

Special Use-Alcoholic Beverage Permit with Waivers Application: SU-AB 25-0218
LUHO Hearing Date: January 21, 2025
Requested Classification: 4-COP



1.0 APPLICATION SUMMARY

Applicant: Amado Camilo
Zoning: CG
FLU Category: OC-20
Service Area: Urban
Community Plan Area: Egypt Lake
Overlay: None
Special District: None
Use: Restaurant
Total Wet Zone Area Requested: 8,791 sf
Inside Area Requested: 7,651 sf
Outside Area Requested: 1,140 sf
Location: 3710 W. Waters Avenue, Tampa; Folio# 25923.5500



Introduction Summary:

Pursuant Land Development Code (LDC) Section 6.11.11, the request is a distance separation waiver for a 4-COP Alcoholic Beverage Permit for Beer, wine, and liquor for sale and consumption on and off the permitted premises (package sales).

The proposed wet zoning is sought for an expansion of the existing supermarket to a full-service restaurant, 809 Lounge Restaurant and Grill. The property is zoned CG (Commercial - General), which allows the host use and consideration of the proposed wet zoning. The applicant is requesting distance separation waivers to a community use, City Life Church and more than 3 similar approved Alcoholic Beverage uses within 1,000 feet. A prior beverage permit SU-AB 24-0894 was approved in July of 2024 for a 4-COP-RX. The applicant requests that SU-AB 24-0894 be rescinded if the current application SU-AB 25-0218 is approved.

Distance Separation Requirements	Complies with Requirement
Distance to Certain Community Uses Shall Be 500 feet	No
Distance to Residentially Zoned Property Shall be 250 Feet	Yes
No More than 3 Approved Alcoholic Beverage uses within 1,000 feet	No

Development Services Recommendation:

Approvable, Subject to Conditions

Existing Alcoholic Beverage Permit Being Rescinded:	Yes	Existing Alcoholic Beverage Permit Number:	SU-AB 24-0894
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2.0 REQUESTED DISTANCE SEPARATION WAIVER DETAILS

Requested Waiver	Required Separation	Waiver Distance	Resulting Separation
Distance from proposed structure to certain community uses	500 feet	365 feet	135 feet

Applicant's Justification:

The church is across Waters Avenue. The church faces to the west towards Dale Mabry Highway. The business faces to the north that is on the side of the church. There are 6 lanes and a median on Waters Avenue that separates, also 2 parking lots. The walking distance is 561 feet away.

Requested Waiver	Required Separation	Waiver Distance	Resulting Separation
Not Applicable	Choose an item.		

Applicant's Justification:

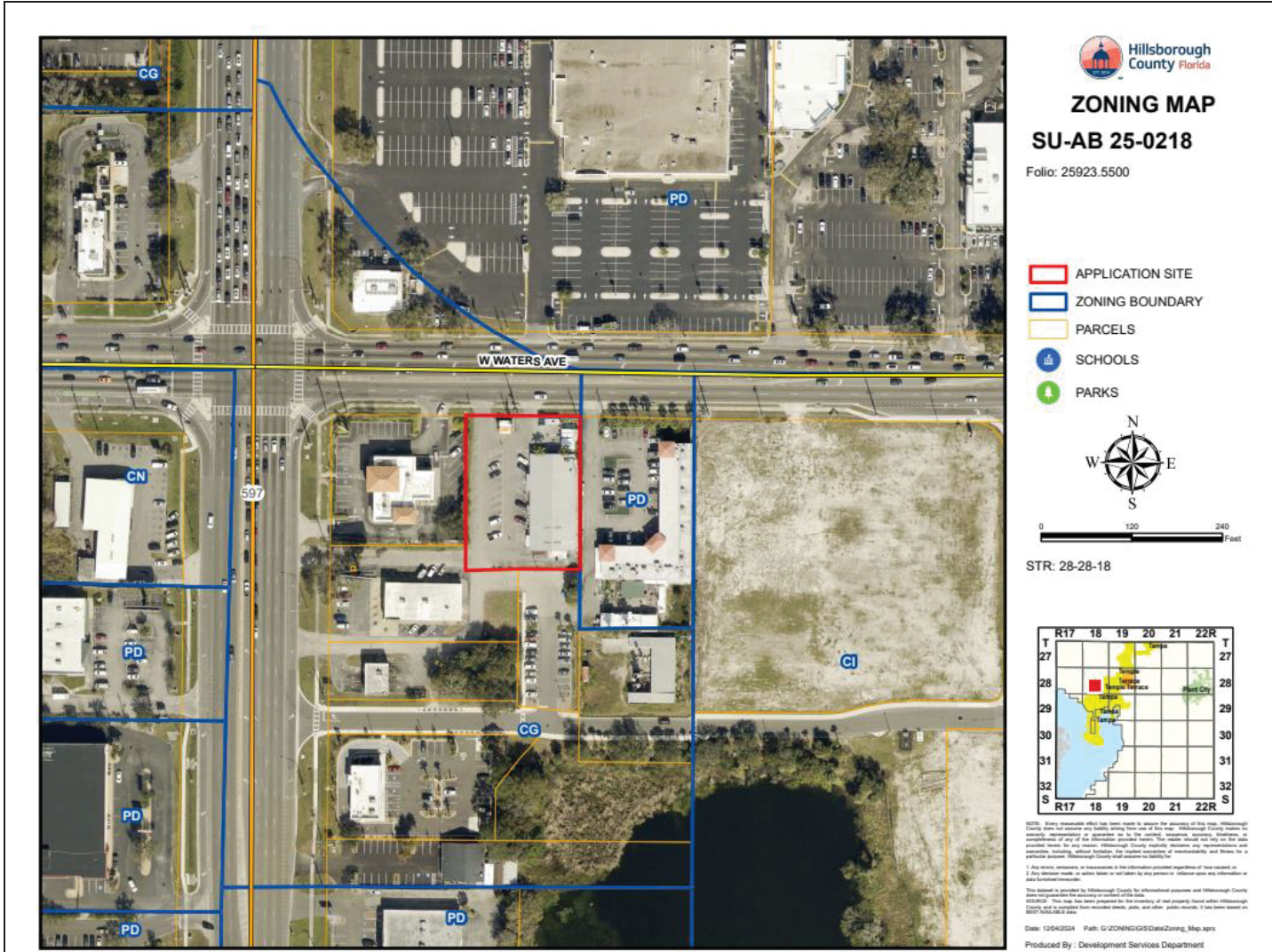
Requested Waiver	# Approved Permits
No more than 3 approved alcoholic beverage permits within 1,000 feet	14

Applicant's Justification:

The property is located within an established area that is characterized by the presence of several other wet zonings. This should have no significant negative impacts in the surrounding properties.

3.0 LAND USE MAP SET AND SUMMARY DATA

3.2 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Land Use:
North	CG, PD 84-0161	Commercial, Church
South	CG	Vacant
East	PD 02-0994	Commercial Shopping Center
West	CG	Bank, Auto Supply Store

4.0 STAFF FINDINGS

LDC Section 6.11.11.E.3 provides for approval of separation waivers where there are “special or unique circumstances where the alcoholic beverage use applied for does not have significant impacts on surrounding land uses and certain circumstances negate the necessity for the specified distance requirements.”

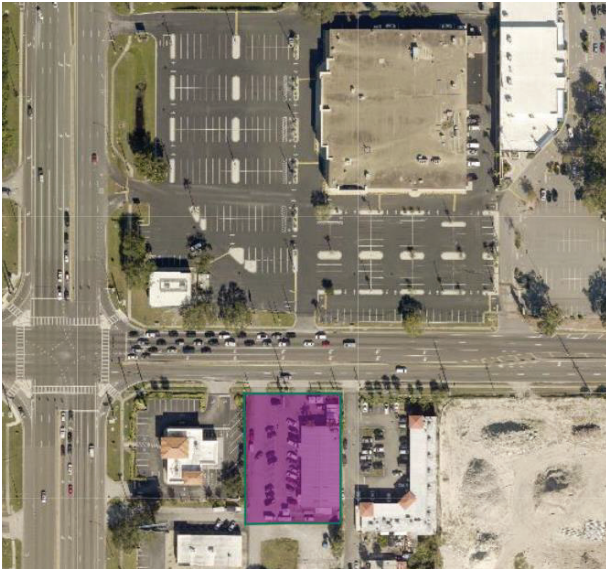


Figure 1 Aerial of site and surrounding area

As shown on the wet zone survey received January 10, 2025, City Life Church’s property line is approximately 135 feet from the proposed wet zone area. The church is located 350 feet straight line distance from the proposed wet zone area, and over 1,500 feet when utilizing the normal route of travel. West Waters Avenue, a major arterial roadway that has a width of 75 feet, buffers the proposed wet zone area from the church property.

