



Hillsborough County Florida

Land Use Application Summary Report

Application Number:	SU-AB 23-0337	Adjacent Zoning and Land Uses:	
Request:	Distance Separation Waiver for a 4-COP Permit	North:	PD 75-0059
		South:	W. Linebaugh Ave. ROW; M and CI
Comp Plan Designation:	RES-6	East:	Plantation Blvd. ROW & PD 75-0059
Service Area:	Urban Service Area	West:	PD 75-0059



ZONING MAP

SU-AB 23-0337

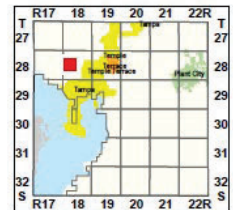
Folio: 23739.0075

- APPLICATION SITE
- ZONING BOUNDARY
- PARCELS
- S SCHOOLS
- P PARKS



0 50 100 Feet

STR: 17-28-18



THIS ZONING MAP AND ALL INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF HILLSBOROUGH COUNTY, FLORIDA. IT IS PROVIDED AS-IS AND WITHOUT WARRANTY OF ANY KIND. HILLSBOROUGH COUNTY MAKES NO REPRESENTATION OR WARRANTY AS TO THE ACCURACY, COMPLETENESS, OR TIMELINESS OF ANY INFORMATION CONTAINED HEREIN. THE USER ASSUMES ALL LIABILITY FOR ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM THE USE OF THIS ZONING MAP. HILLSBOROUGH COUNTY SHALL NOT BE LIABLE FOR ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM THE USE OF THIS ZONING MAP.

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Date: 04/04/2023 Path: Q:\ZONING\GIS\Zoning_Map.aprx
Produced By: Development Services Department

Request Details and Background:

Pursuant to Land Development Code (LDC) Section 6.11.11, the request is for a distance separation waiver for a 4-COP Alcoholic Beverage Permit to allow the sale of beer, wine, and liquor for consumption on and off the permitted premises (package sales). The wet zoning is sought by Thunderbay Bar & Grill located at 4901 W. Linebaugh Avenue. The wet zoned area will comprise 1,925 square feet of indoor area and 621 square feet of outdoor area for a total wet zone area of 2,546 square feet, as shown on the revised wet zone survey received on May 3, 2023.

The proposed wet zoning is located on the west end of a strip shopping center. The property is zoned PD (Planned Development) 75-0059, as most recently modified by PRS (Personal Appearance) 96-0342, which permits the proposed use and consideration of the requested AB permit.

If approved, the proposed wet zoning will replace two existing 2-COP wet zonings on the premises: AB 776 approved in 1980 and AB 986 approved in 1982. The existing wet zonings allow the sale of beer and wine for consumption on and off the permitted premises (package sales) but do not include any outdoor area.

Distance Separation Requirements for a 4-COP AB Permit:

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

1. 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. There are two childcare facilities within 500 feet: 1), Playworld Academy is located 452 southwest of the subject site across Linebaugh Avenue; and, 2) Garden of Talents is located 115 feet east of the proposed wet zone establishment within the same shopping center.
2. 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. There is residentially zoned property developed with single-family homes located 54.7 feet to the west of the proposed wet zoning.
3. 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 and 11-C (Social Club) wet zonings within 1,000 feet of the proposed wet zoning.
 - According to the survey submitted by the applicant, the request **does comply** with this requirement. There are currently not more than three (3) approved wet zonings of the specific types within 1,000 feet.

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 Community Uses

The applicant requests two waivers to community uses as follows: 1) to allow a 385-foot reduction to the required separation distance from the Garden of Talents child care center to allow a distance separation of 115 feet; and, 2) to allow a 48-foot reduction to the required distance separation from the Playworld Academy child care center to allow a distance separation of 452 feet. The applicant has provided the following justification for the waivers:

- The applicant's use is utilizing an establishment with previously approved 2-COP AB permits that last operated as Zach's Olde Tyme Pub, which the applicant seeks to replace with a 4-COP AB.
- The other tenant spaces within the subject property include Kwik Stop (1-APS) in Unit 1 and Mitmia Ethiopian Restaurant (2-COP-R) in Units 4 and 5.
- Garden of Talents childcare is located within the same building as the proposed use, but its occupancy came after the 2-COP and 1-APS uses were established in the shopping center.
- Garden of Talents supported the approval of the alcoholic beverage use at Mitmita Ethiopian Restaurant occupying Units 4 and 5 in the shopping center (SU-AB 18-1511).
- Pedestrian and vehicular traffic for Playworld Academy does not need to traverse the subject property.
- Playworld Academy is located across W. Linebaugh Avenue from the proposed use, which is a 4-lane divided highway

Required Separation from Residentially Zoned Property

The applicant requests a waiver to allow a 195.3-foot reduction to the required separation distance from residentially zoned property to allow a distance separation of 54.7 feet. The applicant has provided the following justification:

- The proposed wet zoning is separated from the residential PD to the east by an 8-foot tall masonry wall, which mitigates noise, dust, odor and light.
- The applicant's use is utilizing an establishment with previously approved 2-COP AB permits that last operated as Zach's Olde Tyme Pub, which the applicant seeks to replace with a 4-COP AB.

