



Land Use Application Summary Report (REVISED)

Application Number:	SU 22-0656AB	Adjacent Zoning and Land Uses:	
Request:	4-COP Alcoholic Beverage Permit with Separation Waiver	North:	Commercial General – CG / Retail
		East:	Commercial General – CG / Retail
Comp Plan:	CMU-12	South:	Commercial General – CG / Vacant
Service Area:	Urban Service Area	West:	Commercial General – CG / SF Home



Hillsborough County Florida

ZONING MAP
SU-AB 22-0656
Folio: 63370.0000

- APPLICATION SITE
- ZONING BOUNDARY
- PARCELS
- WET ZONE AREA
- Ⓢ SCHOOLS
- Ⓟ PARKS

0 70 140 Feet

STR: 34-28-20

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.
This map is provided as a courtesy only and does not constitute an offer of any product or service. It is not intended to be used for any purpose other than the intended purpose of the map.
SOURCE: This map has been prepared for the inventory of the property found within Hillsborough County and is derived from recorded deeds, plats, and other public records. It has been checked and approved by the County Clerk's Office.
Users of this map are hereby notified that the above-mentioned public information services should be consulted for verification of the information contained on this map.

Date: 03/15/2022 Path: G:\ZONING\GIS\DateZoning_Map.aprx
Produced By: Development Services Department

Request Details:

The applicant seeks approval of a 4-COP Alcoholic Beverage Permit for an existing pub at 11801 E U.S. Highway 92 in Seffner. The requested wet zoning allows the sale of beer, wine, and liquor for consumption on and off the permitted premises (package sales). The property is zoned Commercial General (CG).

County records show the premises currently has a historic 2-COP State Beverage license (#39-00349) which allows the sale of beer and wine for consumption on and off the permitted premises (package sales). However, no record of a County wet zoning for the premises has been found by staff.

According to the survey submitted on March 11, 2022 by the applicant, the proposed wet zone area will be 2,945 square feet in total size, of which 1,442 square feet is indoor area and 1,503 square feet is outdoor seating area.

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 certain community uses shall be 500 feet.

According to the survey submitted by the applicant, the request **does not** comply with this requirement. As shown on the submitted survey, there is one community use within 500 feet. Armwood High School is located 433 feet to the north (tag # 1 on the survey). The applicant requests a 67-foot waiver separation.

- The distance from the proposed structure to residentially zoned property shall be 250 feet.

According to the survey submitted by the applicant, the request **does** comply with this requirement.

- 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. An Alcoholic Beverage Development Permit application shall reference all alcoholic beverage conditional uses or wet zonings that were approved under previous zoning regulations as well as nonconforming wet zoned establishments.

According to the survey submitted by the applicant, the request **does** comply with this requirement.

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.

Waiver Request:

The applicant has submitted the following justification for the requested separation waiver from Armwood High School:

- The restaurant has already an approved wet zone in place and has been in operation since 1947.
- The site is surrounded by commercial properties.
- The straight-line distance from the subject building to the school building is approximately 1,200 feet.
- The actual waking distance between the sites is approximately 1,500 feet.
- The proposed wet zoning is not adjacent to the school site but separated by a highway (US Hwy 92)
- There are other physical barriers between the sites such as car dealers, fire stations and fencing.

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 proposed wet zoning will serve an existing drinking establishment that is licensed for the sale of beer and wine for on- and off-premises consumption. The proposed wet zoning will allow the sale of beer, wine and liquor for on-and off-premises consumption and therefore poses an incremental change in the existing use. Additionally, separation requirements in the LDC for 2-COP and 4-COP alcoholic beverage uses are identical.
- The proposed wet zoning is located on the south side of U.S. Highway 92, a two-lane divided road, whereas the school site is located on the north side of the road.
- Only a small portion of the school’s recreational area and parking lot are located within 500 feet of the proposed wet zoning. The school buildings are more than 1,000 feet away from the subject site.
- The entrance of the school is further to the east of the subject parcel, approximately 900 feet away. The walking distance to the school building exceeds 500 feet.
- Commercially developed parcels and a fire station separate and screen the school site from the proposed wet zoning.
- School District staff objects to the proposed wet zoning on the grounds that it does not meet separation requirements from Armwood High School. However, school staff objects to all requested separation waivers from schools and provides no basis for the objection, other than the lack of required separation. In the subject case, staff finds the circumstances discussed above mitigate the need for the required separation distance.

