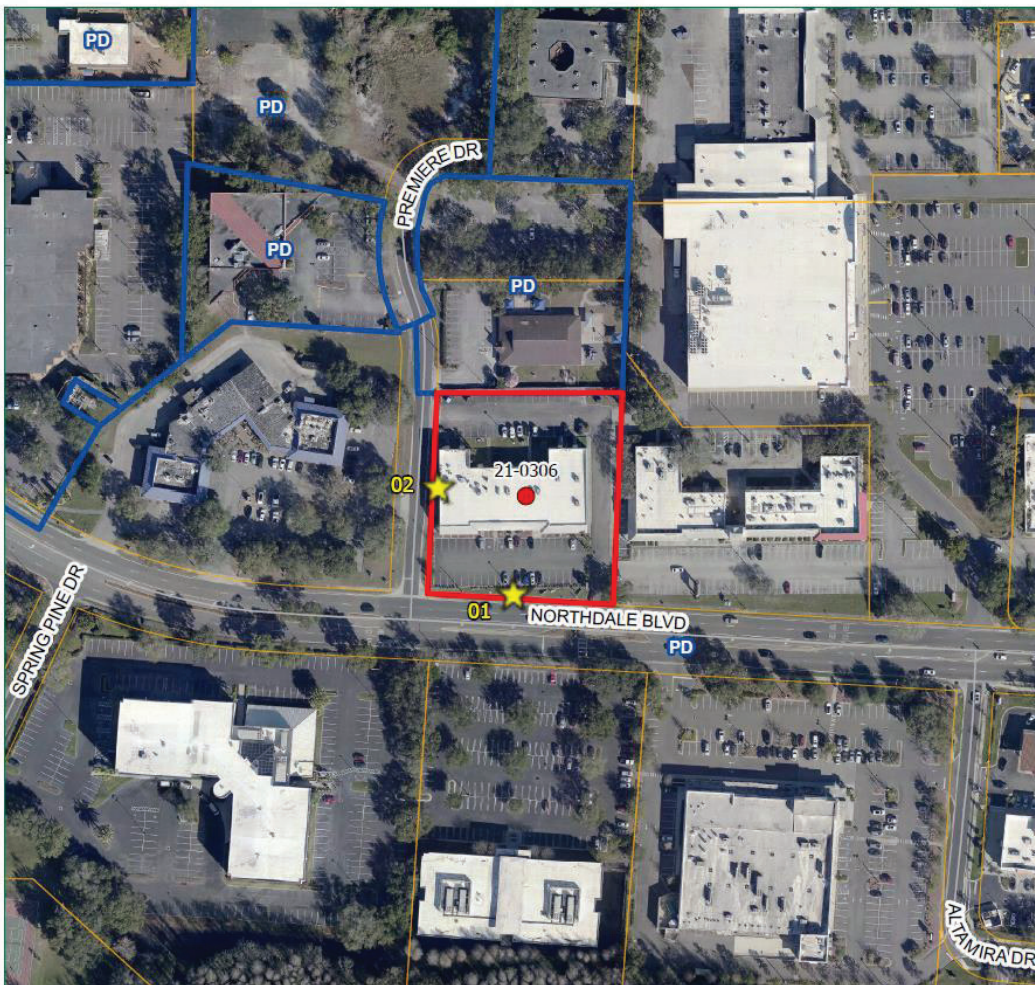




Hillsborough County Florida

Land Use Application Summary Report

Application Number:	SU-AB 21-0306	Adjacent Zoning and Land Uses:	
Request:	Distance Separation Waiver for a 4-COP-X Permit	North:	PD/ Commercial,
		South:	PD (03-0861)/ Commercial, Bloomingdale ROW
Comp Plan Designation:	CMU-12 (Community Mixed Use-12)	East:	PD (03-0861)/ Commercial, Residential
Service Area:	Urban	West:	PD (98-1498)/ Commercial



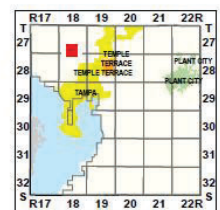
Sign Posting Map SU-AB 21-0306

Folio: 16353.0000

- Application Site
- Zoning Boundary
- Parcels
- ★ Hearing_Notification_Sign_Locations



STR: 33-27-18



NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not assume any liability arising from use of the map.

THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

SOURCE: This map has been prepared by the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other public records. It has been based on BEST AVAILABLE data.

Users of this map are hereby notified that the aforementioned public primary information source should be consulted for verification of the information contained on this map.

Date: 02/01/2021 File: 0:\2021\01\010\DateSigns.aprx

Request Summary:

Pursuant to Land Development Code Section 6.11.11, the request is for a distance separation waiver for a proposed 4-COP-X Alcoholic Beverage Permit to allow the sale and consumption of beer, wine and liquor on the permitted premises only. The proposed wet zoning is sought by an existing restaurant, Costanera Peruvian Cuisine, at 3869 Northdale Boulevard. The property is zoned PD (Planned Development 03-0861), which allows consideration of the requested AB. Per the revised wet zone survey received May 28, 2021, the wet zoning will comprise 3,746 square feet of indoor area. No outdoor area is included.

