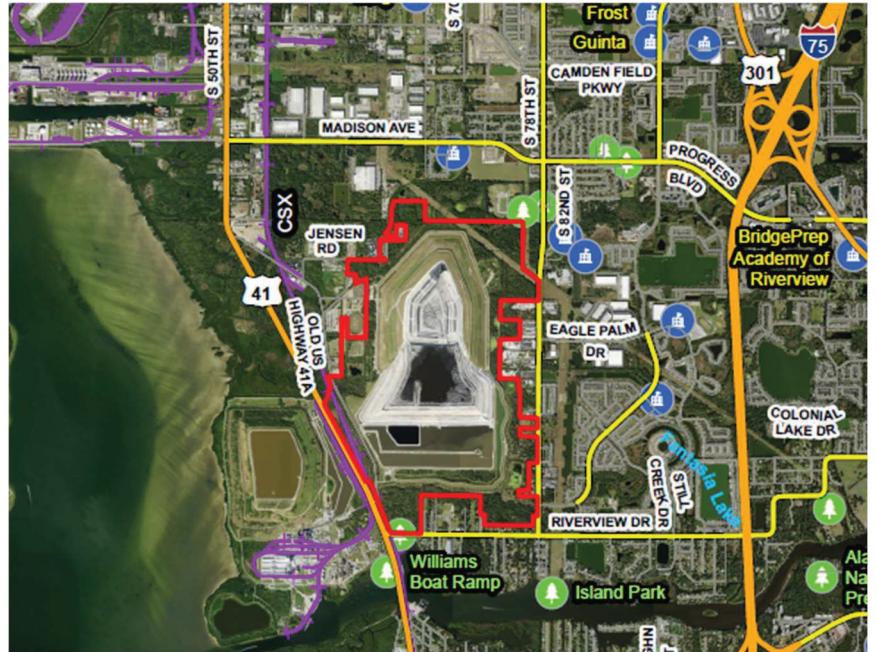




**PD Modification Application:** 24-1129  
**Zoning Hearing Master Date:** NA  
**BOCC Land Use Meeting Date:** December 10, 2024

**1.0 APPLICATION SUMMARY**

**Applicant:** Vinette Godelia  
**FLU Category:** Light Industrial (LI)  
Natural Preservation (N)  
**Service Area:** Urban  
**Site Acreage:** 1282.7  
**Community Plan Area:** Riverview  
**Overlay:** None



**Introduction Summary:**

Planned Development PD 99-1153 was approved in 2000 for phosphogypsum stack at a maximum height of 250 feet. The applicant requests modifications to allow for a temporary 14-foot-high increase in allowable height from 250 to 264 feet. The site is located within DRI #242 (Mosaic Gypsum Stack), however a companion DRI DO is not necessary.

Existing Approval(s):	Proposed Modification(s):
A phosphogypsum stack with a maximum height of 250 feet.	A phosphogypsum stack with a maximum height of 264 feet.

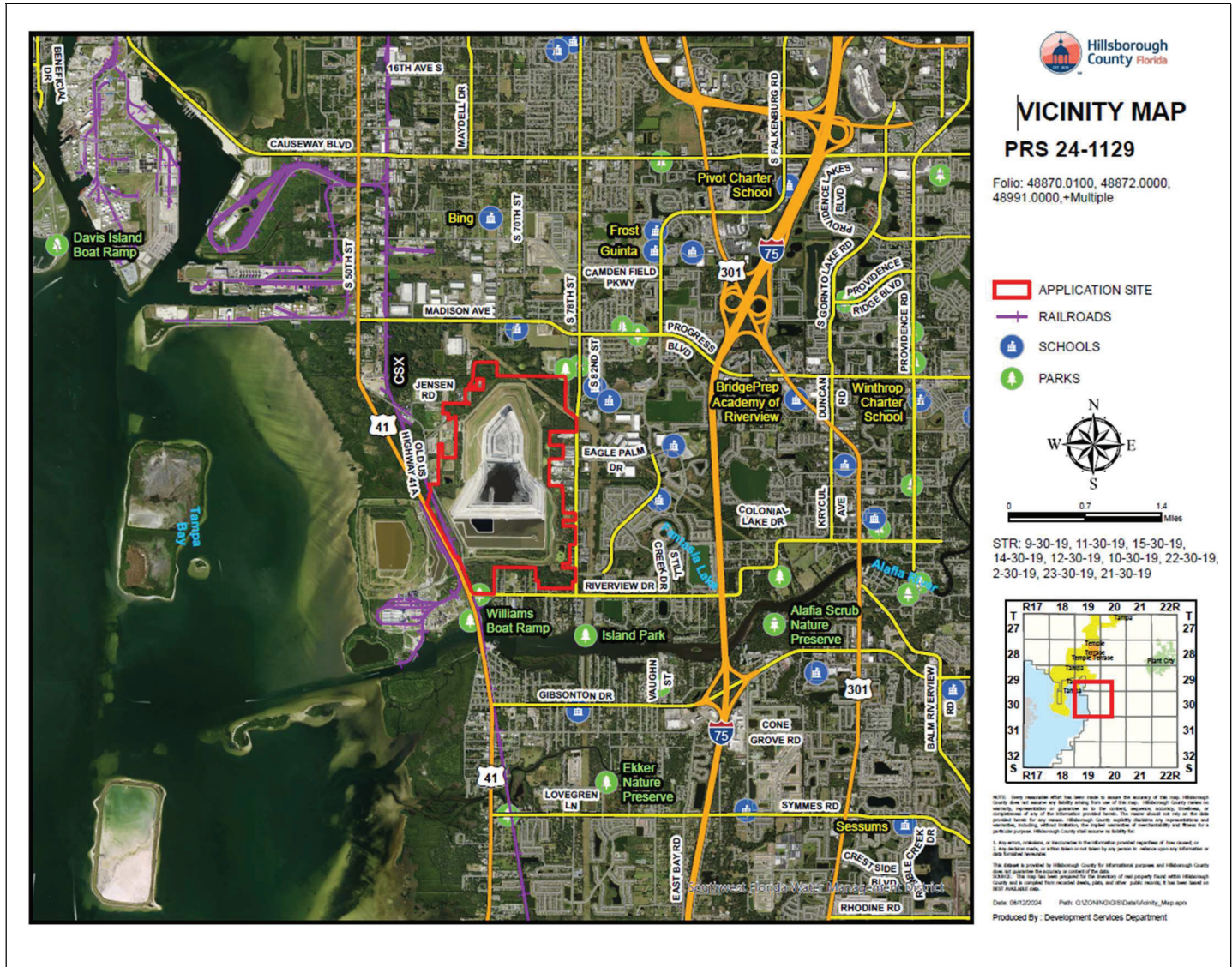
**Additional Information:**

PD Variations:	None Requested as part of this application
Waivers to the Land Development Code:	None Requested as part of this application

<b>Planning Commission Recommendation:</b> N/A	<b>Development Services Recommendation:</b> Approvable, subject to proposed conditions
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## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map

