



Land Use Application Summary Report

Application Number:	SU 21-0013 AB	Adjacent Zoning and Land Uses:	
Request:	Distance Separation Waiver (Wet-Zoning) for 2-COP-R AB with waivers	North:	AS-1/Church
		East:	PD/ Wetlands then Residential
Comp Plan:	RES-9	South:	PD / Linebaugh Avenue, then Shopping Center
Service Area:	Urban Service Area	West:	PD/ Sheldon Road, then Retail



Project Location Map
SU-AB 21-0013

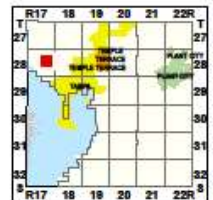
Folio: 4018.0102

Application Site
 Parcels



0 150 300 Feet

STR: 14-28-17



NOTES: Every reasonable effort has been made to ensure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map.

THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

SOURCE: This map has been prepared for the inventory of new property found within Hillsborough County and is composed from recorded deeds, plats, and other public records, a review dated in 2021.

Users of this map are hereby notified that the aforementioned public information is provided for informational purposes only and is not intended for legal or other purposes. Users should consult the official records for verification of the information contained on this map.

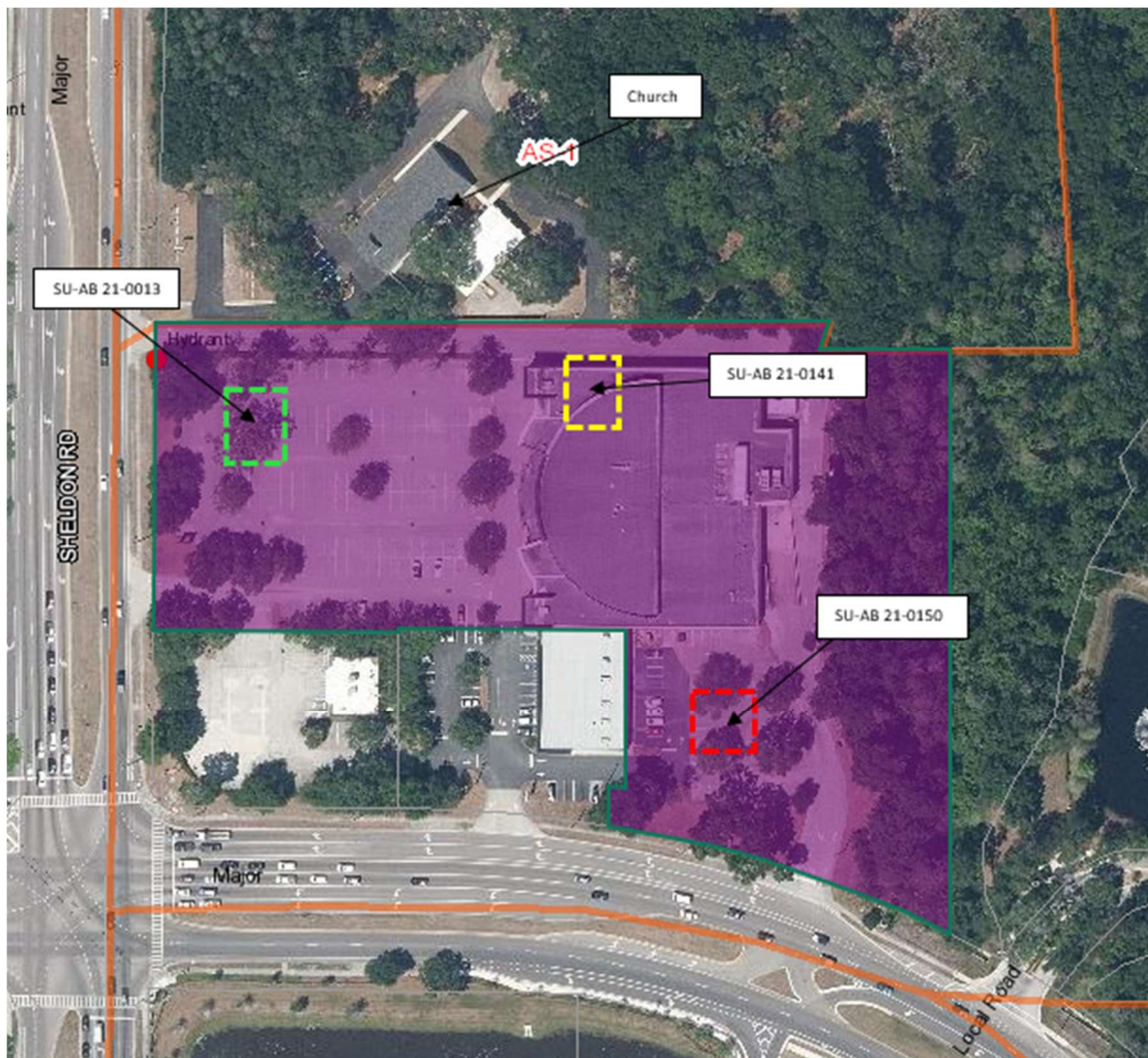
Date: 10/22/2021 File: C:\2021\Hillsborough\GIS\MapData.aprx

