

Special Use Application: SU-CFW 24-0280

LUHO Meeting Date: March 25, 2024

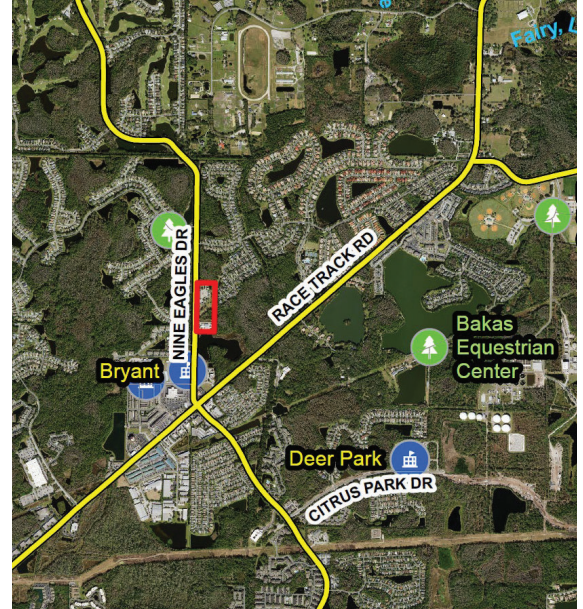
Case Reviewer: Sam Ball

**Hillsborough
County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Skyway Towers, LLC
 Zoning: AR (Agricultural Rural)
 FLU Category: RES-2 (in project area)
 Service Area: Urban
 Site Acreage: 10.05
 Community Plan Area: Northwest
 Overlay: None
 Special District: None
 Request: Special Use Permit for a Wireless Communication Facility
 Location: 14301 Nine Eagles Drive; Folio 3517.0050

**Request Details**

The applicant is requesting special use approval for a wireless communication facility to be located within 250 feet of a residential PD (Planned Development) zoning district. The application includes a variance to buffering and screening requirements to eliminate the required 20-foot Type “B” buffer between the CFW compound and the properties to the north, south and east. The subject property is developed for cultural center use.

Tower Setbacks	Required Setbacks (Feet)	Proposed Tower Setbacks (Feet)	100% Tower Height Setback Required
North	25	27’6”	No
South	25	1066’6”	No
East	50	343’1”	No
West	50	51’11”	No

Proposed Tower Height and Camouflaging

The applicant is proposing a 190-foot-tall tower camouflaged as a pine tree. The overall height of the facility, including a lightning rod and camouflage components, is proposed to be 195-feet tall.

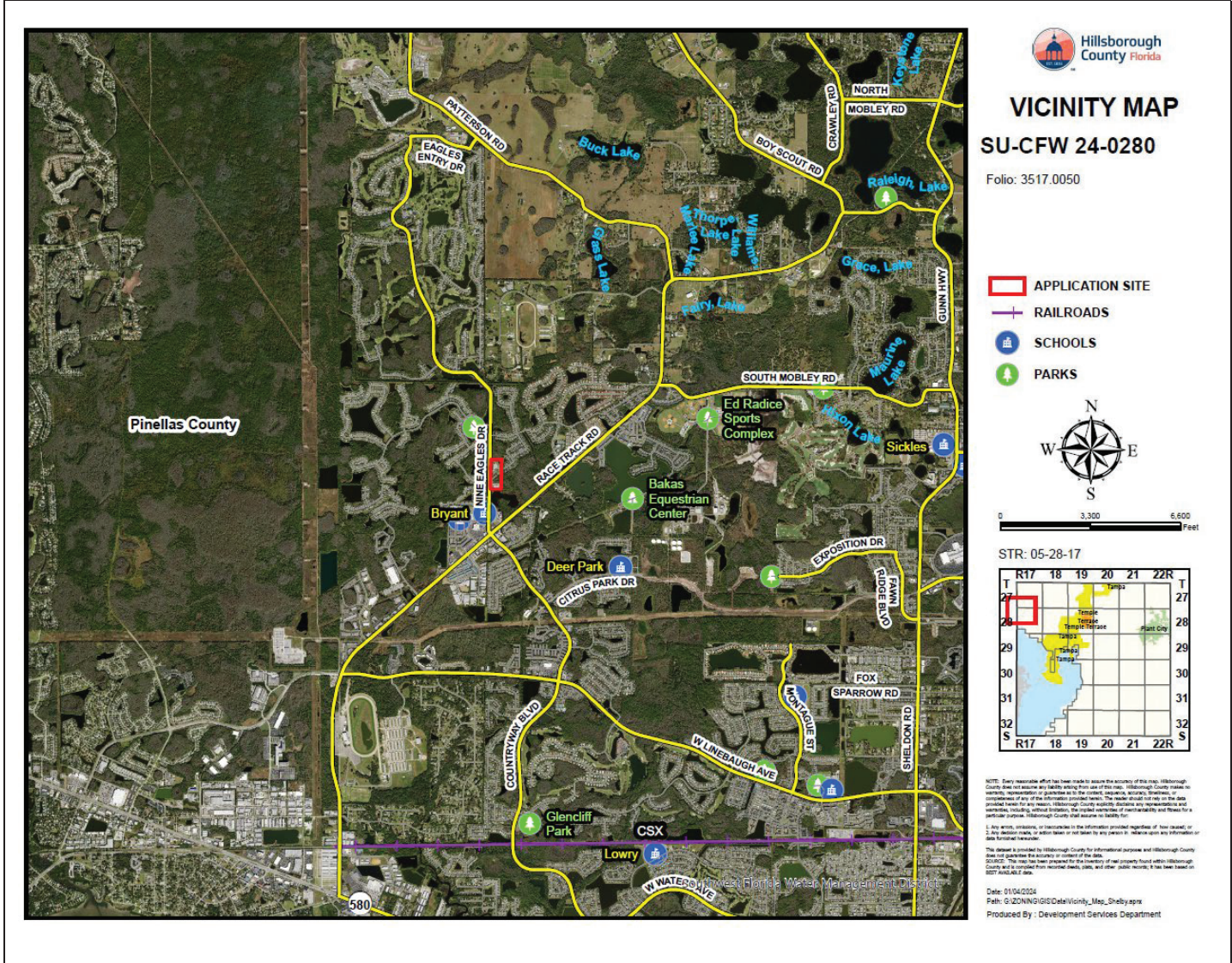
Additional Information:

Waiver(s) to the Land Development Code	None requested as part of this application.
Variations(s) to the Land Development Code	Yes LDC Section 6.06.06, Screening and Buffering Requirements

Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable, Subject to Conditions
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

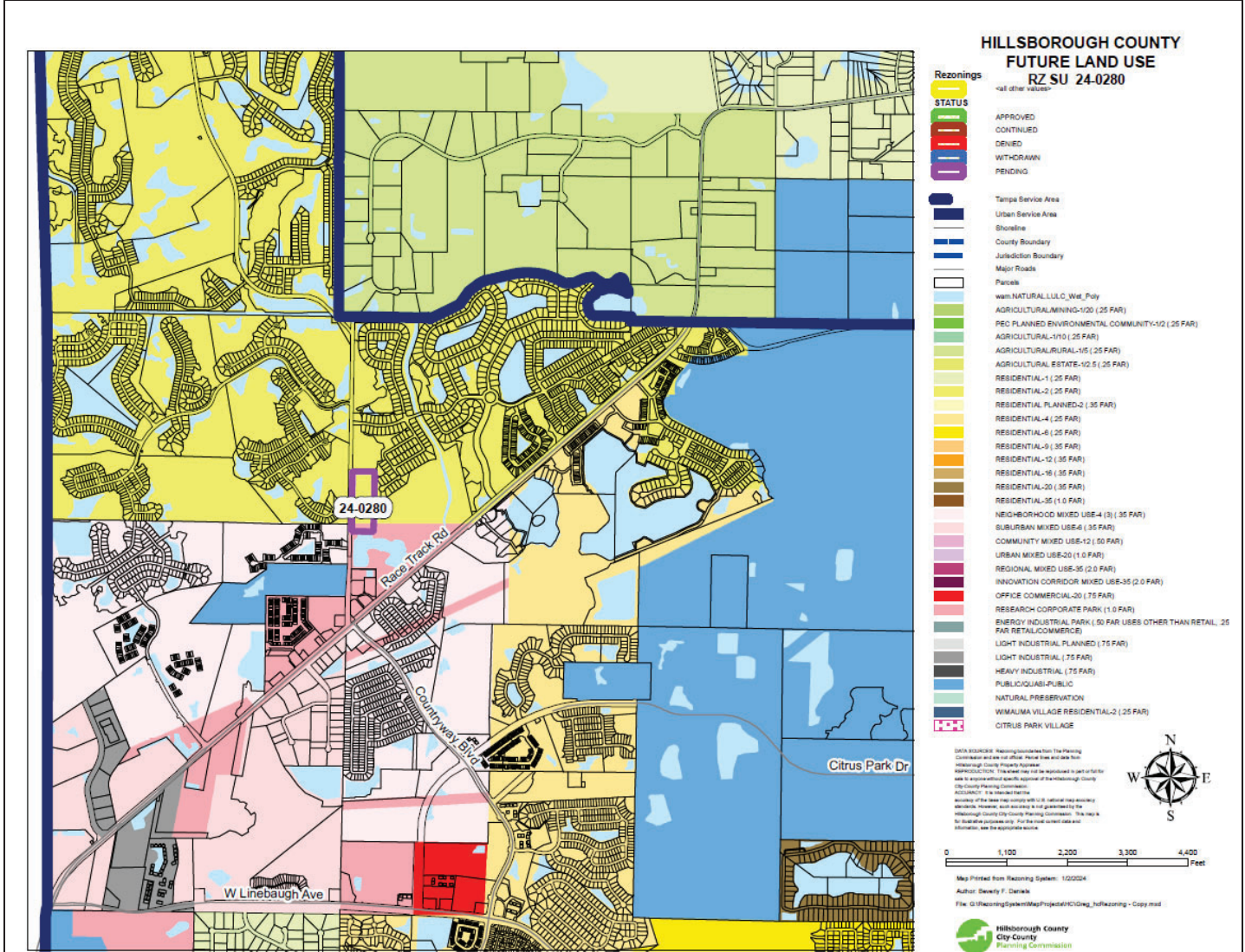


Context of Surrounding Area:

The property is surrounded by three large, planned developments that have been developed for single-family attached and single-family detached use. Significant areas of wetlands cover the adjoining properties and serve to separate the subject property from directly abutting residential property. The large mixed-use node located approximately 0.3 miles to the south is developed for freestanding and strip retail, medical office, single family attached and single-family detached, office, light industrial, and school use. Bryant Elementary School and Farnell Middle School are located approximately 1,650 feet south of the proposed communications facility compound area.

2.0 LAND USE MAP SET AND SUMMARY DATA

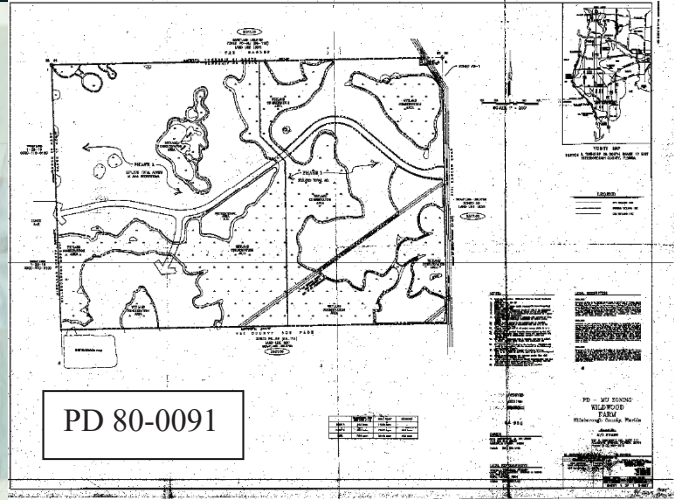
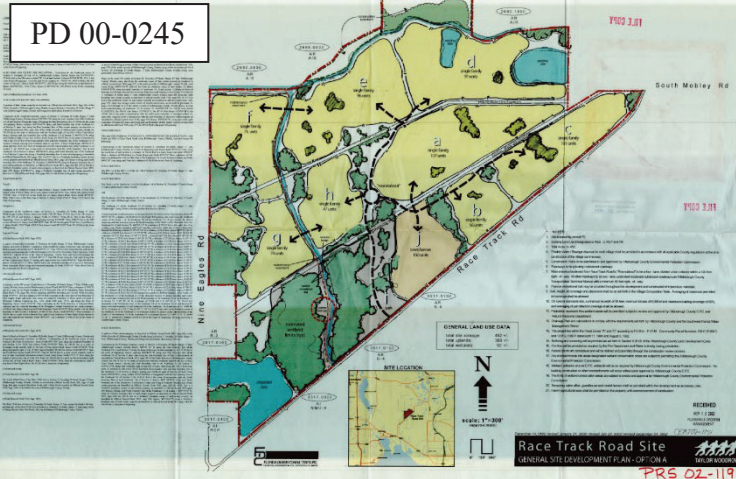
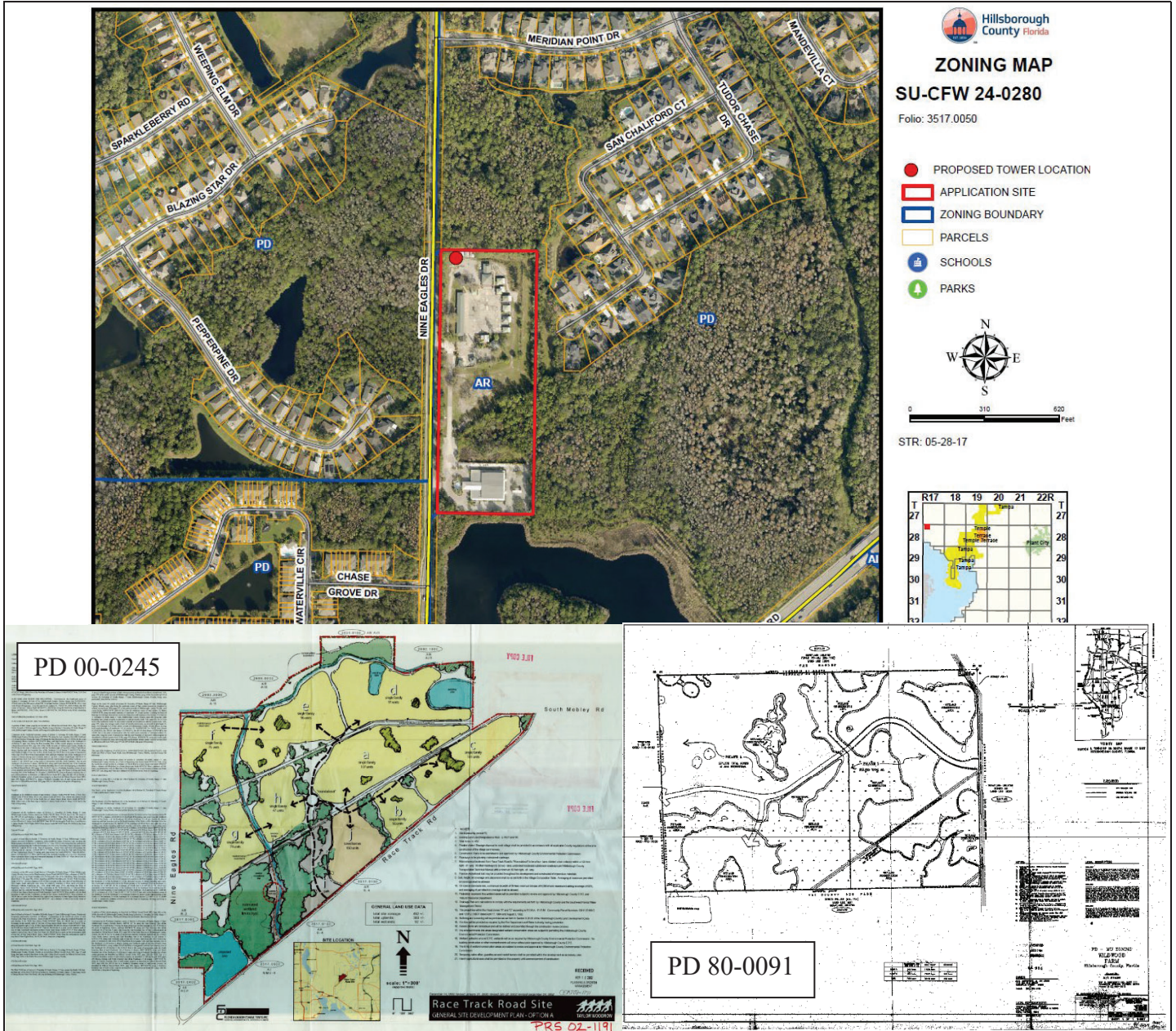
2.2 Future Land Use Map



Subject Site Future Land Use Category	Residential – 2 (Res – 2) Research Corporate Park (RCP)
Maximum Density/FAR	Res – 2: 2.0 DU per GA/FAR: 0.25 RCP: 0 DU per GA/FAR: 1.0
Typical Uses	Res – 2: Residential, suburban scale neighborhood commercial, office use, multi-purpose. RCP: Research and development, related educational facilities, electronic components production, light restricted manufacturing and warehousing, offices, corporate headquarters, and related uses such as hotels, motels, restaurants, recreational facilities, and rural scale retail.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

