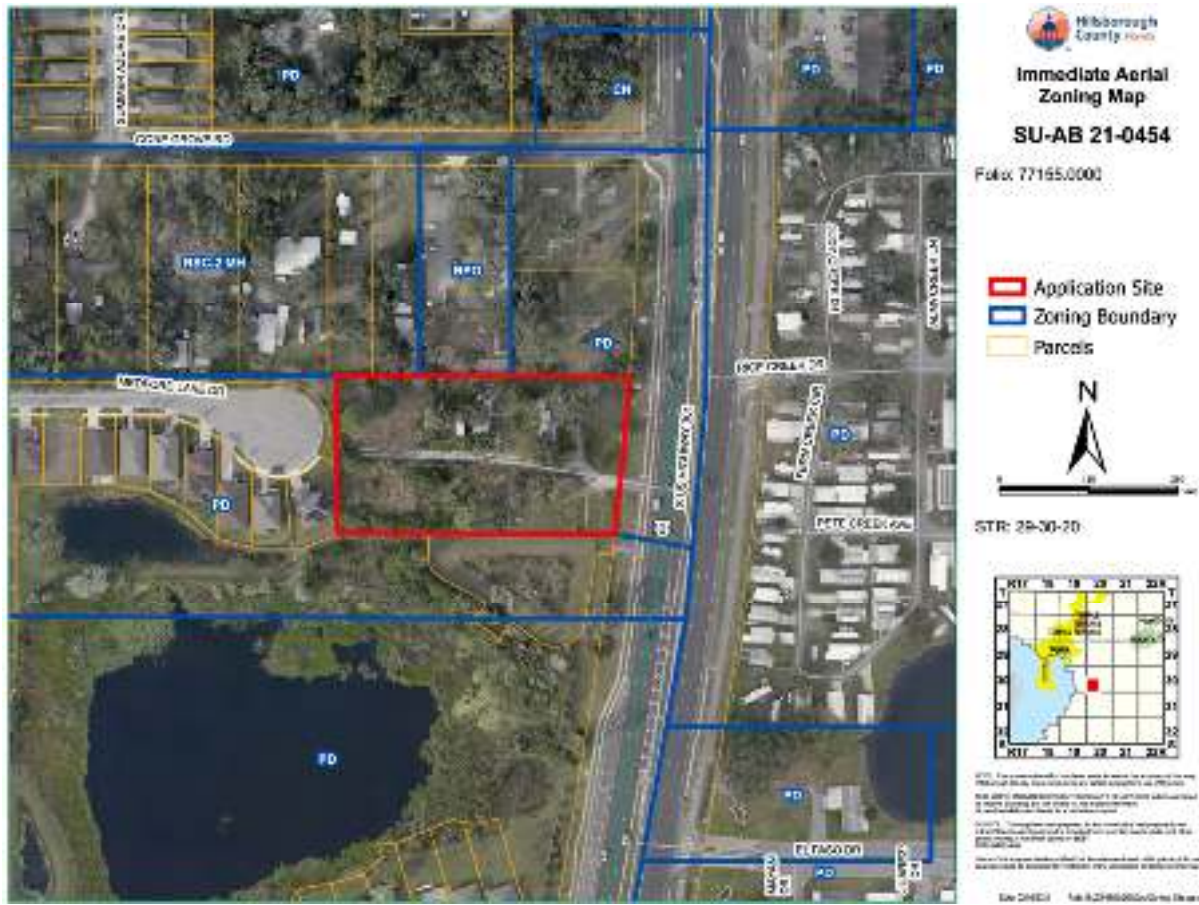




Land Use Application Summary Report

Application Number:	SU 21-0454 AB	Adjacent Zoning and Land Uses:	
Request:	Distance Separation Waiver (Wet-Zoning) for 3-PS AB with waivers	North:	BPO,PD Commercial / Child Care, Vacant
		East:	PD Residential / Highway/Residential
Comp Plan:	SMU-6	South:	PD Residential/ Stormwater Pond/HOA
Service Area:	Urban Service Area	West:	PD Residential / Residential



Request Summary:

Pursuant to Land Development Code Section 6.11.11, the request is for a distance separation waiver for a proposed retail business for a 3PS Alcoholic Beverage Permit to allow for the sale of beer, wine and liquor to be sold in sealed containers for consumption off the permitted premises only (package sales). The property is located at 10715 U.S. Highway 301 South within the Riverview community planning area, and zoned PD 18-1303 as most recently modified by Major Modification 20-0898 to allow for the development of 30,000 square feet of CN (Commercial Neighborhood) uses which include a liquor store. The wet zoned area will comprise a total footprint of 11,620 square feet as shown on the revised wet zone survey received April 12, 2021.