Request Details:

Pursuant to Land Development Code (LDC) Section 6.11.11, the request is for a distance separation waiver for a 2-COP-R Alcoholic Beverage Development Permit (AB) for the sale and consumption of beer and wine on and off the permitted premises (package sales) in connection with a restaurant. At least 51 percent of the restaurant's total biannual sales shall be derived from the sale of food and non-alcoholic beverages.

According to the applicant, the proposed wet zoned area will consist of 6,415 square feet for a proposed restaurant. The proposed AB is located within PD zoning on the northeast corner of Sheldon Road and Linebaugh Avenue. The PD zoning permits commercial development and does not prohibit alcoholic beverage sales. If approved, the proposed AB will replace the existing 2-APS permit located within the proposed wet zone area.

Two additional proposed alcoholic beverage permits are proposed on the subject property under SU-AB 21-0141 and SU-AB 21-0150. The approximate locations of the proposed wet zone envelopes are shown below.

**Distance Separation Requirements for 2-COP-R AB Permit**

Per LDC Section 6.11.11.D.2, 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.
2. The distance from the proposed structure to residentially zoned property shall be **150 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 distance separations may be requested by the applicant at a notice public hearing. The hearing officer may consider such requests on the basis of whether special or unique circumstances exist such that the proposed alcoholic beverage use does not pose significant impacts on the surrounding uses, and whether certain circumstances exist such that the necessity for the separation requirement(s) is negated.

Required Separation from Certain Community Uses

Bay Hope Church is located on the adjacent parcel to the north within 500 feet of the proposed AB location. The proposed wet-zoning is located 70.6 feet from the church property line. The applicant requests a 429.4-foot distance separation waiver from the 500-foot separation requirement from certain community uses.

1. Special or unique circumstances that make the specified distance requirements unnecessary.

- **Applicant Response:** The subject site is a part of a larger mixed-use development (PD 98-1529) consisting of Parcel A, a commercial component approved for 65,000 square feet of commercial general uses, Parcel B, a residential component approved for single family dwelling units, and Parcel C, approved for office use. The subject site is located within Parcel A which was recently redeveloped with a Sprouts Farmers Market grocery store. In 2019, the subject site was approved for a 2-APS (SU 19-0677) over the entire area for beer and wine to be sold in sealed containers only for consumption off the licensed premises (package sales). The goal is to redevelop the remainder of the site and revitalize the area. Redevelopment of the site includes the addition of new structures for restaurant and retail uses. As part of the revitalization effort, the property owner wishes to apply for a 2-COP-R permit to accommodate beer and wine for sale and consumption on and off the permitted premises (package sales) in connection with a restaurant in one of the new buildings being constructed. The distance separation reduction request for the 2-COP-R permit is for a 70.6-foot distance separation from Bay Hope Church, which is currently approved at a 0-foot distance separation under the existing 2-APS permit.

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.”

- Bay Hope Church is located on the adjacent parcel to the north of the proposed wet zone area. SU-AB 99-0534 and 99-0535 were approved for a 2-APS and 3-PS alcoholic beverage permit on the subject property in 1999. Both permits were approved with a distance separation waiver to the existing church. SU-AB 19-0677 was approved for a 2-APS alcoholic beverage permit over the entire subject property to allow for flexibility as the parcel was redeveloped, which rescinded the two prior alcoholic beverage permits, and approved a distance separation waiver of 0 feet to the existing church. The location of the Sprouts grocery store has now been approved and specifically located on the site. Additionally, three additional buildings are being constructed on the site for proposed restaurants and retail area. The proposed wet zone area is for a proposed restaurant in one of the new buildings being constructed on site, located 70.6 feet from the church property line, further from the property line than the existing approved 2-APS alcoholic beverage permit.
- Furthermore, the PD conditions require a 30-foot building setback from the north property line and installation of wrought iron fence in combination with the existing wall and a row of evergreen shade trees along that property line. Staff finds these development requirements should provide an adequate buffer between the existing church and proposed wet zone area.

View of wall and screening along northern property boundary



- Due to the buffering/screening and design of the parking lot, straight-line access between the proposed wet zoning and the church is not possible. Staff estimates the shortest route of pedestrian travel to the front to the church buildings is approximately 500 feet, while the shortest route of vehicular travel is more than 600 feet.
- Staff received no objections from the church regarding the proposed separation waiver.


