

**Special Use-Alcoholic Beverage Permit with Waivers Application:** SU-AB 24-0894  
**LUHO Hearing Date:** July 29, 2024  
**Requested Classification:** 4-COP-RX



**1.0 APPLICATION SUMMARY**

**Applicant:** Amado Camilo  
**Zoning:** CG  
**FLU Category:** OC-20  
**Service Area:** Urban  
**Community Plan Area:** Egypt Lake  
**Overlay:** None  
**Special District:** None  
**Use:** Restaurant  
**Total Wet Zone Area Requested:** 8,791 sf  
**Inside Area Requested:** 7,651 sf  
**Outside Area Requested:** 1,140 sf  
**Location:** 3710 W. Waters Avenue, Tampa; Folio# 25923.5500



**Introduction Summary:**

The proposed wet zoning is sought for an expansion of the existing supermarket to a full-service restaurant, 809 Lounge Restaurant and Grill. The property is zoned CG (Commercial - General), which allows the host use and consideration of the proposed wet zoning. The applicant is requesting distance separation waivers to a community use, City Life Church.

Pursuant Land Development Code (LDC) Section 6.11.11, the request is a distance separation waiver for a 4-COP-RX Alcoholic Beverage Permit for the sale and consumption of beer, wine, and liquor 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 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.

Distance Separation Requirements	Complies with Requirement
Distance to Certain Community Uses Shall Be 500 feet	No
Distance to Residentially Zoned Property Shall be 150 Feet	Yes

**Development Services Recommendation:**

Approvable, Subject to Conditions

Existing Alcoholic Beverage Permit Being Rescinded:	Yes	Existing Alcoholic Beverage Permit Number:	SU-AB 19-0804
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**2.0 REQUESTED DISTANCE SEPARATION WAIVER DETAILS**

Requested Waiver	Required Separation	Waiver Distance	Resulting Separation
Distance from proposed structure to certain community uses	500 feet	365 feet	135 feet
Community Use:	City Life Church		

Applicant's Justification:

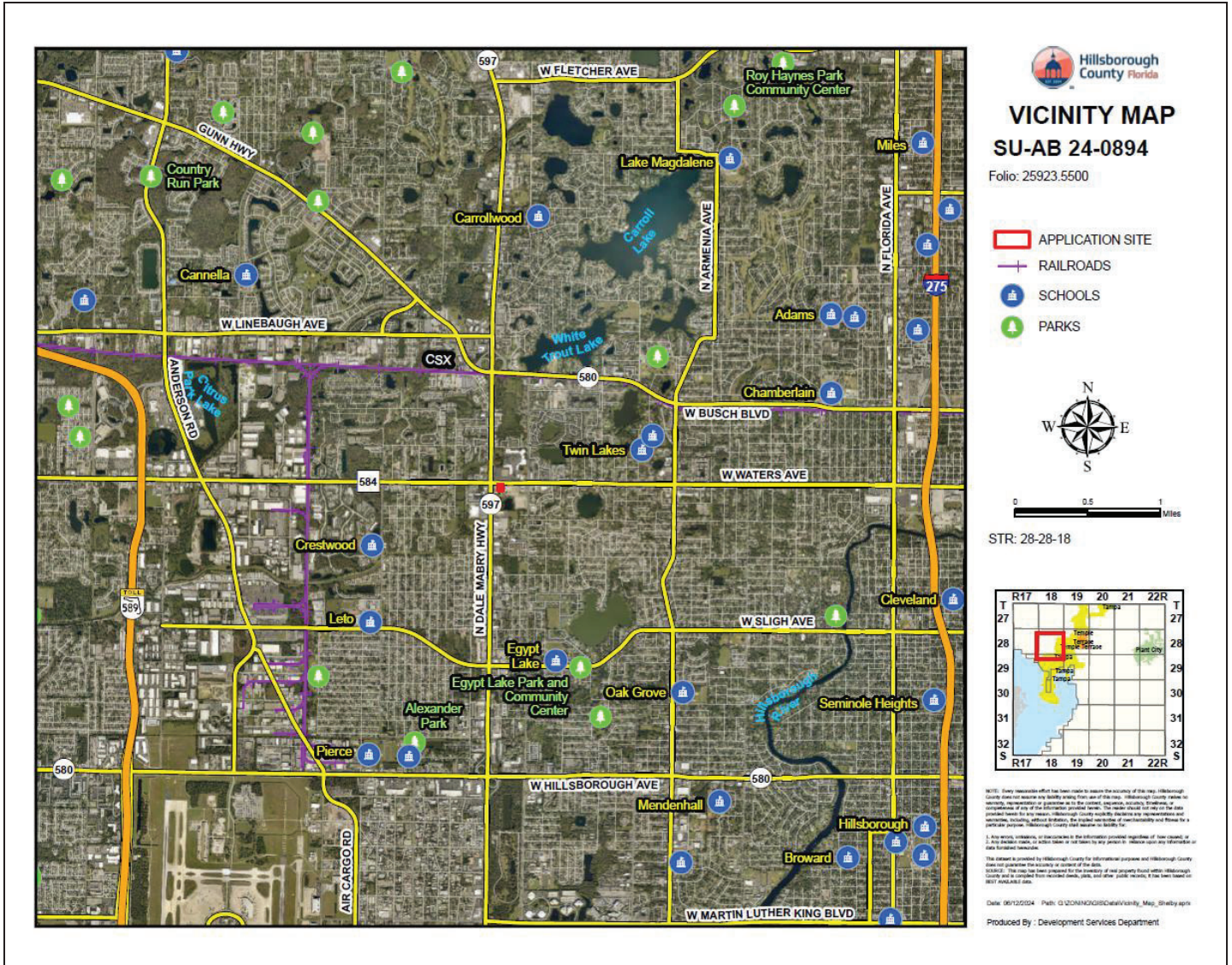
The church is across Waters Avenue. The church faces to the west towards Dale Mabry Highway. The business faces to the north that is on the side of the church. There are 6 lanes and a median on Waters Avenue that separates, also 2 parking lots. The walking distance is 561 feet away.

