

**CITY OF LOGAN  
RESOLUTION NO. 16-64**

**A RESOLUTION TO GIVE WRITTEN CONSENT THAT THE STATE  
ALCOHOLIC BEVERAGE CONTROL COMMISSION GRANT A VARIANCE  
TO THE COMMUNITY LOCATION PROXIMITY REQUIREMENTS**

WHEREAS, Utah Code Section 32B-1-202 provides that one of the factors that the Alcoholic Beverage Control Commission may consider in granting a variance to the community location proximity requirements is the issuance of a written consent by the governing body of the city; and

WHEREAS, Tanaka Balance, located at 34 Federal Avenue is requesting to obtain a Limited-Service Restaurant Liquor license for purposes of alcohol sales and is located *beyond 200 feet straight line measurement*, but less than 600 feet of St. John's Episcopal Church and the Logan Tabernacle property boundary, both community locations; and

WHEREAS, the policy established by Utah Code Section 32B-1-202 that places proximity restrictions on retail licensees for purposes of alcohol sales in relation to the St. John's Episcopal Church and Logan Tabernacle, should not apply because the negative impacts the state statute are meant to prevent are not present in this case; and

WHEREAS, Tanaka Balance, has requested that the City of Logan give written consent that the State Alcoholic Beverage Control Commission grant a variance to the community location proximity requirements;

NOW THEREFORE, BE IT RESOLVED BY THE LOGAN MUNICIPAL COUNCIL that this Council gives written consent that the State Alcoholic Beverage Control Commission grant a variance to the community location proximity requirements.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS

3 DAY OF JANUARY, 2017

AYES: *Timmerhals, Jensen, Olson*

NAYS: *Needham*

ABSENT: *Douglas*

ATTEST:

*Teresa Harris*  
Teresa Harris, City Recorder

*Tom Jensen*  
Tom Jensen, Vice Chair



2319







St. John's Episcopal Church  
85 East 100 North  
Logan, Utah 84321  
435-752-0331

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November 22, 2016  
Feast of Clement of Rome

To Whom It May Concern:

I am writing to express St. John's support for the application by Larry Tanaka, the owner of Tanaka Balance (34 Federal Avenue, Logan, Utah 84321), to obtain a beer and wine license for his business.

Please feel free to contact me if you have any questions.

A handwritten signature in blue ink. The signature reads "Stephen C. Sturgeon" with a small cross or plus sign at the end. The handwriting is cursive and fluid.

The Rev. Dr. Stephen C. Sturgeon, Vicar