2.0 Recommendation:

For these 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 separation requirements is negated by the circumstances identified above. Therefore, staff finds the request to be **approvable, subject to the condition below**. Approval is based upon the wet-zone survey indicating a total of 6,415 square feet of floor space for the proposed use that was received December 1, 2020.

- Upon approval of Alcoholic Beverage Permit SU-AB 21-0013, the portion of the existing 2-APS Alcoholic Beverage Permit on the parcel, SU-AB 19-0677, that is within the footprint of SU-AB 21-0013 shall be rescinded.

Staff's Recommendation: **Approvable With Conditions**

Zoning
Administrator
Sign-off:

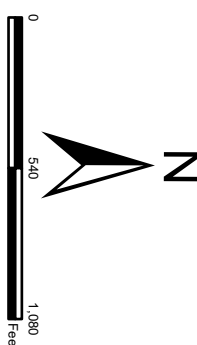

Tom Hiznay
Mon Jan 4 2021 16:20:14

General Aerial
Zoning Map

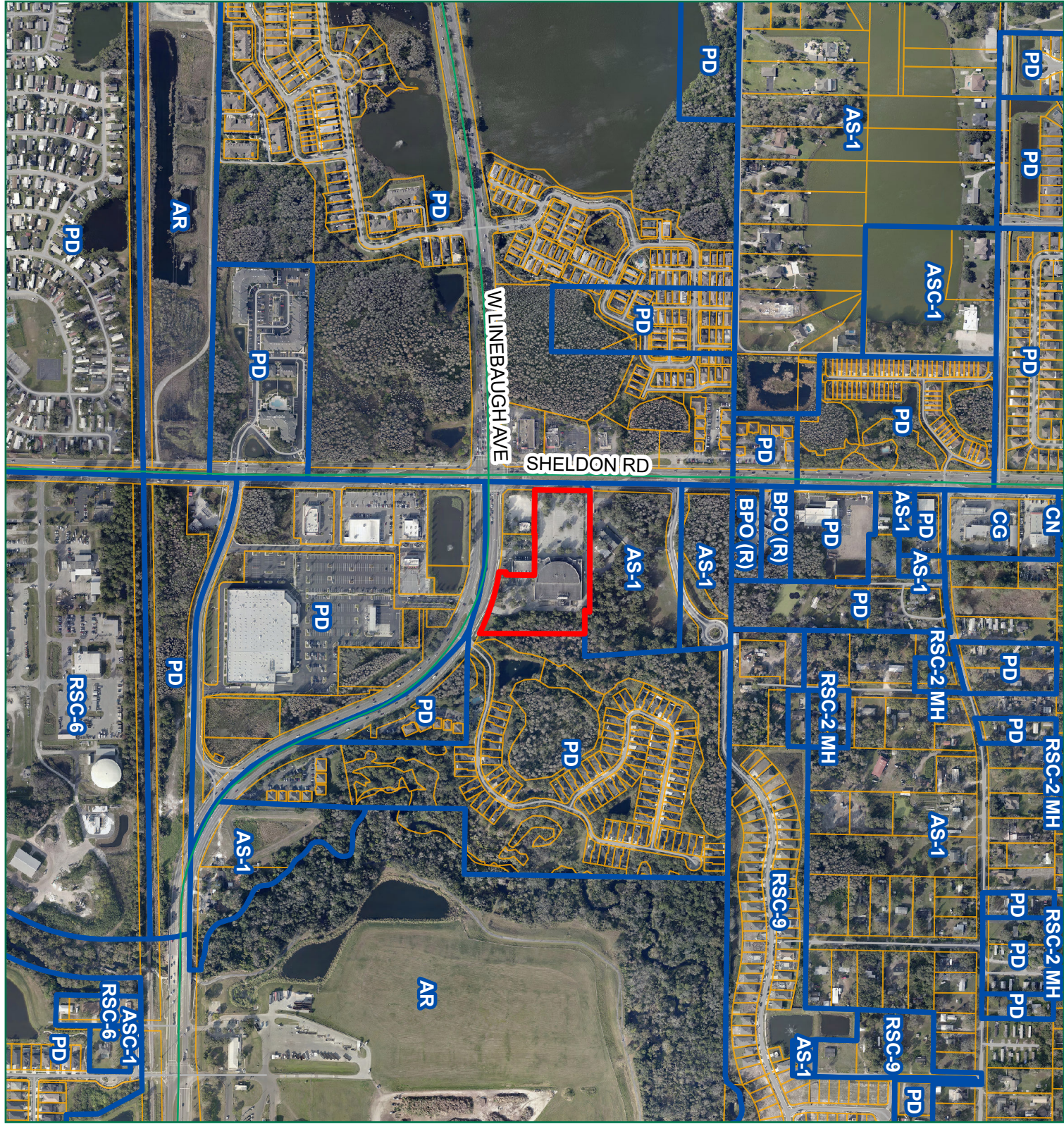
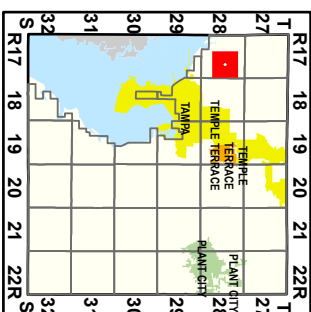
SU-AB 21-0013

