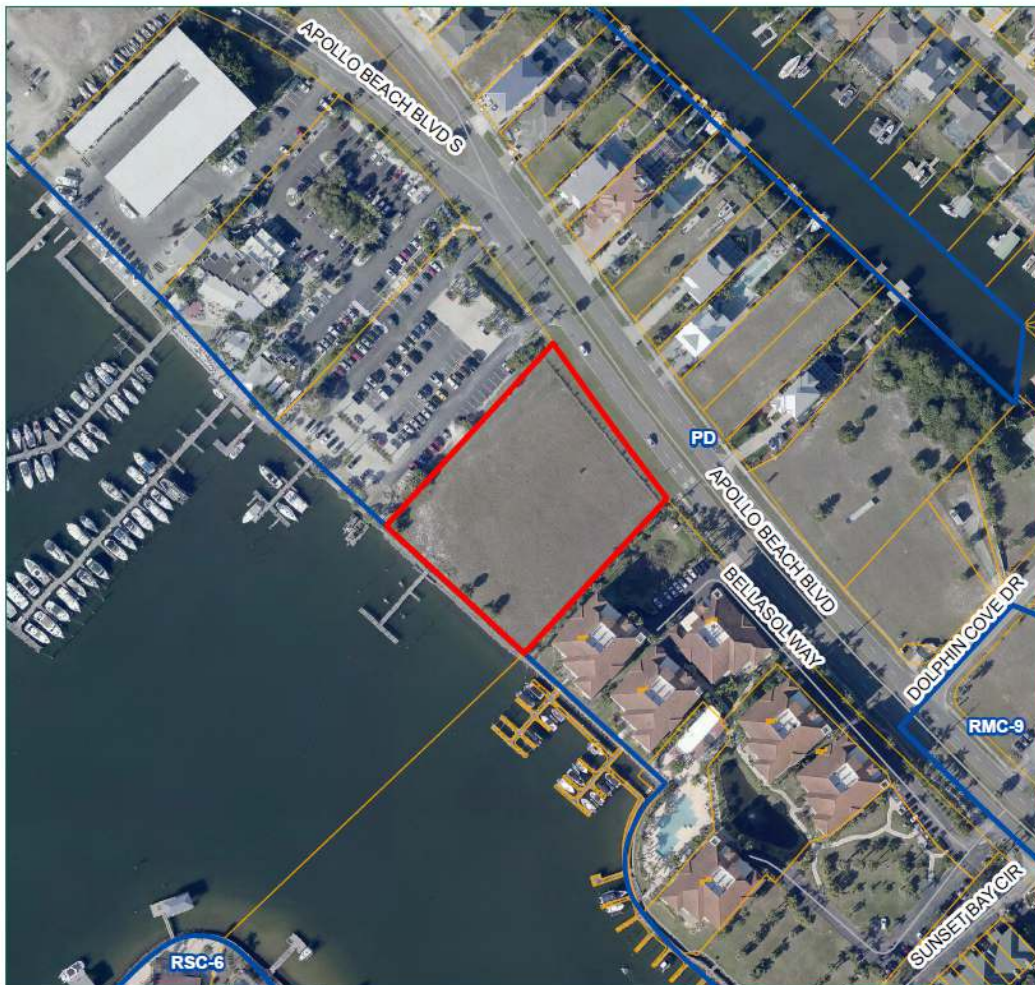




Hillsborough County Florida

Land Use Application Summary Report

Application Number:	SU-AB 21-0331	Adjacent Zoning and Land Uses:	
Request:	Distance Separation Waiver for a 4-COP-RX AB Permit	North:	PD / Apollo Beach Blvd ROW
		South:	PD / Multi-Family Residential
Comp Plan Designation:	R-6 (Residential-6)	East:	PD / Apollo Beach Blvd ROW
Service Area:	Urban	West:	PD / Marina



Immediate Aerial Zoning Map

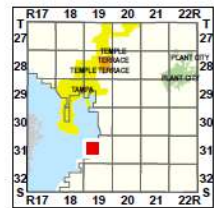
SU-AB 21-0331

Folio: 52054.0400

- ▬ Application Site
- ▬ Zoning Boundary
- ▬ Parcels



STR: 17-31-19



NOTE: 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 real property found within Hillsborough County and is compiled from recorded deeds, plats, and other public records. It has been based on BEST AVAILABLE data.

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: 01/03/2021 Path: S:\ZONING\GIS Data\Zoning_Site.aprx

Request Summary:

Pursuant to Land Development Code Section 6.11.11, the request is for a distance separation waiver for a 4-COP-RX Alcoholic Beverage (AB) Permit for a proposed restaurant to be developed on a vacant parcel at 1112 Apollo Beach Boulevard to allow the sale and consumption of beer, wine, and liquor on the permitted premises only in connection with a restaurant. Per LDC Section 6.11.11.C.1.j, the host restaurant must have at least 100 patron seats and a gross floor capacity (enclosed floor area and covered patio area total) of at least 2,500 square feet. Additionally, at least 51 percent of the restaurant's biannual sales must be derived from the sale of food and non-alcoholic beverages.

As shown on the revised survey received May 12, 2021, the proposed wet zone area will be 18,347 square feet in size, including 5,234 square feet of indoor area and 13,113 square feet of outdoor area. Additionally, the applicant has stated the restaurant will have 164 fixed seats for patrons.

The property is zoned PD (Planned Development) 77-0123, as most recently modified by PRS (Personal Appearance) 20-0384, which permits the proposed use and consideration of the requested AB permit.

If approved, the proposed wet zoning will replace an existing 4-COP-RX wet zoning on the property, AB 96-0344, comprising 7,956 square feet of area. The wet zoning was approved with the following condition: "There shall be no outdoor loudspeakers. Non-amplified entertainment outdoors shall be limited to performance standards of Section 2.6.4.69.2 of the Land Development Code. Non-amplified entertainment activities may occur outdoors when the restaurant is opened until 10:00 p.m. daily."

Distance Separation Requirements for a 4-COP-RX 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** comply with this requirement. There are no community uses located within 500 feet of the proposed wet zoning.
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 not** comply with this requirement. There is residentially zoned property, Planned Development district PD 77-0123, that is located 21 feet south of the proposed wet zoning and developed with multi-family condominiums.

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.

Distance Waiver from Residentially Zoned Properties:

The applicant requests a 129-foot reduction to the required separation distance from a residentially zoned property to the southwest to allow a separation of 21 feet. A summary of the applicant's waiver justification is as follows:

- Post-pandemic land use will foreseeably incorporate more outdoor spaces to accommodate habits and preferences developed during the COVID-19 emergency. Moving forward, site planning and new

construction will naturally reflect the public's new preference to be outside when socializing. The applicant has planned its project to accommodate the public's desire to gather outdoors by proposing an indoor-outdoor waterfront restaurant and bar.

