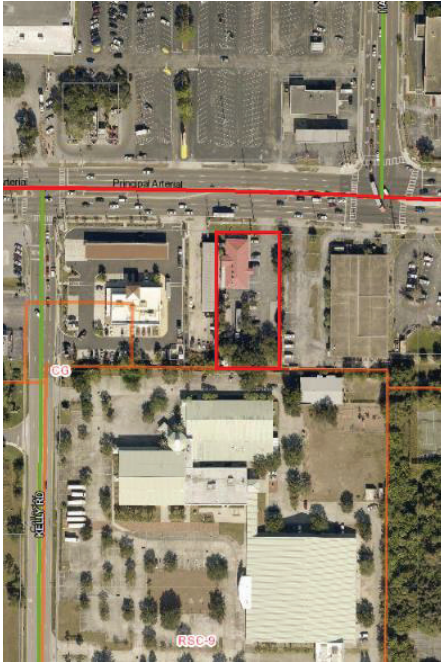


Special Use-Alcoholic Beverage Permit with Waivers Application: SU-AB 23-1011
LUHO Hearing Date: November 20, 20223
Requested Classification: 4-COP-RX



1.0 APPLICATION SUMMARY

Applicant: Foody’s Restaurant, Achilleas Gkaravelis
Zoning: CG
FLU Category: OC-20
Service Area: Urban
Community Plan Area: Town N' Country Focus
Overlay: Hillsborough Avenue Overlay
Special District: None
Use: Restaurant
Total Wet Zone Area Requested: 4,496 square feet
Inside Area Requested: 4,097 square feet
Outside Area Requested: 399 square feet
Location: 7512 W Hillsborough Avenue, Tampa; Folio 9889.0000



Introduction Summary:

Pursuant to Land Development Code (LDC) Section 6.11.11, the request is for a distance separation waiver for a 4-COP-RX Alcoholic Beverage Development Permit (AB) 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 (gross floor area plus covered patio area) 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. These requirements shall not be waived or varied. Notwithstanding, an eating establishment which has 2,500 square feet of service area, is equipped to serve meals to 150 persons at one time and derives at least 51 percent of its gross food and beverage revenue from the sale of food and non-alcoholic beverage may sell or deliver alcoholic beverages in a sealed container for off-premises consumption in accordance with the requirements of F.S. Sections 561.20 and 564.09 and if authorized under its state alcoholic beverage license.

The wet zoning is sought by Foody’s Restaurant. The property is zoned CG (Commercial General), which allows the host use and consideration of the proposed wet zoning.

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			
Existing Alcoholic Beverage Permit Being Rescinded:	No	Existing Alcoholic Beverage Permit Number:	84-1136 (does not overlap)

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	327 feet	173 feet
Community Use:	West Gate Baptist Church of Tampa		

Applicant's Justification:

The proposed alcoholic beverage permit does not have a significant negative impact since there is a fenced wall between the proposed property and the church's property.

In order to access the church from the restaurant, it has to be done through a four-lane road.

