



Hillsborough County Florida

Land Use Application Summary Report

Application Number:	SU-AB 21-0711	Adjacent Zoning and Land Uses:	
Request:	4-COP-X Alcoholic Beverage Permit with Separation Waiver	North:	PD 82-0055/Government
		South:	PD 76-0166/Northdale Blvd., Office
Comp Plan Designation:	OC-20 (Office Commercial-12)	East:	PD 76-0166/Commercial
Service Area:	Urban	West:	PD 86-0117/Office



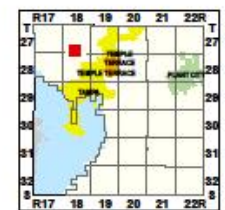
Sign Posting Map SU-AB 21-0711

Folio: 16353.5050

- Application Site
- Zoning Boundary
- Parcels
- ★ Hearing Notification Sign Locations



STR: 33-27-18



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 owned by Hillsborough County and is compiled from recorded deeds, plans, and other public records. It has been based on BEST AVAILABLE DATA.

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

Date: 05/04/2021 Path: G:\CONTRACTS\GIS\GIS\Sign.aprx

Request Summary:

Pursuant to Land Development Code Section 6.11.11, the request is for a distance separation waiver for a proposed 4-COP-X Alcoholic Beverage Permit to allow the sale of beer, wine and liquor for consumption on the permitted premises only. The proposed wet zoning is sought by an existing establishment, Tom's Tavern, at 3893-95 Northdale Boulevard. The property is zoned PD 76-0166 which allows consideration of the requested AB. Per the revised wet zone survey received June 24, 2021, the wet zoning will comprise approximately 2,769 square feet of indoor area. No outdoor area is included.

The proposed wet zoning will replace an existing 4-COP-R wet zoning on the subject premises, AB 85-1201, which was approved in 1985 for a 2,636 square foot area. The 4-COP-R wet zoning, which is no longer an available type of permit, allows the sale of beer, wine and liquor for consumption on and off the permitted premises (package sales) in connection with a restaurant.

Separation Requirements:

Per LDC Section 6.11.11.D, proposed 4-COP-X wet zonings must be located at least 500 feet from specified community uses and 250 feet from residentially zoned properties. Additionally, 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, 11-C (Social Club) or bottle club alcoholic beverage uses within 1,000 feet of the proposed wet zoning.

According to the survey submitted by the applicant, the proposed wet zoning complies with the separation requirement from residentially zoned property. However, the wet zoning does not comply with the separation requirement from certain community uses and there are more than three existing wet zonings of the specified types within 1,000 feet. A child care center is located approximately 308 feet to the northwest of the proposed wet zoning and a County park is located approximately 250 feet to the southwest. Also, there are eight existing wet zonings of the specified types within 1,000 feet.

Staff notes that a 4-COP-X wet zoning was approved on July 13 for 3869 Northdale Boulevard, after the survey was prepared, which results in a total of nine wet zonings of the specified types within 1,000 feet.

Per LDC Section 6.11.11.E, waivers to the required distance separations may be requested by the applicant 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 circumstances exist such that the necessity for the separation requirement(s) is negated.

The applicant has provided the following waiver justifications:

Child care center

The proposed wet zoning is located near the west end of a retail shopping center and its front door faces in a southerly direction. There are a number of businesses located within the shopping center that are located between the proposed structure and the child care center which is east and north of the proposed structure. The normal route of travel between the proposed structure and the child care center exceeds 500 feet.

County park

The proposed wet zoning is located near the west end of a retail shopping center and its front door faces in a southeasterly direction. The community use is located southwesterly of the proposed structure and is separated by a four-land divided roadway containing a center island. The proposed wet zoning location as operated as a tavern since 1985 and there has never been any problems with the site.

Wet zonings with 1,000 feet

The site has had a 4-COP-RX permit since 1985 and has always operated in full compliance with all State and County regulations. Two of the locations that have a 4-COP zoning (3849 and 3853 Northdale) are presently uses as a Doggy Day Inn and a UPS Store, respectively. 3817 Northdale has a 2-COP-X designation and 3825 Northdale has a 2-COP designation but both locations are more than 1,000 feet using the normal route of pedestrian traffic and both of these located are presently not being operated. The 3-PS location at 15690 N. Dale Mabry is more than 1,000 feet using the normal route of pedestrian travel.

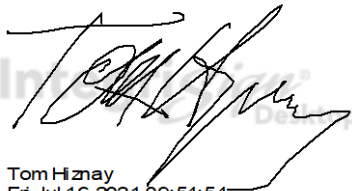
Staff Findings:

- 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 entrance to the proposed wet zoning premises faces southeasterly, away from the child care center, and the two uses are separated by a roadway. The normal route of travel between the entrance doors of the two uses is approximately 540 feet. Additionally, the proposed wet zoning is comprised entirely of indoor area and will replace an existing 4-COP-R wet zoning which permits the sale of beer, wine and liquor for consumption on and off the permitted premises in connection with a restaurant. The proposed wet zoning will permit the sale of beer, wine and liquor for on-premises consumption only, but is not restricted to restaurant use. In view of these similarities, staff finds the proposed wet zoning poses minimal change in potential impacts to the child care center compared to the existing wet zoning.
- Staff has received no objection from the operator of the child care facility or property owner.
- The proposed wet zoning is located across a four-lane divided roadway from the County park, and the principal buildings in the park are approximately 700 feet away.
- Parks and Recreation staff does not object to the proposed wet zoning.
- The proposed wet zoning is located in an established commercial area which includes numerous businesses that sell alcoholic beverages, including nine of the specified types within 1,000 feet of the proposed wet zoning. The proposed wet zoning will increase the number of specified wet zonings within that radius, but will replace a wet zoning that permits the on- and off-premises consumption of beer, wine and liquor in connection with a restaurant and therefore represents a minimal change in the established alcohol use. Additionally, several of the other specified wet zonings are located in other shopping centers with no functional relationship to the center in which the proposed wet zoning is located. Therefore, staff finds the proposed wet zoning does not pose a significant impact on surrounding uses.