- The site is adjacent to a multifamily development, Bellasol condominiums, and an existing Circles restaurant. The applicant has coordinated the building orientation with the Bellasol Homeowners Association. The applicant has agreed to condition its hours of operation. In sum, the site's design reasonably mitigates foreseeable offsite impacts, and is consistent with the existing mixture of uses in the area.

The applicant has proposed conditions for the proposed wet zoning which include the following:

- 1) Hours of operation shall begin no earlier than 7:00 a.m. and terminate no later than 1:00 a.m. on Monday through Saturday, and begin no earlier than 11:00 a.m. and terminate no later than 1:00 a.m. on Sunday.
- 2) Outdoor amplified music shall terminate at 11:00 p.m.

Staff Findings:

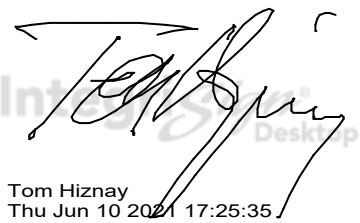
LDC Section 6.11.11.E.3. provides for the approval of separation waivers where there are "special or unique circumstances where the alcoholic beverage use applied for does not have significant impacts on surrounding land uses and certain circumstances negate the necessity for the specified distance requirements."

- The applicant's restaurant will be located on vacant property that has been wet zoned for 4-COP-RX use since 1996. The existing wet zoning comprises 7,956 square feet of area and is subject to the following condition: "There shall be no outdoor loudspeakers. Non-amplified entertainment outdoors shall be limited to performance standards of Section 2.6.4.69.2 of the Land Development Code. Non-amplified entertainment activities may occur outdoors when the restaurant is opened until 10:00 p.m. daily."
- The proposed wet zoning is the same category as the existing wet zoning on the property. Additionally, the applicant has proposed conditions to end alcohol sales at 1:00 a.m. each day, whereas the Land Development Code allows alcohol sales and service until 3:00 a.m. daily. Additionally, the applicant has proposed to prohibit outdoor amplified music at 11:00 p.m. daily.
- The normal route of travel from the proposed wet zone footprint to the driveway entrance to the adjacent condominium development is approximately 340 feet, which exceeds the required separation distance from residentially zoned property.
- The applicant has submitted a letter from the Bellasol Homeowners Association Board of Directors in support of the proposed wet zoning.
- Apollo Beach Boulevard in the vicinity of the proposed wet zoning includes a number of restaurants that are wet zoned and other nonresidential waterfront uses, such as marinas.
- Staff finds the proposed wet zoning consistent with the mixed-use character of the area with residential uses in proximity to commercial uses. Staff further finds the proposed wet zoning comparable to the existing wet zoning on the property that has been in place since 1996. For these reasons, staff finds the proposed wet zoning does not pose significant new impacts on surrounding land uses.

Recommendation:

For the reasons discussed above, staff finds the request **APPROVABLE**, subject to the conditions listed below. This recommendation is based upon the revised wet zone survey showing a wet zoned area of 18,347 square feet, including 5,234 square feet of indoor area and 13,113 square feet of outdoor area, received May 12, 2021.

- The sale and/or consumption of alcoholic beverages shall be limited to the following hours: Monday through Saturday, 7:00 a.m. to 1:00 a.m. the following day; and Sunday, 11:00 a.m. to 1:00 a.m. the following day.
- Outdoor amplified music shall be prohibited after 11:00 p.m. daily
- Upon approval of Alcoholic Beverage Permit SU-AB 21-0331, the existing 4-COP-RX Alcoholic Beverage Permit on the property, AB 96-0344, shall be rescinded.

Staff's Recommendation:	Approvable, Subject to Conditions
Zoning Administrator Sign-off:	 Tom Hiznay Thu Jun 10 2021 17:25:35

SPECIFIC PURPOSE SURVEY ALCOHOLIC BEVERAGE SURVEY (NOT A BOUNDARY SURVEY) SHEET No. 1 OF 5 SHEETS 4-COP-RX

DESCRIPTION: A parcel of land lying in Section 17, Township 31 South, Range 19 East, Hillsborough County, Florida, and being more particularly described as follows:

Commence at the Northeast corner of Section 16, Township 31 South, Range 19 East, Hillsborough County, Florida, run thence along the North boundary of said Section 16, and the Westerly extension thereof, N.88°56'28"W., a distance of 5900.00 feet, to a point on the Bulkhead Line, per plat thereof as recorded in Plat Book 35, Page 16, of the Public Records of Hillsborough County, Florida; thence along said Bulkhead Line, the following four (4) courses: 1) S.34°59'22"W., a distance of 241.05 feet; 2) S.34°59'22"W., a distance of 2047.35 feet; 3) S.45°37'51"W., a distance of 379.67 feet; 4) S.44°22'09"E., a distance of 327.00 feet; thence S.45°37'51"W., a distance of 1085.00 feet; thence S.44°22'09"E., a distance of 1083.00 feet; thence S.45°37'51"W., a distance of 30.00 feet; thence S.44°22'09"E., a distance of 532.52 feet; thence Southeasterly, 107.86 feet along the arc of a tangent curve to the left having a radius of 2060.00 feet and a central angle of 03°00'00" (chord bearing S.45°52'09"E., 107.85 feet); thence S.47°22'09"E., a distance of 48.83 feet; thence S.42°37'51"W., a distance of 87.36 feet, to a point on the Southerly right-of-way line of APOLLO BEACH BOULEVARD; thence along said Southerly right-of-way line, the following two (2) courses: 1) Southeasterly, 62.29 feet along the arc of a non-tangent curve to the right having a radius of 1021.17 feet and a central angle of 03°29'42" (chord bearing S.37°28'00"E., 62.28 feet); 2) S.35°41'09"E., a distance of 141.59 feet; thence S.42°37'51"W., a distance of 245.22 feet; thence S.47°22'09"E., a distance of 21.25 feet, to the POINT OF BEGINNING; thence S.47°22'08"E., a distance of 7.40 feet; thence Southerly, 6.29 feet along the arc of a tangent curve to the right having a radius of 4.00 feet and a central angle of 90°05'08" (chord bearing S.02°19'34"E., 5.66 feet); thence S.42°43'00"W., a distance of 5.49 feet; thence S.47°20'47"E., a distance of 25.01 feet; thence N.42°40'07"E., a distance of 4.00 feet; thence Northeasterly, 0.88 feet along the arc of a tangent curve to the right having a radius of 4.50 feet and a central angle of 11°11'15" (chord bearing N.48°15'45"E., 0.88 feet); thence S.47°14'33"E., a distance of 32.35 feet; thence N.42°47'10"E., a distance of 26.71 feet; thence S.47°14'25"E., a distance of 23.13 feet; thence S.42°45'28"W., a distance of 28.89 feet; thence S.47°14'32"E., a distance of 20.02 feet; thence N.42°38'40"E., a distance of 19.49 feet; thence S.47°21'20"E., a distance of 20.35 feet; thence S.42°45'28"W., a distance of 7.39 feet; thence S.47°14'32"E., a distance of 16.66 feet; thence N.42°45'28"E., a distance of 7.36 feet; thence S.47°21'19"E., a distance of 43.00 feet; thence S.42°38'40"W., a distance of 2.00 feet; thence S.47°01'59"E., a distance of 15.33 feet; thence S.42°38'36"W., a distance of 39.57 feet; thence N.47°21'24"W., a distance of 15.33 feet; thence S.42°38'36"W., a distance of 58.72 feet; thence N.47°22'12"W., a distance of 192.03 feet; thence N.42°39'12"E., a distance of 87.95 feet, to the POINT OF BEGINNING.