The proposed wet zoning will replace an existing 2-COP-RX wet zoning on the subject premises, AB 94-0073, which was approved in 1994 for a 3,720-square-foot area. The 2-COP-RX wet zoning allows the sale and consumption of beer and wine on the premises only in connection with a restaurant and limits the sale of alcohol to no more than 49 percent of gross biannual sales.

Separation Requirements:

Per LDC Section 6.11.11.D, proposed 4-COP-X wet zonings must be located at least 500 feet from specified community uses and 250 feet from residentially zoned properties. Additionally, there shall be no more than three approved 3-PS, 2-COP, 2-COP-X, 4-COP, 4-COP-X, 4-COP-SX, 4-COP-SBX, 11-C (Social Club) or bottle club alcoholic beverage uses within 1,000 feet of the proposed alcoholic beverage use as measured from the proposed structure to the existing alcoholic beverage use.

As shown on the survey, the proposed wet zoning complies with the separation requirement from residentially zoned property. However, the wet zoning does not comply with the separation requirement from certain community uses and there are more than three existing wet zonings of the specified types within 1,000 feet.

A child care center, Northdale Kindercare, is located 78 feet to the north of the proposed wet zoning, and there are nine existing wet zonings of the specified types within 1,000 feet, three of which are located in the same commercial building as the proposed wet zoning. Staff notes the survey incorrectly identifies the wet zoning at 15524 N. Dale Mabry Highway (item # 20) as a 2-COP when in fact it's a 2-APS-IS; therefore, it does not contribute to the number of specified types of wet zonings within 1,000 feet.

Per LDC Section 6.11.11.E, waivers to the required distance separations may be requested by the applicant at a noticed public hearing. The hearing officer may consider such requests on the basis of whether special or unique circumstances exist such that the proposed alcoholic beverage use does not pose significant impacts on the surrounding uses, and whether certain circumstances exist such that the necessity for the separation requirement(s) is negated.

The applicant has provided the following justification:

- Costanera Peruvian Restaurant is establishing since 2010 serving the community with a great taste of Peruvian cuisine and a beautiful family-friendly atmosphere, it will be a big compliment for our guess to provide a full service of liquor.
- Our reputation serving beer and wine has always complied with the State and City Regulations. We will appreciate the approval of our two waivers that will provide increasing our client and our revenue in this time that the pandemic hit our business very badly.
- There is a Day Care located in the back of the building that will be not affected by serving liquor in my restaurant, and is three licenses in the building but the license of 3849 Northdale Blvd (Mango Biche Club Dubai), is not in use anymore, this place is a Dog Hotel now (Doggyday Inn).

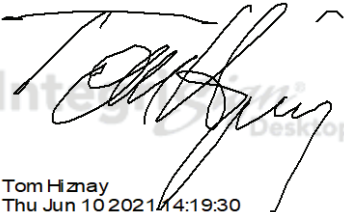
Staff Findings:

- LDC Section 6.11.11.E.3 provides for the 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 entrance to the proposed wet zoning premises faces south, away from the child care center, and there is a six-foot-high fence along the south boundary of the child care center property which results in a normal route of travel between the entrances to both uses of approximately 370 feet. Additionally, the proposed wet zoning is comprised entirely of indoor area and will replace an existing 2-COP-RX wet zoning, which also required a separation requirement from the child care center when approved in 1994, and therefore represents an incremental change in the established alcohol use. Therefore, staff finds the proposed wet zoning does not pose a significant impact on the child care center.
- Staff has received no objection from the operator of the child care facility or property owner.
- The proposed wet zoning is located in an established commercial area which includes numerous businesses that sell alcoholic beverages, including nine of the specified types within 1,000 feet of the proposed wet zoning. The proposed wet zoning will increase the number of specified wet zonings within that radius, but will replace a wet zoning that permits the on-premises consumption of beer and wine in connection with a restaurant and therefore represents an incremental change in the established alcohol use. Additionally, several of the other specified wet zonings are located in other shopping centers with no functional relationship to the center in which the proposed wet zoning is located. Therefore, staff finds the proposed wet zoning does not pose a significant impact on surrounding uses.

2.0 Recommendation:

For the reasons discussed above, staff finds the proposed 4-COP-X wet zoning APPROVABLE, subject to the condition recommended below. This recommendation is based upon the revised survey showing a wet zoned area of 3,746 square feet of indoor area and received May 28, 2021.