Additionally, the applicant is proposing the following conditions for the proposed wet zoning:

1. Outdoor music and/or amplified sound shall be limited to the hours from 11:00 a.m. to 10:00 p.m. Sunday through Thursday, and from 11:00 a.m. to 11:00 p.m. Friday and Saturday.
2. The outdoor consumption of alcoholic beverages shall be limited to the hours from 11:00 a.m. to 10:00 p.m. Sunday through Thursday, and from 11:00 a.m. to 11:00 p.m. Friday and Saturday.
3. The applicant shall install a 6-foot high vinyl fence on the west side of rear outdoor wet zoned area.

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 whether certain circumstances negate the necessity for the specified distance requirements."

- The proposed wet zoning is separated from the single-family homes to the west by an approximately 8-foot-high masonry wall (Figure 1) and the west side of the premises has no windows.
- The single-family homes are located in a subdivision accessed by Chadbourne Drive to the northwest of the proposed wet zoning, resulting in a normal route of travel for automobiles and pedestrians from the subdivision entrance to the front door of the proposed wet zoning of approximately 1,600 feet. Due to the masonry wall on the perimeter of the subdivision, there is not a straight-line route of normal travel between the proposed wet zoning and the homes within the required separation area.
- The proposed wet zoning will replace two 2-COP permits that were established in 1980 and 1982 and in place when the Garden of Talents childcare center began operating in the shopping center. As regulated by the LDC, 2-COP and 4-COP wet zonings are in the same intensity category. Staff recognizes the

existing wet zonings do not include outdoor area in the rear of the building as proposed by the applicant, however, it appears from site inspection that the childcare center does not have an outdoor playground.

Figure 1: Subject Location—Previous Tenant & Western Buffer Wall (Google Maps 5-10-2023)



- The proposed wet zoning is separated from the Garden of Talents childcare center by a four-lane divided roadway with a crosswalk at West Linebaugh Avenue and Plantation Boulevard creating an actual pedestrian distance of over 900 feet. By vehicle the distance would be approximately 700 feet from the proposed AB establishment to Playworld Academy.

Figure 2: Subject Location—Rear Area (Submitted by Applicant, 5/11/2023)



- The applicant has proposed conditions to limit the outdoor consumption of alcoholic beverages from 11:00 a.m. to 10:00 p.m. Sunday through Thursday and 11:00 p.m. on Friday and Saturday. In comparison, the LDC permits the sale and/or consumption of alcoholic beverages on Monday through Saturday from 7:00 a.m. to 3:00 a.m. the next day, and on Sunday from 11:00 a.m. to 3:00 a.m. the next

day. The applicant has also proposed limits on outdoor music/sound and will install a solid 6-foot-high fence on the west side of the outdoor area at the rear of the building, which is relatively small in size.


- Staff has received no objections to the proposed wet zoning from the residents of the neighboring single-family homes or the operators of the two childcare centers.
- For the reasons discussed above, staff generally 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.

2.0 Recommendation:

For the reasons discussed above, staff finds the request to be **APPROVABLE, subject to the recommended conditions below**. Approval is based upon the wet-zone survey indicating a total of 1,925-square-feet of indoor area and 621-square-feet outdoor area for a total area of 2,546-square feet, as shown on the revised wet zone survey received on May 3, 2023.

2.1 Recommended Conditions:

1. Upon approval of SU AB 23-0377, the two existing 2-COP alcoholic beverage permits on the premises, AB 80-0776 and 82-0986, shall be rescinded.
2. The outdoor consumption of alcoholic beverages shall be limited to the hours from 11:00 a.m. to 10:00 p.m. Sunday through Thursday, and from 11:00 a.m. to 11:00 p.m. Friday and Saturday.
3. Outdoor music and/or amplified sound shall be limited to the hours from 11:00 a.m. to 10:00 p.m. Sunday through Thursday, and from 11:00 a.m. to 11:00 p.m. Friday and Saturday.
4. Within 30 days of approval of this Special Use, the applicant shall install a solid 6-foot-high vinyl fence along the entire west side of the wet zoned area at the rear of the building.
5. Use of the sidewalk at the front of the premises for patron seating shall comply with ADA access requirements.

