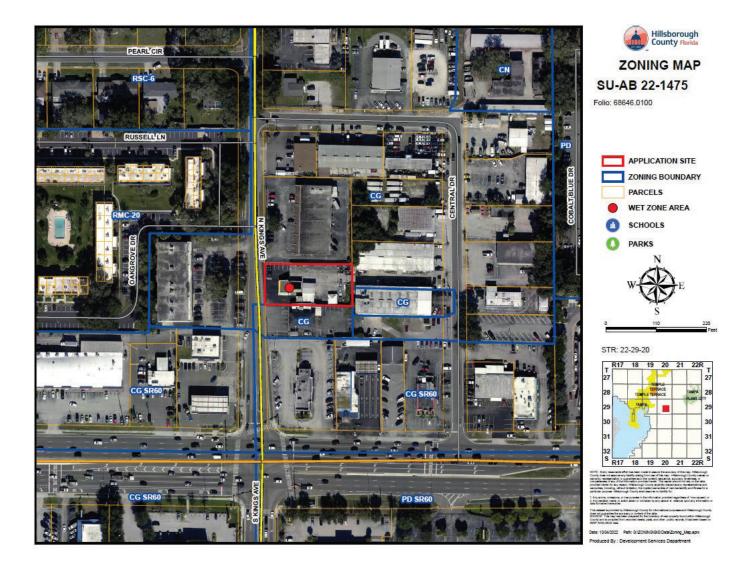


Land Use Application Summary Report

Application Number:	SU-AB 22-1475	Adjacent Zoning and Land Use	
Danuart	2-COP AB Permit with	North:	CG (Commercial General)
Request:	Distance Separation Waiver	South:	CG (Commercial General)
Comp Plan Designation:	OC-20 (Office Commercial)	East:	CG (Commercial General)
Service Area:	Urban Service Area	West:	CG (Commercial General)



APPLICATION: SU-AB 22-1475

CASE REVIEWER: Tim Lampkin, AICP **LUHO HEARING DATE: December 19, 2022**

Request Summary

Pursuant to Land Development Code (LDC) Section 6.11.11, the request is for a distance separation waiver for a 2-COP Alcoholic Beverage Development Permit (AB) for the sale and consumption of beer and wine on and off the permitted premises.

The wet zoning is sought for the Owls Nest located at 109 N. Kings Avenue, Brandon, Florida. The wet zoned area will comprise a footprint of 1,553 square feet of indoor area and 982 square feet of outdoor area for a combined wet zone area of 2,535 square feet as shown on the revised wet zone survey stamped received December 5, 2022.

The property is zoned CG (Commercial, General) which permits the proposed 2-COP establishment, subject to approval of a Conditional Use permit, and consideration of the requested AB permit.

Distance Separation Requirements for a 2-COP AB Permit:

Per LDC Section 6.11.11.D.5, the following distance separation requirements apply to the proposed wet zoning:

- 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 NOT comply with this requirement. The proposed wet zoning is 118 feet from property zoned RMC-20 and developed with multi-family units.
- 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 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. 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** comply with this requirement.

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.

Required Separation from Residentially Zoned Property

The applicant requests a 132-foot reduction to the required separation distance from a residentially zoned property to the west to allow a separation of 118 feet and the **applicant has provided the following justification**:

- Due to the surrounding development the route of travel from the proposed wet zoning to the residential zoned property is 750 feet walking distance, substantially exceeding the required 250-foot distance
- The applicant also notes that there is a 6-foot wooden fence that separates the proposed wet zoning from the residents.

APPLICATION: SU-AB 22-1475

LUHO HEARING DATE: December 19, 2022

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 is approximately 245 feet from the nearest building in the multi-family development for which the waiver is sought, and more than 325 feet from the rest of the buildings. Additionally, the multi-family development has a fence or wall on all sides. (Figure 1)



Figure 1: Residential Development

- The vehicular access driveway for the multi-family development on N. Kings Avenue to the northwest of the
 proposed wet zoning is gated with restricted access. The community's primary access driveway on Brandon
 Boulevard is approximately 1,200 feet from the proposed wet zoning.
- Safe pedestrian travel from the proposed wet zoning to the multi-family development requires walking south to the intersection with Brandon Boulevard to utilize the crosswalk to cross N. Kings Avenue, then proceeding northward for a total distance of some 900 feet. Additionally, access is restricted. (Figure 2)



Figure 2: Pedestrian Path

APPLICATION: SU-AB 22-1475

LUHO HEARING DATE: December 19, 2022

• 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 requirements is negated.