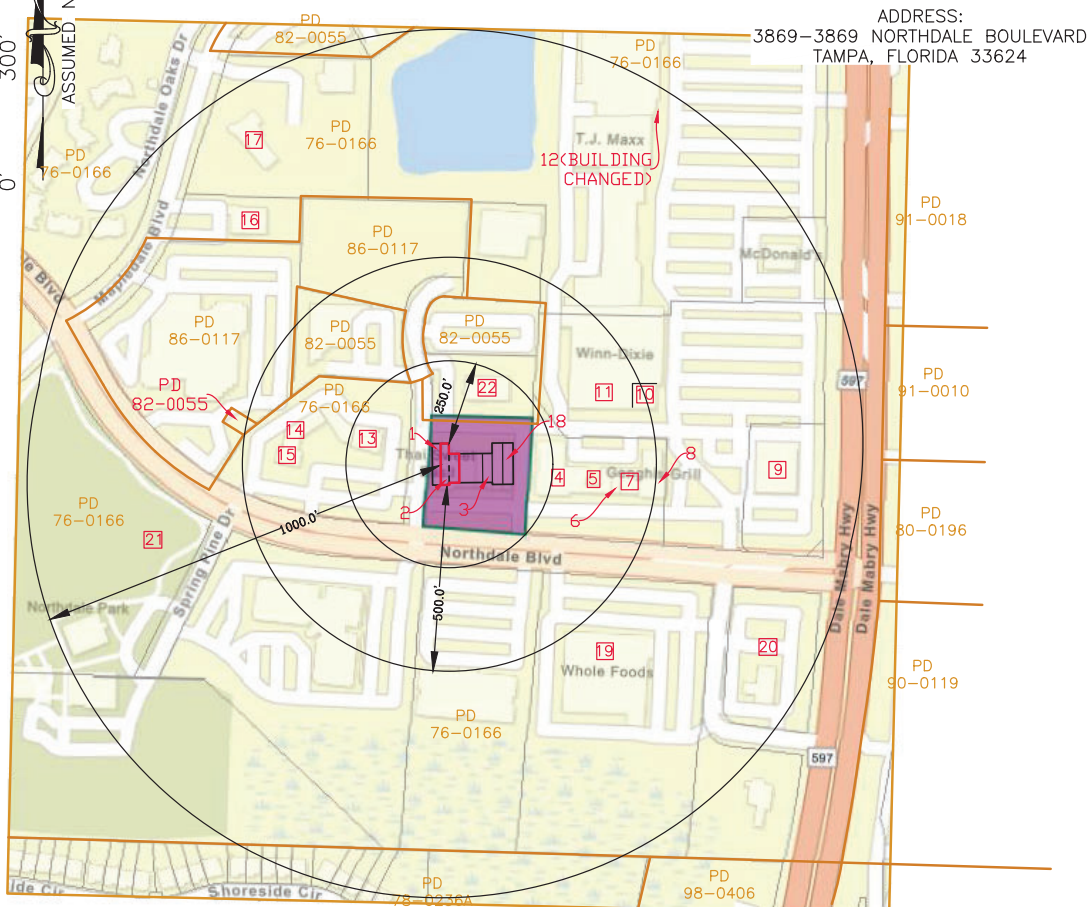
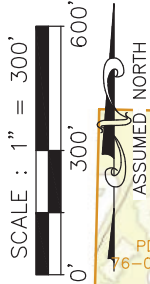
- Upon approval of Alcoholic Beverage Permit SU-AB 21-0306, the existing 2-COP-RX Alcoholic Beverage Permit on the premises, AB 94-0073, shall be rescinded.

Staff's Recommendation:	Approvable, subject to conditions
Zoning Administrator Sign-off:	 Tom Hznay Thu Jun 10 2021 14:19:30

SECTION 33, TOWNSHIP 27 SOUTH, RANGE 18 EAST
HILLSBOROUGH COUNTY, FLORIDA

SPECIFIC PURPOSE SURVEY
"WET ZONE"

COSTANERA PERUVIAN CUISINE = 4-COP-X



ADDRESS:
3869-3869 NORTHDAL E BOULEVARD
TAMPA, FLORIDA 33624

- 1) 3875 NORTHDAL E BOULEVARD, THAI SWEET BASIL (1'±) = 2-COP (AB# 80-03-1615AB(PER HISTORIC ZONE MAP))
- 2) 3871 NORTHDAL E BOULEVARD (WEST HALF OF SUBJECT PROPERTY) (0'±) = AB# 97-73(PER HISTORIC ZONE MAP))
- 3) 3853 NORTHDAL E BOULEVARD, UNKNOWN (56'±) = 4-COP; AB# SU12-708(PER HISTORIC ZONE MAP))
- 4) 3841 NORTHDAL E BOULEVARD, LOCAL DRAFT HOUSE, (169'±) = 4-COP
- 5) NORTHDAL E PROMENADE COMPLEX, UNKNOWN, (169'±) = 2-COP (AB# ILLEGIBLE (PER HISTORIC ZONE MAP))
- 6) 3817 NORTHDAL E BOULEVARD, SUSHI HARU (169'±) = 2-COP-X (AB# SU12-655(PER HISTORIC ZONE MAP))
- 7) 3813 NORTHDAL E BOULEVARD, MARCO'S PIZZA (169'±) = 2-COP-X
- 8) NORTHDAL E PROMENADE COMPLEX, CORNERSTONE PUB(MOVED) (169'±) = 4-COP-RX (AB# SU 08-179 (PER HISTORIC ZONE AP))
- 9) 15602 N DALE MABRY HIGHWAY, WALGREENS (695'±) = 2-APS (AB# SU 10-0347(PER HISTORIC ZONE MAP))
- 10) 15690 N DALE MABRY HIGHWAY, WINN DIXIE WINE AND SPIRITS (237'±) = 2-APS (AB# SU06-1701(PER HISTORIC ZONE MAP))
- 11) 15690 N DALE MABRY HIGHWAY, WINN DIXIE (MAIN STORE) (237'±) = 2PS (AB# SU06-1702(PER HISTORIC ZONE MAP))
- 12) NORTHDAL E PROMENADE COMPLEX, OLD LIQUORS (GONE) (237'±) = 3PS (AB# 87-1085(PER HISTORIC ZONE MAP))
- 13) 3879 NORTHDAL E BOULEVARD, PEPO'S CAFE (82'±) = 4-COP-RX (AB# 85-1185(PER HISTORIC ZONE MAP))
- 14) 3895 NORTHDAL E BOULEVARD, CORNERSTONE PUB (82'±) = 4-COP-RX (AB# 85-1201(PER HISTORIC ZONE MAP))
- 15) 3899 NORTHDAL E BOULEVARD, MAX MINI MART (82'±) = 2-APS (AB# 87-1360(PER HISTORIC ZONE MAP))
- 16) 15707 MAPLEDALE BOULEVARD, LA PETITE ACADEMY OF TAMPA (602'±) = PRESCHOOL
- 17) 15709 MAPLEDALE BOULEVARD, NORTHDAL E CHRISTIAN ACADEMY (625'±) = SCHOOL
- 18) NORTHDAL E SHOPPES PLAZA, UNKNOWN (105'±) = 4-COP (AB# SU 06-2187(PER HISTORIC ZONE MAP))
- 19) 3802 NORTHDAL E BOULEVARD, WHOLE FOODS MARKET (293'±) = 2-COP (AB# SU 12-798(PER HISTORIC ZONE MAP))
- 20) 15524 N DALE MABRY HIGHWAY, WAWA (711'±) = 2-COP
- 21) 15550 SPRING PINE DRIVE, NORTHDAL E PARK (564'±) = PUBLIC PARK
- 22) 15609 PREMIERE DRIVE, NORTHDAL E KINDERCARE (78'±) = DAYCARE

