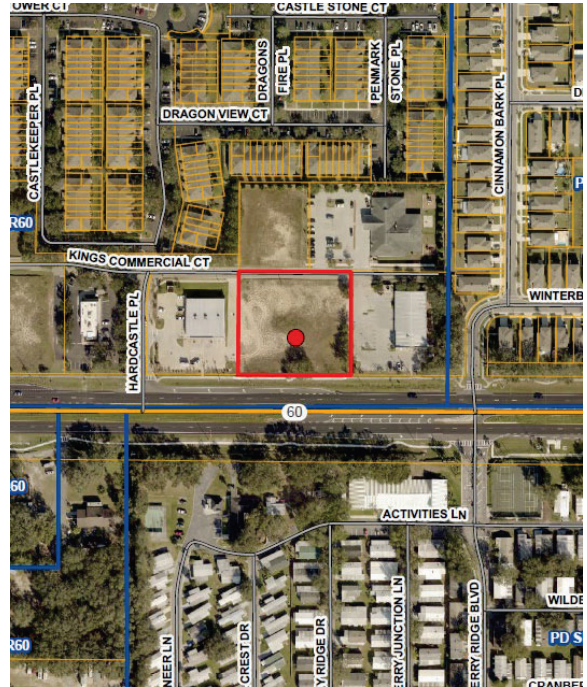


Special Use-Alcoholic Beverage Permit with Waivers Application: SU-AB 24-0267
LUHO Hearing Date: February 26, 2024
Requested Classification: 4-COP-X



1.0 APPLICATION SUMMARY

Applicant: Chris Ciulla
Zoning: PD
FLU Category: OC-20
Service Area: Urban
Community Plan Area: Valrico
Overlay: SR 60 (Brandon Boulevard) Overlay
Special District: None
Use: Restaurant
Total Wet Zone Area Requested: 5,200 square feet
Inside Area Requested: 4,140.27 square feet
Outside Area Requested: 1,059.73 square feet
Location: 3434 E State Road 60, Valrico; Folio: 85740.3248



Introduction Summary:

Pursuant to Land Development Code Section 6.11.11, the request is for a distance separation waiver for a 4-COP-X Alcoholic Beverage Permit (AB) for the sale and consumption of beer, wine, and liquor on the permitted premises only. The proposed wet zoning is sought by a proposed restaurant, Voodoo Brewery. The property is zoned Planned Development 89-0080, most recently modified by PRS 18-0312, which allows the host use and consideration of the proposed wet zoning.

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	No
No More than 3 Approved Alcoholic Beverage uses within 1,000 feet	Yes

Development Services Recommendation:

Approvable, Subject to Conditions

Existing Alcoholic Beverage Permit Being Rescinded:	Yes	Existing Alcoholic Beverage Permit Number:	SU-AB 23-0642
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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	370.2 feet	129.8 feet
Community Uses:	Discovery Point Kings Mill Childcare Center		

Applicant's Justification:

Our establishment will maintain strict compliance with all laws and regulations regarding alcohol sales and service, including the prevention of any disturbance or inconvenience to the daycare facility or its patrons.

The applicant understands the importance of maintaining a safe and secure environment for children attending the daycare facility and is committed to implementing additional security measures and precautions to ensure their well-being. These measures will include increased surveillance, strict adherence to noise regulations, and the implementation of responsible alcohol service practices to prevent any disturbances or violations. Our alcohol model will not include "shots" on our menu and we have a limited cocktail menu to avoid excessive alcohol consumption at our properties.

