



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 21-0498	
LUHO HEARING DATE: June 21, 2021	CASE REVIEWER: Kevie Defranc

REQUEST: The applicant is requesting a setback variance for a proposed addition to an existing building on property zoned SPI-AP-5.

VARIANCE(S):

Per LDC Section 6.01.01, Schedule of Area, Height, Bulk and Placement Regulations, the minimum required front yard setback in the SPI-AP-5 district is 30 feet unless, per Endnote 17, the parcel fronts on a collector or arterial street as shown on the Hillsborough County Functional Classification Map with a right-of-way width of less than 175 feet, in which case a minimum front yard setback of 50 feet is required. In the subject case, the south side of the subject parcel abuts Sligh Avenue, which at this location is an arterial street with a right-of-way width of approximately 82 feet. Therefore, a minimum front yard setback of 50 feet is required from the south property line. The applicant requests an 8-foot reduction to the required front yard to allow a setback of 42 feet from the south property line.

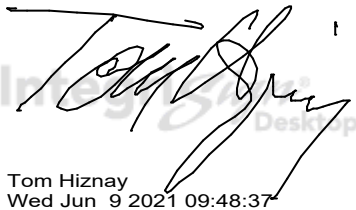
FINDINGS:

- According to the applicant, the subject building serves as a warehouse and also houses telecommunications switching equipment.

DISCLAIMER:

The variance listed above is based on the information provided in the application by the applicant. Additional variances may be needed after the site has applied for development permits. The granting of these variances does not obviate the applicant or property owner from attaining all additional required approvals including but not limited to: subdivision or site development approvals and building permit approvals.

ADMINISTRATOR'S SIGN-OFF



Tom Hiznay
Wed Jun 9 2021 09:48:37

Attachments: Application
Site Plan
Petitioner's Written Statement
Current Deed

SITE DATA

PARCEL ID NO: U-30-28-18-173-000000-00001-0
 FOLIO NO: 027554-6002
 TOTAL SITE AREA: 2.40 AC.
 EXIST. ZONING: SPL-AP-5
 ADJACENT LAND ZONINGS: SPL-AP-5, AI, M
 FUTURE LAND USE: COMMERCIAL
 FLOOR AREA RATIO: 0.2 (ALLOWABLE = 0.6)
 EXIST. BUILDING HEIGHT: 30'
 EXISTING PERVIOUS AREA: 163' (WEST), 42' (SOUTH), 51' (EAST), 47' (NORTH)
 PROPOSED PERVIOUS AREA: 0.87 AC.
 PROPOSED PERVIOUS AREA: 1.53 AC. (ALLOWABLE = 1.92 AC. or 80%)
 PROPOSED PERVIOUS AREA: 1.48 AC.
 PROPOSED PARKING SPACES: 23 paved spaces (1 ADA Accessible)
 100-R FLOODPLAIN CLASSIFICATION: ZONE X, PANEL 12050J193H (EFFECTIVE 8/28/2008)

NOTE: THE PROPOSED BUILDING EXPANSION IS INTENDED FOR EQUIPMENT ONLY. NOT ADDITIONAL EMPLOYEE SPACE. THEREFORE, NO ADDITIONAL PARKING SPACES HAVE BEEN PROPOSED.