2.0 Recommendation:

For the reasons discussed above, staff finds the proposed 4-COP-X wet zoning APPROVABLE, subject to the condition recommended below. This recommendation is based upon the revised survey showing a wet zoned area of approximately 2,769 square feet of indoor area and received June 24, 2021.

- Upon approval of Alcoholic Beverage Permit SU-AB 21-0711, the existing 4-COP-R Alcoholic Beverage Permit on the premises, AB 85-1201, shall be rescinded.

Staff's Recommendation:	Approvable, subject to conditions
Zoning Administrator Sign-off:	 Tom Hinzay Fri Jul 16 2021 09:54:54

SHEET NO. 1 OF 3

SPECIFIC PURPOSE SURVEY(ALCOHOLIC BEVERAGE SURVEY
(NOT A BOUNDARY SURVEY)

4-COP-X


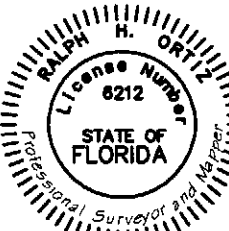
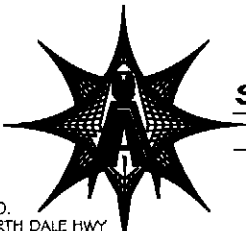
CERTIFIED TO: TOM HALES

FROM THE NORTHEAST CORNER OF SAID SECTION 33, RUN THENCE NORTH 89 DEG 36 MIN 31 SEC WEST, 132.03 FEET ALONG THE NORTH BOUNDARY OF SAID SECTION 33 TO THE WEST RIGHT-OF-WAY LINE OF DALE MABRY HIGHWAY, THENCE SOUTH 00 DEG 44 MIN 50 SEC EAST, 1567.59 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT OF CURVATURE, THENCE SOUTHERLY, 318.65 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 5597.58 FEET (CHORD BEARING SOUTH 00 DEG 53 MIN 01 SEC WEST, 318.60 FEET) ALONG SAID RIGHT-OF-WAY LINE TO THE NORTHERLY RIGHT-OF-WAY LINE OF NORTHALE BOULEVARD, THENCE NORTH 87 DEG 01 MIN 30 SEC WEST, 1004.72 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, THENCE LEAVING SAID RIGHT-OF-WAY N 87°01'30" W A DISTANCE OF 73.30 FEET; THENCE N 87°01'30" W A DISTANCE OF 61.70 FEET; THENCE S 02°58'30" W A DISTANCE OF 21.20 FEET; THENCE N 87°01'30" W A DISTANCE OF 6.00 FEET; THENCE N 42°01'30" W A DISTANCE OF 94.96 FEET; THENCE S 47°58'30" W A DISTANCE OF 70.95 FEET, TO THE POINT OF BEGINNING: THENCE CONTINUE S 47°58'30" W A DISTANCE OF 68.55 FEET; THENCE S 02°58'30" W A DISTANCE OF 16.00 FEET; THENCE S 85°36'25" E A DISTANCE OF 40.41 FEET; THENCE N 47°58'30" E A DISTANCE OF 52.00 FEET; THENCE N 42°01'30" W A DISTANCE OF 40.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 2769.9 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."

NOTE: SEE SHEET NO. 2 FOR SKETCH. SEE SHEET NO. 3 FOR MEASUREMENTS

 RALPH H. ORTIZ PSM 6212 DATE: 03/03/2021 PROFESSIONAL SURVEYOR & MAPPER FLORIDA REGISTRATION NUMBER 6212 NOT VALID WITHOUT ELECTRONIC SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER		CERTIFICATION I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE FLORIDA MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS. THE SEAL AND UNIQUE SIGNATURE APPEARING ON THIS DOCUMENT IS AUTHORIZED BY RALPH H. ORTIZ P.S.M. 6212 AND IS COMPLIANT WITH F.S. § 17-7.0025(3) (a) (b) (c) (d) <table border="1"><tr><td>FIELD</td><td>BC</td><td>DATE: 02/27/2021</td><td>JOB NO.</td></tr><tr><td>DRAFT</td><td>BJC</td><td>DATE: 03/03/2021</td><td>3893-3895 NORTH DALE HWY WET ZONE</td></tr></table>	FIELD	BC	DATE: 02/27/2021	JOB NO.	DRAFT	BJC	DATE: 03/03/2021	3893-3895 NORTH DALE HWY WET ZONE	 ALPHA LAND SURVEYING PROFESSIONAL SURVEYORS & MAPPERS LB No. 7841 2108 NORTH TAMPA STREET TAMPA, FL 33602 (813) 512-2347 ALT (813) 600-7172 ALPHASURVEYINGTAMPA.COM ALPHALANDSURVEYING@YAHOO.COM
FIELD	BC	DATE: 02/27/2021	JOB NO.								
DRAFT	BJC	DATE: 03/03/2021	3893-3895 NORTH DALE HWY WET ZONE								

