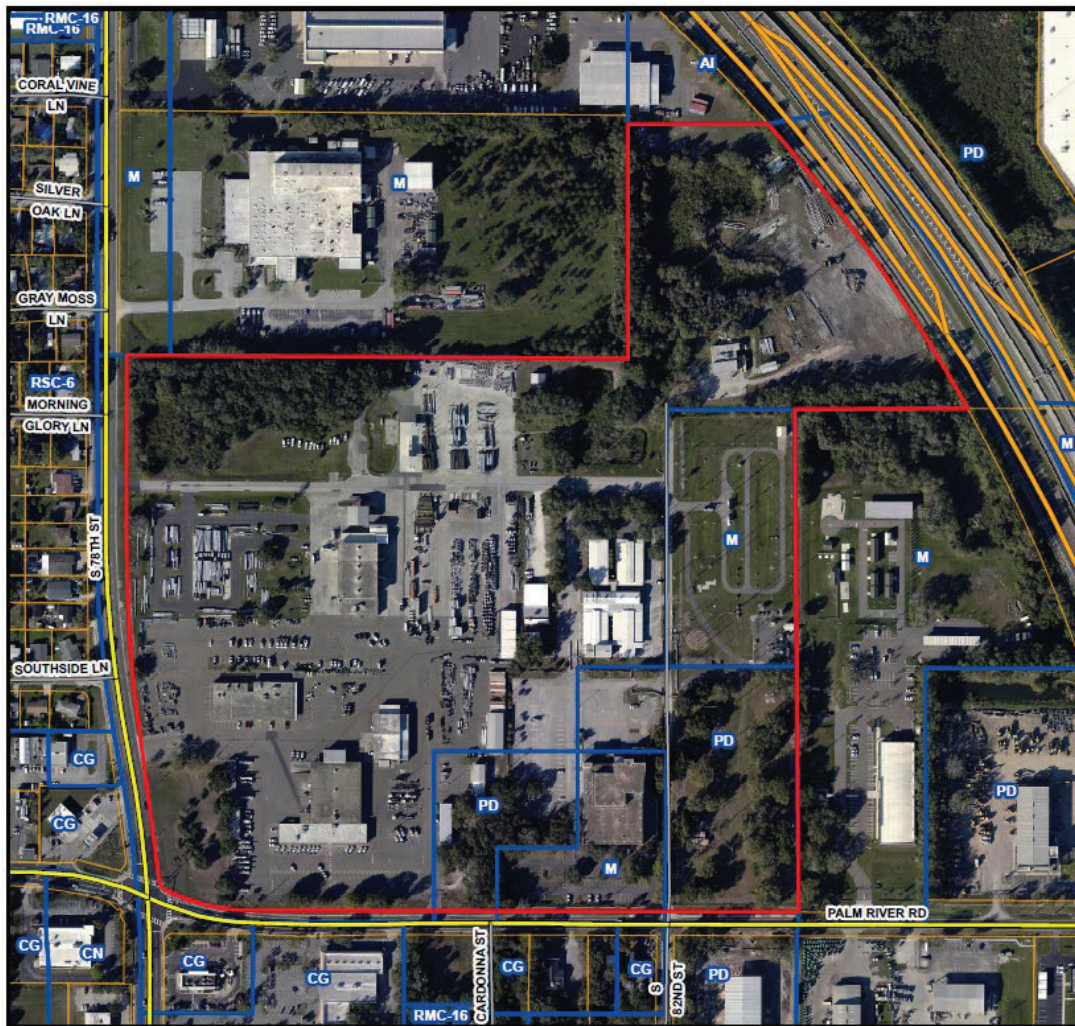




Land Use Application Summary Report

Application Number:	SU RFF 23-0145	Adjacent Zoning and Land Uses:	
Request:	Special Use Permit for a Radio and Television Transmitting and Receiving Facility	North:	M
		East:	M
Comp Plan:	LI-P	South:	M, Commercial General
Service Area:	Urban Service Area	West:	S. 78 th Street ROW/CG, RSC-6



**ZONING MAP
SU-RFF 23-0145**

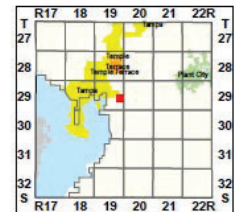
Folio: 44464.0000

- ▭ APPLICATION SITE
- ▭ ZONING BOUNDARY
- PARCELS
- SCHOOLS
- PARKS



0 250 500
Feet

STR: 24-29-19



NOTES: This information was prepared to assist in the review of the map. Hillsborough County does not warrant any liability arising from use of the map. Hillsborough County makes no representation or warranty as to the accuracy, reliability, or completeness of the information provided herein. The user assumes all responsibility for the use of the information provided herein. Hillsborough County shall not be liable for any errors, omissions, or inaccuracies in the information provided herein. The user assumes all responsibility for the use of the information provided herein.

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Date: 03/02/2023 File: G:\20\N\GIS\GIS\Zoning_Map.aprx
Produced By: Development Services Department

Request Summary:

Pursuant to Land Development Code Section 6.11.79, the request is for a Special Use Permit for a Radio and Television Transmitting and Receiving Facility with 600-foot-high antenna tower at 820 S. 78th Street.

Staff Findings:

- The host parcel is approximately 63.1 acres in size and zoned M (Manufacturing) and Planned Development district PD 88-0043. The proposed facility will be located on the northeast portion of the site on the west side of the Lee Roy Selmon Expressway, approximately 1,340 feet north of Palm River Road. The host parcel is occupied by a TECO Operations Center with an existing 600-foot-high wireless transmission tower that will be replaced by the proposed tower.
- As stated in the applicant's narrative, the proposed tower is part of an ongoing effort by TECO to maintain and enhance system resilience in the region consistent with national policies that encourage protection of critical infrastructure serving the community. The tower will maintain TECO's ability to independently communicate with other utility facilities within the service area, remotely monitor and control utility infrastructure and communication with employees without potential service interruptions that could occur in a third-party, off-site commercial wireless communication facility were utilized. Because the tower is more than 200 feet high, it's regulated as a Radio and Television Transmitting and Receiving Facility pursuant to LDC Section 6.11.79, rather than a Wireless Communications Facility pursuant to LDC Section 6.11.29.
- The site plan submitted by the applicant shows the proposed tower will exceed the minimum setback requirements found in LDC Section 6.11.79.G, which are one foot of setback from the zoning lot line for every three feet of tower height, except that where adjacent to residentially developed property or residentially zoned property that is developable for residential use, the minimum setback from the property line abutting said residential property shall be 100 percent of structure height. The proposed tower's setbacks are approximately 475 feet from the north property boundary, 418 feet from the east property boundary, 1,420 feet from the south property boundary as measured due south and 238 feet as measured southeast to the adjacent parcel under folio 44452.0000, and 290 feet from the west property boundary. Additionally, while the host site for the proposed facility is not located adjacent to residentially developed or residentially zoned property, the proposed tower is located approximately 1,700 feet from the closest property line of residentially zoned or developed property.
- Per LDC Section 6.11.79.B no camouflage is required for the proposed tower due to its location in the M zoning district, and no camouflage is proposed by the applicant.
- Per LDC Section 6.11.79.H, proposed Radio and Television Transmitting and Receiving Facilities, except for such facilities that will be utilized for the transmission of radio and/or television signals, shall not be approved unless it can be documented by the applicant that the proposed wireless communications antennas cannot be placed on an existing or approved wireless communications support structure, public structure or some other appropriate structure. Said documentation shall be submitted and reviewed in accordance with LDC Section 6.11.29. The applicant has submitted the necessary documentation which was forwarded by staff for review by an outside expert who found there are no viable support structures in the area that would allow the applicant to collocate its communication antennas and meet the needs of its mission-critical communication system.
- Pursuant to LDC Sec. 6.11.79.C, the applicant submitted documentation showing the Hillsborough County Aviation Authority has reviewed the proposal as required by Airport Zoning Regulations to determine if there is any potential impact on public airports in Hillsborough County. The submitted document shows the Hillsborough County Aviation Authority Airport Board of Adjustment has approved a variance to permit a maximum tower height of 618 feet above mean sea level.
- LDC Section 6.11.79 does not require the facility to accommodate collocation of antennas for other wireless communication providers. According to the applicant, the proposed tower will be used exclusively to support its operations and will not be available to third-party commercial uses and services unrelated to its operations.

- The applicant has not sought any waivers to the regulations contained in LDC Section 6.11.79, nor any variances to general LDC requirements.
- Staff finds the proposed tower is consistent with existing surrounding uses and compatible with existing neighborhood development. The surrounding area is zoned for, and developed with, industrial and commercial uses, with the nearest residentially zoned property located 1,700 feet to the west. Additionally, the proposed tower will replace an existing tower of approximately the same height,
- **Planning Commission staff finds the proposed tower consistent with the Comprehensive Plan.**
- **For the reasons discussed above, staff finds the proposed Special Use approvable, subject to the recommended conditions in this report.**

Exhibits:

- Exhibit 1: Area Zoning Map
- Exhibit 2: Immediate Zoning Map
- Exhibit 3: Future Land Use Map
- Exhibit 4: Proposed Site Plan (23-0145)

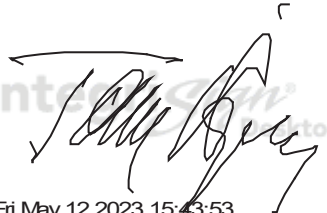
Recommended Conditions:

Approval – Approval of the request, subject to the conditions listed below, is based on the general site plan submitted on May 4, 2023.

- 1) The permitted Special Use Permit shall be limited to a Radio and Television Transmitting and Receiving Facility. The antenna tower shall have a maximum height of 600 feet above grade and 618 feet above mean sea level.
- 2) The facility shall be developed in accordance with the site plan submitted on May 4, 2023, the conditions contained herein and all applicable rules, regulations, and ordinances of Hillsborough County. The antenna tower shall have minimum setbacks of 475 feet from the north parcel boundary, 295 feet from the west parcel boundary, 418 feet from the east parcel boundary, and 1,420 feet from the south parcel boundary as measured due south and 238 feet as measured southeast to the north property line of the adjacent parcel under folio 44452.0000.
- 3) 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.
- 4) The subject antennae tower shall be demolished and removed at no expense to Hillsborough County within 6 months of the approval date of this Special Use permit.
- 5) 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.