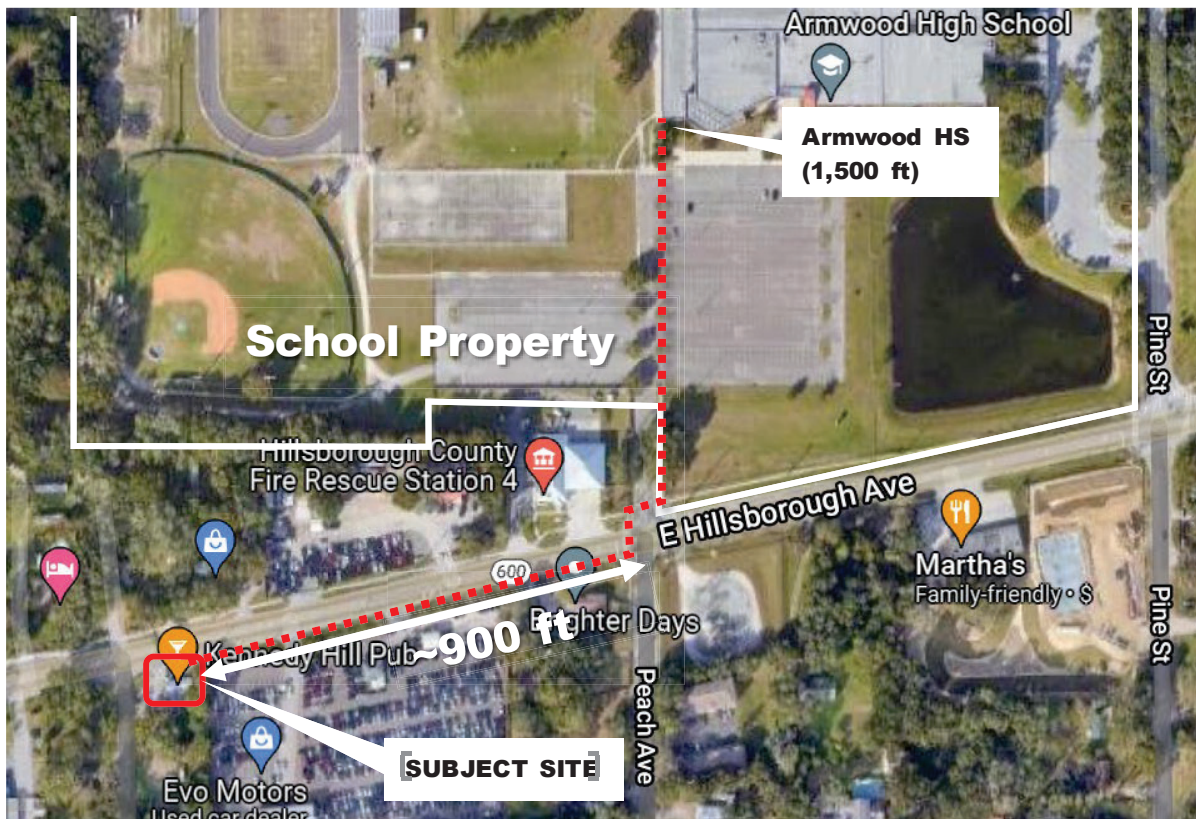


Figure 1. Walking path and distance from the subject site to the Community Use.