21-0711

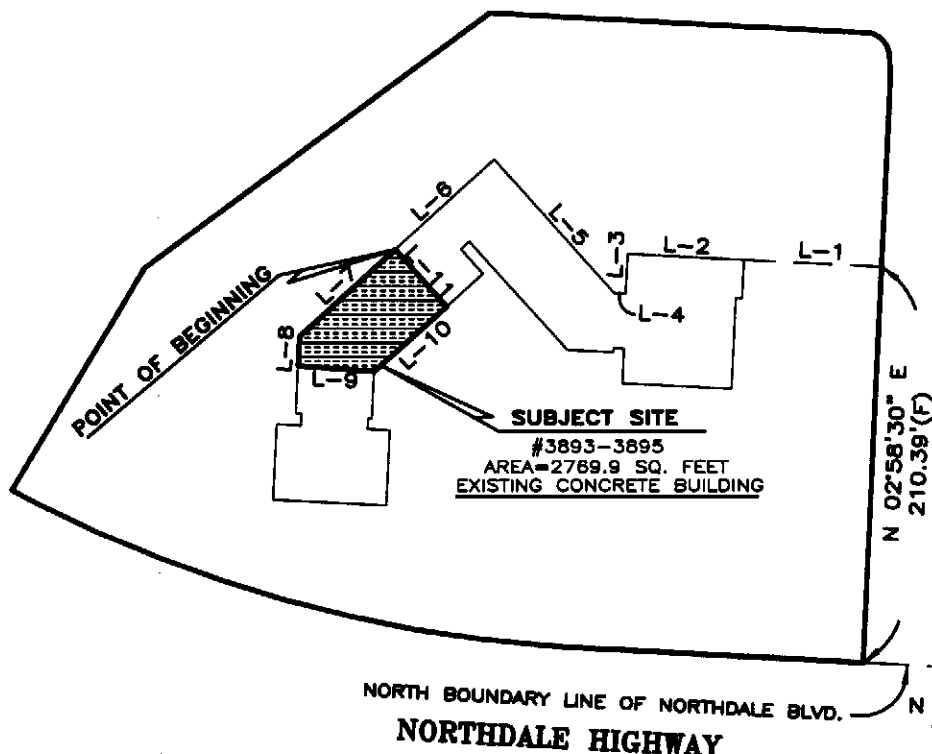
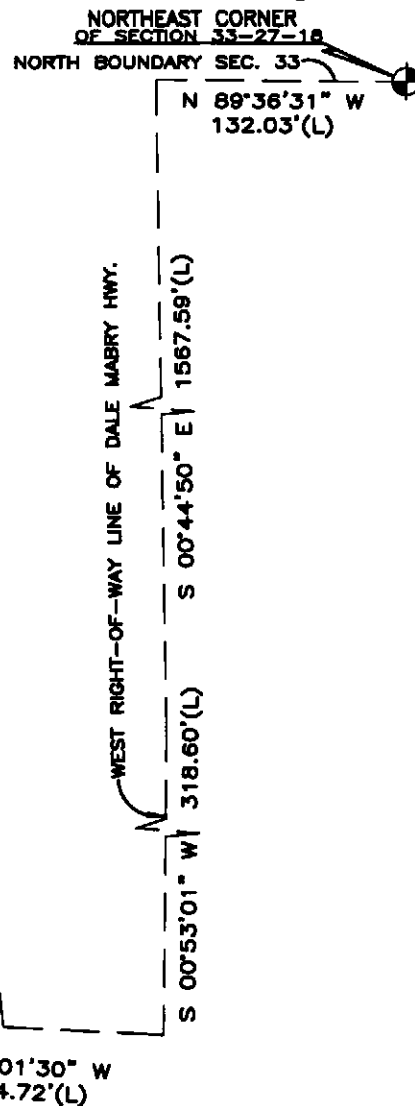
SHEET NO. 2 OF 3

SPECIFIC PURPOSE SURVEY

(ALCOHOLIC BEVERAGE SURVEY
(NOT A BOUNDARY SURVEY)

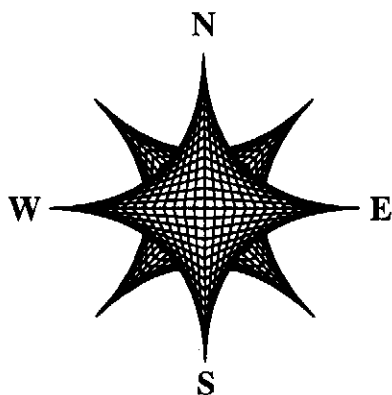
4-COP-X

CERTIFIED TO: TOM HALES



LINE DATA

L-1=N 87°01'30" W	73.30'(L)
L-2=N 87°01'30" W	61.70'(L)
L-3=S 02°58'30" W	21.20'(L)
L-4=N 87°01'30" W	6.00'(L)
L-5=N 42°01'30" W	94.96'(L)
L-6=S 47°58'30" W	70.95'(L)
L-7=S 47°58'30" W	68.55'(L)
L-8=S 02°58'30" W	16.00'(L)
L-9=S 85°36'25" E	40.41'(L)
L-10=N 47°58'30" E	52.00'(L)
L-11=N 42°01'30" W	40.59'(L)

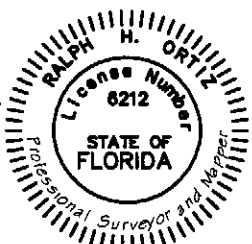


SCALE 1" = 100'

NOTE: SEE SHEET NO. 1 FOR LEGAL DESCRIPTION
AND CERTIFICATE. SEE SHEET NO. 3 FOR MEASUREMENTS

Ralph H. Ortiz
RALPH H. ORTIZ PSM 6212
DATE: 03/03/2021

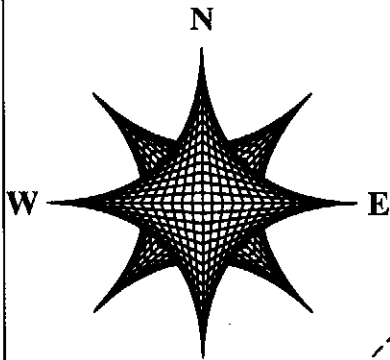
PROFESSIONAL SURVEYOR &
MAPPER FLORIDA REGISTRATION
NUMBER 6212
NOT VALID WITHOUT ELECTRONIC
SIGNATURE AND SEAL OF A
FLORIDA LICENSED SURVEYOR &
MAPPER



