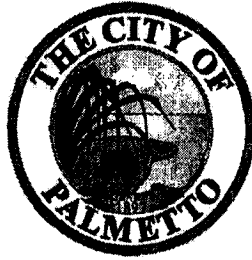


TAB 3



APPLICATION FOR SPECIAL PERMIT EXCEPTION
TO THE CITY'S NOISE ORDINANCE

**APPLICATION MUST BE FILED NO LESS THAN THIRTY (30) DAYS PRIOR TO
THE DATE OF EVENT OR OCCURRENCE.**

Alvarez Mexican Restraunt
Applicant's Name
1431 8th Ave W

5-8-09
Event Date

Palmetto, FL 34221

Address

722-3259
Telephone

[Signature]
Applicant's Authorized Representative

The Applicant hereby applies for a Special Permit Exception (SPE) to certain provisions of the City of Palmetto's Code regarding the prohibition of and abatement of noise disturbances on private and public properties. The SPE is sought for:

1. DESCRIPTION OF ACTIVITY/EVENT FOR WHICH SPE IS REQUESTED:

Cinco de Mayo Festival at Alvarez Mexican
 Restaurant. There will be food, music, dancing,
 dancers and contests.

2. ESTIMATED ATTENDANCE: 300-500

3. PROJECTED OR PROPOSED HOURS OF EVENT: From 3 To 11pm

4. STATEMENT OF GENERAL COMMUNITY IMPORTANCE OR BENEFIT:

Community getting together to enjoy music
and have fun

5. IDENTIFY PROPOSED EFFECTIVE MITIGATION MECHANISMS:

Placement of speakers to more closely control
direction of noise. D.J. to provide music.

6. ANY ALTERNATIVE LOCATIONS FOR EVENT/ACTIVITY:

N/A

7. NAME AND NUMBER OF RESPONSIBLE PARTY TO BE CONTACTED DURING EVENT/ACTIVITY:

MARIE ALVAREZ 722-3259
729-2232

I AM AWARE THAT in determining whether or not an SPE shall be issued, the City Commission shall, at a minimum, consider the nature of the event; its possible adverse effects; its importance to the general community and potential benefit the event may have upon the City and the general public; the number of participants at the event; the time of the event; proposed effective mitigation mechanisms; and the availability of alternative locations. Review of a denial of an SPE shall be to the Circuit Court in and for Manatee County and must be filed within thirty (30) days of the date of the City Commission decision relating to the SPE. Review shall be based solely upon the record generated before the City Commission. The burden is upon the applicant to establish by substantial, competent evidence that the activity for which the SPE is sought has the means to effectively mitigate potential adverse effects and impacts upon surrounding property owners and residents.

Internal Use Only
Date Received:

Marie Alvarez
Applicant

CITY COMMISSION APPROVAL: _____