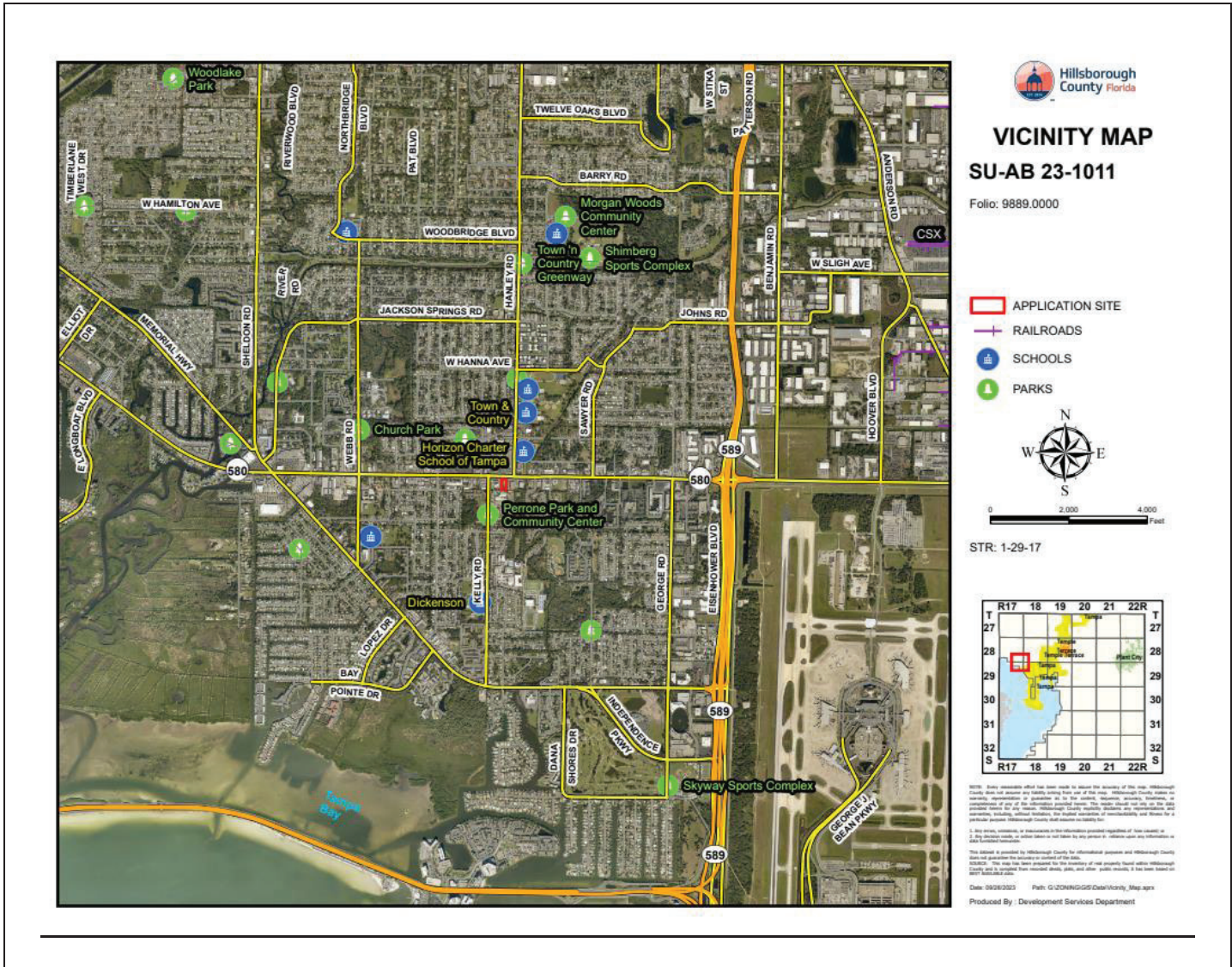
Requested Waiver	Required Separation	Waiver Distance	Resulting Separation
Not Applicable	Choose an item.		

Applicant's Justification:

Not Applicable

3.0 LAND USE MAP SET AND SUMMARY DATA

3.1 Vicinity Map

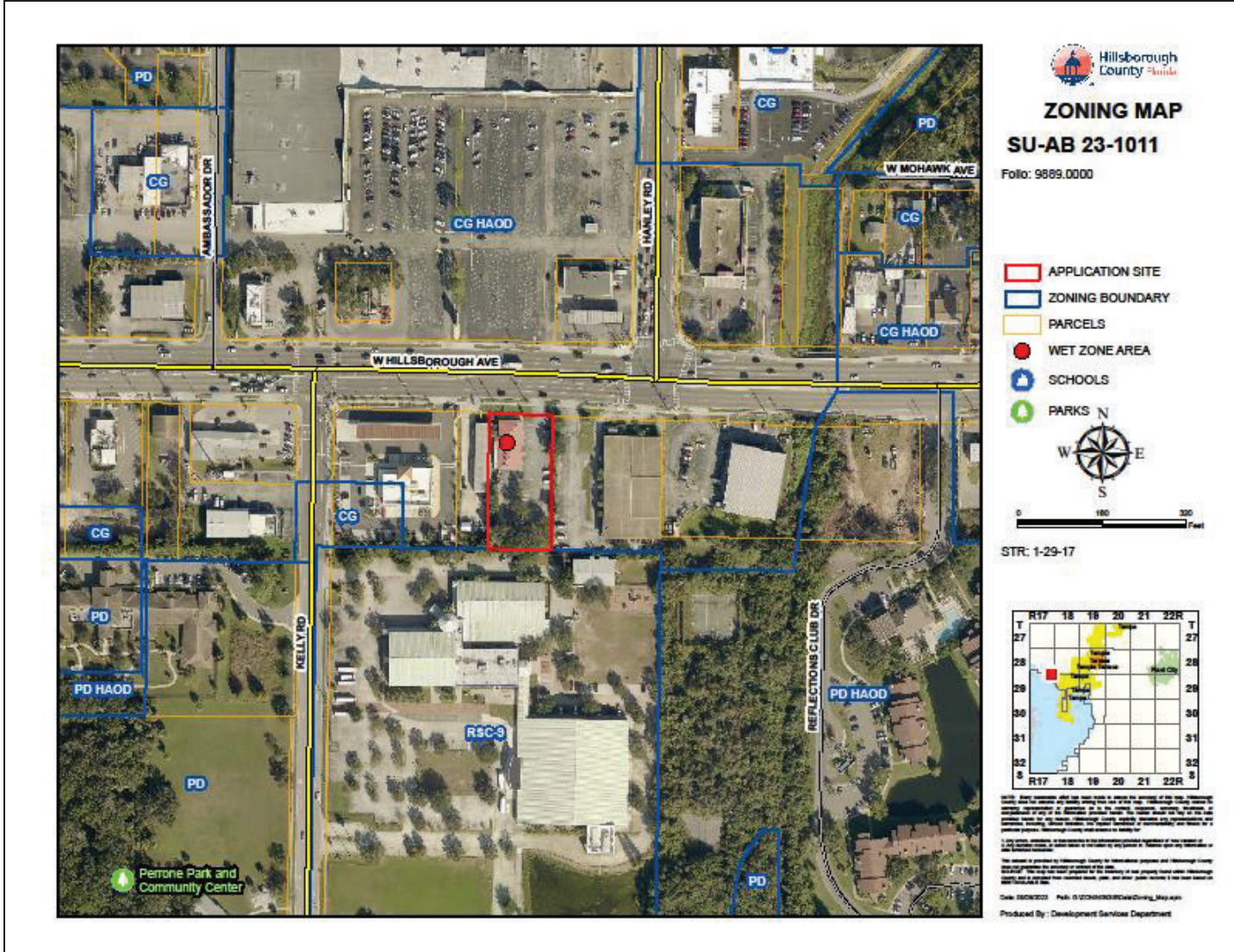


Context of Surrounding Area:

The surrounding area is primarily commercial development along Hillsborough Avenue with some multifamily residential developments. Further to the north and south of Hillsborough Avenue single family residential neighborhoods and residential support uses such as schools, parks and churches exist with access from roads running perpendicular to Hillsborough Avenue.

3.0 LAND USE MAP SET AND SUMMARY DATA

3.2 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Land Use:
North	CG	Hillsborough Avenue, then retail shopping center
South	RSC-9	Church
East	CG	Public service facility
West	CG	Auto repair

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.”

The proposed wet zone area is located on the northern portion of the site, away from the church property. A previous alcoholic beverage approval, 84-1136 for a 2-COP license was approved with a distance separation from the wet zone area to the church building of 99 feet, and separation from the wet zone area to the property line of the church of 41 feet. The building has since been demolished and a new building was built in 2001, located further from the church and closer to Hillsborough Avenue.



View from restaurant property facing south towards church.