Recommendation:

Staff finds the proposed 2-COP Alcoholic Beverage Permit to be **APPROVABLE**. Approval is based upon the revised wet zone survey reflecting a total wet zone footprint of 2,535 square feet, as shown on the revised wet zone survey received December 5, 2022.

Staff's Recommendation	Approvable
Zoning Administrator's Sign-Off	The see
	t Tue Dec 6 2022 14:51:10

Surveyors notes and report

- THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OR TITLE COMMITMENT AND IS SUBJECT TO ANY DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS AND/OR EASEMENTS OF RECORD. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS OF WAY, AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN.
- THIS MAP DOES NOT DETERMINE OR REFLECT OWNERSHIP OF PROPERTY, BOUNDARY LINES AFFECTED BY ADVERSE USE, LINES OF CONFLICTING DEEDS, OR OTHER LINES THAT MAY OTHERWISE BE DETERMINED BY A COURT OF LAW.
- UNDERGROUND UTILITY LOCATIONS AND IDENTIFICATIONS SHOWN HEREON ARE BASED UPON VISIBLE ABOVE GROUND APPURTENANCES AND DO NOT NECESSARILY SHOW ALL UTILITY LOCATIONS. NO SUBTERRANEAN EXCAVATION HAS BEEN MADE TO DETERMINE UNDERGROUND UTILITY LOCATIONS.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS MADE BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- IS A SPECIFIC PURPOSE SURVEY, CERTIFIED TO ONLY THOSE LISTED AS THE
- 6) HILLSBOROUGH SURVEYING INC. RESERVES THE RIGHT TO REVISIT THE SITE AND REVISE THIS MAP AND OR BOUNDARY AS ANY NEED MAY ARISE , THE FEES (IF WILL BE ASSIST AT THE TIME OF DISCOVERY
- 7) 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 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. findings are indicated on the survey.

DESCRIPTION: A PARCEL OF LAND IN THE SW/4 OF THE SW/4 OF THE SE/4 OF SECTION 22, TOWNSHIP 29 SOUTH, RANGE 20 EAST HILLSBOROUGH COUNTY, FLORIDA BEING MORE PARTICULARITY DESCRIBED AS FOLLOWS

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¼ OF THE SE¼ OF SAID SECTION 22 A DISTANCE OF 333.84 FEET, THENCE
N90'00'00"E A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, THENCE
N00'00'00"W A DISTANCE OF 27.30 FEET, THENCE N90'00'00"E A DISTANCE OF
42.30 FEET, THENCE SOO'00'00"E A DISTANCE OF 1.00 FEET, THENCE
N90'00"E A DISTANCE OF 28 30 FEET, THENCE SOO'0'00"F A DISTANCE OF N9000'00"E A DISTANCE OF 28.30 FEET, THENCE S00'0'00"E A DISTANCE OF 2.50 FEET. THENCE N90°00'00"E A DISTANCE OF 28.00 FEET, THENCE SOO'00'E A DISTANCE OF 24.00 FEET, THENCE N89'00'00"W A DISTANCE OF 25.00 FEET, THENCE NOO'00'00"W A DISTANCE OF 4.50 FEET, THENCE N90"00'00"W A DISTANCE OF 28.30 FEET, THENCE S00"00"00"E 8.30 FEET, THENCE N9000'00"W A DISTANCE OF 26.30 FEET, THENCE N00'00'00"W A DISTANCE OF 4.00 FEET, THENCE N90"00"00"W A DISTANCE OF 19.00 FEET TO THE POINT OF BEGINNING. CONTAINING 2535 SQFT MORE OR LESS

CERTIFICATIONS

ADDRESS 109 N. KINGS AVE. 2535 SQFT ± TO BE WETZONED WET ZONING REQUEST FOR "2-COP"

SURVEYOR'S CERTIFICATION

THE UNDERSIGNED REGISTERED SURVEYOR, HEREBY CERTIFY THAT THE MAP OF SURVEY WAS PREPARED UNDER MY DIRECT SUPERMISION. THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, IS A TRUE AND ACCURATE REPRESENTATION OF THE LAND SHOWN AND DESCRIBED, AND THAT IT MEETS THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA" CHAPTER 5-J 17.050 THRU 17.052, FLORIDA ADMINISTRATIVE CODE (F.A.C).