Folio: 4016.0102

- Application Site
- Zoning Boundary
- Parcels



STR: 14-28-17



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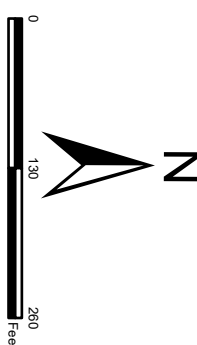
DATE: 10/23/2020 Path: G:\ZONING\GISData\Zoning_Area.aprx

Immediate Aerial
Zoning Map

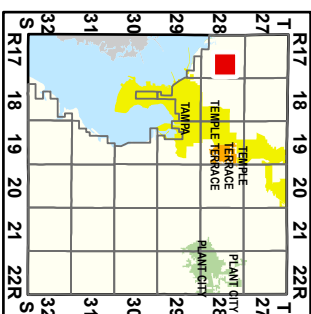
SU-AB 21-0013

Folio: 4016.0102

-  Application Site
-  Zoning Boundary
-  Parcels



STR: 14-28-17



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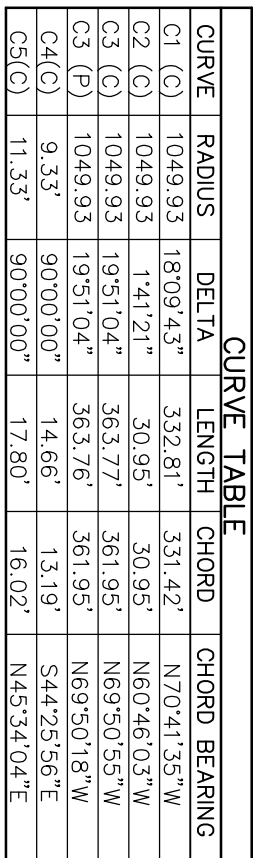
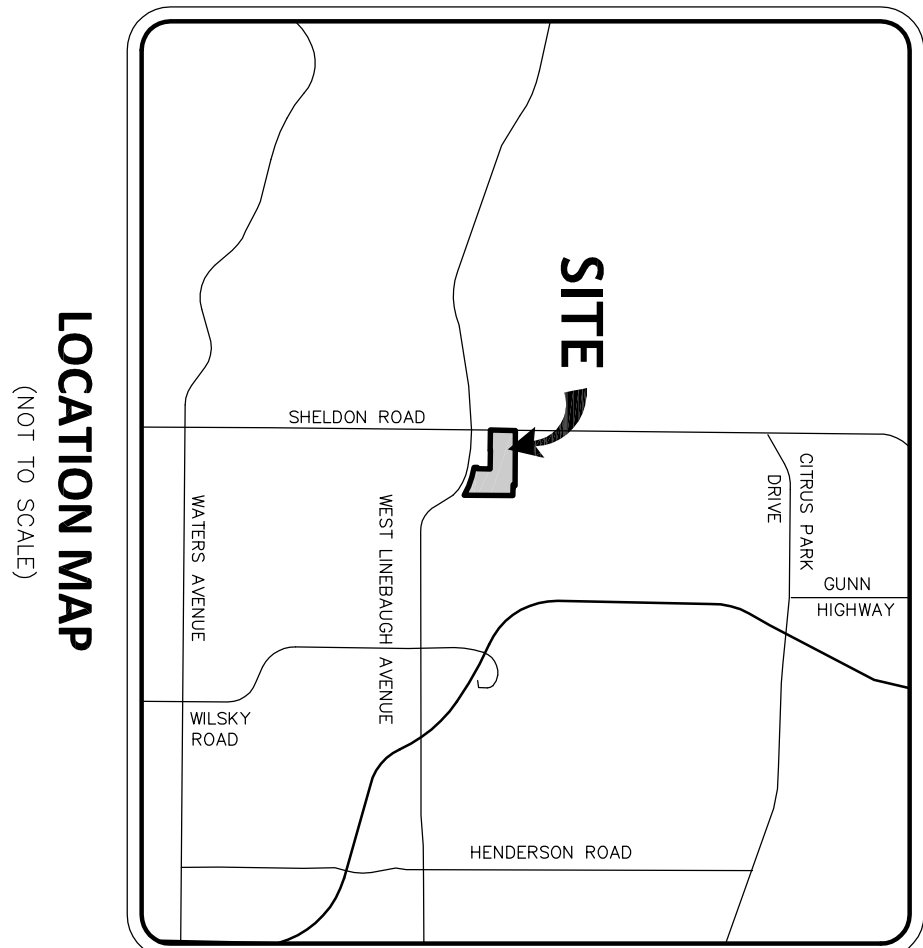
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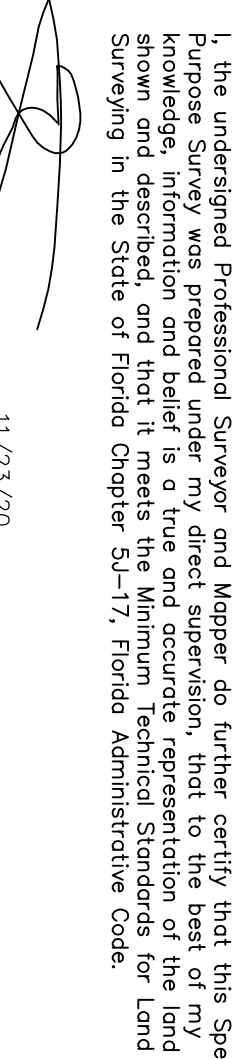
Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