Containing 18,347 square feet, more or less.

Indoor AB Sales Area = 5234 square feet, more or less.

Outdoor AB Sales Area = 13,113 square feet, more or less.

Overall AB Sales Area = 18,347 square feet, more or less.

NOTE: See Sheet No. 2 for location; See Sheet No. 3 for detail; See Sheet No. 4 for Measurement Locations, See Sheet 5 for Measurement Table and Certification.

This Survey Prepared For: **Disser's Dockside, LLC**

REVISIONS					
Description	Date	Dwn.	Ck'd	P.C.	Order No.
revise PD distance	03/04/21	JMG	~	~	~
revise limits	4/24/21	JMG	~	~	~

SURVEYOR'S CERTIFICATE

This certifies that a survey of the herein 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 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

STATE OF
FLORIDA

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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Surveying, Inc.

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Tampa, Florida 33619 Fax: (813) 248-2266
www.geopointsurvey.com Licensed Business Number LB 7768

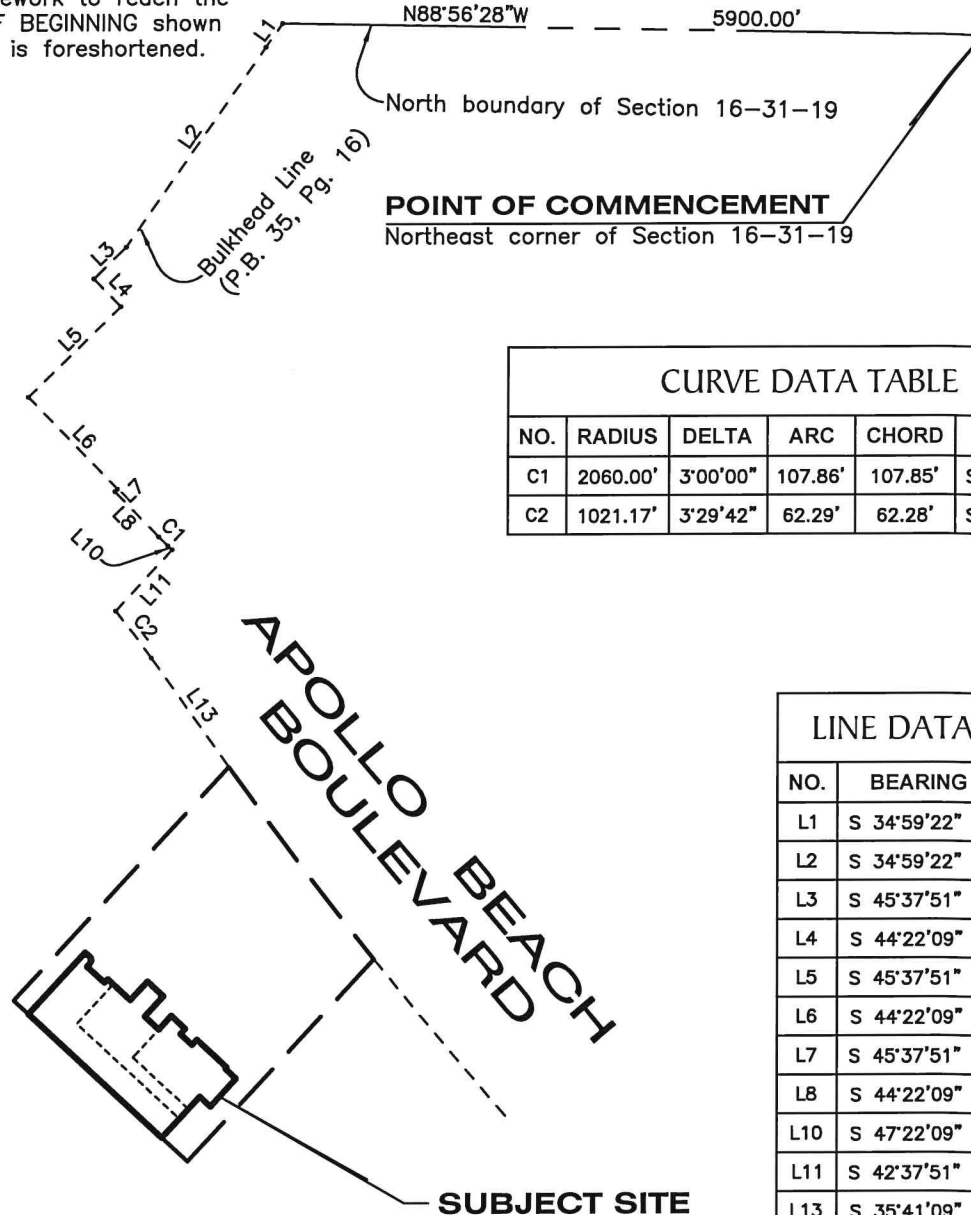
Drawn: JMG	Checked: SEC	P.C.:	Date: 1/25/21
Dwg: DISSER-AB	Order No. 0000000000	Section 17, Township 31 South, Range 19 East	

21-0331

SPECIFIC PURPOSE SURVEY ALCOHOLIC BEVERAGE SURVEY (NOT A BOUNDARY SURVEY) SHEET No. 2 OF 5 SHEETS 4-COP-RX

Scale: 1" = 200'

NOTE: Linework to reach the
POINT OF BEGINNING shown
hereon, is foreshortened.