Per LDC Section 6.11.11.D.5, the proposed 3-PS wet zoning must be located at least 500 feet from certain community uses and at least 250 feet from residentially zoned property. Additionally, there can be no more than a total of 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 wet zonings within 1,000 feet of the proposed wet zoning.

Per the submitted wet zone survey, there are no more than three approved wet zonings of the specified types within 1,000 feet of the proposed wet zoning. However, the proposed wet zoning does not meet separation requirements from certain community uses and residentially zoned property as follows: .

1. The proposed wet zoning is located as close as 26-feet to residentially zoned property, requiring a 224-foot waiver to the required 250-foot separation.
2. The proposed wet zoning is located 130-feet from Staci’s Learning Center and Child Care, requiring a 370-foot waiver to the required 500-foot separation.

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 circumstances exist such that the necessity for the separation requirement(s) is negated.

The applicant has provided the following justifications for each waiver request:

1. The closest residentially zoned property is owned by the Florida Department of Transportation and is utilized as a stormwater retention pond and there are no sensitive community or residential resources associated with the subject residentially zoned property.
2. The proposed commercial buildings, landscape buffer and 8-foot tall screening (fence or wall) mitigate the negative effect of the proposed “permitted” use to the community use. Additionally, no direct vehicular or pedestrian access is being proposed, and the physical route is greater than 500-feet.

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.”
- Per the submitted survey, the nearest residentially zoned properties to the proposed wet zoning are located to the south of the site and are utilized for stormwater purposes. The nearest residentially zoned properties that are developed with homes are located 160 feet to the west and 145 feet to the northwest; however, due to

buffering and screening requirements for the PD in which the proposed wet zoning is located, there will be no direct access from the liquor store to the residentially developed properties and the normal route of travel between the uses will greatly exceed 250 feet. Additionally, the PD conditions limit hours of operation for the businesses in the project from 9:00 a.m. to 11:00 p.m. Monday through Friday, and 11:00 a.m. to 11:00 p.m. on Sunday, which is more restrictive than the alcoholic beverage sales hours permitted by LDC Section 6.11.11.


- The child care center is located 130 feet to the northwest of the proposed wet zoning. However, due to buffering and screening requirements for the PD in which the proposed wet zoning is located, the normal route of travel between the uses will exceed 400 feet. Additionally, staff received no objections from the owner and/or operator of the affected child care center.
- For the reasons discussed above, staff finds the proposed wet zoning does not post significant adverse effects on the residentially zoned property or the child care center for which the separation waivers are requested.

Recommendation:

Staff finds the proposed 3-PS wet zoning APPROVABLE. Approval is based upon the revised wet zone survey comprising 11,620 square feet of area, received April 12, 2021.

