\$284,246
2006	000	\$11,213	\$234,918	\$246,131	\$11,213	\$234,918	\$246,131

2011 Notice Sent: 04/29/2011

Protest Deadline: 05/31/2011

Exemptions: None

Property Data

Deed Date: 10/29/1996

Deed Vol: 012580

Deed Page: 0186

Year Built: 1998

TAD Map: 2048 412

MAPSCO: 048Z

Agent: None

Class:076

State Code: F1 Commercial

Garage Bays: 00

Central Air:

Central Heat:

Pool: N

Tarrant Appraisal District Business Personal Property

07/05/2011

Account Number: 11346809

Business Name: Harvest Outreach

Property Location: 3407 N Hampton St, Fort Worth

Owner Information: Harvest Outreach

3407 N Hampton St

Fort Worth Tx 76106-4502

Property Type: Business Personal Property

Taxing Jurisdictions: 026 City of Fort Worth

099 Regional Water District

220 Tarrant County

224 Tarrant County Hospital Dist

225 Tarrant County College Dist

905 Fort Worth ISD

This information is intended for reference only and is subject to change. It may not accurately reflect the complete status of the account as actually carried in TAD's database.

Proposed Values for Tax Year 2011

2011 Market Value	\$500
--------------------------	-------

5-Year Value History

Tax Year	Appraised Total	Market Total
2010	\$500	\$500
2009	\$500	\$500
2008	\$500	\$500
2007	\$150	\$150
2006	\$800	\$800

2011 Rendition Received? N

Worked? N

2011 Notice Sent:

Protest Deadline: 05/31/2011

Exemptions: Absolute Church

Property Data

State Code: L1 Commercial BPP

SIC: 8661 Religious Organizations

Real Estate Account: 00991678

Agent: None

City of Fort Worth, Texas

Mayor and Council Communication

COUNCIL ACTION: Approved on 6/8/2010

CONTINUED FROM A PREVIOUS WEEK

DATE: Tuesday, May 04, 2010

REFERENCE NO.: G-16913

LOG NAME: 0600650001201 E LONG AVENUE

SUBJECT:

Consideration of a Variance from Section 4-4 of the City Code to Allow Alcoholic Beverage Sales for Beer and Wine On Premise at the Mariscos Las Islitas Restaurant Located at 1201 East Long Avenue (COUNCIL DISTRICT 2)

RECOMMENDATION:

It is recommended that the City Council consider a request from Vicente Gonzalez, as lessee of the building located at 1201 East Long Avenue, for a variance from Section 4-4 of the City Code prohibiting the sale of alcoholic beverages within 300 feet of Harvest Outreach Church located at 3407 North Hampton Street.

DISCUSSION:

Vicente Gonzalez leases the building from Felipe Munoz, d/b/a Mariscos Las Islitas Restaurant. Mr. Gonzalez is requesting a variance to sell beer and wine on premise at the restaurant located at 1201 East Long Avenue. The restaurant is located approximately 293 feet from Harvest Outreach Church located at 3407 North Hampton Street, as depicted on the attached map.

Section 4-4(a) of the City's Alcoholic Beverage Code, Chapter 4 of the City Code, provides that it is unlawful to sell alcoholic beverages at a place of business that is located within 300 feet of any church, public school or public hospital. The measurement of the distance between the place of business where alcoholic beverages are sold and a church shall be from door to door.

Section 4-4(f) of the City Code provides that the City Council may grant a variance from the 300 feet regulation as follows: The City Council may allow a variance to this section if it determines that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resource, creates an undue hardship on the applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, that a previous permit was issued for the premises in error and enforcement of the regulation would be inequitable or for any other reason the City Council determines after consideration of the health, safety and welfare of the public and the equities of the situation that the variance is in the best interest of the community.

Notice of the hearing has been sent to owners of property within 300 feet of 1201 East Long Avenue, as required by Section 4-4(f) of the City Code.

This property is located in COUNCIL DISTRICT 2.

Exhibit #6

1 of 2

06/09/2010

FISCAL INFORMATION / CERTIFICATION:

The Financial Management Services Director certifies that this action will have no material effect on City funds.

FUND CENTERS:**TO Fund/Account/Centers****FROM Fund/Account/Centers**

CERTIFICATIONS:

<u>Submitted for City Manager's Office by:</u>	Fernando Costa (6122)
<u>Originating Department Head:</u>	Susan Alanis (8180)
	Susan Tedder (8826)
<u>Additional Information Contact:</u>	Emilio Sanchez (2561)

ATTACHMENTS

1. [0600650001201 Distance Check \(Revised 293'\).pdf](#) (Public)
2. [0600650001201 E Long Map\(Revised 293'\).pdf](#) (Public)
3. [1600650001201 E Long Exhibits \(Revised\).pdf](#) (Public)

2 of 2