FOLIO: 027513-0000
 ZONING: AI, M
 FLU: LI

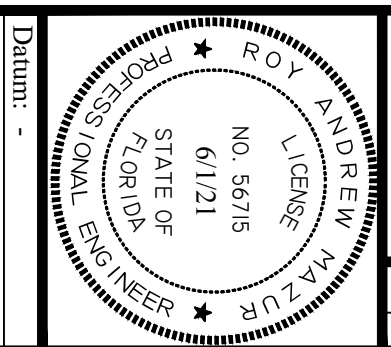
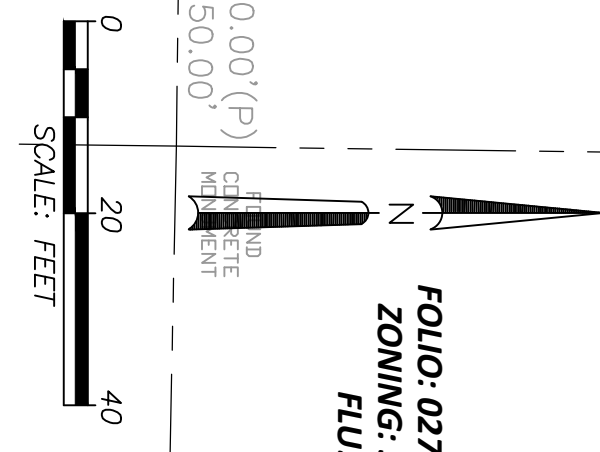
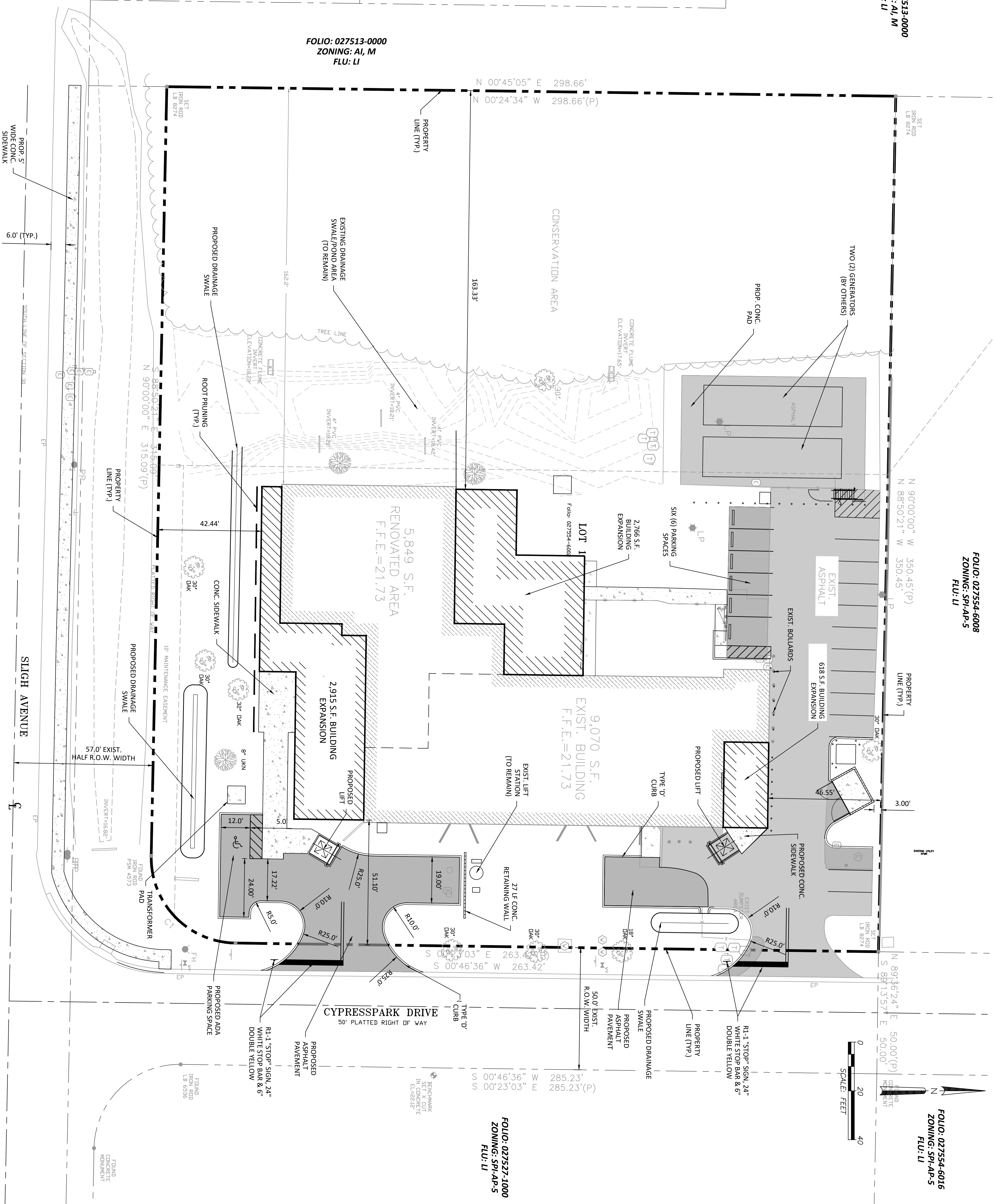
FOLIO: 027521-0000
 ZONING: AI
 FLU: LI