Staff's Recommendation: **Approvable, subject to conditions**

Zoning
Administrator
Sign-off:

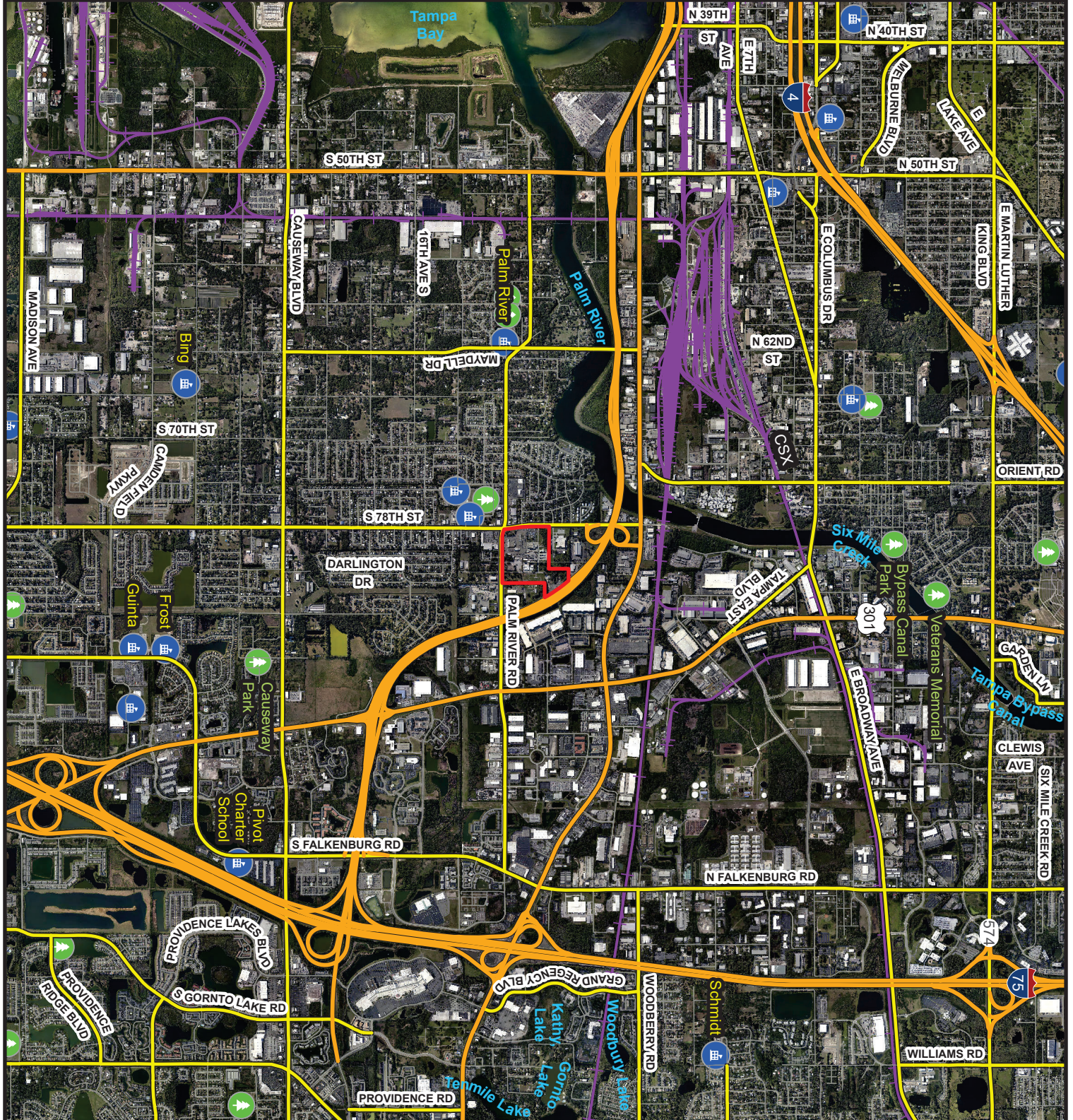


Interplan
top
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Fri May 12 2023 15:43:53

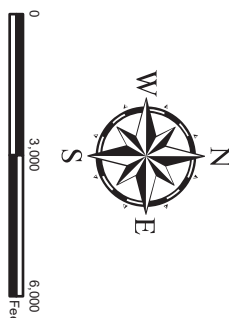
VICINITY MAP

SU-RFF 23-0145

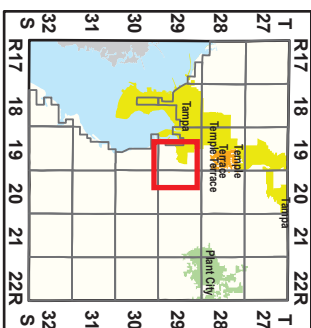
Folio: 44464.0000



- APPLICATION SITE
- RAILROADS
- SCHOOLS
- PARKS



STR: 24-29-19



NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map. Hillsborough County makes no warranty, expressed or implied, of any of the information provided herein. The reader should not rely on the data herein, including without limitation, the noted addresses of parcels and other information, for any particular purpose. Hillsborough County shall assume no liability for:

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2. Any use of the information provided for purposes not intended by Hillsborough County;
3. Any use of the information provided for purposes not intended by Hillsborough County.

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Date: 03/02/2023 Path: G:\ZONING\GIS\Data\Vicinity_Map.aprx
Produced by: Development Services Department

ZONING MAP

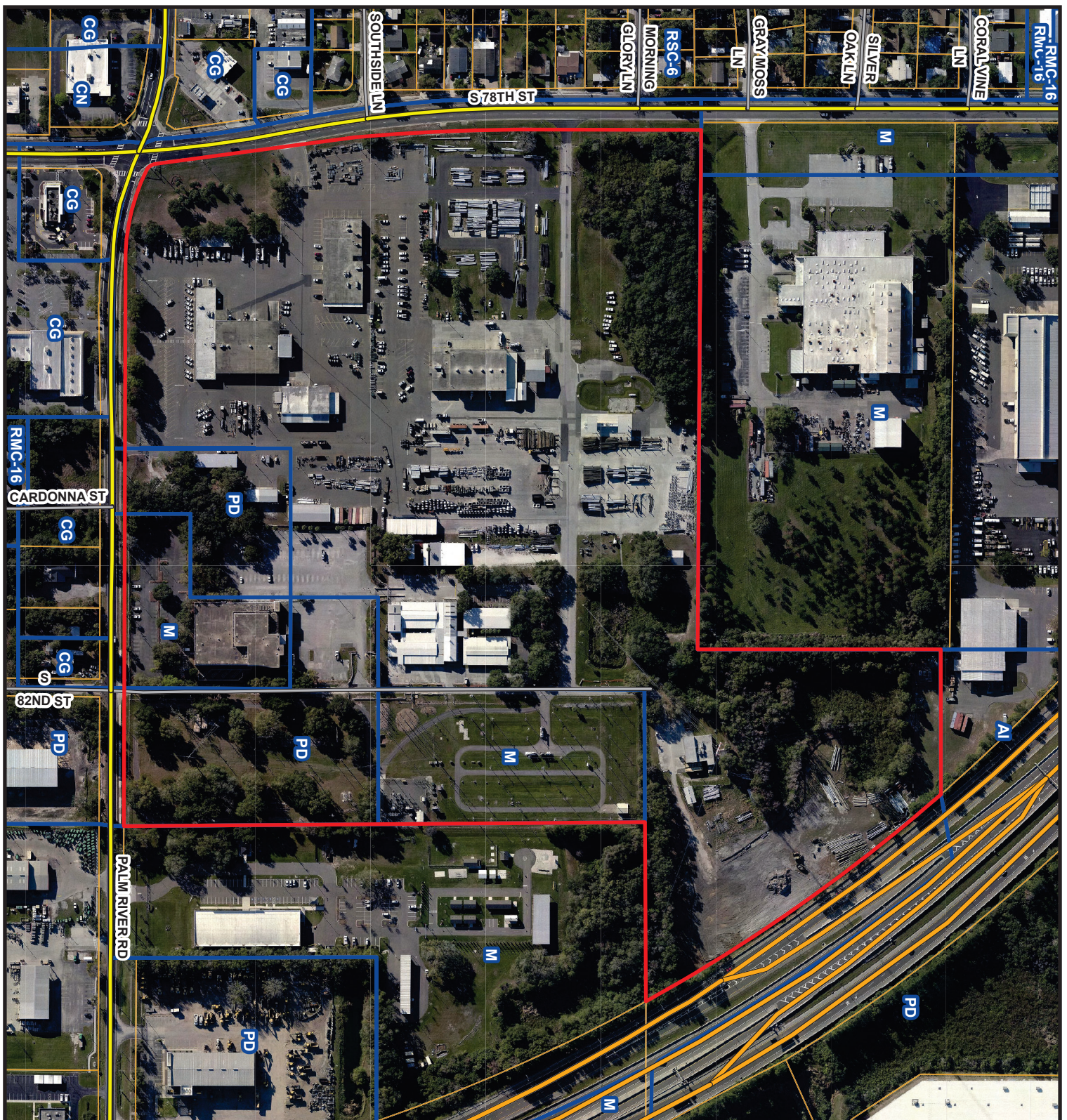
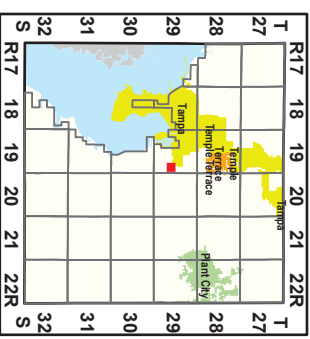
SU-RFF 23-0145

Folio: 44464.0000

- APPLICATION SITE
- ZONING BOUNDARY
- PARCELS
- SCHOOLS
- PARKS



STR: 24-29-19



NOT TO SCALE. This map was prepared by the Planning and Zoning Department of Hillsborough County, Florida, and is intended to provide a general overview of the subject property and its location within the County. It is not intended to be used as a legal document. The information shown on this map is based on the most current data available to the County as of the date of preparation. The County does not warrant the accuracy or completeness of the information shown on this map. The County is not responsible for any errors or omissions on this map. The County is not responsible for any actions taken by any person in reliance upon any information or data shown on this map. The County is not responsible for any actions taken by any person in reliance upon any information or data shown on this map. The County is not responsible for any actions taken by any person in reliance upon any information or data shown on this map.

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ SU 23-0145

Rezoning

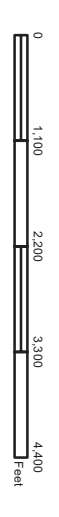
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- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

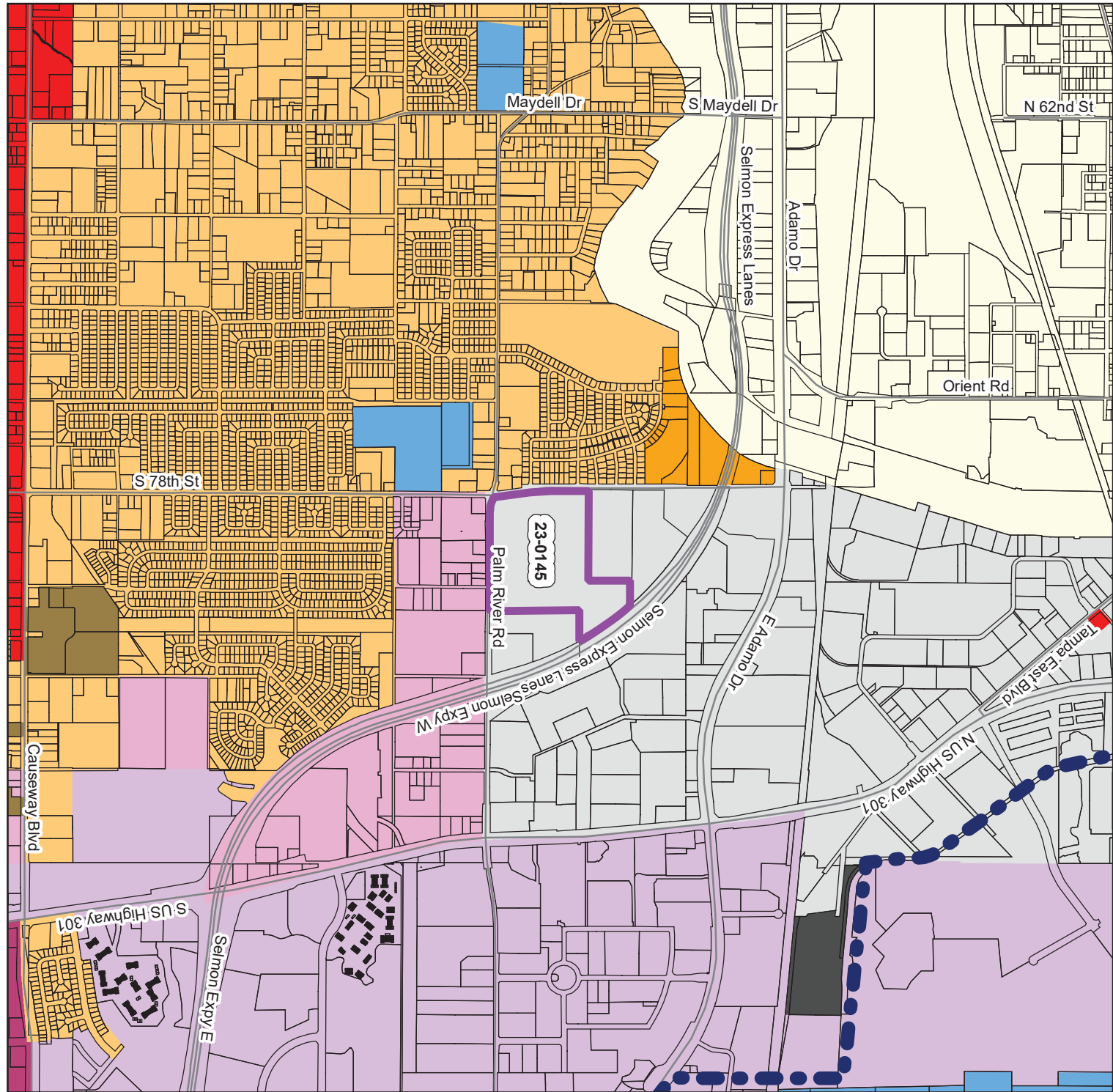
- Tampa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Major Roads
- Parcels