POINT OF COMMENCEMENT
Northeast corner of Section 16-31-19

CURVE DATA TABLE

NO.	RADIUS	DELTA	ARC	CHORD	BEARING
C1	2060.00'	3°00'00"	107.86'	107.85'	S 45°52'09" E
C2	1021.17'	3°29'42"	62.29'	62.28'	S 37°28'00" E

LINE DATA TABLE

NO.	BEARING	LENGTH
L1	S 34°59'22" W	241.05'
L2	S 34°59'22" W	2047.35'
L3	S 45°37'51" W	379.67'
L4	S 44°22'09" E	327.00'
L5	S 45°37'51" W	1085.00'
L6	S 44°22'09" E	1083.00'
L7	S 45°37'51" W	30.00'
L8	S 44°22'09" E	532.52'
L10	S 47°22'09" E	48.83'
L11	S 42°37'51" W	87.36'
L13	S 35°41'09" E	141.59'

SUBJECT SITE

#1112
Indoor AB Area = 5234 S.F.
Outdoor AB Area = 13,113 S.F.
Overall AB Area = 18,347 S.F.
Proposed One Story Building
(See Sheet No. 3 for Detail)

NOTE: See Sheet No. 1 for Legal Description; See Sheet No. 3 for detail; See Sheet No. 4 for
Measurement Locations; See Sheet 5 for Measurement Table and Certification

This Survey Prepared For: **Disser's Dockside, LLC**

REVISIONS					
Description	Date	Dwn.	Ck'd	P.C.	Order No.
revise PD distance	03/04/21	JMG	~	~	~
revise limits	4/24/21	JMG	~	~	~

SURVEYOR'S CERTIFICATE

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Jack M. Greene
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Tampa, Florida 33619
www.geopointsurveying.com

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

Drawn: JMG Checked: SEC P.C.: Data Coll. File:
Date: 1/25/21 Dwg: DISSER-AB Order No.: Section 17, Township 31 South, Range 19 East

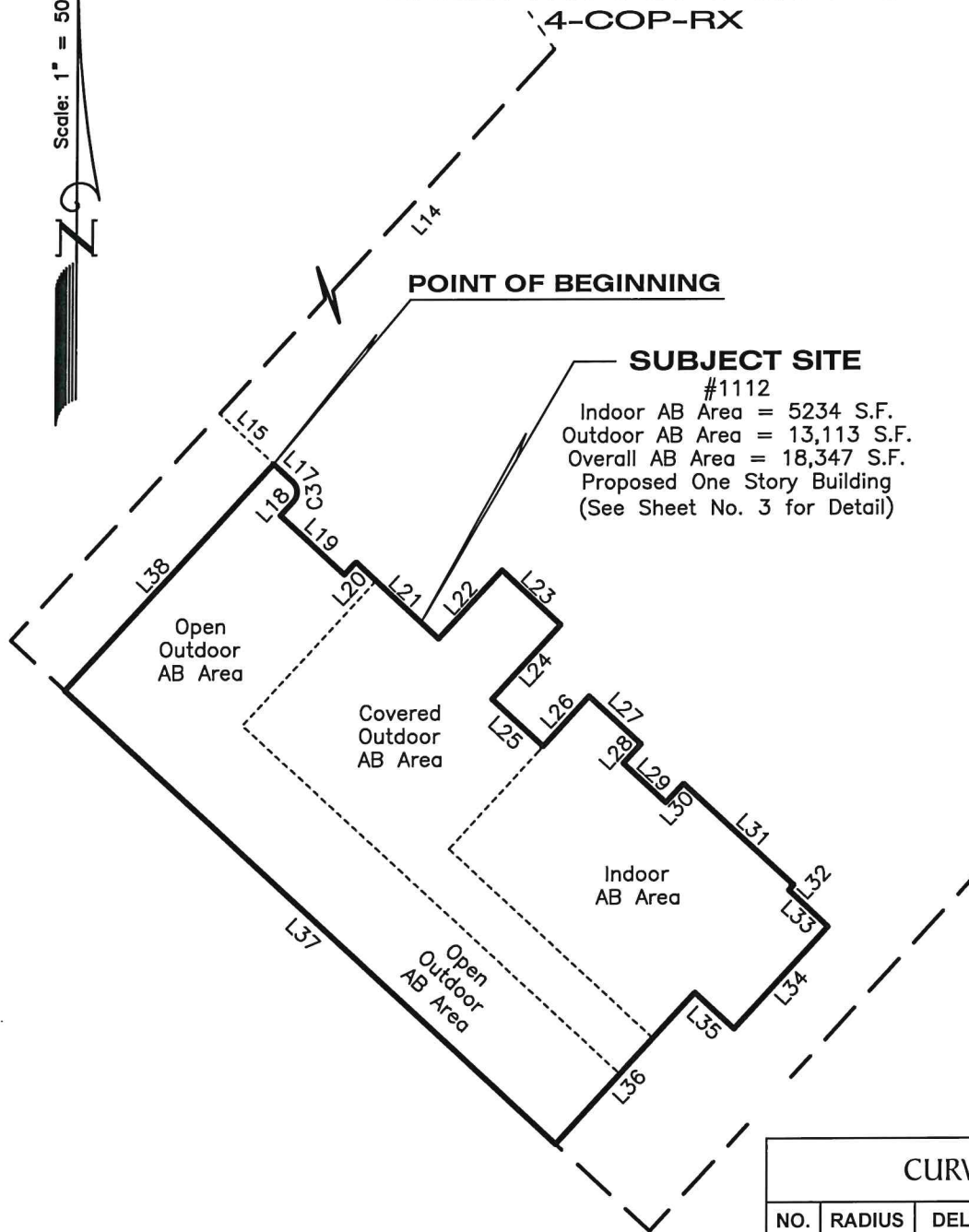
SPECIFIC PURPOSE SURVEY ALCOHOLIC BEVERAGE SURVEY

(NOT A BOUNDARY SURVEY)

SHEET No. 3 OF 5 SHEETS

4-COP-RX

Scale: 1" = 50'



SUBJECT SITE
#1112
Indoor AB Area = 5234 S.F.
Outdoor AB Area = 13,113 S.F.
Overall AB Area = 18,347 S.F.
Proposed One Story Building
(See Sheet No. 3 for Detail)

LINE DATA TABLE

NO.	BEARING	LENGTH
L17	S 47°22'08" E	7.40'
L18	S 42°43'00" W	5.49'
L19	S 47°20'47" E	25.01'
L20	N 42°40'07" E	4.00'
L21	S 47°14'33" E	32.35'
L22	N 42°47'10" E	26.71'
L23	S 47°14'25" E	23.13'
L24	S 42°45'28" W	28.89'
L25	S 47°14'32" E	20.02'
L26	N 42°38'40" E	19.49'
L27	S 47°21'20" E	20.35'
L28	S 42°45'28" W	7.39'
L29	S 47°14'32" E	16.66'
L30	N 42°45'28" E	7.36'
L31	S 47°21'19" E	43.00'
L32	S 42°38'40" W	2.00'
L33	S 47°01'59" E	15.33'
L34	S 42°38'36" W	39.57'
L35	N 47°21'24" W	15.33'
L36	S 42°38'36" W	58.72'
L37	N 47°22'12" W	192.03'
L38	N 42°39'12" E	87.95'

CURVE DATA TABLE

NO.	RADIUS	DELTA	ARC	CHORD	BEARING
C3	4.00'	90°05'08"	6.29'	5.66'	S 02°19'34" E

NOTE: See Sheet No. 1 for Legal Description; See Sheet No. 2 for location; See Sheet No. 4 for Measurement Locations; See Sheet 5 for Measurement Table and Certification.