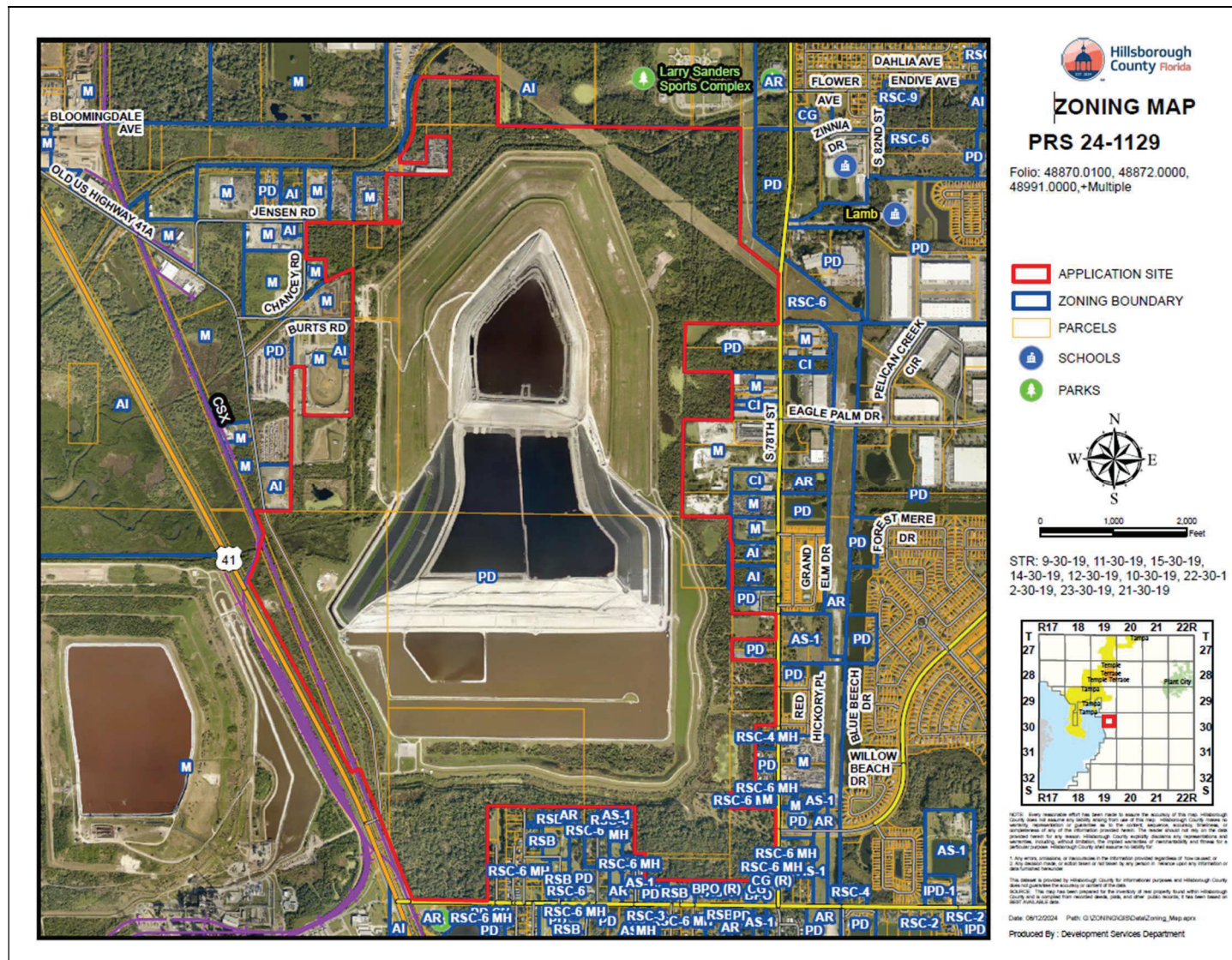


#### Context of Surrounding Area:

The property is located in the Riverview Community Plan area approximate one-quarter of a mile north of the US Highway 41 and Riverveiw Drive intersection. Several of the adjoining properties to the south are owned by the applicant and are undeveloped. The developed properties to the south have 1,000 to 1,900 feet of separation that includes an expanse of dense vegetation that ranges from 650 to 1,000 feet wide. The 1,282-acre site abuts several properties and differing uses that vary from single-family residential to heavy manufacturing.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

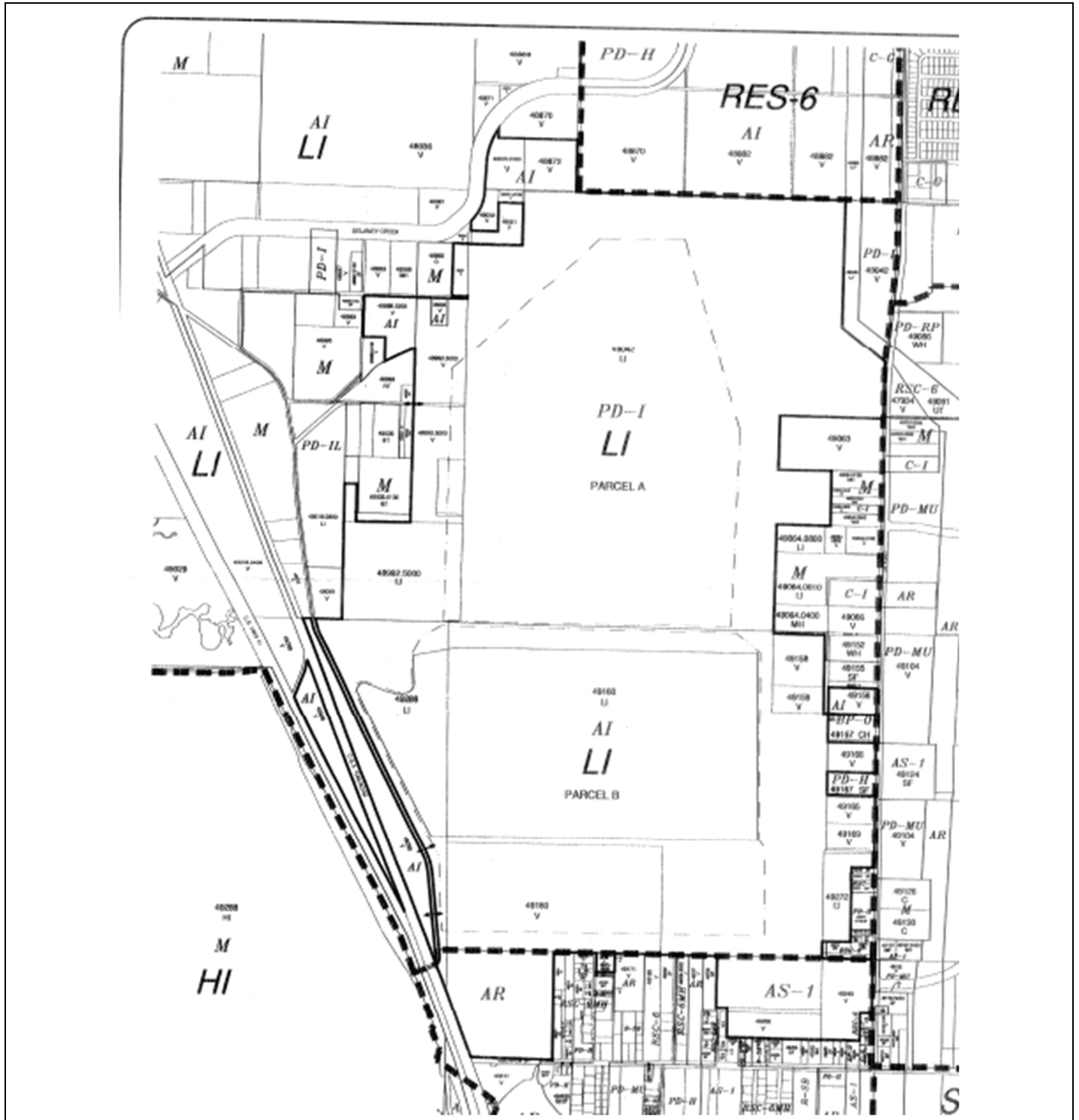
Location	Zoning	Maximum Density/FAR Permitted by Zoning District	Allowable Use	Existing Use
North	AI M	AI – FAR: NA/1 DU per GA M – FAR: 0.75/ NA	AI – Agriculture & Industrial M - Manufacturing	Vehicle Salvage, Open Storage, Miscellaneous Automotive, Electrical Transmission, Vacant Lands, Outdoor Recreation.
South	AR RSC-6 AS-1 RSB B-PO PD	AR – FAR: NA/1 DU per 5 GA RSC-6 – FAR: NA/6GU per GA AS-1 – FAR: NA/1 DU per GA RSB – FAR: NA/1-12 DU per GA B-PO – FAR: 0.2/NA PD FAR: NA/6 DU per GA	AR – Agricultural & Residential RSC-6 – AS-1 – Agricultural & Residential RSB – Show Business Support & Residential B-PO – Office PD 91-0108 & 91-0109 – Mobile Home Park	Recreation, Single-Family, Vacant Lands, Mobile Home Park

Adjacent Zonings and Uses (continued)

<p>East</p>	<p>AS-1 AI RSC-4(MH) RSC-6 CI M PD</p>	<p>AS-1 – FAR: NA/1 DU per GA AI -- FAR: NA/1 DU per GA RSC-4 – FAR: NA/4 DU per GA RSC-6 – FAR: NA/6 DU per GA CI – FAR: 0.27/ NA M – FAR: 0.75/ NA PD 83-0291 – NA/5 DU per GA PD 87-0184 – FAR 0.4/NA PD 87-0171 – FAR: 0.5/12 DU per GA PD 91-0123 NA/1.3 DU per GA PD 97-0130 – FAR: 0.75/NA</p>	<p>AS-1 – Agricultural &amp; Residential AI -- Agriculture &amp; Industrial RSC-4 (MH) – Single-Family RSC-6 – Single-Family Conventional CI - Commercial M -- Manufacturing PD 83-0291 – Mobile Home Park PD 87-0184 – Light Industrial PD 87-0171 – Single-Family  PD 91-0123 – Multi-Family PD 97-0130 – Religious Institution</p>	<p>Vacant Lands, Light Manufacturing, Towing Yard, Mobile Home Park, Single-Family, Electrical Transmission, Warehouse, Open Storage, Scrap Metal &amp; Recycling, Auto Repair, Mineral Processing, Cement Production, Vehicle Salvage, Single-Family, Religious Institution, Outdoor Recreation</p>
<p>West</p>	<p>AI M</p>	<p>AI – FAR: NA/1 DU per GA M – FAR: 0.75/ NA</p>	<p>AI – Agriculture &amp; Industrial M - Manufacturing</p>	<p>Vacant Lands, Warehouse, Motor Vehicle Racetrack, US 41 Right-of-Way</p>