- AGRICULTURAL/PLANNING-1/20 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/12 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/15 (.25 FAR)
- AGRICULTURAL ESTATE-1/12.5 (.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 (3) (.35 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 (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUVA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

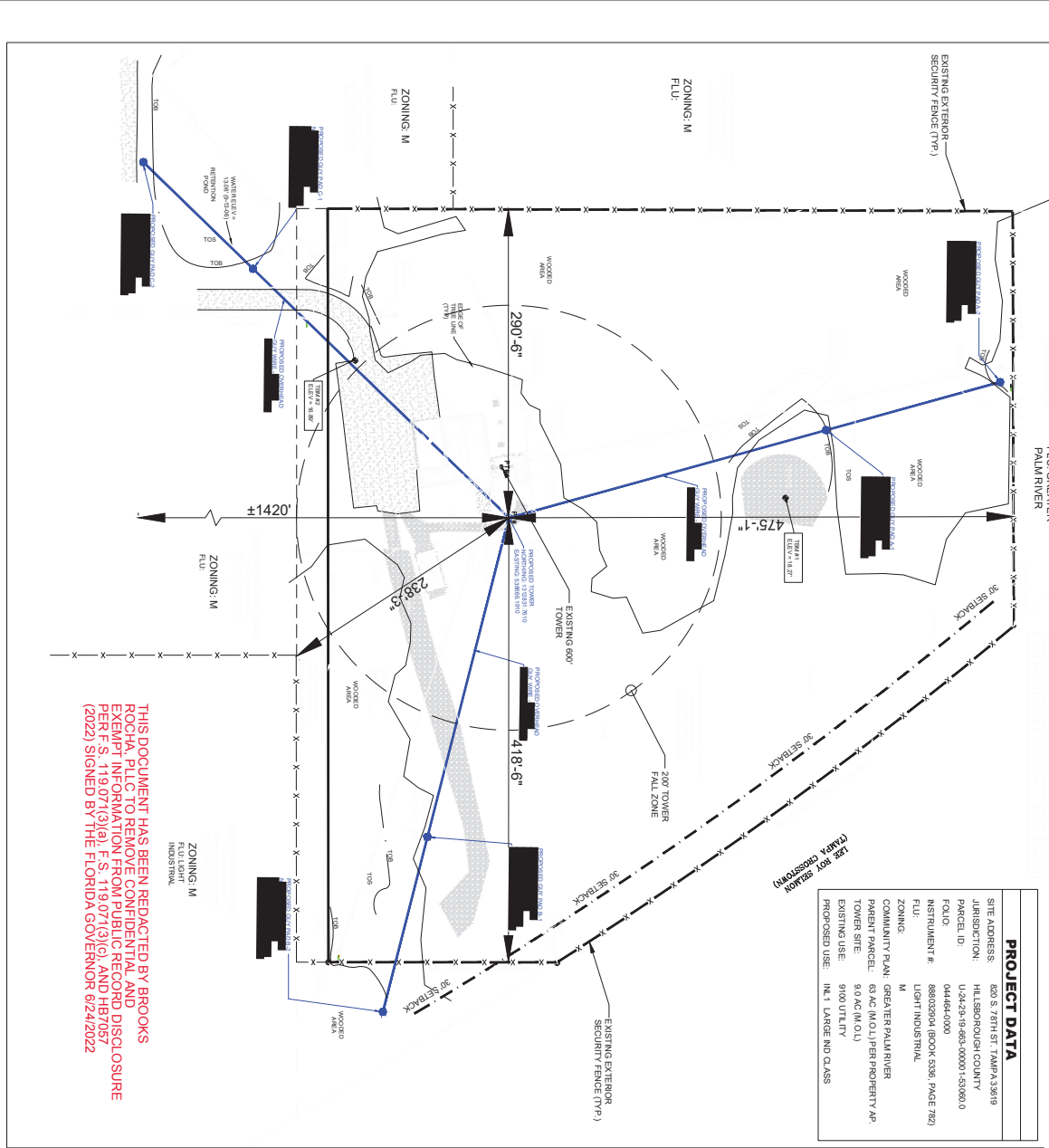
DATA SOURCES: Rezoning boundaries from The Planning Commission and an aerial fiscal heat and detail from Hillsborough County Property Appraiser. All other data is from public sources including the City of Hillsborough, City of Clearwater, Hillsborough County, and the Florida Department of Transportation. Aerial imagery is from Google Earth. The map is for illustrative purposes only. For the most current data and information, visit the appropriate source.



Map Printed from Rezoning System: 5/11/2023
 Author: Beverly F. Darnes
 File: G:\Rezoning\System\MapProjects\HillCo\GenL\Rezoning - Copy.mxd



SECTION 24, TOWNSHIP 29 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA



PROJECT DATA	
SITE ADDRESS:	820 S. 78TH ST TAMPA 33619
JURISDICTION:	HILLSBOROUGH COUNTY
PARCEL ID:	U-24-29-49-00001-45306.0
FOUD:	04466-000
INSTRUMENT #:	98603294 (BOOK 539, PAGE 782)
FLU:	LIGHT INDUSTRIAL
ZONING:	M
COMMUNITY PLAN:	GREATER PALM RIVER
OWNER:	810 AC (IND) PERS PROPERTY AP
TOWER SITE:	9100 UTILITY
EXISTING USE:	IND 1 LARGE IND CLASS
PROPOSED USE:	

TOWER SITE DATA	
PROPOSED UTILITIES - NONE	
STRUCTURE HEIGHT - EXISTING 600'	PROPOSED 600'
PERCENTAGE OF GROUND COVER BY STRUCTURES - APPROXIMATE PERCENTAGE OF SITE WHICH IS ENVELOPED BY STRUCTURES - APPROXIMATELY SENSITIVE - 0%	
NUMBERS OF OFF-STREET PARKING AND OFF-STREET LIGHT FIXTURES - TOTAL PROJECT F.A.R. - NA	

TOWER SETBACKS	
REQUIRED	PROVIDED
NORTH	475'-1"
SOUTH	142'
EAST	418'-6"
WEST	200'-0"

COMPOUND SETBACKS	
REQUIRED	PROVIDED
NORTH	0'
SOUTH	0'
EAST	0'
WEST	0'

BUFFERS	
NONE REQUIRED AND NONE PROPOSED	

GROUND ELEVATION AT BASE OF TOWER	
NORTH	27' 66" 41' 46" NORTH
LONGITUDE	82' 21' 50" 10" WEST

LEGEND	
FOUND DRAINAGE DRAIN	SPOT ELEVATION
EXISTING TOWER	PROPOSED TOWER
EXISTING SECURITY FENCE	PROPOSED SECURITY FENCE
EXISTING ROAD	PROPOSED ROAD
EXISTING SIDEWALK	PROPOSED SIDEWALK
EXISTING DRIVE	PROPOSED DRIVE
EXISTING UTILITY	PROPOSED UTILITY
EXISTING FENCE	PROPOSED FENCE
EXISTING LOT LINE	PROPOSED LOT LINE
EXISTING PROPERTY LINE	PROPOSED PROPERTY LINE
EXISTING TYPICAL	PROPOSED TYPICAL

LEGAL DESCRIPTION (PER PROPERTY APPRAISER)
SOUTH PALM SUBDIVISION, 11.12 AC OF TRACT 19-37 3-4-4 AND 8-AND W 1/2 OF TRACT 17, 1-TRACT 18 AND CLOSED RGS ABUTTING THEREON LESS CROSSTOWN K/M/M

OVERALL SITE PLAN
SCALE: AS NOTED

FOR 24x36" DRAWINGS
GRAPHIC SCALE: 1" = 100'
FOR 11x17" DRAWINGS
GRAPHIC SCALE: 1" = 200'

820 S. 78TH ST.
TAMPA, FLORIDA 33619
(HILLSBOROUGH COUNTY)
PARCEL ID: U-24-29-19-063-000001-45306.0

PEAK POWER SERVICES CROSS TOWN

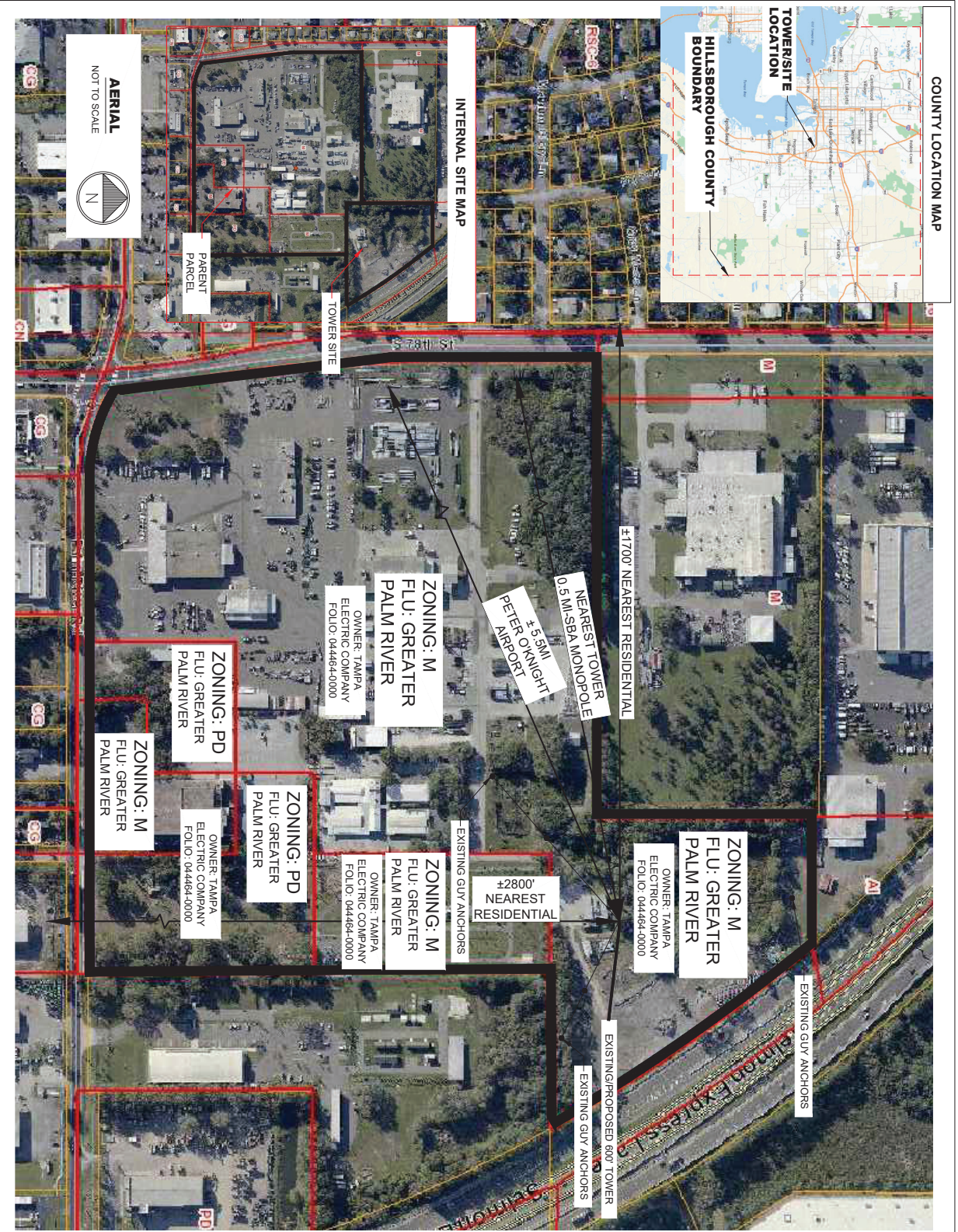
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KCI ENGINEERS
CONSTRUCTION MANAGERS
4401 GRESHAM PARK BLVD
RIVERVIEW, FLORIDA 33578
(813) 740-2300 WWW.KCI.COM
TECHNOLOGIES FLORIDA LICENSE NO. BR000488