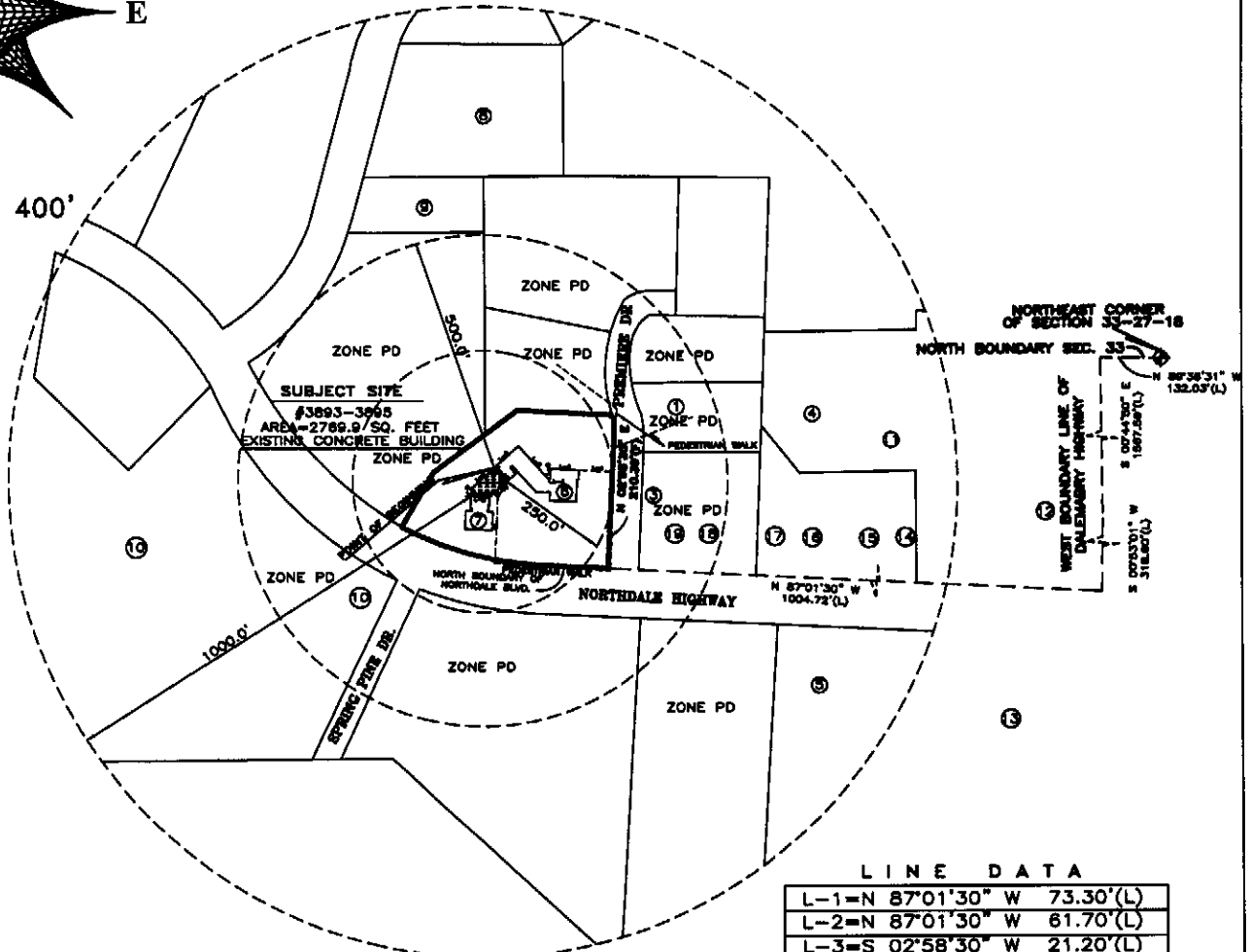
**ALPHA
LAND
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PROFESSIONAL SURVEYORS & MAPPERS
LB No. 7841
2910 W NORTH STREET
TAMPA, FL 33614
(813) 600-7172
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ALPHALANDSURVEYING@YAHOO.COM

SHEET NO. 3 OF 3

SPECIFIC PURPOSE SURVEY
(ALCOHOLIC BEVERAGE SURVEY)
(NOT A BOUNDARY SURVEY)
4-COP-X



SCALE 1" = 400'



LINE DATA

L-1=N	87°01'30"	W	73.30'(L)
L-2=N	87°01'30"	W	61.70'(L)
L-3=S	02°58'30"	W	21.20'(L)
L-4=N	87°01'30"	W	6.00'(L)
L-5=N	42°01'30"	W	94.96'(L)
L-6=S	47°58'30"	W	70.95'(L)
L-7=S	47°58'30"	W	68.55'(L)
L-8=S	02°58'30"	W	18.00'(L)
L-9=S	85°36'25"	E	40.41'(L)
L-10=N	47°58'30"	E	52.00'(L)
L-11=N	42°01'30"	W	40.59'(L)