Requested Waiver	Required Separation	Waiver Distance	Resulting Separation
Not Applicable	Choose an item.		

Applicant's Justification:

### 3.0 LAND USE MAP SET AND SUMMARY DATA

#### 3.1 Vicinity Map



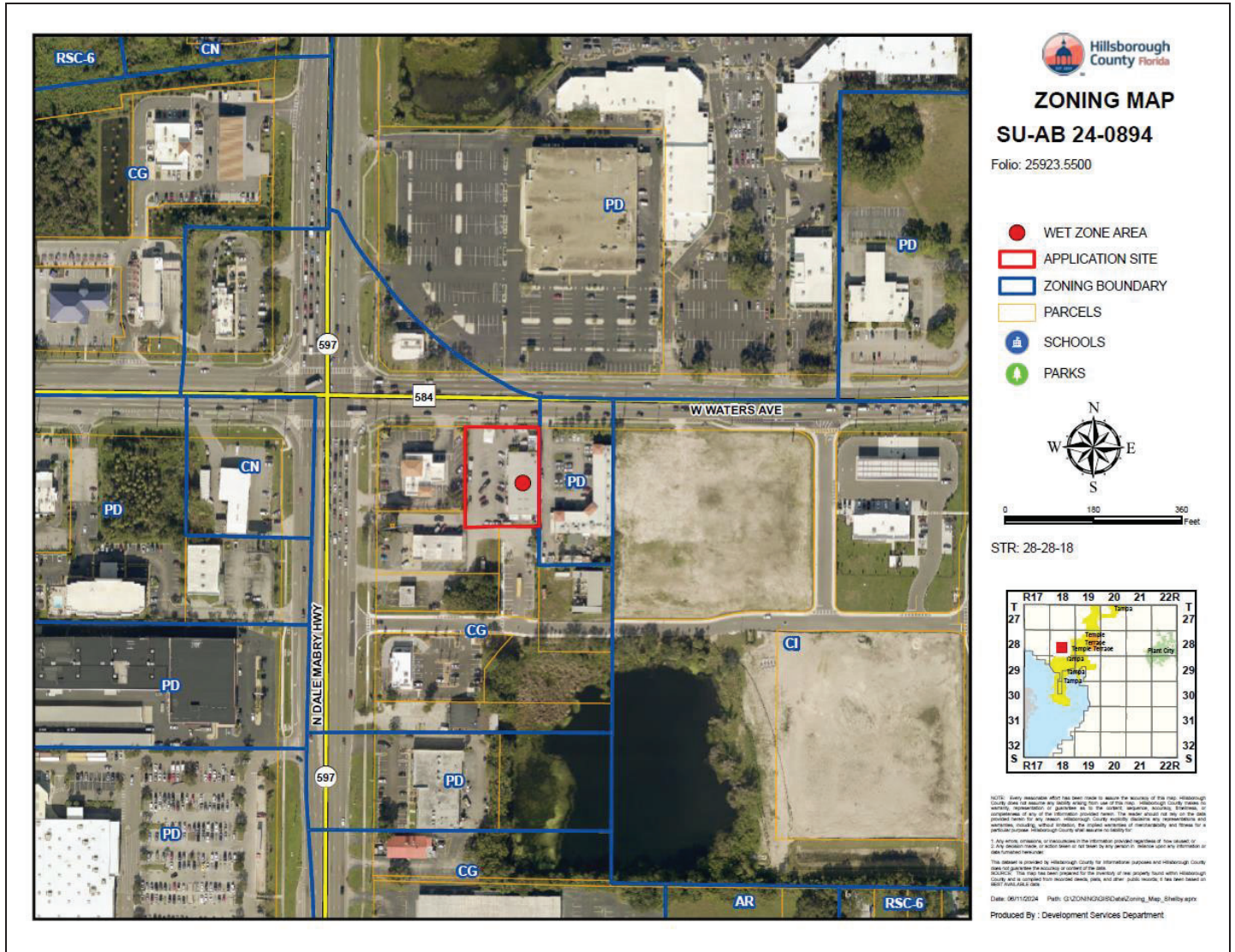
#### Context of Surrounding Area:

The subject property is located in Tampa at the intersection of West Waters Avenue and North Dale Mabry Highway, a major arterial roadway. The property fronts on West Waters Avenue, a major county arterial of approximately 75 feet in width. The surrounding area is occupied by commercial activity along the major roadways. Nearby to the north is a mega church located in a former grocery store.



3.0 LAND USE MAP SET AND SUMMARY DATA

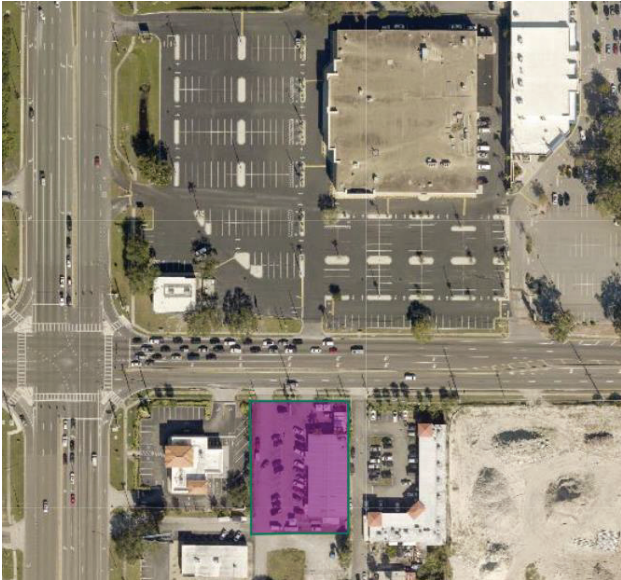
3.2 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Land Use:
North	CG, PD 84-0161	Commercial, Church
South	CG	Vacant
East	PD 02-0994	Commercial Shopping Center
West	CG	Bank, Auto Supply Store



*Figure 1 Aerial of the site and surrounding area:*

#### 4.0 Staff Findings

LDC Section 6.11.11.E.3 provides for approval of separation waivers where there are “special or unique circumstances where the alcoholic beverage use applied for does not have significant impacts on surrounding land uses and certain circumstances negate the necessity for the specified distance requirements.”

As shown on the wet zone survey dated July 19, 2024, City Life Church’s property line is approximately 135 feet from the proposed wet zone area. The church is located 350 feet straight line distance from the proposed wet zone area, and over 1,500 feet when utilizing the normal route of travel. West Waters Avenue a major arterial roadway that has a width of 75 feet buffers the proposed wet zone area from the church property.

There is an existing 2-APS-IS Alcoholic Beverage permit from 2019, SU-AB 19-0804, which permits 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. 809 Supermarket has existed at this location since approximately 2017. The applicant intends to expand the use to a restaurant selling beer, wine, and liquor. The addition of the proposed 4-COP-RX Alcoholic Beverage Permit for the sale and consumption of beer, wine, and liquor on the permitted premises only in connection with a restaurant will not pose any additional impacts to the church community use or the surrounding commercial uses.

The entrance to the restaurant building faces north and does not face towards the church property. Additionally, there are 6 lanes and a median on Waters Avenue that separates the proposed wet zoning from the church and a large parking lot.

The subject property is located in Tampa at the intersection of West Waters Avenue and North Dale Mabry Highway, a major arterial roadway. The property fronts on West Waters Avenue, a major county arterial of approximately 75 feet in width. The surrounding area is occupied by commercial activity along the major roadways.

For the reasons discussed above, staff finds the proposed wet zoning does not pose new impacts on surrounding land uses and the necessity for the specified distance requirements is negated.

#### 5.0 RECOMMENDATION AND PROPOSED CONDITIONS (If Applicable)

Staff finds the proposed 4-COP-RX Alcoholic Beverage Permit to be **APPROVABLE, subject to conditions**. Approval is based upon the wet zone survey reflecting a total wet zone footprint of 8,791 square feet, 7,651 square feet indoors and 1,140 square feet outdoors, as shown on the wet zone survey received July 19, 2024.