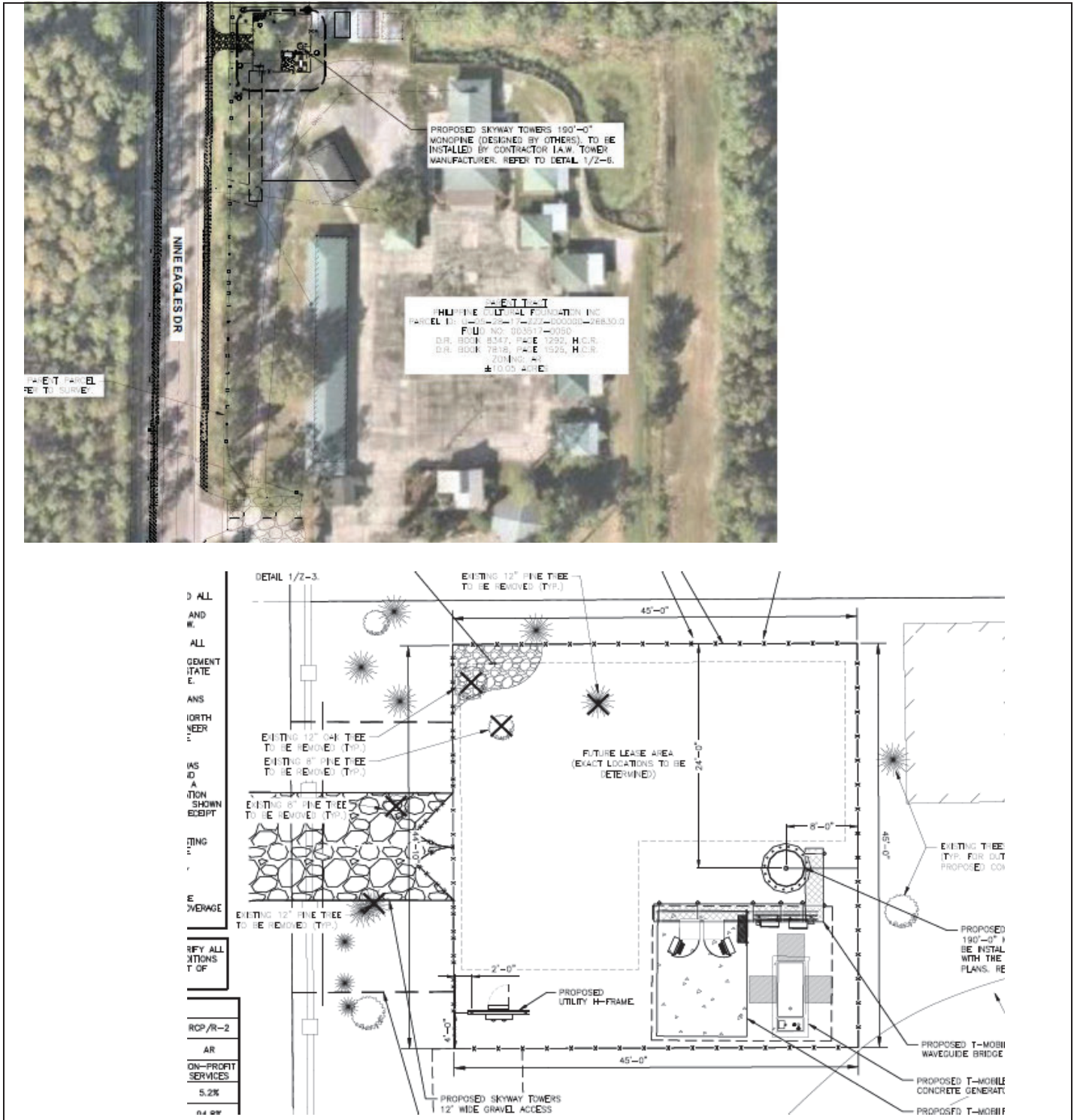


Adjacent Zonings and Uses

Location	Zoning	Maximum Density/FAR Permitted by Zoning District	Allowable Use	Existing Use
North	PD 00-0245	1.76 DU per GA/FAR: NA	Wetland/Open Space	Wetlands
South	PD 00-0245	1.76 DU per GA/FAR: NA	Lake/Wetland	Lake/Wetlands
East	PD 00-0245	1.76 DU per GA/FAR: NA	Wetland/Open Space	Conservation Easement/Wetlands
West	PD 80-0091	1.38 DU per GA/FAR: NA	Single Family Residential/Wetland	Single-Family Residential and Wetlands

2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.0 for full site plan)



3.0 REQUESTED WAIVERS TO LDC: None Requested

Requested Waiver:	Result
NA	

Justification:

NA

Requested Waiver	Result
NA	

Justification:

NA

4.0 REQUESTED VARIANCES (IF APPLICABLE):

LDC Section	LDC Requirement	Variance	Result
6.06.06	A 20-foot buffer with Type B screening between incompatible land uses is required between a Group 5 use, the proposed CFW, and a Group 1 use, the open space/wetland/lake area zoned PD to the north, south, and east.	Eliminate the buffer and screening requirement.	Zero-foot buffer and no screening to the north, south and east.

*The applicant has provided variance criteria responses with their application. The hearing officer will be required to make a separate decision on each variance in conjunction with the subject Special Use application.

5.0 OUTSIDE EXPERT REVIEW

The applicant has submitted documentation indicating the need for the facility at a height of 195 feet for the desired coverage area and capacity needs, and that no other existing facilities are available for co-location. Pursuant to LDC Section 6.11.29.E, an outside expert has reviewed the support material submitted by the applicant. The consultant indicated in their report that there are no viable tower structures, public structures or other appropriate support structures in the area that would allow T-Mobile to collocate and meet the needs of its network in this area. The consultant also reviewed and analyzed the report and coverage maps provided by T-Mobile and is in agreement with the applicant's findings. See Section 13 for the full report and analysis.

6.0 COLLOCATION LETTERS

Per LDC Section 6.11.29.G, a letter of intent committing the antenna tower to shared use for co-location has been submitted. Notice to other potential users was sent on January 24, 2024.

7.0 AVIATION AUTHORITY

Per LDC Section 6.11.29.J, a Determination of No Hazard to Air Navigation, issued January 25, 2024, by the Federal Aviation Administration has been submitted.

8.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9 OF STAFF REPORT)

Adjoining Roadways (check if applicable)

Road Name	Classification	Current Conditions	Select Future Improvements
Nine Eagles Dr.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation (for Cell Tower Portion of Site Only) Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	0	0	0
Proposed	2	1	1
Difference (+/-)	(+) 2	(+) 1	(+) 1

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

Connectivity and Cross Access (for Cell Tower Portion of Site Only) Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West	X	Vehicular & Pedestrian	None	Meets LDC
Notes:				

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

9.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

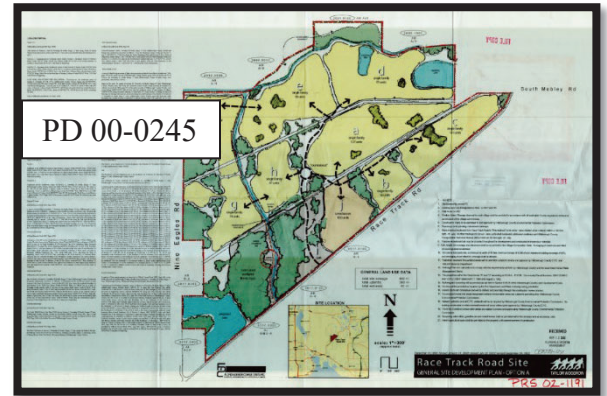
INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Natural Resources	<input 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	
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 type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Check if Applicable: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard 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
Transportation <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 checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<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	
Hillsborough County School Board 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	
Impact/Mobility Fees: NA				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

10.0 IMPLEMENTATION RECOMMENDATIONS

10.1 Compatibility

The AR zoned host parcel covers approximately 10.05 acres and is approved for arts and cultural events use for the Philippine Cultural Center. The mix of uses in the area consists of single-family, schools, retail, office, medical, and a significant area of wetlands.

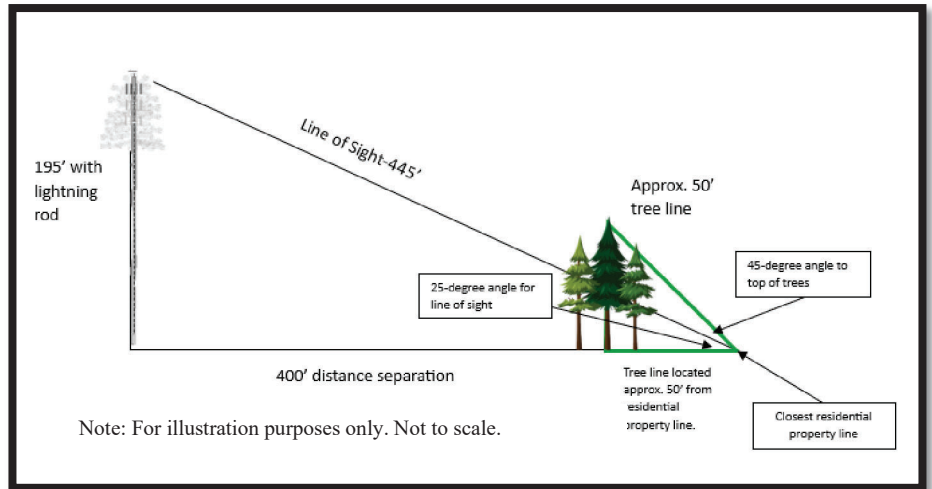
The proposed wireless communications facility's antenna tower exceeds the minimum setback required in LDC, Sec. 6.11.29.D.2. The adjacent property, folio 3519.1250, bordering the subject property on the north, east, and south sides is not developed with residential use, nor is it residentially zoned and developable for residential use. The adjacent property is zoned PD and is designated as wetland area and a proposed lake on the certified PD plan. The upland area directly to the east of the subject property that is not shown on the PD plan with any development entitlement is an upland conservation area that is dedicated as a conservation easement per OR Book 11704, Page 519, and not developable for residential use. Additionally, the adjacent property is platted as Tract A of Waterchase Phase 3 plat, Plat Book 94, Pages 25-1 to 25-16, and includes wetland conservation area, mitigation area (lake), and upland conservation area preserved through a conservation easement. Therefore, the applicable required yards are the principal structure setbacks of the AR zoning district, 50-foot front and rear yards and 25-foot side yards. While not required, the proposed tower location far exceeds a 100% tower height setback of 190 feet to the east and southern property lines, located 343 feet, one inch from the eastern property boundary and 1,066 feet, 6 inches to the southern property boundary. The proposed setback to the northern property boundary of 27 feet 6 inches exceeding the minimum 25 foot side yard setback of the AR zoning district and is directly adjacent to approximately 800 feet of wetland conservation area and upland conservation area within a conservation easement on the adjacent property to the north.



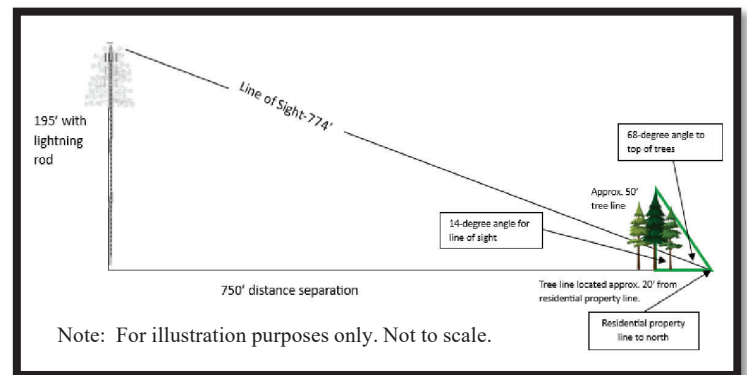
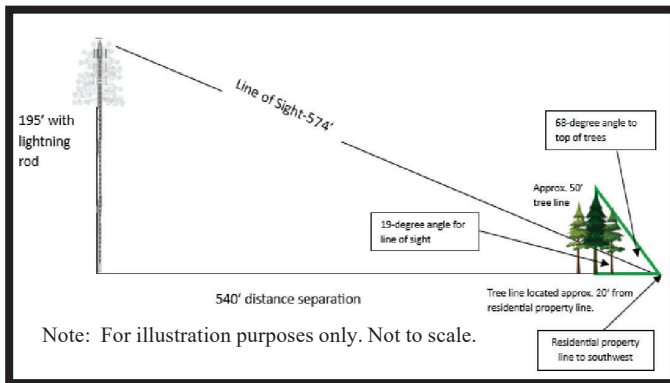
As proposed, the tower would be approximately 750 feet away from the nearest single-family residential property line within the PD to the north, approximately 400 feet away from the nearest single-family residential property line to the east, and approximately 540 feet from the nearest single-family residential property line in the PD to the southwest. The proposed tower is substantially obscured from the view of adjacent properties by intervening mature trees and vegetation, as well as wetland conservation area. The proposed tower is separated from the residential properties to the west by the Nine Eagles Drive public right-of-way (approximately 70 feet of right-of-way width), as well as additional wetland conservation area. As proposed, the tower camouflaged as a pine tree is presumed a compatible camouflage structure type for AR zoned properties in accordance with LDC Section 6.11.29.D.3.b.4. Moreover, the proposed tower with pine tree type camouflage would be placed in an area that is heavily vegetated with pine trees.



To evaluate citizen concerns regarding the view proposed tower location from residentially developed properties in the immediate vicinity, staff further reviewed and calculated the line of sight of the proposed tower based on the separation and intervening mature tree line. The diagram to the right utilizes right triangle calculations to calculate whether the existing mature tree line to the east will substantially obscure the proposed tower from view of the closest residentially developed property to the east. The mature tree canopy, approximately 50 feet in height, located approximately 50 feet west of the residential property line, will be higher than the light of sight of the tower from 400 feet away, therefore obscuring the view of the tower from the residentially developed property. Residentially developed properties to the north and southwest are located substantially further from the proposed tower, and mature trees exist within adjacent properties at a maximum of approximately 20 feet from the property, therefore further obscuring the tower from view of the residentially developed properties to the north and southwest.



Residentially developed properties to the north and southwest are located substantially further from the proposed tower, and mature trees exist within adjacent properties at a maximum of approximately 20 feet from the property, therefore further obscuring the tower from view of the residentially developed properties to the north and southwest.



The proposed tower compound will be substantially screened from view of vehicular and pedestrian traffic along Nine Eagles Drive by the existing block wall approximately 6 feet in height that runs along the perimeter of the property. Staff also reviewed the proposed location of the facility within the site and found that the proposed location in the northwest corner of the property is the most appropriate location within the site to allow for the greatest separation between residentially developed properties.



Staff has no objection to the proposed variance to eliminate the required 20-foot buffer with Type B screening to the north, south, and east. The amount of protected natural vegetation through wetland and upland conservation areas to

the north at a depth of over 800 feet separating the proposed facility from the closest residentially developed properties to the north serves as an effective buffer and screening to the north. The intervening existing buildings to the east as well as the open space area and mature tree line along the eastern boundary serve to effectively buffer and screen the proposed facility from the residentially developed property to the east, as well as obscure the proposed tower from view from residentially developed property to the east. The intervening existing buildings to the south, as well as open space area and wetland conservation area serve to buffer and screen the proposed facility from properties to the south of the subject property. Therefore, public purposes of the buffer and screening appear to be satisfied to an equivalent degree.

The applicant has submitted documentation indicating the need for the facility at a height of 195 feet for the desired coverage area and capacity needs, and that no other existing facilities are available for co-location. Pursuant to LDC Section 6.11.29.E, an outside expert has reviewed the support material submitted by the applicant. The consultant, OCG, indicated in their report that there are no viable existing towers, public structures or other appropriate support structures in the area that would allow T-Mobile to co-locate and meet the needs of its network in this area. OCG also reviewed and analyzed the coverage maps provided by the applicant and is in agreement with their findings.

Per LDC Section 6.11.29.G, a letter of intent committing the antenna tower to shared use for co-location has been submitted by Skyway Towers, LLC. T-Mobile submitted a letter of intent to collocate on the proposed tower December 26, 2023. Notice to other potential users was sent on January 24, 2024.

No objections have been received by staff from review agencies. No transportation impacts are anticipated of the proposed tower and very few trips per peak hour is expected.

10.2 Recommendation

Based on the above, staff finds the proposed communication facility compatible with the zoning and development pattern in the area and approvable, subject to conditions.


11.0 PROPOSED CONDITIONS

Recommended Conditions:

Approval – Approval of the request, subject to the conditions listed below, is based on the general site plan submitted on March 15, 2024.

1. The permitted Special Use Permit shall be limited to a wireless communication facility with a 190-foot-high tower with tree-type camouflage, with an additional five feet of height for lightning rod and camouflaging.
2. The facility shall be developed in accordance with the site plan submitted on March 15, 2024, the conditions contained herein and all applicable rules, regulations, and ordinances of Hillsborough County.
3. The facility compound shall be located as shown on the site plan. The antenna tower shall have minimum setbacks of 27'—6" from the north parcel boundary, 1066'—6" from the south parcel boundary, 343'—1" from the east parcel boundary and 51'—11" from the west parcel boundary.
4. If the requested buffer and screening variances are not approved by the Land Use Hearing Officer, buffering and screening shall be provided in accordance with LDC Section 6.06.06 along the north, east and south boundaries. Additionally, if the requested buffer and screening variances are not approved, the compound location may shift south up to 20 feet to allow for the buffer and screening to the north to be provided.
5. Prior to the issuance of development permits, the permit holder shall file a letter of intent with the Office of the County Clerk and Administrator committing the owner of the subject facility and successors to allow shared use of the antennae support structure subject to the collocation criteria found in the Land Development Code, or to allow a replacement antennae support structure to be erected provided the replacement is physically and contractually feasible and the cost of modifying or replacing the structure is borne by the collocating company as provided by the Land Development Code.
6. Prior to the issuance of development permits, the permit holder shall provide proof that necessary permits from other regulatory agencies, including but not limited to the Hillsborough County Aviation Authority, Federal Aviation Administration, and the Federal Communications Commission, have been secured.
7. All traffic to and from the cellular tower site shall be via the proposed, separate, gated access to Nine Eagles Dr., as generally shown on the SU site plan. No other uses within the site shall be permitted to utilize this access.
8. Notwithstanding anything shown on the SU site plan to the contrary, this proposed limited purpose access shall be required to meet all applicable technical and other standards of the Hillsborough County Transportation Technical Manual (TTM), Land Development Code (LDC) or other applicable rules and regulations.
9. The subject facility and antennae tower shall be demolished and removed at no expense to Hillsborough County if the facility is not commercially operated for any one-year period.
10. 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.
11. 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.
12. 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).

- 13. Final design of buildings, 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.
- 14. If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or LDC regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.

<p>Zoning Administrator Sign Off:</p>	 Colleen Marshall Mon Mar 18 2024 14:33:39
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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.

11.0 PROPOSED SITE PLAN (FULL)

(see following pages)



SKYWAY TOWERS
3637 MADACA LANE
TAMPA, FL 33618

PLANS PREPARED BY: _____

Kimley-Horn
201 NORTH FRANKLIN STREET, SUITE 1400
TAMPA, FL 33602
PHONE (813) 620-1460
WWW.KIMLEY-HORN.COM

REV. # DATE DESCRIPTION

REV. #	DATE	DESCRIPTION
3	03/15/24	REVISED PER COMMENTS LMS
2	02/28/24	REVISED PER COMMENTS BMM
1	02/07/24	REVISED PER COMMENTS BMM
0	01/06/24	ISSUED FOR CONSTRUCTION TDM
	A 12/04/23	FOR REVIEW TDM
		DRAWN BY: _____
		CHECKED BY: _____
		TDM
		TDM

SHA PROJECT NUMBER: 148431015

ISSUES SCALE: _____



PROJECT INFORMATION
WESTCHASE
SKYWAY SITE #: FL-01071
14301 NINE EAGLES DR.
TAMPA, FL 33626

SHEET TITLE: TITLE SHEET

SHEET NUMBER: T-1

SHEET INDEX

SHEET NO.	TITLE SHEET	SHEET DESCRIPTION
T-1	TITLE SHEET	TITLE SHEET
Z-0	AREAL SITE PLAN	AREAL SITE PLAN
Z-1	OVERALL SITE PLAN	OVERALL SITE PLAN
Z-2	ENLARGED SITE PLAN	ENLARGED SITE PLAN
Z-3	ROAD, FENCE AND COMPOUND SECTION	ROAD, FENCE AND COMPOUND SECTION
Z-4	OVERALL GRADING PLAN	OVERALL GRADING PLAN
Z-5	SKYWAY TOWERS SITE SIGNAGE	SKYWAY TOWERS SITE SIGNAGE
Z-6	TOWER ELEVATION AND DETAILS	TOWER ELEVATION AND DETAILS

SKYWAY TOWERS DEPARTMENTAL APPROVALS

SIGNED: _____	SKYWAY TOWERS	DATE: _____
SIGNED: _____	SITE ACQUISITION	DATE: _____
SIGNED: _____	OPERATIONS MANAGER	DATE: _____
SIGNED: _____	PERMITTING	DATE: _____
SIGNED: _____	RF ENGINEER	DATE: _____
SIGNED: _____	LESSOR / LICENSEE APPROVAL DATE: _____	

PRINTED NAME: _____
PLEASE CHECK: NO CHANGES CHANGES NEEDED (SEE PLANS)

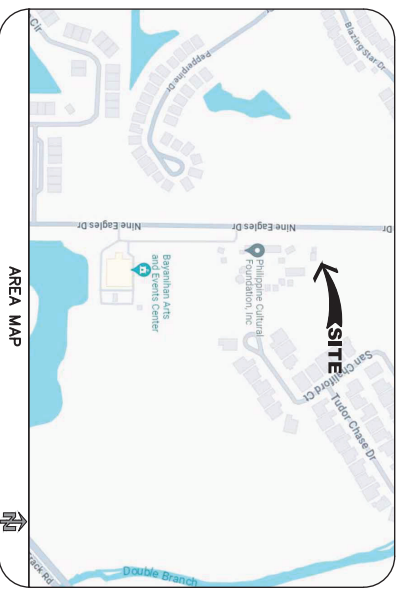
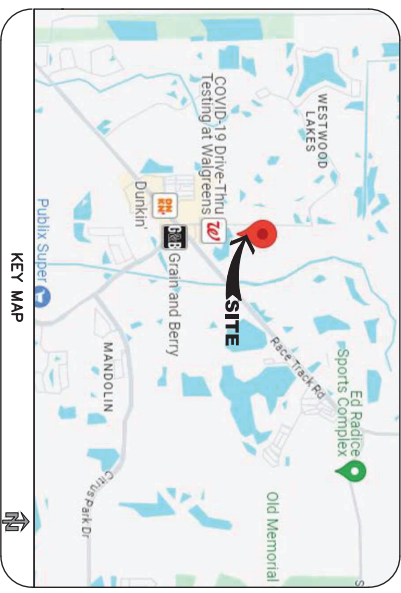


THE CONTRACTOR MUST VERIFY ALL FIELD MEASUREMENTS AND CONDITIONS PRIOR TO BID AND TO COMMENCEMENT OF CONSTRUCTION.