This Survey Prepared For: **Disser's Dockside, LLC**

REVISIONS

Description	Date	Dwn.	Ck'd	P.C.	Order No.
revise PD distance	03/04/21	JMG	~	~	~
revise limits	4/24/21	JMG	~	~	~

SURVEYOR'S CERTIFICATE

This certifies that a survey of the herein 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 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

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

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Surveying, Inc.

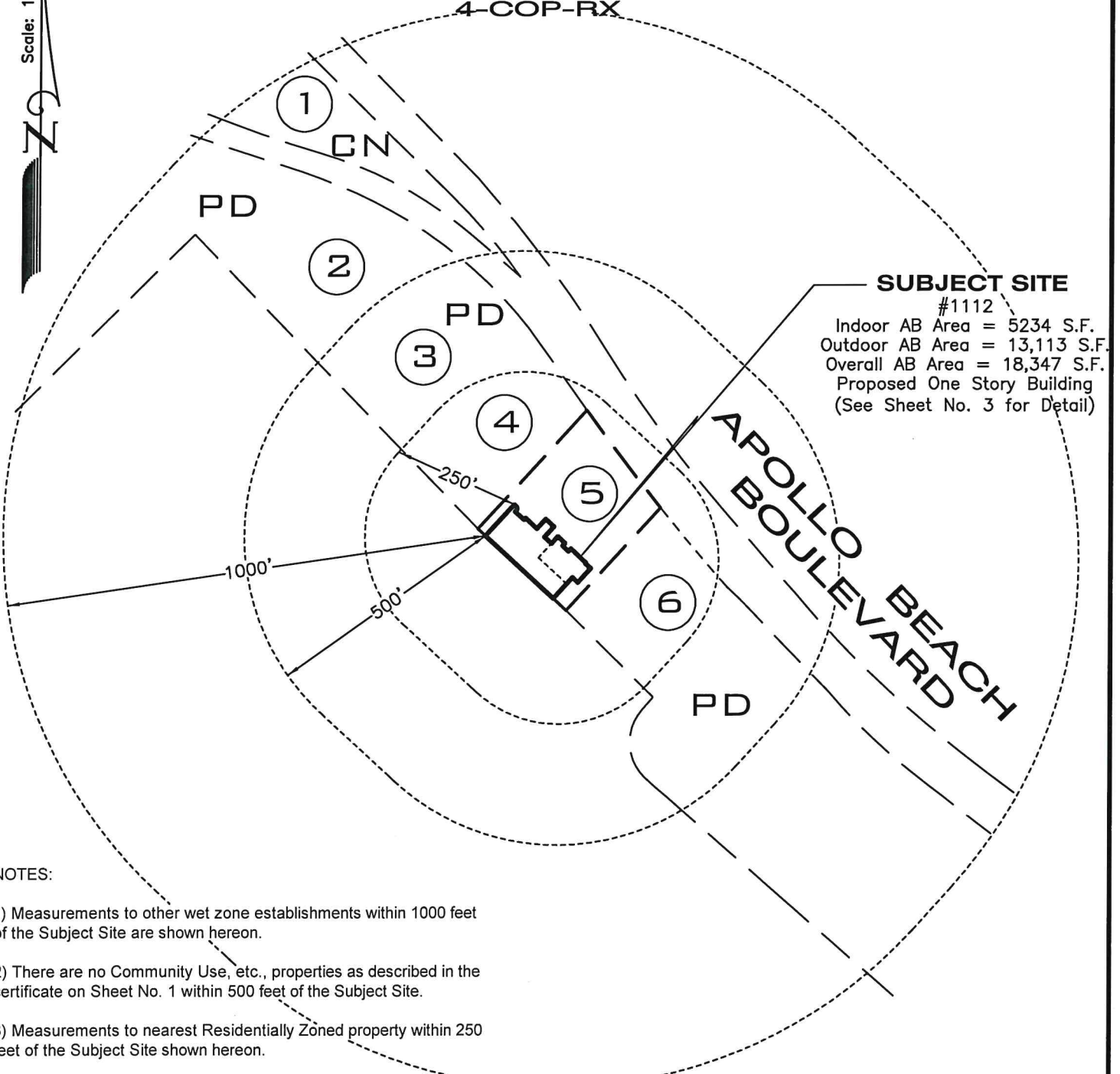
213 Hobbs Street Phone: (813) 248-8888
Tampa, Florida 33619 Fax: (813) 248-2266
www.geopointsurvey.com Licensed Business Number LB 7768

Drawn: JMG Checked: SEC P.C.: Data Coll. File:
Date: 1/25/21 Dwg: DISSER-AB Order No.:
Section 17, Township 31 South, Range 19 East

21-0331

SPECIFIC PURPOSE SURVEY ALCOHOLIC BEVERAGE SURVEY (NOT A BOUNDARY SURVEY) SHEET No. 4 OF 5 SHEETS 4-COP-RX

Scale: 1" = 300'



SUBJECT SITE

#1112
Indoor AB Area = 5234 S.F.
Outdoor AB Area = 13,113 S.F.
Overall AB Area = 18,347 S.F.
Proposed One Story Building
(See Sheet No. 3 for Detail)

NOTES:

- 1) Measurements to other wet zone establishments within 1000 feet of the Subject Site are shown hereon.
- 2) There are no Community Use, etc., properties as described in the certificate on Sheet No. 1 within 500 feet of the Subject Site.
- 3) Measurements to nearest Residentially Zoned property within 250 feet of the Subject Site shown hereon.

NOTE: See Sheet No. 1 for Legal Description; See Sheet No. 2 for location; See Sheet No. 3 for detail; See Sheet 5 for Measurement Table and Certification.