FOLIO: 027519-0000
 ZONING: M
 FLU: LI

FOLIO: 027513-0000
 ZONING: AI, M
 FLU: LI

FOLIO: 027554-6008
 ZONING: SPL-AP-5
 FLU: LI

FOLIO: 027554-6016
 ZONING: SPL-AP-5
 FLU: LI



SWSG T-MOBILE
 SITE PLAN
 ISSUED FOR: PERMITTING
 JOB #: 1866 SEC: 00 TOWN: 00 RING: 00 DESIGNED: XX DRAWN: XX APPROVED: XX



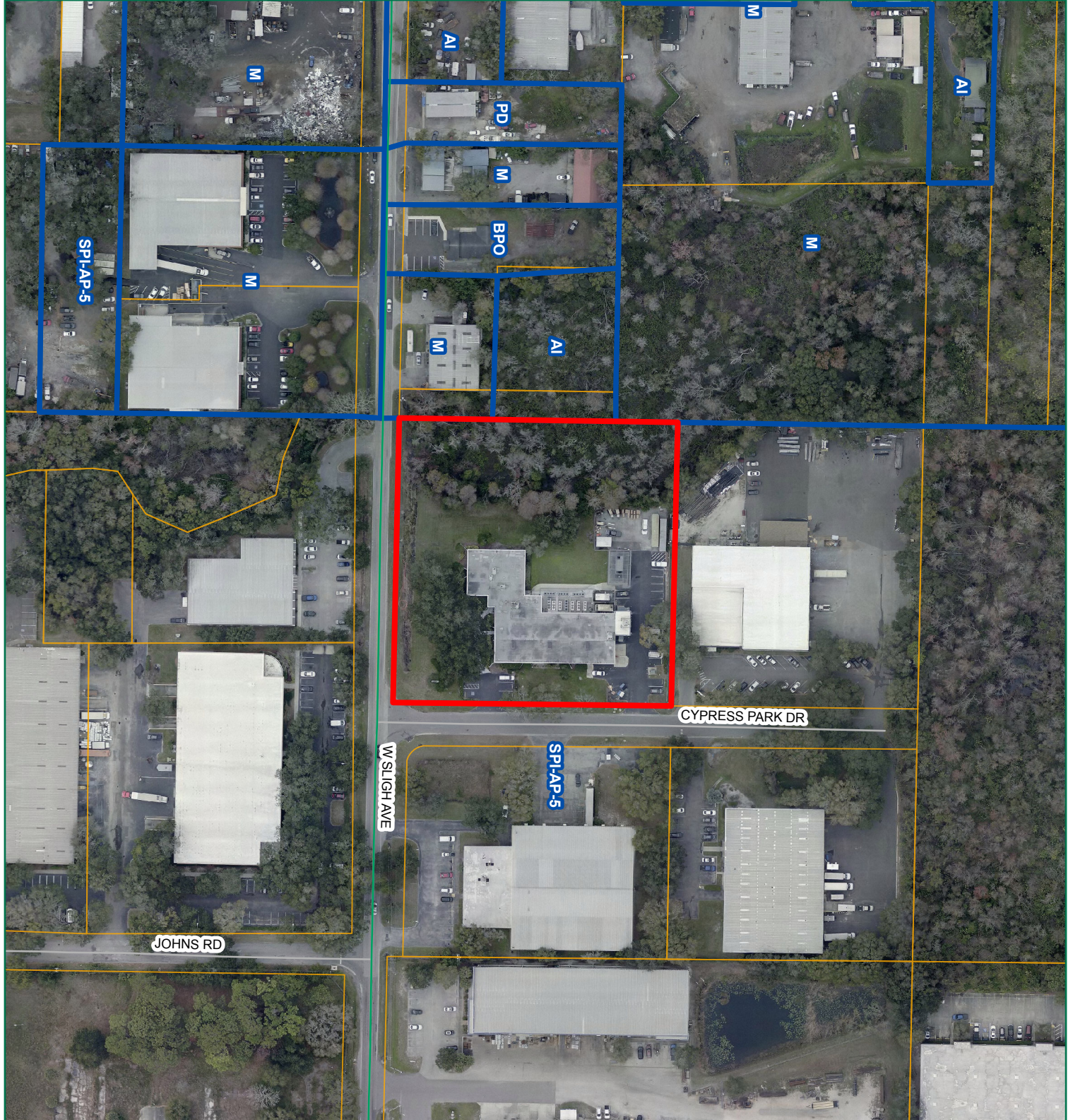
Engineering ~ Environmental
 Water Resource ~ Survey
 4260 W. Linebaugh Ave. Tampa, Florida 33624
 7978 Cooper Creek Blvd. University Park, Florida 34201
 www.wraengineering.com
 CA 00007652 LB 8274
 Phone: 813.265.3130 941.275.9721

