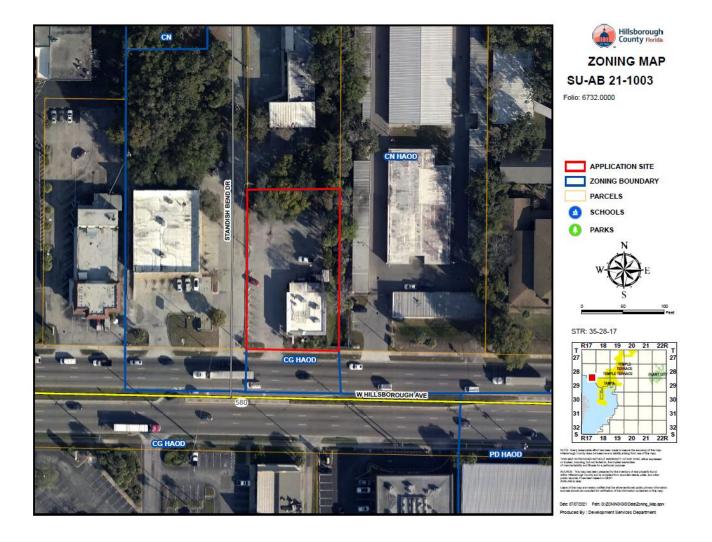


Land Use Application Summary Report

Application Number:	SU-AB 21-1003	Adjacent Zoning and Land Uses:	
		North:	CN
Request:	Distance Separation Waiver for a 2-COP R Permit		(Commercial Neighborhood)
		South:	W. Hillsborough Ave. ROW /
			CG (Commercial General)
Comp Plan Designation:	OC-20	East:	CN
Comp Plan Designation:	(Office Commercial -20)	⊏ası.	(Commercial Neighborhood)
Comics Anson	Urban	West:	CN
Service Area:			(Commercial Neighborhood)



APPLICATION: SU-AB 21-1003

LUHO HEARING DATE: September 20, 2021 CASE REVIEWER: Tim Lampkin

Request Summary:

Pursuant to Land Development Code (LDC) Section 6.11.11, the request is for a distance separation waiver for a 2-COP-R Alcoholic Beverage Development Permit (AB) for the sale and consumption of beer and wine on and off the permitted premises (package sales) in connection with a restaurant. At least 51 percent of the restaurant's total biannual sales shall be derived from the sale of food and non-alcoholic beverages.

The wet zoning is sought for El Caribeno Restaurant located at 8425 W. Hillsborough Avenue. The wet zoned area will comprise a footprint of 2,539 square feet of indoor area and 747 square feet of outdoor area for a total area of 3,286 square feet, as shown on the revised wet zone survey stamped received August 17, 2021.

The property is zoned CG (Commercial, General) which permits the proposed use and consideration of the requested AB permit.

Distance Separation Requirements for a 2-COP-R AB Permit:

Per LDC Section 6.11.11.D.4, the following distance separation requirements apply to the proposed wet zoning:

- The distance from the proposed structure to residentially zoned property shall be 150 feet. According to the survey submitted by the applicant, the request **does** comply with this requirement.
- The distance from the proposed structure to certain community uses shall be 500 feet. According to the survey submitted by the applicant, the request **does not** comply with this requirement. The proposed wet zoning is 201 feet from property occupied by a church (Lutheran Church of Our Savior).

Per LDC Section 6.11.11.E., waivers to the required separation distances may be requested by applicants 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 circumstance exist such that the necessity for the separation requirement(s) is negated.

Requested Separation Waiver

The applicant requests a 299-foot waiver to the required 500-foot separation from Lutheran Church of Our Savior church to allow a separation of 201 feet from the church property line. The applicant's justification for the waiver includes the following:

- There is extensive buffering between the proposed wet zoning and the church.
- There is a fenced storage facility to the east that prohibits direct access from the church to the restaurant.
- In addition to the fence, there is a concrete wall between the restaurant and the storage facility.
- Further, there is a retention pond separating the church use and the restaurant use.
- The church is to the east of the subject site and accessing W. Hillsborough Avenue is via right-turn only.

The proposed use to allow the sale of beer and wine for consumption on and off the premises to accompany the already established restaurant's food and non-alcoholic beverage sales will not negatively affect the surrounding area or the adjacent school property. The restaurant will derive at least 51% of its gross sales revenue from the sale of food and nonalcoholic beverages.