- 1, 15609 PREMIERE DR. TAMPA, FL (KINDER CARE LLC) 306 FEET (864 FEET PEDESTRIAN WALK)
- 2, 3849 NORTHDALE BLVD. TAMPA, FL 4-COP) 575 FEET 932 PEDESTRIAN WALK)
- 3, 3875 NORTHDALE BLVD. TAMPA, FL (THAI SWEET BASIL-2-COP) 390 FEET
- 4, 15892 DALE MABRY HWY. TAMPA, FL (WINN-DIXIE-2-APS) 684 FEET (1260 PEDESTRIAN WALK)
- 5, 3802 NORTHDALE BLVD. TAMPA, FL (WHOLE FOODS MARKET-2COP) 825 FEET
- 6, 3879 NORTHDALE BLVD. TAMPA, FL (PEOPS-4-COP-R) 102 FEET
- 7, 3899 NORTHDALE BLVD. TAMPA, FL (MAX'S MIMI MART 2-APS) 40 FEET
- 8, 15709 MAPLEDALE BLVD, TAMPA, FL (NORTHDALE LUTHERAN CHURCH AND SCHOOL) 840 FEET (1475 PEDESTRIAN WALK)
- 9, 15707 MAPLEDALE BLVD, TAMPA, FL (LA PETITE ACADEMY) 508 FEET (1370 PEDESTRIAN WALK)
- 10, 15550 SPRING PINE DRIVE, TAMPA, FL (NORTHDALE PARK "A"&"B") 250 FEET
- 11, 15890 DALE MABRY HWY. TAMPA, FL (WINN-DIXIE BEER WINE SPIRITS 3-PS 785 FEET (1210' PEDESTRIAN WALK)
- 12, 15802 DALE MABRY HWY. TAMPA, FL (WALGREENS 2-APS 1220' FEET)
- 13, 15524 DALE MABRY HWY. TAMPA, FL (WAWA 2-APS-IS 1250' FEET)
- 14, 3805 NORTHDALE BLVD. TAMPA, FL 4-COP-RX 820 FEET (1080' PEDESTRIAN WALK)
- 15, 3817 NORTHDALE BLVD. TAMPA, FL 2-COP-X 770 FEET (1105' PEDESTRIAN WALK)
- 16, 3825 NORTHDALE BLVD. TAMPA, FL 2-COP 838 FEET (1058' PEDESTRIAN WALK)
- 17, 3841 NORTHDALE BLVD. TAMPA, FL 4-COP 595 FEET (953' PEDESTRIAN WALK)
- 18, 3853 NORTHDALE BLVD. TAMPA, FL 4-COP 486 FEET (782' PEDESTRIAN WALK)
- 19, 3869-3871 NORTHDALE BLVD. TAMPA, FL 4-COP-RX 455 FEET (759' PEDESTRIAN WALK)



**ALPHA
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PROFESSIONAL SURVEYORS & MAPPERS
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**Hillsborough
County Florida**
Development Services

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

Additional / Revised Information Sheet

Date Stamp Here

Application Number: SU-AB 21-0711 Applicant's Name: Northdale Tampa, Inc.

Reviewing Planner's Name: Tania Chapela Date: June 24, 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): July 26, 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@hcf.gov.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

6-24-21
Date

FOR OFFICE USE ONLY

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

In-Take Completed by: _____

Joseph L. Diaz

Attorney at Law

June 24, 2021

Hillsborough Development Services Dept.
601 E. Kennedy Blvd.
19th Floor
Tampa, FL 33601

ATTN: Tania Chapela

Re: SU AB 21-0711

Dear Ms. Chapela:

As you are aware I represent the applicant Northdale Tampa, Inc. in the above referenced application. Per your email dated June 17, 2021 I herewith remit the following items on behalf of the applicant regarding the hearing that is scheduled for July 26, 2021:

Additional/Revised Information Sheet

Sheets 1, 2 and 3 of the survey prepared by Alpha Land Surveying, Inc.

A waiver request for the child care center located at 15609 Premiere Drive

A waiver request for Northdale Park located at 15550 Spring Pine Drive

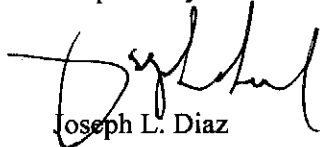
A waiver request seeking a waiver to more than three licenses of a certain type.

Revised Written Statement setting forth the community uses and existing wet zoning as set forth in the graphic information you previously furnished.

Per the email yesterday from Carmen Mason as well as our earlier telephone conversation I will not be mailing out any new Notices

Thank you for your assistance in this matter and should you require any additional information or documentation please advise and I will gladly furnish same.

Respectfully submitted,



Joseph L. Diaz

WRITTEN STATEMENT

1. The nature of the proposed establishment for which the wet zoning is being requested is a tavern that has been in existence since 1985 and during that time has operated in compliance with all State and County regulations but unfortunately fell on hard times as a result of the pandemic.
2. The alcoholic classification being requested is a modification from 4-COP-RX to 4-COP-X.
3. The minimum distance between the area to be wet zoned and any residentially zoned property is in excess of 250 feet.
4. The type and number of community uses within 500' of the proposed wet zoning are 2:

Kinder Care Child Care Center
Northdale Park

5. The type and number of other wet zonings within 1000' of the proposed wet zoning is 15:

Whole Food	2-COP	3802 Northdale Blvd.
Vacant	4-COP-RX	3805 Northdale Blvd.
Vacant	2-COP-X	3817 Northdale Blvd.
Vacant	2-COP	3825 Northdale Blvd.
The Local	4-COP	3841 Northdale Blvd.
Duggy Day Inn	4-COP	3849 Northdale Blvd.
UPS Store	4-COP	3853 Northdale Blvd.
Costanera Peruvian	2-COP-RX	3869-71 Northdale Blvd.
Thai Sweet Basil	2-COP-RX	3875 Northdale Blvd.
Pepo's	2-COP-SRX	3879 Northdale Blvd.
Max's Mini Mart	2-APS	3899 Northdale Blvd.
Wawa	2-APS	15524 N. Dale Mabry Hwy.
Walgreens	2-APS	15602 N. Dale Mabry Hwy.
Winn-Dixie Liquors	3-PS	15690 N. Dale Mabry Hwy.
Winn-Dixie Grocery	2-APS	15692 N. Dale Mabry Hwy.

6. The address of the property is 3893-95 Northdale Blvd., Tampa, FL 33624.
7. Northdale, LLC is the owner of the property.
8. The business name is Tom's Tavern Northdale.
9. This proposal will comply with the specific standards in the LDC.



**Hillsborough
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In-Take Completed by: _____

Joseph L. Diaz

Attorney at Law

June 24, 2021

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Re: SU AB 21-0711

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A waiver request for the child care center located at 15609 Premiere Drive

A waiver request for Northdale Park located at 15550 Spring Pine Drive

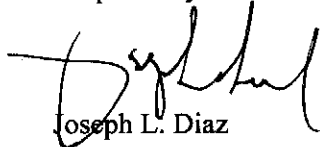
A waiver request seeking a waiver to more than three licenses of a certain type.

