

THIS TUESDAY TAMPA TRIBUNE

and The Tampa Times

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'Person of Interest'

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Alcohol buffer zone rule may fall

Vote on church, school restriction is part of fast-tracking licensing

BY CHRISTIAN M. WADE
The Tampa Tribune

TAMPA — Businesses could be allowed to sell alcohol near schools, churches and parks — without the public's say or input — under a proposal headed for the Tampa City Council today.

The proposal would, among other things, empower the city's zoning department to grant wet-zoning permits to businesses without public notice or council approval as long as the applicant meets minimum requirements.

It also would eliminate the need for a special waiver from the city council if the businesses are within 1,000 feet of homes, schools, churches and playgrounds.

"If these changes are made, the city will be able to approve a convenience store, with alcohol sales, next to a home without notifying anyone," said Jerry Frankhouser, president of Tampa Homeowners, an Association of Neighborhoods, an umbrella group representing about 40 homeowners associations.

Today's vote, four days before a newly elected council takes over, would be the final vote on the proposed changes. Council members narrowly approved the measure on March 17.

City officials say the changes will streamline the permitting process, one of the main issues in

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Alcohol

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Tampa's recent election, making it less cumbersome and expensive for local businesses to sell alcohol while reducing the city's administrative expenses.

But neighborhood groups say the changes would reduce public scrutiny of who is selling alcohol.

"There has to be some kind of notice," Frankhouser said.

A representative of the Hillsborough County school district is expected to attend today's council meeting to voice opposition to the changes.

For decades, nearly every liquor license request — from nightclubs to restaurants to con-

venience stores wanting to sell beer and wine — has gone through the council for approval.

It's a process that includes two public hearings and two votes on the changes.

"Right now, it takes an average of two to three months to get a wet-zoning permit from filing application to council approval," said Eric Cotton, the city's zoning administrator.

Given the economy, that doesn't make sense, land-use lawyers say.

"There's no reason that small business owners should have to go through a bureaucratic quagmire just to sell beer and wine, especially in this economy," said Mark Bentley, who represents the Florida Petroleum Marketers

and Convenience Store Association.

He said the average cost for a mom-and-pop convenience shop to get a wet-zoning permit is \$15,000 to \$20,000, including legal representation and required paperwork.

Bentley said he has reviewed two years of council actions on wet-zoning permits and found

more than 50 percent of requested waivers from the 1,000-foot rule — a regulation that has been on the city's books since the end of World War II — were approved.

Among the businesses that wouldn't need public notice if the changes are approved:

- Package sales at convenience stores or alcohol sales as secondary to any other mer-

- Merchandise sales, such as at pharmacies and gas stations.

- Bowling alleys (10 lanes or more).

- Restaurants that agree to restricted operating hours (Sunday through Wednesday with an 11 p.m. closing; Thursday through Saturday with a 1 a.m. closing).

- Businesses agreeing not to have amplified outdoor music after 11 p.m.

On March 17, the measure passed 4-3, with council members Charlie Miranda, Mary Mulhern and Yvonne Capin voting against it. All three return to the newly constituted council that takes office on Friday.

Miranda said he opposes the changes because of the impact on neighborhoods.

"Streamlining the permitting process is one thing, changing the character of a residential neighborhood is another," he said.

"These rules are on the books for a good reason."

The changes, if approved, also present somewhat of a conundrum for Mayor-elect Bob Buckhorn, who takes office Friday.

Buckhorn campaigned on reducing bureaucracy, particularly in the city's permitting process, but he also pledged to pay attention to neighborhood concerns.

The council will meet at 10 a.m. in the old City Hall, 315 E. Kennedy Blvd., in downtown Tampa.

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