NO.	DATE	DESCRIPTION

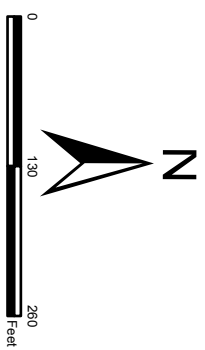
Immediate Aerial Zoning Map

VAR 21-0498

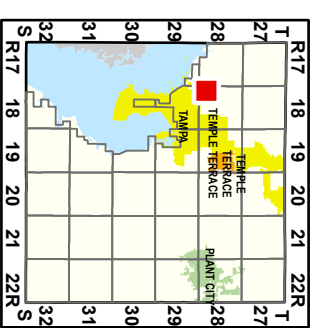
Folio: 27554.6002



- Application Site
- Zoning Boundary
- Parcels



STR: 30-28-18



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, merchantability, fitness for a particular purpose, or non-infringement.

SOURCE: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other AVM/ADE data.

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

Date: 04/06/2021 Path: G:\ZONING\GIS\Data\Zoning_Site.aprx

VARIANCE REQUEST

1. Project Narrative: In the space below describe the variance including any history and/or related facts that may be helpful in understanding the request. This explanation shall also specifically identify what is being requested (e.g. *Variance of 10 feet from the required rear yard setback of 25 feet resulting in a rear yard of 15 feet*). If additional space is needed, please attach extra pages to this application.

The request is for a variance of 8 feet from the required front yard setback of 50 feet along Sligh Ave -

resulting in a front yard setback of 42 feet.

Folio 027554-6002 is a corner lot; because one of the frontages is a Collector or Arterial road, the parcel is

subject to a larger front setback of 50 feet. T Mobile proposes to expand the building to house more

telecommunications equipment - their plan is to expand the south side of the building by another 8 feet thereby

encroaching into the front setback. The building was constructed in in 1982 and has not been expanded or

improved since. The expansion of the facility is proposed to enable T Mobile to meet the escalating demand for

cellular communications in the Tampa Bay Area. T Mobile would like to keep the location it has enjoyed for

over 35 years and can meet its service demand with this minor facility expansion.

