

Fee Waiver Application: FW 24-0451
LUHO Hearing Date: March 25, 2024
Case Reviewer: Colleen Marshall, AICP, CFM



**Hillsborough
County Florida**


Development Services Department

Applicant: Neighborhood Pest Control Lawn and Shrub Care Inc. **Zoning:** CG
Location: 16210 N Florida Avenue, Lutz; Folio 15670.0000

Request:

The applicant requests a fee waiver of the variance application fee on the basis of staff error. The Administrator is not authorized to grant fee waivers in such circumstances. Therefore, the subject request must be reviewed for approval of an Exception by the Land Use Hearing Officer. Per DRPM Section 9.7.G, the LUHO shall conduct an independent review of the request based on the criteria herein and the testimony at the proceeding. In granting an Exception, the LUHO shall be required to find extraordinary financial circumstances, emergency, catastrophe, or staff error which are outside the scope of the Administrator’s authority to consider.

Building permit, HC-BLD-21-0016353-REV1, was issued on June 14, 2023, for a commercial flagpole 224 feet in height. Notice of violation, HC-CMP-23-0000520, was issued on September 20, 2023, for a violation of LDC Section 6.08.05, Freestanding Flagpoles, which permits a maximum height of 150 feet for flagpoles in nonresidential districts.

Zoning Administrator Sign Off:	 Colleen Marshall Fri Mar 8 2024 14:38:17
---------------------------------------	--

ATTACHMENTS: HC-BLD-21-0016353-REV1 APPROVED PLANS, SITE PLAN

HILLSBOROUGH COUNTY
 PLANS REVIEWED FOR CODE COMPLIANCE
APPROVED
 HC-BLD-21-001833-REV1 8/14/2023
 THIS SET OF PLANS MUST BE KEPT ON THE
 JOB SITE AT ALL TIMES
 IT IS UNLAWFUL TO MAKE CHANGES OR
 ALTERATIONS WITHOUT APPROVAL.
 THE ISSUANCE OF THIS PERMIT SHALL NOT BE HELD
 TO PERMIT OR APPROVE THE VIOLATION OF ANY
 COUNTY, STATE OR FEDERAL LAW, CODE OR
 REGULATION

GENERAL NOTES

PRIMARY CODES AND SPECIFICATIONS:

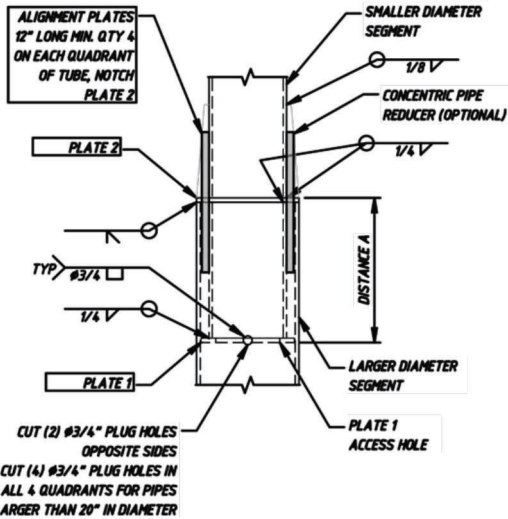
1. GENERAL BUILDING CODE:
 - A. FLORIDA BUILDING CODE, 2020
 - B. NAAM FP-1001-97
2. STRUCTURAL STEEL CODES:
 - A. SPECIFICATION FOR STRUCTURAL STEEL BUILDINGS, (AISC 360-16).