Access to the restaurant is directly from Hillsborough Avenue on the north side of the property. The normal route of travel between the proposed wet zone area and the church is over 1,000 feet for vehicular traffic and over 700 feet for pedestrian traffic. There is also a 6-foot-tall chain link fence and wall, as well as a hedge and numerous trees screening the restaurant from the church to the south and preventing any vehicular or pedestrian traffic between the properties along the shared property line.

The proposed wet zoning is located along a principal arterial roadway, Hillsborough Avenue with approximately 121 feet of right-of-way width. Numerous commercial developments exist along Hillsborough Avenue in the vicinity, including convenience stores and numerous wet zoned establishments.

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

5.0 RECOMMENDATION AND PROPOSED CONDITIONS (If Applicable)

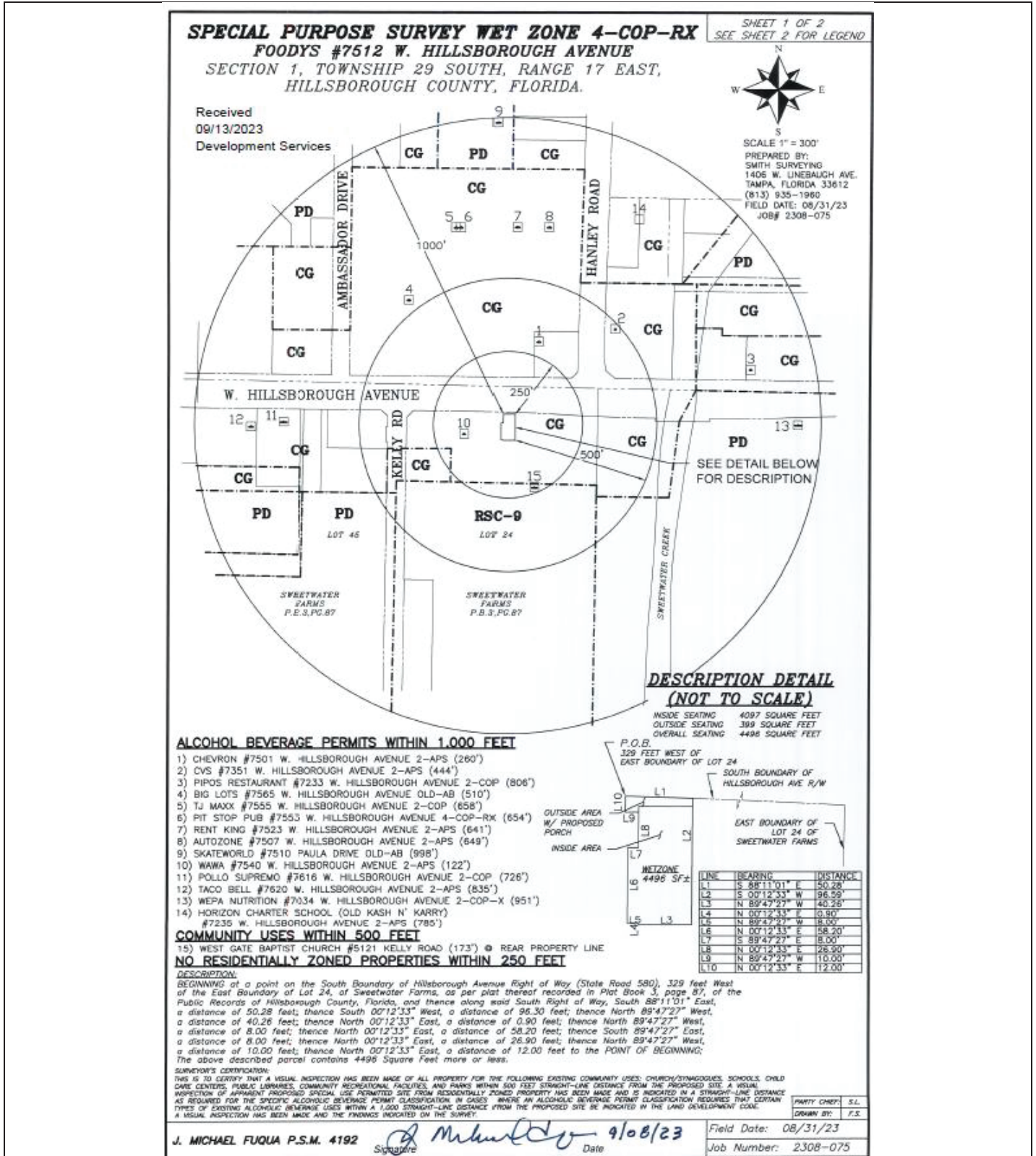
Staff finds the proposed 4-COP-RX Alcoholic Beverage Permit to be **APPROVABLE**. Approval is based upon the wet zone survey reflecting a total wet zone footprint of 4,496 square feet, as shown on the wet zone survey received September 14, 2023.