= PROPOSED WET ZONE AREA
3746.43± SQUARE FEET

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS. THE SEAL AND UNIQUE SIGNATURE APPEARING ON THIS DOCUMENT IS AUTHORIZED BY MICHAEL P. MOONEY PSM 3930 AND IS COMPLIANT WITH 5J-17.062 OF THE FLORIDA ADMINISTRATIVE CODE.

MICHAEL P. MOONEY DATE
Professional Surveyor & Mapper
FLORIDA REGISTRATION #3930
Survey not valid without the electronic signature
and seal of a Florida Surveyor & Mapper

SHEET 1 OF 3
NOT VALID WITHOUT SHEET 2 OF 3
NOT VALID WITHOUT SHEET 3 OF 3
LEGAL AND LEGEND CAN BE FOUND ON SHEET 3 OF 3



**TERMINUS
SURVEYING
LLC.**

2752 Jason Street
Tampa, Florida 33619
(813) 681-4481
www.FloridaSurveyor.com
www.TerminusSurveying.com

CERTIFIED TO :
CONSTANERA PERUVIAN CUISINE

Drawn EHT 11/18/20

Field Survey Date 11/10/20

Checked JSM

FIELD CREW CHIEF JT

Job # 201017
BOOK T39 PAGE 25

REVISIONS:
5/28/21 CLIENT COMMENTS

SPECIFIC PURPOSE SURVEY
"WET ZONE"
COSTANERA PERUVIAN CUISINE = 4-COP-X

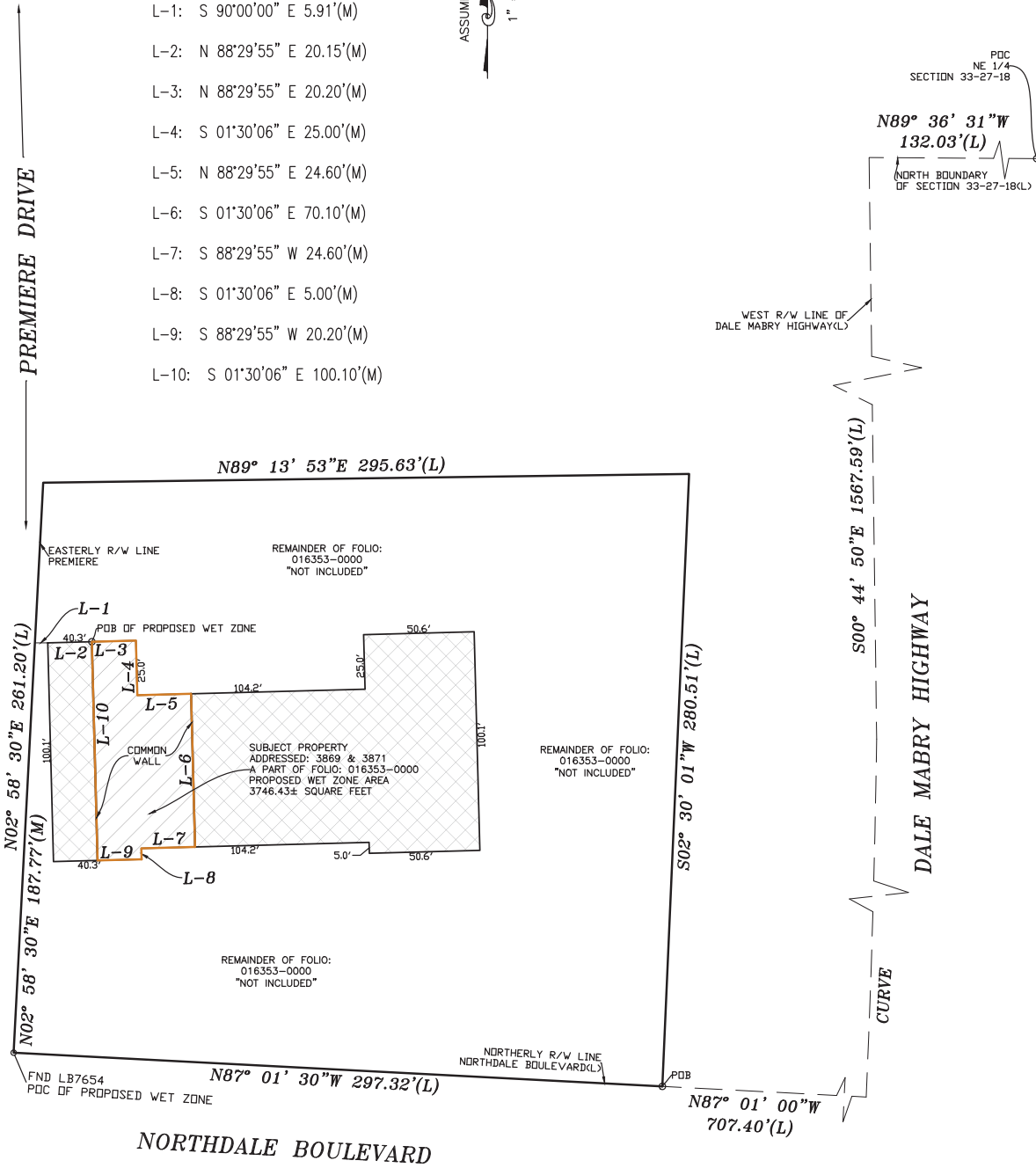
SECTION 33, TOWNSHIP 27 SOUTH, RANGE 18 EAST
 HILLSBOROUGH COUNTY, FLORIDA

ADDRESS:
 3869-3871 NORTHDALE BOULEVARD
 TAMPA, FLORIDA 33624

- LINE DATA:
- L-1: S 90°00'00" E 5.91'(M)
 - L-2: N 88°29'55" E 20.15'(M)
 - L-3: N 88°29'55" E 20.20'(M)
 - L-4: S 01°30'06" E 25.00'(M)
 - L-5: N 88°29'55" E 24.60'(M)
 - L-6: S 01°30'06" E 70.10'(M)
 - L-7: S 88°29'55" W 24.60'(M)
 - L-8: S 01°30'06" E 5.00'(M)
 - L-9: S 88°29'55" W 20.20'(M)
 - L-10: S 01°30'06" E 100.10'(M)



= PROPOSED WET ZONE AREA = 3746.43± SQUARE FEET



CURVE
 RADIUS = 5597.58'(L)
 DELTA = 003°15'42"(L)
 ARC = 318.64'(L)
 CHORD = 318.60'(L)
 CB = S00° 53' 01"W(L)

SHEET 2 OF 3
 NOT VALID WITHOUT SHEET 1 OF 3
 SEAL & SIGNATURE CAN BE FOUND ON SHEET 1 OF 3
 NOT VALID WITHOUT SHEET 3 OF 3
 LEGAL AND LEGEND CAN BE FOUND ON SHEET 3 OF 3

TERMINUS SURVEYING LLC.

2752 Jason Street
 Tampa, Florida 33619
 (813) 681-4481
 www.FloridaSurveyor.com
 www.TerminusSurveying.com

Drawn EHT	Field Survey Date 11/10/20	Checked JSM
FIELD CREW CHIEF JT	Job # 201017 BOOK T39 PAGE 25	

COSTANERA PERUVIAN CUISINE = 4-COP-X

*SPECIFIC PURPOSE SURVEY