DRAWN BY: A. VASQUEZ
CHECKED BY: E. VASQUEZ
APPROVED BY: J. FENNELL

REVISIONS		
NO.	DATE	BY
1	06/11/22	906 S. BARTHEL
2	06/20/22	REVISIONS REQUESTED
3	06/20/22	REVISIONS REQUESTED

SCALE: AS NOTED
DATE: 06/24/22
KCI JOB NUMBER: 012104698A
SHEET TITLE: OVERALL SITE PLAN
SHEET: C-1



PEAK POWER SERVICES CROSS TOWN
820 S. 78TH ST.
TAMPA, FLORIDA 33619
(HILLSBOROUGH COUNTY)
PARCEL I.D.: U-24-29-19-463-3000001-53060.0

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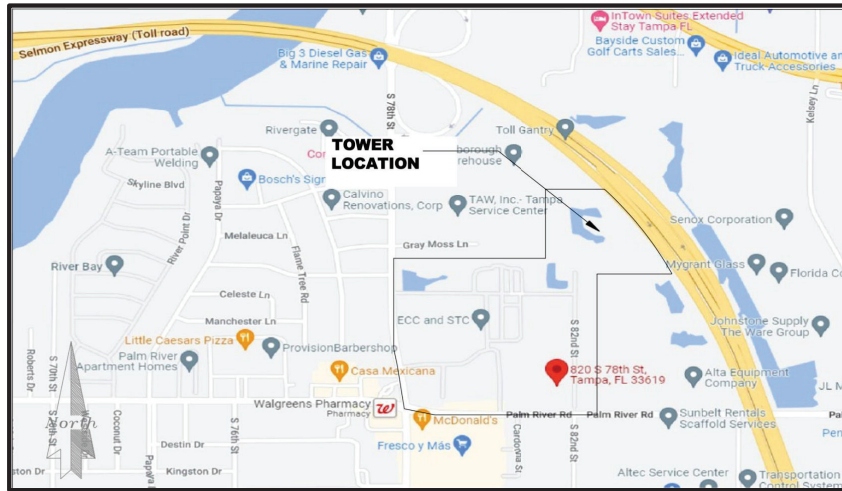
DRAWN BY: A. VASQUEZ
CHECKED BY: E. VASQUEZ
APPROVED BY: J. FENNELL

NO.	DATE	REVISIONS	BY:
1	07/12/22	90% S.DRAWING	AV
2	07/12/22	100% S.DRAWING	AV
3	08/20/22	REVISION AS REQUESTED	AV
4	08/20/22	REVISION AS REQUESTED	AV
5	08/20/22	REVISION AS REQUESTED	AV

**PRELIMINARY PLANS
NOT FOR CONSTRUCTION**

SCALE: AS NOTED
DATE: 06/24/22
KCI JOB NUMBER: 0121104698A
SHEET TITLE: **AERIAL**
SHEET: **C-5**

LOCATION MAP





PEAK POWER SERVICES CROSS TOWN
 820 S. 78TH ST.
 TAMPA, FLORIDA 33619
 (HILLSBOROUGH COUNTY)

PARCEL I.D.: U-24-29-19-0693-000001-55060.0

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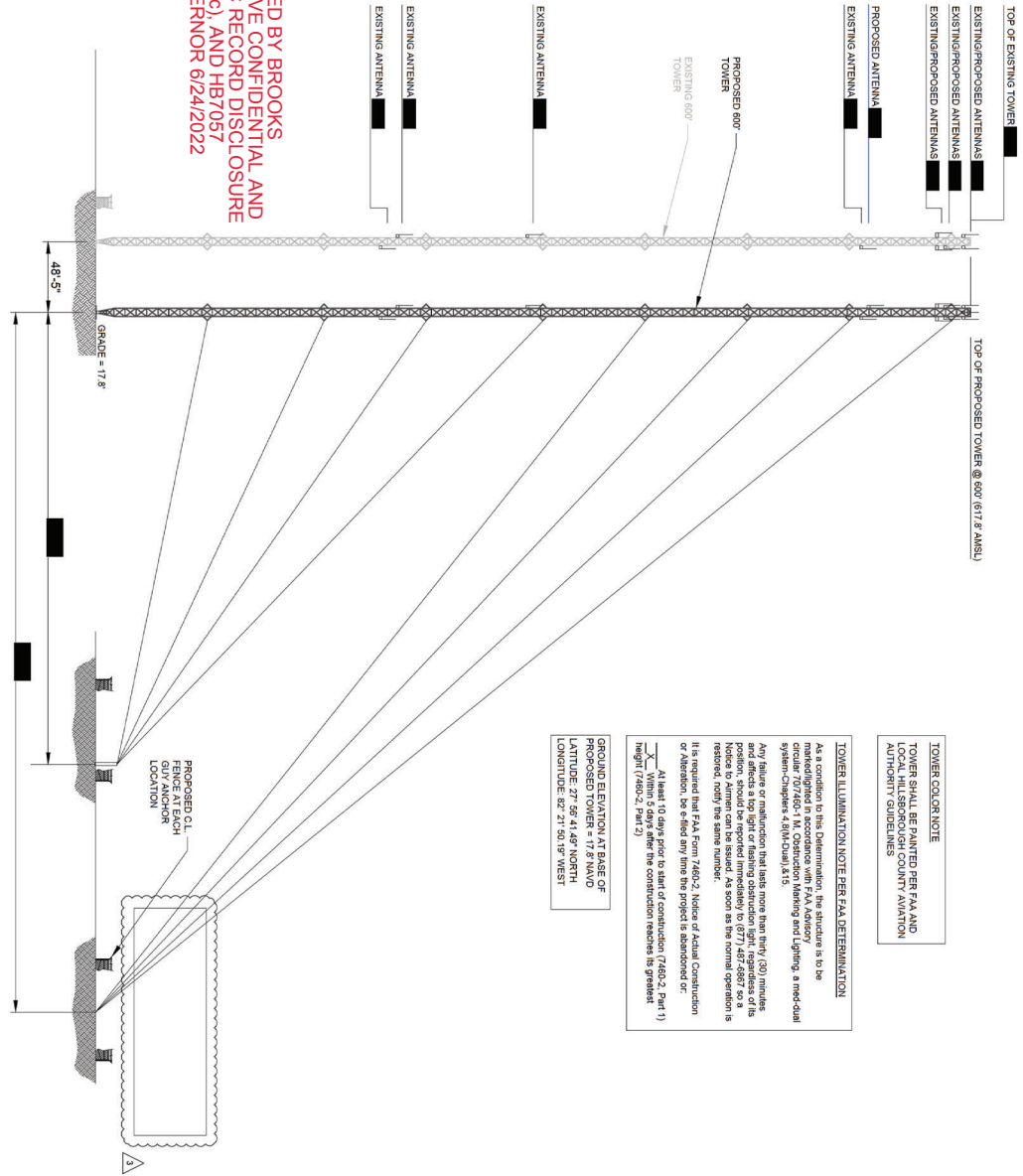
DRAWN BY: A. VASQUEZ
 CHECKED BY: L. VASQUEZ
 APPROVED BY: J. FENNEL

REVISIONS			
NO.	DATE	BY	REVISIONS
1	07/1/22	SPW/SUBMITTAL	LV
2	07/1/22	SPW/SUBMITTAL	LV

THIS DOCUMENT HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY JAMES T. FENNEL ON 07/01/2022 AT 09:58:07 AM. FOR MORE INFORMATION, CONTACT THE ARCHITECT OR ENGINEER. ACCORDANCE WITH F.A.C. CHAPTER 61S09, ARTICLE 10, PART 1. THE ARCHITECT'S SEAL AND SIGNATURE MUST BE VIEWED ON THE ORIGINAL PRINTED COPY OF THIS DOCUMENT. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED VALID UNLESS THEY ARE SIGNED AND SEALED AND THE SIGNATURE IS VERIFIED ON ANY ELECTRONIC COPIES.

SCALE: AS NOTED
 DATE: 06/24/22
 KCI JOB NUMBER: 012104698A

TOWER ELEVATION
 SHEET TITLE
 SHEET C-3



TOWER COLOR NOTE
 TOWER SHALL BE PAINTED PER FAA AND LOCAL, HILLSBOROUGH COUNTY AVIATION AUTHORITY GUIDELINES

TOWER ILLUMINATION NOTE PER FAA DETERMINATION
 As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory Circular 7030-2M, Chapter 4, Section 4.1.5, system, Chapter 4, Section 4.1.5. Any change or modification that date more than thirty (30) months after the date of this Determination, the structure's position, should be reported immediately to 877-467-6887 so a notice to Airmen can be issued. As soon as the normal operation is restored, notify the same number. It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or terminated. At least 10 days prior to start of construction (7460-2, Part 1) (8/1/2022; Part 2)

GROUND ELEVATION AT BASE OF PROPOSED TOWER = 17.8 (MSL)
 LATITUDE 27° 55' 4.48" NORTH
 LONGITUDE 81° 51' 19.76" WEST

THIS DOCUMENT HAS BEEN REDACTED BY BROOKS SHEPPARD & ROCHA, PLLC TO REMOVE CONFIDENTIAL AND EXEMPT INFORMATION FROM PUBLIC RECORD DISCLOSURE PER F.S. 119.071(3)(a), F.S. 119.071(3)(c), AND HB7057 (2022) SIGNED BY THE FLORIDA GOVERNOR 6/24/2022