<p>Zoning Administrator Sign Off:</p>	 <p>Colleen Marshall Tue Nov 7 2023 13:37:55</p>
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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 if Applicable)

SPECIAL PURPOSE SURVEY WET ZONE 4-COP-RX
FOODYS #7512 W. HILLSBOROUGH AVENUE
SECTION 1, TOWNSHIP 29 SOUTH, RANGE 17 EAST,
HILLSBOROUGH COUNTY, FLORIDA.

SHEET 2 OF 2
SEE SHEET 1 FOR SKETCH

Legend

- Petition Prefixes: RZ Rezoning, MM Major Modification, PPS Personal Appearance, SU Special Use, VAR Variance, APP Appeal
Comprehensive Plan Categories: AM Agricultural/Mining, A Agriculture, AR Agriculture/Rural, AE Agriculture Estate, RAs Residential, RP Residential Planned, NBU Neighborhood Mixed Use, Res Residential, SBU Suburban Mixed Use, RAs Residential, CMU Community Mixed Use, RAs Residential, OC Office Commercial, UMI Urban Mixed Use, RMU Regional Mixed Use, RCP Research/Corporate Park, LI Light Industrial, HI Heavy Industrial, EPDF Electrical Power Generation Facility, P Public/Quasi-Public, E Environmentally Sensitive Areas, N Natural Preservation, S Scenic Corridor
Service Areas: USA Urban Service Area, LEA Urban Expansion Area, RSA Rural Service Area
Zoning Districts: AM Agricultural Mining, A Agriculture, AR Agriculture/Rural, AS-0.4 Agricultural, Single-Family Estate, AS-1 Agricultural, Single-Family, ASC-1 Agricultural, Single-Family Conventional, AI Agricultural Industrial, RSC-2 Residential, Single-Family Conventional, RSC-3 Residential, Single-Family Conventional, RSC-4 Residential, Single-Family Conventional, RSC-6 Residential, Single-Family Conventional, RSC-9 Residential, Single-Family Conventional, MH Residential, Single-Family Mobile Home Overlay, RDC-8 Residential, Duplex Conventional, RDC-12 Residential, Duplex Conventional, RMC-6 Residential, Multi-Family Conventional, RMD-9 Residential, Multi-Family Conventional, RMC-12 Residential, Multi-Family Conventional, RMC-16 Residential, Multi-Family Conventional, RMC-20 Residential, Multi-Family Conventional, BPO Business, Professional Office, CR Office Residential, CN Commercial, Neighborhood, CG Commercial, General, CI Commercial, Intensive, M Manufacturing, SB Show Business Overlay, SPI-MC Historic and Cultural Conservation, SPI-RVT Recreational Vehicle & Private Pleasure Craft Residential Overlay, SPI-UC-2 Special Public Interest-University Community, SPI-UC-3 Special Public Interest-University Community, SPI-UC-3 Special Public Interest-University Community, SPI-AP-2 Special Public Interest-Airport, SPI-AP-3 Special Public Interest-Airport, SPI-AP-4 Special Public Interest-Airport, SPI-AP-5 Special Public Interest-Airport, SPI-AP-V Special Public Interest-Airport, SPI-M&B Special Public Interest-North Dole Mobay Overlay, PD Planned Development, PD-C PLANNED DEVELOPMENT COMMERCIAL, IPD-1 Interstate Planned Development, IPD-2 Interstate Planned Development, IPD-3 Interstate Planned Development