1. Upon approval of SU-AB 24-0894, the existing 2-APS-IS wet zoning of the premises, permit number SU-AB 19-0804, shall be rescinded.

Zoning Administrator Sign Off:



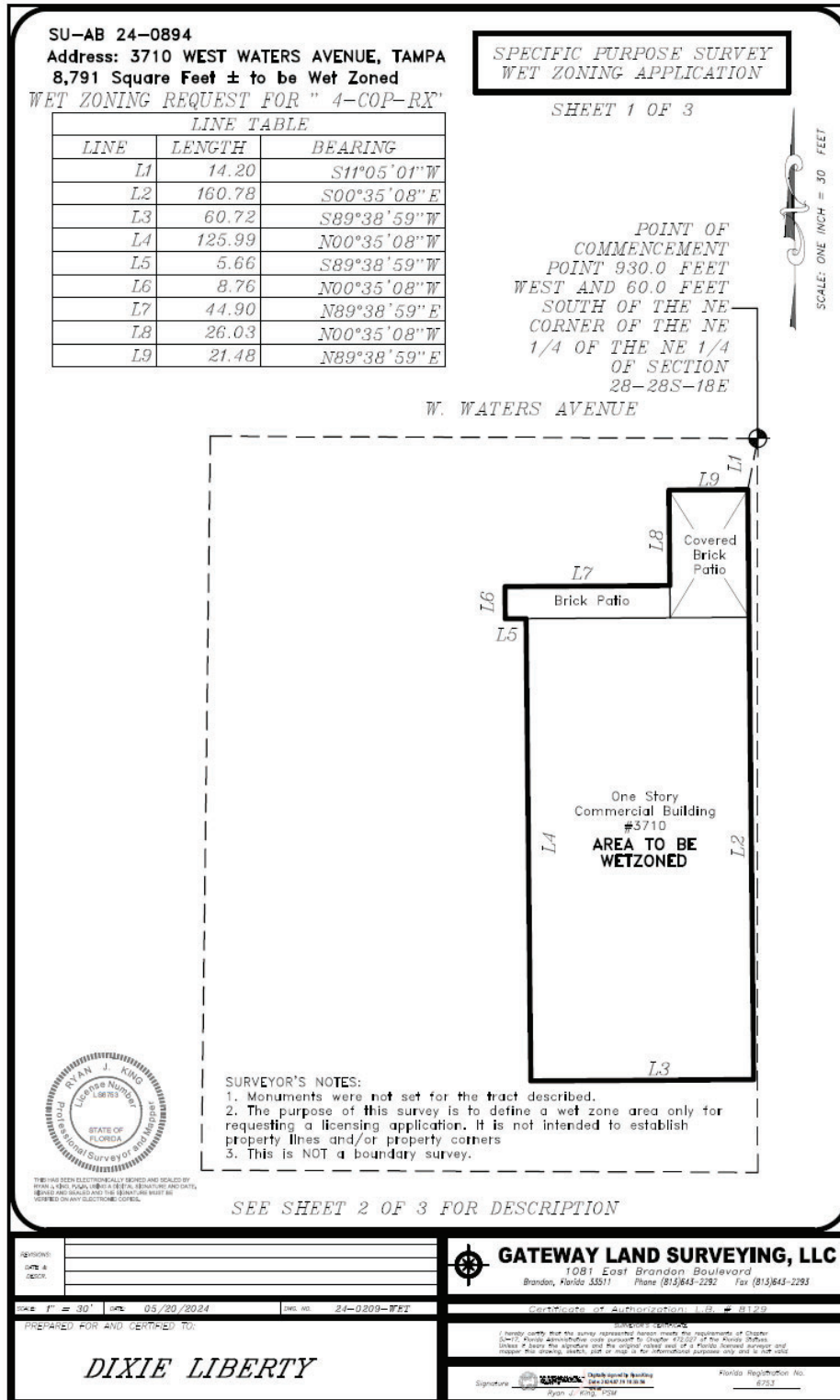
Colleen Marshall  
Fri Jul 19 2024 11:18:38

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






Approval of this special use petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.