SKYWAY TOWERS

**WESTCHASE
SKYWAY SITE#: FL-01071
ZONING DRAWINGS
195'-0" MONOPINE
RAWLAND**



SITE INFORMATION

APPLICANT: SKYWAY TOWERS
WESTCHASE
14301 NINE EAGLES DR.
TAMPA, FL 33626
COUNTY: HILLSBOROUGH
HILLSBOROUGH COUNTY
SITE COORDINATES:
N 29.04' 33.97" (LAT)
W 82.57' 52.58" (LON)
MONOPINE
STRUCTURE TYPE:
TOWER HEIGHT: 195'-0"
OVERALL STRUCTURE HEIGHT: 195'-0"
PROPERTY OWNER NAME: PHILIPPINE CULTURAL FOUNDATION INC
PROPERTY OWNER ADDRESS: 14301 NINE EAGLES DR
TAMPA, FL 33626-3042
PARCEL NUMBER: 003617-0050
POWER COMPANY: TECO
KHA PIR: TONY DAWSON

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION;
THE PROPOSED FACILITY IS NOT INTENDED FOR PERMANENT
EMPLOYEE OCCUPANCY; THEREFORE, ADDITIONAL SITE PARKING IS
NOT REQUIRED.
OCCUPANCY IS LIMITED TO PERIODIC MAINTENANCE AND
INSPECTION BY TECHNICIANS APPROXIMATELY ONCE A MONTH.
PERMITTING REQUIRE POTABLE WATER, SEPTIC TANKS OR SANITARY
SERVICES

BUILDING CODES AND STANDARDS

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN
ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES
UNLESS OTHERWISE SPECIFIED. THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING
TO THESE CODES.
FLORIDA BUILDING CODE: FBC 2023, 8th EDITION
BUILDING/DWELLING CODE: FBC 2023, 8th EDITION
STRUCTURAL CODE: FBC 2023, 8th EDITION
PLUMBING CODE: FBC 2023, 8th EDITION
ELECTRIC CODE: FBC 2023, 8th EDITION
FIRE/LIFE SAFETY CODE: 2020 NFPA 701
DESIGN WIND SPEED: FLORIDA FIRE PREVENTION CODE
V₁₀ = 143 MPH
V₃₀ = 110 MPH
R₃₀ = 1.0 G
EXPOSURE CATEGORY: C

RISK CATEGORY DESIGN WIND SPEEDS ARE BASED ON ASCE 7-16
CRITERIA FOR A 3-SECOND GUST. REFER TO STRUCTURAL ANALYSIS IN
LISTED CODES FOR FURTHER DETAILS. REFER TO REQUIREMENTS AND
PRECEDENCE. THE MORE RESTRICTIVE REQUIREMENT WILL TAKE
PRECEDENCE.

SPECIAL NOTES

HANDICAPPED REQUIREMENTS:
FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. THEREFORE,
HANDICAPPED ACCESS REQUIREMENTS NOT REQUIRED.
PLUMBING REQUIREMENTS:
FACILITY HAS NO PLUMBING OR REFRIGERANTS.
EPA AND FCC REQUIREMENTS:
THIS FACILITY SHALL MEET OR EXCEED ALL EPA AND FCC
REQUIREMENTS.
CONSTRUCTION REQUIREMENTS:
ALL WORK MUST CONFORM TO SKYWAY TOWERS CONSTRUCTION
ORDINANCES AND ALL APPLICABLE CODES AND
REGULATIONS.

PROJECT SCOPE OF WORK:
THIS PROJECT CONSISTS OF THE INSTALLATION OF A 190'-0" MONOPINE
WITH FOUNDATION (REFER TO TOWER DRAWINGS PROVIDED BY TOWER
MANUFACTURER), SITE WORK, THE INSTALLATION OF NEW LINES, AND
ALL ASSOCIATED WORK.



SKYWAY TOWERS
3637 MADACA LANE
TAMPA, FL 33618

PLANS PREPARED BY: **Kimley-Horn**
201 NORTH FRANKLIN STREET, SUITE 1400
TAMPA, FL 33602
PHONE (813) 620-1460
WWW.KIMLEY-HORN.COM

REV.	DATE	DESCRIPTION	BY
3	03/19/24	REVISED PER COMMENTS	LMS
2	02/28/24	REVISED PER COMMENTS	DMW
1	02/07/24	REVISED PER COMMENTS	DMW
0	01/16/24	ISSUED FOR CONSTRUCTION	TDM
	12/04/23	FOR REVIEW	TDM
DRAWN BY: _____		CHECKED BY: _____	
TDM1		TDM2	
SHA PROJECT NUMBER: 148431015		NUMBERS SCALE: _____	

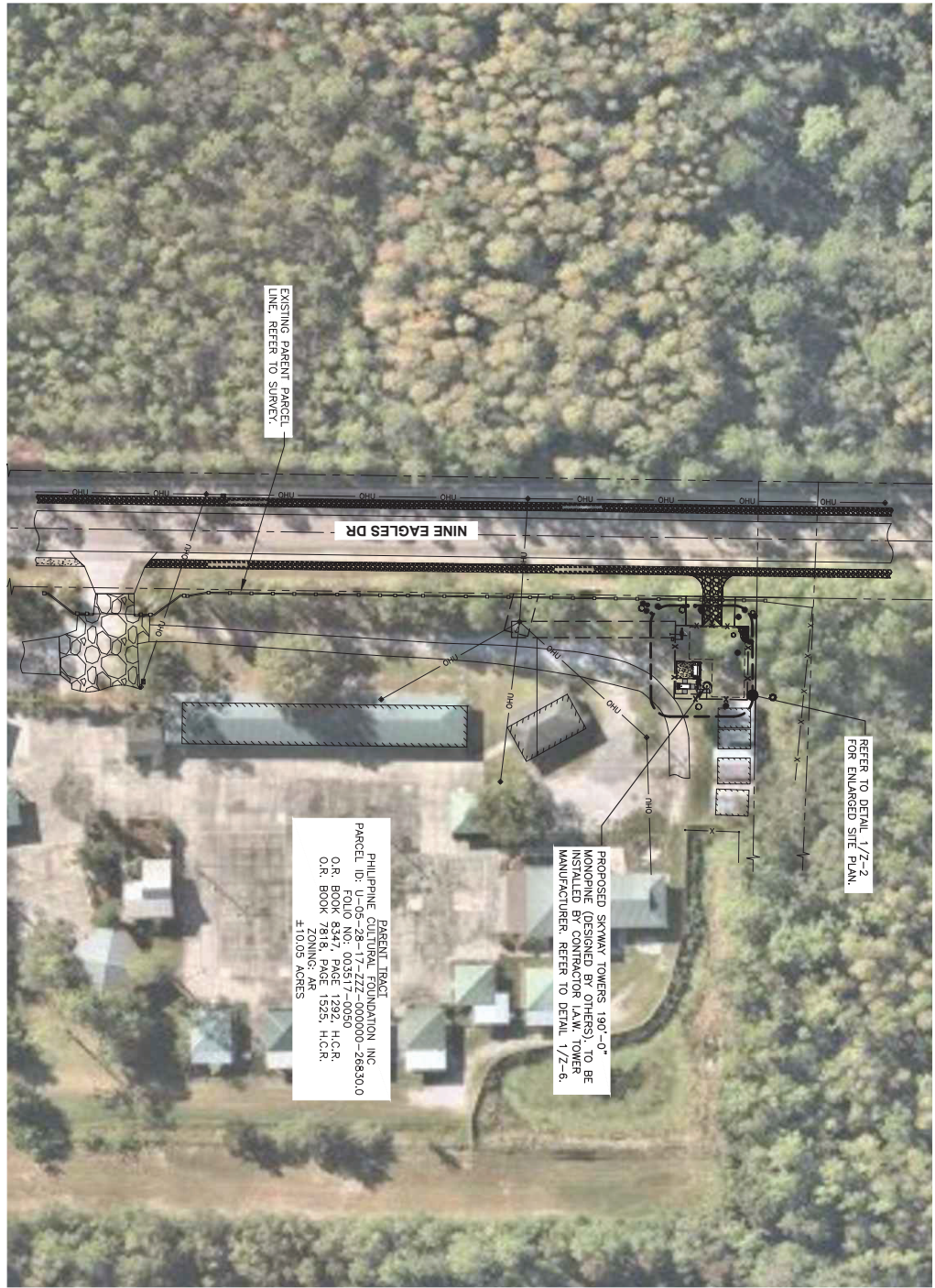


KEVIN J. CLEMENTS
LICENSED PROFESSIONAL ENGINEER
STATE OF FLORIDA
No. 92899
03151/24
Exp. 02/28/25

PROJECT INFORMATION:
WESTCHASE
SKYWAY SITE #: FL-01071
14301 NINE EAGLES DR.
TAMPA, FL 33626

SHEET TITLE:
AERIAL SITE PLAN

SHEET NUMBER:
Z-0



PARENT TRACT
PHILIPPINE CULTURAL FOUNDATION, INC.
PARCEL ID: U-05-28-17-ZZZ-000000-26830.0
FOLIO NO: 003517-0050
O.R. BOOK 8347 PAGE 1292, H.C.R.
O.R. BOOK 7208 PAGE 1525, H.C.R.
200 ACRES
±10.05 ACRES

PROPOSED SKYWAY TOWERS: 190'-0" HIGHEST SPECIFIED DR. TO BE INSTALLED BY CONTRACTOR L.A.W. TOWER MANUFACTURER. REFER TO DETAIL 1/2-6.

REFER TO DETAIL 1/2-2 FOR ENLARGED SITE PLAN.

EXISTING PARENT PARCEL LINE. REFER TO SURVEY.

AERIAL SITE PLAN
SCALE: 1"=70'
SCALE BASED ON 1"X17" ONLY



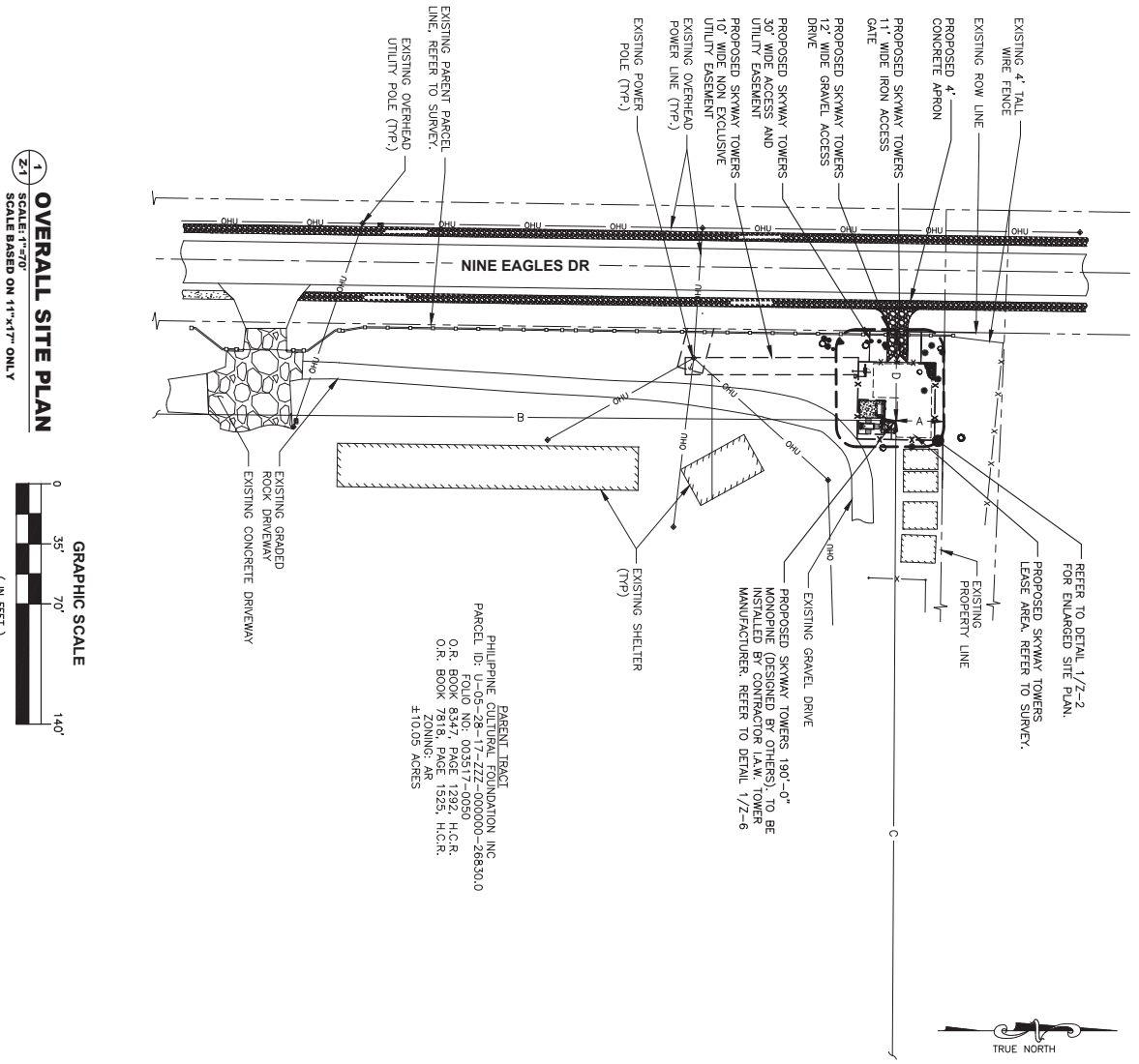
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NOTES:

1. THE PROPERTY SHOWN HEREON FALLS WITHIN FLOOD ZONE X AS SHOWN ON THE FLOOD DAMAGE PREVENTION MAP, TOWN OF TAMPA, FLORIDA, WATER NUMBER 12067/0150 DATED 10/17/2021. NO FIELD MEASUREMENTS WERE USED IN THIS DETERMINATION.
2. DEVELOPED AREA:
PROPOSED GRAVEL DRIVE = 245 S.F.
PROPOSED GRAVEL DRIVE = 202 S.F.
PROPOSED GRAVEL COMPOUND = 2,025 S.F.
TOTAL IMPERVIOUS = 4295 S.F.
3. REFER TO SURVEY FOR LEGAL DESCRIPTION OF LEASE AREA AND ALL EASEMENTS. (AREA = 7,283.4 S.F.)
4. TOWER SHALL BE DESIGNED FOR FOUR (3) CARRIERS.
5. TOWER SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EIA/TIA 222-G STANDARDS AS WELL AS ALL LOCAL BUILDING CODES.
6. PER FAA REQUIREMENTS, THE TOWER SHALL NOT BE ARTIFICIALLY LIGHTED.