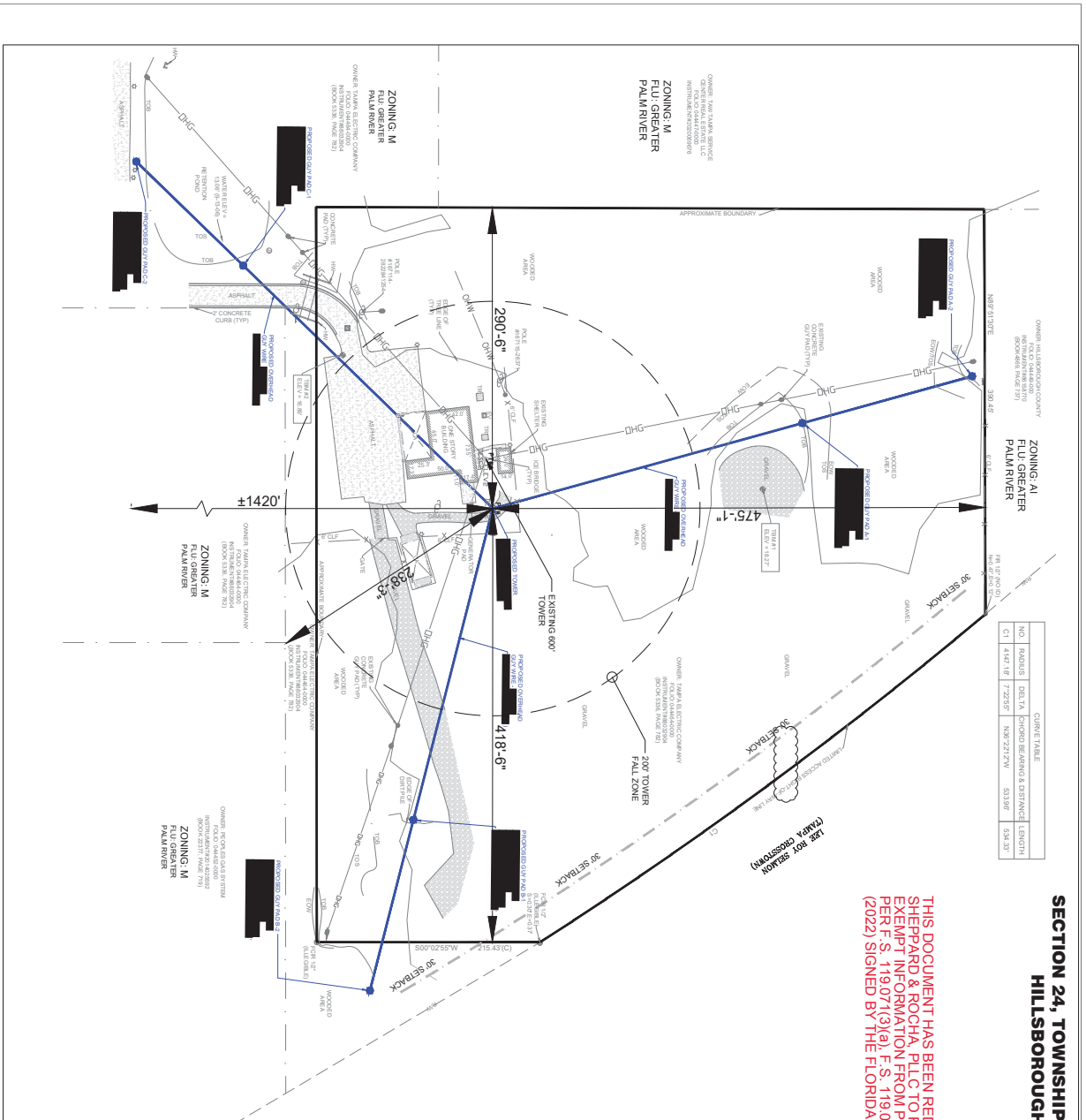
NOTE:
 SEE TOWER AND FOUNDATION DRAWINGS BY SABRE INDUSTRIES DATED JUNE 2ND, 2022

EXISTING/PROPOSED TOWER ELEVATION
 NOT TO SCALE

**SECTION 24, TOWNSHIP 29 SOUTH, RANGE 19 EAST,
HILLSBOROUGH COUNTY, FLORIDA**

CLIENT TABLE					
NO.	ACQUISITION DATE	DELIVERABLE	PROJECT BEARING & DISTANCE	LENGTH	SCALE
1	4/12/18	7250'			50:1
2	5/22/19	5340'			50:1

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TOWER SETBACKS	
REQUIRED	PROVIDED
NORTH 200'	475'-1"
SOUTH 200'	1420'
EAST 200'	418'-6"
WEST 200'	200'-6"

COMPOUND SETBACKS	
REQUIRED	PROVIDED
NORTH 0'	0'
SOUTH 0'	0'
EAST 0'	0'
WEST 0'	0'

GROUND ELEVATION AT BASE OF PROPOSED TOWER = 17.8' NAVD
 LATITUDE 27° 56' 41.46" NORTH
 LONGITUDE 82° 21' 50.19" WEST

LEGEND

	SPOT ELEVATION
	PROPOSED TOWER
	EXISTING TOWER
	PROPOSED TOWER FOUNDATION
	EXISTING TOWER FOUNDATION
	PROPOSED TOWER FOOTING
	EXISTING TOWER FOOTING
	PROPOSED TOWER WALL
	EXISTING TOWER WALL
	PROPOSED TOWER SLAB
	EXISTING TOWER SLAB
	PROPOSED TOWER COLUMN
	EXISTING TOWER COLUMN
	PROPOSED TOWER CORE
	EXISTING TOWER CORE
	PROPOSED TOWER STAIRCASE
	EXISTING TOWER STAIRCASE
	PROPOSED TOWER ELEVATOR
	EXISTING TOWER ELEVATOR
	PROPOSED TOWER LOBBY
	EXISTING TOWER LOBBY
	PROPOSED TOWER OFFICE
	EXISTING TOWER OFFICE
	PROPOSED TOWER STORAGE
	EXISTING TOWER STORAGE
	PROPOSED TOWER MECHANICAL
	EXISTING TOWER MECHANICAL
	PROPOSED TOWER ELECTRICAL
	EXISTING TOWER ELECTRICAL
	PROPOSED TOWER WATER
	EXISTING TOWER WATER
	PROPOSED TOWER SEWER
	EXISTING TOWER SEWER
	PROPOSED TOWER GAS
	EXISTING TOWER GAS
	PROPOSED TOWER VENT
	EXISTING TOWER VENT
	PROPOSED TOWER ROOF
	EXISTING TOWER ROOF
	PROPOSED TOWER FOUNDATION WALL
	EXISTING TOWER FOUNDATION WALL
	PROPOSED TOWER FOUNDATION SLAB
	EXISTING TOWER FOUNDATION SLAB
	PROPOSED TOWER FOUNDATION COLUMN
	EXISTING TOWER FOUNDATION COLUMN
	PROPOSED TOWER FOUNDATION CORE
	EXISTING TOWER FOUNDATION CORE

OVERALL SITE PLAN
 SCALE: AS NOTED

FOR 24-29-17 DRAWINGS
 GRAPHIC SCALE: 1" = 100'
 FOR 11X 17" DRAWINGS
 GRAPHIC SCALE: 1" = 200'

PEAK POWER SERVICES CROSS TOWN
 820 S. 78TH ST.
 TAMPA, FLORIDA 33619
 (HILLSBOROUGH COUNTY)
 PARCEL I.D.: U-24-29-19-663-400001-453060.0

KCI TECHNOLOGIES, INC.
 4041 CRESCENT PARK DRIVE
 RIVERVIEW, FLORIDA 33578
 (813) 7402300

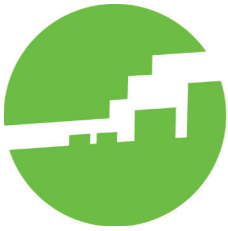
DRAWN BY: A. YANQUEZ
 CHECKED BY: L. VANQUIZ
 APPROVED BY: J. FENWELL

NO.	DATE	BY	REVISIONS
A	07/12/22	0906.S.MARTIN	1.V
B	07/12/22	0906.S.MARTIN	1.V

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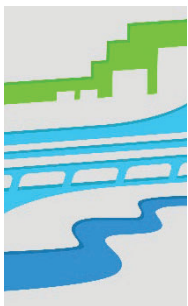
THIS DOCUMENT HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY JAMES T. FENWELL ON BEHALF OF THE DATE SHOWN ON THIS DOCUMENT AND IN ACCORDANCE WITH F.A.C. CHAPTER 62S22.001, F.S. 626.402. PLEASE REFERENCE THE COVER SHEET TO VIEW THE SIGNATURE AND PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

SCALE: AS NOTED
 DATE: 06/24/22
 KCI JOB NUMBER: 012104698A
 SHEET TITLE: OVERALL SITE PLAN
 SHEET: C-1



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: May 22, 2023	Petition: SU 23-0145
Report Prepared: May 10, 2023	820 78th Street South <i>Northeast of 78th Street South and Palm River Road, west of Selmon Expressway</i>
Summary Data:	
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Light Industrial Planned (0.75 FAR)
Service Area	Urban
Community Plan	Greater Palm River
Special Use Request	Special Use to replace a 600-foot (AGL) telecommunications tower
Parcel Size (Approx.)	63.10 +/- acres
Street Functional Classification	78 th Street South – County Arterial Palm River Road – County Collector 82 nd Street South – Local
Locational Criteria	N/A
Evacuation Area	B, C, D



Context

- The 63.10 +/- acre subject site is located northeast of 78th Street South and Palm River Road, and west of the Selmon Expressway.
- The site is in the Urban Service Area and is within the limits of the Greater Palm River Community Plan.
- The subject property is located within the Light Industrial Planned (LI-P) Future Land Use category, which can be considered for a maximum intensity of 0.75 FAR. No residential is allowed. The LI-P Future Land Use category is intended to designate areas in the County potentially suitable for industrial activities but are located outside of concentrated industrial designated areas or in areas where the need for a site plan would be beneficial to insure land use compatibility. Typical uses in the LI-P Future Land Use category include processing, manufacturing, recycling and storage of materials as the predominant uses including support offices, warehousing, and rural scale retail uses pursuant to locational criteria. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The subject site is surrounded by LI-P Future Land Use category to the north and east. Residential-9 (RES-9) Future Land Use category is located to the west across 78th Street South. Community Mixed Use-12 (CMU-12) Future Land Use category is located south and southeast across Palm River Road.
- The area to the north and east of the site is mostly developed with light industrial, public institution, public communications and utility, and heavy commercial uses. Several single-family homes are located west of the subject site across 78th Street South. To the southwest, there are light commercial, multifamily, public institution, and school uses that are interspersed throughout. The area south of the subject site reflects a similar development pattern with occasional single family uses interspersed along 82nd Street South.
- The subject site is zoned Manufacturing (M) and Planned Development (PD) and is currently being utilized as a Tampa Electric Company Operations Center. The site is surrounded by Planned Development (PD) zoning, Agricultural Industrial (AI) zoning, and Manufacturing (M) zoning to the north and east. Residential Single-Family Conventional (RSC-6) zoning is located to the west. To the southwest and south, Commercial General (CG) and Commercial Neighborhood (CN) zoning are interspersed around the intersection of 78th Street South and Palm River Road. Additional Planned Development (PD) and Manufacturing (M) zoning districts are located southeast of the subject site.
- The applicant requests a Special Use approval for the replacement of a 600-foot (AGL) telecommunications tower on the northeast end of the subject site.

Compliance with Comprehensive Plan:

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

Future Land Use Element

Urban Service Area (USA)

Objective 1: Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of this Plan. Within the Urban Service Area, Hillsborough County will not impede agriculture. Building permit activity and other similar measures will be used to evaluate this objective.

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.

Land Use Categories

Objective 8: The Future Land Use Map will include Land Use Categories which outline the maximum level of intensity or density and range of permitted land uses allowed and planned for an area. A table of the land use categories and description of each category can be found in Appendix A.