Staff's Recommendation:	Approvable with recommended conditions
Zoning Administrator Sign-off:	 t Mon May 15 2023 11:02:48

SHEET NO. 1 OF 3
SPECIFIC PURPOSE SURVEY
ALCOHOLIC BEVERAGE SURVEY
 (NOT A BOUNDARY SURVEY)
4-COP

DESCRIPTION: A parcel of land lying in Section 17, Township 28 South, Range 18 East, Hillsborough County, Florida, and being more particularly described as follows:

Commence at the Southwest corner of said Section 17, run thence along the South boundary thereof, S.89°21'57"E., a distance of 2095.50 feet; thence N.00°38'03"E., a distance of 100.00 feet, to a point on the North right-of-way line of LINEBAUGH AVENUE; thence continue, N.00°38'03"E., a distance of 98.13 feet; thence S.89°21'57"E., a distance of 54.70 feet, to the POINT OF BEGINNING; thence N.00°38'03"E., a distance of 66.10 feet; thence S.89°21'57"E., a distance of 38.50 feet; thence S.00°38'03"W., a distance of 66.10 feet; thence N.89°21'57"W., a distance of 38.50 feet, to the POINT OF BEGINNING.

Containing 2546 square feet, more or less.

Indoor AB Sales Area = 1925 square feet, more or less.

Outdoor AB Sales Area = 621 square feet, more or less.

Overall AB Sales Area = 2546 square feet, more or less.

"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 feet 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 1000 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 indicated on the survey."

NOTES:

1) See Sheet No. 2 for Sketch. See Sheet No. 3 for Measurements.

Last Date of Field Survey: 02/28/23

This Survey Prepared For: *ThunderBay Bar & Grill*

REVISIONS					
Description	Date	Dwn.	Ck'd	P.C.	Order No.
revise limits	5/02/23	JMG	NN	NN	NNNN

JACK M. GREENE
 LICENSE NUMBER 6506
 STATE OF FLORIDA
 PROFESSIONAL SURVEYOR & MAPPER
Jack M. Greene
 FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6506
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

GeoPoint
Surveying, Inc.

1403 E. 5th Avenue Phone: (813) 248-8888
 Tampa, Florida 33605 Fax: (813) 248-2266
 www.geopointsurvey.com Licensed Business Number LB 7768

Drawn: JMG	Checked: SEC	P.C.: CG	Date:
Date: 2/28/23	Dwg: ThunderBay AB	Order No.: NNNNNN	
Section 17, Township 28 South, Range 18 East			

SHEET NO. 2 OF 3
SPECIFIC PURPOSE SURVEY
ALCOHOLIC BEVERAGE SURVEY
 (NOT A BOUNDARY SURVEY)