"WET ZONE"*

LEGAL DESCRIPTION OF PROPOSED WET ZONE AREA:

A PARCEL OF LAND LYING IN THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 27 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 27 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, RUN THENCE N. 89°36'31" W., 132.03 FEET, ALONG THE NORTH BOUNDARY OF SAID SECTION 33 TO THE WEST RIGHT-OF-WAY LINE OF DALE MABRY HIGHWAY; THENCE S. 00°44'50" E., 1567.59 FEET, ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT OF CURVATURE; THENCE SOUTHERLY 318.65 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5597.58 FEET (CHORD BEARING S. 00°53'01" W., 318.60 FEET), ALONG SAID WEST RIGHT-OF-WAY LINE TO THE NORTHERLY RIGHT-OF-WAY LINE OF NORTHDALÉ BOULEVARD; THENCE N. 87°01'00" W., 707.40 FEET, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N. 87°01'30" W., 297.32 FEET; THENCE N. 02°58'30" E., 261.20 FEET; THENCE N. 89°13'53" E., 295.63 FEET; THENCE S. 02°30'00.5" W., 280.51 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH NON-EXCLUSIVE EASEMENTS AS SET FORTH IN DECLARATIONS OF EASEMENT IN INSTRUMENT RECORDED MARCH 2, 1984 IN OFFICIAL RECORDS BOOK 4285, PAGE 350 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED PARCEL, THENCE NORTH 02°58'30" EAST ALONG THE EASTERLY BOUNDARY LINE OF THE ABOVE MENTIONED PROPERTY AND ALSO THE EASTERLY RIGHT-OF-WAY LINE OF PREMIERE DRIVE, A DISTANCE OF 187.77 FEET; THENCE LEAVING SAID BOUNDARY, SOUTH 90°00'00" EAST, A DISTANCE OF 5.91 FEET TO THE NORTHWESTERLY CORNER OF BUILDING ADDRESSED 3849 NORTHDALÉ BOULEVARD; THENCE ALONG THE AFOREMENTIONED BUILDING NORTH 88°29'55" EAST, A DISTANCE OF 20.15 TO THE POINT OF BEGINNING; THENCE NORTH 88°29'55" EAST, A DISTANCE OF 20.20 FEET; THENCE SOUTH 01°30'06" EAST, A DISTANCE OF 25.00 FEET; THENCE NORTH 88°29'55" EAST, A DISTANCE OF 24.60 FEET, THENCE SOUTH 01°30'06" EAST, A DISTANCE OF 70.10 FEET; THENCE SOUTH 88°29'55" WEST, A DISTANCE OF 24.60; THENCE SOUTH 01°30'06" EAST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 88°29'55" WEST, A DISTANCE OF 20.20; THENCE SOUTH 01°30'06" EAST, A DISTANCE OF 100.10 FEET TO THE POINT OF BEGINNING.