There are 13 existing approved similar Alcoholic Beverage classification permits within 1,000 feet. This is an established commercial area located at the major intersection of West Waters Avenue and North Dale Mabry.

The establishment currently has a 4-COP-RX Alcoholic Beverage permit from 2024, SU-AB 24-0894, which permits beer, wine, and liquor for sale and consumption on the permitted premises only in connection with a restaurant. The restaurant shall have a patron seating capacity of at least 100 seats and a gross floor

capacity (gross floor area plus covered patio area) of at least 2,500 square feet. Additionally, at least 51 percent of the restaurant's total biannual sales shall be derived from the sale of food and non-alcoholic beverages.

809 Lounge Restaurant and Grill has existed at this location since approximately 2017. The applicant intends to expand the use to a restaurant selling beer, wine, and liquor for sale and consumption on and off the permitted premises (package sales). The addition of the proposed 4-COP Alcoholic Beverage Permit will not pose any additional impacts to the church community use or the surrounding commercial uses.

The subject property is located in Tampa at the intersection of West Waters Avenue and North Dale Mabry Highway, a major arterial roadway. The property fronts on West Waters Avenue, a major county arterial of approximately 75 feet in width. There are 6 lanes and a median on Waters Avenue that separates the proposed wet zoning from the church and a large parking lot. The surrounding area is occupied by commercial activity along the major roadways. In addition, there are no Residentially Zoned Property within 250 Feet of the establishment.

For the reasons discussed above, staff finds the proposed wet zoning does not pose new impacts on surrounding land uses and the necessity for the specified distance requirements is negated.

5.0 RECOMMENDATION AND PROPOSED CONDITIONS (If Applicable)

Staff finds the proposed 4-COP Alcoholic Beverage Permit to be **APPROVABLE, subject to conditions**. Approval is based upon the wet zone survey reflecting a total wet zone footprint of 8,791 square feet, 7,651 square feet indoors and 1,140 square feet outdoors, as shown on the wet zone survey received January 10, 2025.

1. Upon approval of SU-AB 25-0218, the existing 4-COP-RX wet zoning of the premises, permit number SU-AB 24-0894, shall be rescinded.

Zoning Administrator Sign Off:



Colleen Marshall
Fri Jan 10 2025 16:27:33

SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

Approval of this special use petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

6.0 PROPOSED WET ZONE SURVEY (Page 1)

Address: 3710 WEST WATERS AVENUE, TAMPA
 8,791 Square Feet ± to be Wet Zoned
 WET ZONING REQUEST FOR "4-COP"