THE CONTRACTOR MUST FIELD VERIFY ALL MEASUREMENTS AND FIELD CONDITIONS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

DIRECTION	ACTUAL TOWER SETBACK	REQUIRED TOWER SETBACK
(A) NORTH	±27'-6"	25'
(B) SOUTH	±1066'-6"	25'
(C) EAST	±345'-1"	50'
(D) WEST	±51'-11"	50'



Z-1 OVERALL SITE PLAN
SCALE BASED ON 11"x17" ONLY

GRAPHIC SCALE
(IN FEET)

PHILIPPINE PARENT TRACT
 PHILIPPINE SUBDIVISION, INC.
 PARCEL ID: UH-05-28-17-222-000000-26830.0
 FOLIO NO: 003517-0050
 O.R. BOOK 8347, PAGE 1292, H.C.R.
 ZONING: R-1
 4.1039 ACRES

Received March 15, 2024
 Development Services

SKYWAY TOWERS
 3637 MADUCA LANE
 TAMPA, FL 33618

PLANS REVIEWED BY: _____
Kimley-Horn
 201 NORTH FRANKLIN STREET, SUITE 1400
 TAMPA, FL 33602
 PHONE (813) 620-1460
 WWW.KIMLEY-HORN.COM

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	A 12/04/23	FOR REVIEW	TDM
DRAWN BY: _____		CHECKED BY: _____	
TDM		TWD	
SHA PROJECT NUMBER: 148431015			

PROFESSIONAL ENGINEER
 STATE OF FLORIDA
 No. 92499
 KEVIN J. CLEMENTS
 LICENSE
 0315/24
 Exp. 02/28/25

PROJECT INFORMATION:
 WESTCHASE
 SKYWAY SITE #: FL-01071
 14301 NINE EAGLES DR.
 TAMPA, FL 33626

SHEET TITLE:
OVERALL SITE PLAN

SHEET NUMBER:
 Z-1

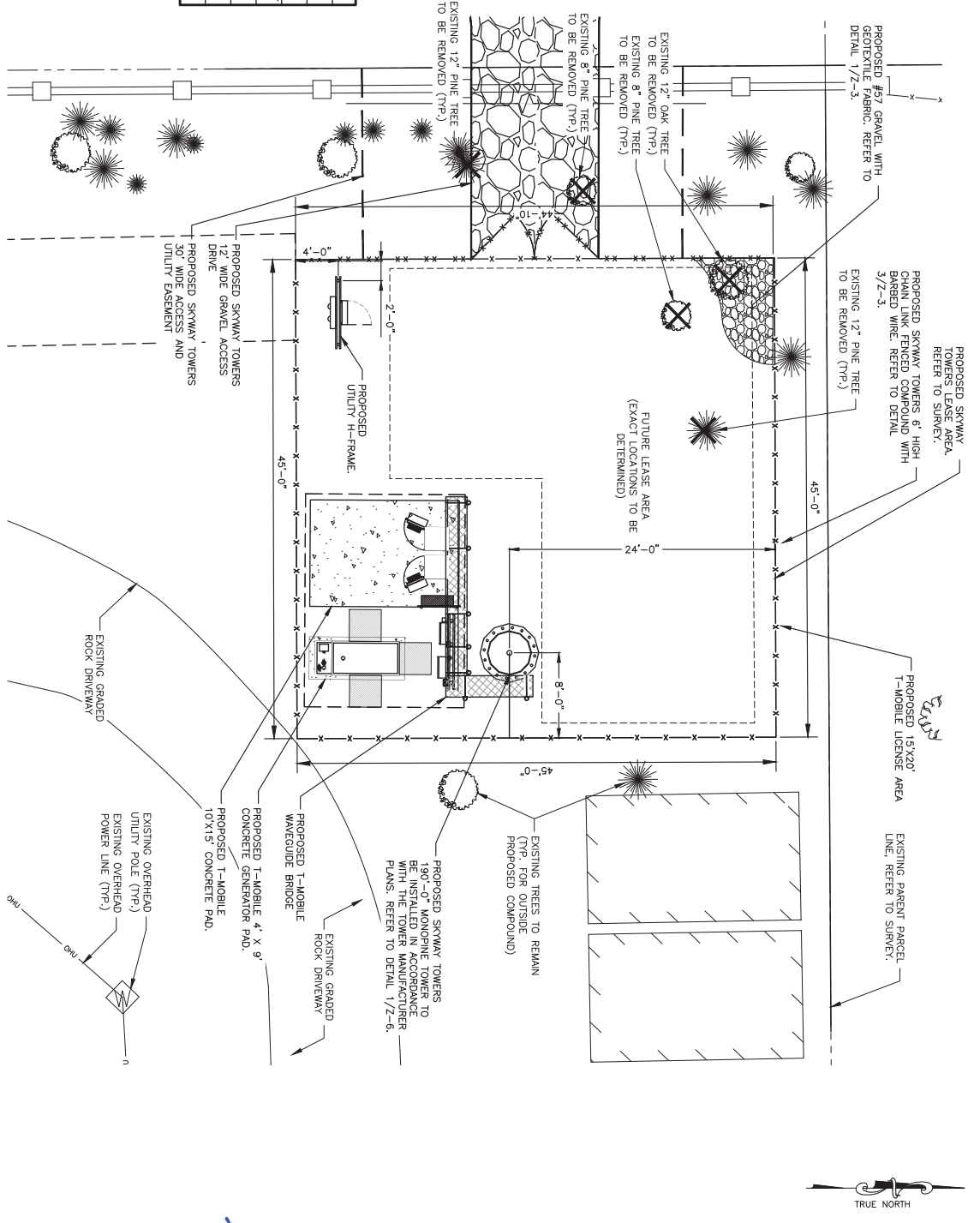
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NOTES:

1. CONTRACTOR TO FILL ANY EXISTING GRAVEL AREAS THAT ARE DISTURBED BY THE COURSE OF CONSTRUCTION. GRAVEL TO MATCH EXISTING.
2. THE CONTRACTOR TO ENSURE THAT NO DAMAGE OR DEBRIS OCCURS ON THE ADJACENT PROPERTIES.
3. THE CONTRACTOR SHALL SEED ALL DISTURBED AREAS WITH LOW MAINTENANCE NATIVE GRASS AND COVER WITH APPROVED STRAW.
4. CONTRACTOR SHALL PROVIDE ALL REQUIRED EROSION CONTROL. PROPOSED EROSION CONTROL REQUIREMENTS AS APPLICABLE.
5. NORTH ARROW SHOWN ON PLANS REFERS TO TRUE NORTH AND NOT TO MAGNETIC NORTH AND IN ORDER ARCHITECT/ENGINEER OF ANY DISCREPANCY BEFORE STARTING CONSTRUCTION.
6. AT THE TIME THIS DRAWING WAS CHECKED THE DRAWING WAS A COPY OF THE TOWER/FOUNDATION DESIGN DRAWINGS. THE SIZES SHOWN ARE APPROXIMATE PENDING RECEIPT OF FINAL DESIGN DRAWINGS.
7. CONTRACTOR TO REMOVE EXISTING TREES AS NEEDED WITHIN THE PROPOSED LEASE AREA, INGRESS/EGRESS, AND UTILITY EASEMENT.
8. PROPOSED BUILDING COVERAGE PLUS PROPOSED WCSS AREA

THE CONTRACTOR MUST FIELD VERIFY ALL MEASUREMENTS AND FIELD CONDITIONS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

SITE DATA TABLE	
FUTURE LAND USE CATEGORY	RCP/R-2
ZONING	AR
EXISTING USE OF LAND	NON-PROJECT SERVICES
BUILDING COVERAGE PERCENTAGE	5.2%
PERCENTAGE OF OPEN SPACE	94.8%
TOTAL F.A.R. OF SITE	0.052



ENLARGED SITE PLAN
SCALE: 1"=10'
SCALE BASED ON 11"x17" ONLY



GRAPHIC SCALE
(IN FEET)



SKYWAY TOWERS
3637 MADUCA LANE
TAMPA, FL 33618

Kimley-Horn
201 NORTH FRANKLIN STREET, SUITE 1400
TAMPA, FL 33602
PHONE (813) 620-1460
WWW.KIMLEY-HORN.COM

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0	01/06/24	ISSUED FOR CONSTRUCTION	TDM
	01/04/23	FOR REVIEW	TDM

DRAWN BY: [Signature]
CHECKED BY: [Signature]
TDM

PROFESSIONAL ENGINEER
STATE OF FLORIDA
No. 92499
KEVIN J. CLEMENTS
Lic. No. 11111
Exp. 02/28/25

PROJECT INFORMATION
WESTCHASE
SKYWAY SITE #: FL-01071
14301 NINE EAGLES DR.
TAMPA, FL 33626

SHEET TITLE: ENLARGED SITE PLAN
SHEET NUMBER: Z-2

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SKYWAY TOWERS
 3637 MADUCA LAKE
 TAMPA, FL 33618

Kimley-Horn
 201 NORTH FRANKLIN STREET, SUITE 1400
 TAMPA, FL 33602
 PHONE (813) 620-1460
 WWW.KIMLEY-HORN.COM

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	12/04/23	FOR REVIEW TDM

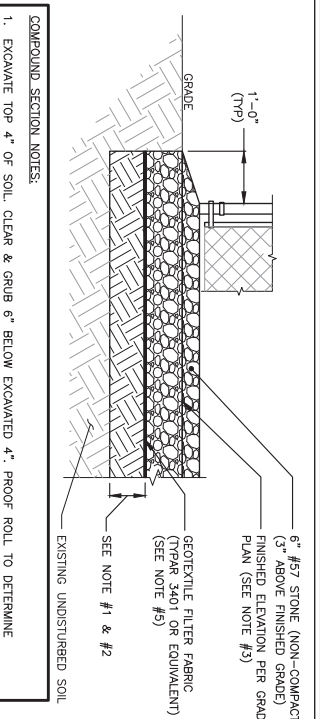
DESIGNED BY: TDM
 CHECKED BY: TDM

KEVIN J. CLEMENTS
 LICENSED PROFESSIONAL ENGINEER
 No. 92969
 STATE OF FLORIDA
 PROFESSIONAL ENGINEER

PROJECT INFORMATION:
 WESTCHASE
 SKYWAY SITE #: FL-01071
 14201 NINE EAGLES DR.
 TAMPA, FL 33626

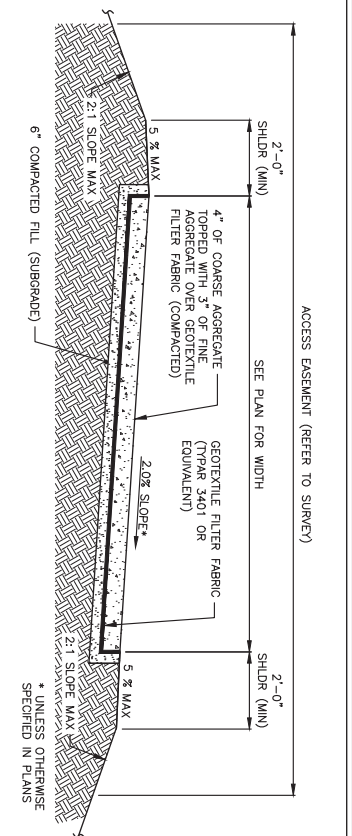
SHEET TITLE:
**ROAD, FENCE AND
 COMPOUND SECTION**

SHEET NUMBER:
Z-3



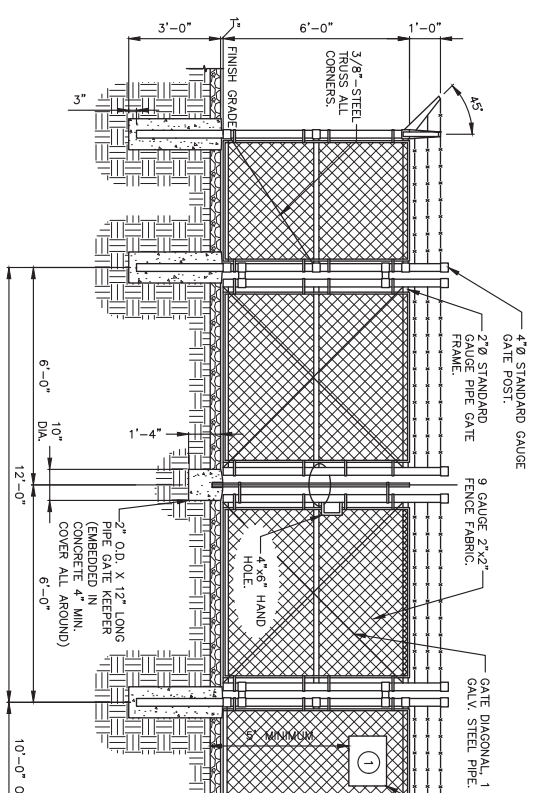
- COMPOUND SECTION NOTES:**
- EXCAVATE TOP 4" OF SOIL, CLEAR & GRADE 6" BELOW EXCAVATED 4" PROOF ROLL TO DETERMINE SUBGRADE & REPLACE AS REQUIRED W/ STRUCTURAL FILL, COMPACT TO 95% OF MAXIMUM DENSITY, AS DETERMINED PER ASTM D1557, TO A MINIMUM DEPTH OF 6".
 - DEPTH OF FILL TO BE ADJUSTED TO MEET FINAL ELEVATION SHOWN ON GRADING PLAN. STRUCTURAL FILL SHALL BE GRANULAR FREE-DRAINING MATERIAL FREE OF DEBRIS, ORGANICS, REFUSE AND OTHERWISE DEleterious MATERIALS. MATERIAL SHALL BE PLACED IN LIFTS NO GREATER THAN 12" IN DEPTH AND COMPACTED TO 95% OF MAXIMUM DENSITY AS DETERMINED PER ASTM D1557.
 - INSTALL 4" OF 3/4" CRUSHER RUN, COMPACT TO 95% OF MAXIMUM DENSITY AS DETERMINED PER ASTM D1557. TOP OF CRUSHER RUN CONSIDERED FINISH GRADE AND IS TO BE SLOPED PER GRADING PLAN.
 - PRIOR TO LAYING THE FABRIC & STONE, THE COMPOUND SHOULD BE STERILIZED WITH ENVIRONMENTALLY SAFE WEED KILLER, AND TREATED WITH ENVIRONMENTALLY SAFE HERBICIDE.
 - LAY GEOTEXTILE FABRIC OVER COMPACTED SOIL AND LAP ALL JOINTS A MINIMUM OF 12 INCHES.
 - SITE WILL BE GRADED TO ALLOW DRAINAGE AWAY FROM TOWER AND SHELTER.
 - AFTER PROJECT COMPLETION ALL DISTURBED AREAS OUTSIDE OF COMPOUND MUST BE SEEDED WITH LOW MAINTENANCE GRASS.

1 TYPICAL COMPOUND SECTION DETAIL
 SCALE: N.T.S.



- NOTES:**
- COMPACTED FILL (SUBGRADE) SHALL BE COMPACTED 95% OF THE MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D-1557.
 - PRIOR TO LAYING THE STONE THE ACCESS ROADWAY SHOULD BE CLEARED OF ALL ORGANIC MATTER, STERILIZED WITH ENVIRONMENTALLY SAFE WEED KILLER, AND TREATED WITH ENVIRONMENTALLY SAFE HERBICIDE.
 - A MINIMUM TURNING RADIUS OF THE ACCESS ROAD SHALL BE 55 DEGREES FOR THE SHELTER DELIVERY.
 - THE MAXIMUM LONGITUDINAL SLOPE OF THE ACCESS ROAD SHALL NOT EXCEED 10%.
 - CONTRACTOR, AT MINIMUM, MUST REMOVE OR TRIM ALL TREES THAT ARE WITHIN 3' OF THE ACCESS ROAD ON BOTH SIDES.

2 TYPICAL ACCESS ROAD SECTION
 SCALE: N.T.S.



3 CHAIN LINK FENCE DETAIL
 SCALE: N.T.S.

- NOTES:**
- ALL FENCING MATERIAL MUST BE GALVANIZED.
 - ALL POSTS MUST HAVE STEEL CAPS.
 - ALL POSTS AND BRACING MUST BE SCH. 40.
 - INSTALL FENCING PER ASTM F-567.
 - INSTALL GATES PER ASTM F-900.
 - ALL CONCRETE FOUNDATIONS TO HAVE A MINIMUM OF 4000 PSI.
 - REFER TO FENCE SPECIFICATIONS FOR FURTHER INFORMATION.
 - LOCATE FENCE AS SHOWN ON SITE PLAN.
 - CONTRACTOR TO PROVIDE AND INSTALL ALL FENCING AND COMPOUND GATE. WORK WITH CLIENT ON GATE COMBO.

SKYWAY TOWERS
3637 MADACA LANE
TAMPA, FL 33618

PLANS PREPARED BY:
Kimley-Horn
201 NORTH FRANKLIN STREET, SUITE 1400
TAMPA, FL 33602
PHONE (813) 620-1460
WWW.KIMLEY-HORN.COM

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DATE: 12/04/23 FOR REVIEW
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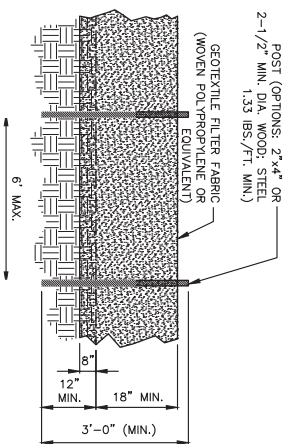
DATE PROJECT NUMBER: 148431015
NUMBER SCALE: TWD

KEVIN J. CLEMENTS
L.I.C.E.N.S.E.
No. 92969
STATE OF FLORIDA
PROFESSIONAL ENGINEER
Exp. 02/28/25

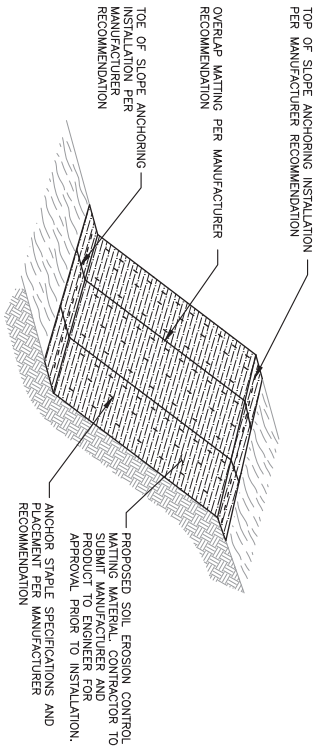
PROJECT INFORMATION:
WESTCHASE
SKYWAY SITE #: FL-01071
14301 NINE EAGLES DR.
TAMPA, FL 33626

SHEET TITLE:
GRADING DETAILS

SHEET NUMBER:
Z-4



- NOTES:**
- CONTRACTOR SHALL BE RESPONSIBLE FOR CONSTRUCTION AND MAINTENANCE OF EROSION AND SEDIMENTATION CONTROLS DURING CONSTRUCTION. INSTALL SILT FENCE AS SHOWN WHERE ADDITIONALLY REQUIRED FOR PROTECTION OF ADJACENT PROPERTIES, ROADWAYS, AND WATERWAYS.
 - CONTRACTOR SHALL INSPECT INSTALLED EROSION CONTROL DEVICE WEEKLY DURING CONSTRUCTION AND AFTER HEAVY RAINS FOR DAMAGE OR EXCESSIVE SILTATION. MAINTENANCE SHALL INCLUDE CLEANING BUILT-UP SEDIMENT BEHIND THE BARRIERS AND/OR REPLACING DAMAGED SECTIONS.
 - THE EROSION CONTROL DEVICES SHALL BE MAINTAINED BY THE CONTRACTOR UNTIL PERMANENT STABILIZATION IS ESTABLISHED.
 - HAY BALES SHALL NOT BE USED AS EROSION CONTROL.
 - CONTRACTOR IS RESPONSIBLE FOR PROVIDING SITE FREE OF DRAINAGE PROBLEMS.
 - CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICES FOR CONSTRUCTION TO PREVENT THE DIVERSION OF SEDIMENT LOADED STORM WATER RUNOFF OR ERODED MATERIALS FROM LEAVING THE CONSTRUCTION SITE.
 - CONTRACTOR SHALL PREVENT TRACKING OF SEDIMENT OUTSIDE OF CONSTRUCTION LIMITS. THIS MAY REQUIRE CLEANING AND/OR WASHING OF DEBRIS AND SEDIMENT FROM ALL VEHICLES PRIOR TO EXITING THE SITE. ANY SEDIMENT DEPOSITED ON THE ROADWAY SHALL BE SWEEP AS NECESSARY THROUGHOUT THE DAY OR AT THE END OF EVERY WORK SHIFT. SEDIMENT SHALL BE REMOVED IN A MANNER SEDIMENT SHALL NOT BE WASHED INTO STORM SEWER SYSTEMS.
 - ANY DEBRIS AND/OR SEDIMENT EXITING THE SITE DUE TO TRACKING OR FAILURE OF THE SILT FENCE SHALL BE CLEANED IMMEDIATELY BY THE CONTRACTOR. THE SILT FENCE SHALL BE CLEANED BY THE CONTRACTOR IMMEDIATELY AFTER EACH WORK SHIFT. REPAIR ANY BUMPS THAT HAVE FAILED AND/OR INSTALL ADDITIONAL BUMPS TO ENSURE SEDIMENT DOES NOT LEAVE THE SITE.
 - TO FACILITATE EFFECTIVE PRESERVATION OF TREES, (THOSE WITH DRIP LINES DERIVED ON PLAN) SILT FENCE SHALL NOT BE TRENCHED IN WITHIN DRIP LINES OF TREES WHERE AVAILABLE. IF UNAVOIDABLE THEN EITHER INSTALL SILT FENCE AT GRADE (NO TRENCHING) OR USE HAY BALES IN THESE LOCATIONS.