CONTAINING 3746.43± SQUARE FEET

SURVEYORS CERTIFICATION:

This is to certify that a visual inspection has been made of all property for the following existing community uses: church/synagogues, child care centers, public libraries, community recreational facilities, and parks within 500-foot straight-line distance from proposed site. An inspection of the proposed special use permit site from residentially zoned property has been made and is indicated in a straight-line distance as required for the specific Alcoholic Beverage Permit classification. In the case where an Alcoholic Beverage Permit classification requires that certain types of existing alcoholic beverages uses within a 1,000-foot straight-line distance from proposed site be indicated as defined in the Land Development Code, an inspection has been made and the finding indicated on the survey.




LEGEND

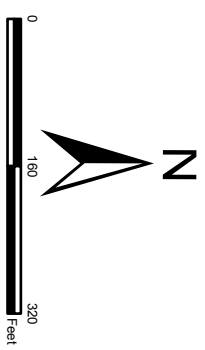
ASC-1	Agricultural SF Conventional 1 ut per ac	4-COP-RX	Beer, wine, and liquor for sale and consumption on the permitted premises only in connection with a restaurant. The restaurant shall have a patron seating capacity of at least 100 seats and a gross floor capacity (gross floor area plus covered patio 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. These requirements shall not be waived or varied.
CG	GENERAL COMMERCIAL		
CN	NEIGHBORHOOD COMMERCIAL		
PD	PLANNED DEVELOPMENT		
RSC	DISTRICT (RESIDENTIAL)		
BPO	BUSINESS, PROFESSIONAL OFFICE		
RMC	RESIDENTIAL MULTIPLE FAMILY		
RSC-3	Res-SF Conventional 3 uts / acre		
RMC-16	Residential Multifamily Conv.16 uts / ac		
AS-1	AGRICULTURE SINGLE FAMILY 1 ACRES		
2-APS-IS	THE INCIDENTAL SALE OF BEER AND WINE IN SEALED CONTAINERS ONLY FOR CONSUMPTION OFF THE PERMITTED PREMISES (PACKAGE SALES) IN CONNECTION WITH A CONVENIENCE STORE, DRUG STORE, GROCERY STORE, SUPERMARKET OR SIMILAR ESTABLISHMENT. IN SUCH CASE THE RETAIL DISPLAY OF BEER AND WINE, INCLUDING REFRIGERATED DISPLAYS, SHALL OCCUPY NO MORE THAN 25 PERCENT OF THE ESTABLISHMENT'S GROSS FLOOR SPACE. ADDITIONALLY, THE OUTSIDE DISPLAY OF BEER AND WINE SHALL BE PROHIBITED.	4-COP-X 2-COP-RX 2-COP	Beer, wine, and liquor for sale and consumption on the permitted premises Beer and wine for sale and consumption on the permitted premises only in connection with a restaurant Beer and wine for sale and consumption on and off the permitted premises.
SPI-HC	Historical & Cultural Conservation		
FND	FOUND NAIL AND DISK		
FCIR	FOUND CAPPED IRON ROD		
LB	LICENSE BUSINESS		
POB	POINT OF BEGINNING		
POC	POINT OF COMMENCEMENT		
FCM	FOUND CONCRETE MONUMENT		
(M)	MEASURED		
(L)	LEGAL		

Immediate Aerial Zoning Map

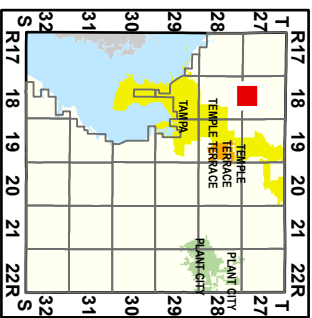
SU-AB 21-0306

Folio: 16353.0000

-  Application Site
-  Zoning Boundary
-  Parcels



STR: 33-27-18



NOTE: Every reasonable effort has been made to ensure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map.

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Date: 01/29/2021 Path: G:\ZONING\GIS\Data\Zoning_Site.aprx



**Hillsborough
County Florida**
Development Services

601 E. Kennedy Blvd., 19th Floor | (813) 272 5600

Additional / Revised Information Sheet

Date Stamp Here

Application Number: SU AB 21-0306 Applicant's Name: POSTANERA PERUVIAN Cuisine

Reviewing Planner's Name: TANIA Chapelle Date: 06-09-2021

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): 06-21-2021 @ 10 AM

The following must be attached to this Sheet.