APPLICATION: SU-AB 21-1003

LUHO HEARING DATE: September 20, 2021

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 pedestrian route of travel from the entrance of the restaurant to the entrance to the Lutheran Church
of Our Savior is approximately 650 feet. Additionally, left turns are prohibited from the subject site onto
W. Hillsborough Avenue which prevents direct vehicular access from the restaurant to the church
property.



Figure 1: Distance Measurements

• The proposed wet zoning is separated from the church by a mini-warehouse storage facility which creates an effective buffer between the wet zoning and church. (See Figure 2 below).

APPLICATION: SU-AB 21-1003

LUHO HEARING DATE: September 20, 2021



Figure 2: Existing structures prohibiting direct access and left turns onto W. Hillsborough Ave.

- The proposed wet zoning is requested by an established restaurant, and the 2-COP-R category is restricted to restaurant use which requires that a majority of annual sales be from the sale of food and non-alcoholic beverages. Therefore, staff finds the addition of beer and wine sales does not represent a substantial change to the existing restaurant use.
- For the reasons discussed above, staff finds the proposed wet zoning does not pose significant impacts on the church and other surrounding land uses.

Recommendation:

Staff finds the proposed 2-COP-R wet zoning **APPROVABLE**. Approval is based upon the revised wet zone survey reflecting a total wet zone footprint of 3,286 square feet and received August 17, 2021.

Staff's Recommendation	Approvable
Zoning Administrator's Sign-Off	th Fri Sep 10 2021 08:53:16

Development Services

WET ZONE SURVEY 2-COP-R

DESCRIPTION:

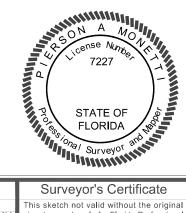
A parcel of land lying in the Section 35, Township 28 South, Range 17 East, Hillsborough County, Florida, and being more particularly described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 2, Township 29 South, Range 17 East, Hillsborough County, Florida, run thence N.90°00'00" W., a distance of 1095.46 feet; thence N.00°00'00"E., a distance of 63.44 feet to the **POINT OF BEGINNING**; thence N. 90°00'00" W., a distance of 3.90 feet; thence S.00°00'00" E., a distance of 3.90 feet; thence N. 90°00'00" W., a distance of 41.50 feet; thence N. 00°00'00" E., a distance of 16.80 feet; thence S.90°00'00" E., a distance of 5.10 feet; thence N. 00°00'00" E., a distance of 59.50 feet; thence N. 90°00'00" E., a distance of 25.30 feet; thence N. 00°00'00" E., a distance of 9.70 feet; thence N. 90°00'00" E., a distance of 14.50 feet; thence S.00°00'00" E., a distance of 9.70 feet; thence N. 90°00'00" E., a distance of 0.50 feet; thence S.00°00'00" E., a distance of 72.40 feet to the POINT OF BEGINNING.

Containing 0.075 acres or 3,286 square feet, more or less.

CERTIFICATION:

This is to certify that a visual inspection has been made of all property for the following existing community uses: church/synagogues, schools, child care centers, public libraries, community recreational facilities and parks within 500straight-line distance from the proposed site. A visual inspection of the apparent proposed special use permitted 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 beverage uses within a 1,000-foot, straight-line distance from the proposed site be indicated as defined in the Land Development Code, a visual inspection has been made and the findings are indicated on the survey.



Survey History		
Date	Description	Ву
10-22-20	Last field data acquisition	PM, MK
10-23-20	Signed & Sealed	PM
10-26-20	County Commetns	PM
7-30-21	County Commetns	PM
8-16-21	County Commetns	PM

Surveyor's Certificate

This sketch not valid without the original signature and seal of a Florida Professional Surveyor and Mapper, or a digital signature complying with 5J-17 Florida Statutes

Pierson Monetti 2021.08.16 07:19:32 -04'00'