SPECIFIC PURPOSE SURVEY
 WET ZONING APPLICATION

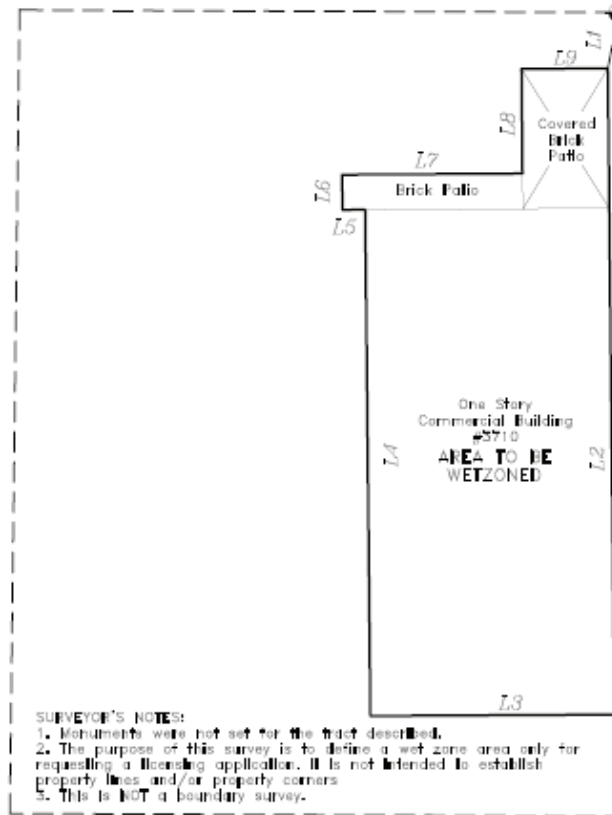
SHEET 1 OF 3

LINE	LENGTH	BEARING
L1	14.20	S11°05'01"W
L2	160.78	S00°36'08"E
L3	60.72	S89°38'59"W
L4	125.99	N00°36'08"W
L5	5.66	S89°38'59"W
L6	8.76	N00°36'08"W
L7	44.90	N89°38'59"E
L8	26.03	N00°36'08"W
L9	21.48	N89°38'59"E

POINT OF COMMENCEMENT
 POINT 930.0 FEET WEST AND 60.0 FEET SOUTH OF THE NE CORNER OF THE NE 1/4 OF THE NE 1/4 OF SECTION 28-28S-18E



W. WATERS AVENUE



SURVEYOR'S NOTES:
 1. Monuments were not set for the tract described.
 2. The purpose of this survey is to define a wet zone area only for requesting a licensing application. It is not intended to establish property lines and/or property corners.
 3. This is NOT a boundary survey.

SEE SHEET 2 OF 3 FOR DESCRIPTION

<p>DATE: 01/15/2025 REVIEWED PER EXHIBITS 01/08/2024 REVISED TYPE OF LICENSE</p> <p>SCALE: 1" = 30' DATE: 05/20/2024 CASE NO: 24-0209-FEE</p> <p>PREPARED FOR AND (OWNER) TO: DIXIE LIBERTY</p>	<p>GATEWAY LAND SURVEYING, LLC 1081 East Brandon Boulevard Brandon, Florida 33511 Phone (813)445-2792 Fax (813)445-2785</p> <p>Surveyor License No. 12543</p> <p>Surveyor: <i>[Signature]</i> Date: 05/20/2024</p>
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6.0 PROPOSED WET ZONE SURVEY (Page 2)

SPECIFIC PURPOSE SURVEY
WET ZONING APPLICATION

Address: 3710 WEST WATERS AVENUE, TAMPA
WET ZONING REQUEST FOR "4-COP"

SHEET 2 OF 3

DESCRIPTION OF THE AREA TO BE WETZONED:

A tract of land lying in and being in the Northeast 1/4 of the Northeast 1/4 of Section 28, Township 28 South, Range 18 East, Hillsborough County, Florida, more particularly described as follows:

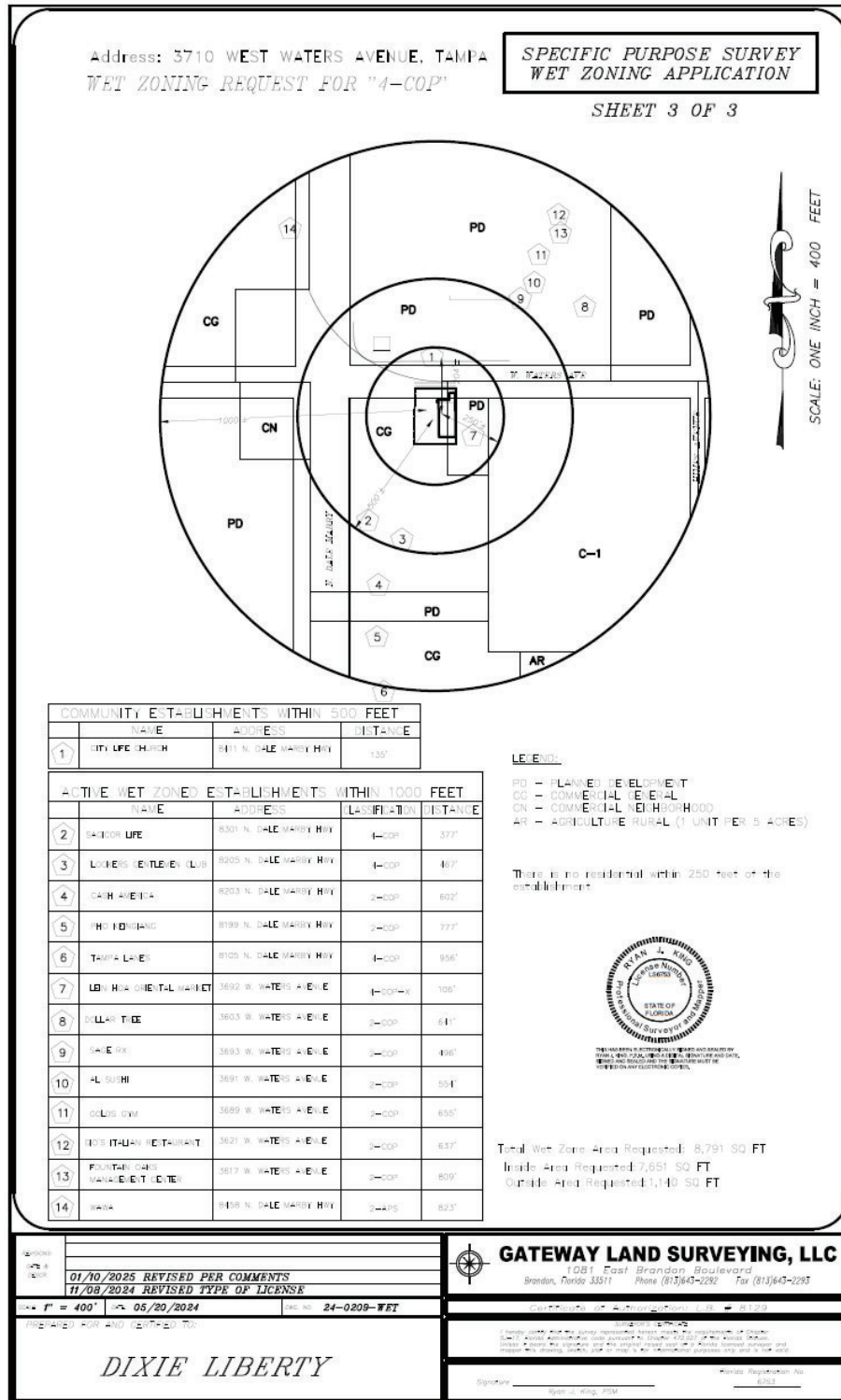
Commence at a point 930.0 feet West and 60.0 feet South of the Northeast corner of the Northeast 1/4 of the Northeast 1/4 of stated Section 28, said point being on the South right-of-way boundary of Waters Avenue (now existings); thence South 11°05'01" West a distance of 14.20 feet to the point of beginning; thence South 00°35'08" East, a distance of 160.78 feet; thence South 89°38'59" West, a distance of 60.72 feet; thence North 00°35'08" West, a distance of 125.99 feet; thence South 89°38'59" West, a distance of 5.66 feet; North 00°35'08" West, a distance of 8.76 feet; North 89°38'59" East, a distance of 44.90 feet; North 00°35'08" West, a distance of 26.03 feet; North 89°38'59" East, a distance of 21.48 feet to the point of beginning.

Containing 8,791 square feet, more or less.



01/10/2025 RECEIVED PER COMMENTS 01/09/2024 RECEIVED TYPE OF REVIEW		GATEWAY LAND SURVEYING, LLC 7081 East Brandon Boulevard Brandon, Florida 33511 Phone (813)641-2752 Fax (813)641-2265 Certificate of Registration: L.S. # 47129
DATE: 05/20/2024	CASE NO: 24-0218-002	
PREPARED FOR AND TO BE USED BY: DIXIE LIBERTY		Surveyor: _____ Date of Plot: 05/20/2024

6.0 PROPOSED WET ZONE SURVEY (Page 3)



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Written Statement

Nov 21, 2024

809 Lounge Restaurant & Grill
3710 W. Waters Ave
Tampa FL 33614

Requesting a 4cop
Beer, Wine, Liquor on and off
premises with separation waivers

Inside contains 7651 sq ft

Outside contains 1140 sq ft

Total 8791

At this time he has a 4cop RX
SU AB 24-0894

He would like to put on a 4cop
license.