- Cover Letter with summary of the changes and/or additional information provided. If a revised Site Plan is being submitted, all changes on the site plan must be listed in detail in the Cover Letter.
 An updated Project Narrative consistent with the changes or additional information provided, if applicable.

Submittal Via:

- Email (Preferred). Note that no follow up paper file is necessary. Pdf format only. Maximum attachment(s) size is 15 MB.

Email this sheet along all the additional/revised submittal items in pdf to: ZoningIntake-DSD@hcfllgov.net

- Mail or delivery. Number of Plans Submitted: Large _____ Small _____

For PD, MM, PRS and SU: 7 large copies 24"X36", one small 8.5X11".
 For RZ-Standard: if plot plan is larger than 8.5"X11", 7 large copies should be submitted.
 For Minor Change: 6 large copies.
 For Variances or Conditional Use permits: one 8.5"X11" or larger)

Mail to:
 Development Services Department
 Community Development Division
 P.O. Box 1110
 Tampa, FL 33601-1110

Hand Deliver to:
 County Center
 Development Services Department
 19th Floor
 601 E. Kennedy Blvd., Tampa

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

06-09-2021
Date

FOR OFFICE USE ONLY

- Notification E-Mail Sent
 Transmittal Completed

- Scanned into OPTIX

In-Take Completed by: _____

Narrative and Justification for two required waivers.

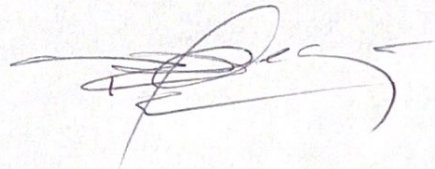
SU-AB 21-0306 Costanera Peruvian Cuisine.

License type: 4 COP X

Costanera Peruvian Restaurant is establishing since 2010 serving the community with a great taste of Peruvian cuisine and a beautiful family friendly atmosphere, it will be a big complement for our guests to provide a full service of liquor.

Our reputation serving beer and wine has been always complied with the State and city Regulation. We will appreciate the approval of our two waivers that will provide increasing our client and our revenue in this time that the pandemic hit our business very bad.

Is a Day Care located in the back of the building that will be not affected by serving liquor in my restaurant, and is three licenses in the building but the license of 3849 Northdale Blvd (Mango Biche Club Dubai), is not in use any more, this place is a Dog Hotel now (Doggyday Inn).

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

THIS IS NOT A
CERTIFIED COPY

This Instrument Prepared By/
Record and Return to:
David J. Ottinger, Esquire
GrayRobinson, P.A.
P. O. Box 3324
Tampa, Florida 33601-3324
Telephone: 813/273-5000

Parcel I.D. No.: U-33-27-18-ZZZ-000000-71600.0

SPECIAL WARRANTY DEED

THIS INDENTURE, made effective the 27th day of July, 2007, between **CYC ENTERPRISE CORPORATION**, a Florida corporation, whose address is 18320 Cypress View Way, Tampa, Florida 33647 (hereinafter called the "Grantor"), and **CYC ENTERPRISE TAMPA CORPORATION**, a Florida corporation, whose address 18320 Cypress View Way, Tampa, Florida 33647 (hereinafter called the "Grantee").

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it in hand paid, the receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, its successors and assigns forever, all that certain parcel of land lying and being in the County of Hillsborough, State of Florida, as more particularly described in **Exhibit "A"** attached hereto and by this reference made a part hereof (the "Property").

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

SUBJECT TO real estate taxes for 2007 and all subsequent years and all matters listed in **Exhibit "B"** annexed hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD the above described premises, with the appurtenances, unto the said Grantee, its successors and assigns, in fee simple forever.

And the Grantor does specially warrant the title to said land subject to the matters referred to above and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but not otherwise.

This Deed is exempt from documentary stamp taxes pursuant to that certain case **Crescent Miami Center, LLC v. Florida Department of Revenue**, 903 So.2d 913 (Fla. 2005) because it conveys unencumbered property between entities whose owning members and their ownership interests are identical, absent any consideration.

THIS IS NOT A

THE PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD PROPERTY OF GRANTOR AND NEITHER GRANTOR NOR ANY DEPENDENTS OF GRANTOR RESIDE ON THE PROPERTY.

This Deed was prepared without the benefit of a title search or title examination. No title opinion, title insurance or title assurance has been requested or given in connection with the preparation of this Deed.

IN WITNESS WHEREOF, the Grantor has caused these presents to be duly authorized in its name and by those thereunto duly authorized, the day and year first above written.

WITNESSES:

CYC ENTERPRISE CORPORATION,
a Florida corporation

Janet B. Wheaton
Name: Janet B. Wheaton

By: [Signature]
Chao Te Yao, President

Cheryl A. Pereira
Name: Cheryl A. Pereira

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 27th day of July, 2007, by Chao Te Yao, as President of **CYC ENTERPRISE CORPORATION**, a Florida corporation, on behalf of the corporation. He is () personally known to me or () has produced a driver's license as identification.