This Survey Prepared For: **Disser's Dockside, LLC**

REVISIONS

Description	Date	Dwn.	Ck'd	P.C.	Order No.
revise PD distance	03/04/21	JMG	~	~	---
revise limits	4/24/21	JMG	~	~	---

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 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Jack M. Greene
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Drawn: JMG	Checked: SEC	P.C.:	Date: 1/25/21
Dwg: DISSER-AB	Order No.:	Section 17, Township 31 South, Range 19 East	

21-0331

SPECIFIC PURPOSE SURVEY ALCOHOLIC BEVERAGE SURVEY

(NOT A BOUNDARY SURVEY)
SHEET No. 5 OF 5 SHEETS
4-COP-RX

MEASUREMENT TABLE

- 1) Alpha Pizza
1312 Apollo Beach Boulevard
4-COP-SRX
974 feet
- 2) Lands End Marina
1220 Apollo Beach Boulevard
4-COP
532 feet
- 3) Circles
1212 Apollo Beach Boulevard
4-COP
322 feet
- 4) AB83-1024
4-COP-SRX
87 feet
- 5) AB96-344
4-COP-RX
0 (zero) feet
- 6) PD Zoning (in use as residential)
21 feet

"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 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-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 indicated on the survey."

NOTE: See Sheet No. 1 for Legal Description; Sheet No. 2 for location. See Sheet No. 3 for detail; See Sheet No. 4 for Measurement Locations.

This Survey Prepared For: **Disser's Dockside, LLC**

REVISIONS					
Description	Date	Dwn.	Ck'd	P.C.	Order No.
revise PD distance	03/04/21	JMG	~	~	~
revise limits	4/24/21	JMG	~	~	~

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STATE OF FLORIDA

Jack M. Greene, Surveyor & Mapper No. 6506

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Drawn: JMG	Checked: SEC	P.C.:	Data Collected
Date: 1/25/21	Dwg: DISSER-AB	Order No.:	File:
Section 17, Township 31 South, Range 19 East			

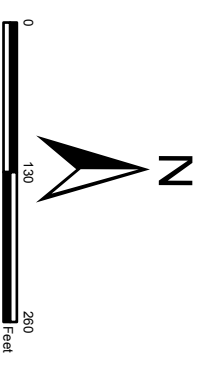
21-0331

Immediate Aerial Zoning Map

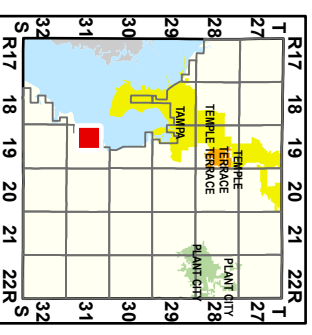
SU-AB 21-0331

Folio: 52054.0400

-  Application Site
-  Zoning Boundary
-  Parcels



STR: 17-31-19



NOTE: 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, and is not intended to be used for any purpose other than for informational purposes only.

SOURCE: This map has been prepared for the purpose of real property, land public records, it has been based on BEST AVAILABLE data.

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: 07/29/2021 Path: G:\ZONING\GIS\Data\Zoning - Site.aprx



**Hillsborough
County Florida**
Development Services

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

Additional / Revised Information Sheet

Received May 12, 2021
Development Services

Date Stamp Here

Application Number: SU-AB 21-0331 Applicant's Name: Finn's AB, LLC

Reviewing Planner's Name: Kevie Defranc Date: 05/12/2021

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): 06/21/2021

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

05/12/2021

Date

FOR OFFICE USE ONLY

- ☐ Notification E-Mail Sent ☐ Scanned into OPTIX
☐ Transmittal Completed

In-Take Completed by: _____

SHUMAKER
Shumaker, Loop & Kendrick, LLP

Bank of America Plaza
101 East Kennedy Boulevard
Suite 2800
Tampa, Florida 33602
813.229.7600
813.229.1660 fax

MATT NEWTON
813.227.2353
mnewton@shumaker.com

May 12, 2021

Zoning Intake
Hillsborough County
601 E. Kennedy Blvd.
Tampa, FL 33602
ZoningIntake-DSD@HillsboroughCounty.org

Electronic Delivery

Re: SU-AB 21-0331 Revisions

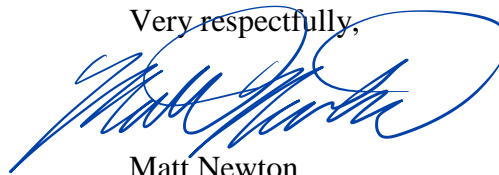
Dear Land Development Services:

The enclosed material addresses changes made to the above-described application after discussions with staff on May 7, 2021.

1. Revised Narrative;
2. Letter from Bellasol HOA Board of Directors to Hillsborough County;
3. Parking Lease Agreement between South Shore Triangle, Inc. and Finn's AB, LLC; and,
4. Revised Alcohol Beverage Survey.

Do not hesitate to contact our office with any questions or concerns.

Very respectfully,

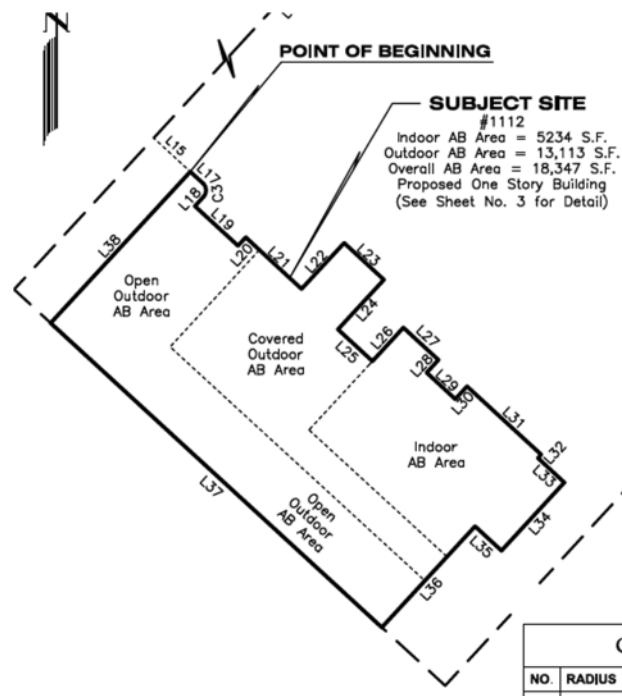


Matt Newton

SU-AB 21-0331 REVISED NARRATIVE

This is a request to approve 18,347 SF of area within the Apollo Beach Community Planning Area for alcohol beverage sales via a 4-COP-RX special use approval.¹ Post-pandemic land use will foreseeably incorporate more outdoor spaces to accommodate habits and preferences developed during the COVID-19 emergency. *See* Donald Elliot, FAICP, *Zoning for a Post-Covid World*, ZONING PRACTICE, AMERICAN PLANNING ASSOCIATION (Oct. 2020). Across the United States, many jurisdictions are permanently adopting or extending use of outdoor areas that were initially envisioned as short-term economic solutions. *E.g.* Bao Ong, *Outdoor dining in NYC is here to stay*, TIME OUT NEW YORK (Sept. 25, 2020); Dan Thorn, *Outdoor dining in San Jose is here to stay*, KRON 4 (Mar. 30, 2021); Jeff McAdam, *Mayor says expanded outdoor dining should be here to stay*, FOX 5 SAN DIEGO (Apr. 8, 2021). Moving forward, site planning and new construction will naturally reflect the public's new preference to be outside when socializing.