Date: 10/22/2020 Path: G:\ZONING\GIS\Data\Zoning - Site.aprx

SECTION 14, TOWNSHIP 28 SOUTH, RANGE 17 EAST
HILLSBOROUGH COUNTY, FLORIDA



LINE TABLE		
LINE	LENGTH	BEARING
1147	25.91	S272°28'W
1148	25.91	S270°32'W
1149	146.17	S00°54'51"E
1150	146.17	S00°54'51"E
1151	35.66	N00°54'51"E
1152	35.65	N00°54'51"E
1153	35.95	N00°44'56"E
1154	14.43	S89°14'00"E
1155	14.46	S89°15'03"E
1156	144.22	N00°44'56"E
1157	144.22	N00°44'56"E
1158	208.58	N88°21'56"W
1159	208.47	N88°22'04"W
1160	208.47	N88°22'04"W
1161	3.66	S50°45'34"W
1162	3.67	S50°45'34"W
1163	225.17	N88°11'38"W
1164	61.90	S89°49'31"E
1165	53.33	S89°52'55"E
1166	53.33	S89°52'55"E
1167	78.00	S00°34'04"W
1168	74.00	N88°25'56"W
1169	76.00	N00°34'04"E



1. The survey map details are encompassed & stamped with surveyor's seal.
2. Underwritten encroachments such as utilities and foundations, that may exist, have not been located.
3. The survey was prepared without the benefit of a title commitment, The Option or Ownership and Easement Report. Therefore there may be easements, rights of way or other encumbrances that are not shown on the survey that may be located in the Public Records of Hillsborough County.
4. Buildings shown hereon are relative to the official State Plane Coordinate System, West Zone, 1983-2011 NAD 83 DATUM.
5. **IMPROVEMENTS** are recorded in the public. See Page 88 Page 83 the Public Records of Hillsborough County, Florida as being 58.89 degrees 49'39"E.
6. Legal description for the **WEI ZONE PARCEL, BUILDING "C"** prepared by the undersigned surveyor.
7. Legal description for the **PARENT TRACT** is accord with that shown in the Commitment for the Insurance prepared by the Swiss American Insurance Company, Agent for Risk, 10000 North 15th Avenue, Naples, FL 34109-5259 and with an Easement dated 7/20/03 to 6/15/07 Realty, Paradise Group, P/S/N 10000 North 15th Avenue, Naples, FL 34109-5259.
8. The purpose of this survey is to delineate specific business operations for this survey to be utilized as part of the application package to obtain a new WEI zone permit to subdivide parcel.
9. All surveyors' owners name, address and zoning shown hereon obtained from the Hillsborough County Property Appraiser's web site.

Lot 1, less the East 27.06 feet thereof, and all of Lot 4, of SHELTON/LINEBAUGH PARCEL "PLATTED SUBDIVISION - NO IMPROVEMENTS", according to the Plat thereof as recorded in Plat Book 86, Page(s) 33, of the Public Records of Hillsborough County, Florida.