Requested Waiver	Required Separation	Waiver Distance	Resulting Separation
Distance from proposed structure to residentially zoned property	250 feet	30.9 feet	219.1 feet

Applicant's Justification:

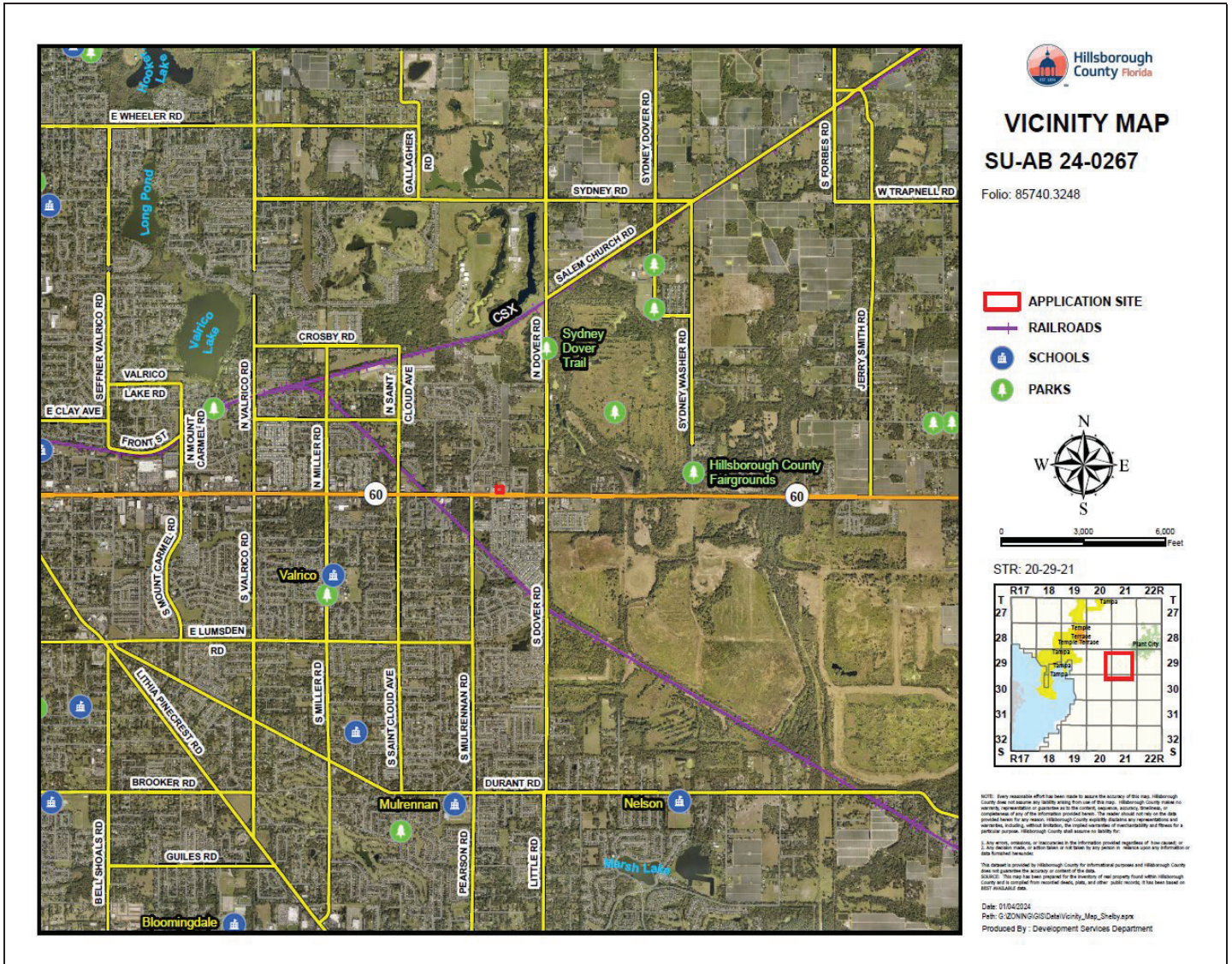
The applicant understands the importance of maintaining a safe and secure environment for families living in the community we aspire to serve, and I am committed to implementing additional security measures and precautions to ensure their well-being. These measures will include increased surveillance, strict adherence to noise regulations, and the implementation of responsible alcohol service practices to prevent any disturbances or violations. Our alcohol model will not include "shots" on our menu and we have a limited cocktail menu to avoid excessive alcohol consumption at our properties.