6.0 PROPOSED WET ZONE SURVEY

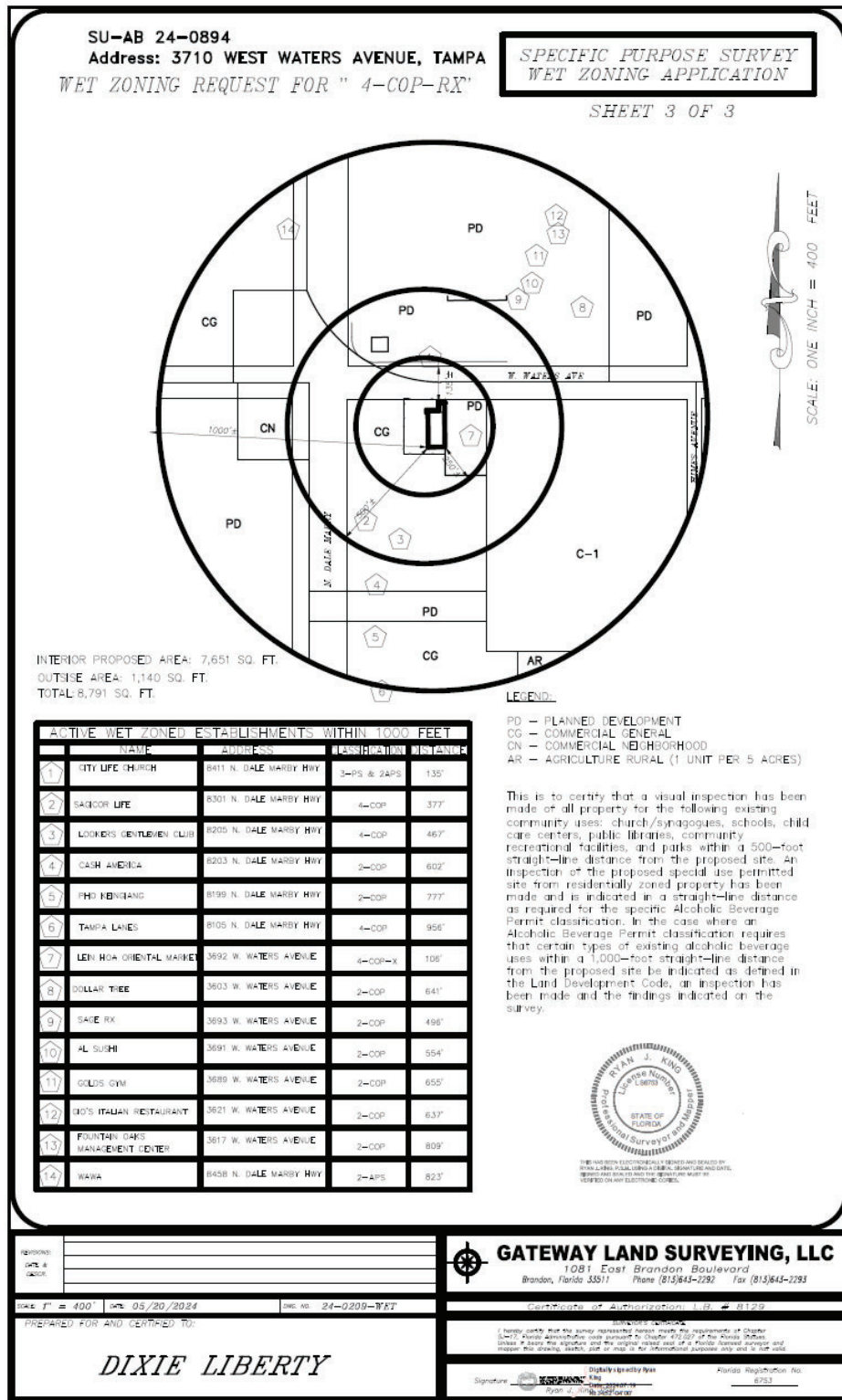


6.0 PROPOSED WET ZONE SURVEY (Page 2)

<p>SU-AB 24-0894  <b>Address: 3710 WEST WATERS AVENUE, TAMPA</b>  <i>WET ZONING REQUEST FOR " 4-COP-RX "</i></p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><i>SPECIFIC PURPOSE SURVEY  WET ZONING APPLICATION</i></p> </div> <p><i>SHEET 2 OF 3</i></p>				
<p><b>DESCRIPTION OF THE AREA TO BE WETZONED:</b></p> <p>A tract of land lying in and being in the Northeast 1/4 of the Northeast 1/4 of Section 28, Township 28 South, Range 18 East, Hillsborough County, Florida, more particularly described as follows:</p> <p>Commence at a point 930.0 feet West and 60.0 feet South of the Northeast corner of the Northeast 1/4 of the Northeast 1/4 of stated Section 28, said point being on the South right-of-way boundary of Waters Avenue (now existings); thence South 11°05'01"West a distance of 14.20 feet to the point of beginning; thence South 00°35'08"East, a distance of 160.78 feet; thence South 89°38'59"West, a distance of 60.72 feet; thence North 00°35'08"West, a distance of 125.99 feet; thence South 89°38'59"West, a distance of 5.66 feet; North 00°35'08"West, a distance of 8.76 feet; North 89°38'59" East, a distance of 44.90 feet; North 00°35'08"West, a distance of 26.03 feet; North 89°38'59" East, a distance of 21.48 feet to the point of beginning.</p> <p>Containing 8,791 square feet, more or less.</p>					
 <p style="font-size: 8px;">THIS HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY: RYAN J. KING, FLA. LICENSE # 198783, DATE: 05/20/2024. ANY CHANGES TO THIS DOCUMENT MUST BE MADE ON ANY ELECTRONIC DEVICE.</p>					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8px;">REVISIONS:</td> <td style="width: 80%;"></td> </tr> <tr> <td style="font-size: 8px;">DATE &amp; BY:</td> <td></td> </tr> </table>	REVISIONS:		DATE & BY:		<div style="text-align: center;">  <p><b>GATEWAY LAND SURVEYING, LLC</b>  1081 East Brandon Boulevard  Brandon, Florida 33511 Phone (813)843-2292 Fax (813)843-2293</p> </div>
REVISIONS:					
DATE & BY:					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8px;">DATE: 05/20/2024</td> <td style="font-size: 8px;">SCALE: 24-0209-1721</td> <td style="font-size: 8px;">Certificate of Authorization: JLR - 81128</td> </tr> </table>		DATE: 05/20/2024	SCALE: 24-0209-1721	Certificate of Authorization: JLR - 81128	
DATE: 05/20/2024	SCALE: 24-0209-1721	Certificate of Authorization: JLR - 81128			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; vertical-align: middle;"> <p>PREPARED FOR AND CERTIFIED TO:</p> <p style="font-size: 1.2em; font-weight: bold;"><i>DIXIE LIBERTY</i></p> </td> <td style="width: 50%; padding: 5px;"> <p style="font-size: 8px;">I hereby certify that this plan represented herein complies with the requirements of Chapter 476.02, Florida Administrative Code pursuant to Chapter 476.021 of the Florida Statutes. I declare a true and correct copy of the original plat and a true and correct copy of this plan and map. I declare under penalty of perjury that the information herein is true and correct.