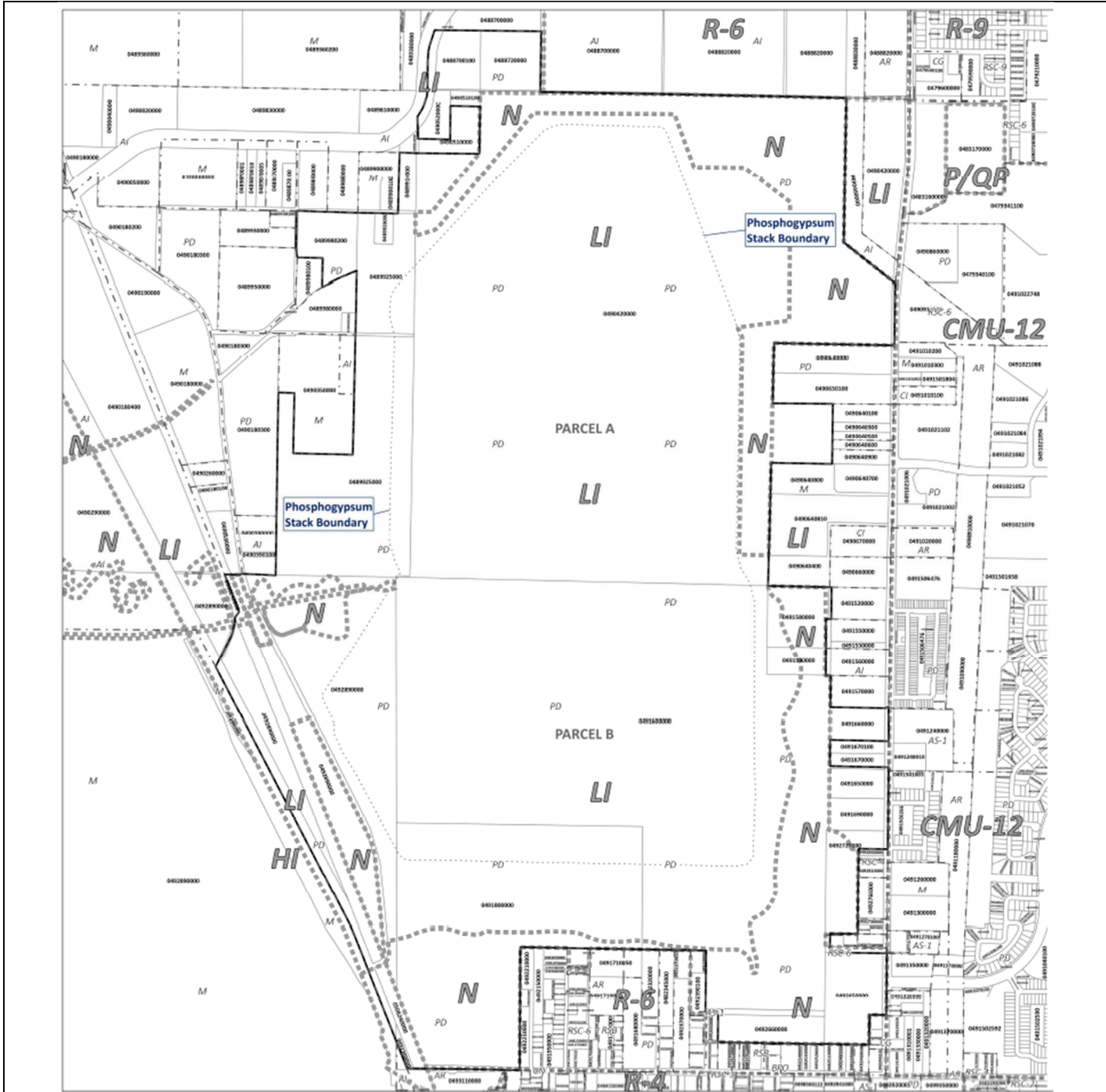
### 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.4 Approved Site Plan (partial provided below for size and orientation purposes. See Section 8.1 for full site plan)



### 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.5 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.2 for full site plan)



**3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)**

**Adjoining Roadways (check if applicable)  Not applicable for this request**

Road Name	Classification	Current Conditions	Select Future Improvements

**Project Trip Generation  Not applicable for this request**

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing			
Proposed			
Difference (+/1)			

\*Trips reported are based on net new external trips unless otherwise noted.

**Connectivity and Cross Access  Not applicable for this request**

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North				
South				
East				
West				
Notes:				

**Design Exception/Administrative Variance  Not applicable for this request**

Road Name/Nature of Request	Type	Finding
Notes:		

**4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY**

INFORMATION/REVIEWING AGENCY																
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments												
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No													
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No horizontal changes.												
Environmental Services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
Check if Applicable: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><input checked="" type="checkbox"/> Wetlands/Other Surface Waters</td> <td style="width: 50%; border: none;"><input type="checkbox"/> Potable Water Wellfield Protection Area</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Use of Environmentally Sensitive Land Credit</td> <td style="border: none;"><input type="checkbox"/> Significant Wildlife Habitat</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Wellhead Protection Area</td> <td style="border: none;"><input checked="" type="checkbox"/> Coastal High Hazard Area</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Surface Water Resource Protection Area</td> <td style="border: none;"><input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;"><input type="checkbox"/> Adjacent to ELAPP property</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;"><input type="checkbox"/> Other _____</td> </tr> </table>					<input checked="" type="checkbox"/> Wetlands/Other Surface Waters	<input type="checkbox"/> Potable Water Wellfield Protection Area	<input type="checkbox"/> Use of Environmentally Sensitive Land Credit	<input type="checkbox"/> Significant Wildlife Habitat	<input type="checkbox"/> Wellhead Protection Area	<input checked="" type="checkbox"/> Coastal High Hazard Area	<input type="checkbox"/> Surface Water Resource Protection Area	<input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor		<input type="checkbox"/> Adjacent to ELAPP property		<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> Wetlands/Other Surface Waters	<input type="checkbox"/> Potable Water Wellfield Protection Area															
<input type="checkbox"/> Use of Environmentally Sensitive Land Credit	<input type="checkbox"/> Significant Wildlife Habitat															
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<input type="checkbox"/> Surface Water Resource Protection Area	<input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor															
	<input type="checkbox"/> Adjacent to ELAPP property															
	<input type="checkbox"/> Other _____															
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments												
<b>Transportation</b> <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No													
<b>Service Area/ Water &amp; Wastewater</b> <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
<b>Hillsborough County School Board</b> Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No													
<b>Impact/Mobility Fees</b>																
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments												
<b>Planning Commission</b> <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No													



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## 5.0 IMPLEMENTATION RECOMMENDATIONS

### 5.1 Compatibility

Based on the existing required buffering and matured screening from the public right-of-way and neighboring properties, the amount of separation from the permitted stacking area to the neighboring properties, the relative change in proposed height in conjunction with the sloping away of the additional height from neighboring properties would provide additional distance from between the maximum height and neighboring properties, staff finds the proposed modification for a temporary 14-foot increase to the allowable height, which would settle at a final maximum height of 250 feet, compatible with the existing zoning and development pattern in the area.

### 5.2 Recommendation

Based on the above considerations, staff recommends approval subject to conditions.

## 6.0 PROPOSED CONDITIONS

### Approval – Approval, subject to the conditions listed below, is based on the site plan received October 13, 2009.

1. The development of the PD district shall proceed in strict accordance with the terms and conditions contained in the ~~Cargill Fertilizer, Inc.~~ Mosaic Fertilizer, LLC, Phosphogypsum Stack Expansion DRI Development Order, the General Site Development Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County, including requirements of the Environmental Protection Commission and regulations of the Land Development Code regarding Upland Wildlife Habitat and tree preservation.
2. The permitted use of the property shall be restricted to a phosphogypsum stack.
3. The developer shall submit a detailed visual management program designed to reduce the visual impact of the expanded phosphogypsum stack from residential neighborhoods and area roadways. At a minimum, the visual management program shall:
  - (a.) analyze the fourteen viewpoints identified within the existing visual management program considering a ~~250-foot tall phosphogypsum stack~~ with a temporary maximum height of 264 feet pursuant to condition 4;
  - (b.) establish the specific details concerning the location, types and number of trees and shrubs which will be planted;
  - (c.) make specific recommendations on plantings necessary to mitigate the visual impact from a ~~250-foot tall phosphogypsum stack~~ with a temporary maximum height of 264 feet pursuant to condition 4 on 78th Street, Madison Avenue, Riverview Drive, U.S. 41, and surrounding residential neighborhood; and,
  - (d.) set forth the time frames in which these programs will be started and completed. This visual management plan may consider activities to be conducted within the Stack Buffer Management and Protection Plan as described in the DRI Development Order.