Legend table with symbols and descriptions: PC Point of Curvature, PT Point of Tangency, POC Point of Reverse Curvature, POC Point of Compound Curvature, PI Point of Intersection, PI Point, S.C.I.R. Set Copper Iron Rod 1/2" # 6992, F.C.I.R. Found Copper Iron Rod, F.I.R. Found Iron Rod, F.I.P. Found Iron Pipe, F.F.I.P. Found Found Iron Pipe, F.C.M. Found Concrete Monument, S.C.M. Set Concrete Monument, S.W.K. Set P-K Nail & Disk, F.P.K&D Found P-K Nail & Disk, F.P.S. Set Found Railroad Spike, S.G. Set Gage Stake or Set, P.R.M. Permanet Reference Monument, Rgs. Range, R/W Right of Way, R/W Road Fence (RF), P.O.B. (Shut Out Fence (SOF)), P.O.C. Point of Commencement, R.C. Reverse Corner, d/b/s Using Business As

Surveyor's Notes:

- Definitions for Special Use (alcoholic beverages):
1-APS Beer to be sold in sealed containers only for consumption off the licensed premises (package sales). Notwithstanding the provisions of general law, vendors holding retail beverage off-premises sales licenses under State Beverage laws shall be subject to alcoholic beverage regulations of Hillsborough County, Florida (Ch. 81-385 S. 1, Laws of Florida).
2-APS Beer and wine to be sold in sealed containers only for consumption of the licensed premises (package sales).
3-PS Beer, wine and liquor to be sold in sealed containers only for consumption off the licensed premises (package sales).
3-COP Beer and wine for sale and consumption on and off the licensed premises.
2-COP-R Beer and wine for sale and consumption on and off the licensed premises (package sales) in connection with a restaurant. The combined gross sales of the restaurant shall be verified by a bi-annual report to be at least fifty-one (51) percent from the sale of food and non-alcoholic beverages.
2-COP-RX Beer and wine for sale and consumption on the licensed premises only in connection with a restaurant, see (6) above.
4-COP Beer, wine and liquor for sale and consumption on and off the licensed premises (package sales).

UCA-MU UNIVERSITY COMMUNITY AREA - MAIN STREET
UNIVERSITY COMMUNITY AREA -NEIGHBORHOOD OFFICE
UCA-MUO UNIVERSITY COMMUNITY AREA -NEIGHBORHOOD OFFICE DISTRICT

FOODYS RESTAURANT
7512 W Hillsborough Avenue
Tampa, Florida 33615 USA
01(727) 776-2374



E-mail address
eatfoodys@hotmail.com

Website
www.foodtampa.com

9/12/2023

The Project is to apply for a 4-COP-RX alcohol license. Which is : Beer, wine, and liquor for sale and consumption 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 (gross floor area plus covered patio area) 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.

A handwritten signature in black ink, appearing to read "Konstantinos Gkaravelis", written over a horizontal line.

Signature: -

Printed Name: Konstantinos Gkaravelis

Date: 9/12/2023

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This Instrument Prepared by:

TIMOTHY G. HAYES, ESQUIRE
LAW OFFICES OF TIMOTHY G. HAYES
21859 STATE ROAD 54, SUITE 200
LUTZ, FL 33549

Property Appraisers Parcel Identification (Folio) Number(s):

Space Above This Line for Processing Data

Space Above This Line for Recording

QUIT CLAIM DEED

THIS QUIT CLAIM DEED, executed this 13th day of April, 2012, by WILLIAM FOTOPOULOS, first party (Grantor), to: ABC PIZZA OF TOWN AND COUNTRY, INC., a Florida corporation, P.O. Box 1999, Land O'Lakes, FL 34639, second party (Grantee).