Pierson A Monetti, LS 7227

8425 W Hillsborough

Wet Zone Survey

Prepared for: El Caribeño

Section 35 Township 28 South Range 17 East Hillsborough County, FL



Not a boundary survey

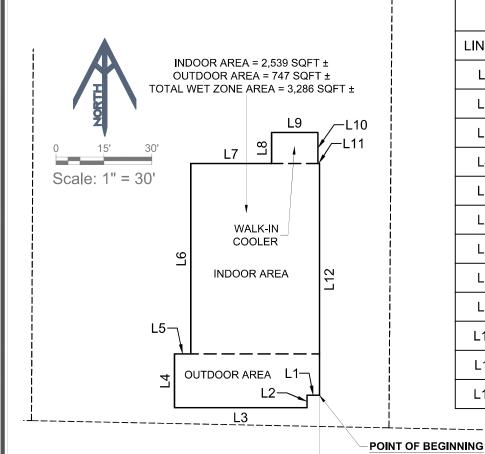
701 S. Howard Avenue, Suite 106-320 Tampa, FL 33606 813-515-0821 MRICSpatial.com Licensed Business #8325

Project Number: 200106 Sheet 1 of 4

zı-1003

Development Services

WET ZONE SURVEY 2-COP-R



LINE TABLE		
LINE#	LENGTH	DIRECTION
L1	3.90'	N90°00'00"W
L2	3.90'	S00°00'00"E
L3	41.50'	N90°00'00"W
L4	16.80'	N00°00'00"E
L5	5.10'	N90°00'00"E
L6	59.50'	N00°00'00"E
L7	25.30'	N90°00'00"E
L8	9.70'	N00°00'00"E
L9	14.50'	N90°00'00"E
L10	9.70'	S00°00'00"E
L11	0.50'	N90°00'00"E
L12	72.40'	S00°00'00"E

W HILLSBOROUGH AVE

RIGHT-OF-WAY WIDTH VARIES

POINT OF COMMENCEMENT

NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 2-29S-17E CCR#94295

N90°00'00"W 1095.46'

Survey History		
Date	Description	Ву
10-22-20	Last field data acquisition	PM, MK

Surveyor's Certificate

63 44'

N00°00"E

See Sheet 1 for Surveyor's Certificate

8425 W Hillsborough

Wet Zone Survey

Prepared for: El Caribeño

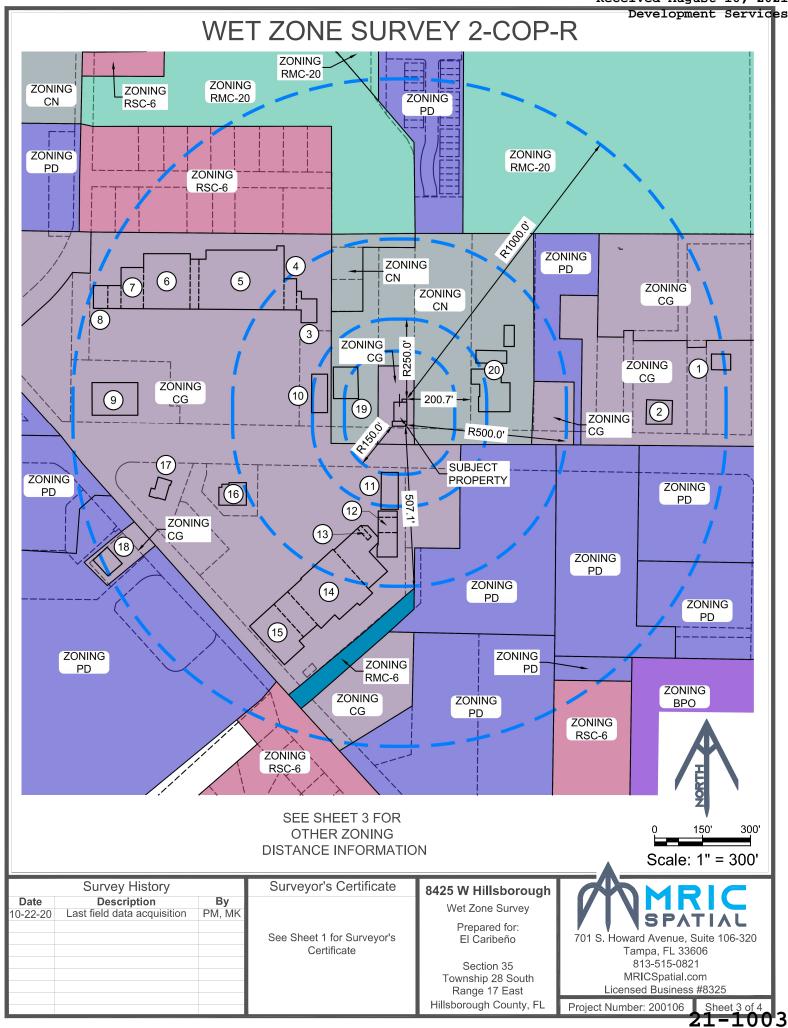
Section 35 Township 28 South Range 17 East Hillsborough County, FL