Requested Waiver	# Approved Permits
Not Applicable	

Applicant's Justification:

3.0 LAND USE MAP SET AND SUMMARY DATA

3.1 Vicinity Map

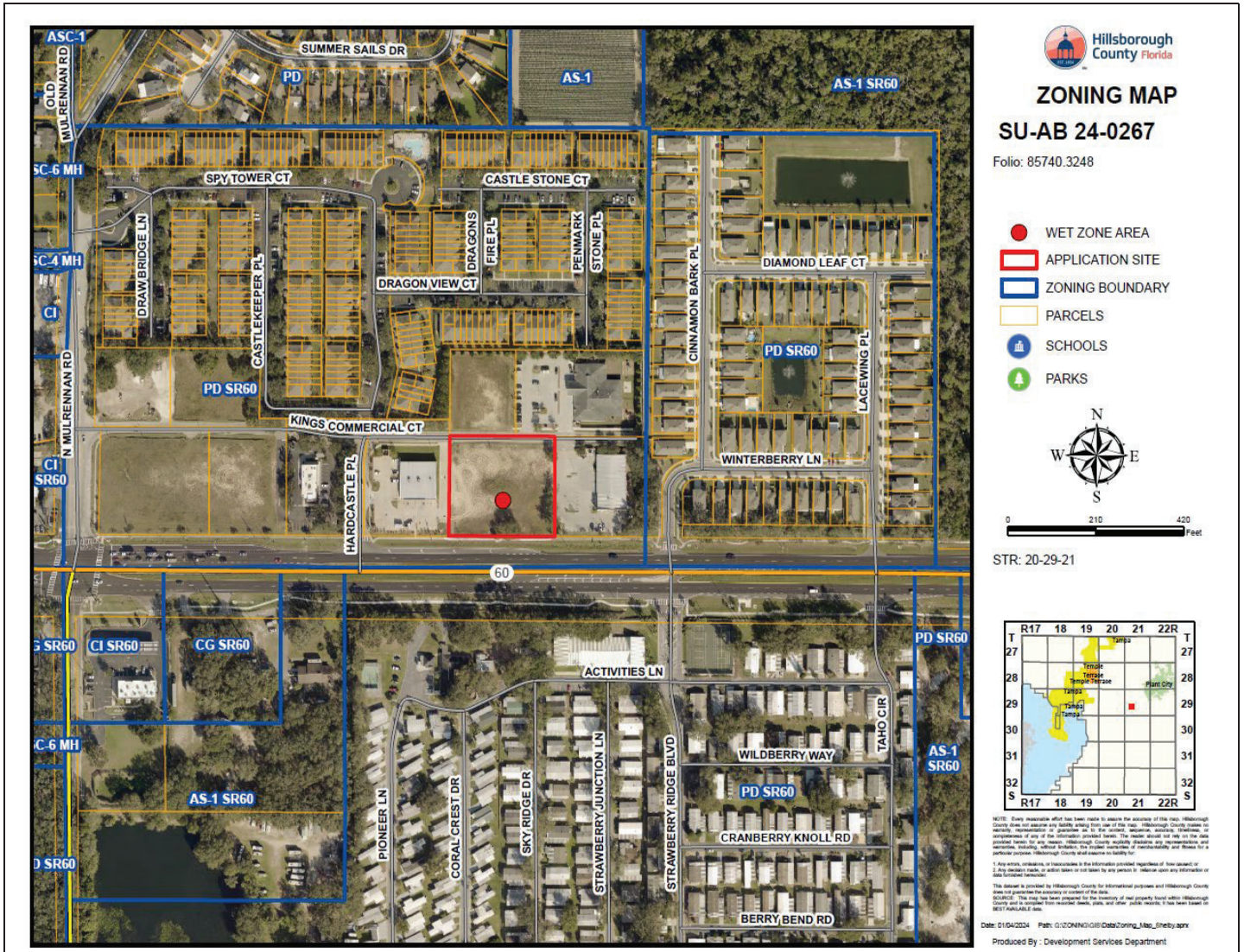


Context of Surrounding Area:

The surrounding area is a mixture of commercial, and residential uses. Commercial development exists primarily along E State Road 60, with residential uses located to the north and south of the commercial development strip.