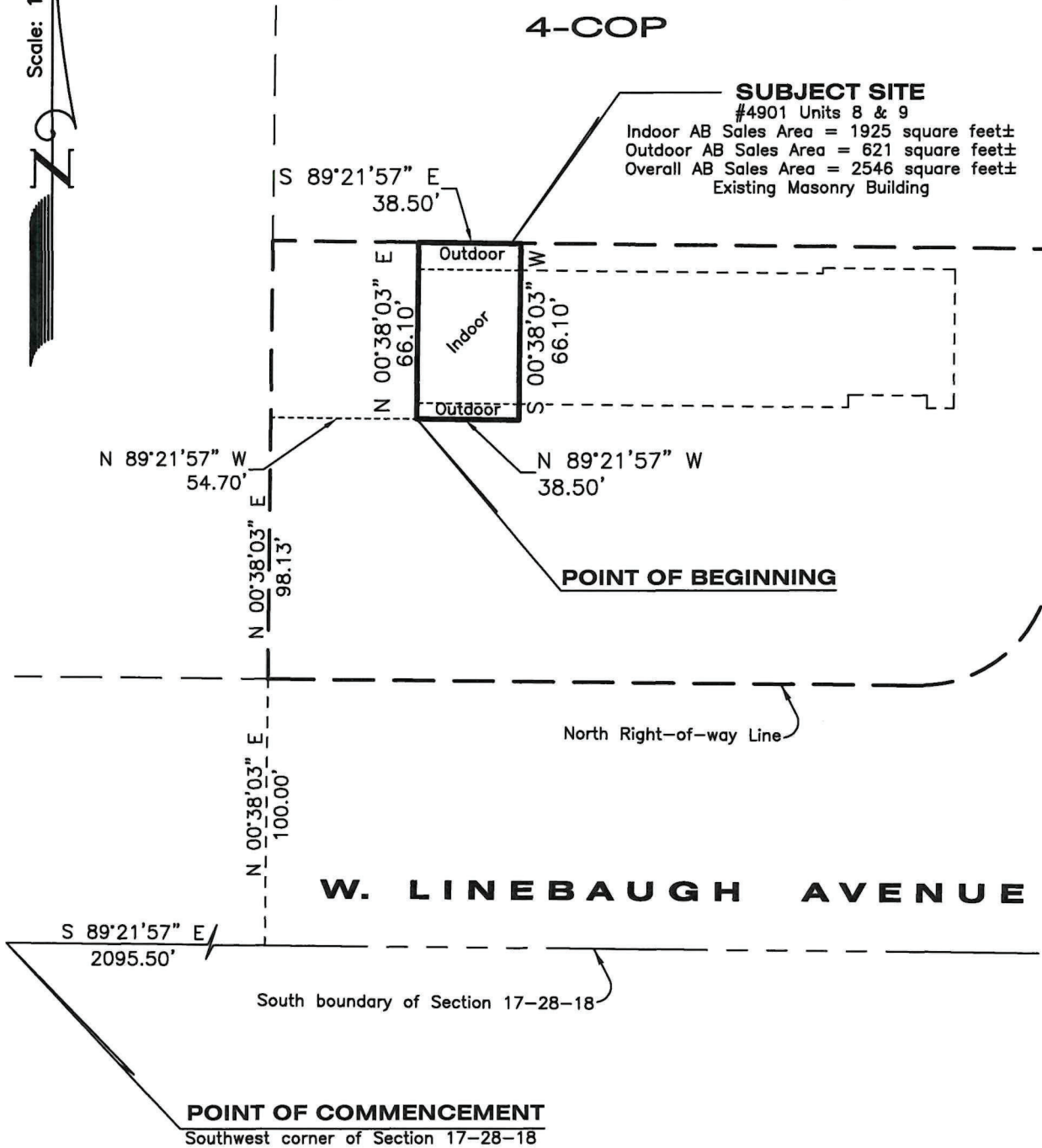
4-COP

Scale: 1" = 60'

PLANTATION BOULEVARD

SUBJECT SITE

#4901 Units 8 & 9
 Indoor AB Sales Area = 1925 square feet±
 Outdoor AB Sales Area = 621 square feet±
 Overall AB Sales Area = 2546 square feet±
 Existing Masonry Building



1) See Sheet No. 1 for Legal Description and Certificate. See Sheet No. 3 for Measurements.

Last Date of Field Survey: 02/28/23

This Survey Prepared For: *ThunderBay Bar & Grill*

REVISIONS					
Description	Date	Dwn.	Ck'd	P.C.	Order No.
revise limits	5/02/23	JMG	NN	NN	NNNN

SURVEYOR'S CERTIFICATE
 This certifies that a survey of the hereon described property was made under my supervision and meets the Minimum Technical Standards set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes.

Jack M. Greene
 FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6506

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

GeoPoint
 Surveying, Inc.

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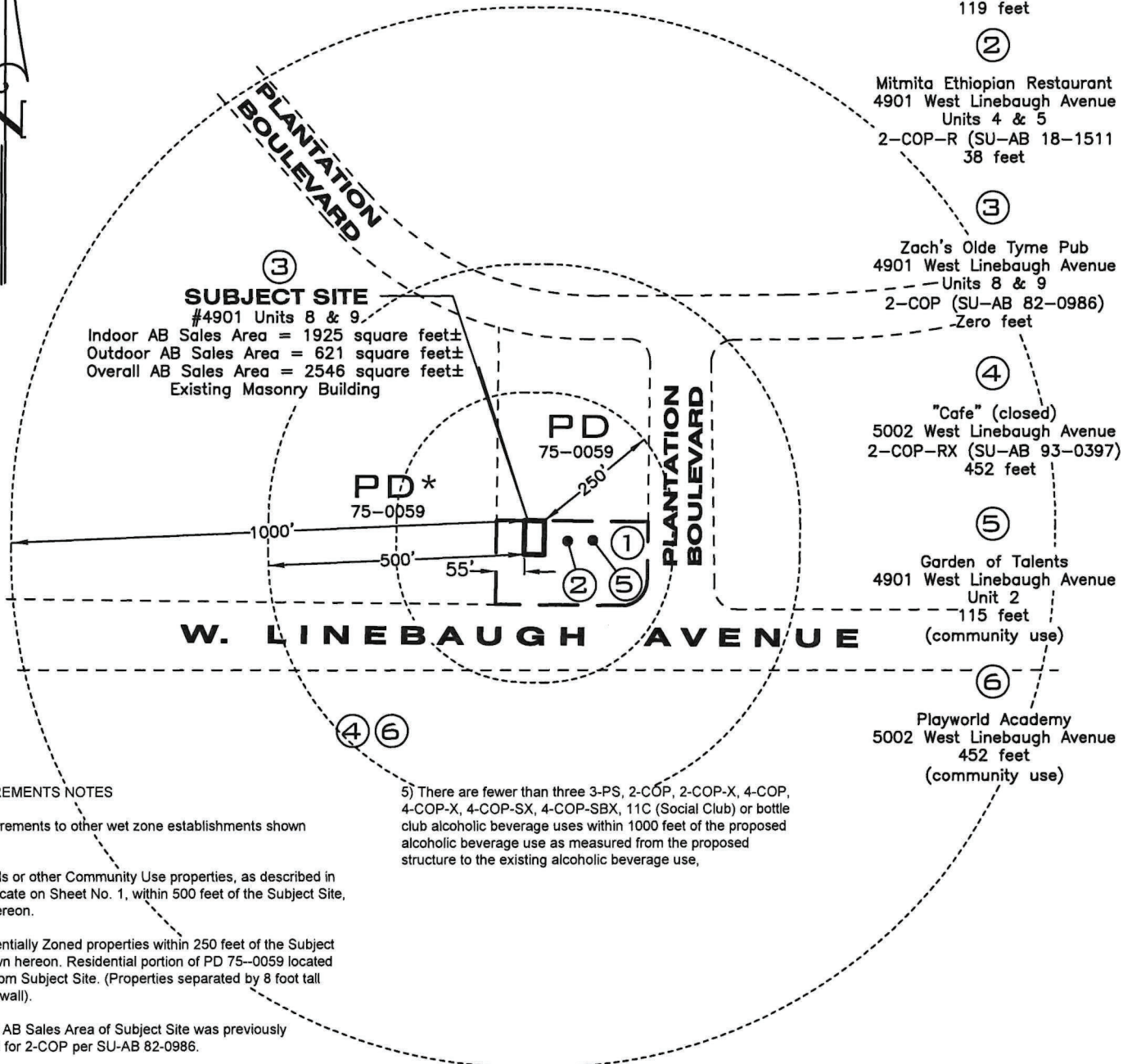
Drawn: JMG	Checked: SEC	P.C.: CG	Date:
Date: 2/28/23	Dwg: ThunderBay AB	Order No.: NNNNNN	
Section 17, Township 28 South, Range 18 East			