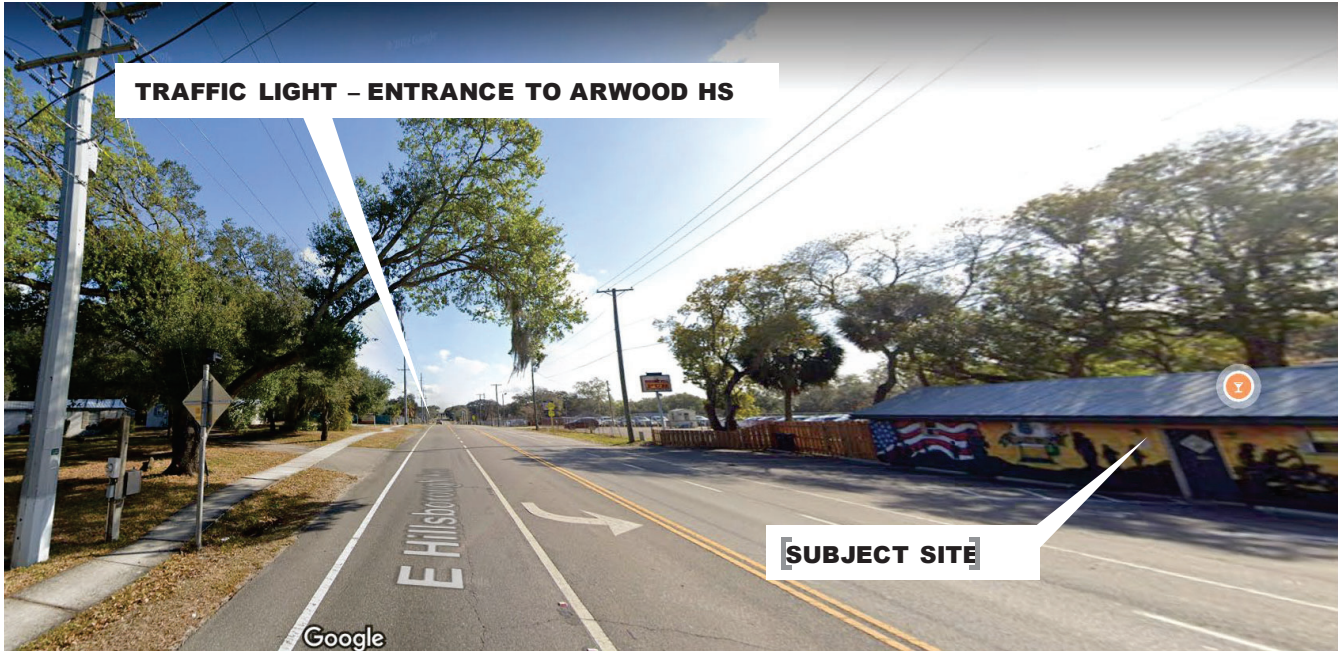



Figure 2. View of site and U.S. Highway 92 (looking east) separating the proposed wet zone site from the Armwood HS.

Recommendation:

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 separation requirements is negated by the circumstances identified above. Therefore, staff finds the request to be **APPROVABLE**. Approval is based upon the survey indicating a total wet zoned area of 2,945 square feet (1,442 square feet is indoor area and 1,503 square feet of outdoor seating area) received March 11, 2022.

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Staff's Recommendation: Approvable	
Zoning Administrator Sign-off:	 Wed May 11 2022 10:57:13