</p> <p style="font-size: 8px;">Signed by: <u>Ryan King</u> Florida Registration No. <u>6753</u></p> <p style="font-size: 8px;">Signature:  Date: <u>05/20/2024</u></p> </td> </tr> </table>		<p>PREPARED FOR AND CERTIFIED TO:</p> <p style="font-size: 1.2em; font-weight: bold;"><i>DIXIE LIBERTY</i></p>	<p style="font-size: 8px;">I hereby certify that this plan represented herein complies with the requirements of Chapter 476.02, Florida Administrative Code pursuant to Chapter 476.021 of the Florida Statutes. I declare a true and correct copy of the original plat and a true and correct copy of this plan and map. I declare under penalty of perjury that the information herein is true and correct.</p> <p style="font-size: 8px;">Signed by: <u>Ryan King</u> Florida Registration No. <u>6753</u></p> <p style="font-size: 8px;">Signature:  Date: <u>05/20/2024</u></p>		
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6.0 PROPOSED WET ZONE SURVEY (Page 3)



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# Written Statement

May 31, 2024

809 Lounge Restaurant & Diner  
3710 W. Waters Ave  
Tampa FL 33614

Requesting a 4cop Rx (Restaurant)  
Folio # 025923-5500

Inside contains	7651	Sq Ft
Outside contains	1140	Sq Ft
	<hr/>	
Total	8791	
	<hr/>	

At this time they have food  
and a 2AB license 19-0804  
Beer & Wine to go. They would  
like to expand to a full  
restaurant selling Beer, wine  
& Liquor. If approved need to  
Withdraw 19-0804

Thank you  
Diane Liberty

(2)

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H2  
Rec 15.00  
Doc 4200.00



**INSTR # 2003273068**

**O BK 12832 PG 0958**

RECORDED 07/09/2003 02:38:56 PM  
RICHARD AKE CLERK OF COURT  
HILLSBOROUGH COUNTY  
DOC TAX PD (F.S. 201.02) 4,200.00  
DEPUTY CLERK P Beckham

THIS INSTRUMENT PREPARED BY  
STEPHEN B. KEYSER, ESQ.  
FERGESON SKIPPER, SHAW, KEYSER  
BARON & TIRABASSI, P.A.  
P.O. BOX 3018, SARASOTA, FL 34230  
FILE NO. 2606/18829 (LOAN F)

Doc. Stamps: \$ 4200.00  
Recording: \$ 15.00

PARCEL ID # U-28-28-18-18-ZZZ-000000-97940.0

Grantee #1 Tax ID # \_\_\_\_\_  
Grantee #2 Tax ID # \_\_\_\_\_

**DEED OF CONVEYANCE**

THIS INDENTURE Is made this 10<sup>th</sup> day of June, 2003, between **HOUGHTON-WAGMAN PARTNERSHIP**, a Florida General Partnership, "Grantor," whose address is 1219 Darlington Oak Circle NE, St. Petersburg, FL 33703, and **HOUGHTON-WAGMAN PARTNERSHIP, LTD**, a Florida Limited Partnership, whose address is 1219 Darlington Oak Circle NE, St. Petersburg, FL 33703, "Grantee."