Policy 8.1: The character of each land use category is defined by building type, residential density, functional use, and the physical composition of the land. The integration of these factors sets the general atmosphere and character of each land use category. Each category has a range of potentially permissible uses which are not exhaustive, but are intended to be illustrative of the character of uses permitted within the land use designation. Not all of those potential uses are routinely acceptable anywhere within that land use category.

Relationship to Land Development Regulations

Objective 9: All existing and future land development regulations shall be made consistent with the Comprehensive Plan, and all development approvals shall be consistent with those development regulations as per the timeframe provided for within Chapter 163, Florida Statutes. Whenever feasible and consistent with Comprehensive Plan policies, land development regulations shall be designed to provide flexible, alternative solutions to problems.

Policy 9.1: Each land use plan category shall have a set of zoning districts that may be permitted within that land use plan category, and development shall not be approved for zoning that is inconsistent with the plan.

Policy 9.2: Developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County, the state of Florida and the federal government unless such requirements have been previously waived by those governmental bodies.

Neighborhood/Community Development

Objective 16: Neighborhood Protection – The neighborhood is the 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.

Community Design Component (CDC)

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

OBJECTIVE 12-1: New developments should recognize the existing community and be designed in a way that is compatible with the established character of the surrounding neighborhood.

Policy 12-1.4: Compatibility may be achieved through the utilization of site design techniques including but not limited to transitions in uses, buffering, setbacks, open space and graduated height restrictions, to affect elements such as height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture.

Livable Communities Element: Greater Palm River

Goal 5a: Planning and Growth – to promote and provide for opportunities for compatible well designed public use, residential, and business growth and jobs

Strategies

14. Support:

F. Community Commercial Nodes

To ensure a sense of place community commercial intersections shall reflect a character compatible with the surrounding neighborhood land use structure and intensity either through actual land use or mitigation of impacts to the adjacent neighborhood. These include:

- *Palm River Road and 78th Street*
- *Causeway Boulevard and 78th Street*
- *Progress Boulevard and Falkenburg Road*

Staff Analysis of Goals Objectives and Policies:

The 63.10 +/- acre subject site is located northeast of 78th Street South and Palm River Road, west of the Selmon Expressway. The site is in the Urban Service Area and within the limits of the Greater Palm River Community Plan. The applicant requests a Special Use approval for the replacement of a 600-foot (AGL) guyed tower. The subject site has a Future Land Use classification of Light Industrial Planned (LI-P). LI-P also extends north, northeast, and east of the subject site. The Residential-12 (RES-12) Future Land Use category is located further northwest of the site. Across 78th Street South, the Residential-6 (RES-6) Future Land Use category extends west and southwest. Community Mixed Use-12 (CMU-12) is located south of the subject site across Palm River Road. Public utility and heavy commercial uses are located east of the site. Light commercial and public institutional uses are located to the northwest. Single-family uses are located west. Light commercial, multifamily, and public institutional uses are interspersed southwest of the site. This development pattern is also present south of the subject site with single family and heavy commercial uses located along 82nd Street South.

Objective 1 of the Future Land Use Element (FLUE) of the Comprehensive Plan notes that Hillsborough County shall proactively direct new growth into the urban service area (USA) with the goal that at least 80% of all population growth will occur within the USA during the horizon of the Comprehensive Plan. Policy 1.4 establishes compatibility guidelines within the USA, noting that the characteristics and design of different uses should allow them to be located near each other in harmony. The Special Use request would place the guyed tower on the northeast side of the subject site, near other existing public utility and communication uses. Light industrial and public institutional uses are located northwest of the site. Additional public utility and heavy commercial uses are located to the southeast. The proposed guyed tower is compatible with the surrounding uses.

FLUE Objective 8 establishes Future Land Use categories which outline the maximum level of intensity or density and range of permitted land uses allowed and planned for an area. The proposed Special Use request for a guyed tower is an allowable use under the subject site's Future Land Use category of LI-P and is consistent with FLUE Objective 8 and Policy 8.1.

The proposed 600 foot tall guyed tower will be placed in an area that already has existing public utility and communication uses and will not significantly change the existing character of the area. The subject site is not encroaching onto residential uses that are

located to the west, thereby meeting 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 9 and Policy 9.2 and 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 proposal meets all setback requirements, and the applicant is not requesting any waivers to requirements.

The subject site meets the intent of Goal 5a of the Greater Palm River Community Plan. Under Goal 5a, Strategy 14 F seeks to ensure that community commercial intersections reflect a character that is compatible with the surrounding neighborhood land use structure and intensity. Palm River Road and 78th Street is one of the targeted intersections under this goal. The proposed guyed tower reflects uses that are compatible with the surrounding neighborhoods uses and intensity and is therefore consistent with the site's community plan.

Overall, staff finds that the proposed Special Use request would allow for development that is consistent with the urban service area and LI-P Future Land Use category. The proposed Special Use would allow for development that is consistent with the Goals, Objectives, and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ SU 23-0145

Rezoning

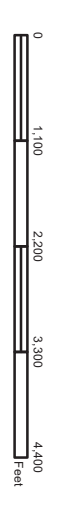
<Call other values>

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

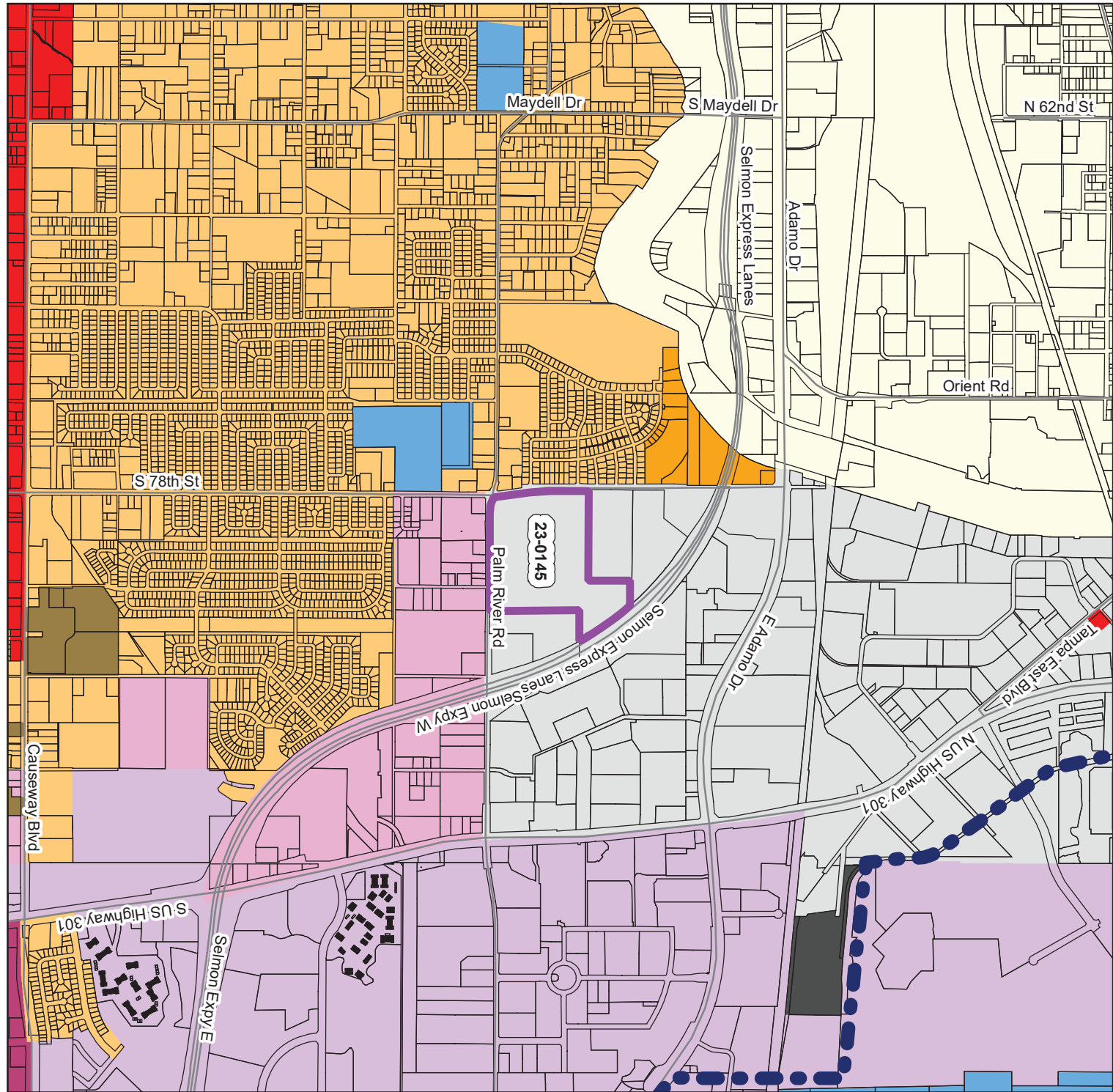
- Tampa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Major Roads
- Parcels

- AGRICULTURAL/PLANNING-1/20 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/12 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.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 (3) (.35 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 (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUVA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

DATA SOURCES: Rezoning boundaries from The Planning Commission and an aerial fiscal heat and street from Hillsborough County Property Appraiser. Parcel boundaries and lot sizes from the parcel map of Hillsborough County. City/County Planning Commission. AGENCY: This rezoning is the result of the rezoning process initiated by the Hillsborough County City/County Planning Commission. The map is for illustrative purposes only. For the most current data and information, visit the applicant's website.



Map Printed from Rezoning System: 5/11/2023
 Author: Beverly F. Dames
 File: G:\Rezoning\System\MapProjects\HillCo\GenL\Rezoning_Copy.mxd



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AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: May 22, 2023</p> <p>PETITION NO.: 23-0145</p> <p>EPC REVIEWER: Jackie Perry Cahanin</p> <p>CONTACT INFORMATION: (813) 627-2600 X 1241</p> <p>EMAIL: cahaninj@epchc.org</p>	<p>COMMENT DATE: March 30, 2023</p> <p>PROPERTY ADDRESS: 820 S 78th St, Tampa, FL 33619</p> <p>FOLIO #: 044464-0000</p> <p>STR: 24-29S-19E</p>
<p>REQUESTED ZONING: SU-RFF</p>	
FINDINGS	
WETLANDS PRESENT	YES
SITE INSPECTION DATE	NA
WETLAND LINE VALIDITY	NO
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	Aerials, Soils, and EPC files indicate JD eastern ditch
<p>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</p> <ul style="list-style-type: none"> 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. 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. 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 	

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labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

- 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.

INFORMATIONAL COMMENTS:

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

- The subject property contains wetland/OSW areas, which have not been delineated. Knowledge of the actual extent of the wetland and OSW are necessary in order to verify the avoidance of wetland impacts pursuant to Chapter 1-11. Prior to the issuance of any building or land alteration permits or other development, the wetlands/OSWs must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff (SWFWMD) and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.
- Chapter 1-11 prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.

Jpc/cb

ec: kmmora@tecoenergy.com
mbrooks@bsrfirm.com



23 March 2023

OMNICOM CONSULTING GROUP, INC.
TECHNICAL REVIEW REPORT
SPECIAL USE APPLICATION (SU 23-0145) FOR
Wireless Communications Support Structure
for
HILLSBOROUGH COUNTY
for
Tampa Electric (TECO)
600' GUYED TOWER

This report is in response to the Hillsborough County request to perform Consulting Services related to the Tampa Electric (TECO) application to construct a 600' guyed tower as a replacement to an existing 600' guyed tower located at 820 S. 78th Street Tampa, FL. TECO will build and own this tower and will use it for its own mission critical communications systems. 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 special 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 that would support TECO's mission critical communications system needs.