4-COP WET ZONE SITE SURVEY SKETCH



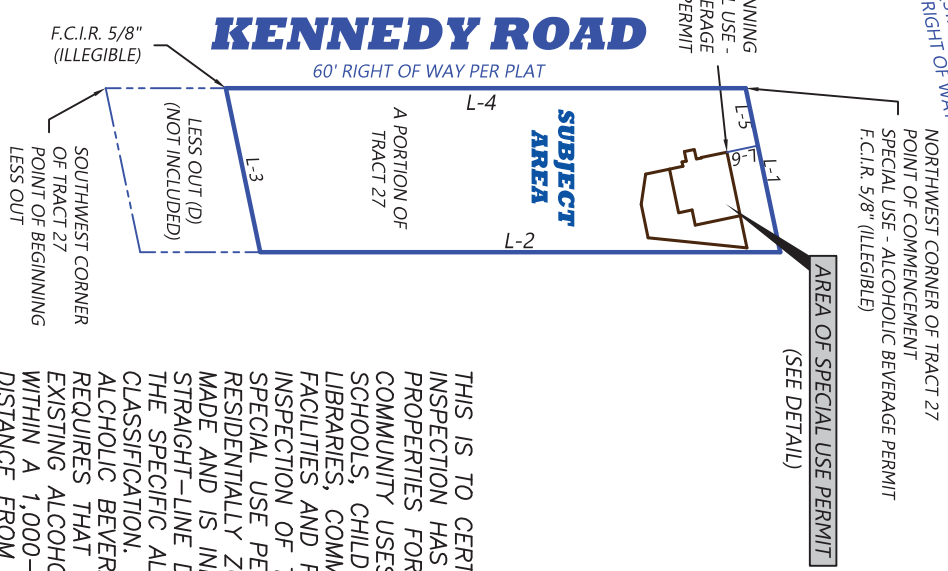
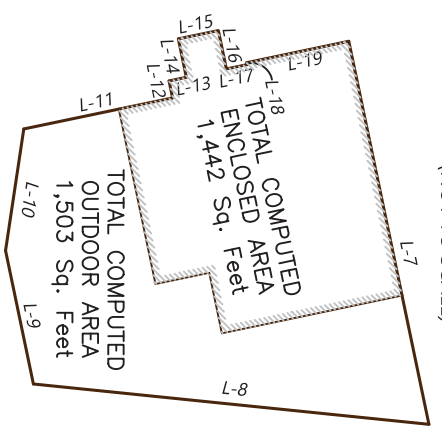
U.S. HIGHWAY #92

(STATE ROAD #17 - PER PLAT)
RIGHT OF WAY WIDTH VARIES

DESCRIPTION OF PREMISES:
 COMMENCE AT THE NORTHWEST CORNER OF TRACT 27 OF KENNEDY HILL SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 27, PAGE 114, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA; THENCE RUN N 78°05'00" E, ALONG THE NORTH LINE OF SAID TRACT 27, ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 92, A DISTANCE OF 36.73 FEET; THENCE RUN S 11°49'32" E, DEPARTING SAID NORTH LINE OF TRACT 27 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 92, A DISTANCE OF 19.71 FEET TO THE POINT OF BEGINNING; THENCE RUN N 78°10'35" E, A DISTANCE OF 61.12 FEET; THENCE RUN S 05°48'44" E, A DISTANCE OF 62.12 FEET; THENCE RUN S 78°10'49" W, A DISTANCE OF 21.30 FEET; THENCE RUN N 81°24'12" W, A DISTANCE OF 19.21 FEET; THENCE RUN N 11°49'19" W, A DISTANCE OF 23.75 FEET; THENCE RUN S 78°10'28" W, A DISTANCE OF 2.70 FEET; THENCE RUN S 78°10'28" W, A DISTANCE OF 6.13 FEET; THENCE RUN N 11°49'32" W, A DISTANCE OF 6.40 FEET; THENCE RUN N 78°10'28" E, A DISTANCE OF 6.13 FEET; THENCE RUN N 11°49'32" W, A DISTANCE OF 3.30 FEET; THENCE RUN S 78°10'28" W, A DISTANCE OF 0.30 FEET; THENCE RUN N 11°49'32" W, A DISTANCE OF 16.30 FEET TO THE POINT OF BEGINNING.

