

# WINTER HAVEN

THE CHAIN OF LAKES CITY

## ALCOHOL LICENSE ZONING REVIEW APPLICATION

### PLANNING DIVISION

451 Third Street, NW, Winter Haven, FL 33881

Phone: 863-291-5600 Email: [planning@mywinterhaven.com](mailto:planning@mywinterhaven.com)

### For Official Use Only:

Date Received: \_\_\_\_\_

Received By: \_\_\_\_\_

### APPLICATION:

This application is for:

- New License     Name Change     Address Change     Change of Ownership  
 Temporary Extension of Premises     One, Two, or Three Day Event     Other

Type/Class of License Applying For: \_\_\_\_\_

### APPLICANT INFORMATION:

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### BUSINESS & PROPERTY INFORMATION:

Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Parcel Identification Number(s): \_\_\_\_\_

Present Use of Property: \_\_\_\_\_

Building Square Footage: \_\_\_\_\_

Seating Capacity: \_\_\_\_\_

Type of Business for License:

- Retail/Package Store     Restaurant\*     Bar/Nightclub     Banquet Hall  
 Bottle Club     Non-Profit     Other^ \_\_\_\_\_

**\*RESTAURANTS ONLY:**

Section 21-96 of the City of Winter Haven’s Code of Ordinances regulates Alcoholic Beverage Establishments. The provisions of this section, except hours for sale or service in subsection 21-96(d), do not apply to restaurants, as defined in Article IX of the ULDC:

*Restaurant* shall mean an establishment licensed by the State of Florida as a public food service establishment where the principal use is the preparation, serving and selling of food for immediate consumption on or in the vicinity of the premises; called for or taken out by customers; or prepared prior to being delivered to another location for consumption. If available, the sale of alcoholic beverages shall be incidental such that fifty-one (51) percent or more of the gross sales of the establishment are derived from the sale of food and non-alcoholic beverages,; the establishment must possess an SFS license as defined in F.S. § 561.20(2), a 1COP license as defined in F.S. § 563.02, or a 2COP license as defined in F.S. § 564.02; shall provide food service during all hours of operation; shall not have a stage or permit dancing; and shall not charge a cover at any time; shall not have a disc jockey; shall not provide indoor recreational uses including, but not limited to, the following: pool tables, dart games, air hockey, and/or more than two (2) video games/pinball/arcade machines; and shall provide seated service only.

I hereby acknowledge and agree:

1. The business subject to this authorization meets the definition of a restaurant as defined in Article IX of the ULDC and provided above.
2. If at any point the business does not meet the definition of a restaurant as defined in Article IX of the ULDC and provided above, it shall be considered an alcoholic beverage establishment and subject to Section 21-96 of the City of Winter Haven’s Code of Ordinances to continue operation.

\_\_\_\_\_  
 APPLICANT SIGNATURE                      PRINTED NAME                      DATE

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is  personally known to me or  has produced \_\_\_\_\_ as identification and who (did) (did not) take an oath.

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC

**^ACCESSORY ALCOHOL USE ONLY:**

Section 21-96 of the City of Winter Haven’s Code of Ordinances regulates Alcoholic Beverage Establishments. The provisions of this section, except hours for sale or service in subsection 21-96(d), do not apply when it is an accessory use as defined in Section 21-96(b)(4):

(4) The provisions of this section, except subsection 21-96(d), shall not apply when the sales or consumption of alcoholic beverages is accessory to a permitted principal use, conducted indoors, and without direct ingress and egress to a public street. Examples of typical principal uses with accessory alcohol sales or consumption include, but are not limited to: Bowling alleys, restaurants, golf courses, hotels, bed and breakfasts, performance theaters (excluding adult entertainment), civic centers and airports.

- i. Section 21-96(b), (c) and (d) notwithstanding, any use that engages in activities consistent with a bar or nightclub, as defined in Article IX of the ULDC, and is not a legally non-conforming use of the land consistent with section 21-433, shall be considered an alcoholic beverage establishment and subject to the provisions of this section.

I hereby acknowledge and agree:

- 1. The business subject to this authorization meets the definition of an accessory alcohol use as described in Section 21-96(b)(4) and provided above.
- 2. If at any point the business does not meet the definition of an accessory alcohol use as described in Section 21-96(b)(4) and provided above, it shall be considered an alcoholic beverage establishment and subject to Section 21-96 of the City of Winter Haven’s Code of Ordinances to continue operation.

APPLICANT SIGNATURE	PRINTED NAME	DATE
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STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is  personally known to me or  has produced \_\_\_\_\_ as identification and who (did) (did not) take an oath.

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC

**For Planning Staff to Complete:**

Zoning District: \_\_\_\_\_  Permitted  Not Permitted  Special Use Required

Special Use Approval Order No.: \_\_\_\_\_

Security Plan Required      Security Plan Approval Date: \_\_\_\_\_

Site Plan Requirement:  Required  Not Required

Site Plan Determination Explanation: \_\_\_\_\_

Closest School: \_\_\_\_\_  Meets Required Separation

Closest Church: \_\_\_\_\_  Meets Required Separation

If Restaurant:  Meets Definition      If Accessory Use:  Meets Definition

If Temporary Extension/One, Two, Three Day Event:

City Property\*  Private Property

\*Copy of Required Parks & Recreation Authorization Letter:

Provided  Not Provided

Additional Planning Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Approved       Denied

\_\_\_\_\_  
REVIEWER SIGNATURE

\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
DATE