SHEET NO. 3 OF 3
SPECIFIC PURPOSE SURVEY
ALCOHOLIC BEVERAGE SURVEY
 (NOT A BOUNDARY SURVEY)
4-COP

RCVD

① 05-03-23

Scale: 1" = 300'



③ SUBJECT SITE
 #4901 Units 8 & 9
 Indoor AB Sales Area = 1925 square feet±
 Outdoor AB Sales Area = 621 square feet±
 Overall AB Sales Area = 2546 square feet±
 Existing Masonry Building

① **Kwik Stop**
 4901 West Linebaugh Avenue
 Unit 1
 1-APS
 119 feet

② **Mitmita Ethiopian Restaurant**
 4901 West Linebaugh Avenue
 Units 4 & 5
 2-COP-R (SU-AB 18-1511)
 38 feet

③ **Zach's Olde Tyme Pub**
 4901 West Linebaugh Avenue
 Units 8 & 9
 2-COP (SU-AB 82-0986)
 Zero feet

④ **"Cafe" (closed)**
 5002 West Linebaugh Avenue
 2-COP-RX (SU-AB 93-0397)
 452 feet

⑤ **Garden of Talents**
 4901 West Linebaugh Avenue
 Unit 2
 115 feet
 (community use)

⑥ **Playworld Academy**
 5002 West Linebaugh Avenue
 452 feet
 (community use)

MEASUREMENTS NOTES

- 1) Measurements to other wet zone establishments shown hereon.
- 2) Schools or other Community Use properties, as described in the certificate on Sheet No. 1, within 500 feet of the Subject Site, shown hereon.
- 3) Residentially Zoned properties within 250 feet of the Subject Site shown hereon. Residential portion of PD 75-0059 located 55 feet from Subject Site. (Properties separated by 8 foot tall masonry wall).
- 4) Indoor AB Sales Area of Subject Site was previously approved for 2-COP per SU-AB 82-0986.

5) There are fewer than three 3-PS, 2-COP, 2-COP-X, 4-COP, 4-COP-X, 4-COP-SX, 4-COP-SBX, 11C (Social Club) or bottle club alcoholic beverage uses within 1000 feet of the proposed alcoholic beverage use as measured from the proposed structure to the existing alcoholic beverage use,

1) See Sheet No. 1 for Legal Description and Certificate. See Sheet 2 for Detail.

Last Date of Field Survey: 02/28/23

This Survey Prepared For: **ThunderBay Bar & Grill**

REVISIONS					
Description	Date	Dwn.	Ck'd	P.C.	Order No.
revise limits	5/02/23	JMG	NN	NN	NNNN

SURVEYOR'S CERTIFICATE

This certifies that a survey of the hereon described property was made under my supervision and meets the Minimum Technical Standards set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Jack M. Greene
 FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6506

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

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Phone: (813) 248-8888
 Fax: (813) 248-2266
 Licensed Business Number LB 7768

Drawn: JMG	Checked: SEC	P.C.: CG	Date:
Date: 2/28/23	Dwg: ThunderBay AB	Order No.:	

Section 17, Township 28 South, Range 18 East



**JOHNSON
POPE**
BOKOR
RUPPEL &
BURNS, LLP

COUNSELORS AT LAW

TAMPA ■ CLEARWATER ■ ST. PETERSBURG

Craig A. Taraszki, Esq.
490 1st Avenue South, Suite 700
St. Petersburg, Florida 33701
Telephone: (727) 999-9900
Email: CraigT@JPFirm.com

File No. 076373.157701

March 27, 2023

VIA E-MAIL ONLY

ZoningIntake-DSD@HCFLGov.net
Development Services
Hillsborough County

Re: **Special Use Alcoholic Beverage with Waiver**
Thunderbay Bar & Grill
4901 W. Linebaugh Avenue, #108-109
Folio 23739-0075