Please see the attached Variance Site Plan Exhibit.

2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:

6.01.01.C Sub-Note 17

ADDITIONAL INFORMATION

1. Have you been cited by Hillsborough County Code Enforcement? No X Yes _____
If yes, you must submit a copy of the Citation with this Application.
2. Do you have any other applications filed with Hillsborough County that are related to the subject property?
No _____ Yes X If yes, please indicate the nature of the application and the case numbers assigned to the application(s): Site Construction Plans - PI 5678
3. Is this a request for a wetland setback variance? No X Yes _____
If yes, you must complete the *Wetland Setback Memorandum* and all required information must be included with this Application Packet (Attachment A).
4. Please indicate the existing or proposed utilities for the subject property:
Public Water X Public Wastewater X Private Well _____ Septic Tank _____
5. Is the variance to allow a t hird lot on well and/or septic or non-residential development with an intensity of three ERC's? No X Yes _____ If yes, you must submit a final determ ination of the "Water, Wastewater, and/or Reclaimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing (form may be obtained from **19th floor County Center**).

VARIANCE CRITERIA RESPONSE

You must provide a response to each of the following questions. If additional space is needed, please attach extra pages to this application.

1. Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located?

The building was constructed exactly 50 feet the Sligh Ave right-of-way -any expansion in this direction would trigger setback encroachments. The western side of the property holds the stormwater pond, the north side is parking and the east side fronting Cypress Park Drive is open area. The expansion as proposed is necessary to keep similar telecommunications equipment grouped together within the building.

2. Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC.

The building was constructed 38 years ago and has adequately served its function until now. Rather than relocate to a new facility, T Mobile would like to construct the expansion and stay on the property which location suits their operations and employees.

3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.

There is a wetland system to the west and a roadway ditch within the Sligh Avenue right-of-way - there are also several mature oak trees between the building and Sligh Avenue. The 8 foot encroachment will not be noticeable due to this buffering. Across Cypress Park Drive, some 125 feet away there is another Light Industrial use - it is unlikely the building expansion will interfere with their property rights or operation. The north side of the property is on the opposite side of the expansion - the light industrial use on the adjacent parcel will not incur any impact from the expansion.

4. Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose).

The parcel is part of an industrial park platted in 1982; there are no residential uses or commercial uses who would be adversely effected by an 8 foot encroachment into a 50 foot setback.

Because the roadway ditch is in the right-of-way and the parcel boundary is at the top of bank - the distance from the edge of pavement to the proposed expansion is 85 feet. This distance further buffers any impact of the setback encroachment. The variance does not disrupt the harmony of the trade area.

5. Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship.

The parcel was acquired and developed some 38 years ago when the building's capacity was adequate - now, as the demand for cellular services has escalated, T Mobile is seeking to increase the facility's capacity without relocating to a different location.

6. Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.

If the variance is not granted, T Mobile will need to relocate in the area to increase its level of service. Relocating the existing telecommunications equipment will cause time and expense which would not be necessary if the 8' setback variance is granted. If the facility has to be relocated, employee commuting will potential be adversely impacted. Considering the lack of uses directly adjacent to the variance request area, as well as the actual distance to the roadway (85 feet), the request is reasonable and carries a minimum impact.