- NOTES:**
- CONTRACTOR SHALL BE RESPONSIBLE FOR CONSTRUCTION AND MAINTENANCE OF EROSION AND SEDIMENTATION CONTROLS DURING CONSTRUCTION. THE EROSION CONTROL DEVICE SHALL BE MAINTAINED BY THE CONTRACTOR UNTIL A PERMANENT STAND OF GRASS (OR OTHER PERMANENT STABILIZATION) IS ESTABLISHED.
 - SOIL EROSION CONTROL MATTING SHALL BE INSTALLED PER MANUFACTURER RECOMMENDATIONS.
 - SLOPE SURFACE SHALL BE FREE OF ROCKS AND DEBRIS. MATTING SHALL HAVE DIRECT SOIL CONTACT.
 - APPLY PERMANENT SEEDING PRIOR TO INSTALLING MATTING.
 - DO NOT STRETCH MATTING DURING INSTALLATION.

1 EROSION CONTROL MATTING
SCALE: N.T.S.

2 SILT FENCE DETAIL
SCALE: N.T.S.

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PLANS PREPARED BY:
Kimley-Horn
201 NORTH FRANKLIN STREET, SUITE 1400
TAMPA, FL 33602
PHONE (813) 620-1460
WWW.KIMLEY-HORN.COM

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TDM TWD

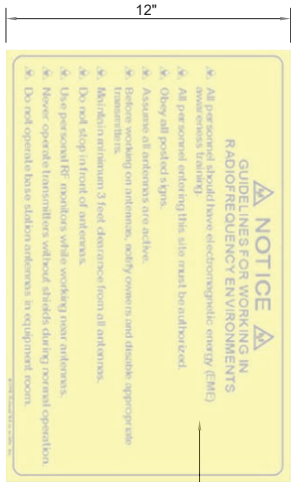
SHA PROJECT NUMBER: 148431015
DRAWING SCALE: _____



PROJECT INFORMATION:
WESTCHASE
SKYWAY SITE #: FL-01071
14301 NINE EAGLES DR.
TAMPA, FL 33626

SHEET TITLE:
SKYWAY TOWERS
SITE SIGNAGE

SHEET NUMBER:
Z-5



YELLOW
BACKGROUND
W/ BLACK LETTERING

1 NOTICE - RF SIGN
SCALE: N.T.S.



WHITE
BACKGROUND
W/ BLACK BORDER

CONTRACTOR SHALL
VERIFY FCC NO. PRIOR
TO ORDERING SIGNAGE
CONTRACTOR SHALL
VERIFY ADDRESS PRIOR
TO ORDERING SIGNAGE
RED LETTERING
(ALL OTHER BLACK)

2 SKYWAY - SITE ID SIGN
SCALE: N.T.S.



Plans prepared by:
Kimley-Horn
201 NORTH FRANKLIN STREET, SUITE 1400
TAMPA, FL 33602
PHONE (813) 620-1460
WWW.KIMLEY-HORN.COM

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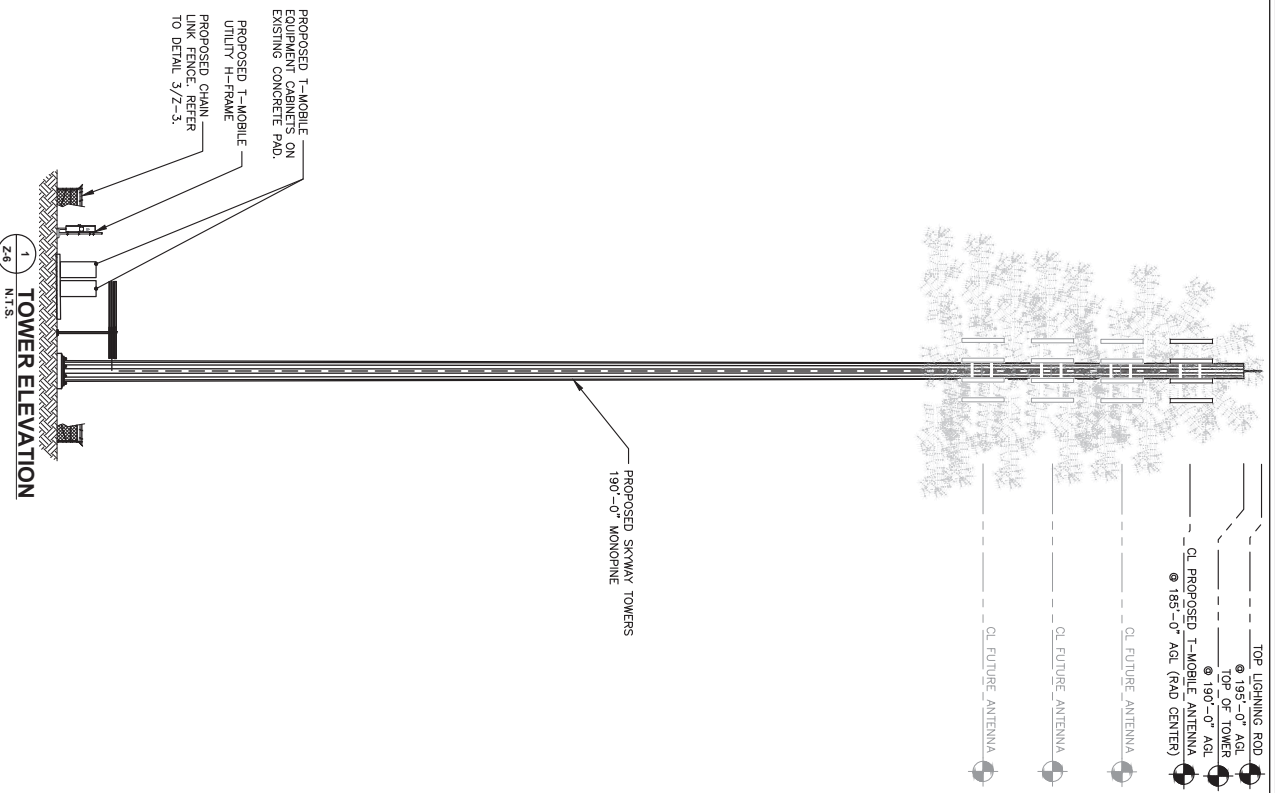
DRAWN BY: TWID
CHECKED BY: TWID
TDM

PROFESSIONAL ENGINEER
STATE OF FLORIDA
No. 92497
KEVIN J. CLEMENTS
LICENSE
03/15/24
Exp. 02/28/25

PROJECT INFORMATION
WESTCHASE
SKYWAY SITE #: FL-01071
14301 NINE EAGLES DR.
TAMPA, FL 33626

SHEET TITLE
TOWER ELEVATION
AND DETAILS

SHEET NUMBER
Z-6



1
TOWER ELEVATION
N.T.S.

- NOTES:**
- THESE DRAWINGS SHALL NOT BE RELED UPON AS AN INDICATION OF THE DESIGNER'S LIABILITY. THE DESIGNER HAS NOT PERFORMED A STRUCTURAL ANALYSIS ON THE TOWER, FOUNDATION, ANTENNA MOUNT, AND ALL ITS COMPONENTS. THE RESPONSIBILITY OF THE ANALYSIS PERFORMED IN ACCORDANCE WITH ALL APPLICABLE CODES AND STANDARDS PRIOR TO THE INSTALLATION OF ANY PREPARED EQUIPMENT, COAXIAL CABLES, ANTENNAS, OR APPURTENANCES ON THE TOWER, THIS STRUCTURAL ANALYSIS SHALL BE SIGNED AND SEALED BY A REGISTERED PROFESSIONAL ENGINEER.
 - IF ANY WORK IS PERFORMED AT THIS SITE THAT REQUIRES THE SITE TO BE OFF AIR OR TURNED DOWN, THE CONTRACTOR SHALL BE ADVISED 24 HOURS PRIOR TO CONSTRUCTION VIA NCR/CTS.
 - INSTALLATION SHALL BE CONDUCTED BY THE DESIGNER AND EMPLOYEES OF THE DESIGNER AND ERECTION OF RADIO ANTENNAS, TRANSMISSION LINES, AND SUPPORT STRUCTURES. ANTENNA WORK TO BE INSTALLED UNDER THE REQUIREMENTS OF THE TOWER MANUFACTURER'S SPECIFICATION.
 - ANTENNA AND MOUNT DESIGN MUST COMPLY WITH TIA-EIA-222-G AND ALL LOCAL CODES.
 - CONTRACTOR TO PROVIDE THE PROPER COAX JUMPER SUPPORT ATTACHMENTS TO THE TOWER AND ANTENNA MOUNT.
- THE CONTRACTOR MUST FIELD VERIFY ALL MEASUREMENTS AND FIELD CONDITIONS PRIOR TO CONSTRUCTION.

12.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 03/18/2024

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: NWH/ Northwest

PETITION NO: SU 24-0280

- 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.

CONDITIONS OF APPROVAL

1. All traffic to and from the cellular tower site shall be via the proposed, separate, gated access to Nine Eagles Dr., as generally shown on the SU site plan. No other uses within the site shall be permitted to utilize this access.
2. Notwithstanding anything shown on the SU site plan to the contrary, this proposed limited purpose access shall be required to meet all applicable technical and other standards of the Hillsborough County Transportation Technical Manual (TTM), Land Development Code (LDC) or other applicable rules and regulations.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a Special Use (SU) approval on a +/- 10.05 ac. parcel, zoned Agricultural Rural (AR). The site is occupied by the Philippine Cultural Foundation Inc. The applicant is seeking SU approval for a 195 ft. high monopole communications tower camouflaged as a tree to be added to the northwest corner of the subject property.

Consistent with Sec. 6.2.1.C. of the Development Review Procedures Manual (DRPM), the applicant was not required to submit a trip generation and site access letter for the proposed project. Staff notes that although the existing site in total may generate more than 50 peak hour trips in any peak hour, the cellular tower portion of the site is proposed to have independent access to Nine Eagles Dr., and no existing uses will be able to utilize this access, nor will any traffic between the two sites have an opportunity to mix. Staff has prepared the below comparison of the trips potentially generated under the existing and proposed portion of the site to be used for the cellular tower (traffic from the cultural center was not included). The information below is based typical worst-case scenario assumptions given the limited maintenance and other traffic typical of cellular tower sites. Staff notes that there is no data from the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition, otherwise available to estimate impacts from cellular towers.

Existing Use:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Vacant Land Area	0	0	0

Proposed Uses:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
195 ft. monopole tower	2	1	1

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 2	(+) 1	(+) 1

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Nine Eagles Dr. is a 2-lane, undivided, publicly maintained, substandard, rural collector roadway. The roadway is characterized by +/- 11 to 11.5-foot-wide travel lanes in average condition. According to the County’s GIS roadway inventory, the roadway lies within a +/- 70-foot-wide right-of-way. There are +/- 5-foot-wide sidewalks along both the east and west sides of Nine Eagles Dr. in the vicinity of the proposed project. There are no bicycle facilities present on Nine Eagles Dr. in the vicinity of the proposed project.

Because the SU generates fewer than 10 total peak hour trips and Nine Eagles Dr. meets certain minimum standards (i.e. 15 feet of pavement within a 20-foot-wide clear area), by policy of the County Engineer the project can be considered de minimis and no Section 6.04.02.B. Administrative Variance from the Section 6.04.03.L. requirement was required to process this request.

SITE ACCESS AND CONNECTIVITY

Access to the cellular tower site is proposed via one (1) access connection to Nine Eagles Dr. Although the site has other driveways which serve the existing property, the proposed access is being conditioned only to serve the cellular tower portion of the site (which as noted above has minimal traffic). Given that there is no overlapping of the cellular tower and other traffic (either within this site or at this new access connection), staff has no objection to this request.

TRANSIT FACILITIES

Transit facilities are not required for the proposed project, consistent with Sections 6.02.17 and 6.03.09 of the Hillsborough County Land Development Code.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Nine Eagles Dr. is not included within the 2020 Hillsborough County Level of Service Report (LOS) report. As such, no LOS information for the adjacent roadway segment can be provided.

Transportation Comment Sheet

3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9 OF STAFF REPORT)

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Nine Eagles Dr.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation (for Cell Tower Portion of Site Only) <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	0	0	0
Proposed	2	1	1
Difference (+/-)	(+) 2	(+) 1	(+) 1

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

Connectivity and Cross Access (for Cell Tower Portion of Site Only) <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West	X	Vehicular & Pedestrian	None	Meets LDC
Notes:				

Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

13.0 OUTSIDE EXPERT TECHNICAL REVIEW REPORT (see following pages)



3/18/2024

OMNICOM CONSULTING GROUP, INC.
TECHNICAL REVIEW REPORT
CONDITIONAL USE APPLICATION (SU CFW 24-0280) FOR
Wireless Communications Support Structure
for
HILLSBOROUGH COUNTY
for
Skyway Towers, LLC
195' MONOPINE TOWER

This is the updated report in response to the Hillsborough County request to perform Consulting Services related to Skyway Towers, LLC (Skyway) application to construct a 195' monopine tower located at 14301 Nine Eagles Drive Tampa, Florida. Skyway will build and own this tower while T-Mobile Wireless will be the anchor tenant. Omnicom Consulting Group, Inc. (OCG) has been contracted to review, analyze and evaluate the application for compliance with Hillsborough County's Land Development Code requirements, specifically section 6.11.29E – Communication Facilities, Wireless.

Upon review of the application OCG would recommend approval of the conditional use application.

As part of OCG's due diligences a search for existing tower sites, public structures, or other appropriate support structures in the immediate area of the proposed tower site was performed. OCG was not able to locate any existing tower structures within 1 mile of the proposed location.

T-Mobile provided coverage maps that depicted the service area without the proposed tower and with the proposed tower site which significantly improves T-Mobile's coverage in the area of need.

There was a typographical error in the original T-Mobile provided coverage maps where the legend did not match the actual coverage shown. This did/does not affect the results of the propagation study as the main factors are the frequency band and required signal levels which did not change on T-Mobiles resubmission.

In general, as the carrier frequency goes higher, in T-Mobiles' case from the 600MHz range all the way to 2690MHz, the distance/area that can be covered goes down. Coverage and Capacity on a cellular network are mutually inclusive, coverage without network capacity is useless and vice versa. For a cellular network to operate efficiently you must have "reliable" coverage (sufficient signal field strength) and capacity (available bandwidth).

As T-Mobile stated in their updated application materials, T-Mobile, like all the major carriers, deploys their networks across multiple frequency bands. These bands, transparent to the end user, have very different bandwidth capabilities (capacity) and propagation characteristics (coverage area). Therefore, coverage and capacity of each of these frequency bands are very different. The coverage maps provided by T-Mobile and OCG depict the predicted coverage area for the highest frequency band that T-Mobile deploys which would have the smallest "coverage" area but has the most "capacity" of all the frequency bands deployed by T-Mobile.



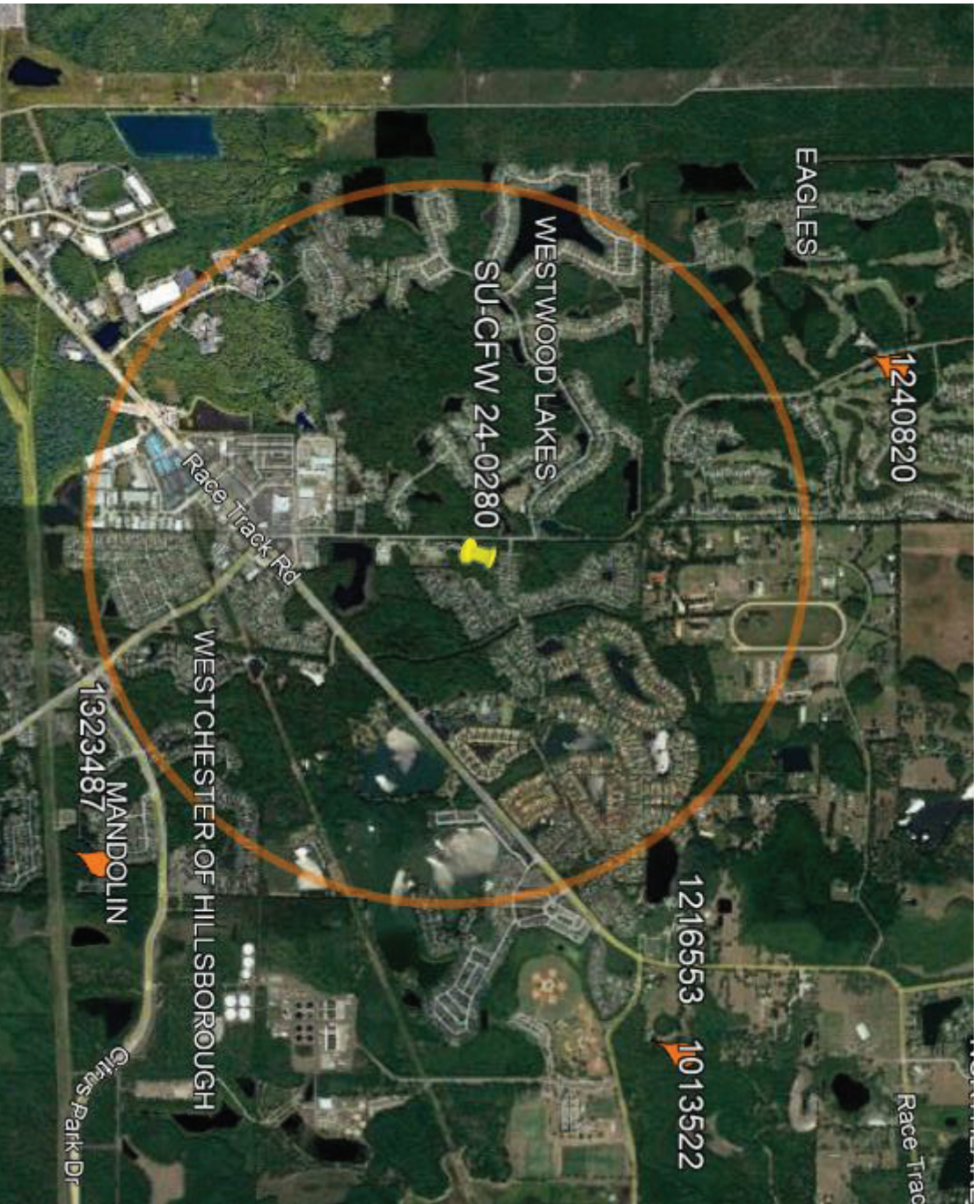
Based on OCG's analysis there are no viable existing towers, public structures or other appropriate support structures in the area that would allow T-Mobile to co-locate and meet the needs of its network in this area. OCG also reviewed and analyzed the updated coverage maps provided by the applicant and is in agreement with their findings.