If approved please withdraw
24-0894

Also asking for 2 waivers

1. Couch is within 500 feet asking
for 365 feet
2. More than 3 of approved within
11000 feet.

W. ...

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**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 25-0218

Intake Date: 11/27/2024

Hearing(s) and type: Date: 01/21/2025

Type: LUHO

Receipt Number: 427137

Date: _____

Type: _____

Intake Staff Signature: Alejandra Prado

Property Information

Address: 3710 W Waters Ave City/State/Zip: Tampa FL 33614

TWN-RN-SEC: 28/29/18 Folio(s): 025913-5500 Zoning: CG Future Land Use: C-20 Property Size: 8791 SF

Porton B

Property Owner Information

✓ Name: Scott Wagoner President the Properties LTD Daytime Phone: 727 409 2813

OF 0.20 acres

✓ Address: 1128 48th Ave NE City/State/Zip: St. Petersburg FL 33205

✓ Email: scott@theproperties.biz Fax Number: _____

Applicant Information

Name: Amado Camilo Daytime Phone: _____

Address: 3710 W. Waters Ave City/State/Zip: Tampa FL 33614

Email: _____ Fax Number: _____

Applicant's Representative (if different than above)

Name: Daniel Liberty Daytime Phone: 613 517 585

Address: 200 Adams Ave City/State/Zip: Hopkinsville KY 42240

Email: DanielLiberty@hotmail.com Fax Number: _____

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

Signature of the Applicant: [Signature]

Signature of the Owner(s) - (All parties on the deed must sign)

Type or print name: Amado Camilo

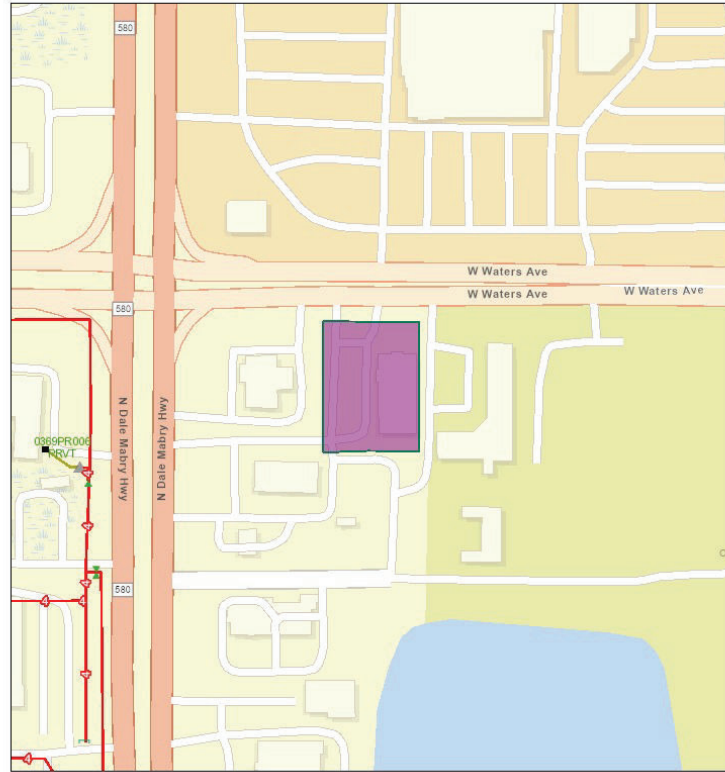
Type or print name: _____



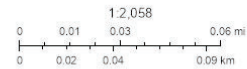
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Commercial/Office/Industr
Zoning	CG
Description	Commercial - General
RZ	
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0194H
FIRM Panel	12057C0194H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	A
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120195D
County Wide Planning Area	Egypt Lake
Census Data	Tract: 011902 Block: 1010
Future Landuse	OC-20
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 10
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	150' AMSL
Competitive Sites	NO
Redevelopment Area	NO

Folio: 25923.5500



November 27, 2024



Sources: Esri, TomTom, Garmin, FAD, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, EGIS

Hillsborough County Florida

Folio: 25923.5500
PIN: U-28-28-18-ZZZ-000000-97940.0
 Houghton-Wagman Partnership Ltd

Mailing Address:
 1128 42nd Ave Ne
 null

Saint Petersburg, Fl 33703-5238

Site Address:
 3710 W Waters Ave
 Tampa, Fl 33614

SEC-TWN-RNG: 28-28-18

Acreage: 0.706967

Market Value: \$997,201.00

Landuse Code: 1130 STORE/SHP CENTE

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1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.
2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