701 S. Howard Avenue, Suite 106-320 Tampa, FL 33606 813-515-0821 MRICSpatial.com Licensed Business #8325

Project Number: 200106 Sheet 2 of 4

21-1003



Development Services

WET ZONE SURVEY 2-COP-R

Measurement Table and Notes

- 7-Eleven 8305 W Hillsborough Ave 2-APS 967 feet
- Express Wash on Hills 8309 W Hillsborough Ave 4-COP 749 feet
- Sports Bar
 8501 W Hillsborough Ave
 4-COP
 346 feet
- Joy's Nails & Spa 8507 W Hillsborough Ave 2-APS 420 feet
- ALDI 8521 W Hillsborough Ave 2-APS 450 feet
- Harbor Freight Tools 8613 W Hillsborough Ave 2-APS 702 feet
- Buccaneer Square Bingo 8625 W Hillsborough Ave 4-COP 837 feet

- 24-HR Laundromat 8637 W Hillsborough Ave 2-COP 943 feet
- CVS 8603 W Hillsborough Ave 2-APS 797 feet
- NY Buffet
 (Permanently Closed)
 8503 W Hillsborough Ave
 4-COP
 208 feet
- Pho Quyen Vietnamese
 Cuisine
 8404 W Hillsborough Ave
 4-COP
- 145 feet
 Smile Direct Club
- 8418 W Hillsborough Ave 4-COP 285 feet
- Firehouse Subs
 8428 Hillsborough Ave
 2-COP
 326 feet
- ROSS 8464 W Hillssborough Ave 2-APS 427 feet

- Dollar Tree 8496 W Hillsborough Ave 3-PS 668 feet
- Chilis 8510 W Hillsborough Ave 4-COP 490 feet
- Starbucks
 8602 W Hillsborough Ave
 & GameStop
 8610 W Hillsborough Ave
 2-APS
 712 feet
- T-Mobile
 Tropical Smoothie Cafe
 6708 Memorial Hwy
 2-COP-R
 4-COP
 948 feet
- Advance Auto Parts
 8427 W Hillsborough Ave
 2-COP-R
 111 feet
- Lutheran Church of Our Savior 8401 W Hillsborough Ave Church 201 feet

<u>Notes</u>

The minimum distance between the area to be wet-zoned and any residentially zoned property boundary line is 507 feet.

There is a property zoned for community uses (church) within 500 feet of the area to be wet-zoned.

(#)

- --Site Name--
- --Site Address--
- --Site Wet-Zoning--
- --Straight Line Distance--