A parcel of land lying within Lot 1, SHELTON/LINEBAUGH PARCEL "PLATTED SUBDIVISION - NO IMPROVEMENTS", as recorded in Plat Book 88 Page 33 of the Public Records of Hillsborough County, Florida and being more particularly described as follows:

[illegible]

Parcel contains 6,415 square feet or 0.15 acres, more or less.

[illegible]

DENNIS J. BENHAM
PROFESSIONAL SURVEYOR & MAPPER
11921 WANDSWORTH DRIVE
TAMPA, FLORIDA 33626
TEL: (813) 403-0220

HALFF ASSOCIATES, INC.
1000 N. ASHLEY DRIVE
SUITE 900
TAMPA, FLORIDA 33602
TEL (813) 620-4500



Additional / Revised Information Sheet

Application Number: _____ Applicant's Name: _____

Reviewing Planner's Name: _____ Date: _____

Application Type:

- | | | |
|---|---|--|
| <input type="checkbox"/> Planned Development (PD) | <input type="checkbox"/> Minor Modification/Personal Appearance (PRS) | <input type="checkbox"/> Standard Rezoning (RZ) |
| <input type="checkbox"/> Variance (VAR) | <input type="checkbox"/> Development of Regional Impact (DRI) | <input type="checkbox"/> Major Modification (MM) |
| <input type="checkbox"/> Special Use (SU) | <input type="checkbox"/> Conditional Use (CU) | <input type="checkbox"/> Other _____ |

Current Hearing Date (if applicable): _____

The following must be attached to this Sheet.

- ☐ Cover Letter with summary of the changes and/or additional information provided. If a revised Site Plan is being submitted, all changes on the site plan must be listed in detail in the Cover Letter.
- ☐ An updated Project Narrative consistent with the changes or additional information provided, if applicable.

Submittal Via:

- ☐ Email (Preferred). Note that no follow up paper file is necessary. Pdf format only. Maximum attachment(s) size is 15 MB.

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

- ☐ Mail or delivery. Number of Plans Submitted: Large _____ Small _____

For PD, MM, PRS and SU: 7 large copies 24"X36", one small 8.5X11".
For RZ-Standard: if plot plan is larger than 8.5"X11", 7 large copies should be submitted.
For Minor Change: 6 large copies.
For Variances or Conditional Use permits: one 8.5"X11" or larger)

Mail to:
Development Services Department
Community Development Division
P.O. Box 1110
Tampa, FL 33601-1110

Hand Deliver to:
County Center
Development Services Department
19th Floor
601 E. Kennedy Blvd., Tampa

I certify that changes described above are the only changes that have been made to the submission. Any further changes will require an additional submission and certification.

Signature

Date

FOR OFFICE USE ONLY

- ☒ Notification E-Mail Sent
☐ Transmittal Completed

- ☒ Scanned into OPTIX

In-Take Completed by: _____ CM

November 23, 2020

Colleen Marshall, AICP, CFM
Principal Planner
Development Services Department
PO Box 1110
Tampa, FL 33601-1110

Ms. Marshall,

Please find herein a revised wetzone survey for application SU-AB 21-0013. The revised request is specifically for Building C on the site plan to have a 2-COP-R alcoholic beverage special use permit on the property with tax folio 4016.0102.

The 2-COP-R is for beer and wine for sale and consumption on and off the permitted premises (package sales) in connection with a restaurant. The wetzone area includes the sidewalk shown on the survey for potential outdoor seating without blocking the sidewalk.

The distance reduction request for the 2-COP-R permit is for a 70.6-foot distance separation from certain community uses (Bay Hope Church), currently approved in the existing 2-APS permit. The original request also included a distance waiver from residentially zoned property, but it is no longer included as Building C is outside of the 150-foot distance requirement.

Sincerely,

Isabelle Albert

Isabelle Albert, AICP

Prepared By/Return To
Robert G. Cochran, Esq.
Macfarlane Ferguson & McMullen
P O Box 1531
Tampa, FL 33601-1531

✓ w/c

INSTR # 2000319174
OR BK 10453 PG 1027
RECORDED 11/03/2000 04:52 PM
RICHARD AKE CLERK OF COURT
HILLSBOROUGH COUNTY
DOC TAX PD(F.S. 201.02) 43,400.00
DEPUTY CLERK B King

Reserved for Clerk

WARRANTY DEED

THIS INDENTURE, made this 31st day of October, 2000, between **TAMPA-SHELDON, LLC, a Maryland limited liability corporation**, whose Tax I D. Number is 52-2173332, and whose mailing address is 147 Old Solomons Island Road, Suite 210, Annapolis, MD 21401, herein "**Grantor**", and **WAVERLY REALTY, LLC, a limited liability company**, whose Tax I D. Number is 58-2572274, and whose mailing address is 2055 Caminito San Nicholas, La Jolla, CA 92037, herein "**Grantee**",