The visual management plan shall be subject to approval by the Hillsborough County Planning and Growth Management Department (PGM) and shall be submitted within 6 months of the effective date of this ordinance. If at any time the trees, vegetation and other elements of the visual management plan fail to provide an adequate visual buffer between the phosphogypsum stack and the off-site areas as required above, and as determined by PGM, the developer shall submit supplemental plans for approval by PGM.

An annual monitoring report shall be submitted as part of the DRI Annual Report. The content of the monitoring report shall include a status report on compliance with the requirements stated above.

4. The ~~stack temporary maximum gypsum conveyance system height of the phosphogypsum stack shall be 250-264 feet (260-elevation 274 feet NGVD)~~ with a final settled height less than or equal to 250 feet ( elevation 260 NGVD) above the existing land surface.
5. The developer shall meet all applicable County, State and Federal Permit requirements necessary for the siting and construction of the phosphogypsum stack.
6. The general design and location of the access point(s) shall be regulated by the Hillsborough County Access Management regulations. The final design and location of the access points shall be regulated by the Hillsborough County Access Management regulations.
7. The applicant shall be required to pave any portion of the access drive which lies within the existing right-of-way planned to be used by the development.
8.      If required by FDOT, and if warranted , the developer shall provide, at his expense, additional left turn storage of sufficient length to accommodate anticipated southbound left turning traffic, on State Road 41 onto Old US. Prior to construction plan approval, the developer shall provide a traffic analysis, signed by a Professional

Engineer, showing the amount of left turn storage needed to serve any additional development traffic. The design and construction of the left turn lane shall be subject to FDPT approval.

- 9. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- 10. The construction and location of any proposed wetland impacts are not approved by this correspondence but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
- 11. Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.
- 8-12. Final design of onsite features including but not limited to stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- 9-13. Within 90 days of approval by the Hillsborough County Board of County Commissioners, the developer shall submit a revised General Site Plan for certification reflecting all conditions outlined above.

Zoning Administrator Sign Off:



**SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.**

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

**APPLICATION NUMBER: PRS 24-1129**

ZHM HEARING DATE: NA

BOCC LUM MEETING DATE: December 10, 2024

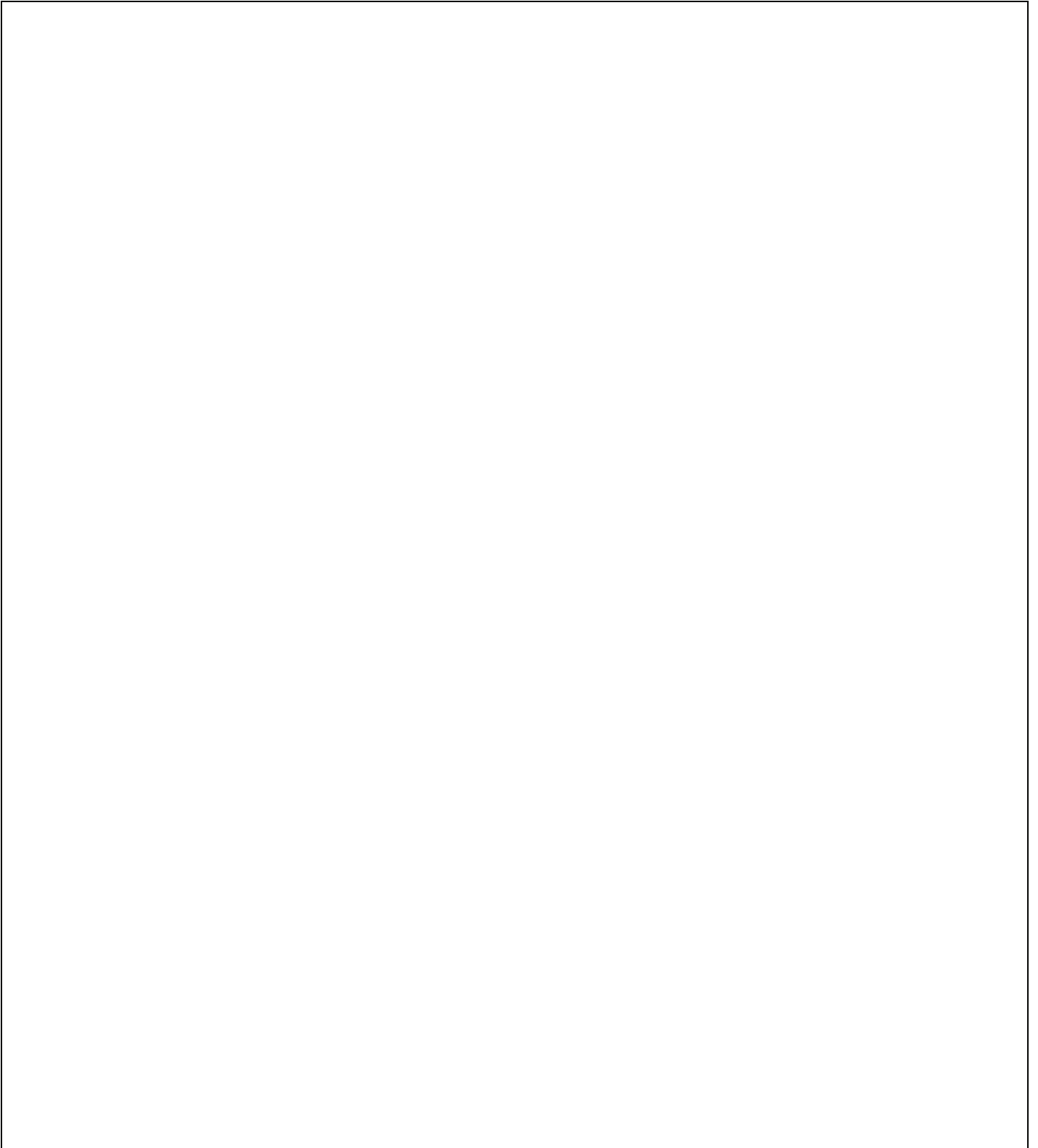
Case Reviewer: Sam Ball

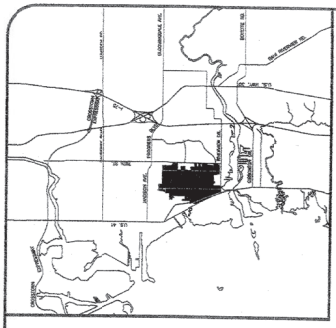
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## **7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS**

**8.0 SITE PLANS (FULL)**

**8.1 Approved Site Plan (Full)**





**Land Use and Development Summary**

Parcel	Acreage	Zoning		Use	
		Existing	Proposed	Existing	Proposed
A	648.6 Ac.	PD-I	PD	Openum Stock	Openum Stock
B	53.1 Ac.	AS-1	PD	Industrial/Vocant	Openum Stock
Total	1202.7 Ac.				

**GENERAL NOTES:**

- Final height of gypsum stock system will be 250 feet above existing grade.

**LEGEND:**

- 49042.0000 FOLIO NUMBER
- LI PROPERTY BOUNDARY
- LI LAND USE CATEGORY
- PD-I EXISTING ZONING
- PD-I ZONING DISTRICT BOUNDARY
- PD-I FULL MOVEMENT ACCESS POINT
- PD-I POTENTIAL BUILDING ENVELOPE

**FOLIO NUMBER CODE:**

- |    |            |    |            |
|----|------------|----|------------|
| 1  | 49321      | 15 | 49778.0100 |
| 2  | 49322-5000 | 17 | 49241.0100 |
| 3  | 49466.2000 | 18 | 49238.0100 |
| 4  | 49466.1000 | 18 | 49238.0100 |
| 5  | 49221.0000 | 20 | 49283      |
| 6  | 49221.0000 | 21 | 49283      |
| 7  | 49214      | 21 | 49284.0100 |
| 8  | 49198      | 23 | 49244.0200 |
| 9  | 49197      | 24 | 49244.0300 |
| 10 | 49200      | 25 | 49132.5100 |
| 11 | 49199      | 26 | 49235.0000 |
| 12 | 49199      | 27 | 49235.0000 |
| 13 | 49199      | 28 | 49157.0100 |
| 14 | 49186      |    |            |

**EXISTING USAGE CODE:**

- C COMMERCIAL
- CI CONNENENCE STORE/GAS
- LI LIGHT INDUSTRIAL
- MH MOBILE HOME
- MP MULTIFAMILY
- RP RECREATION PARK
- ST SINGLE FAMILY DWELLING
- UT UTILITY
- V VACANT
- WH WAREHOUSE