Exhibits

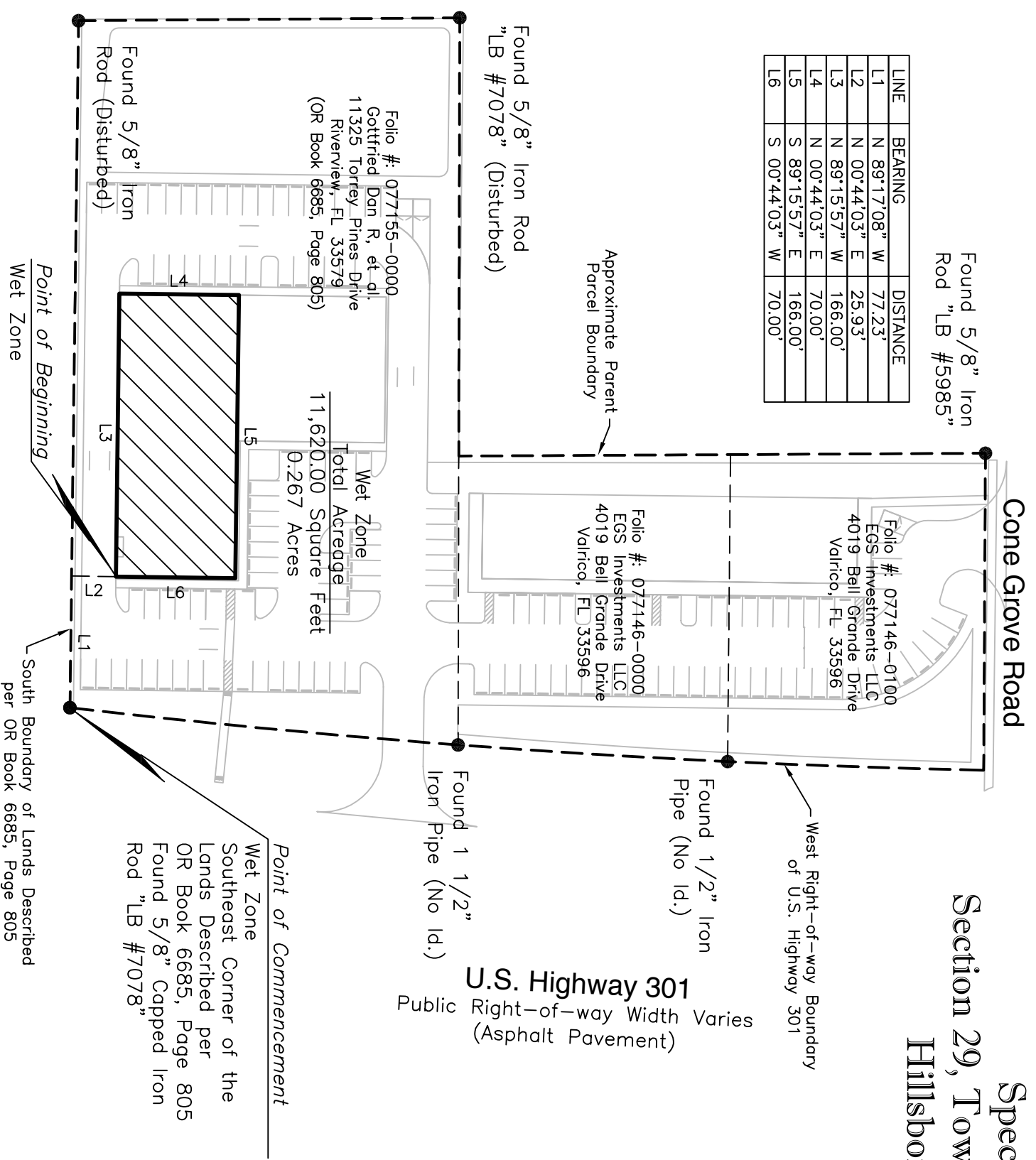
- Exhibit 1: Aerial Map
- Exhibit 2: Zoning Map
- Exhibit 3: Wet Zone Survey

Staff's Recommendation:	Approvable
Zoning Administrator Sign-off:	 Tom Hiznay Tue May 11 2021 13:14:18

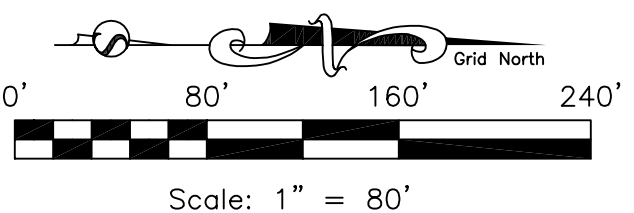
Specific Purpose Survey

Section 29, Township 30 South, Range 20 East Hillsborough County, Florida

LINE	BEARING	DISTANCE
L1	N 89°17'08" W	77.23'
L2	N 00°44'03" E	25.93'
L3	N 89°15'57" W	166.00'
L4	N 00°44'03" E	70.00'
L5	S 89°15'57" E	166.00'
L6	S 00°44'03" W	70.00'



- ### Legend
- Found Iron Rod or Pipe
 - P.S.M. Professional Surveyor and Mapper
 - Id. Identification
 - LB Licensed Business
 - OR Official Records
 - PD Planned Development
 - Wet Zone Area



U.S. Highway 301
Public Right-of-way Width Varies
(Asphalt Pavement)

Wet Zone Description:

A parcel of land being a portion of Lot 2, Block 2, LEE COMMERCIAL GROVES, as recorded in Plat Book 10, Page 30, Public Records of Hillsborough County, Florida, being more particularly described as follows:

COMMENCE at a point marking the Southeast corner of the lands described in Official Records Book 6685, Page 805, of the Public Records of Hillsborough County, Florida; thence coincident with the South Boundary of said lands, N 89°17'08" W a distance of 77.23 feet; thence departing said South Boundary, N 00°44'03" E a distance of 25.93 feet to the POINT OF BEGINNING; thence N 89°15'57" W a distance of 166.00 feet; thence N 00°44'03" E a distance of 70.00 feet; thence S 89°15'57" E a distance of 166.00 feet; thence S 00°44'03" W a distance of 70.00 feet to the POINT OF BEGINNING.

Containing an area of 11620.00 square feet, 0.267 acres, more or less.

- Surveyor's Notes:**
- 1.) Paper copies of this survey are not valid without the original signature and raised seal of a Florida Licensed Surveyor and Mapper. Digital copies are not valid without the digital signature of a Florida Licensed Surveyor and Mapper.
 - 2.) The bearing structure for this survey is based on a NAD 1983 Florida State Plane West Zone, bearing of N 89°17'08" W for the South Boundary of the lands described in Official Records Book 6685, Page 805.
 - 3.) The horizontal datum utilized for this project is NAD 1983 Florida West Zone, 2011 Adjustment, U.S. Survey Feet. Said datum was established by utilizing the Florida Permanent Reference Network (FPRN).
 - 4.) THIS IS NOT A BOUNDARY SURVEY.
 - 5.) The shaded improvements depicted hereon are proposed.

Specific Purpose Survey
Wet Zone (3-PS)

Certifications:
Brijesh Shroff

SURVEYING TODAY WITH TOMORROW'S TECHNOLOGY

Drafted By: P. Hernandez
Date Drafted: 06/08/20
Revision Date: 04/09/21
Approved By: T. McClintic
Date Approved: 06/09/20

Project No.: 20190036
Phase: 2
Drawing Name: 20190036_2WZ
Last Field Date: 04/30/20
Field Book/Page: 20-16/10