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successor and assigns of corporations, wherever the context so admits or requires.)

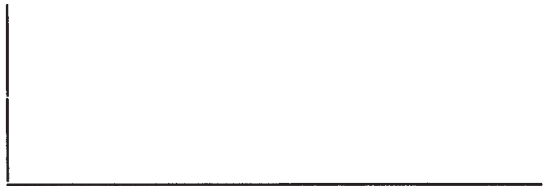
WITNESSETH, that the said first party, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable considerations to said Grantor in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Pasco, State of Florida, to wit:

(See attached Exhibit "A")

NOTE: NO TITLE OPINION GIVEN BY NOR REQUESTED OF THE PREPARER OF THIS DOCUMENT.

Grantor grants and conveys ownership of the described property to Grantee, along with all its right, title, and interest of Grantor in adjacent streets, alleys, and rights-of-way.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second



party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:

Witnesses:

Grantor:

Sign:

Print Name: TIMOTHY G. HAYES

Name:

WILLIAM FOTOPOULOS

Sign:

Print Name: DEBRAH D. MAYWORTH

Address:

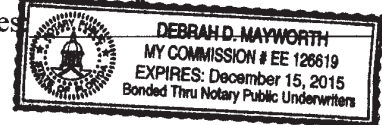
P.O. Box 1999

Land O'Lakes, FL 34639

STATE OF FLORIDA
COUNTY OF PASCO

The foregoing instrument was acknowledged before me this 13th day of April, 2012, by WILLIAM FOTOPOULOS who is () to me personally known, or () who have produced as identification.

Debrah D. Mayworth
NOTARY PUBLIC, STATE OF FLORIDA
My Commission Expires



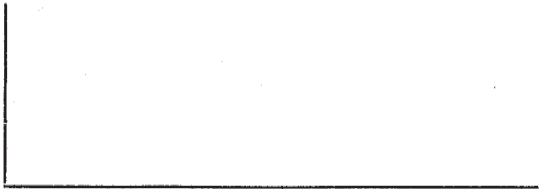


Exhibit "A"

From the intersection of the East boundary of Lot 24, SWEETWATER FARMS SUBDIVISION, as per map or plat thereof as recorded in Plat Book 3, Page 87, of the Public Records of Hillsborough County, Florida, and the South right of way line of Hillsborough Avenue (State Road #580) run West along said right of way line 330 feet to the Point of Beginning, thence run South parallel to said East boundary of Lot 24, a distance of 300 feet, thence East parallel to said right of way line 120 feet; thence North parallel to said East boundary of Lot 24, a distance of 300 feet to said right of way line, thence West 120 feet along right of way line to the point of beginning. Less and Except road right of way deeded to the State of Florida by Deed recorded in Official Record Book 2998, page 433, of the Public Records of Hillsborough County, Florida.

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**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 23-1011 Intake Date: 09/13/2023
 Hearing(s) and type: Date: 11/20/2023 Type: LUHO Receipt Number: 303396
 Date: _____ Type: _____ Intake Staff Signature: Alejandra Prado

Property Information

Address: 7512 W Hillsborough Avenue City/State/Zip: Tampa/FL/33615
 TWN-RN-SEC: 29-17-01 Folio(s): 009889-0000 Zoning: CG Future Land Use: OC-20 Property Size: 0.72 ACRES

Property Owner Information

Name: ABC PIZZA OF TOWN AND COUNTRY/ WILLIAM FOTOPOULOS Daytime Phone _____
 Address: P.O BOX 1999 City/State/Zip: LAND O LAKES/FL/34639
 Email: _____ Fax Number _____

Applicant Information

Name: FOODY'S RESTAURANT/ACHILLEAS GKARAVELIS Daytime Phone 727-776-2374
 Address: 7512 W HILLSBOROUGH AVENUE City/State/Zip: TAMPA/FL/33615
 Email: EATFOODY'S@HOTMAIL.COM Fax Number _____