TOTAL COMPUTED ENCLOSED AREA = 1,442 SQUARE FEET
 TOTAL COMPUTE OUTDOOR AREA = 1,503 SQUARE FEET
 CONTAINING A TOTAL COMPUTED AREA OF: 2,945 SQUARE FEET

LINE	BEARING	DISTANCE
L-1(C)	N 78°05'00" E	104.76'
L-2(C)	S 00°00'10" E	325.00'
L-3(C)	S 78°07'18" W	104.76'
L-4(M)	N 00°00'00" W	324.93'
L-5	N 78°05'00" E	36.73'
L-6	S 11°49'32" E	19.71'
L-7	N 78°10'35" E	61.12'
L-8	S 05°48'44" W	62.12'
L-9	S 78°10'49" W	21.30'
L-10	N 81°24'12" W	19.21'
L-11	N 11°49'19" W	23.75'
L-12	S 78°10'28" W	2.70'
L-13	N 11°49'32" W	2.75'
L-14	S 78°10'28" W	6.40'
L-15	N 11°49'32" W	6.40'
L-16	N 78°10'28" E	6.13'
L-17	N 11°49'32" W	3.30'
L-18	S 78°10'28" W	0.30'
L-19	N 11°49'32" W	16.30'



LEGEND:

LB	LICENSED BUSINESS
P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
P.C.P.	PERMANENT CONTROL POINT
P.R.M.	PERMANENT REFERENCE MONUMENT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
D	DEED
F	PLAT
E	FIELD CALCULATED
C	MEASURED
M	

THIS IS TO CERTIFY THAT A VISUAL INSPECTION HAS BEEN MADE OF ALL PROPERTIES FOR THE FOLLOWING EXISTING COMMUNITY USES: CHURCH/SYNAGOGUES, SCHOOLS, CHILD CARE CENTERS, PUBLIC LIBRARIES, COMMUNITY RECREATIONAL FACILITIES AND PARKS. 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.

DWG. NO. 211108
 SHEET # 1 OF 2 SHEETS
 DATE DATE OF FIELDWORK: 02/28/2022
 DRAWN BY: JB
 DATE PREPARED: 2/28/22
 FIELD ENGINEER: JS
 REVISIONS:
 PROPERTY ADDRESS: 11801 E. 92 HIGHWAY, SEFFNER, FL 33584
 MICHAEL D. CROW & ASSOCIATES, Inc.
 CERTIFICATE OF AUTHORIZATION # 7936
 2004 THOMASASSA RD., STE #102 PLANT CITY, FL 33563
 PHONE: (813) 754-0555 EMAIL: CROW@SURVINGENR.COM
 SPECIAL USE PERMIT SURVEY FOR KENNEDY HILL PUB

MICHAEL D. CROW, P.S.M., #5761
 FLORIDA PROFESSIONAL SURVEYOR & MAPPER
 22-0656

4-COP WET ZONE SITE SURVEY

ALCOHOL SALES WITHIN 1000 FEET

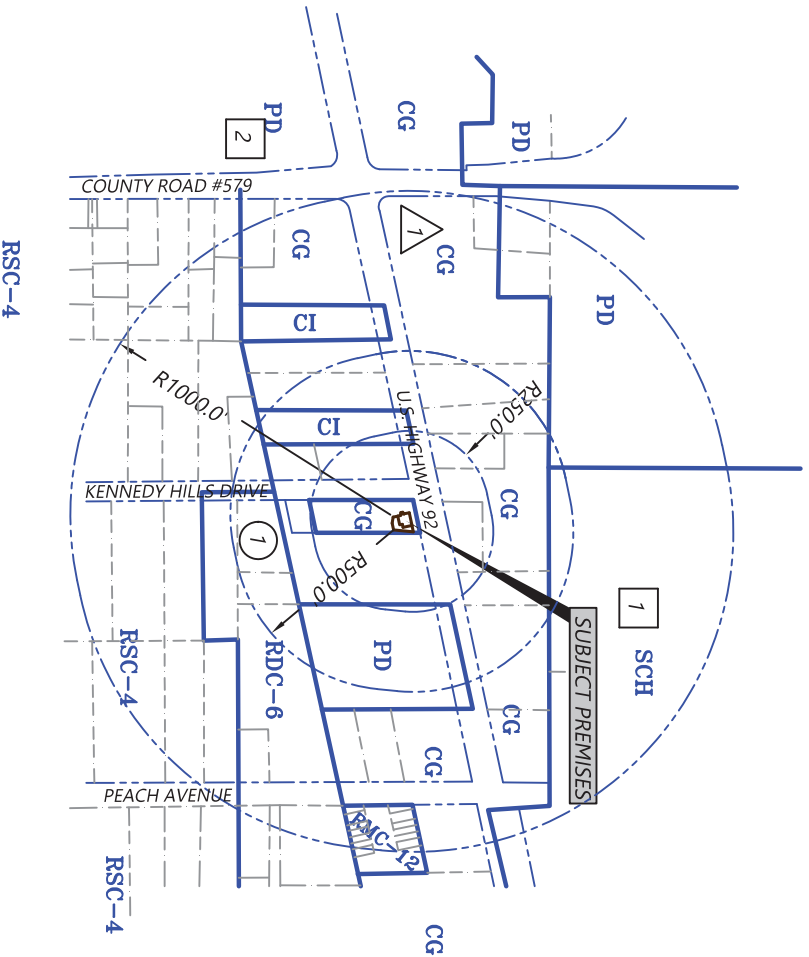
- 1 CIRCLE K STORES: 6009 579 HWY., SEFFNER, FL 2-APS, DISTANCE = 673'