On behalf of our client, Thunderbay Bar & Grill (the "Applicant"), please find attached the following documents in support of their request for a Special Use Alcoholic Beverage permit with waiver request:

1. One (1) copy of the completed SU-AB Waiver application (Submittal Requirements, Property/Applicant/Owner Information Form, Property/Project Information Sheet, Identification of Sensitive/Protected Information and Acknowledgment of Public Records, and Distance Waiver Request);
2. One (1) copy of the completed Alcoholic Beverage Verification Application;
3. One (1) copy of the 300-foot Buffer Map prepared by Hillsborough County Property Appraiser's Office dated March 9, 2023;
4. One (1) copy of the 300-foot Buffer Property List prepared by Hillsborough County Property Appraiser's Office dated March 9, 2023;
5. One (1) copy of the 300-foot Buffer Mailing Labels prepared by Hillsborough County Property Appraiser's Office dated March 9, 2023;
6. One (1) copy of Applicant's temporary 4-COP license issued by the Division of Alcoholic Beverages & Tobacco, License No. BEV3900441, dated January 20, 2023;
7. One (1) copy of the 2-COP license issued by the Division of Alcoholic Beverages & Tobacco, License No. BEV3912882, dated September 27, 2022, for Zach's Olde Tyme Pub;
8. One (1) copy of the deed for the subject property, recorded July 17, 2009 as Instrument No. 2009232590;
9. One (1) copy of the Registration of Fictitious Name for "Thunderbay Bar & Grill" filed with the Secretary of State on December 15, 2022;
10. One (1) copy of the Reinstatement of Carla & Ambrose LLC filed with the Secretary of State on November 28, 2022;
11. One (1) copy of the Annual Report for Saad Investment, Inc. filed with the Secretary of State on April 11, 2022;
12. One (1) copy of the Floor Plan for the proposed AB use;
13. One (1) copy of the Alcoholic Beverage Survey prepared by GeoPoint Surveying, Inc. dated February 28, 2023;
14. One (1) copy of the map depicting the travel distance from Chadbourne Village residential subdivision; and

23-0337



Development Services - Hillsborough County
March 27, 2023
Page 2

15. One (1) copy of an aerial photograph extracted from the Hillsborough County Property Appraiser's website depicting the subject property.

The applicant is requesting approval for a new 4-COP AB license for an establishment in the location of a previously approved 2-COP license, which operated under the name Zach's Olde Tyme Pub. A waiver is required due to the proximity of the residential subdivision to the west (Chadbourne Village), which is 43 feet away from the proposed use.

Please confirm your receipt and contact me if you have any questions or require any additional information or documents.

Regards,

JOHNSON, POPE, BOKOR, RUPPEL & BURNS, LLP

Craig A. Taraszki

Attachments

cc: Applicant



Hillsborough County Florida Development Services

601 E. Kennedy Blvd., 19th Floor | (813) 272 5600

Additional / Revised Information Sheet

Application Number: SU-AB 23-0337 Applicant's Name: Thunderbay Bar & Grill

Reviewing Planner's Name: Tim Lampkin Date: 05/02/2023

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): 05/22/2023

Will this revision add land to the project? Yes No

IMPORTANT: If "Yes" is checked on the above, a Revised Application Sheet, Property Information Sheet, Affidavit to Authorize Agent, and additional Deeds must be filed immediately to ensure proper noticing and sign posting requirements are met.

Will this revision remove land from the project? Yes No

The following must be attached to this Sheet.

- Cover Letter with summary of the changes and/or additional information provided. An updated Project Narrative consistent with the changes or additional information provided, if applicable.

Submittal Via:

Email - Note that no follow up paper file is necessary. Files must be in pdf format and minimum resolution of 300 dpi. Maximum attachment(s) size is 15 MB.

Email this sheet along with all the additional/revised submittal items in pdf to: ZoningIntake-DSD@hcflgov.net

For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcflgov.net.

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.

Signature

5/2/2023 Date

FOR OFFICE USE ONLY

- Notification E-Mail Sent Scanned into OPTIX Transmittal Completed

In-Take Completed by:



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 Officer shall consider in connection with each waiver whether special or unique circumstances exist such that 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.

This request does not meet the following locational requirements:

Sec. 6.11.11.D.5.a The distance from the proposed structure to certain community uses shall be 500 feet.

The proposed use is within the same structure as Garden of Talents childcare, which occupies Unit 2 and is approximately 115 to the east. The proposed use is approximately 452 feet from Playworld Academy childcare, located at 5002 W. Linebaugh Avenue, to the west of the proposed use.