Applicant's Representative (if different than above)

Name: KOSTANTINOS GKARAVELIS Daytime Phone 727-776-2374
 Address: 7512 W HILLSBOROUGH AVENUE City/State/Zip: TAMPA/FL/33615
 Email: EATFOODY'S@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

Achilleas Gkaravelis
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)

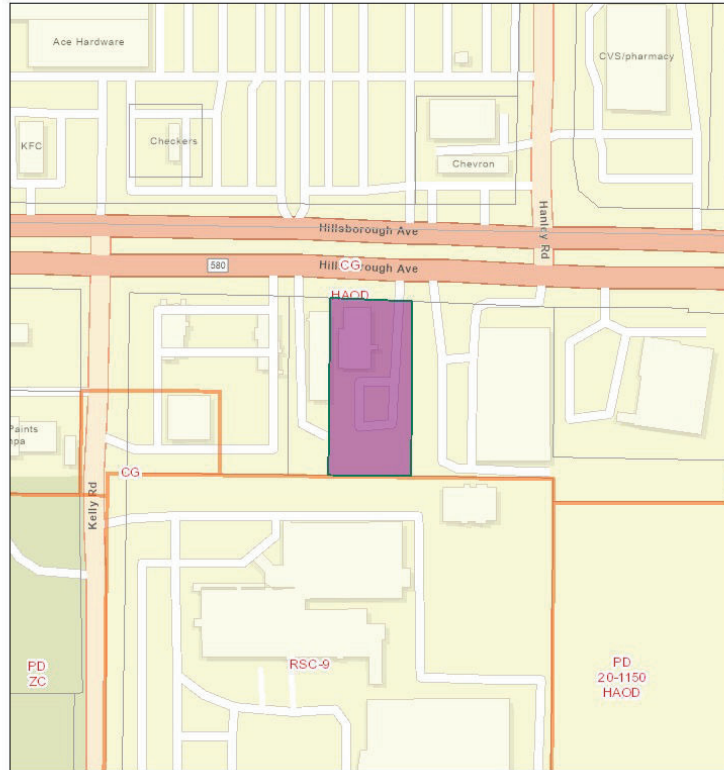
William Fotopoulos
Type or print name



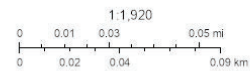
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Commercial/Office/Industr
Zoning	CG
Description	Commercial - General
Overlay	HAOD
Flood Zone:AE	BFE = 9.0 ft
FIRM Panel	0327H
FIRM Panel	12057C0327H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	AE
Pre 2008 Firm Panel	1201120327C
County Wide Planning Area	Town and Country
Community Base Planning Area	Town and Country
Community Base Planning Area	Town and Country Focus Area
Census Data	Tract: 011706 Block: 2000
Future Landuse	OC-20
Future Landuse	OC-20
Future Landuse	OC-20
Urban Service Area	USA
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
Overlay District	SR 580 - Hillsborough Avenue
Aviation Authority Height Restrictions	70' AMSL
Aviation Authority	Landfill Notification Area
Competitive Sites	NO
Redevelopment Area	NO

Folio: 9889.0000



September 14, 2023



RS: Esri Community Maps Contributors, University of South Florida, City of Tampa, County of Pinellas, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, Swiredata, GeoTechnology, Inc, NITELinkUSA, UGC, EPA, NPS, US Census Bureau, USDA

Hillsborough County Florida

Folio: 9889.0000
PIN: U-01-29-17-0EF-000000-00024.6
Abc Pizza Of Town And Country Inc
Mailing Address:
 Po Box 1999
 null
 Land O Lakes, Fl 34639-1999
Site Address:
 7512 W Hillsborough Ave
 Tampa, Fl 33615
SEC-TWN-RNG: 01-29-17
Acreage: 0.71810102
Market Value: \$699,248.00
Landuse Code: 2103 Comm./office

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2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.