TECO currently has a 600' guyed tower at this location that supports multiple mission critical communication systems. This tower is proposed to replace the existing tower as it is at end of life. The proposed replacement tower will be constructed approximately 50' from the existing tower and it is assumed that the existing tower will be removed once the new tower is constructed, and all communication systems are successfully transitioned to the new tower.

Based on OCG's analysis there are no viable support structures in the area that would allow TECO to collocate and meet the needs of its mission critical communication systems in this area.

Submitted by:

A handwritten signature in black ink, appearing to read 'Chris Monzingo', written over a light blue horizontal line.

Christopher J. Monzingo, P.E., PMP
Senior Consultant

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<p>REQUESTED ZONING: SU-RFF</p>	
FINDINGS	
<p>WETLANDS PRESENT</p>	<p>YES</p>
<p>SITE INSPECTION DATE</p>	<p>NA</p>
<p>WETLAND LINE VALIDITY</p>	<p>NO</p>
<p>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</p>	<p>Aerials, Soils, and EPC files indicate JD eastern ditch</p>
<p>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</p> <ul style="list-style-type: none"> 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. 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. 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 	

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- Chapter 1-11 prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
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Jpc/cb

ec: kmmora@tecoenergy.com
mbrooks@bsrfirm.com



Peter O. Knight Airport
Plant City Airport
Tampa Executive Airport

May 10, 2023

Via email: mbrooks@brsfirm.com

Hillsborough County
Aviation Authority
P.O. Box 22287
Tampa, Florida 33622
phone/ 813-870-8700
fax/ 813-875-6670
TampaAirport.com

Tampa Electric Company
Attn: Michael Brooks
820 South 78th Street
Tampa, FL 33619

Subject: Notice of Hearing before Board of Adjustment
Airport Study No. 2023-25, Tampa Electric Company, requesting a variance to replace an existing guyed tower, at the same maximum height of 618' AMSL, located at 820 S. 78th Street, Tampa, FL

Dear Mr. Brooks;

Enclosed for your files is a fully executed Permit, the Petition for Variance and Permit Application, which were approved by the Aviation Authority Board of Adjustment on May 4, 2023.

I can be reached at (813) 676-4359 or e-mail at Mgreif@TampaAirport.com should you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Mgg".

Morgan Gray Greif
Development Program Services

Enclosure

cc: Records Management, HCAA
Tony Mantegna, HCAA

At a regular meeting of the Hillsborough County Aviation Authority Board of Adjustment held in the Boardroom of the Tampa International Airport, Tampa, Hillsborough County, Florida, on the 4th day of May 2023, a quorum of the Authority Board being present, the following Resolution was proposed and seconded, and after being put to a vote, was adopted:

RESOLUTION NO. 2023-34

BE IT RESOLVED THAT THE HILLSBOROUGH COUNTY AVIATION AUTHORITY AIRPORT BOARD OF ADJUSTMENT approves and authorizes a variance for Airport Study No. 2023-25, Tampa Electric Company, requesting a variance to replace an existing non-conforming antenna tower at the maximum height of 618' AMSL located at 820 South 78th Street, Tampa, FL, with the following conditions: (1) Red Obstruction lighting required in accordance with the FAA Advisory Circular 70/7460-1M; (2) E-File FAA Form 7460-2 with the FAA if the project is abandoned or within five (5) days after the construction reaches its greatest height; (3) If frequency interference is identified to aviation operations the owner will mitigate the interference or remove the antenna; (4) Notify the Airport at least five (5) business days prior to starting construction at 813-870-7863 and provide Airport Study Number; (5) The Petitioner will be required to follow all conditions specified in the FAA Determination of No Hazard to remain in compliance; (6) Installation equipment (crane) exceeding 618' AMSL will require a separate permit by the Authority and equipment greater than 649' AMSL will not be approved; (7) Any glint or glare issues identified from the project must be mitigated by the Petitioner to the satisfaction of the Authority to avoid adverse impacts to aviation; (8) The Authority requires a survey of the construction to be completed and submitted to the Authority within five (5) days of construction reaching its greatest height; and (9) In the event that the proposed elevation is exceeded, the Petitioner acknowledges that it will remove any feature or portion of the structure exceeding the permitted elevations. The variance will be valid until the expiration date of the FAA Determination of No Hazard to Air Navigation on October 11, 2023, but if the Determination of No Hazard is extended by the FAA for no more than 18 months, then the variance will also be extended one time, provided that no changes in the proposed structure have occurred, without further action of the Airport Board of Adjustment. The Airport Zoning Director or designee is also authorized to execute all other ancillary documents.

PASSED AND ADOPTED as the official act of the Hillsborough County Aviation Authority Board of Adjustment at Tampa, Hillsborough County, Florida, this 4th day of May 2023.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Jane Castor, Secretary of the Hillsborough County Aviation Authority, do hereby certify that the above and foregoing is the true and correct Resolution No. 2023-34 adopted by the Authority on the 4th day of May 2023 at a meeting of the Authority where a majority of the Members were present and voted affirmatively for the Resolution. The Resolution is the act and deed of the Authority as duly recorded in the Minute Book of the Authority Board of Adjustment.

Witness my hand and seal of the Hillsborough County Aviation Authority, this 4th day of May
2023.


Jane Castor, Secretary



2023-34



Hillsborough County Aviation Authority

HEIGHT ZONING PERMIT

FOR PROPOSED CONSTRUCTION WITHIN AIRPORT ZONE BOUNDARY

May 4, 2023

Approval Date

This is to certify that the below named at the location listed has authority to operate or construct a permanent structure within an airport zone to a maximum height of 618 feet above mean sea level (including all appurtenances or attachments to said structure). This permit is subject to those requirements listed below and in the Federal Aviation Administration Aeronautical Study Number 2021-ASO-47052-OE

PERMIT HOLDER

NAME: Brooks Sheppard & Rocha, PLLC
LOCAL CONTACT: Michael Brooks, Authorized Representative
PHONE NUMBER: 813-543-5900
ADDRESS: 400 N. Tampa Street

STRUCTURE

AIRPORT STUDY #: 2023-25
TYPE: Antenna Tower
LOCATION: 820 South 78th Street, Tampa, FL
CONDITIONS: See Attached

This permit does not relieve the permit holder from obtaining any other permits, approvals or determinations from other governmental agencies as may be required in accordance with law. This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequencies, and power. Any changes in coordinates, heights, frequencies or use of greater power will void this permit. This permit should be placed out of the weather and in plain view of inspectors at the job site during construction and on file upon completion of structure. This Permit may be revoked at any time by the Airport Zoning Director or Designee for just cause, including but not limited to the protection of public safety and airspace

Approved by Zoning Director

PERMIT NUMBER: 2325

EXPIRES: 10/11/2023

Airport Study Number:
2023-25

CONDITIONS

Red Obstruction lighting required in accordance with the FAA Advisory Circular 70/7460-1M.

E-File FAA form 7460-2 with the FAA if the project is abandoned or within 5 days after the construction reaches its greatest height.

If frequency interference is identified to Aviation operations the owner will mitigate the interference or remove the antenna.

Notify the Airport at least 5 business days prior to starting construction at 813-870-7863 and provide Airport Study number.

You will be required to follow all conditions specified in the FAA Determination to remain in compliance.

Installation equipment (Crane) exceeding 618' AMSL will require a separate permit by the Aviation Authority. Equipment greater than 649' AMSL will not be approved.

Any glint or glare issues identified from this project must be mitigated by the petitioner to the satisfaction of the Authority to avoid adverse impacts to aviation.

The Aviation Authority requires a survey of the construction to be completed and submitted to the Aviation Authority within 5 days of reaching its greatest height.

In the event that the proposed elevation is exceeded the applicant acknowledges that it will remove any feature or portion of the structure exceeding the permitted elevations.



AVIATION AUTHORITY * PERMIT APPLICATION *

Tampa International Airport Peter O. Knight Airport Plant City Airport Tampa Executive Airport
P.O. Box 22287, Tampa, FL 33622-2287

Scope/Nature of Request: Provide summary of request, activities involved and any other required or pertinent information to fully describe scope, submit drawings and specification if needed. Additional pages may be used if necessary. The application must also contain (1) an FAA Determination of No Hazard if the duration is greater than 72 hrs. (2) site survey with an FAA accuracy code of 1A, if requested (3) a Variance application, if applicable (4) site plan with a building layout, if requested (5) building elevation plan, if requested (6) any additional information requested by the Airport Zoning Director to determine whether or not the proposal will comply with the Airport Zoning Regulations.

Project Name \ Description:
Tampa Electric Company - 78th Street Tower Replacement

Applicant acknowledges receipt of the applicable procedures and/or provisions pertaining to the above request and agrees that in consideration of issuance of this permit to be bound by the terms and conditions of such documents and all other applicable laws, rules, regulations, procedures and laws.

Permanent (Height Zoning) Check type of permit being requested
Temporary (Crane/Equip.)

This application is required to be attached to the supplemental data form for Permit request (see on-line application process).

Name/Company/Organization: Tampa Electric Company

Contact Person for Requested Activity: Michael Brooks, Authorized Agent Phone: 813-543-5900

Project Location: 820 South 78th Street, Tampa, FL Email: mbrooks@bsrfirm.com

Under penalty of perjury, I hereby certify that the above statements and supplemental data are true and correct and I have full power and authority to act on behalf of the above named firm, corporation or organization in the submission of this application.

Printed Name of Authorized Representative: Michael Brooks | Brooks Sheppard & Rocha, PLLC

Signature of Authorized Representative:  Date: 2/2/23

STATE OF FLORIDA, COUNTY OF Florida

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 2nd day of February, 2023, by Michael Brooks

Notary Signature 

Personally Known OR Produced Identification

Type of Id Produced

(NOTARY SEAL)



All activities performed under this permit are at applicant's own expense and risk. The Authority will not be held liable for any damages, losses or injuries resulting from or connected with this activity. This permit does not relieve the applicant from obtaining any other permits, approvals, or determinations from other governmental agencies as may be required in accordance with law.

THIS SECTION TO BE COMPLETED BY AVIATION AUTHORITY REPRESENTATIVE

Airport Study No. 2023-25

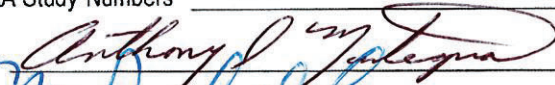
Variance Required: YES

FAA Study Number 2021-ASO-47052-OE

Recommend Approval: YES

Associated FAA Study Numbers NA

Coordinate with Airport Operations: YES

Reviewed By: 

Coordinate with ATCT: YES


Approved by Zoning Director

5/4/23
Date



AVIATION AUTHORITY * PETITION FOR VARIANCE *

Tampa International Airport Peter O. Knight Airport Plant City Airport Tampa Executive Airport
P.O. Box 22287, Tampa, FL 33622-2287

Provide a summary of request, activities involved and any other required or pertinent information as it pertains to any of the following criteria which will be used to substantiate a variance to the height zoning regulations. Additional pages may be used if necessary.

- The regulated height would create an unnecessary hardship to the applicant.
- Special conditions and circumstances apply which are not applicable to other similarly situated property.
- The proposal will not create a substantial detriment to public good or impair the purposes of the intent of these regulations.
- The proposal will not create a substantial adverse effect on the utility of the airport covered under these regulations.

See Attachment "A"

Applicant acknowledges receipt of the applicable procedures and/or provisions pertaining to the above request and agrees that in consideration of issuance of this variance to be bound by the terms and conditions of such documents and all other applicable laws, rules, regulations, procedures and laws. The petitioner must forward to FDOT by certified mail, return receipt requested, a copy of the permit package and petition for comment. The review of this petition for variance and variance process will proceed only upon the receipt of FDOT's comments or waiver of that right. Include a copy of the certified mail receipt with the petition.