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



WITH SHEET 2 NOT VALID UNLESS ATTACHED

HILLSBOROUGH SURVEYING, INC

1912 HOLLOWAY ROAD PLANT CITY, FLORIDA 33567 3) 707-9086 (813) 717-9017 FAX TIM OHILLSBOROUGHSURVEYING.COM (813) 707-9086 LICENSED BUSINESS 6582

JOB # OWL SMOKE LAST DATE IN FIELD:

MAPPING DATE: 04/20/2022 PROJECT NAME OWL SMOKE

CREW: WRT

SHEET 1 OF 3

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ZONING REQUEST FOR "2-COP"

N. KINGS AVE. TO BE WETZONED

PRODUCT OF HILLSBOROUGH SURVEYING

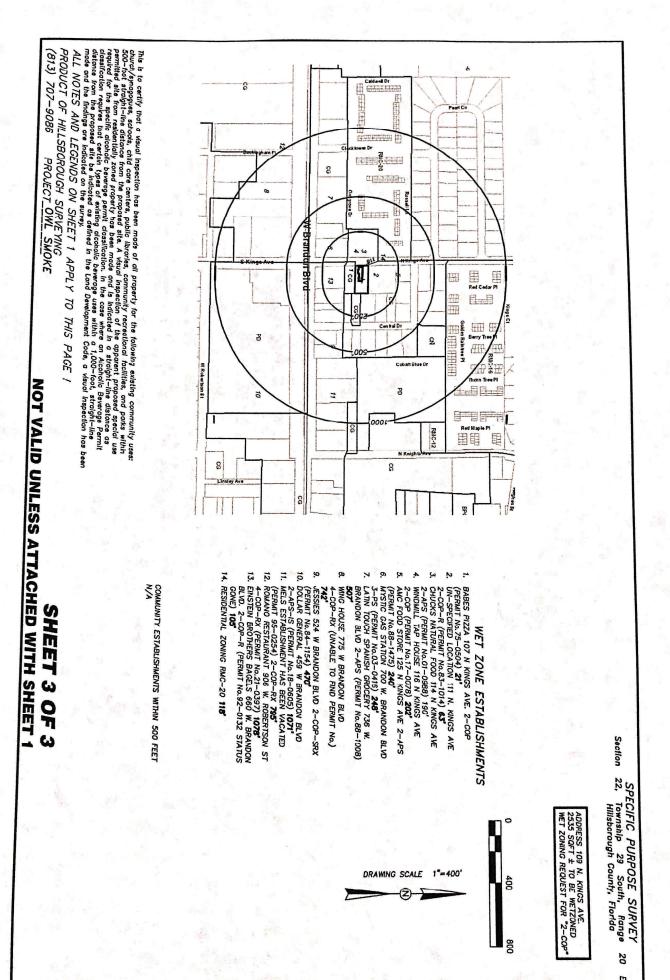
PROJECT_

SMOKE NOT VALID

(813) 707-9086

ALL NOTES AND LEGENDS ON SHEET 1 APPLY TO THIS PAGE!

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Written Statement

Dept 25, 2022

109N Kings Los Brandon, FC 33510

- Réguesting a 2008 Deux, Wine

2008 Alcoholic Beverage premit for Dale 4 consumption of beer 4 wire on 4 off the premitted premises (package Dales)

- Asking In a Wower from residential The residents is 200 feet away asking for 50 feet

- The building contains 2535

Outside patio 705

Unside Seating 933

Oncrete Storage 500

Poncrete Sidewark 218

Total 2535

POP ...

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until you come to Ruseulville
Condo's the warking distance
is 175 feet were oner the 250
feet from Residents.

Me there is a 6' Wooden fine

Also there is a 6'Wooder fine. That also separates from residents to Business.

Soft 3

Prepared by and Return to: Christine E. Spangler Alday-Donalson Title Agencies of America, Inc. 311 Noland Drive - Suite D Brandon, Florida 33511 File Number: 1040707

INSTR # 2004488838 O BK 14503 PG 0759

Pg 0759; (1pg)

RECORDED 12/16/2004 01:54:48 PM CLERK OF COURT HILLSBOROUGH COUNTY DOC TAX PD (F. S. 201. 02) 2,450.00 DEPUTY CLERK F Tecer

This Warranty Deed

Made this December 14, 2004 A.D. By Ernest J. Gehrich and Rhonda L. Gehrich, husband and wife hereinafter called the grantor,

to Robert A Hight, a married man,

whose post office address is: , 112 CENTRAL DRIVE, BRANDON, FLORIDA 33510 hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Hillsborough County, Florida, viz:

Commencing at the Southeast corner of the Southwest 1/4 of Southwest 1/4 of Southeast 1/4 of Section 22, Township 29 South, Range 20 East, Hillsborough County, Florida, run thence North 0° 02' East along East boundary of said Southwest 1/4 of Southwest 1/4 of Southeast 1/4 32.4 feet to North right-of-way line of SR No. 60, Thence North 88° 22' West along said right-of-way line 397.05 feet; thence North 88° 28' 20" West along said right-of-way line 233.1 feet which point is 42.6 feet North and 25.0 feet East of Southwest 1/4 of Southwest 1/4 of Section 22, Township 29 South, Range 20 East, run thence North 270.0 feet for Point of Beginning, thence North 90.0 feet; thence South 88° 22' East 193.54 feet, thence South 0° 2' West 90.0 feet; thence North 88° 22' West 193.19 feet to the Point of Beginning.

SUBJECT TO covenants, restrictions, easements of record and taxes for the current year.

Parcel ID Number: 068646.0100

Together with all 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 grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2004.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and	delivered in our presence:	2	1 800	
Witness Printed Name: Cl	WIND E Spander	Ernes	t J. Gebrich	(Seal)
Witness Printed Name:	Terri Gianino	Rhone	da L. Gehrich	(Seal)
	13	Address	6709 WOODMEADOW LOOP	
Witness Printed Name:	- Chr		BRADENTON, FLORIDA 34202	(Seal)
Wittess Fritted Name:		Address	(AS TO BOTH)	
Witness Printed Name:				(Seal)
		Address		
State of: Florida				
County of Hillsborough				
			the section	
The foregoing instrumen husband and wife, who is	t was acknowledged before me this sare personally known to me or w	s 14th day of Decem ho has produced a v	ber, 2004, by Ernest J. Gehrich and Rho alid drivers license as identification.	nda L. Gehrich,
		CV :+	411	
		Notary Public	Le spanger	
	Christine E. Spangler	Printed Name:	484 V 4 2 2 2 2	
	Notary Public, State Of Florida My Commission Exp. April 14, 07	100	(Seal)	





Property/Applicant/Owner Information Form

Application No: SU-AB 22-1475 Office	lal Use Only
Hardends and Adjourne	Intake Date: 09/27/22
Date:Type:	weeght Houmber:
	Intake Staff Signature: And Ligardo
	ty Information
Address: MANNE AUE	City/State/Zip: Blean on Te 3351/ CG_Future Land Use: Property Size: 17,397
TWN-RN-SEC. 29 20 0686 46 . 0/00 Zoning:	CG Future Land Use: Property Size. 17. 397
	wner Information
Name: U(A)	
37 Address: 11426 Hymnock OAKS CT	_City/State/Zip:_L(Uxx FL 33547
Email: 12AHCORPEACL COM	4 Fax Number 813-655-8195
	Pax Number
Applicar	at Information
Name: Jaroli Casso	Daytime Phone 813-508-94197
Address: 947 Benninger Dr	보다 시기가 없게 있었다면 이 강영하다면서 하는 것이 되었다면 하는 것이 없었다면 하는 것이 없었다면 하다.
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Email: Jarprez a AMAIL. COM	Fax Number
Applicant's Representa	tive (if different than above)
Name: / / / Skelt ly	Paytime Phone
and Alans XDe	City/State/Zip: Hopkersviele Ly 4224
Address: (NO Hours 25) WE	Chystate/Ep.
Email: DIXIELIBERTY@HOTMAIL.COM	Fax Number 1/3 1/7 058
Lileii.	
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! I hereby swear or affirm that all the information	I hereby authorize the processing of this application
provided in the submitted application packet is true	and recognize that the final action taken on this
and accurate, to the best of my knowledge, and	petition shall be binding to the property as well as to the current and any future owners.
authorize the representative listed above to act on my behalf on this application.	and the second of the second s
to accountly beneat on any opposite	The state of the s
1	
Signature of the Applicant	Signature of the Owner(s) – (All parties on the deed must sign)
1 10 0000	Greet High
JOYOK COSSU	Type or print name
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30	f 9



Bob Henriquez Hillsborough County Property Appraiser

https://www.hcpafl.org/ 15th Floor County Ctr. 601 E. Kennedy Blvd, Tampa, Florida 33602-4932 Ph: (813) 272-6100