DESIGN LOADS:

1. WIND LOADS:
 - A. LOADS BASED ON ASCE 7-16 WIND LOAD CRITERIA.
 BUILDING CATEGORY I
 BASIC WIND SPEED, 3 SECOND GUST ULTIMATE 135 MPH (105 MPH NOMINAL)
 WIND EXPOSURE CATEGORY C
 GUST EFFECT FACTOR, G 1.14
 - B. FLAG LOAD 1532 LB MAX.
 BASED ON MAX 60'X100' POLYESTER FLAG

STRUCTURAL STEEL:

1. SEE NOTES ON PRIMARY CODES AND SPECIFICATIONS.
2. MATERIALS:
 - HSS SHAPES ASTM A500, GRADE B
 - ANCHOR RODS ASTM F1554, GRADE 55 TYPE S1 (UNS)
 - WELDING ELECTRODES AWS D11, E70 SERIES
3. WHERE SPECIFIED, NON-SHRINK, NON-METALLIC GROUT WITH A 28 DAY STRENGTH OF 5000 PSI SHALL BE USED UNDER BASE PLATES AND SHALL CONFORM TO CORPS OF ENGINEERS CRD-C621, FACTORY PREMIX GROUT. SEE SPECIFICATIONS FOR TESTING REQUIREMENTS.
4. ENGINEER SHALL BE CONTACTED FOR APPROVAL OF ANY FIELD MODIFICATIONS OF ANCHOR BOLTS OR RODS AND COLUMN BASE PLATES (PER OSHA).
5. TEMPORARY BRACING OF STRUCTURAL STEEL ELEMENTS IS THE RESPONSIBILITY OF THE CONTRACTOR. STRUCTURAL STABILITY SHALL BE MAINTAINED AT ALL TIMES DURING THE ERECTION PROCESS.
6. PROVIDE ONE SHOP COAT OF PRIMER (TT-P-636) ON ALL STEEL EXCEPT FOR ITEMS TO BE HOT DIPPED GALVANIZED OR SPRAY FIREPROOFED. DO NOT PAINT PORTIONS EMBEDDED IN CONCRETE.
8. ALL WELD OPERATORS SHALL BE CURRENTLY AWS QUALIFIED.
9. SHOP CONNECTIONS SHALL BE WELDED OR HIGH STRENGTH BOLTED. USE 3/16" FILLET WELD MINIMUM.
10. FIELD CONNECTIONS SHALL BE WELDED OR HIGH STRENGTH BOLTED AS DETAILED. NO FIELD WELDING OF HOT DIPPED GALVANIZED MEMBERS WILL BE ALLOWED. USE 3/16" FILLET WELD MINIMUM.



DETAIL 2
 SCALE 1 1/2" = 1'-0"

Digitally signed by Fernando

Pena, P.E

Date: 2023.04.05 08:11:35 -05'00



REV	DATE	REVISION	DRW	CHK	APP
CLIENT FLAG SYSTEMS					
 ROCKY SUMMIT ENGINEERING CONSULTING, LLC.					
TBPE FIRM #: 14437					
PROJECT 16210 N FLORIDA AVE. FLAGPOLE					
LOCATION LUTZ, FL					
DRAWING TITLE: FLAGPOLE STEEL AND FOUNDATION DETAILS					
Drawn	Date	Check	Date	App.	Date
MEX	04/04/23	FPRE	04/04/23	FPRE	04/04/23
Project Number	SCALE		Dwg Sheet Size		
2069	AS NOTED		D		
Drawing No.					REV
FLA-S-1					

FOUNDATIONS:

1. FOUNDATION DESIGN IS BASED ON TABLE 1806.2, CLASS 5
2. CAST IN PLACE FOUNDATION CALCULATED WITH SECTION 1807.3.2.1 NON-CONSTRAINED CASE

CAST-IN-PLACE CONCRETE:

1. THE LATEST EDITION OF THE FOLLOWING ACI STANDARDS APPLY:
 - ACI 318 (CODE) ACI 304 (PLACING)
 - ACI 306 (WINTER CONCRETING) ACI 315 (DETAILING)
 - ACI 305 (HOT WEATHER CONCRETING) ACI 347 (FORMWORK)
 - ACI 211.1 (MIX PROPORTIONING) ACI 301 (SPECIFICATIONS)
2. ALL CONCRETE SHALL BE NORMAL WEIGHT (148 PCF DRY DENSITY, MIN), WITH MIXES DESIGNED TO MEET A MINIMUM OF 2500 PSI 28-DAY COMPRESSIVE STRENGTH UNLESS OTHERWISE NOTED.
3. A CONCRETE MIX DESIGN FOR EACH UNIQUE COMBINATION OF STRENGTH, COARSE AGGREGATE GRADATION AND WATER CEMENT RATIO SPECIFIED SHALL BE PREPARED BY THE SUPPLIER OR AN INDEPENDENT TESTING LABORATORY AND BE SUBMITTED FOR REVIEW PRIOR TO CASTING ANY CONCRETE. MIXES THAT WILL BE TRANSPORTED AT THE PROJECT SITE BY PUMPING SHALL BE SPECIFICALLY DESIGNED FOR PUMPING.

REINFORCING STEEL (WHERE APPLICABLE):

1. REINFORCING STEEL: ASTM A 615, GRADE 60.
2. MINIMUM REINFORCING STEEL CLEAR COVER (U.N.O.):
- A. CONCRETE CAST DIRECTLY AGAINST EARTH 3"

Internal cable stainless steel 3/16"

MOLLOY & JAMES
325 South Boulevard
Tampa, Florida 33606

February 14, 2024

VIA Electronic Mail/Submission

Mr. Brian Grady
Director, Community Development
Development Services Division

RE: VA 23-XXXX, Nvirotec

Brian:

Attached please find an application for a Fee Waiver. This request tracks to HC-BLD-21-0016353, which is/was an application for a new flag pole structure.

The flag pole was permitted through the appropriate process for a maximum height of 224'; subsequent review of the project found this approval to be in error, as the maximum permitted height is 150.'

Unfortunately, the error was discovered and published nearly simultaneous with the completion of the construction on the pole.

The owner/applicant is willing to go through the variance process to legitimize the structure; in prior conversations, staff had indicated that a fee waiver for the variance was appropriate in these circumstances, hence this request.

Sincerely,

William J. Molloy

WRITTEN STATEMENT

FEE WAIVE REQUEST

NVIROTEC VARIANCE

This Fee Waiver Request is made in support of a pending application for a variance to height standards as set for the in the Land Development Code.

In this instance, the Applicant made application for a 224' tall flag pole structure; HC-BLD-21-0016353 documents the request.

On or about 6/14/2024, the request was approved (see the attached "Site Plan and Detail").

Subsequent to approval and substantial completion of construction on the structure, it was determined that the permit was issued in error, as the maximum height for a flag pole in Hillsborough County is 150.'

As stated above, the structure was substantially complete before any "stop work" mandate was enforced.

The circumstances in this case lead to the conclusion that a staff error led to the issuance of the building permit; the only relief for such an error is through the LUHO process for a variance.

While irrelevant to the merit of this request, the construction of the flag pole structure ran to nearly \$400,000.00. Documentation of such shall be provided at the LUHO.

The Applicant respectfully requests that the standard fee for a variance application be WAIVED in this case for the reasons set above.



**Hillsborough
County Florida**
Development Services

Fee Waiver Application

Shaded Area For Official Use Only

Application prefix and number: FW - 24 - 0451

Hearing(s) and type: Date: _____ Type: _____
(if applicable)

Date: _____ Type: _____

Receipt number: 341931

Application type as referenced in LDC: Fee Waiver

Intake date: 02/06/2024 Intake technician signature: Clare Odell

Applicant's Representative

Name: William Molloy, Molloy & James

Address: 325 South Boulevard

City / State / Zip: Tampa, Florida 33606 Daytime phone: (813) 6298752

Email: wmolloy@mjlaw.us Fax number: (_____) _____

Applicant

Name: Neighborhood Pest Control Lawn and Shrub Care Inc.