WARRANTY DEED

THIS INDENTURE, made the 1st day of ^{April} ~~March~~, A.D., 1983
by BENJAMIN A. TRUSTMAN, hereinafter called the "Grantor" to
RCL PROPERTIES, a Florida general partnership, whose Post
Office Address is 1716 Lemon St., Tampa, Fla. 33606.
Tampa, Florida, hereinafter called the "Grantee":

(Whenever used herein, the terms "Grantor"
and "Grantee" include all the parties in this
instrument and the heirs, legal representatives
and assigns of individuals, and the successors
and assigns of corporations)

W I T N E S S E T H

THAT the Grantor, for and in consideration of the sum
of Ten (\$10.00) Dollars and other valuable considerations,
receipt whereof is hereby acknowledged, hereby grants, bar-
gains, sells, conveys, remises, releases and transfers unto
the Grantee all that certain land situate in Hillsborough
County, Florida, to wit:

The Southeast 1/4 of the Southwest 1/4
of the Southeast 1/4 of Section 30,
Township 28 South, Range 18 East, Hills-
borough County, Florida, LESS right-of-way
for Sligh Avenue and LESS the East 360
feet thereof, same being a westerly portion
of plat of RCL #1 INDUSTRIAL PARK, accord-
ing to map or plat thereof as same is
recorded in Plat Book 53, Page 75 of the
Public Records of Hillsborough County,
Florida.

TOGETHER WITH all the tenements, hereditaments, and
appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the said Grantor does hereby fully warrant the title
to said land and will defend the same against the lawful claims
of all persons whomsoever, except:

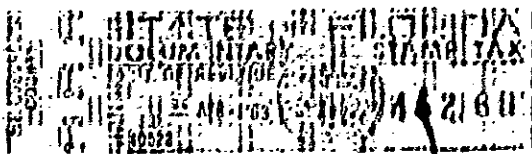
1. Taxes and assessments for the year 1983 and subse-
quent years, and zoning ordinances.
2. Matters as revealed by the recorded plat of RCL #1
Industrial Park, as same is recorded in Plat Book 53, Page 75
of the Public Records of Hillsborough County, Florida.

Grantor hereby certifies that the above described property
is not the homestead property of the Grantor on the date of the
execution of this conveyance, same being vacant commercial

JAMES F. TAYLOR, JR.
CLERK CIRCUIT COURT
RECORDING DEPT.
HILLSBOROUGH CO.
TAMPA, FL. 33601

~~PROPERTY TAX~~
~~PROPERTY TAX~~
~~PROPERTY TAX~~
9.00
9.00
MCW

This instrument was prepared and return to:
ROBERT G. COCHRAN
by
of Macfarlane, Ferguson, Wilson
& Kelly
P. O. Box 1531-Tampa, Fla. 33601



property.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

Witnesses:

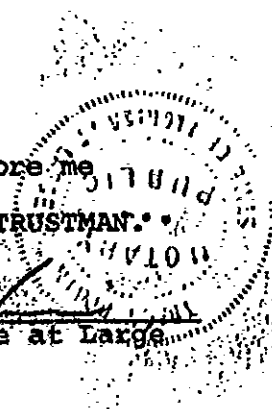
[Handwritten Signature]
[Handwritten Signature]

Benjamin A. Trustman
BENJAMIN A. TRUSTMAN

STATE OF FLORIDA)
COUNTY OF Hillsborough)

THE FOREGOING INSTRUMENT was acknowledged before me this 1st day of April ~~March~~, A.D., 1983 by BENJAMIN A. TRUSTMAN.

[Handwritten Signature]
Notary Public State at Large



My Commission Expires: 1-24-85

OFF REC 8148 P 0537

3131

WARRANTY DEED

THIS WARRANTY DEED ("Deed"), made this 10th day of May, 1996, between TRI-TRONICS COMPANY, an Illinois corporation, whose post office address is 7705 Cheri Court, Tampa, Florida 33634-2419 ("Grantor"), and APT TAMPA /ORLANDO, INC., a Delaware corporation, whose post office address is 8410 W. Bryn Mawr Avenue, Chicago, Illinois 60631 ("Grantee").