3.0 LAND USE MAP SET AND SUMMARY DATA

3.2 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Land Use:
North	PD 89-0080	Multi-Family Residential, Childcare Center
South	PD 93-0155	Mobile Home Park
East	PD 89-0080	Commercial, Dollar General Store
West	PD 89-0080	Auto Part 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.”

The subject site is located along State Road 60, a 4-lane principal arterial road. The site is zoned PD 89-0080, most recently approved PRS 18-0312, and approved for commercial and residential uses. Adjacent to the east and west are properties developed with commercial retail uses. To the north is a childcare center, and a multifamily development.

The proposed restaurant is separated from the community use by Kings Commercial Ct. roadway and the proposed outdoor wet zone area faces toward the west, away from Discovery Point Kings Mill childcare entrance. The restaurant building will be located between the outdoor area and the childcare center providing additional screening of the outdoor area.

The proposed wet zoning is separated from the residentially zoned property to the northwest by Kings Commercial Ct. roadway and a six-foot-high PVC fence and row of shade trees. Additionally, the route of travel from the proposed wet zoning to the nearest residential property exceeds 500 feet.

Staff finds the proposed wet zoning consistent with the mixed-use character of the area with residential uses in proximity to commercial uses. The existing PD zoning permits both commercial and residential uses.

For the reasons discussed above, staff finds the proposed wet zoning does not pose significant 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-X Alcoholic Beverage Permit to be **APPROVABLE, subject to the condition below.** Approval is based upon the wet zone survey reflecting a total wet zone footprint of 5,200 square feet, as shown on the wet zone survey received January 18, 2024.

- 1. Upon approval of Alcoholic Beverage Permit SU-AB 24-0267, the portion of the existing 4-COP-X Alcoholic Beverage permit on the parcel, SU-AB 23-0642, that is within the footprint of SU-AB 24-0267 shall be rescinded.

Zoning Administrator Sign Off:

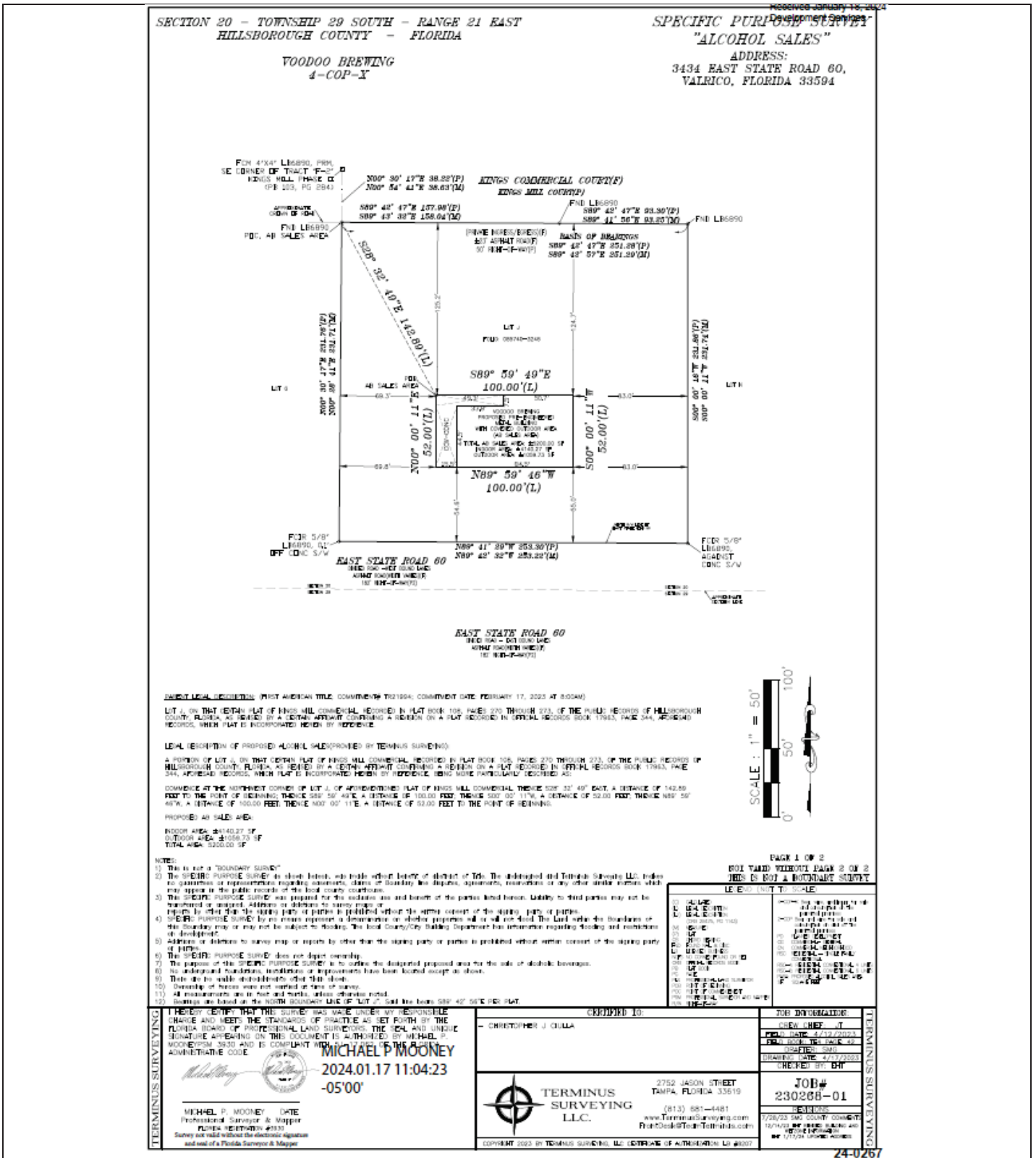


Colleen Marshall
Thu Feb 15 2024 14:13:03