	Survey History	
Date	Description	By
10-22-20	Last field data acquisition	PM, MK

Surveyor's Certificate

See Sheet 1 for Surveyor's Certificate

8425 W Hillsborough

Wet Zone Survey

Prepared for: El Caribeño

Section 35 Township 28 South Range 17 East Hillsborough County, FL



701 S. Howard Avenue, Suite 106-320 Tampa, FL 33606 813-515-0821 MRICSpatial.com

Licensed Business #8325

Project Number: 200106 Sheet 4 of 4



Additional / Revised Information Sheet

Received August 19, 2021 Development Services

Date Stamp Here

Application Number:	50 AB 21-1003 Applicant's No	ame: Miguel	RAMOS
	me: Tim Lampkin	1011111	8/16/21
Reviewing Planner's Na	me: I'M LAMPKIN	Date:	110/31.
Application Type:			
Planned Developme	nt (PD) Minor Modification/Personal A	ppearance (PRS) 🔲 Standar	d Rezoning (RZ)
Variance (VAR)	☐ Development of Regional Impa	ct (DRI) Major N	Modification (MM)
Special Use (SU)	Conditional Use (CU)	Other_	
Current Hearing Date (if	applicable): Sept, 20, 20	21	
	The following must be attac	ched to this Sheet.	
Cover Letter with su	ummary of the changes and/or additional in	nformation provided. If a rev	rised Site Plan is being
	on the site plan must be listed in detail in the		
1			
An undated Project	Narrative consistent with the changes or a	dditional information provide	led if applicable
			ou, ii applicable.
Submittal Via:			
_ ,			
Email (Preferred). No	ote that no follow up paper file is necessary. Pdf for	mat only. Maximum attachment(s)	size is 15 MB.
Email this sheet along	g all the additional/revised submittal items in	pdf to: ZoningIntake-DSD@hc	igov.net
Mail or delivery. Nur	mber of Plans Submitted: Large	Small	
For RZ-Standard: if plot plot plot if For Minor Change: 6 large	J: 7 large copies 24"X36", one small 8.5X11". plan is larger than 8.5"X11", 7 large copies should be ge copies. onal Use permits: one 8.5"X11" or larger)	e submitted.	
Mail t	to:	Hand Deliver to:	
	opment Services Department	County Center	
	nunity Development Division	Development Services De	partment
	a, FL 33601-1110	19th Floor 601 E. Kennedy Blvd., Tar	npa
	escribed above are the only changes that I	have been made to the subr	nission. Any further
changes will require an	additional submission and certification.		
. 0		0	11
H	aunt)	d	116/21
	Signature	The state of the s	Date
	FOR OFFICE USE	ONLY	
Notification E-Ma	il Sent Scanned into OPTIX		
☐ Transmittal Comp	leted	In-Take Completed by:	

Cover SHeet 6 pages Re! SU AB 21-1003 TO: Tim LAmpkin We are changing the Special Ose Reguest 2 COP Rom! (Been + Wive Sales Associated with a To: 2 cop R RostAURANT I hank foo! Miguel RAMOS TOANN DARLES

Application Number: 50-AB-2

ATTACHMENT B (Page 2 of 2)

ALCOHOLIC BEVERAGE SPECIAL USE **DISTANCE WAIVER REQUEST**

The Land Use Hearing Officer shall consider a waiver of the distance requirements from certain existing community uses and residentially zoned property, and/or from the maximum number of alcoholic beverage establishments within 1000 feet of the proposed Alcoholic Beverage Special Use. The Land Use Hearing the proposed use does not have significant negative impacts on surrounding land uses and whether certain circumstances exist such that the necessity for the specified distance requirement is negated.

Officer shall consider in connection with each waiver whether special or unique circumstances exist such that This request does not meet the following locational requirements: The special or unique circumstances that cause the proposed use to not have a significant negative impact on surrounding land uses are: The circumstances that negate the need for the specified distance requirement are: SHeldoz 10 If more than one waiver is required the applicant shall provide a separate Attachment B for each waiver + in Reality the Access



THIS IS A DEED OF CONVENIENCE

This Quit-Claim Deed, Executed this 31st day of March

. A. D. 1989 . Ly

JAMES PAPAZIS, a married man first party, to JAMES PAPAZIS and FOTINI PAPAZIS, his wife

whose postoffice address is 8425 West Hillsborough Avenue, Tampa, Florida

Addays

rty" and "second party" shall include singular and plural, beirs, legal and the successors and assigns of co-posations, wherever the context

Witnessell, That the said first party, for and in consideration of the sum of \$10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being State of Plorida , lo-wil: in the County of Hillsborough

See Exhibit "A" attached hereto and made a part hereof

- Grantor expressly represents that the real estate conveyed hereby does not constitute the homestead of Grantor.
- Subject to those certain mortgages recorded in O.R. Book 4292, page 270 and O.R. Book 5175, page 1640, Public Records in and for Hillsborough County, Florida which, by the acceptance of this deed, Grantee does assume and promise to pay.