Here, Applicant has planned its project to accommodate the public's desire to gather outdoors by proposing an indoor-outdoor waterfront restaurant and bar. The proposal includes 5,234 SF of indoor AB area, and 13,113 SF of outdoor AB area. Of the 13,113 SF of outdoor AB area, 3,052 SF of area will be within a covered outdoor deck.²



The site is adjacent to a multifamily structure and an existing restaurant (Circles Waterfront Restaurant). Applicant has diligently coordinated its site orientation with Bellasol, the residential use closest to the site. Applicant has agreed to condition its hours of operation, and has additionally secured a lease for auxiliary parking on a portion of nearby land (Folio 052066-0200) to mitigate any potential risk of parking spillover.

¹ After collaboration with Hillsborough County Staff, Applicant is revising its application from a 4-COP classification to a 4-COP-RX classification.

² Cf. AB 96-0344-RU (Dec. 10, 1996), approving 7,970 SF of internal AB area and a 2,816 SF outdoor deck.

In sum, the site's design reasonably mitigates foreseeable offsite impacts, and is consistent with the existing mixture of uses in the area. Accordingly, Applicant respectfully requests approval to proceed with its exciting new concept.

APPLICANT'S PROPOSED MITIGATING CONDITIONS

- The sale of alcoholic beverages shall comply with all ordinances of Hillsborough County governing 4-COP-RX special use permits.
- Hours of operation shall begin no earlier than 7:00 AM and terminate no later than 1:00 AM.
- Outdoor amplified music shall terminate at 11:00 PM.

Enclosed:

- Letter from Bellasol HOA Board of Directors to Hillsborough County (Apr. 9, 2021);
- Parking Lease Agreement between South Shore Triangle, Inc. and Finn's AB, LLC (Apr. 5, 2021).
- Revised Alcoholic Beverage Survey.

PREPARED BY:
RECORD AND RETURN TO:

Lee Te Kim
127 16th Avenue S.W.
Ruskin, FL 33570

INSTR # 2003355736

O BK 13027 PG 1635

RECORDED 08/28/2003 08:44:33 AM
RICHARD AKE CLERK OF COURT
HILLSBOROUGH COUNTY
DOC TAX PD(F.S.201.02) 1,400.00
DEPUTY CLERK P Howell

QUIT CLAIM DEED

Made this 20th of August, A.D., 2003 BETWEEN

Chang Tok An

parties of the first part, and

KBC Enterprise, Incorporated

whose address is: 127 16th Avenue S.W.
Ruskin, FL 33570

and whose SSN is(are): , parties of the second part,

WITNESSETH: that the said parties of the first part, for and in consideration of the sum of \$200,000 NO/100 Dollars, in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have remised, released and quit-claimed, and by these presents does remise, release and quit-claim unto the said parties of the second part, and their heirs, successors and assigns forever, the following described land, situate, lying and being in the County of

See Exhibit A

PARCEL I.D. #:

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 an claim whatsoever of the said parties of the first part, either in law or equity, to the only proper use, benefit and behoove of the said parties of the second part, their heirs, successors and assigns forever.

In Witness Whereof,, the parties of the first part have hereunto set their hand(s) and seal(s) the day and year first above written.

Signed, sealed and delivered in the
presence of these witnesses:

Jane Koy
Witness: Dane Roy

Chang Tok An SEAL

Witness: Ron Phylsor

SEAL

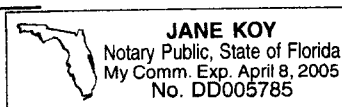
State of Florida

County of Hillsborough

The foregoing instrument was acknowledged before me this 20th day of
August, 2003, by

Chang Tok An who is/are personally known to
me or who has/have produced driver's license as identification.

Jane Koy
Notary Public:
My commission expires:



21-0331

**CHANG TOK AN TO RELINQUISH HIS 33% SHARE OF
1.8 ACRES M.O.L. AGREEMENT**

Seller Chang Tok An hereby agrees to sell his one-third interest of 1.8 acres M.O.L. located at 1112 Apollo Beach Boulevard, Apollo Beach, FL 33572 to KBC Enterprise, Inc. The selling price of Chang Tok An's interest of above said property is \$258,600.00.

A quit claim deed is to be signed by seller to relinquish his 33% interest to KBC Enterprise, Inc. As of this Wednesday, August 20, 2003, KBC Enterprise is the sole owner of the 1.8 acres M.O.L. located at 1112 Apollo Beach Boulevard, Apollo Beach, FL 33572.

Chang Tok An
Chang Tok An as himself

8-20-03
Date

Ram Rgn
Witness

8/20/03
Date

CHANG TOK AN
Print Name

Exhibit "A"

A portion of Section 17, Township 31 South, Range 19 East, Hillsborough County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of Section 18, Township 31 South, Range 19 East; thence N 88° 56' 28" W. 5900.00 feet along the North boundary of said Section 18 and its Westerly prolongation; thence S 34° 59' 22" W. 241.05 feet to a point on the outer of Northwest bulkhead line of Parcel No. 3; thence S 34° 59' 22" W. 2047.35 feet along said bulkhead line to the Northwest corner of Parcel No. 1; thence S 45° 37' 51" W. 379.67 feet along the Westerly bulkhead line of Parcel No. 1; thence S 44° 22' 09" E. 327.00 feet; thence S. 45° degrees 37' 51" W. 1085.00 feet; thence S 44° 22' 09" E. 1063.00 feet; thence S. 45° 37' 51" W. 30.00 feet; thence S. 44° 22' 09" E. 532.52 feet to the beginning of a curve concave to the Northeast having a radius of 2060.00 feet; thence SOUTHEASTERLY, 107.66 feet along said curve through a central angle of 3° 00' 00" (chord bears S. 45° 52' 09" E. 107.85 feet); thence S 47° 22' 09" E. 48.83 feet to the Northwest corner of AREA 3, TRACT 2; thence S. 42° 37' 51" W. 87.36 feet along the Westerly boundary of said TRACT 2 to the Southerly right-of-way line of APOLLO BEACH BOULEVARD (100 foot right-of-way) at a point on a curve concave to the Southwest having a radius of 1021.17 feet; thence along said Southerly right-of-way line the following courses and curves; SOUTHEASTERLY, 62.30 feet along said curve through a central angle of 3° 29' 41" (chord bears S. 37° 28' 00" E. 62.28 feet); thence S. 35° 41' 09" E. 141.59 feet to the beginning; thence S. 35 degrees 41' 08" E. 17.43 feet to the beginning of a curve concave to the Northeast having a radius of 4,463.87 feet; thence SOUTHEASTERLY, 238.67 feet along said curve through a central angle of 03° 02' 16" (chord bears S. 37° 12' 17" E. 238.64 feet); thence leaving said Southerly right-of-way line, S. 42° 37' 51" W. 287.93 feet to the Southerly boundary of said TRACT 2; thence N. 47° 22' 09" W. 250.00 feet along the Southerly boundary of said TRACT 2; thence N. 42° 37' 51" E. 333.22 feet to the POINT OF BEGINNING.