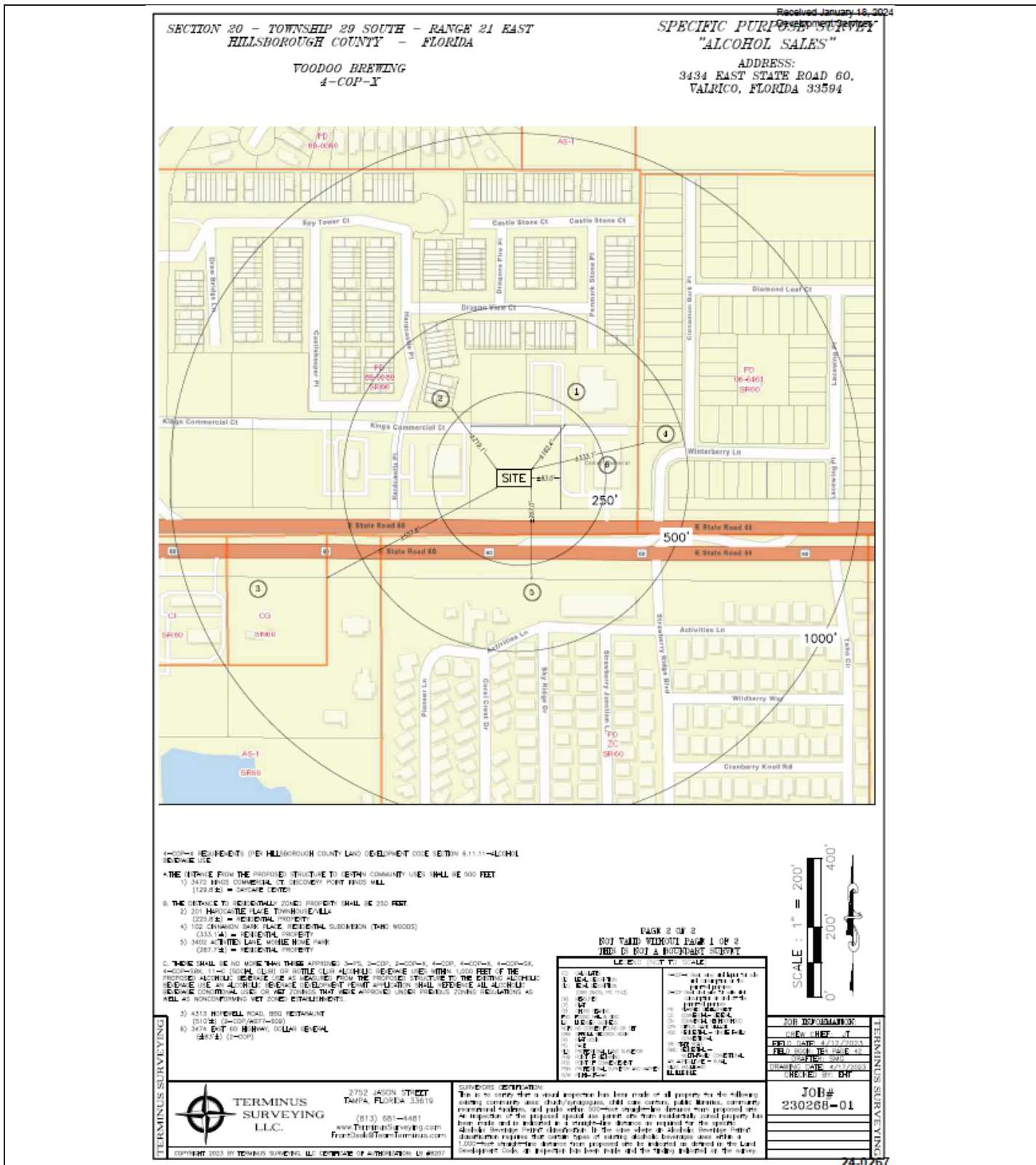
SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