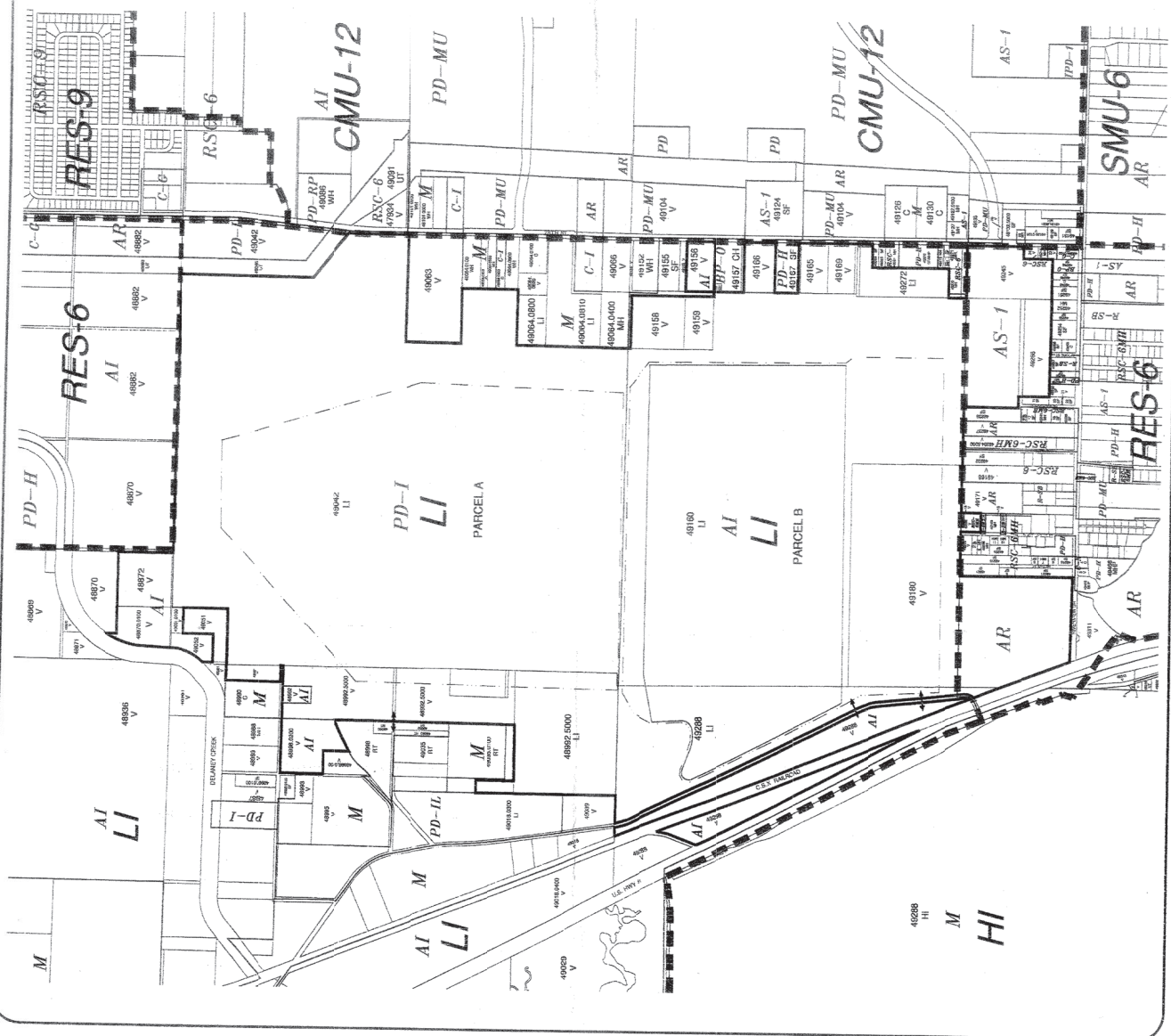
Revised 09/14/09



RECEIVED  
 FEB. 13. 2010  
 PLANNING DEPARTMENT  
 MANAGER

10-0026

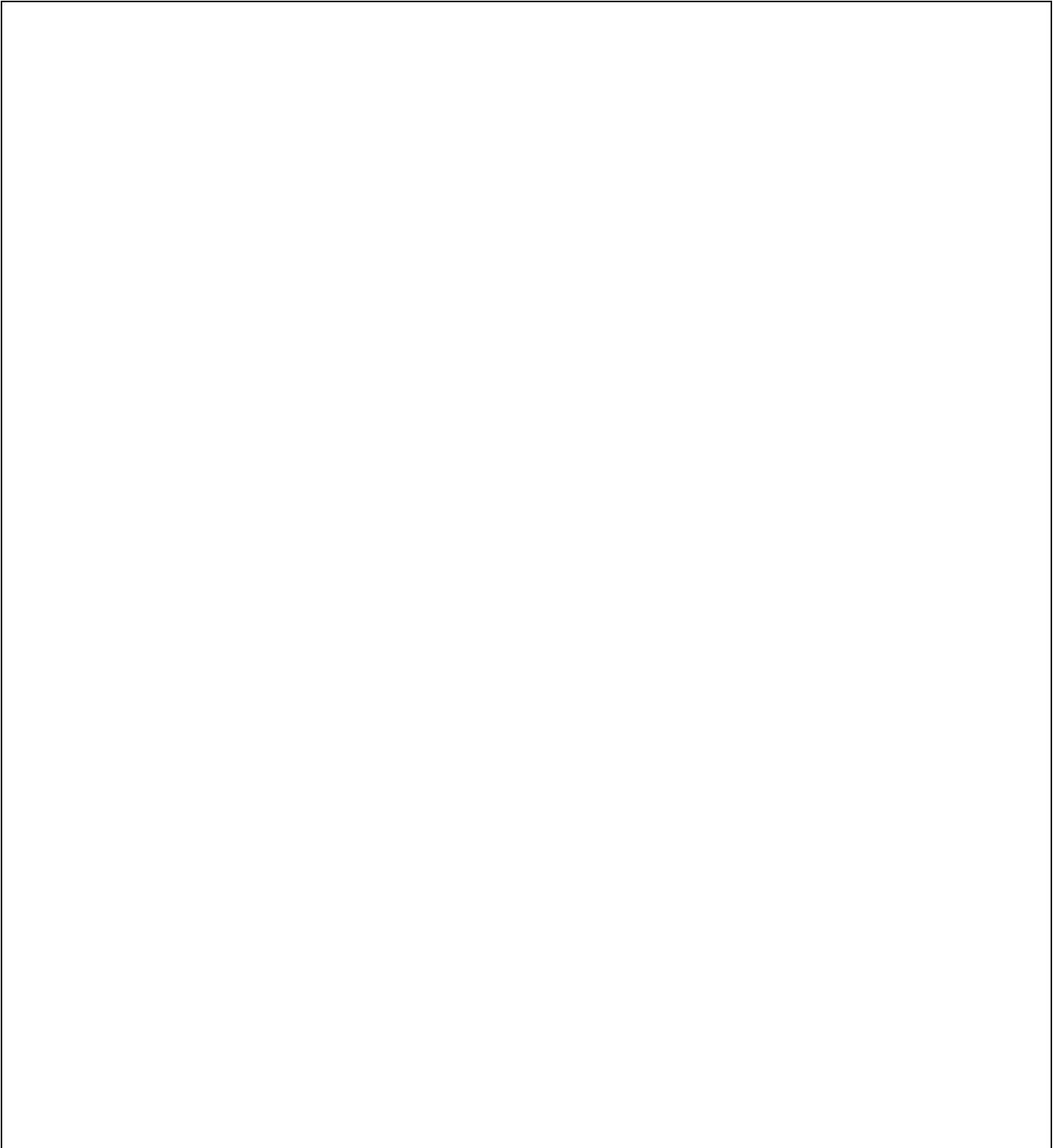
ENGELHARDT, HAMMER & ASSOCIATES  
 Planning - GIS - Expert Testimony  
 4145 MacArthur Blvd., Suite 3164  
 Telephone (813) 889-8108, Fax (813) 889-8871



49088  
 M  
 HI

## 8.0 SITE PLANS (FULL)

### 8.2 Proposed Site Plan (Full)





Folio #

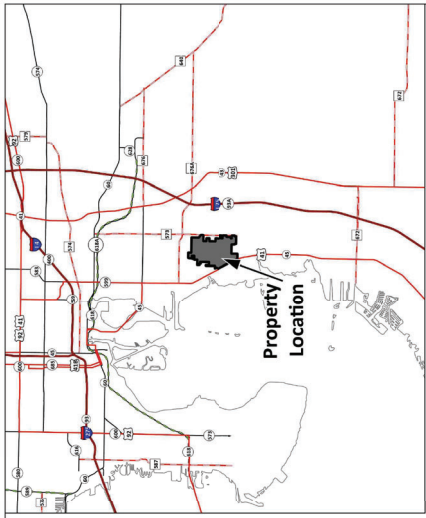
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0490420000*
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0491590000
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0491650000
0491660000
0491690000
0491800000
0492450000
0492660000
0492720000
0492890000*

\*A portion of

Land Use and Development Summary		
Parcel	Acres	Zoning
A	649.6 Ac.	PD
B	633.1 Ac.	PD
Total	1282.7 Ac.	