Timothy M. McClintic P.S.M. No. 6908
SurvTech Solutions, Inc. LB No. 7340

SURVTECH SOLUTIONS, INC. SURVEYORS AND MAPPERS

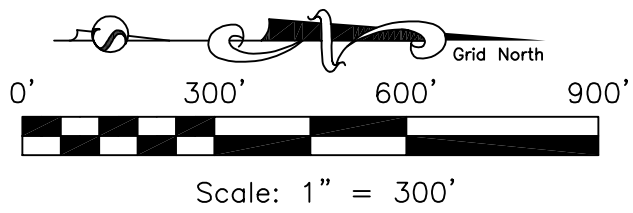
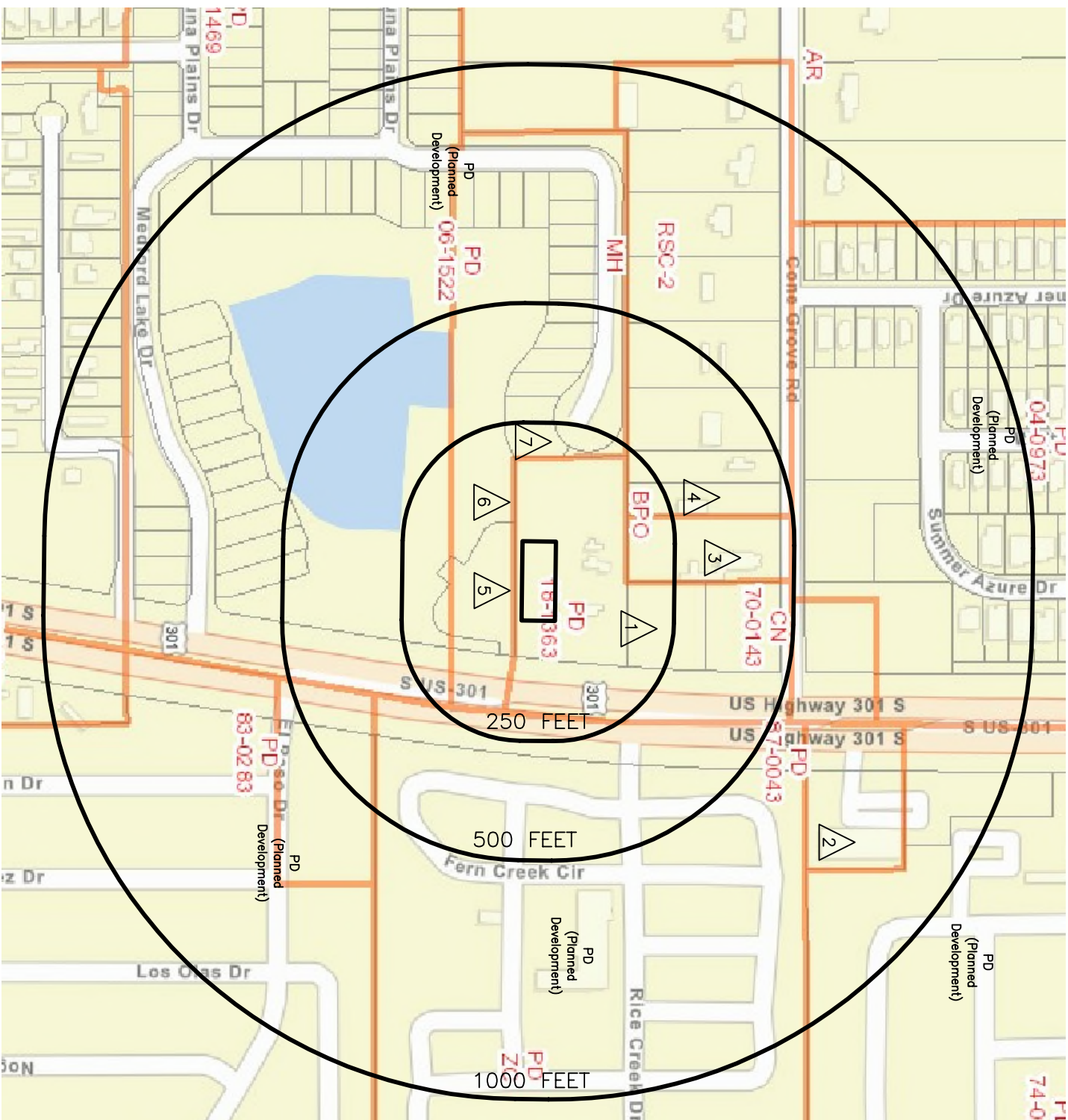
10220 U.S. Highway 92 East, Tampa, FL 33610
phone: (813)-621-4929, fax: (813)-621-7194, Licensed Business #7340
email: tmcclintic@survtechsolutions.com <http://www.survtechsolutions.com>

Specific Purpose Survey Wet Zone (3-PS)

- 1 Unknown (2-COP-X)
Permit #: 19-0777
10705 South US Highway 301
Zoned PD (Planned Development)
(0± Feet)
- 2 Formerly Unknown (2-COP)
Permit #: 10-0909
10650 South US Highway 301
Zoned PD (Planned Development)
(605± Feet)
- 3 Staci's Learning Station & Child Care
10611 Cone Grove Road
Zoned BPO (Business Professional Office)
(130± Feet)
- 4 Joel & Cindy Miltner
10609 Cone Grove Road, Riverview
Zoned RSC-2 (Res-SF Conventional 2 uts/acre)
(145± Feet)
- 5 Nearest Residential District
Dept of Transportation
Address Unknown
Zoned PD (Residential)
(26± Feet)
- 6 Medford Lakes Property Owners Association Inc
10552 Medford Lake Dr, Riverview
Zoned PD (Residential)
(38± Feet)
- 7 Mike Nguyen & Kim Chau
10502 Medford Lake Dr, Riverview
Zoned PD (Residential)
(160± Feet)

Note: 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 500-foot straight-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.

Note: All distances are measured from the Wet Zone site in a straight line to the nearest point on adjoining Wet Zone parent parcel boundary. Numbers within triangles depicted hereon are shown at the approximate location of the site within the parent parcel.