**WITNESSETH:**

3 That Grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration, to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey to Grantee, and Grantee's successors, heirs, legal representatives and assigns forever, the following described real property, situate, lying and being in **HILLSBOROUGH** County, Florida, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO**

This conveyance is made subject to the following:

Real estate taxes for the current year and subsequent years; Applicable zoning regulations and ordinances; and all other covenants, conditions, restrictions and easements of record, if any.

Mortgage recorded in Official Records Book 8866, Page 217, of the Public Records of Hillsborough County, Florida.

and Grantor hereby covenants with Grantee that Grantor is lawfully seized of said property in fee simple; that Grantor has good right and lawful authority to sell and convey said property; that except as noted above, at the time of the delivery of this Deed, the property was free from all encumbrances made by it, and that it warrants and will defend the same against the lawful claims and demands of all persons claiming by, through or under it, but against none other.

This Deed is given for the purpose of winding up the affairs of the Grantor.

10

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on the day and year first above written.

WITNESSES:

HOUGHTON-WAGMAN PARTNERSHIP,  
a Florida General Partnership

[Signature]  
Name: STEPHEN B. KEYSER

BY: [Signature]  
SCOTT K. WAGMAN, Partner

[Signature]  
Name: TRICIA ANN BARRETT

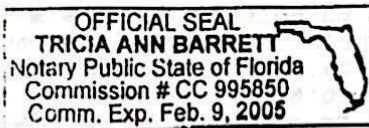
BY: [Signature]  
BETH A. HOUGHTON, Partner

[Signature]  
Name: MARGARET C. LADD

[Signature]  
Name: JULIE FLANAGAN

STATE OF FLORIDA  
COUNTY OF Sarasota

The foregoing instrument was acknowledged before me on June 10, 2003, by **SCOTT K. WAGMAN**, as General Partner of **HOUGHTON-WAGMAN PARTNERSHIP**, a Florida General Partnership, on behalf of the Partnership [ ] who is (are) personally known to me or [ ] who has produced \_\_\_\_\_ as identification.



[Signature]  
Name: \_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_  
Serial Number (if any) \_\_\_\_\_  
Commission Expiration Date \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me on 13th JUNE, 2003, by **BETH A. HOUGHTON**, as General Partner of **HOUGHTON-WAGMAN PARTNERSHIP**, a Florida General Partnership, on behalf of the Partnership [] who is (are) personally known to me or [ ] who has produced \_\_\_\_\_ as identification. (11)

[Signature]  
Name: \_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_  
Serial Number (if any) \_\_\_\_\_  
Commission Expiration Date \_\_\_\_\_



EXHIBIT "A"

PARCEL ID # U-28-28-18-18-ZZZ-000000-97940.0

A tract of land lying in and being in the Northeast 1/4 of the Northeast 1/4 of Section 28, Township 28 South, Range 18 East, Hillsborough County, Florida, more particularly described as follows:

Begin at a point 930.0 feet West and 60.0 feet South of the Northeast corner of the Northeast 1/4 of the Northeast 1/4 of stated Section 28, said point being on the South right-of-way boundary of Waters Avenue (now existing); thence South a distance of 200.0 feet along a line 930.0 feet West of and parallel to the East boundary of Section 28; thence North  $89^{\circ}45'57''$  West, a distance of 151.50 feet along a line 260.0 feet South of and parallel to the North boundary of Section 28; thence North  $00^{\circ}18'07''$  East, a distance of 200.0 feet along a line parallel to the centerline of right-of-way of Dale Mabry Highway (said line being the same as described in Deed Book 1951, on page 371); thence South  $89^{\circ}45'57''$  East, a distance of 149.13 feet along the South right-of-way boundary of Waters Avenue to the Point of Beginning. Subject to an easement over the West 30.0 feet of the above described for ingress and egress.

A 30 foot ingress and egress easement over and across the following described parcel of land:

Begin at the Northeast corner of the Northeast 1/4 of the Northeast 1/4 of Section 28, Township 28 South, Range 18 East, Hillsborough County, Florida; thence South a distance of 60.0 feet to a point on the South right-of-way boundary of Waters Avenue; thence North  $89^{\circ}45'57''$  West along stated South boundary a distance of 1079.13 feet; thence South  $00^{\circ}18'07''$  West, a distance of 170.0 feet for a Point of Beginning of 30.0 feet ingress and egress easement; thence continue South  $00^{\circ}18'07''$  West, a distance of 30.0 feet; thence North  $89^{\circ}45'57''$  West, a distance of 182.00 feet to the East right-of-way line of Dale Mabry Highway; thence North  $00^{\circ}18'07''$  East along the East right-of-way boundary of Dale Mabry Highway a distance of 30.0 feet; thence South  $89^{\circ}45'57''$  East, a distance of 182.0 feet to the Point of Beginning.