Address: 16210 North FLorida Avenue

City / State / Zip: Tampa, Florida 33606 Daytime Phone: (_____) _____

Email: _____ Fax number: (_____) _____

Property Owner

Name: same as applicant

Address: _____

City / State / Zip: _____ Daytime Phone: (_____) _____

Email: _____ Fax number: (_____) _____

Property address or general location: 16210 North Florida Avenue

Nature of request: Fee Waiver for a variance

Related applications: _____

Proposed utilities: public water XXXX private well _____ public wastewater XXXX septic tank _____

(Additional information required on "Property Information Sheet")

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.

William J. Molloy
Signature of the Applicant

William J. Molloy
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.

William J. Molloy
Signature of the Owner(s) - (All parties on the deed must sign)

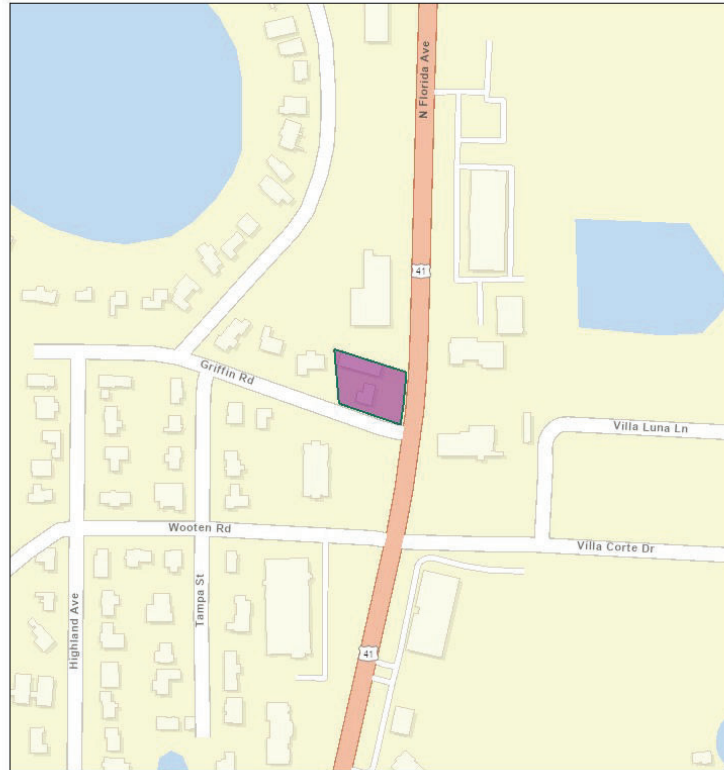
William J. Molloy
Type or print name



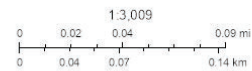
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Commercial/Office/Industr
Zoning	CG
Description	Commercial - General
RZ	94-0241
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0205H
FIRM Panel	12057C0205H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120205D
County Wide Planning Area	Greater Carrollwood Northdale
County Wide Planning Area	Lutz
Community Base Planning Area	Lutz
Community Base Planning Area	Greater Carrollwood Northdale
Census Data	Tract: 011107 Block: 2017
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO

Folio: 15670.0000



February 14, 2024



Esri Community Maps Contributors, City of Tampa, FDEP, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI, NASA, USGS, EPA, NPS, US Census Bureau, USDA, NOAA, EDIS

Hillsborough County Florida

Folio: 15670.0000
PIN: U-25-27-18-0LW-000000-00021.0
 Neighborhood Pest Control Lawn And Shrub Care Inc

Mailing Address:
 16210 N Florida Ave
 null
 Lutz, FL 33549-8119

Site Address:
 16210 N Florida Ave
 Lutz, FL 33548

SEC-TWN-RNG: 25-27-18

Acreage: 0.43639201

Market Value: \$405,000.00

Landuse Code: 1730 Comm./office

Hillsborough County makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any of the geodata information provided herein. The reader should not rely on the data provided herein for any reason. Hillsborough County explicitly disclaims any representations and warranties, including, without limitations, the implied warranties of merchantability and fitness for a particular purpose. Hillsborough County shall assume no liability for:

1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.
2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.