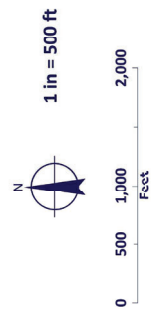
**GENERAL NOTES:**

- Final height of gypsum stack system will be 250 feet above existing grade.



Property Location

# Gypsum Stack Expansion General Site Plan



**LEGEND**

- 0491600000 Folio Number
- Property Boundary
- LI Future Land Use Category
- Future Land Use Boundary
- PD Zoning District Category
- - - - Zoning District Boundary
- Parcel Boundaries
- ..... Existing Stack Area



**9.0 FULL TRANSPORTATION REPORT (see following pages)**

**AGENCY REVIEW COMMENT SHEET**

**TO:** Zoning Technician, Development Services Department  
**REVIEWER:** Richard Perez, AICP  
**PLANNING AREA/SECTOR:** GPR/ CENTRAL

**DATE:** 9/19/2024  
**AGENCY/DEPT:** Transportation  
**PETITION NO:** PRS 24-1129

<input type="checkbox"/>	This agency has no comments.
<input checked="" type="checkbox"/>	This agency has no objection.
<input type="checkbox"/>	This agency has no objection, subject to the listed or attached conditions.
<input type="checkbox"/>	This agency objects for the reasons set forth below.

**PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting a minor modification to Planned Development (PD) 99-1153, as most recently amended by PRS 10-0026. The Planned Development is approved for a +/-1,282-acre Gypsum Stack Storage facility. The subject property is also an approved Development of Regional Impact, Cargill Fertilizer #242. The site is generally located at the east side of Old US Hwy 41A and S US Hwy 41 Intersection.

The requested modification proposes to increase the height of the gypsum stacks. There is no proposed change to land use type or intensity that would result in an increase in trips. As a result, no transportation analysis was required by the applicant. County staff has prepared an estimate of trips generated by existing development based on the approved maximum 200 truck trip per day.

Existing PD Zoning (PRS 10-0026):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: Gypsum Stack Site/ 200 Truck per 24 Hours	200	20*	20*

\*Estimated 10% of daily trips.

There is no proposed increase in trip generation.

**SITE ACCESS**

The project has three planned access connections pursuant to approved PRS 10-0026 PD site plan: one (1) on Burt Rd., and 2 on Old US Highway 41. However, only one of the two access connections on US Hwy 41 is constructed and in operation. There are no proposed changes to the existing access connections.

**INFRASTRUCTURE SERVING THE SITE**

Old US Hwy 41 is a substandard local roadway characterized by +/-20-ft wide pavement within a +/-67-ft wide right of way.

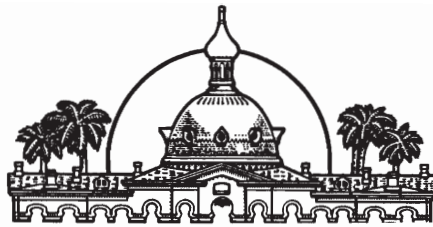
Burt Rd. is a substandard local roadway with portions unpaved within a 30-ft wide right of way.

**ROADWAY LEVEL OF SERVICE**

Old Us Hwy 41 and Burt Rd. are not regulated roadways in County Roadway Level of Service Report.



**CURRENTLY  
APPROVED**



Hillsborough County  
Florida

Office of the County Administrator  
Patricia G. Bean

BOARD OF COUNTY COMMISSIONERS

Kevin Beckner  
Rose V. Ferlita  
Ken Hagan  
Al Higginbotham  
Jim Norman  
Mark Sharpe  
Kevin White

ADMINISTRATORS

Lucia E. Garsys  
Carl S. Harness  
Eric R. Johnson  
Michael S. Merrill  
Manus J. O' Donnell  
Edith M. Stewart

January 15, 2010

Reference: PRS 10-0026 RV

Engelhardt, Hammer & Associates, Inc.  
Suite 220  
4343 Anchor Plaza Parkway  
Tampa, FL 33634

Dear Applicant:

At the regularly scheduled public meeting on January 12, 2010, the Board of County Commissioners approved your request for a minor modification to PD (99-1153), with the attached amended final conditions.

A condition of approval is that the applicant submit a revised General Site Plan reflecting all changes, within 90 days of approval. Failure to submit the site plans within the time period will place your property in violation.

To comply with this condition, please complete and submit to the Planning and Zoning Division, 20th floor of the County Center, 601 E. Kennedy Boulevard, the enclosed application for General Site Plan Review / Certification. (See instructions sheet). For information concerning the certification process, please contact our office at 272-5920.

Please keep this letter for your records. If we may be of service to you in the future, feel free to contact me at 272-5920.

Sincerely,

Paula M. Harvey, AICP, Director  
Planning and Zoning Services Division

ps

enc

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**Approval – Approval, subject to the conditions listed below, is based on the site plan received October 13, 2009.**

1. The development of the PD district shall proceed in strict accordance with the terms and conditions contained in the Cargill Fertilizer, Inc., Phosphogypsum Stack Expansion DRI Development Order, the General Site Development Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County, including requirements of the Environmental Protection Commission and regulations of the Land Development Code regarding Upland Wildlife Habitat and tree preservation.
2. The permitted use of the property shall be restricted to a phosphogypsum stack.
3. The developer shall submit a detailed visual management program designed to reduce the visual impact of the expanded phosphogypsum stack from residential neighborhoods and area roadways. At a minimum, the visual management program shall: (a) analyze the fourteen viewpoints identified within the existing visual management program considering a 250 foot tall phosphogypsum stack; (b) establish the specific details concerning the location, types and number of trees and shrubs which will be planted; (c) make specific recommendations on plantings necessary to mitigate the visual impact from a 250 foot tall phosphogypsum stack on 78<sup>th</sup> Street, Madison Avenue, Riverview Drive, U.S. 41, and surrounding residential neighborhood; and, (d) set forth the time frames in which these programs will be started and completed. This visual management plan may consider activities to be conducted within the Stack Buffer Management and Protection Plan as described in the DRI Development Order. The visual management plan shall be subject to approval by the Hillsborough County Planning and Growth Management Department (PGM) and shall be submitted within 6 months of the effective date of this ordinance. If at any time the trees, vegetation and other elements of the visual management plan fail to provide an adequate visual buffer between the phosphogypsum stack and the off-site areas as required above, and as determined by PGM, the developer shall submit supplemental plans for approval by PGM.

An annual monitoring report shall be submitted as part of the DRI Annual Report. The content of the monitoring report shall include a status report on compliance with the requirements stated above.

4. The maximum height of the phosphogypsum stack shall be 250 feet (260 feet ngvd) above the existing land surface.
5. The developer shall meet all applicable County, State and Federal Permit requirements necessary for the siting and construction of the phosphogypsum stack.
6. The general design and location of the access point(s) shall be regulated by the Hillsborough County Access Management regulations. The final design and location of the access points shall be regulated by the Hillsborough County Access Management regulations.
7. The applicant shall be required to pave any portion of the access drive which lies within the existing right-of-way planned to be used by the development.

AMENDED  
FINAL CONDITIONS  
OF APPROVAL

PETITION NUMBER: PRS 10-0026 RV (99-1153)  
BOCC MEETING DATE: January 12, 2010  
DATE TYPED: January 19, 2010

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8. If required by FDOT, and if warranted , the developer shall provide, at his expense, additional left turn storage of sufficient length to accommodate anticipated southbound left turning traffic, on State Road 41 onto Old US 41. Prior to construction plan approval, the developer shall provide a traffic analysis, signed by a Professional Engineer, showing the amount of left turn storage needed to serve any additional development traffic. The design and construction of the left turn lane shall be subject to FDOT approval.
9. Within 90 days of approval by the Hillsborough County Board of County Commissioners, the developer shall submit a revised General Site Plan for certification reflecting all conditions outlined above



# **AGENCY COMMENTS**

**AGENCY REVIEW COMMENT SHEET**

**TO:** Zoning Technician, Development Services Department  
**REVIEWER:** Richard Perez, AICP  
**PLANNING AREA/SECTOR:** GPR/ CENTRAL

**DATE:** 9/19/2024  
**AGENCY/DEPT:** Transportation  
**PETITION NO:** PRS 24-1129

- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to the listed or attached conditions.
- This agency objects for the reasons set forth below.

**PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting a minor modification to Planned Development (PD) 99-1153, as most recently amended by PRS 10-0026. The Planned Development is approved for a +/-1,282-acre Gypsum Stack Storage facility. The subject property is also an approved Development of Regional Impact, Cargill Fertilizer #242. The site is generally located at the east side of Old US Hwy 41A and S US Hwy 41 Intersection.

The requested modification proposes to increase the height of the gypsum stacks. There is no proposed change to land use type or intensity that would result in an increase in trips. As a result, no transportation analysis was required by the applicant. County staff has prepared an estimate of trips generated by existing development based on the approved maximum 200 truck trip per day.

Existing PD Zoning (PRS 10-0026):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: Gypsum Stack Site/ 200 Truck per 24 Hours	200	20*	20*

\*Estimated 10% of daily trips.

There is no proposed increase in trip generation.

**SITE ACCESS**

The project has three planned access connections pursuant to approved PRS 10-0026 PD site plan: one (1) on Burt Rd., and 2 on Old US Highway 41. However, only one of the two access connections on US Hwy 41 is constructed and in operation. There are no proposed changes to the existing access connections.

**INFRASTRUCTURE SERVING THE SITE**

Old US Hwy 41 is a substandard local roadway characterized by +/-20-ft wide pavement within a +/-67-ft wide right of way.

Burt Rd. is a substandard local roadway with portions unpaved within a 30-ft wide right of way.

**ROADWAY LEVEL OF SERVICE**

Old Us Hwy 41 and Burt Rd. are not regulated roadways in County Roadway Level of Service Report.



**COMMISSION**

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 Diana M. Lee, P.E. AIR DIVISION  
 Michael Lynch WETLANDS DIVISION  
 Rick Muratti, Esq. LEGAL DEPT  
 Steffanie L. Wickham WASTE DIVISION

**AGENCY COMMENT SHEET**

REZONING	
<p><b>HEARING DATE:</b> 10/08/2024</p> <p><b>PETITION NO.:</b> 24-1129</p> <p><b>EPC REVIEWER:</b> Sara Gonzalez</p> <p><b>CONTACT INFORMATION:</b> (813) 627-2600 X 1249</p> <p><b>EMAIL:</b> <a href="mailto:gonzalezs@epchc.org">gonzalezs@epchc.org</a></p>	<p><b>COMMENT DATE:</b> 9/4/24</p> <p><b>PROPERTY ADDRESS:</b> 8150 Old 41 Hwy, Riverview</p> <p><b>FOLIO #:</b> multiple folios</p> <p><b>STR:</b> 02,11-30S-19E</p>
<p><b>REQUESTED ZONING:</b> Mod to PD- Increase stack height of an existing phosphogypsum stack</p>	
FINDINGS	
<b>WETLANDS PRESENT</b>	Yes
<b>SITE INSPECTION DATE</b>	N/A
<b>WETLAND LINE VALIDITY</b>	N/A
<b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b>	Based on aerials, wetland appear to be on-site but will not be impacted by the proposed increase in stack height.
<p><b>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan’s current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</b></p> <ul style="list-style-type: none"> <li>Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.</li> <li>The construction and location of any proposed wetland impacts are not approved by this correspondence but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.</li> </ul>	

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**Environmental Protection Commission - Roger P. Stewart Center**  
 3629 Queen Palm Drive, Tampa, FL 33619 - (813) 627-2600 - [www.epchc.org](http://www.epchc.org)

- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.
- Final design of onsite features including but not limited to stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

**INFORMATIONAL COMMENTS:**

The following specific comments are made for informational purposes only and to provide guidance as to the EPC review process. However, future EPC staff review is not limited to the following, regardless of the obviousness of the concern as raised by the general site plan and EPC staff may identify other legitimate concerns at any time prior to final project approval.

- **On page 3 and 4 of the “Riverview Phosphogypsum Stack Minor Modification Application”, the maximum height of the perimeter ditch would be increased to 264 feet (elevation 274 NGVD). Upon closure of the Stack, the maximum height will revert to the currently approved maximum height of 250 feet (elevation 260 NGVD). However, in Attachment 1, “Petition for Variance for New Wales Facility”, page 11, item #8 mentions that the Alternatives Plan proposes to raise the elevation of the North Cell of the East Stack to an average of 272 feet, NGVD and an operating maximum design level of 267 feet, NGVD. The elevations in the petition do not conform with the elevations stated in the application/request.**
- **Any expansion of the footprint of the phosphogypsum stack will need to be reviewed by the Environmental Protection Commission (EPC) to assess potential wetland impacts.**
- The subject property may contain wetland/OSW areas, which have not been delineated. Knowledge of the actual extent of the wetland and OSW are necessary in order to verify the avoidance of wetland impacts pursuant to Chapter 1-11. Prior to the issuance of any building or land alteration permits or other development, the wetlands/OSWs must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff (SWFWMD) and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.
- Chapter 1-11 prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.

- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

sg/cb

cc: [Russell.schweiss@mosaicco.com](mailto:Russell.schweiss@mosaicco.com)  
[vgodelia@stearnsweaver.com](mailto:vgodelia@stearnsweaver.com)



## Agency Review Comment Sheet

**NOTE:** Wellhead Resource Protection Areas (WRPA), Potable Water Wellfield Protection Areas (PWWPA), and Surface Water Resource Protection Areas (SWRPA) reviews are based on the most current available data on the Hillsborough County maps, as set forth in Part 3.05.00 of the Land Development Code.

**TO:** Zoning Review, Development Services      **REQUEST DATE:** 8/5/2024

**REVIEWER:** Kim Cruz, Environmental Supervisor      **REVIEW DATE:** 8/16/2024

**PROPERTY OWNER:** Mosaic Fertilizer, LLC c/o Russell Schweiss      **PID:** 24-1129

**APPLICANT:** Vinette Godelia, Esq.

**LOCATION:** 8150 Old 41 Hwy. Riverview, FL

**FOLIO NO.:** 48870.0100, 48872.0000, 48991.0000, 48992.0000, 48992.5000, 48998.0200, 49042.0000, 49051.0100, 49052.0000, 49158.0000, 49159.0000, 49160.0000, 49165.0000, 49166.0000, 49169.0000, 49180.0000, 49245.0000, 49266.0000, 49272.0000, 49289.0000.

### AGENCY REVIEW COMMENTS:

At this time, according to the Hillsborough County BOCC approved maps adopted in the Comprehensive Plan, the site does not appear to be located within a Wellhead Resource Protection Area (WRPA), Potable Water Wellfield Protection Area (PWWPA) and/or Surface Water Resource Protection Area (SWRPA), as defined in Part 3.05.00 of the Hillsborough County Land Development Code (LDC).

Hillsborough County EVSD has no recommended conditions and no request for additional information associated with wellhead protection.

**WATER RESOURCE SERVICES  
REZONING REVIEW COMMENT SHEET: WATER & WASTEWATER**

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PETITION NO.: PRS 24-1129      REVIEWED BY: Clay Walker, E.I.    DATE: 8/13/2024

FOLIO NO.: 48870.0100, 48872.0000, 48991.0000

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**WATER**

- The property lies within the \_\_\_\_\_ Water Service Area. The applicant should contact the provider to determine the availability of water service.
  
- A \_\_\_ inch water main exists  (adjacent to the site),  (approximately \_\_\_ feet from the site) \_\_\_\_\_. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
  
- Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include \_\_\_\_\_ and will need to be completed by the \_\_\_\_\_ prior to issuance of any building permits that will create additional demand on the system.

**WASTEWATER**

- The property lies within the \_\_\_\_\_ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
  
- A \_\_\_ inch wastewater gravity main exists  (adjacent to the site),  (approximately \_\_\_ feet from the site) \_\_\_\_\_. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
  
- Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include \_\_\_\_\_ and will need to be completed by the \_\_\_\_\_ prior to issuance of any building permits that will create additional demand on the system.

COMMENTS: The subject site will not have access to County provided water and/or wastewater service. If the site is required or otherwise allowed to connect to the potable water and/or wastewater systems, there will be offsite improvements required that extend beyond a connection to the closest location with existing infrastructure. These points-of-connection will have to be determined at time of application of service as additional analysis will be required to make the final determination .

**From:** [Moore, Carrie](#)  
**To:** [Ball, Fred \(Sam\)](#); [Shelton, Carla](#)  
**Cc:** [Hamilton, Mona](#)  
**Subject:** RE: 24-1116 and 24-1147 PD Review Requests (Possibly PRS 24-1129)  
**Date:** Thursday, August 22, 2024 10:17:13 AM

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If there is only the vertical change on mosaic and no horizontal changes, then no NR does not need to see it.