Submitted by:

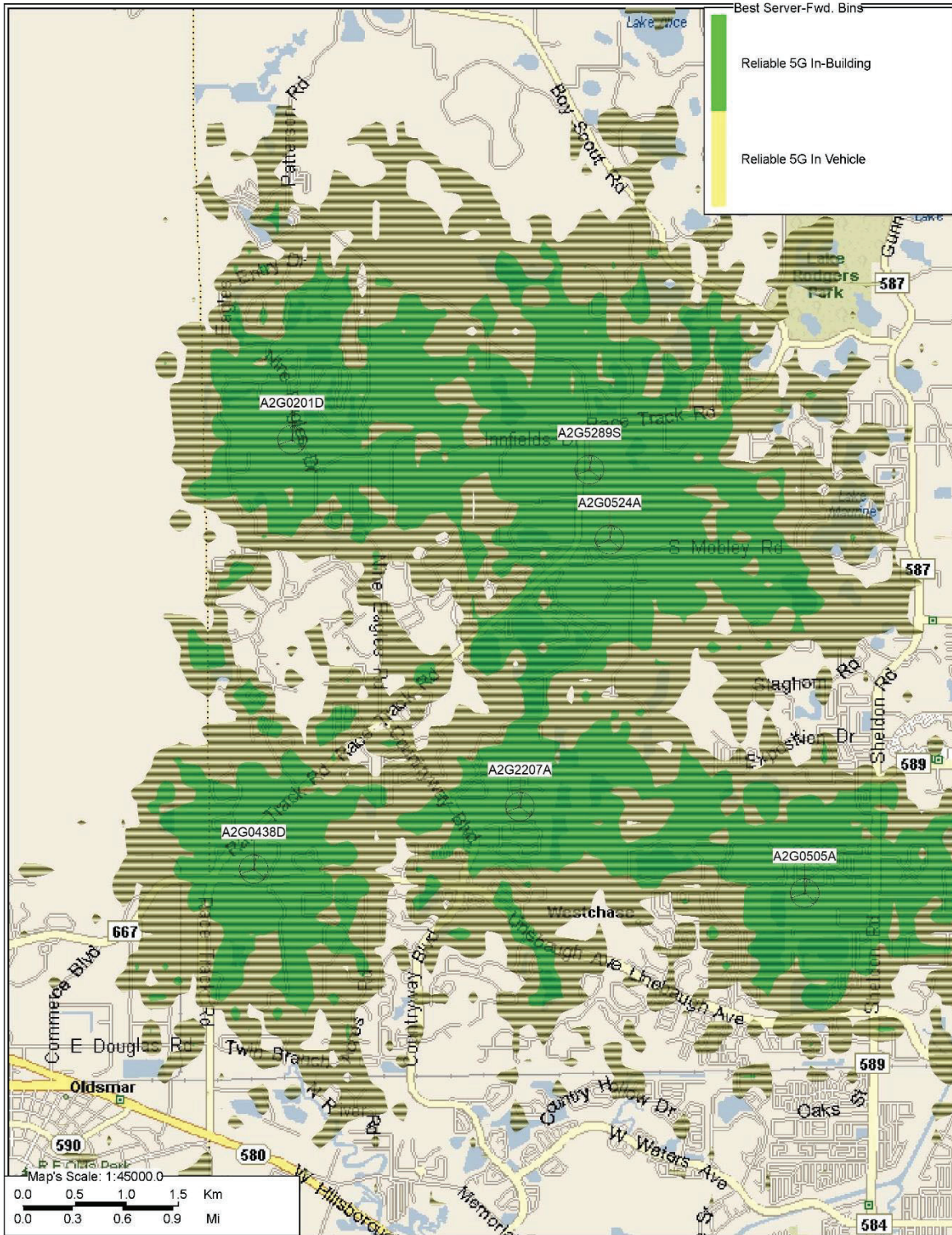
A handwritten signature in black ink, appearing to read "Chris Monzingo".

Christopher J. Monzingo, P.E., PMP

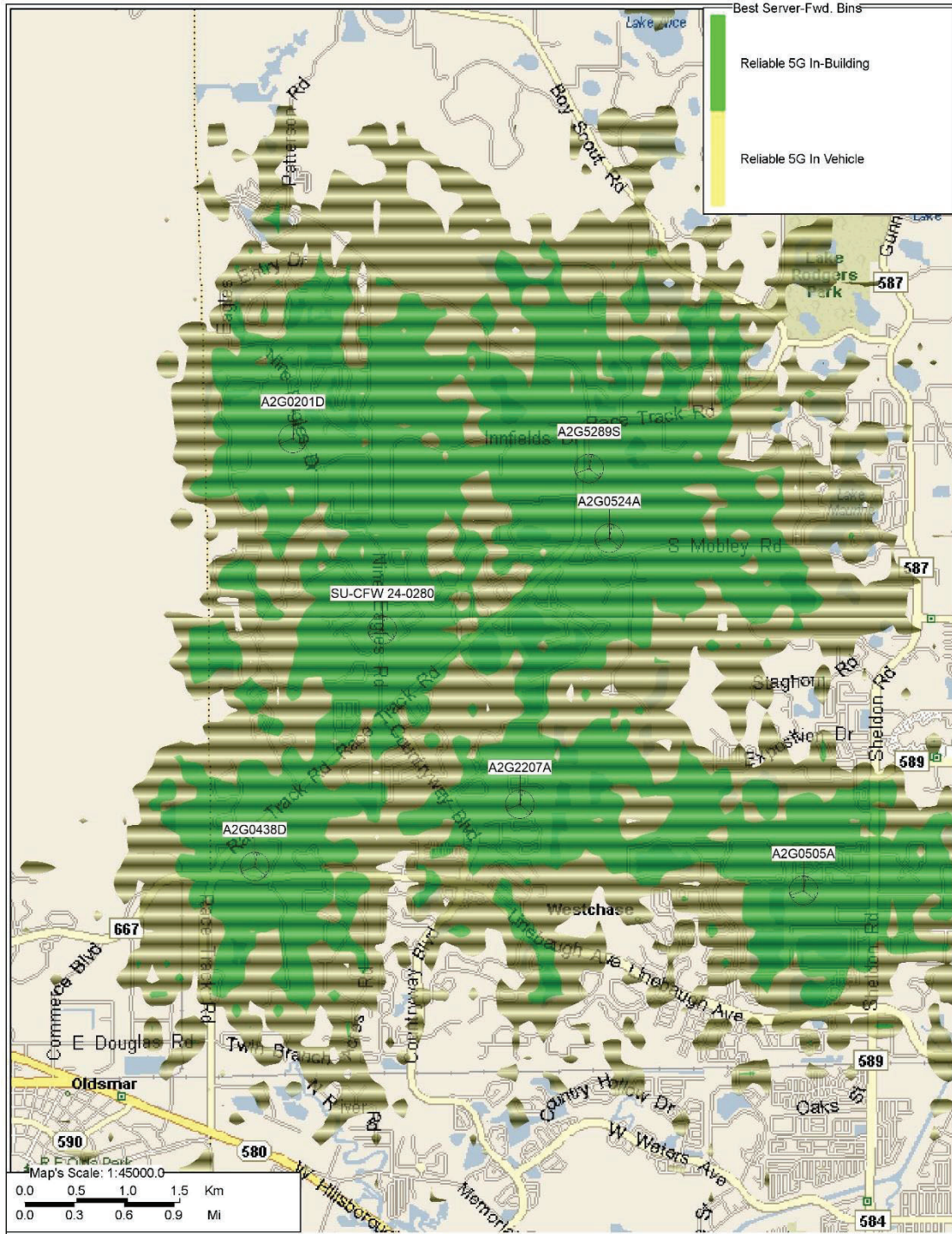
Vice President



Tower Search Ring



T-Mobile Without Proposed



T- Mobile With Proposed

5G Coverage Without A2G1808D, but With A2G0201D & A2G2207A B41 (2500-2600MHz) NR Service Map (cbsl)

Received March 12, 2024
by omnicom services



- Reliable 5G In-Building Residential Coverage (≥ -94 dBm)
- Reliable 5G In Vehicle Coverage ($-94 > X > -102$ dBm)

5G Coverage With A2G1808D and all others B41 (2500-2600MHz) NR Service Map (cbsl)

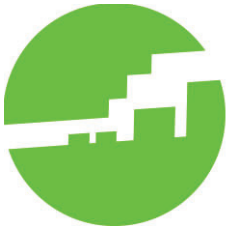
Received March 17, 2024
Development Services



- Reliable 5G In-Building Residential Coverage (≥ -94 dBm)
- Reliable 5G In Vehicle Coverage ($-94 > X > -102$ dBm)

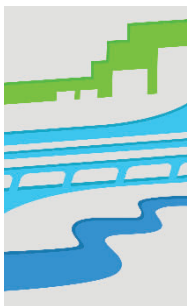
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**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Special Use	
Hearing Date: March 25, 2024 Report Prepared: March 13, 2024	Petition: SU 24-0280 14301 Nine Eagles Drive <i>East side of Nine Eagles Drive and north of Racetrack Road</i>
Summary Data:	
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Residential-2 (2 du/ga; 0.25 FAR), Research Corporate Park (No residential permitted; 1.0 FAR)
Service Area	Urban
Community Plan	Northwest Hillsborough
Special Use Request	Special Use to permit a 190-foot Monopine Wireless Communication Tower
Parcel Size	10.05 +/- acres
Street Functional Classification	Nine Eagles Drive – Collector Racetrack Road – Arterial
Locational Criteria	N/A
Evacuation Zone	C



Context

- The 10.05 ± acre subject site is located on the east side of Nine Eagles Drive and north of Racetrack Road. The subject site is in the Urban Service Area and is located within the limits of the Northwest Hillsborough Community Plan.
- The site is mostly comprised of the Future Land Use designation of Residential-2 (RES-2), which allows for consideration of up to 2 dwelling units per gross acre and a maximum Floor Area Ratio (FAR) of 0.25. The RES-2 Future Land Use is intended to designate areas that are suitable for non-urban density residential development. Typical uses in the RES-2 Future Land Use category include residential, suburban scale neighborhood commercial, office uses and multi-purpose projects. Non-residential uses must meet locational criteria for specific land uses.
- The subject property is also partially located in the Future Land Use designation of Research Corporate Park (RCP). The RCP Future Land Use designation does not allow for consideration of residential uses and allows for consideration of a maximum Floor Area Ratio (FAR) of 1.0. Typical uses in the RCP category include research and development activities, related educational facilities, electronic components production, light restricted manufacturing and warehousing, offices, corporate headquarters, and related uses such as hotels, motels, restaurants, recreational facilities, and rural scale retail establishments.
- The RES-2 designation is located to the north, east and west of the site. The RCP and Neighborhood Mixed Use-4 (NMU-4) designations are located to the south.
- The subject site is currently developed with the Philippines Cultural Center. The site is generally surrounded by conservation land, single family residential developments, and light commercial to the south, closer to the intersection at Racetrack Road. There is also an elementary and middle school located to the southwest of the site on Nine Eagles Drive.
- The subject property is currently zoned as Agricultural Rural (AR). Planned Development (PD) zoning surrounds the site on all sides.
- The applicant is requesting a Special Use to permit a 190-foot Monopine wireless communication tower on site.

Compliance with Comprehensive Plan:

The following Goals, Objectives, and Policies apply to this special use request and are used as a basis for a consistency finding.

FUTURE LAND USE ELEMENT

Urban Service Area

Policy 1.4: *Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and*

architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

Neighborhood/Community Development

Objective 16: Neighborhood Protection The neighborhood is a functional unit of community development. There is a need to protect existing neighborhoods and communities and those that will emerge in the future. To preserve, protect and enhance neighborhoods and communities, all new development must conform to the following policies.

Policy 16.1: Established and planned neighborhoods and communities shall be protected by restricting incompatible land uses through mechanisms such as:

- a) locational criteria for the placement of non-residential uses as identified in this Plan,
- b) limiting commercial development in residential land use categories to neighborhood scale;
- c) requiring buffer areas and screening devices between unlike land uses;

Policy 16.2: Gradual transitions of intensities between different land uses shall be provided for as new development is proposed and approved, through the use of professional site planning, buffering and screening techniques and control of specific land uses.

Policy 16.3: Development and redevelopment shall be integrated with the adjacent land uses through:

- a) the creation of like uses; or
- b) creation of complementary uses; or
- c) mitigation of adverse impacts; and
- d) transportation/pedestrian connections

TELECOMMUNICATIONS FACILITIES

Objective 46: To ensure that telecommunications facilities are located in a manner that is compatible (as defined in Policy 1.4) with surrounding land uses and compliant with State and Federal law.

Policy 46.1: Telecommunications facilities and towers should comply with applicable Land Development Code regulations including but not limited to setbacks, buffering, screening and camouflaging.

Policy 46.2: Hillsborough County shall comply with State and Federal laws relating to the location of telecommunications facilities.

LIVABLE COMMUNITIES ELEMENT: Northwest Area Community Plan

Section D

Social and economic vitality and sustainability has been ensured through:

Locating and designing civic infrastructure, buildings and services to support town centers and neighborhoods.

Requiring a range of housing suitable for younger and older people in addition to housing for families in the neighborhood.

Ensuring adequate infrastructure and balancing urban service systems through an equitable assignment of fiscal responsibility between private and public sectors.

Encouraging economic development opportunities to balance employment opportunities with housing.

Staff Analysis of Goals, Objectives and Policies:

The 10.05± acre subject site is located on the east side of Nine Eagles Drive and north of Racetrack Road. The subject site is in the Urban Service Area and is located within the limits of the Northwest Hillsborough Community Plan. The subject site is currently developed with the Philippines Cultural Center. The site is generally surrounded by conservation land, single family residential developments, and light commercial to the south closer to the intersection at Racetrack Road. There is also an elementary and middle school located to the southwest of the site on Nine Eagles Drive. The applicant is requesting a Special Use to permit a 190-foot Monopine wireless communication tower on site.

The proposed Special Use is compatible with the character of the surrounding area and meets the intent of Policy 1.4 of the Future Land Use Element (FLUE). The proposed 190-foot Monopine Wireless Communication Tower will be in an area that is heavily wooded, and the camouflage design will be reflective of the existing tree canopy in the immediate area. The wooded area that surrounds the proposed tower serves as a natural buffer from the adjacent properties. The area surrounding the tower will be fenced so the compound will be screened from all sides. The design is sensitive to the surrounding residential uses and preserves the mature trees. Therefore, the request meets the intent of the Neighborhood Protection policy direction under FLUE Objective 16 and FLUE Policies 16.1, 16.2 and 16.3.

The proposed Special Use also meets the intent of FLUE Objective 46 and Policies 46.1 and 46.2 that require telecommunication towers and facilities to be in areas with compatible land uses and adhere to all local, state and federal laws. The request does not include any variations to the required setbacks or height.

The proposed Special Use meets the intent of Section D of the Northwest Area Community Plan that specifically seeks to ensure "...adequate infrastructure and balancing urban service systems through an equitable assignment of fiscal responsibility between private and public sectors." The applicant is proposing a Wireless Communication Tower that would serve the greater area and is supported by private sector companies who intend to utilize the communication tower to expand their services in Hillsborough County.

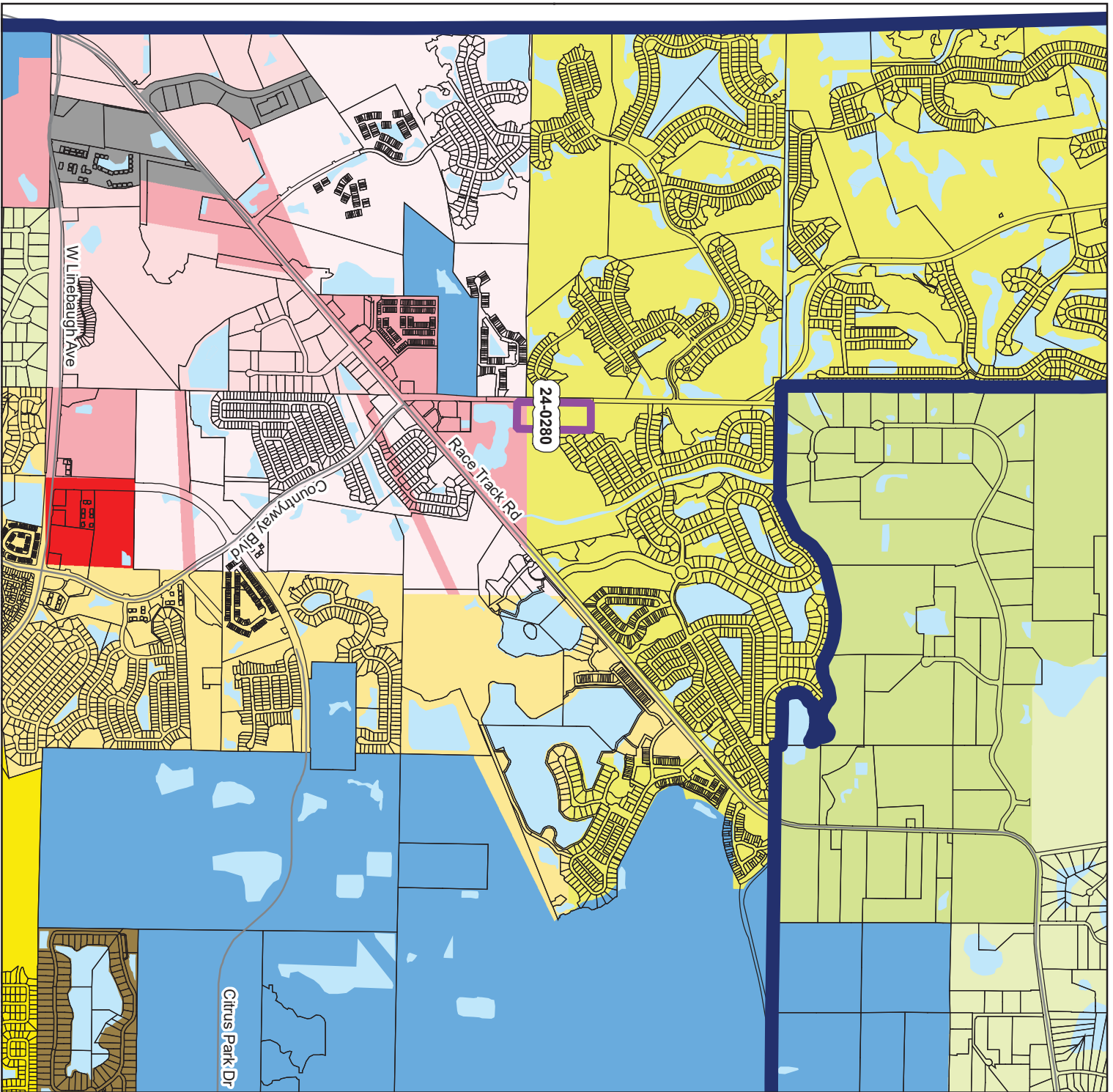
Overall, the proposed Special Use would allow for a development that is consistent with the Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*, and that is compatible with the existing and planned development pattern found in the surrounding area.

Recommendation

Based upon the above considerations, the Planning Commission staff finds the proposed Special Use **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*, subject to conditions proposed by the Development Services Department.

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ SU 24-0280



Rezoning Status

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

- Tampa Service Area
- Urban Service Area
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Major Roads
- Parcels

- wam NATURAL LULC_Wal_Pol
- AGRICULTURAL(MINING)-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-112 (.25 FAR)
- AGRICULTURAL-1110 (.25 FAR)
- AGRICULTURAL-RURAL-115 (.25 FAR)
- AGRICULTURAL ESTATE-112 51 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (0.135 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)
- OFFICE COMMERCIAL-20 (.75 FAR)
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (1.50 FAR USES OTHER THAN RETAIL .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.75 FAR)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASI-PUBLIC
- NATURAL PRESERVATION
- WIMAUVA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

DATE: 8/20/2024
 Commissioned and created by Hillsborough County
 Author: Beverly F. Daniels
 File: G:\RezoningSystem\MapProjects\HillCo\Rezoning - Copy.mxd



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Additional / Revised Information Sheet

Office Use Only		
Application Number: SU CFW 24-0280	Received Date:	Received By:

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, **the second page of this form must be included indicating the additional/revised documents being submitted with this form.**

Application Number: SU CFW 24-0280 Applicant's Name: Skyway Towers, LLC

Reviewing Planner's Name: Sam Ball Date: 3/5/2024

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): 3/25/2024

Important Project Size Change Information

Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.