Revised Written Statement setting forth the community uses and existing wet zoning as set forth in the graphic information you previously furnished.

Per the email yesterday from Carmen Mason as well as our earlier telephone conversation I will not be mailing out any new Notices

Thank you for your assistance in this matter and should you require any additional information or documentation please advise and I will gladly furnish same.

Respectfully submitted,



Joseph L. Diaz

**ALCOHOLIC BEVERAGE SPECIAL USE
DISTANCE WAIVER REQUEST
ATTACHMENT "A" (page 1 of 2)**

The Land Development Code provides standard distance requirements from residential property and community uses for the location of an Alcoholic Beverage Special Use Permit, which are:

(1) 1-APS and 2-APS

- A. The distance from the "permitted" structure to certain community uses² shall be at least 500 feet.
- B. The distance from the "permitted" structure to residentially zoned property shall be at least 50 feet from the side yard(s) and 20 feet from the functional rear yard.

(2)

1-APS-IS and 2-APS-IS

- A. The distance from the proposed structure to schools shall be 500 feet.

(3) 2-COP-R, 2-COP-RX, 4-COP-RX, AND 11C (Golf Clubs, Tennis and Racquetball Clubs, Wedding and Special Occasion Reception Halls)

- A. The distance from the "permitted" structure to certain community uses shall be at least 500 feet.
- B. The distance from the "permitted" structure to residentially zoned property shall be at least 150 feet.

(4) 3-PS, 2-COP, 2-COP-X, 4-COP, 4-COP-X, 4-COP-SX, 4-COP-SBX, 11-C (Social Clubs) and Bottle Clubs

- A. The distance from the "permitted" structure to certain community uses shall be at least 500 feet.
- B. The distance from the "permitted" structure to residentially zoned property shall be at least 250 feet.
- C. There shall be no more than three approved 3-PS, 2-COP, 4-COP, 4-COP-X, 4-COP-SX, 4-COP-SBX, 11-C (Social Club) or Bottle Club Alcoholic Beverage Use Permits within 1,000 feet of the proposed Special Use as measured from the "permitted" structure to the existing Alcoholic Beverage Conditional Use or wet-zoning approved under previous zoning regulations as well as nonconforming wet-zoned establishments.

² "Certain community uses" shall include churches/synagogues, schools, child care centers, public libraries, community recreational facilities and parks.

Application Number: SU AB 21-0711

ATTACHMENT B (Page 2 of 2)

ALCOHOLIC BEVERAGE SPECIAL USE DISTANCE WAIVER REQUEST

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:

The proposed structure is within 500 feet of a child care center

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

The proposed structure is located within an area that is primarily a commercial development. There are no residential uses within the immediate area.

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

The proposed structure is located near the west end of the retail shopping center and its front door faces in a southerly direction. There are a number of businesses located within the shopping center that are located between the proposed structure and the child care center which is east and north of the proposed structure. The normal route of travel between the proposed structure and the child care center exceeds 500 feet.

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

**ALCOHOLIC BEVERAGE SPECIAL USE
DISTANCE WAIVER REQUEST
ATTACHMENT "A" (page 1 of 2)**

The Land Development Code provides standard distance requirements from residential property and community uses for the location of an Alcoholic Beverage Special Use Permit, which are:

(1) 1-APS and 2-APS

- A. The distance from the "permitted" structure to certain community uses² shall be at least 500 feet.
- B. The distance from the "permitted" structure to residentially zoned property shall be at least 50 feet from the side yard(s) and 20 feet from the functional rear yard.

(2)

1-APS-IS and 2-APS-IS

- A. The distance from the proposed structure to schools shall be 500 feet.

(3) 2-COP-R, 2-COP-RX, 4-COP-RX, AND 11C (Golf Clubs, Tennis and Racquetball Clubs, Wedding and Special Occasion Reception Halls)

- A. The distance from the "permitted" structure to certain community uses shall be at least 500 feet.
- B. The distance from the "permitted" structure to residentially zoned property shall be at least 150 feet.

(4) 3-PS, 2-COP, 2-COP-X, 4-COP, 4-COP-X, 4-COP-SX, 4-COP-SBX, 11-C (Social Clubs) and Bottle Clubs

- A. The distance from the "permitted" structure to certain community uses shall be at least 500 feet.
- B. The distance from the "permitted" structure to residentially zoned property shall be at least 250 feet.
- C. There shall be no more than three approved 3-PS, 2-COP, 4-COP, 4-COP-X, 4-COP-SX, 4-COP-SBX, 11-C (Social Club) or Bottle Club Alcoholic Beverage Use Permits within 1,000 feet of the proposed Special Use as measured from the "permitted" structure to the existing Alcoholic Beverage Conditional Use or wet-zoning approved under previous zoning regulations as well as nonconforming wet-zoned establishments.

²

"Certain community uses" shall include churches/synagogues, schools, child care centers, public libraries, community recreational facilities and parks.

Application Number: SU AB 21-0711

ATTACHMENT B (Page 2 of 2)

ALCOHOLIC BEVERAGE SPECIAL USE DISTANCE WAIVER REQUEST

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:

The proposed structure is within 500 feet of a community use (Northdale Park)

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

The proposed structure is located within a retail shopping center that is primarily commercial development. The proposed structure has operated as a tavern since 1985 and there has never been any problems at the site

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

The proposed structure is located near the east end of the retail shopping center and its front door faces in a southeasterly direction. The community use is located southwesterly of the proposed structure and is separated by a four (4) lane divided roadway containing a center island. The proposed has operated as a tavern since 1985 and there has never been any problems with the site

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

**ALCOHOLIC BEVERAGE SPECIAL USE
DISTANCE WAIVER REQUEST
ATTACHMENT "A" (page 1 of 2)**

The Land Development Code provides standard distance requirements from residential property and community uses for the location of an Alcoholic Beverage Special Use Permit, which are:

(1) 1-APS and 2-APS

- A. The distance from the "permitted" structure to certain community uses² shall be at least 500 feet.
- B. The distance from the "permitted" structure to residentially zoned property shall be at least 50 feet from the side yard(s) and 20 feet from the functional rear yard.