WITNESSETH:

Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10 00), to it in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred, and by these presents does, bargain, sell and transfer unto Grantee and its designees, successors and assigns forever, all that certain real property bearing Parcel I D. Number 3887.0100 and 3887.000, lying and being in the County of **Hillsborough** and State of **Florida**, including all appurtenances thereto (the "**Property**"), more particularly described as follows:

Lot 1, LESS the East 27.06 feet thereof, and all of Lot 4, of SHELDON/ LINEBAUGH PARCEL PLATTED SUBDIVISION-NO IMPROVEMENTS, according to map or plat thereof as same is recorded in Plat Book 86, Page 33, of the Public Records of Hillsborough County, Florida.

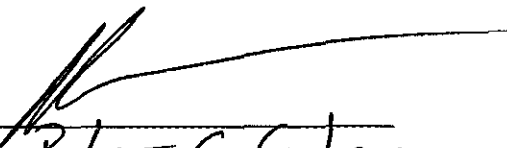
TOGETHER WITH all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining, including without limitation, right in and to various easements for the use of various utilities, and facilities, as set forth in Official Record Book 9840, Page 451, Official Record Book 10152, Page 489, Official Record Book 10164, Page 1757, and Official Record Book 10139, Page 7689, all of the Public Records of Hillsborough County, Florida TO HAVE AND TO HOLD the same in fee simple forever

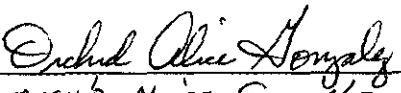
And Grantor covenants with Grantee that Grantor is lawfully seized of the Property, that the Property is free from all encumbrances except the following. (i) the lien of all taxes for the year 2000, and subsequent years, (ii) Easement in Official Record Book 7178, Page 1989, (iii) Easement

in favor of Tampa Electric Company recorded in Official Record Book 9423, Page 1651, (iv) Approval and Mitigation Agreement recorded in Official Record Book 9796, Page 1295, (v) Easement and Site Development Agreement recorded in Official Record Book 9840, Page 451, as amended in Official Record Book 10152, Page 489, and Joinder and Consent recorded in Official Record Book 10164, Page 1757, (vi) Declaration of Easements, Covenants and Maintenance Agreement recorded in Official Record Book 10139, Page 1689, (vii) Restrictions and covenants recorded in Official Record Book 10146, Page 912, (viii) Wetland conservation area, setback line, and other matters shown on the Plat of Sheldon/Linebaugh Parcel Platted Subdivision, recorded in Plat Book 86, Page 33, (ix) Terms and conditions of unrecorded lease in favor of Kash N' Karry Food Stores, Inc. as evidenced by Declaration of Protective Covenants recorded in Official Record Book 10146, Page 912, all of the Public Records of Hillsborough County, Florida, that Grantor has good right and lawful authority to sell the Property, and that Grantor does hereby fully warrant the title to the Property, and will defend the same, against the lawful claims of all persons whomsoever

WITNESS the execution hereof as of the date first written above

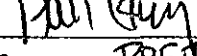
Witnesses


Robert G. Cochran
 (print name beneath signature)


ORCHID ALICE GONZALEZ
 (print name beneath signature)

TAMPA-SHELDON, LLC
 a Maryland limited liability corporation

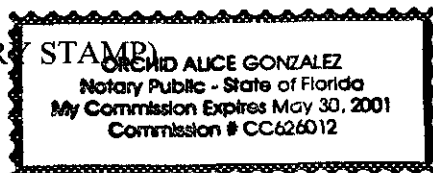
By: Osprey Property Group LLC

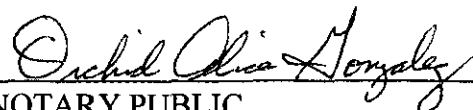
By 
 Print Name BRETT GUY
 Print Title EVP

STATE OF Florida
 COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 31st day of October, 2000,
 by Brett Guy, as E.V.P. of **TAMPA-SHELDON, LLC, a Maryland limited liability corporation**, ☒ who is personally known to me,
 or ☐ who produced the following identification: _____

(NOTARY STAMP)




 NOTARY PUBLIC
ORCHID ALICE GONZALEZ
 Notary Print/Type Name



RECEIVED
OCT 19, 2020
DEVELOPMENT
SERVICES

SPECIAL USE (ALCOHOLIC BEVERAGE PERMIT) (WAIVER REQUIRED)

IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

You must schedule an appointment to submit this application. To request an appointment please call 813-272-5600.
All requirements listed on the submittal checklist must be met. **Incomplete applications will not be accepted.**