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



6.0 PROPOSED WET ZONE SURVEY (Page 2 if Applicable)

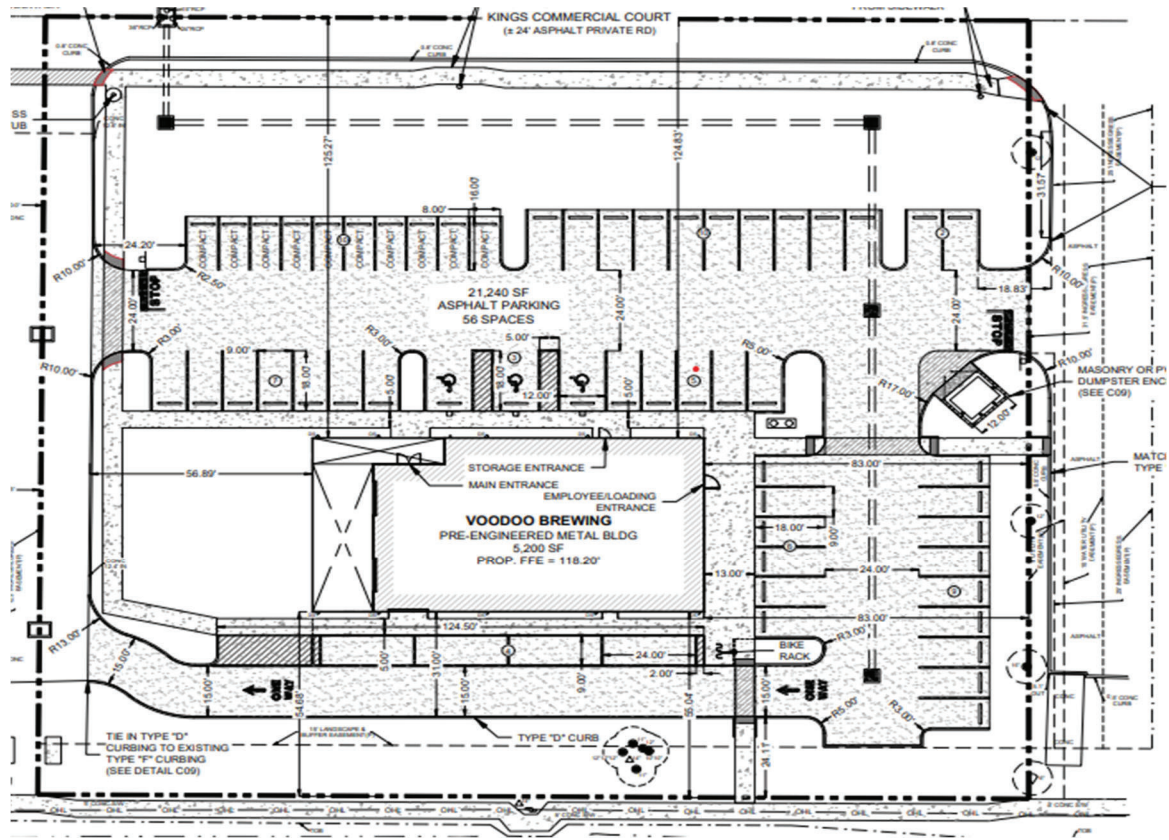


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Ciulla Liquor LI Folio 085740-3248: Written Statement

The proposed project will be to build a restaurant, Voodoo Brewery and we are requesting a 4 COP-X license. The building will be approximately 5200 Sq ft with an additional outside patio area of approximately 850 sq ft emphasizing a vibrant dining experience designed to engage the local community. Notably, beer brewing will not take place anywhere on site.



State Route 60

1. The property has only one permanent structure as shown in the diagram above.
2. The patio as shown on the west side of the structure will include seating for customers.
3. The building is approx. +/- 5200 square ft under air conditioning.
4. The patio is approx. +/- 850 square feet.

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Prepared by and Return to:
Wollinka-Wikle Title Insurance Agency, Inc.
10015 Trinity Blvd., Suite 101
Trinity, Florida 34655
Consideration: \$680,000.00
Our File Number: TR21994

For official use by Clerk's office only

STATE OF Florida)
COUNTY OF Hillsborough) **SPECIAL WARRANTY DEED**
) (Corporate Seller)

THIS INDENTURE, made this August 16, 2023, between Dusty Boot, LLC, an Ohio limited liability company, as Successor Trustee of the Kings Mill Trust Agreement u/t/d November 5, 2022, whose mailing address is: One Grandin Lane, Cincinnati, Ohio 45208, party of the first part, and **WeCulture Real Estate, LLC**, a Florida limited liability company, whose mailing address is: 1632 Acadia Harbor Place, Brandon, Florida 33511, party/parties of the second part,

WITNESSETH:

First party, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, aliens, remises, releases, conveys and confirms unto second party/parties, his/her/their heirs and assigns, the following described property, to-wit:

The land referred to herein below is situated in the County of Hillsborough, State of Florida, and as described as follows:

Lot J, on that certain Plat of **KINGS MILL COMMERCIAL**, recorded in Plat Book 108, Pages 270 through 273, of the Public Records of Hillsborough County, Florida, as revised by that certain Affidavit Confirming a Revision on a Recorded Plat recorded in Official Records Book 17963, Page 344, aforesaid records, which plat is incorporated herein by reference.

Folio# 085740-3248

Subject, however, to all covenants, conditions, restrictions, reservations, limitations, easements and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the party of the first part hereby covenants with said party of the second part, that it is lawfully seized of said land in fee simple: that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the party of the first part.

IN WITNESS WHEREOF, first party has signed and sealed these present the date set forth on August 16, 2023.

Signed, sealed and delivered in the presence of:

Dusty Boot, LLC, an Ohio limited liability company, as Successor Trustee of the Kings Mill Trust Agreement u/t/d November 5, 2022

Nicole Mastold
Witness signature

By: J. Robert Brown
Print Name: J. Robert Brown
Title: Manager

Nicole Mastold
Print witness name:

Danier Vale
Witness signature

Daniel Vale
Print witness name:

State of Ohio
County of Hamilton

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 16 day of August, 2023 by J. Robert Brown, Manager of Dusty Boot, LLC, an Ohio limited liability company, Successor Trustee of the of Kings Mill Trust Agreement u/t/d November 5, 2022 who is personally known to me or who has produced Driver License as identification.