**Carrie Moore, PLA**  
**Natural Resources Manager**  
Development Review Division

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### Hillsborough County

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**From:** Ball, Fred (Sam) <BallF@hcfl.gov>  
**Sent:** Thursday, August 22, 2024 9:46 AM  
**To:** Shelton, Carla <Sheltonc@hcfl.gov>  
**Cc:** Moore, Carrie <MooreCa@hcfl.gov>; Hamilton, Mona <HamiltonM@hcfl.gov>  
**Subject:** 24-1116 and 24-1147 PD Review Requests (Possibly PRS 24-1129)

Good morning, Carla,

I am working on two PDs that are on track for the November 12th ZHM Cycle. When you have a moment, please let me know if the Natural Resource reviews can be completed based on the current plans by September 23<sup>rd</sup>.

There is also a PRS (24-1129) to increase the stack height from 250 to 264 feet at the Mosaic Fertilizer site. Please let me know if that is something Natural Resources needs to review. The application goes to the BOCC on October 8<sup>th</sup>.

Sam

**Sam Ball**  
**Principal Planner**  
**Community Development Section**  
Development Services Department

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P: (813) 307-1876

E: [BallF@hillsboroughcounty.org](mailto:BallF@hillsboroughcounty.org)

W: [HCFLGov.net](http://HCFLGov.net)

## [Zoning Public Hearing Map \(LUHO & ZHM\)](#)

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## Rome, Ashley

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**From:** Chase D. Wetherington <cwetherington@teamhcsso.com>  
**Sent:** Monday, September 23, 2024 10:01 AM  
**To:** Rome, Ashley  
**Cc:** REYNOLDS, JENNIFER L; Ball, Fred (Sam); DANIEL C JOYCE  
**Subject:** Re: RE PRS 24-1129

**External email:** Use caution when clicking on links, opening attachments or replying to this email.

Hello Ms. Rome,

Usually I send my response back to Jennifer Reynolds but I believe she is out for a few weeks so I figured id reply back to you. I also CC'ed Planner Mr. Sam Ball just in case. I have no concerns or comments on this.

**Corporal Chase D. Wetherington**  
Hillsborough County Sheriff's Office  
District V - Community Services / Admin  
Department of Patrol Services  
Office: 813-318-5461  
cwetherington@teamhcsso.com

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---

**From:** "JENNIFER L REYNOLDS" <jreynolds@teamhcsso.com>  
**To:** "CHASE D WETHERINGTON" <cwetherington@teamhcsso.com>  
**Cc:** "DANIEL C JOYCE" <djoyce@teamhcsso.com>  
**Sent:** Friday, September 20, 2024 2:43:57 PM  
**Subject:** Fwd: RE PRS 24-1129

Another update received for the site at Castlewood Road in Seffner for review.

Jennifer Reynolds  
Office of Colonel Mike Hannaford  
Administrative Specialist II | Department of Patrol Services  
Office: 813-247-8008  
[JReynolds@teamHCSO.com](mailto:JReynolds@teamHCSO.com)

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**From:** "Ashley Rome" <RomeA@hcfl.gov>

**To:** "Steady, Alexander" <SteadyAl@hcfl.gov>, "myersa" <myersa@plancom.org>, "Andrea Stingone" <andrea.stingone@hcps.net>, "Kaiser, Bernard" <Kaiserb@hcfl.gov>, "Bryant, Christina" <BryantC@epchc.org>, "Shelton, Carla" <Sheltonc@hcfl.gov>, "Carlos Santos" <carlos.santos@swfwmd.state.fl.us>, "Hummel, Christina" <HummelC@hcfl.gov>, "Walker, Clarence" <WalkerCK@hcfl.gov>, "Converse, Amanda" <ConverseA@hcfl.gov>, "Santos, Daniel" <daniel.santos@dot.state.fl.us>, "David Skrelunas" <David.Skrelunas@dot.state.fl.us>, "Franklin, Deborah" <FranklinDS@hcfl.gov>, "DeWayne Brown" <brownd2@gohart.org>, "Lindstrom, Eric" <LindstromE@hcfl.gov>, "Glorimar Belangia" <Glorimar.Belangia@hcps.net>, "Petrovic, Jaksa" <PetrovicJ@hcfl.gov>, "jkhamilton" <jkhamilton@tecoenergy.com>, "Ratliff, James" <RatliffJa@hcfl.gov>, "Dalfino, Jarryd" <DalfinoJ@hcfl.gov>, "Mackenzie, Jason" <MackenzieJ@hcfl.gov>, "Greenwell, Jeffry" <GreenwellJ@hcfl.gov>, "JENNIFER REYNOLDS" <jreynolds@teamhcso.com>, "PerazaGarciaJ" <PerazaGarciaJ@gohart.org>, "Jillian Massey" <masseyj@plancom.org>, "Blinck, Jim" <BlinckJ@hcfl.gov>, "Turbiville, John (Forest)" <TurbivilleJ@hcfl.gov>, "Josh Blackman" <blackmanj@plancom.org>, "Karla Llanos" <llanosk@plancom.org>, "Pezone, Kathleen" <PezoneK@hcfl.gov>, "Cruz, Kimberly" <CruzKi@hcfl.gov>, "kyle.brown" <kyle.brown@myfwc.com>, landuse-zoningreviews@tampabaywater.org, "Mineer, Lindsey" <Lindsey.Mineer@dot.state.fl.us>, "mxganas" <mxganas@tecoenergy.com>, "Melissa Lienhard" <lienhardm@plancom.org>, "Mike Singer" <Mike.Singer@swfwmd.state.fl.us>, "Hamilton, Mona" <HamiltonM@hcfl.gov>, "Hessinger, Rebecca" <HessingerR@hcfl.gov>, "Renee Kamen" <renee.kamen@hcps.net>, "Cabrera, Richard" <CabreraR@hcfl.gov>, "Perez, Richard" <PerezRL@hcfl.gov>, "Rodriguez, Dan" <RodriguezD@gohart.org>, "Rosenbecker, Victoria" <RosenbeckerV@hcfl.gov>, "Dickerson, Ross" <DickersonR@hcfl.gov>, "RP-Development" <RP-Development@hcfl.gov>, "Curll, Ryan" <CurlIRy@hcfl.gov>, "Sanchez, Silvia" <sanchezs@epchc.org>, "Rose, Sarah" <RoseSJ@hcfl.gov>, "Bose, Swati" <Boses@hcfl.gov>, "Tony Mantegna" <tmantegna@tampaairport.com>, "Salisbury, Troy" <SalisburyT@hcfl.gov>, "Tyrek Royal" <royalt@plancom.org>, "Weeks, Abbie" <weeksa@epchc.org>, WetlandsPermits@epchc.org, "Woodard, Sterlin" <Woodard@epchc.org>

**Cc:** "Ball, Fred (Sam)" <BallF@hcfl.gov>, "Bianca Vazquez" <VazquezB@hcfl.gov>

**Sent:** Friday, September 20, 2024 1:53:43 PM

**Subject:** RE PRS 24-1129

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Good Day All,

Please be advised, we have received and uploaded to Optix **revised documents/plans** for the above-mentioned application. Please review and comment.

For further information regarding the change/update please contact the assigned planner.

Planner assigned:

Planner: Sam (Fred) Ball

Contact: [ballf@hillsboroughcounty.org](mailto:ballf@hillsboroughcounty.org)

Have a good one,

**Ashley Rome**

**Planning & Zoning Technician**

Development Services Dept.

P: (813) 272-5595

E: [romea@hillsboroughcounty.org](mailto:romea@hillsboroughcounty.org)

W: [HCFLGov.net](http://HCFLGov.net)

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**Hillsborough County**

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**AVIATION AUTHORITY LAND USE REVIEW**  
**Hillsborough County - OPTIX**

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**DATE:** September 20, 2024

**PROPOSED USE INFORMATION:**

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Case No.: 24-1129 Reviewer: Tony Mantegna

Location: 8150 Old 41 HWY Mosaic

Folio: 48870.0100

Current use of Land: Fertilizer Plant

Zoning: PD

REQUEST: Reducing the height of the height of the existing Gypsum Stacks from 275' AMSL to 260' AMSL.

---

**COMMENTS:**

The proposed site falls within Zone "B" on the Airport Height Zoning Map. Any structure including construction equipment that exceeds 200 feet Above Ground Level may require an Airport Height Zoning Permit and must be reviewed by the Airport Zoning Director.

Compatible without conditions (see comments above) - \_\_\_\_\_

Not compatible (comments) - \_\_\_\_\_

Compatible with conditions (see comments above) – Mosaic needs to notify the FAA through the 7460-2 process so that the FAA can change the Aeronautical Charts. They also must confirm the FAA notification to HCAA so that we can change the data in our system.

---

cc: Aviation Authority Zoning Director/Legal/Records Management/Central Records