[Signature]
NOTARY PUBLIC
Print Name: LINDY GARRARD
Serial No.: DD 491305
My Commission Expires: 1/23/2010

THIS IS NOT A
EXHIBIT "A"
CERTIFIED COPY

A parcel of land lying in the Northeast $\frac{1}{4}$ of Section 33, Township 27 South, Range 18 East, Hillsborough County, Florida, and being more particularly described as follows:

From the Northeast corner of Section 33, Township 27 South, Range 18 East, Hillsborough County, Florida, run thence N. $89^{\circ}36'31''$ W., 132.03 feet, along the North boundary of said Section 33 to the West right-of-way line of DALE MABRY HIGHWAY; thence S. $00^{\circ}44'50''$ E., 1567.59 feet, along said West right-of-way line to a point of curvature; thence Southerly 318.65 feet along the arc of a curve to the right having a radius of 5597.58 feet (chord bearing S. $00^{\circ}53'01''$ W., 318.60 feet), along said West right-of-way line to the Northerly right-of-way line of NORTHDALE BOULEVARD; thence N. $87^{\circ}01'00''$ W., 707.40 feet, along said Northerly right-of-way line, to the POINT OF BEGINNING of the tract herein described; thence continue along said Northerly right-of-way line, N. $87^{\circ}01'30''$ W., 297.32 feet; thence N. $02^{\circ}58'30''$ E., 261.20 feet; thence N. $89^{\circ}13'53''$ E., 295.63 feet; thence S. $02^{\circ}30'00.5''$ W., 280.51 feet to the POINT OF BEGINNING.

Together with non-exclusive easements as set forth in Declarations of Easement in instrument recorded March 2, 1984 in Official Records Book 4285, Page 350 of the Public Records of Hillsborough County, Florida.

THIS IS NOT A
EXHIBIT "B"
CERTIFIED COPY
(Permitted Exceptions)

- 1) Zoning and other regulatory laws and ordinances affecting the Property.
- 2) Matters which would be disclosed by an accurate survey.
- 3) Any Plat affecting the Property.
- 4) Easements, rights-of-way, limitations, conditions, covenants, restrictions and other matters of record.



Received
01/19/2021
Development Services

SPECIAL USE (ALCOHOLIC BEVERAGE PERMIT) (WAIVER REQUIRED)

IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

You must schedule an appointment to submit this application. To request an appointment please call 813-272-5600.
All requirements listed on the submittal checklist must be met. Incomplete applications will not be accepted.

Property Information

Address: ^{NORTHDALE} 3869 NORDALE BLVD City/State/Zip: TAMPA FL 33624 TWN-RN-SEC: 33-27-18
Folio(s): 16353.0000 Zoning: PD-MU Future Land Use: _____ Property Size: 1.55

Property Owner Information

Name: OYC Enterprice TAMPA CORPORATION Daytime Phone: _____
Address: 10320 CYPRESS VIEW WAY City/State/Zip: TAMPA FL 33647
Email: _____ FAX Number: _____

Applicant Information

Name: COSTANERA PERUVIAN Cuisine Daytime Phone: (813) 960-5820
Address: 3869 NORDALE BLVD City/State/Zip: TAMPA FL 33624
Email: CostaneraPeru@yahoo.com FAX Number: _____

Applicant's Representative (if different than above)

Name: RONOLFO Schefer Daytime Phone: 727 481-7925
Address: 3316 West KATHLEEN ST City/State/Zip: Tampa FL 33607
Email: JFAIRLINE@GMAIL.COM FAX Number: _____

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.

Hector F. Mendosa
Signature of Applicant
HECTOR F. MENDOZA.
Type or Print Name

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.

Chao
Signature of Property Owner
CHAOTE YAO
Type or Print Name

Office Use Only

Intake Staff Signature: Ana Lizardo Intake Date: 01/19/2021
Case Number: 21-0306 Public Hearing Date: 03/22/2021 Receipt Number: 21-0306
Type of Application: Special Use

Development Services, 601 E Kennedy Blvd, 19th Floor

Revised 07/02/2014

21-0306



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	76-0166
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0182H
FIRM Panel	12057C0182H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120185F
County Wide Planning Area	Greater Carrollwood Northdale
Community Base Planning Area	Greater Carrollwood Northdale
Planned Development	PD
Re-zoning	null
Major Modifications	95-0154 DENIED, 17-1330
Personal Appearances	10-0933,10-0140,06-0900, 02-1371,96-0050,90-0115, 87-0043,87-0031,14-0724, 15-0157,16-0293
Census Data	Tract: 011524 Block: 3021
Future Landuse	OC-20
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	180' AMSL
Competitive Sites	NO
Redevelopment Area	NO



January 13, 2021

1:1,297

0 0.01 0.02 0.04 mi
0 0.02 0.04 0.07 km

© Hillsborough County - Public Works - Geomatics - Street & Addresses, EID

Hillsborough County Florida

Folio: 16353.0000
PIN: U-33-27-18-ZZZ-000000-71600.0
CYC ENTERPRISE TAMPA CORPORATION
Mailing Address:
 PO BOX 16804
 TAMPA, FL 33687-6804
Site Address:
 3849 NORTHDAL BLVD
 TAMPA, FL 33624
SEC-TWN-RNG: 33-27-18
Acreage: 1.54984999
Market Value: \$1,630,000.00
Landuse Code: 1630 STORE/SHP CENTE

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2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

21-0306

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