(2)

1-APS-IS and 2-APS-IS

- A. The distance from the proposed structure to schools shall be 500 feet.

(3) 2-COP-R, 2-COP-RX, 4-COP-RX, AND 11C (Golf Clubs, Tennis and Racquetball Clubs, Wedding and Special Occasion Reception Halls)

- A. The distance from the "permitted" structure to certain community uses shall be at least 500 feet.
- B. The distance from the "permitted" structure to residentially zoned property shall be at least 150 feet.

(4) 3-PS, 2-COP, 2-COP-X, 4-COP, 4-COP-X, 4-COP-SX, 4-COP-SBX, 11-C (Social Clubs) and Bottle Clubs

- A. The distance from the "permitted" structure to certain community uses shall be at least 500 feet.
- B. The distance from the "permitted" structure to residentially zoned property shall be at least 250 feet.
- C. There shall be no more than three approved 3-PS, 2-COP, 4-COP, 4-COP-X, 4-COP-SX, 4-COP-SBX, 11-C (Social Club) or Bottle Club Alcoholic Beverage Use Permits within 1,000 feet of the proposed Special Use as measured from the "permitted" structure to the existing Alcoholic Beverage Conditional Use or wet-zoning approved under previous zoning regulations as well as nonconforming wet-zoned establishments.

²

"Certain community uses" shall include churches/synagogues, schools, child care centers, public libraries, community recreational facilities and parks.

Application Number: SU AB 21-0711

ATTACHMENT B (Page 2 of 2)

ALCOHOLIC BEVERAGE SPECIAL USE DISTANCE WAIVER REQUEST

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:

There are more than 3 approved 3-PS, 2-COP, 2-COP-X and 4-COP within 1,000
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:

T he site has had a 4-COP-RX since 1985 and hsas always been operated in full
complainece with all State and County regulations.

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

Two of the locations that have a 4-COP zoning (3849 & 3853 Northdale) are presenly
used as a Duggy Day Inn and a UPS Store, respectively. 3817 Northdale has a
2-COP-X designation and 3825 Northdale has a 2-COP designation but both locations
are more that 1,000 feet using the normal route of pedestrian traffic and both of
these locations are presently not being operated. The 3-PS located at 15690 N.
Dale Mabry is more than 1,000 feet using the normal route of pedestrian traffic.

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

Document Information

Document Type: (D) DEED
Recording Date: 2008-11-14 3:29:32 PM
Grantor: DIGERLANDO JOSEPH
Grantee: NORTHDALE LLC
Book: 18962
Page: 1149
Legal: PT S33 T27 R18
Direct link: 2008397248

 Order Certified Copy

Notes:

- Large documents may load slowly
- For best results when printing, save the document and print using your system PDF viewer (such as Acrobat Reader)

Document

INSTRUMENT#: 2008397248, BK: 18962 PG: 1149 PGS: 1149 - 1151 11/14/2008 at
 03:29:32 PM, DOC TAX PD(F.S.201.02) \$0.70 DEPUTY CLERK:LPERTUIS Pat
 Frank, Clerk of the Circuit Court Hillsborough County

Prepared by
 Return to:
 Digerlando Enterprises
 Joseph Digerlando
 10931 N Dale Mabry Hwy
 Tampa, FL 33618

Doc
 Stamps .70

QUIT CLAIM DEED

Made on November 5, 2008, by and between

Joseph Digerlando

whose address is: 10931 N Dale Mabry Hwy, Tampa, FL 33618
 hereinafter called the "grantor", to

Northdale, LLC, a Florida limited liability company

whose post office address is: 10931 N Dale Mabry Hwy, Tampa, FL 33618
 hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

Witnesseth, that the grantor, for and in consideration of the sum of \$10.00- TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the grantee forever, all the right title, interest, claim and demand which the said grantor has in and to, all that certain land situate in Hillsborough County Florida, vtz:

See Exhibit "A" attached hereto and made a part hereof

Parcel Identification Number: 16353.5050(5)

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

The land is not the homestead of the Grantor under the laws and constitution of the State of Florida and neither the Grantor nor any person(s) for whose support the Grantor is responsible reside on or adjacent to the land.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

21-0711

To Have and to Hold , the same together with all and singular appurtenances thereunto belonging or in anywise appertaining, and all estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behoof of the said grantee forever. In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.

Signed, sealed and delivered in our presence:

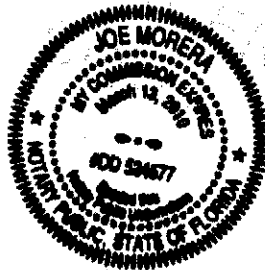
Witness Signature

Print Name: Joe Morera

State of Florida

County of Hillsborough

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED before me on 11/ 5 /08, by Joseph DiGerlando, who is/are personally known to me or has/have produced a valid driver's license as identification.