COMMUNITY USES WITHIN 500 FEET

- 1 ARMWOOD HIGH SCHOOL
12000 E. 92 HIGHWAY, SEFFNER, FL 33584 - 433'
- 2 FIRST FREEWILL BAPTIST HOLDING CO.
11605 E. 92 HIGHWAY, SEFFNER, FL 33584 - 1041'

RESIDENTIALLY ZONED PROPERTIES WITHIN 250 FEET

- 1 FOLIO #: 63433.0300
5609 KENNEDY HILLS DR., SEFFNER, FL 33584 - 340'



DWG. NO. 211108	LAST DATE OF REVISION: 02/28/2022	DRAWN BY: JB	DATE PREPARED: 2/28/22
SHEET # 2	OF 2 SHEETS		

Michael D. CROW & ASSOCIATES, Inc.
 CERTIFICATE OF AUTHORIZATION # 7936
 2004 THONDOSASSA RD., STE #102, SAINT CLOUD, FL 33563
 PHONE: (813) 754-0585 - EMAIL: MICHAEL.D.CROW@CWAFL.COM

FIELD: GERRY W. JS	REVISIONS:
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PROPERTY ADDRESS: 11801 E. 92 HIGHWAY, SEFFNER, FL 33584

SPECIAL USE PERMIT SURVEY
FOR
KENNEDY HILL PUB

22-0656

Special Use Request for Kennedy Hill Pub

Seffner Realty, LLC. is requesting a special use zoning for the Kennedy Hill Pub located at 11801 US Hwy 92, Seffner, FL 33584. Folio #063370-0000. We are currently operating as a 2COP beer and wine bar and are requesting to be granted a 4COP wet zoning status via the Zoning Hearing

Sincerely,

Jill Moreno
Jill Moreno

James Moreno
James Moreno

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Quitclaim Deed

THIS QUITCLAIM DEED, executed this 29th day of December, 2004,
 by first party, Grantor, The Lydian Corporation
 whose post office address is 5474 Williams Rd. #2D Tampa, FL 33610
 to second party, Grantee, Seffner Realty LLC
 whose post office address is 5474 Williams Rd. Tampa, FL 33610

WITNESSETH, That the said first party, for good consideration and for the sum of 0 Dollars (\$ _____)
 paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the
 said second party forever, all the right, title, interest and claim which the said first party has in and to the following described
 parcel of land, and improvements and appurtenances thereto in the County of Hillsborough
 State of Florida to wit:

Tract 27 of KENNEDY HILL SUBDIVISION, according to map or plat thereof as recorded in Plat Book 27, Page 114, of the Public Records of Hillsborough County, Florida, LESS that part of Tract 27 described as follows: Beginning at the Southwest corner of Tract 27, run Northeasterly 104.78 feet, thence run North 75 feet, thence Southwesterly and parallel with the South line 104.78 feet, thence run South 75 feet to a point of beginning.