Will this revision add land to the project? Yes No

If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

Will this revision remove land from the project? Yes No

If "Yes" is checked on the above please ensure you include all items marked with + on the last page.

Email this form along with all submittal items indicated on the next page in pdf form to:

ZoningIntake-DSD@hcfllgov.net

Files must be in pdf format and minimum resolution of 300 dpi. Each item should be submitted as a separate file titled according to its contents. All items should be submitted in one email with application number (including prefix) included on the subject line. Maximum attachment(s) size is 15 MB.

For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcfllgov.net.

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

3/5/2024

Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact [Hillsborough County Development Services](#) to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under [Florida Statutes §119.071\(4\)](#) will need to contact [Hillsborough County Development Services](#) to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? Yes No

I hereby confirm that the material submitted with application SU CFW 24-0280

Includes sensitive and/or protected information.

Type of information included and location _____

Does not include sensitive and/or protected information.

Please note: Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature: 

(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



Additional / Revised Information Sheet

Please indicate below which revised/additional items are being submitted with this form.

Included	Submittal Item
----------	----------------

1 **Cover Letter**** If adding or removing land from the project site, the final list of folios must be included

2 **Revised Application Form****

3 **Copy of Current Deed*** Must be provided for any new folio(s) being added

4 **Affidavit to Authorize Agent*** (If Applicable) Must be provided for any new folio(s) being added

5 **Sunbiz Form*** (If Applicable) Must be provided for any new folio(s) being added

6 **Property Information Sheet****

7 **Legal Description of the Subject Site****

8 **Close Proximity Property Owners List****

9 **Site Plan**** All changes on the site plan must be listed in detail in the Cover Letter.

10 **Survey**

11 **Wet Zone Survey**

12 **General Development Plan**

13 **Project Description/Written Statement**

14 **Design Exception and Administrative Variance requests/approvals**

15 **Variance Criteria Response**

16 **Copy of Code Enforcement or Building Violation**

17 **Transportation Analysis**

18 **Sign-off form**

19 **Other Documents** (please describe):

*Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

**Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.



SENDER'S DIRECT DIAL:
813-506-5184

SENDER'S E-MAIL:
Jaime.Maier@hwlaw.com

March 5, 2024

Sam Ball
Development Services Department
County Center
601 E. Kennedy Blvd., 19th Floor
Tampa, FL 33602

Re: SU CFW 24-0280 – Revised Narrative

Dear Mr. Ball:

Enclosed herein please find a revised narrative to reflect the setbacks as depicted on the site plan and to reflect the need for a variance from the buffering/screening requirements on all applicable sides of the tower area.

Please accept this for filing.

Thank you.

Sincerely,

HILL WARD HENDERSON

A handwritten signature in blue ink that reads "Jaime R. Maier". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jaime R. Maier, Esq.

Special Use for Wireless Communication Support Structure (“WCSS”) with Variance

14301 Nine Eagles Drive

Skyway Towers, LLC

Skyway Towers, LLC (the “Applicant”) requests a Special Use approval for a 190’ (195’ at top of structure) WCSS and associated equipment/access, at 14301 Nine Eagles Drive (the “Site”), at the location agreed upon with the property owner of the Site as memorialized in a lease agreement.

The Site is approximately 10.05 acres in size, is zoned AR, has a future land use category of RCP/R-2, and is within the Northwest Hillsborough Community Plan Area of the County. A WCSS is permitted in the AR zoning district as a special use when located within 250’ of a residential PD zoning district. The existing principal use of the Site is the Bayanihan Arts and Events Center owned and operated by the Philippine Cultural Foundation, which is a longstanding use on the Site.

The Site is bounded on the south by a large stormwater pond and open space area that is part of a large residential PD subdivision (PD 00-0245). It is bounded on the north and east by the same PD, with more open space including significant tree coverage. On the west, the Site is bounded by Nine Eagles Drive, and across from Nine Eagles Drive is additional tree coverage/open space area belonging to another residential PD subdivision (PD 80-0091).

The WCSS is located in the northwestern corner of the Site, and is setback as follows: 27’-6” from north lot line, 343’-1” from east lot line, 1066’-6” from south lot line, and 51’-11” from west lot line. The WCSS is proposed to be a tree (monopine) camouflage design, which will blend the WCSS with the existing dense tree coverage in the area, so as to significantly minimize its appearance. A variance is required from the buffer/screening requirements of LDC 6.06.06, as justified further herein.

Wireless Communication Support Structure Code Requirements:

The proposed WCSS satisfies the Sec. 6.11.29 WCSS code requirements as follows:

Sec. 6.11.29.D

1. The Code allows a WCSS to be located in an area of a lot that is smaller than minimum zoning district requirements as long as the overall parent parcel satisfies minimum lot size requirements. The Site is approximately 10 acres in size, which satisfies the minimum AR zoning district requirement. Per code, the WCSS is permitted to be located on a lot with other principal uses.

2.a. The nearest residentially zoned property adjacent to the Site is the residential PD 00-0245 referenced above, which borders the Site on the south, east, and north. That portion of the PD which borders the Site on three sides, however, cannot be developed with residential lots as it is platted open space area. Therefore, in accordance with the Code, minimum setback requirements of the AR zoning district apply and are met (and exceeded) by the placement of the WCSS, as depicted on the site plan. Moreover, the WCSS is sited in a corner, maintaining distance from the residential lots nearest to the Site across from the open space areas, and is bordered by significant tree coverage on the north where it is closest to the northern boundary. Due to the monopine design and existing dense tree coverage on and around the Site and adjacent right of way, the WCSS will be significantly obscured from view.

3. The tree (monopine) design of the proposed WCSS satisfies the design requirement.

Sec. 6.11.29.E. As evidenced by the enclosed RF study, including propagation maps and nearby tower exhibits, there are no available towers or tall structures of sufficient height or capacity within the necessary search area that would allow for adequate coverage.

Sec. 6.11.29.F. The Applicant commits to collocation of additional antenna on the proposed WCSS, as evidenced by the enclosed Collocation Commitment affidavit.

Sec. 6.11.29.G. Notification of the proposed WCSS and opportunity to collocate thereon was provided to representatives of cell service providers. Please see the enclosed communications.

Sec. 6.11.29.J. The Applicant has submitted for the necessary FAA height approval, and will comply with HCAA approval requirements as well.

Special Use Code Requirements:

The proposed special use for a WCSS satisfies the applicable Sec. 10.03.03 code requirements for approval of a special use before the Land Use Hearing Officer. The Site is located in an area where there is a lack of reliable in-structure and in-car coverage, as evidenced by the RF package included with this application. The proposed WCSS' location relative to other towers in the general area makes it a strong candidate for improving and providing continuity of coverage. Adequate cell coverage is a necessity for personal, work, and emergency use for all residents and visitors of Hillsborough County.

As previously described, the Site is surrounded by a significant amount of open space area and tree coverage, although the Site itself is developed. The location of the WCSS within the Site allows for it to exist without impacts to the existing principal use/structures on the Site. The placement of the WCSS in the northwestern corner also balances its location away from the

residential lots to the east across the open space area and the west across from Nine Eagles Drive. The monopine design contributes further to the mitigation of potential impacts of the WCSS.

Variance Request:

A 20' Type B buffer would be required relative to the tower lease area location per LDC 6.06.06. The Applicant requests variance relief from that requirement, due to the location of the tower on the existing developed Site. The tower area's proximity to the northern border precludes the ability to include the buffer due to the width between the lease area and the boundary line. The existing sheds and other structures to the east and south of the lease area preclude the need for a landscape buffer as well, in part due to proximity to the existing sheds on the Site as well as the visual cover that the Site's principal use structures provide, which obviates the need for further screening. As described above, the tower and its associated lease area are located on the Site in the area with the least potential impact to the principal functions of the Site, as well as to the single-family residential uses in the greater surrounding area. The tower area is in the northwest corner of the Site which tucks it as far away from existing single-family uses to the east and the southwest as possible, and with its monopine design, allows it to better integrate with the existing dense tree canopy to the north. The proposed access point to Nine Eagles Drive for the tower will be for the sole use of accessing the tower area.

Therefore the variance request to eliminate the required 20' Type B buffer is justified and supportable under the variance criteria as follows:

- 1. 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 Site is unique and singular, both in its existing developed condition and in its shape and use relative to the surrounding development pattern. The Site is a lengthy, rectangular shape, and is relatively narrow. There are wetlands present in the southern/southeastern portion of the Site, and there are numerous existing structures and vehicle use areas on the Site, as it contains an active principal use. The Site is bounded on three sides by the platted open space of a residential planned development, and bordered by Nine Eagles Drive on the fourth side, with more residential open space / planned development across Nine Eagles Drive to the west. Therefore the Site, as an existing developed use surrounded by residential planned development, with its narrow shape and wetlands in a portion of it, is unique and singular relative to other similar situated property, especially as it relates to the proposal to locate a wireless communication tower on it. The area of the Site on which the tower can be located is dictated by the multiple competing constraints described herein.

- 2. The literal requirements of the Land Development Code (LDC) would deprive the Applicant of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC.*

The Applicant's tower lease area will be fenced and will include the necessary security and signage required of other tower areas in the County. There is no comparator site with the same zoning district in the immediate area to compare rights enjoyed by others, as the tower is proposed in this location precisely because there is not a tower immediately nearby and therefore it is needed. Please see the Applicant's RF study, as well as the County's study performed by Omnicom, which indicate a need for the wireless tower in this area. Although a comparator site does not exist, however, the Applicant's proposed fencing of the Site, the stealth design of the tower (monopine), and the existing platted open space immediately adjacent to the north which forms a natural existing barrier, and the existing structures to the east and south which provide screening, all contribute to a functional buffer/screening area and therefore requiring the Applicant to further create a 20' separation per the literal requirements of the LDC would be duplicative and burdensome. As described below, shifting south by 20' to accommodate a buffer in the north would also cause the tower area to begin to interfere with existing structures on the property, and erode its "tucked away" location in the northwesternmost corner of the Site.

3. *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.*

The variance to the requirement for a 20' Type B buffer will not interfere with or injure rights of others. As described, a significant benefit to the location of the tower area is in fact its relative separation from the property of those who would be most likely to experience impacts, if any. The adjacent property to the north is platted open space, which provides the environment in which the proposed monopine is able to blend. The existing structures on the Site provide added screening for the tower base, in addition to its camouflage design. Therefore, the proposed location of the tower close to the north boundary and lack of the 20' Type B buffer contribute to this being the ideal location of the tower on the Site relative to both internal and external factors.

4. *The variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan.*

The proposed variance related to the overall Special Use serves the intent of the Code and Plan by allowing for a wireless communication tower in an area of the County where there is a demonstrated need. The majority of E911 calls in recent years are made via cell phones, and a significant number of business and personal calls are made via cellphone as well. The proposed tower bolsters not only in-home cell service, but in-car service as well, therefore it is a benefit to both the residents of the surrounding area, as well as visitors, passersby, emergency service workers, and the like. The proposed variance allows for the tower to be constructed in the best possible location on the Site, and the Site itself is demonstrated through the Applicant's materials and the County's independent study to be a suitable location for a tower. Therefore, the proposed location promotes the health, safety, and welfare of the general public by providing a necessary connectivity service *and* by locating the proposed monopine tower in the most discrete area of

the Site where it will most effectively blend with surrounding tree coverage and existing structures on the Site.

5. *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 requested variance does not arise from an illegal act, and does not arise from the Applicant's actions. The Site is a suitable tower location in an area of demonstrated need, and it is an existing developed Site with multiple structures and vehicle use area, wetlands in the south, and a narrow shape. The best location for the tower area is therefore dictated by these factors, as well as the Site's proximity to platted open space with existing dense tree coverage, particularly along the northern boundary. The Applicant is working within the conditions of the Site, none of which were created by the Applicant, to best place the tower area on the Site and satisfy the demonstrated need for coverage in the surrounding area.

6. *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.*

Allowing the variance will allow for the tower area to be situated in the best possible location of a Site that is in an area of demonstrated need for coverage. The demonstrated need indicates that disallowing a tower in this location will result in hardship, not only for the Applicant in its inability to locate the tower but also resulting in a continuance of degraded in-home and in-car service in the tower's proposed coverage radius. Allowing the variance facilitates the location of the tower area on the Site relative to the existing development of the Site and to the adjacent tree coverage on the northern boundary with which the tower is designed to blend.

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Additional / Revised Information Sheet

Office Use Only		
Application Number: SU-CFW 24-0280	Received Date:	Received By:

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, **the second page of this form must be included indicating the additional/revised documents being submitted with this form.**

Application Number: SU-CFW 24-0280 Applicant's Name: Skyway Towers, LLC

Reviewing Planner's Name: Sam Ball Date: 1/17/2024

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): March 25, 2024

Important Project Size Change Information

Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.

Will this revision add land to the project? Yes No

If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

Will this revision remove land from the project? Yes No

If "Yes" is checked on the above please ensure you include all items marked with + on the last page.

Email this form along with all submittal items indicated on the next page in pdf form to:

ZoningIntake-DSD@hcfgov.net

Files must be in pdf format and minimum resolution of 300 dpi. Each item should be submitted as a separate file titled according to its contents. All items should be submitted in one email with application number (including prefix) included on the subject line. Maximum attachment(s) size is 15 MB.

For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcfgov.net.

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

1/17/2024

Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact [Hillsborough County Development Services](#) to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under [Florida Statutes §119.071\(4\)](#) will need to contact [Hillsborough County Development Services](#) to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? Yes No

SU-CFW 24-0280

I hereby confirm that the material submitted with application _____

Includes sensitive and/or protected information.

Type of information included and location _____

Does not include sensitive and/or protected information.

Please note: Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature: _____

(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



Additional / Revised Information Sheet

Please indicate below which revised/additional items are being submitted with this form.

Included	Submittal Item
----------	----------------

- 1 **Cover Letter**** If adding or removing land from the project site, the final list of folios must be included
- 2 **Revised Application Form****
- 3 **Copy of Current Deed*** Must be provided for any new folio(s) being added
- 4 **Affidavit to Authorize Agent*** (If Applicable) Must be provided for any new folio(s) being added
- 5 **Sunbiz Form*** (If Applicable) Must be provided for any new folio(s) being added
- 6 **Property Information Sheet****
- 7 **Legal Description of the Subject Site****
- 8 **Close Proximity Property Owners List****
- 9 **Site Plan**** All changes on the site plan must be listed in detail in the Cover Letter.
- 10 **Survey**
- 11 **Wet Zone Survey**
- 12 **General Development Plan**
- 13 **Project Description/Written Statement**
- 14 **Design Exception and Administrative Variance requests/approvals**
- 15 **Variance Criteria Response**
- 16 **Copy of Code Enforcement or Building Violation**
- 17 **Transportation Analysis**
- 18 **Sign-off form**
- 19 **Other Documents** (please describe):

*Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

**Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.



SENDER'S DIRECT DIAL:
813-506-5184

SENDER'S E-MAIL:
Jaime.Maier@hwlaw.com

January 17, 2024

Sam Ball
Development Services Department
County Center
601 E. Kennedy Blvd., 19th Floor
Tampa, FL 33602

Re: SU-CFW 24-0280 – Revised Site Plan and Variance Request

Dear Mr. Ball:

Pursuant to comments received to application SU-CFW 24-0280, enclosed herein please find the following materials:

- A Variance application form and checklist, to be included with the Special Use application form and checklist
- A revised project narrative, to include responses to the Variance criteria
- A revised site plan, correcting the required east setback from 25' to 50' and correcting the version of the Florida Building Code

Please accept these materials for filing.

Thank you.

Sincerely,

HILL WARD HENDERSON

A handwritten signature in blue ink that reads "Jaime R. Maier".

Jaime R. Maier, Esq.

JRM



**Hillsborough
County Florida**
Development Services

Specific Submittal Requirements for Variances

This section provides information on items that must be addressed/submitted for a Special use - Land Excavation permit and will be subsequently reviewed when the application is assigned to a planner. Where certain information does not apply to a project, a notation shall appear on the plan stating the reason, for example, "No existing water bodies within project." Additionally, the explanations and justifications for when certain information does not apply to the project shall be included in the Narrative. If Hillsborough County determines the submitted plan lacks required information, the application shall not proceed to hearing as provided for in Section 6.2.1.1.A. Additionally, the required information is only the minimum necessary to schedule an application for hearing and Hillsborough County reserves the right to request additional information during review of the application.

If you are viewing this form electronically, you may click on each underlined item for additional information.

For any items marked N/A, justification must be provided as to why the item is not included.

Part B: Project Information

Additional Submittal Requirements for a Variance

- | | | |
|-------|-------------------------------------|--|
| 1 | <input checked="" type="checkbox"/> | <u>Project Description/Written Statement of the Variance Request</u> |
| 2 | <input checked="" type="checkbox"/> | <u>Variance Criteria Response</u> |
| n/a 3 | <input type="checkbox"/> | <u>Attachment A</u> (if applicable) |
| 4 | <input checked="" type="checkbox"/> | <u>Survey/Site Plan</u> |
| 5 | <input checked="" type="checkbox"/> | <u>Supplemental Information</u> (optional/if applicable) |



**Hillsborough
County Florida**
Development Services

Application No: _____

Project Description (Variance Request)

1. 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.

Please see narrative.

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

LDC 6.06.06. Please see narrative.

Additional Information

1. Have you been cited by Hillsborough County Code Enforcement? No 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 If yes, please indicate the nature of the application and the case numbers assigned to the application (s): _____
3. Is this a request for a wetland setback variance? No Yes
If yes, you must complete the Wetland Setback Memorandum and all required information must be included with this Application Packet.
4. Please indicate the existing or proposed utilities for the subject property:
 Public Water Public Wastewater Private Well Septic Tank
5. Is the variance to allow a third lot on well or non-residential development with an intensity of three ERC's?
 No Yes If yes, you must submit a final determination of the "Water, Wastewater, and/or Re-claimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing



Variance Criteria Response

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?

Please see narrative.

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.

Please see narrative.

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.

Please see narrative.

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*).

Please see narrative.

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.

Please see narrative.

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.

Please see narrative.

Special Use for Wireless Communication Support Structure (“WCSS”) with Variance

14301 Nine Eagles Drive

Skyway Towers, LLC

Skyway Towers, LLC (the “Applicant”) requests a Special Use approval for a 190’ (195’ at top of structure) WCSS and associated equipment/access, at 14301 Nine Eagles Drive (the “Site”), at the location agreed upon with the property owner of the Site as memorialized in a lease agreement.

The Site is approximately 10.05 acres in size, is zoned AR, has a future land use category of RCP/R-2, and is within the Northwest Hillsborough Community Plan Area of the County. A WCSS is permitted in the AR zoning district as a special use when located within 250’ of a residential PD zoning district. The existing principal use of the Site is the Bayanihan Arts and Events Center owned and operated by the Philippine Cultural Foundation, which is a longstanding use on the Site.

The Site is bounded on the south by a large stormwater pond and open space area that is part of a large residential PD subdivision (PD 00-0245). It is bounded on the north and east by the same PD, with more open space including significant tree coverage. On the west, the Site is bounded by Nine Eagles Drive, and across from Nine Eagles Drive is additional tree coverage/open space area belonging to another residential PD subdivision (PD 80-0091).