Specific Purpose Survey Wet Zone (3-PS)

PROJECT NO.: 20190036
PHASE: 2
LAST FIELD DATE: 04/30/20



SURVTECH SOLUTIONS, INC. SURVEYORS AND MAPPERS
10220 U.S. Highway 92 East, Tampa, FL 33610
phone: (813)-621-4929, fax: (813)-621-7194, Licensed Business #7340
email: tmclintic@survtechsolutions.com <http://www.survtechsolutions.com>

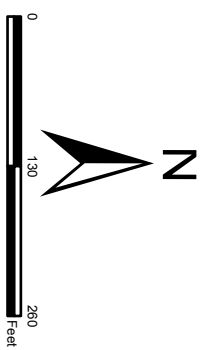


**Immediate Aerial
Zoning Map**

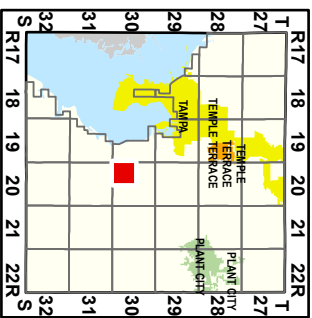
SU-AB 21-0454

Folio: 77155.0000

- Application Site
- Zoning Boundary
- Parcels



STR: 29-30-20



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 WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including but not limited to, the accuracy, completeness, or fitness for a particular purpose.

SOURCE: This map has been prepared for the purpose of recording public information within Hillsborough County and is compiled from recorded deeds, plats, and other AVM/ADL/E data.

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

Date: 03/09/2021 Path: G:\ZONING\GIS\Data\Zoning_Site.aprx



Additional / Revised Information Sheet

Date Stamp Here

Application Number: 21-0454 Applicant's Name: DAVID WRIGHT / TSP COMPANIES

Reviewing Planner's Name: BEACHY Date: 04/12/2021

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): 05/24/2021

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@hcflgov.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.

DAVID WRIGHT

Digitally signed by DAVID WRIGHT
Date: 2021.04.12 10:05:09 -04'00'

04/12/2021

Signature

Date

FOR OFFICE USE ONLY

- Notification E-Mail Sent
- Scanned into OPTIX
- Transmittal Completed

In-Take Completed by: _____

TSP COMPANIES, INC.

P.O. Box 1016
Tampa, Florida 33601-1016

April 12, 2021

Zoning Intake Staff
Hillsborough County Development Services
PO Box 1110
Tampa, FL 33601-1110

Subject: SU AB 21-0454
Revised Written Statement (Request)


Attention Zoning Intake Staff:

Attached please find a a revised Written Statement for application #21-0454. The Written Statement has been revised to request a 3-PS alcoholic beverage permit instead of a 4_COP alcoholic beverage permit. A revised Wet Zone Survey will also be submitted under a separate cover letter.

Please call or email with any questions or concerns.

Sincerely,

DAVID
WRIGHT

 Digitally signed by DAVID
WRIGHT
Date: 2021.04.12 10:13:09
-04'00'

David Wright, Vice President
TSP Companies, Inc.

Attachments:

1. Revised Written Statement
2. County Intake Form

Application Number: 21-0454

CODE COMPLIANCE / PROJECT DESCRIPTION WRITTEN STATEMENT

The subject property is zoned Planned Development under PD 18-0363 last modified by PRS 19-0773 allowing for the development of a private, commercial sports facility that includes miniature soccer fields, volleyball courts and a 2,500 square foot concession building. The subject property is currently approved for a 2-COP-X alcoholic beverage permit for sales and consumption of beer and wine on premises under SU-AB 19-0777. The applicant is processing a Major Modification to the PD under MM 20-0898 to request a change in uses to allow the development of 30,000 square feet of CN (Commercial, Neighborhood) uses including a liquor store.

This 3-PS Special Use (Alcoholic Beverage Permit) is requested to allow beer, wine, and liquor to be sold in sealed containers only for consumption off the permitted premises (package sales) at the location depicted on the Specific Purpose Survey Wet Zone (3-PS) included with this application.

The applicant will comply with the Hillsborough County Land Development Code and the Future of Hillsborough County Comprehensive Plan for Unincorporated Hillsborough County.

SUPPLEMENTAL PUBLIC NOTICE FOR WAIVER REQUEST

A waiver is requested to the 500-foot minimum distance requested between the proposed area to be wet-zoned and residentially zoned property. The minimum distance between the area to be proposed to be wet-zoned and a residentially zoned property is 145+/- feet.