I HEREBY CERTIFY THAT THIS DEED WAS RECORDED IN ACCORDANCE WITH THE REQUIREMENTS OF FLORIDA LAW.

INSTR # 2004502887

O BK 14537 PG 1130

Pgs 1130 - 1131; (2pgs)

RECORDED 12/29/2004 01:20:47 PM

CLERK OF COURT

HILLSBOROUGH COUNTY

DOC TAX PD(F.S.201.02) 0.70

DEPUTY CLERK J Anglin

BEST IMAGES AVAILABLE

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written.
Signed, sealed and delivered in presence of:

Signature of Witness: Ruth Y. Soler

Print name of Witness: Ruth Y. Soler

Signature of Witness: Steven F. Roberts

Print name of Witness: Steven F. Roberts

Signature of First Party: James Moreno

Print name of First Party: James Moreno

Signature of Second Party: Jill Moreno

Print name of Second Party: Jill Moreno

return to:
Signature of Preparer Jill Moreno

Print Name of Preparer Jill Moreno

Address of Preparer 1426 Shell Flower Drive
Brandon, FL 33511

State of Florida
County of Hillsborough

On December 29 2004 before me, Joyce A. Anglim
appeared Jill Moreno and James Moreno

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature of Notary Joyce A. Anglim



Affiant Known Produced ID
Type of ID Florida Driver License as to each (Seal)



Received
03/11/22
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: 11801 US HWY 42 City/State/Zip: Seffner, FL 33584 TWN-RN-SEC: _____
Folio(s): 063370-0000 Zoning: CG Future Land Use: 4COP Property Size: 1.0 acre

Property Owner Information

Name: Seffner Realty LLC Daytime Phone: 813-453-3405
Address: 1426 Shell Flower Dr. City/State/Zip: Brandon, FL 33511
Email: jon@probuiltconstruction.net FAX Number: _____

Applicant Information

Name: Jonathan Moreno Daytime Phone: 813-453-3405
Address: 1426 Shell Flower Dr City/State/Zip: Brandon, FL 33511
Email: jon@probuiltconstruction.net 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 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.

Jon Moreno
Signature of Applicant

Jon Moreno
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.

James Moreno
Signature of Property Owner

James Moreno
Type or Print Name

Intake Staff Signature: Ana Lizardo Office Use Only Intake Date: 03/11/22
Case Number: 22-0656 Public Hearing Date: 04/25/22 Receipt Number: _____
Type of Application: SU-AB

Development Services, 601 E Kennedy Blvd, 19th Floor

Revised 07/02/2014

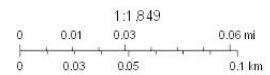


PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Commercial/Office/Industr
Zoning	CG
Description	Commercial - General
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0245H
FIRM Panel	12057C0245H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120245D
County Wide Planning Area	Seffner Mango
Community Base Planning Area	Seffner Mango
Census Data	Tract: 012107 Block: 1006
Future Landuse	CMU-12
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Northeast
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 4
Wind Borne Debris Area	Outside 140 MPH Area
Aviation Authority Height Restrictions	150' AMSL
Competitive Sites	NO
Redevelopment Area	NO



March 14, 2022



RS, Hillsborough County - Public Works - Geomatics - Streets & Addresses

Hillsborough County Florida

Folio: 63370.0000
PIN: U-34-28-20-269-000000-00027.0
SEFFNER REALTY LLC
Mailing Address:
 1426 SHELL FLOWER DR
 BRANDON, FL 33511-8369
Site Address:
 11801 E 92 HWY
 SEFFNER, FL 33584
SEC-TWN-RNG: 34-28-20
Acreage: 0.74422699
Market Value: \$146,339.00
Landuse Code: 3300 COMM./OFFICE

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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.

22-0656