The special or unique circumstances that cause the proposed use to not have a significant negative impact on surrounding land uses are:

The proposed use is separated from the residential PD to the east by an 8-foot tall masonry wall, which mitigates noise, dust, odor and light. The proposed use is utilizing an establishment with previously approved AB permit (AB Permit No. 82-0986), last operating as Zach's Olde Tyme Pub. Zach's was approved for a 2-COP permit, while the new establishment is seeking approval of a 4-COP permit. The other tenant spaces within the subject property include Kwik Stop (1-APS) in Unit 1 and Mitmita Ethiopian Restaurant (2-COP-R) in Units 4 and 5. Pedestrian and vehicular traffic for Playworld Academy and the properties within the Chadbourne Village residential subdivision does not need to traverse the subject property.

The circumstances that negate the need for the specified distance requirement are:

Playworld Academy is located across W. Linebaugh Avenue from the proposed use, which is a 4-lane divided highway. The pedestrian or driving distance between Playworld Academy and the proposed use is approximately 800 feet. The Garden of Talents childcare is located within the same building as the proposed use, but its occupancy came *after* the AB uses were established at the subject site (formerly Zach's Olde Tyme Pub) and the Kwik Stop. Garden of Talents also supported the approval of the approval of the alcoholic beverage use at Mitmita Ethiopian Restaurant occupying Units 4 and 5 in the same property (SU-AB 18-1511).

If more than one waiver is required the applicant shall provide a separate Attachment B for each waiver

Prepared by and Return to:
Anne-Marie Barnett
Alday-Donalson Title Agencies of America, Inc.
6171 East Fowler Avenue
Temple Terrace, Florida 33617
File Number: 5-09-0329

This Warranty Deed

Made this July 15, 2009 A.D. By **Zaid Nofal**
hereinafter called the grantor,

to **Saad Investment Inc.**,

whose post office address is: **Post Office Box 290382, Tampa, Florida 33687**,
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 One Million Five Hundred Thousand dollars & no cents, (\$1,500,000.00) 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:

Parcel 1

A Parcel of land lying in Section 17, Township 28 South, Range 18 East, Hillsborough County, Florida; bounded on the South and East respectively for the rights of ways of Linebaugh Avenue (Official Record Book 3220, Page 1859) and South Sugar Mill Drive (Official Record Book 3074, Pages 1146-1149) of the Public Records of Hillsborough County, Florida; more particularly described as follows:

Commence at the Southwest corner of said Section 17, thence along the Southerly boundary of said Section 17, South 89°21'57" East, 2095.50 feet; thence North 00°38'03" East, 100.00 feet to a point on the Northerly right of way boundary of aforementioned Linebaugh Avenue for a point of beginning; thence continue North 00°38'03" East 164.53 feet; thence South 89°21'57" East 294.50 feet to the Westerly right of way boundary aforementioned South Sugar Mill Drive thence along said Westerly right of way boundary South 00°38'03" West 114.53 feet to a point of curvature; thence 78.54 feet along the arc of a curve to the right, said curve having a radius of 50.00 feet and a central angle of 90°00'00", subtended by a chord of 70.71 feet, chord bearing South 45°38'03" West to a point of tangency on Northerly right of way boundary of Linebaugh Avenue; thence along said Northerly right of way boundary North 89°21'57" West 244.50 feet to the Point of Beginning.

SAID PROPERTY DOES NOT WARRANT THE HOMESTEAD PROPERTY OF GRANTOR

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

Parcel ID Number: **023739.0075**

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, 2008.

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:

Witness Printed Name: Ron Donalson
Noor Sathak
Witness Printed Name: Noor Sathak

Zaid Nofal (Seal)
Address: Post Office Box 17361, Tampa, Florida 33682-7361

State of: Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 15th day of July, 2009, by Zaid Nofal, who is/are personally known to me or who has produced a valid drivers license as identification.

 **RONALD M. DONALSON**
Notary Public, State of Florida
My Comm. Expires Oct. 14, 2012
Commission No. #DD822044

[Signature]
Notary Public
Printed Name: _____
(Seal)

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(SU-AB Waiver) Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

Application No: SU-AB 23-0337

Intake Date: 03/28/2023

Hearing(s) and type: Date: 05/22/2023

Type: LUHO

Receipt Number: 254247

Date: _____

Type: _____

Intake Staff Signature: Koshia Rivas

Applicant/Representative: Craig Taraszki Phone: 727-999-9900

Representative's Email: craigt@jpfirm.com

The following information is used by reviewing agencies for their comments and should remain constant, with very few exceptions, throughout the review process. Additional reviews, such as legal description accuracy, compatibility of uses, agency reviews, etc., will still be conducted separately and may require additional revisions.

The following ownership information must be provided and will be verified upon submission initial submittal. If you are viewing this form electronically, you may click on each underlined item for additional information.

Part A: Property Information & Owner Authorization Requirements

Included	N/A	Requirements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Applicant/Owner Information Form</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Affidavit(s) to Authorize Agent</u> (if applicable) NOTE: All property owners must sign either the Application form or the Affidavit to Authorize Agent. If property is owned by a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Sunbiz Form</u> (if applicable). This can be obtained at Sunbiz.org .
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Current Recorded Deed(s)</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Close Proximity Property Owners List</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Legal Description</u> for the subject site
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Fastrack Approval</u> (if applicable)

Additional application-specific requirements are listed in Part B of this packet.