Danier Vale
Notary Public
Daniel Vale
Print Notary Name
My Commission Expires: 9/28/2026
Notary Seal



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Additional / Revised Information Sheet

Received January 12, 2024
Development Services

Office Use Only

Application Number: SU AB 24-0267

Received Date:

Received By:

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, **the second page of this form must be included indicating the additional/revised documents being submitted with this form.**

Application Number: SU AB 24-0267 Applicant's Name: Chris Ciulla

Reviewing Planner's Name: Tania Capella Date: 01/12/2024

Application Type:

- Planned Development (PD)
- Minor Modification/Personal Appearance (PRS)
- Standard Rezoning (RZ)
- Variance (VAR)
- Development of Regional Impact (DRI)
- Major Modification (MM)
- Special Use (SU)
- Conditional Use (CU)
- Other _____

Current Hearing Date (if applicable): 01/12/2024

Important Project Size Change Information

Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.

Will this revision add land to the project? Yes No
If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

Will this revision remove land from the project? Yes No
If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

**Email this form along with all submittal items indicated on the next page in pdf form to:
ZoningIntake-DSD@hcflgov.net**

Files must be in pdf format and minimum resolution of 300 dpi. Each item should be submitted as a separate file titled according to its contents. All items should be submitted in one email with application number (including prefix) included on the subject line. Maximum attachment(s) size is 15 MB.

For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcflgov.net.

I certify that changes described above are the only changes that have been made to the submission. Any further changes will require an additional submission and certification.

Signature

Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to Chapter 119 Florida Statutes, all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact Hillsborough County Development Services to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under Florida Statutes §119.071(4) will need to contact Hillsborough County Development Services to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? Yes No

SU AB 24-0267

I hereby confirm that the material submitted with application _____

Includes sensitive and/or protected information.

Type of information included and location _____

Does not include sensitive and/or protected information.

Please note: Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature: _____
(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



Additional / Revised Information Sheet

Please indicate below which revised/additional items are being submitted with this form.

Included	Submittal Item
----------	----------------

- 1 **Cover Letter**** If adding or removing land from the project site, the final list of folios must be included
- 2 **Revised Application Form****
- 3 **Copy of Current Deed*** Must be provided for any new folio(s) being added
- 4 **Affidavit to Authorize Agent*** (If Applicable) Must be provided for any new folio(s) being added
- 5 **Sunbiz Form*** (If Applicable) Must be provided for any new folio(s) being added
- 6 **Property Information Sheet****
- 7 **Legal Description of the Subject Site****
- 8 **Close Proximity Property Owners List****
- 9 **Site Plan**** All changes on the site plan must be listed in detail in the Cover Letter.
- 10 **Survey**
- 11 **Wet Zone Survey**
- 12 **General Development Plan**
- 13 **Project Description/Written Statement**
- 14 **Design Exception and Administrative Variance requests/approvals**
- 15 **Variance Criteria Response**
- 16 **Copy of Code Enforcement or Building Violation**
- 17 **Transportation Analysis**
- 18 **Sign-off form**
- 19 **Other Documents** (please describe):

*Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

**Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: _____ Intake Date: _____
 Hearing(s) and type: Date: _____ Type: _____ Receipt Number: _____
 Date: _____ Type: _____ Intake Staff Signature: _____

Property Information

Address: 3434 E State Road 60 City/State/Zip: Valrico FL 33954
~~3472 SA 60 West~~
 TWN-RN-SEC: 20-29-21 Folio(s): 085740 Zoning: PD Future Land Use: OC-20 Property Size: 1.34
 Date: _____

Property Owner Information

Name: We Culture Real Estate LLC Daytime Phone 732-824-2877
 Address: 1632 Acadia Harbor Place City/State/Zip: Brandon FL 33511
 Email: chris.ciuilla@yahoo.com Fax Number _____

Applicant Information

Name: Christopher J Ciuilla Daytime Phone 732-824-2877
 Address: 1506 Acadia Harbor Place City/State/Zip: Brandon FL 33511
 Email: Chris.Ciuilla@yahoo.com Fax Number _____

Applicant's Representative (if different than above)

Name: _____ Daytime Phone _____
 Address: _____ City/State/Zip: _____
 Email: _____ 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.

[Signature]
Signature of the Applicant

Chris Ciuilla
Type or print name

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

Chris Ciuilla
Type or print name