Parcel #	Documentary Tax Po. 8
Parcel V	Intangible Tax Pd. \$
Grantee SS #	Richard Ake, Clark Allsborough County
orance of	By: Deputy Clerk
	AKE
	RICHARD AKE RICHARDIT COURT CLERY OF CIRCUIT COURTY CLERY OF COURTY
	PICOF CIRCUITY
	RICHEROUS COUNTY CLERY OF CIRCUIT COUNTY HILLSBOROUGH COUNTY
	Line.
AP 3/ 1/ 3/11	
to Have and to Hold the same togeth	er with all and singular the appurtenances thereunto
belonging or in anywise appertaining, and all the	estate, right, title, interest, lien, equity and claim what-
	to the only proper use, benefit and behoof of the said
second party forever.	
In Mitness Whoreof The said first party	has signed and sealed these presents the day and year
first above written.	
Signed realed and defivered in presence of:	
Signed. Feat and Alexander	
(Million A TOBBEA	James Papazis (IS)
1	James Papazis 0
Mounder Washer	rus:
A horanci has hos	
)	
STATE OF FLORIDA, COUNTY OF PINELLAS	
CACATI OF TENEDESTION	I HEREBY CERTIFY that on this day, before me, an
or the shaded in the State aforesaid and in the Con	unty aforesaid to take acknowledgments, personally appeared
James Papazis	and the formation instrument and he arknowledged
to me known to be the person described in and who execute	ated the foregoing instrument and
before me that he executed the same.	air I day of
WITNESS my hand and official seal in the Coun	ty and State last aforesaid had 3130 day of
March A. D. 19 89	() duce
	NOT ATY PUBLIC JAMES A. STARCH
	State of Florida State of Florida By Comm. Ero. Sept. 16, 1991
	My Const. Lab
The Instrument prepared by: James A. Staad	k, P.A.
Return To: 901 N. Hercule	es Avenue, Suite D
No custi	

Clearwater, FL 34625

21-1003

2 3

#E:5671 : 1589

EXHIBIT "A"

THAT Part of the South 247.7 feet of the Southeast Quarter (SE 1/4) of the | Southwest Quarter (SW 1/4) of SECTION 35, TOWNSHIP 28 South, RANGE 17 East, lying West of the West right-of-way line of State Canal, as shown in Deed Book 1055, Page 583, LESS the West 145 feet of said Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) AND LESS that part lying within 132 feet of the center line of State Road #580, SECTION 10150, all lying and being in Hillsborough County, Florids. AND.
THAT part of the South 247.7 feet of the Southeast Quarter (SE 1/4) of the

THAT part of the South 247.7 feet of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SV 1/4) of SECTION 35, TOWNSHIP 28 South, RANCE 17 East, lying Westerly of the Westerly right-of-way of State Canal, IESS the West 145 feet of said Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4). Being described as follows:

COMMENCE on the southerly extension of the Easterly line of line of Lots 7 AND 8, ROCKY FORD SUBDIVISION in SECTION 35, TOWNSHIP 28 South, RANCE 17 East as per plat thereof recorded in Plat Book 3, Page 89, Public Records of Hillsborough County, Florida, at a point 667.26 feet Southerly of the Northeast corner of Lot 7; run thence South 89°31'00" East 147.22 feet; thence North 0°06'00" West 60.51 feet to a point of beginning; thence North 0°06'00" West 71.50 feet; thence South 89°31'00" East 94.84 icet; thence South 0°29'00" West 72.31 feet; thence North 89°01'00" West 94.12 feet to the point of beginning, Hillsborough County, Florida.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE IN MY OFFICE.: WITNESS AT HAND AND OFFICIAL SEAL THIS DAY OF



Cindy Stuart, Clerk of the Circuit Count Hillsborough County, Florida

Deputy Clerk



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 33615			
Address: 8425-w-HillsboroghCity/State/Zip:	Tampa 7L. TWN-RN-SEC: 28-17-35		
Folio(s): 6732-0000 Zoning: C9	_Future Land Use: OC-20 Property Size: 1/2 ACRE		
Name: JAMES PADAZIS / FOTINI PA	ner Information PA 2 15 Daytime Phone: 813 882-3305		
Address: 8425-w-Hillsborough Aue	City/State/Zip: 1 Aupa 76. 33615		
Email: MA			
Name: Miquel Ramos Applicant			
Address: 6722 12 OAKS Blue.	_City/State/Zip: Tanga 76 33634		
Email: Miqueramos 1975@ yorhoo. a			
Name: JOAN DASKA 0000 05 Daytime Phone: 727 743-3/74			
Address: 2188 Hartford WM City/State/Zip: Clwtz, 71, 33763			
Email: baska (333 @ grant corny 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.	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:		
Signature of Applicant	Signature of Property Owner		
Type or Fint Name	TAMES PAPAZIS PAPAZIS Type or Print Name		
Office Use Only			
Intake Staff Signature:	Intake Date:		
Case Number:Public Hearing Date:	Receipt Number:		
Type of Application:			
Development Services, 601 E Kennedy Blvd, 19 th Floor Revised 07/02/2014			