25-0218

112
Doc 15.00
Doc 4200.00

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INSTR # 2003273068

O BK 12832 PG 0958

RECORDED 07/09/2003 02:38:56 PM
RICHARD AKE CLERK OF COURT
HILLSBOROUGH COUNTY
DOC TAX PD (F.S. 201.02) 4,200.00
DEPUTY CLERK P Beckham

THIS INSTRUMENT PREPARED BY
STEPHEN B. KEYSER, ESQ.
FERGESON SKIPPER, SHAW, KEYSER
BARON & TIRABASSI, P.A.
P.O. BOX 3018, SARASOTA, FL 34230
FILE NO. 2606/18829 (LOAN F)

Doc. Stamps: \$ 4200.00
Recording: \$ 15.00

PARCEL ID # U-28-28-18-18-ZZZ-000000-97940.0

Grantee #1 Tax ID # _____
Grantee #2 Tax ID # _____

DEED OF CONVEYANCE

THIS INDENTURE Is made this 10th day of June, 2003, between **HOUGHTON-WAGMAN PARTNERSHIP**, a Florida General Partnership, "Grantor," whose address is 1219 Darlington Oak Circle NE, St. Petersburg, FL 33703, and **HOUGHTON-WAGMAN PARTNERSHIP, LTD**, a Florida Limited Partnership, whose address is 1219 Darlington Oak Circle NE, St. Petersburg, FL 33703, "Grantee."

WITNESSETH:

3

That Grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration, to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey to Grantee, and Grantee's successors, heirs, legal representatives and assigns forever, the following described real property, situate, lying and being in **HILLSBOROUGH** County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

This conveyance is made subject to the following:

Real estate taxes for the current year and subsequent years; Applicable zoning regulations and ordinances; and all other covenants, conditions, restrictions and easements of record, if any.

Mortgage recorded in Official Records Book 8866, Page 217, of the Public Records of Hillsborough County, Florida.

and Grantor hereby covenants with Grantee that Grantor is lawfully seized of said property in fee simple; that Grantor has good right and lawful authority to sell and convey said property; that except as noted above, at the time of the delivery of this Deed, the property was free from all encumbrances made by it, and that it warrants and will defend the same against the lawful claims and demands of all persons claiming by, through or under it, but against none other.

(10)

This Deed is given for the purpose of winding up the affairs of the Grantor.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on the day and year first above written.

WITNESSES:

HOUGHTON-WAGMAN PARTNERSHIP,
a Florida General Partnership

[Signature]
Name: STEPHEN B. KEYSER

BY: [Signature]
SCOTT K. WAGMAN, Partner

[Signature]
Name: TRICIA ANN BARRETT

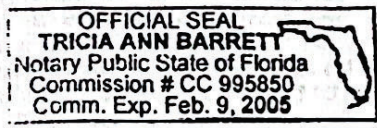
BY: [Signature]
BETH A. HOUGHTON, Partner

[Signature]
Name: MARGARET C LADD

[Signature]
Name: JULIE FLANAGAN

STATE OF FLORIDA
COUNTY OF Sanosta

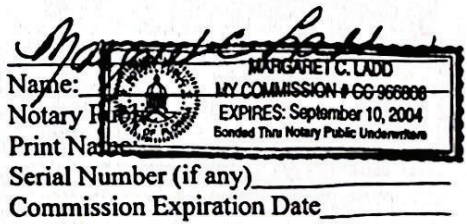
The foregoing instrument was acknowledged before me on June 10, 2003, by **SCOTT K. WAGMAN**, as General Partner of **HOUGHTON-WAGMAN PARTNERSHIP**, a Florida General Partnership, on behalf of the Partnership [] who is (are) personally known to me or [] who has produced _____ as identification.



[Signature]
Name: _____
Notary Public
Print Name: _____
Serial Number (if any) _____
Commission Expiration Date _____

STATE OF FLORIDA
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me on 13th June, 2003, by **BETH A. HOUGHTON**, as General Partner of **HOUGHTON-WAGMAN PARTNERSHIP**, a Florida General Partnership, on behalf of the Partnership [] who is (are) personally known to me or [] who has produced _____ as identification.



[Signature]
Name: _____
Notary Public
Print Name: _____
Serial Number (if any) _____
Commission Expiration Date _____