Property/Applicant/Owner Information Form

Official Use Only

Application No: SU-AB 23-0337 Intake Date: 08/28/2023
Hearing(s) and type: Date: 05/22/2023 Type: LUHO Receipt Number: 254247
Date: Type: Intake Staff Signature: Keshia Rivers

Property Information

Address: 4901 W. Linebaugh Ave, #108 & #109 City/State/Zip: Tampa, FL 33624
TWN-RN-SEC: 28S-18E-17 Folio(s): 23739-0075 Zoning: PD Future Land Use: R-6 Property Size: 1.1 acres

Property Owner Information

Name: Saad Investment Inc. Daytime Phone
c/o Nationwide Realty Group
Address: 12220 N. 56th Street City/State/Zip: Tampa, FL 33617
Email: PM@nwr-group.com Fax Number

Applicant Information

Name: Thunderbay Bar & Grill Daytime Phone 813-774-2901 (Luke Miller)
Address: 4901 W. Linebaugh Ave, #108 & #109 City/State/Zip: Tampa, FL 33624
Email: thunderbaybarandgrill@gmail.com (Luke Miller) Fax Number

Applicant's Representative (if different than above)

Name: Craig Taraszki, Esq. Daytime Phone 727-999-9900
Johnson, Pope, Bokor, Ruppel & Burns, LLP
Address: 490 1st Avenue South, Suite 700 City/State/Zip: St. Petersburg, FL 33701
Email: craigt@jpfirm.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: Jacqueline Oliveira Miller
Type of print name: Jacqueline Oliveira - Miller

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.

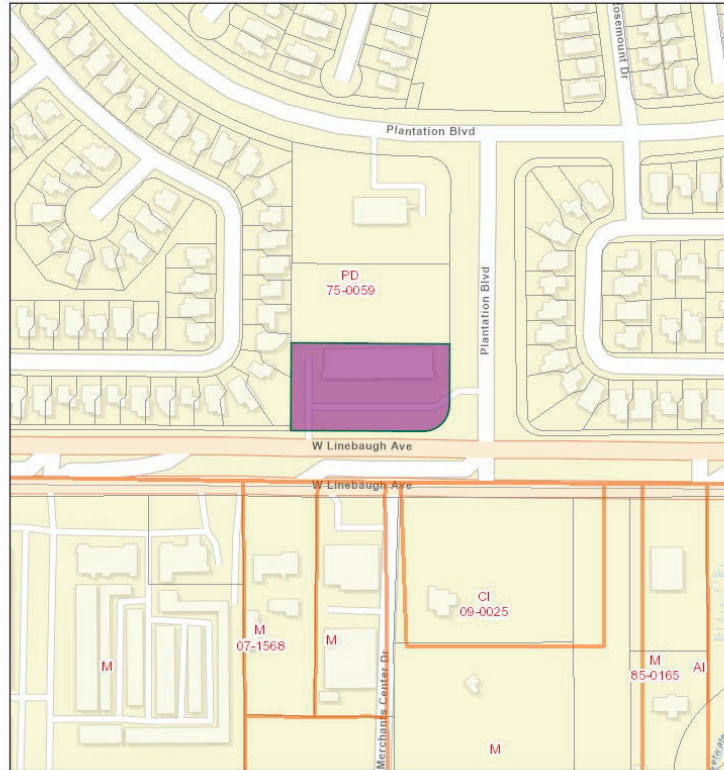
Signature of the Owner(s) - (All parties on the deed must sign): Yasin Saad
Type of print name: Yasin Saad



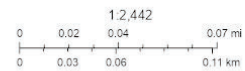
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
INFL	i
Zoning	PD
Description	Planned Development
RZ	75-0059
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0192H
FIRM Panel	12057C0192H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120192D
County Wide Planning Area	Greater Carrollwood Northdale
Community Base Planning Area	Greater Carrollwood Northdale
Planned Development	PD
Re-zoning	null
Note	OLD PD 73-0562
Personal Appearances	96-0342,92-0003,91-0055, 90-0004
Census Data	Tract: 011416 Block: 1011
Future Landuse	R-6
Future Landuse	R-6
Future Landuse	R-6
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	180' AMSL
Aviation Authority	Non-Compatible Use (Schools)
Competitive Sites	NO
Redevelopment Area	NO

Folio: 23739.0075



March 28, 2023



RS: Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Hillsborough County Florida

Folio: 23739.0075
PIN: U-17-28-18-ZZZ-000000-89900.0
Saad Investment Inc
Mailing Address:
 C/o Nationwide Realty Group
 12220 N 56th St
 Tampa, FL 33617-1531
Site Address:
 4901 W Linebaugh Ave
 Tampa, FL 33624
SEC-TWN-RNG: 17-28-18
Acreage: 1.10002995
Market Value: \$1,507,900.00
Landuse Code: 1630 Store/shp Cente

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