There is one (1) existing community use located within 500-feet of the area proposed to be wet-zoned for which waivers are requested. Staci's Learning Station & Child Care is located 130+/- feet from the proposed area to be wet-zoned

There are two (2) existing wet zone permits (#19-0777 and #10-0909) within 1,000-feet of the proposed area to be wet-zoned; therefore, no waiver is required based on the number of existing wet zoning permits.

270

Prepared by:

RICHARD AKE
CLERK OF COUNTY COURT
HILLSBOROUGH COUNTY

O.R. BOOK 6685 PAGE 0805

Joseph E. Melendi, Esq.
Melendi, Gibbons & Holsonback, P.A.
408 E. Madison Street
Tampa, Florida 33602 ✓

Prorogatory Tax Pd. - F.S. 201.02 \$ 1,500.00
Documentary Tax Pd. - F.S. 201.08 \$
Intangible Tax Pd. - F.S. 199 \$
Richard Ake, Clerk Hillsborough County
By: *[Signature]* Deputy Clerk

WARRANTY DEED

THIS INDENTURE made this 24 day of July, 1992, by Jerry G. Underwood and Merle Underwood, husband and wife, of the County of Hillsborough, Florida, hereinafter called the "Grantors," to Dan R. Gottfried and Judith L. Gottfried, husband and wife, of the County of Hillsborough, Florida, whose address is 11325 Torrey Pines Drive, Riverview, Florida 33569, hereinafter called the "Grantees".

W I T N E S S E T H :

THAT THE GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, the receipt whereof is hereby acknowledged, hereby grants, bargains, and sells to the grantees, their heirs and assigns forever, all of that certain land situate in Hillsborough County, Florida, and more particularly described as follows:

That part of Lot 2, Block 2 of LEE COMMERCIAL GROVES, described as beginning 795.5 feet East of Northwest corner of Lot 2, and run East to West boundary of Highway 301, Southerly to point 105 feet North of South boundary of Lot 2, West to point South of point of beginning, and North 227.45 feet to point of beginning of Block 2, as recorded in Plat Book 10, Page 30 of the public records of Hillsborough County, Florida.

(This is not homestead property)

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

TO HAVE AND to hold, the same in fee simple forever.

AND THE GRANTOR hereby covenants with said grantees that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land; that the grantors hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that the land is free of all encumbrances, except as follows:

- (a) Restrictions and reservations of record, if any;
- (b) Building and zoning rules, regulations, laws or ordinances;
- (c) Ad valorem taxes and assessments accruing subsequent to December 31, 1991, and subsequent years.
- (d) Fifteen foot easement granted to Tampa Electric Company as recorded in O.R. Book 2278, Page 83 of the Public Records of Hillsborough County, Florida

1992 JUL 30 AM 10:31
92168412

IN WITNESS WHEREOF, the Grantors have set their hands and seals the day and the year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

[Signature]

[Signature] (SEAL)
JERRY G. UNDERWOOD

Print/Type Name Here

[Signature]

[Signature] (SEAL)
MERLE UNDERWOOD
2915 Forest Club Drive
Plant City, FL 33567

TERENCE F. PYLA

Print/Type Name Here

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 24 day of July, 1992, by Jerry G. Underwood and Merle Underwood, who are personally known to me or who have produced drivers license as identification and who did (did not) take an oath.

[Signature]
NOTARY PUBLIC-STATE OF FLORIDA

[Signature]
Print/Type Name Here

My Commission Expires:





Received
03/01/2021
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: 10715 U.S. HWY 301 SOUTH City/State/Zip: RIVERVIEW, FL 33578 TWN-RN-SEC: 29-30-20
Folio(s): 77155.0000 Zoning: PD Future Land Use: SMU-6 Property Size: 2.18 AC

Property Owner Information

Name: DAN & JUDITH GOTTFRIED Daytime Phone: _____
Address: 11325 TORREY PINES DRIVE City/State/Zip: RIVERVIEW, FL 33578
Email: _____ FAX Number: _____

Applicant Information

Name: TSP COMPANIES, INC. David Wright Daytime Phone: 813-230-7473
Address: PO BOX 1016 City/State/Zip: TAMPA, FL 33601-1016
Email: david@tspco.net FAX Number: _____

Applicant's Representative (if different than above)

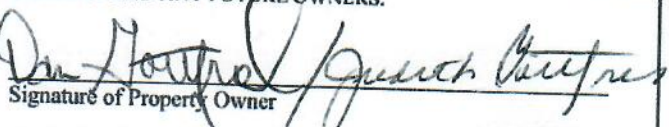
Name: _____ Daytime Phone: _____
Address: _____ City / State/Zip: _____
Email: _____ FAX Number: _____

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.