WITNESSETH

That the Grantor, for and in consideration of the sum of TEN and 00/100 (\$10.00) Dollars, to it in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred, and by these presents does grant, bargain, sell and transfer unto the said Grantee, its heirs and assigns forever, all that certain parcel of land lying and being in the County of Hillsborough and State of Florida, more particularly described as follows:

Lot 1, RCL #1 INDUSTRIAL PARK, in the Southeast 1/4 of Section 30, Township 28 South, Range 18 East, Hillsborough County, Florida, as shown on plat recorded in Plat Book 53, Page 75 of the Public Records of Hillsborough County, Florida (hereinafter the "Property").

Parcel Identification No. 27554.6002

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

TOGETHER with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

Prepared By and Return To:
JANA ANDREWS, ESQUIRE
Jana Andrews & Associates, P.A.
2807 W. Busch Boulevard, Suite 202
Tampa, FL 33618

Documentary Tax Pd. - F.S. 201.02 \$ 4907.00
Documentary Tax Pd. - F.S. 201.03 \$ _____
Intangible Tax Pd. - F.S. 199 \$ _____
Richard Ake, Clerk Hillsborough County
By: [Signature] Deputy Clerk

1996 MAY 15 AM 8:30

96118370

This conveyance is subject to:

- a. Real property taxes and assessments for year 1996 and subsequent years;
- b. Matters shown on the plat as recorded in Official Record Book 53, Page 75 of the Public Records of Hillsborough County, Florida; and
- c. Covenants, restrictions, and public utility easements of record.

The Grantor hereby covenants with the Grantee that it is lawfully seized of the Property; that, except as set forth above, at the time of delivery of this Deed the Property is free from all encumbrances; that Grantor has good right and lawful authority to sell the Property; that the Grantor does hereby fully warrant the title to the Property, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal the day and year above written.

Signed, sealed and delivered
in our presence:

TRI-TRONICS COMPANY,
an Illinois corporation

Jana Andrews
Signature of Witness

Print Witness Name: Jana Andrews

BY: David G. Hacquebord
David G. Hacquebord, President
7705 Cheri Court
Tampa, Florida 33634-2419

Jeffrey A. Aman
Signature of Witness

Print Witness Name: Jeffrey A. Aman

DEF 8148 P 0539
REC

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 10th day of May, 1996 by David G. Hacquebord, as President of Tri-Tronics Company, an Illinois corporation, on behalf of said corporation. David G. Hacquebord is personally known to me or has produced a Florida driver's license as identification and did/did not take an oath.

Jana Andrews

Print/Notary Name: Jana Andrews
NOTARY PUBLIC STATE OF
FLORIDA AT LARGE

My Commission Expires:

(NOTARY SEAL)



JANA ANDREWS
MY COMMISSION # 00307799 EXPIRES
April 2, 1998
BONDED THRU TROY FARM INSURANCE, INC.



VARIANCE APPLICATION

IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

You must schedule an appointment to submit this application by calling 813-272-5600.
All requirements listed on the submittal checklist must be met. **Incomplete applications will not be accepted.**

Property Information

Address: 6902 CYPRESS PARK DR City/State/Zip: TAMPA, FL 33634 TWN-RN-SEC: 28 18 30
Folio(s): 027554-6002 Zoning: SPI-AP-5 Future Land Use: LI Property Size: 2.4

Property Owner Information

Name: VOICESTREAM TAMPA/ORLANDO INC dba T Mobile Daytime Phone: 703-471-6803
Address: 12920 SE 38TH ST City/State/Zip: BELLEVUE, WA 98006-1350
Email: mark.king@swsqpc.com FAX Number: _____

Applicant Information

Name: ROY MAZUR Daytime Phone: 813-265-3130
Address: 4260 W LINEBAUGH AVE City/State/Zip: TAMPA, FL 33625
Email: rmazur@wraengineering.com FAX Number: _____

Applicant's Representative (if different than above)


Name: ROY MAZUR or CLINT CUFFLE Daytime Phone: 813-265-3130
Address: 4260 W LINEBAUGH AVE City / State/Zip: TAMPA, FL 33625
Email: rmazur@wraengineering.com ccuffle@wraengineering.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
ROY MAZUR
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
David Walker
VP, T-Mobile National Engineering Operations
Type or Print Name