Property Information

Address 10619 Sheldon Road Tampa, FL 33626 14-28-17

Parcel ID 4016.0102 PD R-4 6.17 ac

Property Owner Information

Owner Waverly Realty LLC

Address 1309 Saxony Road Encinitas, CA 92024

Phone

Applicant Information

Owner Same as owner

Address

Phone

Applicant's Representative (if different than above)

Owner Isabelle Albert, Half Associates 813-620-4500 x5118

Address 1000 N Ashley Drive, Suite 900 Tampa, FL 33602

Phone ialbert@half.com

I, Isabelle Albert, being duly sworn, depose and say that the foregoing is true and correct to the best of my knowledge and belief.

Isabelle Albert

Signed and sworn to before me on 10/19/20

Isabelle Albert

My commission expires

I, Bianca Vazquez, being duly sworn, depose and say that the foregoing is true and correct to the best of my knowledge and belief.

Signed and sworn to before me on 10/19/20

My commission expires

Office Use Only
Date of Submission 10/19/20

Case Number 21-0013 12/14/20 21-0013

Permit Type Special Use- Alcoholic Beverage

Development Services, 601 E Kennedy Blvd. 19th Floor

Revised 07/02/2014

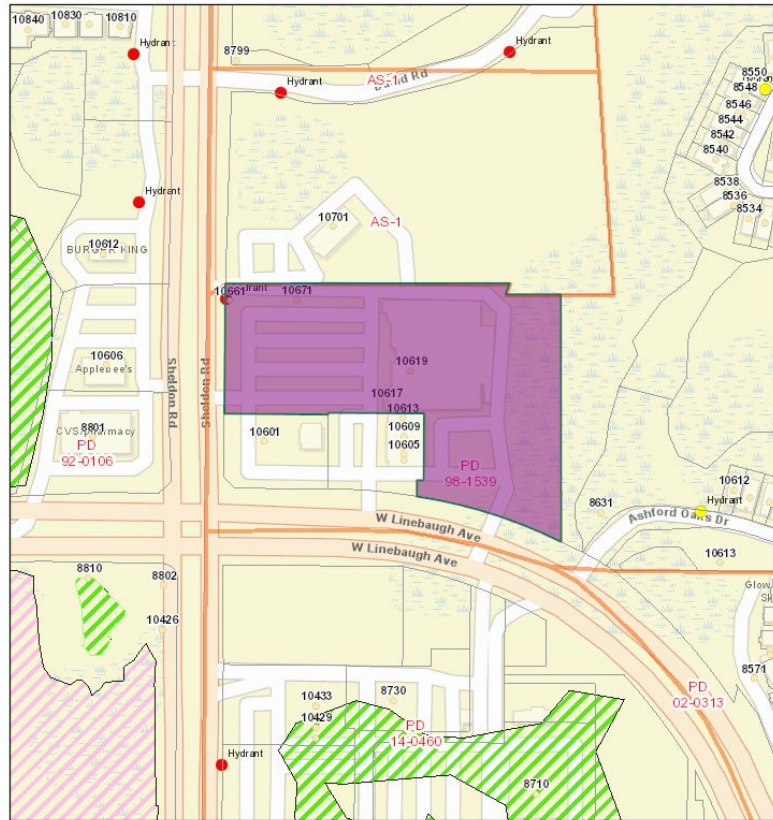
21-0013



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	98-1539
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0187H
FIRM Panel	12057C0187H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X500
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120190D
County Wide Planning Area	Northwest Hillsborough
Community Base Planning Area	Northwest Hillsborough
Planned Development	PD
Re-zoning	null
Note	
Personal Appearances	07-1994,03-0929,00-1045, 99-1288, 16-1271, 19-0646
Census Data	Tract: 011412 Block: 2008
Future Landuse	R-4
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
Competitive Sites	NO
Redevelopment Area	NO

Folio: 4016.0102



October 19, 2020

1:2658
0 0.02 0.04 0.09 mi
0 0.04 0.07 0.14 km

PD, Hillsborough County - Public Works - Geomatics - Streets & Addresses, EIR

Hillsborough County Florida

Folio: 4016.0102
PIN: U-14-28-17-5GU-000000-00001.0
WAVERLY REALTY LLC
Mailing Address:
 1870 N CORPORATE LAKES BLVD # 266228
 FORT LAUDERDALE, FL 33326-8807
Site Address:
 10619 SHELDON RD
 TAMPA, FL 33626
SEC-TWN-RNG: 14-28-17
Acreage: 6.17103004
Market Value: \$3,223,644.00
Landuse Code: 1400 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.
- Or
2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

21-0013

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