Signature of Applicant

DAVID WRIGHT / TSP COMPANIES, INC.
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.


Signature of Property Owner

DAN GOTTFRIED JUDITH GOTTFRIED
Type or Print Name

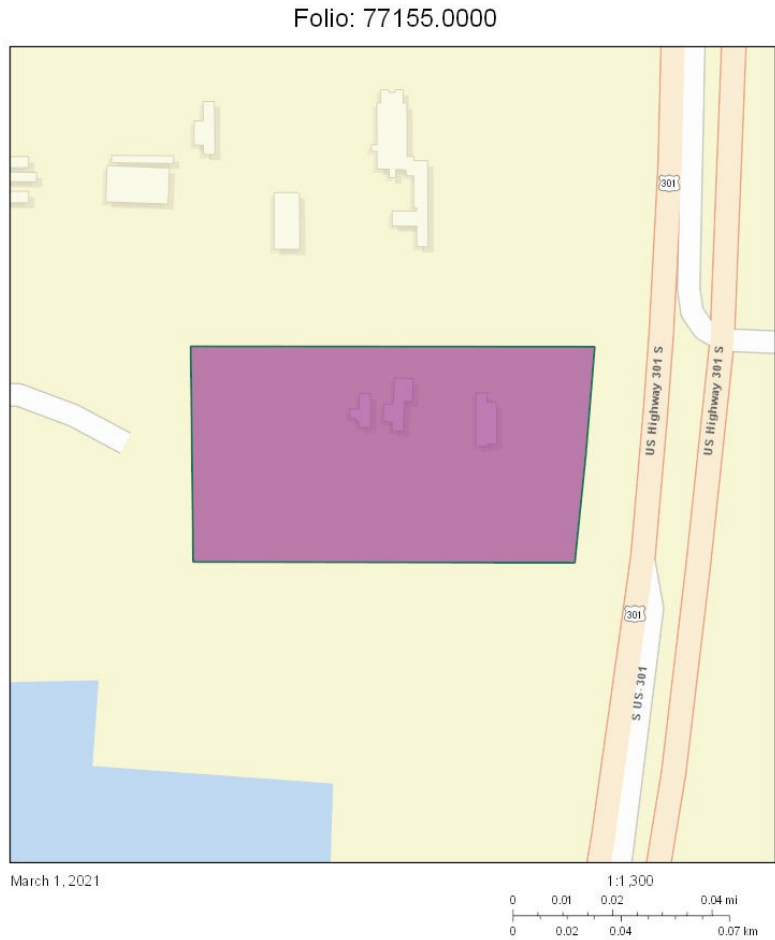
Office Use Only

Intake Staff Signature: Ana Lizardo Intake Date: 03/01/2021
Case Number: 21-0454 Public Hearing Date: 04/26/2021 Receipt Number: 21-0454
Type of Application: SU-AB



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	18-1363
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0502H
FIRM Panel	12057C0502H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120502B
County Wide Planning Area	Riverview
Community Base Planning Area	SouthShore
Community Base Planning Area	Riverview
Planned Development	PD
Re-zoning	18-1363
Note	null
Minor Changes	null
Major Modifications	null
Personal Appearances	19-0773
Census Data	Tract: 013806 Block: 1002
Future Landuse	SMU-6
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	4
Fire Impact Fee	South
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 8
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Folio: 77155.0000
PIN: U-29-30-20-2TR-000002-00002.0
DAN R AND JUDITH L GOTTFRIED
Mailing Address:
 11325 TORREY PINES DR
 RIVERVIEW, FL 33579-7026
Site Address:
 10715 301 HWY S
 RIVERVIEW, FL 33578
SEC-TWN-RNG: 29-30-20
Acreage: 2.18327999
Market Value: \$142,800.00
Landuse Code: 2814 COMM./OFFICE

Hillsborough County makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any of the geodata information provided herein. The reader should not rely on the data provided herein for any reason. Hillsborough County explicitly disclaims any representations and warranties, including, without limitations, the implied warranties of merchantability and fitness for a particular purpose. Hillsborough County shall assume no liability for:

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.

21-0454

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