(12)





Hillsborough County Florida Development Services

Property/Applicant/Owner Information Form

Official Use Only
Application No:
Hearing(s) and type: Date:
Intake Date:
Receipt Number:
Intake Staff Signature:

Property Information

Address: 3710 W. Waters Ave City/State/Zip: Tampa FL 33614
TWN-RN-SEC: 28/28/18 Folio(s): 0259213-300 Zoning: CG Future Land Use: CO-20 Property Size: 4452 SF

Property Owner Information

Name: Scott K. Wagman - President HW Properties Ltd Daytime Phone: 727-409-2813
Address: 1128 42nd Ave NE City/State/Zip: St Petersburg, FL 33703
Email: scott@hwproperties.biz Fax Number: 727-822-7183

Applicant Information

Name: Amado Camilo Daytime Phone: 813-486-0038
Address: 3710 W. Waters Ave City/State/Zip: Tampa, FL 33614
Email: Fax Number:

Applicant's Representative (if different than above)

Name: Dixie Liberty Daytime Phone: 813-817-808
Address: 200 Adams Ave City/State/Zip: Hopkinsville, KY 42240
Email: Dixie.liberty@hotmail.com Fax Number:

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.
Signature of the Applicant: Amado Camilo
Type or print name

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.
Signature of the Owner(s) - (All parties on the deed must sign)
Type or print name

(2)

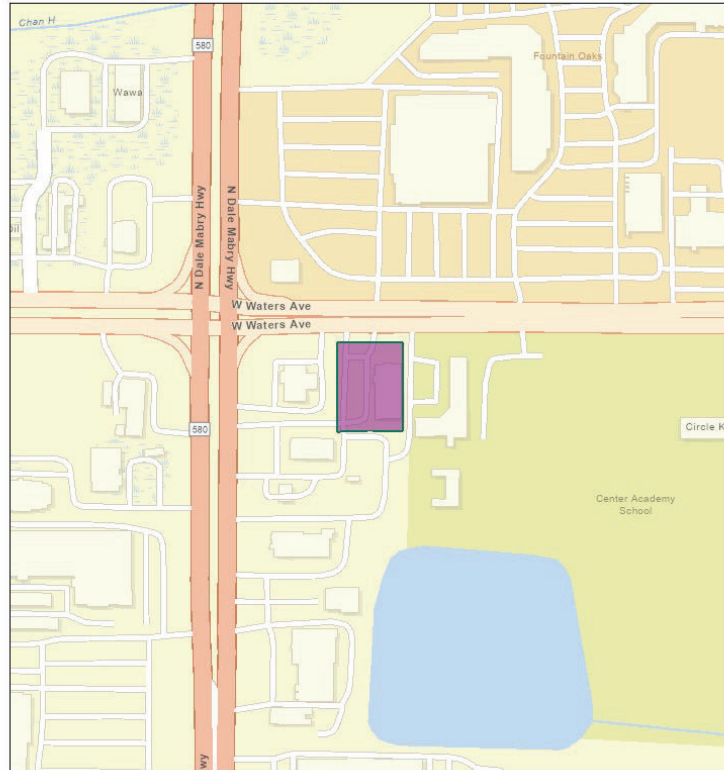




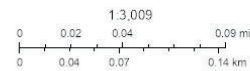
# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Commercial/Office/Industr
Zoning	CG
Description	Commercial - General
RZ	
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0194H
FIRM Panel	12057C0194H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	A
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120195D
County Wide Planning Area	Egypt Lake
Census Data	Tract: 011902 Block: 1010
Future Landuse	OC-20
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 10
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	150' AMSL
Competitive Sites	NO
Redevelopment Area	NO

Folio: 25923.5500



June 3, 2024



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Hillsborough County Florida

**Folio: 25923.5500**  
**PIN: U-28-28-18-ZZZ-000000-97940.0**  
**Houghton-Wagman Partnership Ltd**  
**Mailing Address:**  
 1128 42nd Ave Ne  
 null  
 Saint Petersburg, Fl 33703-5238  
**Site Address:**  
 3710 W Waters Ave  
 Tampa, Fl 33614  
**SEC-TWN-RNG: 28-28-18**  
**Acreage: 0.706967**  
**Market Value: \$997,201.00**  
**Landuse Code: 1130 Store/shp Cente**

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.

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