NOTARY PUBLIC

Notary Print Name
My Commission Expires: _____

EXHIBIT "A"

A parcel of land lying in Section 33, Township 27 South, Range 18 East, Hillsborough County, Florida, and being more particularly described as follows:

From the Northeast corner of said Section 33, run thence North 89 deg 36 min 31 sec West, 132.03 feet along the North boundary of said Section 33 to the West right-of-way line of Dale Mabry Highway, thence South 00 deg 44 min 50 sec East, 1587.59 feet along said right-of-way line to a point of curvature, thence Southerly, 318.65 feet along the arc of a curve to the right, having a radius of 5597.58 feet (chord bearing South 00 deg 53 min 01 sec West, 318.60 feet) along said right-of-way line to the Northerly right-of-way line of Northdale Boulevard, thence North 87 deg 01 min 30 sec West, 1004.72 feet along said Northerly right-of-way line to a Point of Beginning of the herein described parcel, thence continue along said right-of-way line North 87 deg 01 min 30 sec West, 154.00 feet to a point of curvature, thence continue along said right-of-way line Northwesterly, 311.18 feet along the arc of a curve to the right, having a radius of 705.00 feet (chord bearing North 74 deg 22 min 48 sec West, 308.66 feet), thence North 30 deg 56 min 52 sec East, 137.75 feet, thence North 53 deg 43 min 58 sec East, 227.70 feet, thence South 87 deg 01 min 30 sec East, 211.38 feet to a point on a curve, thence Southerly, 31.54 feet along the arc of a curve to the right, having a radius of 175.00 feet (chord bearing South 02 deg 11 min 19 sec East, 31.50 feet) to a point of tangency, thence South 02 deg 58 min 30 sec West, 301.69 feet to the Point of Beginning

21-0711



Received
04/19/21
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: 3893-95 Northdale Blvd. City/State/Zip: Tampa, FL 33624 TWN-RN-SEC: 33-27-18
Folio(s): 016353.5050 Zoning: PD Future Land Use: OC-20 Property Size: 118,918

Property Owner Information

Name: Northdale, LLC Daytime Phone: 813/961-8715
Address: 10931 N. Dale Mabry Hwy City/State/Zip: Tampa, FL 33618
Email: Reinvestexchange@gmail.com FAX Number:

Applicant Information

Name: Northdale Tampa, Inc. Daytime Phone: 813/416-7234
Address: 9720 N. Armenia Ave., Suite J City/State/Zip: Tampa, FL 33612
Email: thaleslawoffice@yrhoo.com FAX Number:

Applicant's Representative (if different than above)

Name: Joseph L. Diaz, Esq. Daytime Phone: 813/879-6164
Address: 3242 Henderson Blvd., Suite 310 City / State/Zip: Tampa, FL 33609
Email: jldiazlaw@aol.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

Intake Staff Signature: Ana Lizardo Office Use Only Intake Date: 04/19/21
Case Number: 21-0711 Public Hearing Date: 06/21/21 Receipt Number: 21-0711
Type of Application: SU-AB

Development Services, 601 E Kennedy Blvd. 19th Floor

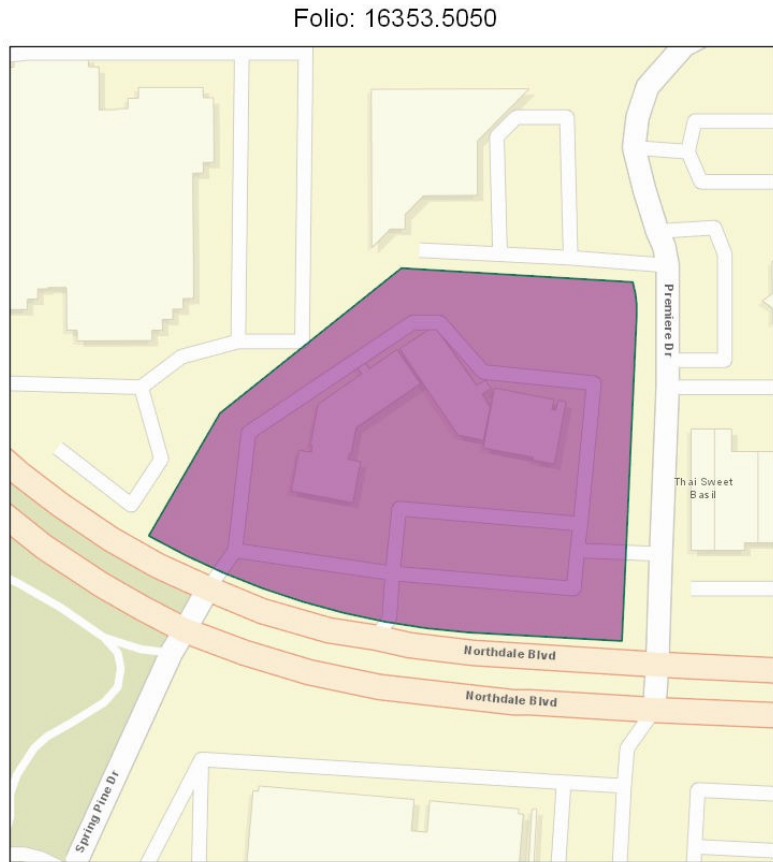
Revised 07/02/2014

21-0711



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	76-0166
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0182H
FIRM Panel	12057C0182H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120185F
County Wide Planning Area	Greater Carrollwood Northdale
Community Base Planning Area	Greater Carrollwood Northdale
Planned Development	PD
Re-zoning	null
Major Modifications	95-0154 DENIED, 17-1330
Personal Appearances	10-0933,10-0140,06-0900, 02-1371,96-0050,90-0115, 87-0043,87-0031,14-0724, 15-0157,16-0293
Census Data	Tract: 011524 Block: 3021
Future Landuse	OC-20
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
Competitive Sites	NO
Redevelopment Area	NO



April 22, 2021

1:1,178
0 0.01 0.02 0.04 mi
0 0.01 0.03 0.06 km

Hillsborough County Florida

Folio: 16353.5050
PIN: U-33-27-18-ZZZ-000000-71820.0
NORTHDALE LLC
Mailing Address:
 PO BOX 272313
 TAMPA, FL 33688-2313
Site Address:
 3879 NORTHDALE BLVD
 TAMPA, FL 33624
SEC-TWN-RNG: 33-27-18
Acreage: 2.85517001
Market Value: \$1,755,000.00
Landuse Code: 1630 STORE/SHP CENTE

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

21-0711

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