Folio: 068646-0100

_	
Owner Information	
Owner Name	HIGHT ROBERT A
Mailing Address	112 CENTRAL DR BRANDON, FL 33510-4320
Site Address	109 N KINGS AVE, BRANDON
PIN	U-22-29-20-ZZZ-000002-57110.0
Folio	068646-0100
Prior PIN	
Prior Folio	068646-0000
Tax District	U - UNINCORPORATED
Property Use	2703 AUTO SALES C
Plat Book/Page	
Neighborhood	220002.00 NW Parsons & Hwy 60 Area
Subdivision	ZZZ UNPLATTED

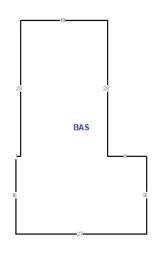
Value Summary	у			
Taxing District	Market Value	Assessed Value	Exemptions	Taxable Value
County	\$236,722	\$221,682	\$0	\$221,682
Public Schools	\$236,722	\$236,722	\$0	\$236,722
Municipal	\$236,722	\$221,682	\$0	\$221,682
Other Districts	\$236,722	\$221,682	\$0	\$221,682

Note: This section shows Market Value, Assessed Value, Exemptions, and Taxable Value for taxing districts. Because of changes in Florida Law, it is possible to have different assessed and taxable values on the same property. For example, the additional \$25,000 Homestead Exemption and the non-homestead CAP do not apply to public schools, and the Low Income Senior Exemption only applies to countywide and certain municipal millages.

Sales Infor	Sales Information							
Book / Page	Instrument	Month	Year	Type Inst	Qualified or Unqualified	Vacant or Improved	Price	
14503 / 0759	2004488838	12	2004	WD	Unqualified	Improved	\$350,000	
13485 / 0071	2004022876	01	2004	WD	Unqualified	Improved	\$350,000	
9765 / 0943	99242012	05	1999	WD	Unqualified	Improved	\$255,000	
9765 / 0941	99242011	05	1999	WD	Unqualified	Vacant	\$100	
7715 / 1367	95072764	04	1995	WD	Unqualified	Improved	\$125,000	

Building Information	
Building 1	
Туре	49 OFFICE <3 STORY
Year Built	1975

rear Duilt		1975					
Building 1 Construction Details							
Element	Code	Construction Detail					
Class	С	Masonry or Concrete Frame					
Exterior Wall	7	Masonry Frm: Stucco					
Roof Structure	4	Truss (Wood/Metal)					
Roof Cover	4	Blt.up Tar & Gravel					
Interior Walls	5	Drywall					
Interior Flooring	7	Tile					
Heat/AC	2	Central					
Plumbing	3	Typical					
Condition	2	Fair					
Stories	1.0						
Units	3.0						
Wall Height	9.00						



Building 1 subarea			
Area Type	Gross Area	Heated Area	Depreciated Value
BAS	936	936	\$35,657
Totals	936	936	\$35,657

Extra Features								
OB/XF Code	Description	Building	Year On Roll	Length	Width	Units	Value	
0260	FENCE CL6	0	1999	0	0	240.00	\$1,368	
0250	FENCE CL4	0	1999	0	0	96.00	\$377	
0060	CONCRETE PAVEMENT	1	1975	0	0	852.00	\$1,726	
0020	ASPHALT PAVING	1	1975	0	0	14,534.00	\$9,156	
0630	UTILITY METAL	1	2005	24	26	624.00	\$7,679	
0520	CANOPY	0	2015	34	18	612.00	\$5,327	
0520	CANOPY	0	2019	14	12	168.00	\$1,462	
0651	SHED NOT PERMANENTLY AFFIXED	0	2019	0	0	1.00	\$0	

Land Inf	ormation						
Use Code	Description	Zone	Front	Depth	Land Type	Total Land Units	Land Value
COH3	Comm Class 8	CG	0.0	0.0	SF SQUARE FEET	17,397.00	\$173,970

Legal Description

COMM AT SE COR OF SAID SEC THN N 0 DEG 02 MIN E 32.4 FT TO N R/W LINE OF SR 60 THN N 88 DEG 22 MIN W 397.05 FT N 88 DEG 28 MIN 20 SEC W 233.1 FT THN N 270 FT TO POB THN N 90 FT THN S 88 DEG 22 MIN E 193.54 FT THN S 00 DEG 2 MIN W 90 FT THN N 88 DEG 22 MIN W 193.19 FT TO POB