DocuSigned by:
T-Mobile Legal Approval: Frances Ames

0A26F08E86D6462

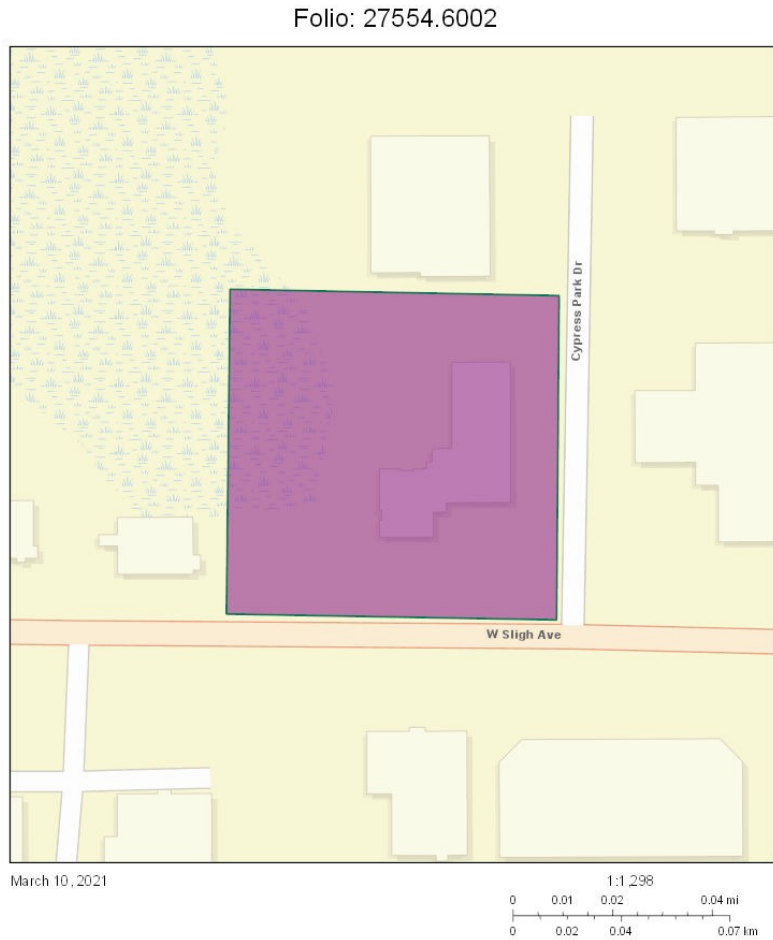
Office Use Only

Intake Staff Signature: Ana Lizardo Intake Date: 03/10/2021
Case Number: 21-0498 Public Hearing Date: 05/24/2021
Receipt Number: 21-0498



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Special Public Interest
Zoning	SPI-AP-5
Description	Special Public Interest - Airport
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0193H
FIRM Panel	12057C0193H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120195D
County Wide Planning Area	Town and Country
Community Base Planning Area	Town and Country
Census Data	Tract: 011605 Block: 3015
Future Landuse	LI
Urban Service Area	USA
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 10
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	70' AMSL
Aviation Authority	Landfill Notification Area
Aviation Authority	Non-Compatible Use (Schools)
Competitive Sites	NO
Redevelopment Area	North Airport Redevelopment Area



Folio: 27554.6002
PIN: U-30-28-18-173-000000-00001.0
VOICESTREAM WIRELESS
Mailing Address:
 ATTN TAX DEPT
 12920 SE 38TH ST
 BELLEVUE, WA 98006-1350
Site Address:
 6902 CYPRESS PARK DR
 TAMPA, FL 33634
SEC-TWN-RNG: 30-28-18
Acreage: 2.74282002
Market Value: \$1,320,300.00
Landuse Code: 4850 LIGHT INDUS.

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