LEGAL DESCRIPTION

A PORTION OF SECTION 17, TOWNSHIP 31 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 31 SOUTH, RANGE 19 EAST; THENCE N 88°56'28" W. 5900.00 FEET ALONG THE NORTH BOUNDARY OF SAID SECTION 18 AND ITS WESTERLY PROLONGATION; THENCE S 34°59'22" W. 241.05 FEET TO THE POINT ON THE OUTER OF NORTHWEST BULKHEAD LINE OF PARCEL NO. 3; THENCE S 34°59'22" W 2047.35 FEET ALONG SAID BULKHEAD LINE TO THE NORTHWEST CORNER OF PARCEL NO. 1; THENCE S 45°37'51" W. 379.67 FEET ALONG THE WESTERLY BULKHEAD LINE OF PARCEL NO. 1; THENCE S 44°22'09" E. 327.00 FEET; THENCE S 45°37'51" W. 1085.00 FEET; THENCE S 44°22'09" E. 1063.00 FEET; THENCE S 45°37'51" W. 30.00 FEET; THENCE S. 44°22'09" E. 532.52 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 2060.00 FEET; THENCE SOUTHEASTERLY, 107.88 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 3°00'00" (CHORD BEARS S. 45°52'09" E. 107.85 FEET); THENCE S 47°22'09" E. 48.83 FEET TO THE NORTHEWEST CORNER OF AREA 3, TRACT 2; THENCE S 42°37'51" W. 87.36 FEET ALONG THE WESTERLY BOUNDARY OF SAID TRACT 2 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF APOLLO BEACH BOULEVARD (100 FOOT RIGHT-OF-WAY) AT A POINT ON A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1021.17 FEET; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND CURVES; SOUTHEASTERLY, 62.30 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 3°29'41" (CHORD BEARS S. 37°28'00" E. 62.28 FEET); THENCE S 35°41'09" E. 141.59 FEET TO THE BEGINNING; THENCE S 35°41'08" E. 17.43 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 4,463.87 FEET; THENCE SOUTHEASTERLY 238.67 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°02'16" (CHORD BEARS S 37°12'17" E. 238.64 FEET); THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, S 42°37'51" W. 287.93 FEET TO THE SOUTHERLY BOUNDARY OF SAID TRACT 2; THENCE N 47°22'09" W. 250.00 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT 2; THENCE N 42°37'51" E. 333.22 FEET TO THE POINT OF BEGINNING.



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: 1112 Apollo Beach Blvd. City/State/Zip: Apollo Beach, FL 33572 TWN-RN-SEC: 17-31-19
Folio(s): 052054-0400 Zoning: PD-MU 77-012A Future Land Use: R-6 Property Size: 1.74 acres

Property Owner Information

Name: KBC Enterprise Inc. Daytime Phone: _____
Address: 127 16th Ave SW City/State/Zip: Ruskin, FL 33570
Email: _____ FAX Number: _____

Applicant Information

Name: Finn's AB, LLC Daytime Phone: _____
Address: 701 S. Howard Ave., #106-433 City/State/Zip: Tampa, FL 33606
Email: _____ FAX Number: _____

Applicant's Representative (if different than above)

Name: David B. Singer; Colin Rice; Shumaker, Loop & Kendrick, LLP Daytime Phone: 813-227-2349; 813-676-7226
Address: 101 E. Kennedy Blvd., Ste. 2800 City / State/Zip: Tampa, FL 33602
Email: dsinger@shumaker.com; crice@shumaker.com FAX Number: _____

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.

Signature of Applicant

Type or Print Name

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS

Signature of Property Owner

Type or Print Name

Office Use Only

Intake Staff Signature: Ana Lizardo Intake Date: 01/26/2021
Case Number: 21-0331 Public Hearing Date: 03/02/2021 Receipt Number: 21-0331
Type of Application: Special Use

Development Services, 601 E Kennedy Blvd, 19th Floor

Revised 07/02/2014



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	77-0123
Flood Zone:AE	BFE = 11.0 ft
FIRM Panel	0493H
FIRM Panel	12057C0493H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	AE
Pre 2008 Firm Panel	1201120493D
County Wide Planning Area	Apollo Beach
Community Base Planning Area	SouthShore
Community Base Planning Area	Apollo Beach
Planned Development	PD
Re-zoning	null
Note	99-0060 & 03-1457 WD; APPEAL 05-1958
Minor Changes	07-1187,09-0488,01-1129
Major Modifications	06-1999 WD,04-1824, 17-0948
Personal Appearances	06-0990,06-0897,02-1291, 02-0968,01-0730,98-1486, 02-1089,97-0156,96-0080, 12-0331,06-0066,02-1089, 98-1514,93-0370,05-0286, 00-0263,96-0110,88-0009, 18-1188, 20-0384
Census Data	Tract: 014117 Block: 2000
Future Landuse	R-6
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Assessment District	Rural
Mobility Benefit District	4
Fire Impact Fee	South
Parks/Schools Impact Fee	SOUTH
ROW/Transportation Impact Fee	ZONE 9
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Folio: 52054.0400
PIN: U-17-31-19-ZZZ-000001-74750.0
KBC ENTERPRISE INC
Mailing Address:
 127 16TH AVE SW
 RUSKIN, FL 33570-5609
Site Address:
 1112 APOLLO BEACH BLVD
 APOLLO BEACH, FL 33572
SEC-TWN-RNG: 17-31-19
Acreage: 1.73670995
Market Value: \$537,081.00
Landuse Code: 1000 VACANT COMM.

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21-0331