The WCSS is located in the northwestern corner of the Site, and is setback as follows: 30’ from north lot line, 345’ from east lot line, 1064.4’ from south lot line, and 55’ from west lot line. The WCSS is proposed to be a tree (monopine) camouflage design, which will blend the WCSS with the existing dense tree coverage in the area, so as to significantly minimize its appearance. A variance is required from the buffer/screening requirements of LDC 6.06.06 for the northern boundary of the Site, as justified further herein.

Wireless Communication Support Structure Code Requirements:

The proposed WCSS satisfies the Sec. 6.11.29 WCSS code requirements as follows:

Sec. 6.11.29.D

1. The Code allows a WCSS to be located in an area of a lot that is smaller than minimum zoning district requirements as long as the overall parent parcel satisfies minimum lot size requirements. The Site is approximately 10 acres in size, which satisfies the minimum AR zoning district requirement. Per code, the WCSS is permitted to be located on a lot with other principal uses.

2.a. The nearest residentially zoned property adjacent to the Site is the residential PD 00-0245 referenced above, which borders the Site on the south, east, and north. That portion of the PD which borders the Site on three sides, however, cannot be developed with residential lots as it is platted open space area. Therefore, in accordance with the Code, minimum setback requirements of the AR zoning district apply and are met (and exceeded) by the placement of the WCSS, as depicted on the site plan. Moreover, the WCSS is sited in a corner, maintaining distance from the residential lots nearest to the Site across from the open space areas, and is bordered by significant tree coverage on the north where it is closest to the northern boundary. Due to the monopine design and existing dense tree coverage on and around the Site and adjacent right of way, the WCSS will be significantly obscured from view.

3. The tree (monopine) design of the proposed WCSS satisfies the design requirement.

Sec. 6.11.29.E. As evidenced by the enclosed RF study, including propagation maps and nearby tower exhibits, there are no available towers or tall structures of sufficient height or capacity within the necessary search area that would allow for adequate coverage.

Sec. 6.11.29.F. The Applicant commits to collocation of additional antenna on the proposed WCSS, as evidenced by the enclosed Collocation Commitment affidavit.

Sec. 6.11.29.G. Notification of the proposed WCSS and opportunity to collocate thereon was provided to representatives of cell service providers. Please see the enclosed communications.

Sec. 6.11.29.J. The Applicant has submitted for the necessary FAA height approval, and will comply with HCAA approval requirements as well.

Special Use Code Requirements:

The proposed special use for a WCSS satisfies the applicable Sec. 10.03.03 code requirements for approval of a special use before the Land Use Hearing Officer. The Site is located in an area where there is a lack of reliable in-structure and in-car coverage, as evidenced by the RF package included with this application. The proposed WCSS' location relative to other towers in the general area makes it a strong candidate for improving and providing continuity of coverage. Adequate cell coverage is a necessity for personal, work, and emergency use for all residents and visitors of Hillsborough County.

As previously described, the Site is surrounded by a significant amount of open space area and tree coverage, although the Site itself is developed. The location of the WCSS within the Site allows for it to exist without impacts to the existing principal use/structures on the Site. The placement of the WCSS in the northwestern corner also balances its location away from the

residential lots to the east across the open space area and the west across from Nine Eagles Drive. The monopine design contributes further to the mitigation of potential impacts of the WCSS.

Variance Request:

A 20' Type B buffer would be required along the northern boundary relative to the tower lease area location per LDC 6.06.06. The Applicant requests variance relief from that requirement, due to the tower area's proximity to the northern border and the inability to accommodate that buffer width. As described above, the tower and its associated lease area are located on the Site in the area with the least potential impact to the principal functions of the Site, as well as to the single-family residential uses in the greater surrounding area. The tower area is in the northwest corner of the Site which tucks it as far away from existing single-family uses to the east and the southwest as possible, and with its monopine design, allows it to better integrate with the existing dense tree canopy to the north. In addition, the location of the tower area allows use of the existing access point on the Site by integrating the tower access with that drive.

Therefore the variance request to eliminate the required 20' Type B buffer is justified and supportable under the variance criteria as follows:

1. *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 Site is unique and singular, both in its existing developed condition and in its shape and use relative to the surrounding development pattern. The Site is a lengthy, rectangular shape, and is relatively narrow. There are wetlands present in the southern/southeastern portion of the Site, and there are numerous existing structures and vehicle use areas on the Site, as it contains an active principal use. The Site is bounded on three sides by the platted open space of a residential planned development, and bordered by Nine Eagles Drive on the fourth side, with more residential open space / planned development across Nine Eagles Drive to the west. Therefore the Site, as an existing developed use surrounded by residential planned development, with its narrow shape and wetlands in a portion of it, is unique and singular relative to other similar situated property, especially as it relates to the proposal to locate a wireless communication tower on it. The area of the Site on which the tower can be located is dictated by the multiple competing constraints described herein.

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

The Applicant's tower lease area will be fenced and will include the necessary security and signage required of other tower areas in the County. There is no comparator site in the immediate area to compare rights enjoyed by others, as the tower is proposed in this location precisely

because there is not a tower nearby and therefore it is needed. Please see the Applicant's RF study, as well as the County's study performed by Omnicom, which indicate a need for the wireless tower in this area. Although a comparator site does not exist, however, the Applicant's proposed fencing of the Site, the stealth design of the tower (monopine), and the existing platted open space immediately adjacent to the north which forms a natural existing barrier all contribute to a functional buffer/screening area and therefore requiring the Applicant to further create a 20' separation per the literal requirements of the LDC would be duplicative and burdensome. As described below, shifting south by 20' would also cause the tower area to begin to interfere with existing structures on the property, and erode its "tucked away" location in the northwesternmost corner of the Site.

3. *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.*

The variance to the requirement for a 20' Type B buffer will not interfere with or injure rights of others. As described, a significant benefit to the location of the tower area is in fact its relative separation from the property of those who would be most likely to experience impacts, if any. The adjacent property to the north is platted open space, which provides the environment in which the proposed monopine is able to blend. Therefore, the proposed location of the tower close to the north boundary and lack of the 20' Type B buffer contribute to this being the ideal location of the tower on the Site relative to both internal and external factors.

4. *The variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan.*

The proposed variance related to the overall Special Use serves the intent of the Code and Plan by allowing for a wireless communication tower in an area of the County where there is a demonstrated need. The majority of E911 calls in recent years are made via cell phones, and a significant number of business and personal calls are made via cellphone as well. The proposed tower bolsters not only in-home cell service, but in-car service as well, therefore it is a benefit to both the residents of the surrounding area, as well as visitors, passersby, emergency service workers, and the like. The proposed variance allows for the tower to be constructed in the best possible location on the Site, and the Site itself is demonstrated through the Applicant's materials and the County's independent study to be a suitable location for a tower. Therefore, the proposed location promotes the health, safety, and welfare of the general public by providing a necessary connectivity service *and* by locating the proposed monopine tower in the most discrete area of the Site where it will most effectively blend with surrounding tree coverage.

5. *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 requested variance does not arise from an illegal act, and does not arise from the Applicant's actions. The Site is a suitable tower location in an area of demonstrated need, and it is an existing developed Site with multiple structures and vehicle use area, wetlands in the south, and a narrow shape. The best location for the tower area is therefore dictated by these factors, as well as the Site's proximity to platted open space with existing dense tree coverage, particularly along the northern boundary. The Applicant is working within the conditions of the Site, none of which were created by the Applicant, to best place the tower area on the Site and satisfy the demonstrated need for coverage in the surrounding area.

6. *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.*

Allowing the variance will allow for the tower area to be situated in the best possible location of a Site that is in an area of demonstrated need for coverage. The demonstrated need indicates that disallowing a tower in this location will result in hardship, not only for the Applicant in its inability to locate the tower but also resulting in a continuance of degraded in-home and in-car service in the tower's proposed coverage radius. Allowing the variance facilitates the location of the tower area on the Site relative to the existing development of the Site and to the adjacent tree coverage on the northern boundary with which the tower is designed to blend.

SPECIAL WARRANTY DEED

OFF. REC: 7818PC1525

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A

THIS SPECIAL WARRANTY DEED made this 30th day of June, 1995 by EAGLE RACE REALTY COMPANY, a Florida General Partnership, whose post office address is 550 Mamaroneck Avenue, Suite 404, Harrison, New York 10528 hereinafter called the grantor to, PHILIPPINE CULTURAL FOUNDATION, INC., a Florida non-profit corporation, whose post office address is c/o Robert R. Ruelo, Atty., 16409 Ashwood Drive, Tampa, Florida 33624, hereinafter called the grantee:

(wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other good and valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Hillsborough County, Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

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

Signed, sealed and delivered in our presence:

EAGLE RACE REALTY COMPANY, a Florida General Partnership

Lyubov Mordkovich
(witness signature)

By: Bernard H. Kayden
Bernard H. Kayden, General Partner *

LYUBOV MORDKOVICH
(printed name)

By: Mildred Kayden
Mildred Kayden, General Partner *

R. Levitan
(witness signature)

*Address:
550 Mamaroneck Avenue
Suite 404
Harrison, New York 10528

Rita Levitan
(printed name)

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

Prepared by and return to:

Kristin M. Hughes

ENTERPRISE TITLE AGENCY
14003 N. DALE MABRY
TAMPA, FL 33618
(813) 861-3391

File No. T03485

Documentary Tax Pd - F.S. 201.02 \$ 527.80
Documentary Tax Pd - F.S. 201.08 \$ 0
Intangible Tax Pd - F.S. 199 \$ 0
Richard Ake, Clerk Hillsborough County
By: J. Blum Deputy Clerk

1995 JUL 11 PM 4:43

95155971

STATE OF NEW YORK:

COUNTY OF Westchester:

I HEREBY CERTIFY that on this day before me an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared Bernard Kayden and Mildred Kayden, constituting all of the general partners of Eagle Race Realty Company, a Florida General Partnership, on behalf of the partnership. They are personally known to me or have produced their drivers' licenses as identification, and they executed the foregoing instrument and acknowledged before me that they executed the same as their free act and deed for the uses and purposes therein stated.

WITNESS my hand and official seal on this the 20 day of June, 1995.

NOTARY PUBLIC

My commission expires:

(seal)

PETER D. BURACK
NOTARY PUBLIC, State of N.Y.
No. 01BU50391
Qualified in Westcho.
Commission Expires February 13, 1997

PETER D. BURACK
NOTARY PUBLIC, State of New York
No. 01BU5039190
Qualified in Westchester County
Commission Expires February 13, 1997

OFF. 7818PG1527
REC. 7818PG1527

EXHIBIT "A"

A parcel of land lying in Section 5, Township 28 South, Range 17 East, Hillsborough County, Florida, described as follows: Commence at the Southwest corner of Section 5 and run along the West boundary of said Section 5, North 00 deg. 51 min. 12 sec. East, 1993.43 feet; thence leaving said section boundary and run along the Northerly boundary of a City of St. Petersburg Water Easement, North 54 deg. 30 min. 14 sec. East 89.39 feet to the Point of Beginning. Thence from said Point of beginning the following four (4) courses: 1) North 00 deg. 51 min. 12 sec. East 694.36 feet along the East right-of-way line of Nine Eagles Road; thence 2) leaving said right-of-way line South 89 deg. 08 min. 48 sec. East 400.00 feet; thence 3) South 00 deg. 51 min. 12 sec. West, 400.00 feet to the Northerly boundary of a City of St. Petersburg Water Easement; thence along said easement boundary 4) South 54 deg. 30 min. 14 sec. West 496.64 feet; to the aforementioned Point of Beginning.

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this 25 day of October, 1996 by EAGLE RACE REALTY COMPANY, a Florida General Partnership, whose post office address is 550 Mamaroneck Avenue, Suite 404, Harrison, New York 10528 hereinafter called the grantor to, PHILIPPINE CULTURAL FOUNDATION, INC., a Florida non-profit corporation, whose post office address is c/o Robert R. Ruelo, Atty., 16409 Ashwood Drive, Tampa, Florida 33624, hereinafter called the grantee:

3A

(wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other good and valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Hillsborough County, Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

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

Signed, sealed and delivered in our presence:

EAGLE RACE REALTY COMPANY, a Florida General Partnership

Caroline Mulroy
(witness signature)

By: Bernard H. Kayden
Bernard H. Kayden, General Partner

CHARLINE MULROY
(printed name)

By: Mildred Kayden
Mildred Kayden, General Partner

Lyubov Morokovich
(witness signature)

LYUBOV MOROKOVICH
(printed name)

Documentary Tax Pd - F.S. 201.02 \$ 350.00
Documentary Tax Pd - F.S. 201.08 \$ 229.90
Intangible Tax Pd - F.S. 199 \$ 0
Richard Ake, Clerk Hillsborough County
By: [Signature] Deputy Clerk

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

Enterprises title etc

REC NOV - 8 3 1: 30
96279884

REC 8347 P. 1293

STATE OF NEW YORK:

COUNTY OF Westchester :

I HEREBY CERTIFY that on this day before me an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared Bernard Kayden and Mildred Kayden, constituting all of the general partners of Eagle Race Realty Company, a Florida General Partnership, on behalf of the partnership. They are personally known to me or have produced their drivers' licenses as identification, and they executed the foregoing instrument and acknowledged before me that they executed the same as their free act and deed for the uses and purposes therein stated.

WITNESS my hand and official seal on this the 3 day of October, 1996.



NOTARY PUBLIC
My commission expires:

PETER D. BURACK
NOTARY PUBLIC, State of New York
No. 012BU0320100
Qualified in Westchester County
Commission Expires February 13, 1997

(seal)

REG 8347 Pg 1294

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land lying within Section 5, Township 28 South, Range 17 East, Hillsborough County, Florida, more particularly described as follows:

Commence at the Southwest corner of said Section 5; thence on the West boundary thereof, N. 00 deg. 50' 59" E., a distance of 1993.33 feet to a point on the North boundary of a 50 foot wide City of St. Petersburg Water Easement, (Deed Book 1785, page 88); thence departing said West Boundary, and on said North boundary, N. 54 deg. 29' 52" E., a distance of 89.40 feet, to a point on the East Right-of-way boundary of Nine Eagles Road; said point also being the Southerly boundary of those lands conveyed to Philippine Cultural Foundation, Inc., (Official Record Book 7818, page 1525), also being the Point of Beginning; thence N. 54 deg. 29' 51" E., continuing on the North boundary of aforesaid Water Easement and the Southerly boundary of the Philippine Cultural Foundation, Inc. lands, a distance of 496.64 feet; thence departing said North boundary, S. 00 deg. 50' 59" W., parallel with the West boundary of said Section 5, a distance of 694.36 feet; thence N. 89 deg. 09' 11" W., a distance of 399.99 feet, to a point on the aforesaid East Right-of-Way boundary of Nine Eagles Road; thence on said East Right-of-Way boundary, N. 00 deg. 50' 59" E., a distance of 400.00 feet to the Point of Beginning. *Containing 5.0241 acres of land, more or less*

Received

12-28-23



Hillsborough County Florida Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: SU-CFW 24-0280

Intake Date: 12/28/2023

Hearing(s) and type: Date: 03/25/2024

Type: LUHO

Receipt Number: 330658

Date: _____

Type: _____

Intake Staff Signature: Keshia Rivas

Property Information

Address: 14301 Nine Eagles Drive City/State/Zip: Tampa, FL 33626

TWN-RN-SEC: 28-17-05 Folio(s): 003517-0050 Zoning: AR Future Land Use: RCP/R-2 Property Size: +/- 10.05 ac

Property Owner Information

Name: Philippine Cultural Foundation, Inc. Daytime Phone: same as agent

Address: 14301 Nine Eagles Drive City/State/Zip: Tampa, FL 33626

Email: same as agent Fax Number: _____

Applicant Information

Name: Skyway Towers, LLC Daytime Phone: same as agent

Address: 3637 Madaca Lane City/State/Zip: Tampa, FL 33618

Email: same as agent Fax Number: _____

Applicant's Representative (if different than above)

Name: Jaime Maier, Esq. / Hill Ward Henderson, P.A. Daytime Phone: 813-506-5184

Address: 101 E Kennedy Blvd., Suite 3700 City/State/Zip: Tampa, FL 33602

Email: jaime.maier@hwhlaw.com Fax Number: _____

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.

/s/ Jaime Maier

Signature of the Applicant

Jaime Maier, Esq., as Agent

Type or print name

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

/s/ Jaime Maier

Signature of the Owner(s) – (All parties on the deed must sign)

Jaime Maier, Esq., as Agent

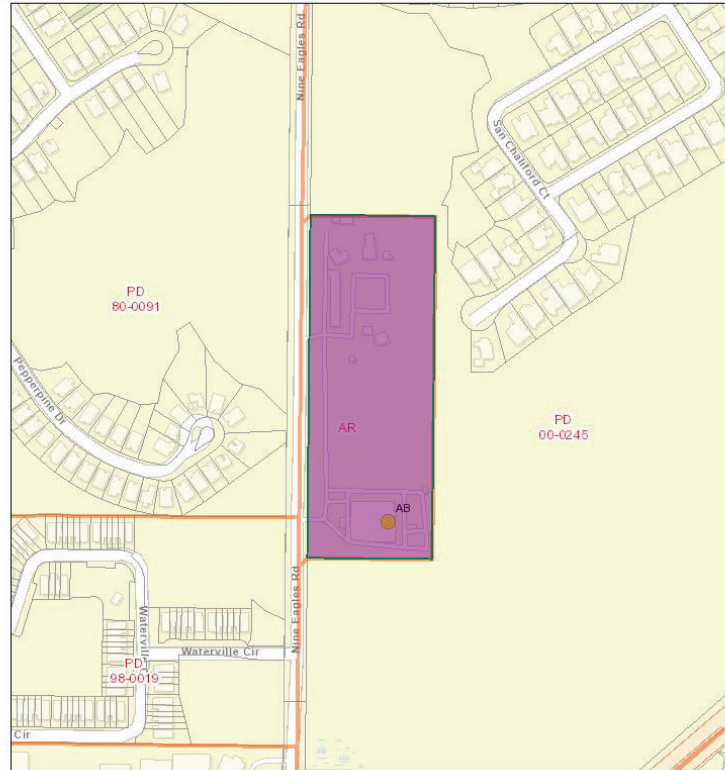
Type or print name



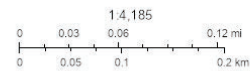
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	AR
Description	Agricultural - Rural
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0160H
FIRM Panel	12057C0160H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120160C
County Wide Planning Area	Northwest Hillsborough
Community Base Planning Area	Northwest Hillsborough
Census Data	Tract: 011517 Block: 2013
Census Data	Tract: 011517 Block: 2014
Future Landuse	RCP
Future Landuse	RCP
Future Landuse	RCP
Future Landuse	R-2
Future Landuse	R-2
Future Landuse	R-2
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
Competitive Sites	NO
Redevelopment Area	NO

Folio: 3517.0050



December 29, 2023



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Hillsborough County Florida

Folio: 3517.0050
PIN: U-05-28-17-ZZZ-000000-26830.0
Philippine Cultural Foundation Inc
Mailing Address:
 14301 Nine Eagles Dr
 null
 Tampa, Fl 33626-3042
Site Address:
 14301 Nine Eagles Rd
 Tampa, Fl 33626
SEC-TWN-RNG: 05-28-17
Acreage: 10.04920006
Market Value: \$4,210,704.00
Landuse Code: 7500 Institutional

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