Date : February 2, 2023 Nearest Airport: Tampa Executive // Peter O. Knight Overall Height (AMSL): 618 feet

Under penalty of perjury, I hereby certify that the above statements are true and correct and I have full power and authority to act on behalf of the Applicant's named firm, corporation or organization in the submission of this variance request.

Printed Name of Authorized Representative: Michael Brooks | Brooks Sheppard & Rocha, PLLC

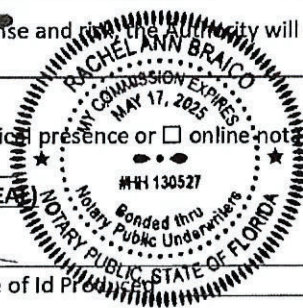
Signature of Authorized Representative: [Signature] Date: 2/2/23

All activities performed under this variance are at applicants own expense and risk. The Authority will not be held liable for any

STATE OF FLORIDA, COUNTY OF Florida

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 2 day of February, 2023, by Michael Brooks

(NOTARY SEAL)



Notary

Signature [Signature]

Personally Known OR Produced Identification _____ Type of Id Produced _____

THIS SECTION TO BE COMPLETED BY AVIATION AUTHORITY REPRESENTATIVE

Airport Study No. 2023-25

FAA Study Number: 2021-ASO-47052-OE

Associated Aeronautical Study Numbers: NA

FDOT Concurrence: Yes No Waived

in accordance with Resolution No. 2023-34

[Signature]
Approved by Board of Adjustment Chairman

May 4, 2023
Date



ATTACHMENT “A”

(To Variance Application)

Tampa Electric Company (TEC) requests a variance from the Authority to replace a 600-foot (AGL) guyed tower at its 60+ acre operations center site located at 820 South 78th Street, Tampa, FL (aka “Eastern Operations Center”).¹ Replacement of aging infrastructure is part an ongoing effort by TEC to maintain and enhance system resilience in the region consistent with national policies that encourage protection of critical infrastructure serving our community.

TEC is a “public utility” as defined by F.S. 336.02(1) (2021). The existing tower is (and the proposed replacement tower will be) an essential component of the Eastern Operation Center, which functions as a public service facility as defined by the Hillsborough County Land Development Code. The on-site tower provides TEC with the *independent* capability to communicate with other utility facilities within the service area, remotely monitor and control utility infrastructure, and communicate with employees.

Most important, during black sky days, these essential capabilities are protected and secured within the Eastern Operation Center and unaffected by potential service interruptions that could occur to a third-party, off-site commercial communication tower and its support infrastructure. In short, the operation center and tower comprise and function as an integrated public service facility use with each component dependent on the other and not capable of separation.

Given the essential nature of the proposed replacement tower in its existing location:

- The regulated height would create an unnecessary hardship in that without the replacement tower TEC will no longer be able to perform essential energy grid management from its Eastern Operations Center.
- Special conditions and circumstances apply which are not applicable to other similarly situated property; specifically, that the existing tower is (and the proposed replacement tower will be) an essential component of the Eastern Operations Center and its placement is location specific.
- The proposal will not create a substantial detriment to public good or impair the purposes of the intent of these regulations; specifically, the proposal involves replacement of an existing tower of equal type, height, and external impacts.
- The proposal will not create a substantial adverse effect on the utility of the airport covered under these regulations. The FAA issued a DETERMINATION OF NO HAZARD TO AIR NAVIGATION (Aeronautical Study No. 2021-ASO-47052-OE) for the replacement tower in a letter dated April 11, 2022.

¹ Based on best available information, the existing guyed tower appears to have been constructed sometime around 1982. The Federal Aviation Administration (“FAA”) issued a DETERMINATION OF NO HAZARD TO AIR NAVIGATION (Aeronautical Study No. 82-ASO-1714-OE) for the existing structure in a letter dated October 8, 1982. A copy of this determination is included with this application.

Review Summary

Airport Study Number

2023-25

Permit Number

2325

Maximum Height - AMSL

618

Approval Date

Expires

10/11/2023

Permit Type

Height Zoning

Review

77.9 Review

Required Notice

77.17 Review

Obstruction

77.19 Review

Within Height Limits

TERPS

Within Height Limits

OEI (62.5:1)

N/A

Analysis Summary

Exceeds obstruction standard 77.17 (a)(2) by 278' - No Hazard as long as conditions are followed. No IFR/VFR or Navaid impacts identified. The proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility

Coordination with ATCT:

Yes

Emergency Use

No

**Objects affecting Navigable
Airspace**

Yes

Coordination with Operations:

Yes

Hazard Marking and/or Lighting

Yes

Exceeds Supportive Screening Criteria

Yes

Conditions

Conditions: Red Obstruction lighting required in accordance with the FAA Advisory Circular 70/7460-1M.E-File FAA form 7460-2 with the FAA if the project is abandoned or within 5 days after the construction reaches its greatest height.If frequency interference is identified to Aviation operations the owner will mitigate the interference or remove the antenna.Notify the Airport at least 5 business days prior to starting construction at 813-870-7863 and provide Airport Study number.You will be required to follow all conditions specified in the FAA Determination to remain in compliance. Installation equipment (Crane) exceeding 618' AMSL will require a separate permit by the Aviation Authority. Equipment greater than 649' AMSL will not be approved.Any glint or glare issues identified from this project must be mitigated by the petitioner to the satisfaction of the Authority to avoid adverse impacts to aviation.The Aviation Authority requires a survey of the construction to be completed and submitted to the Aviation Authority within 5 days of reaching its greatest height.In the event that the proposed elevation is exceeded the applicant acknowledges that it will remove any feature or portion of the structure exceeding the permitted elevations.

Recommended Approval

Yes

Airport Study Number:

2023-25

CONDITIONS

Red Obstruction lighting required in accordance with the FAA Advisory Circular 70/7460-1M.

E-File FAA form 7460-2 with the FAA if the project is abandoned or within 5 days after the construction reaches its greatest height.

If frequency interference is identified to Aviation operations the owner will mitigate the interference or remove the antenna.

Notify the Airport at least 5 business days prior to starting construction at 813-870-7863 and provide Airport Study number.

You will be required to follow all conditions specified in the FAA Determination to remain in compliance.

Installation equipment (Crane) exceeding 618' AMSL will require a separate permit by the Aviation Authority. Equipment greater than 649' AMSL will not be approved.

Any glint or glare issues identified from this project must be mitigated by the petitioner to the satisfaction of the Authority to avoid adverse impacts to aviation.

The Aviation Authority requires a survey of the construction to be completed and submitted to the Aviation Authority within 5 days of reaching its greatest height.

In the event that the proposed elevation is exceeded the applicant acknowledges that it will remove any feature or portion of the structure exceeding the permitted elevations.

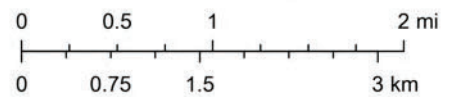
Distance from ARP



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- Override 1
- TPA Height and Zoning
- ☀ Override 1
- TPA Height and Zoning
- Airports - ARP
- TPA Height and Zoning



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ArcGIS Web AppBuilder

Associated Point Data			Report Created on									
Point Number	Structure Name	Latitude	Longitude	X	Y	Site Elev. (MSL)	Struct Height (AGL)	Overall Height (AMSL)	RWY VDF-36	Dist. From RW end	Down/out	Over
1	2325-TWR	27.94485833	-82.36394167	538,666.19	1,312,831.71	18	600	618.00			21725+	4561+

4561.270788 Over

RW 36

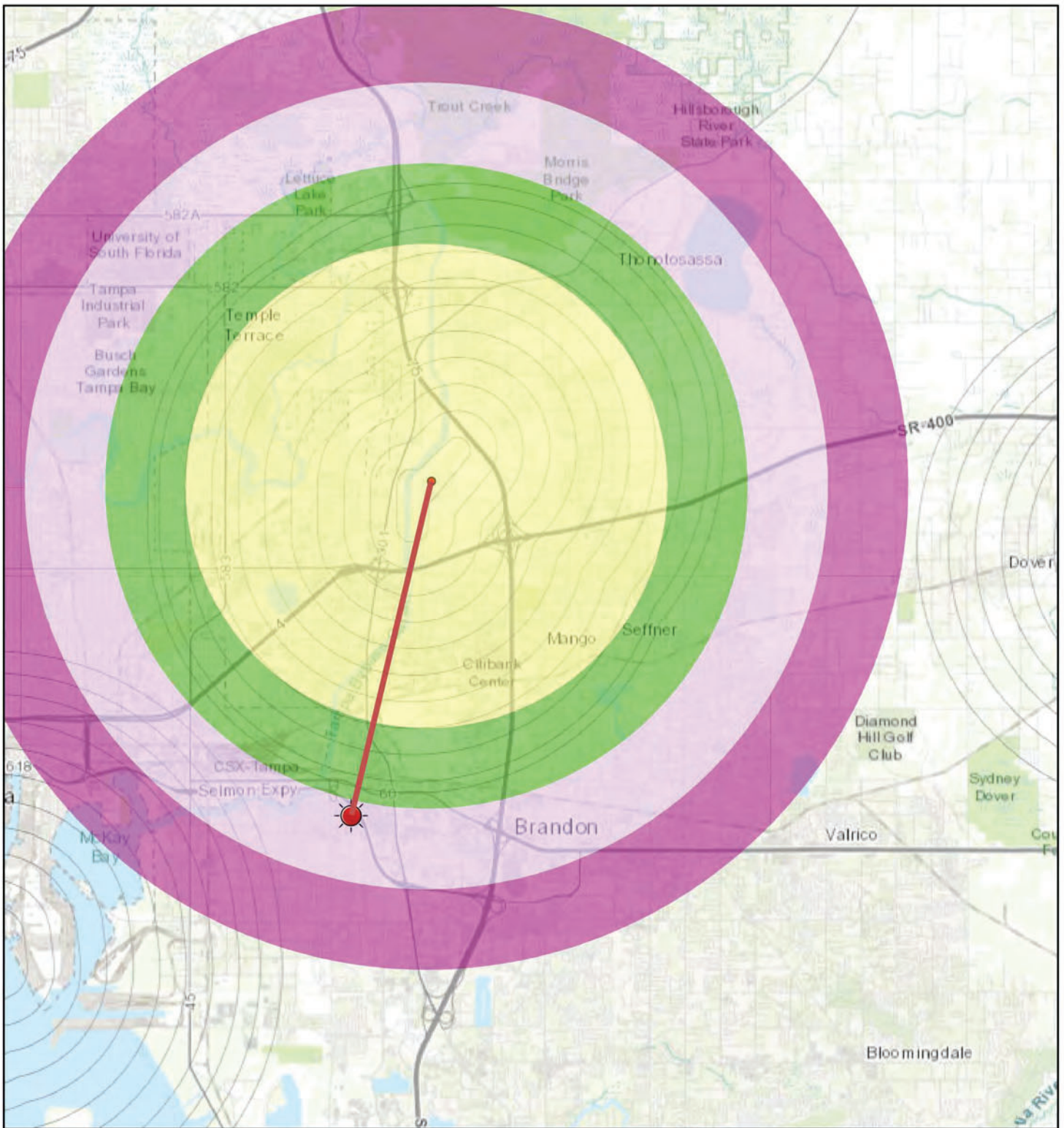
21724.71797 Down/Out

Down(+): 00 Over(+): 00

Down = (-) down RW (+) outward

Over = (-) Left (+) Right

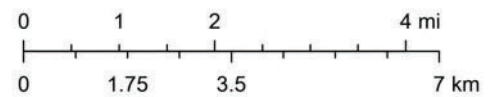
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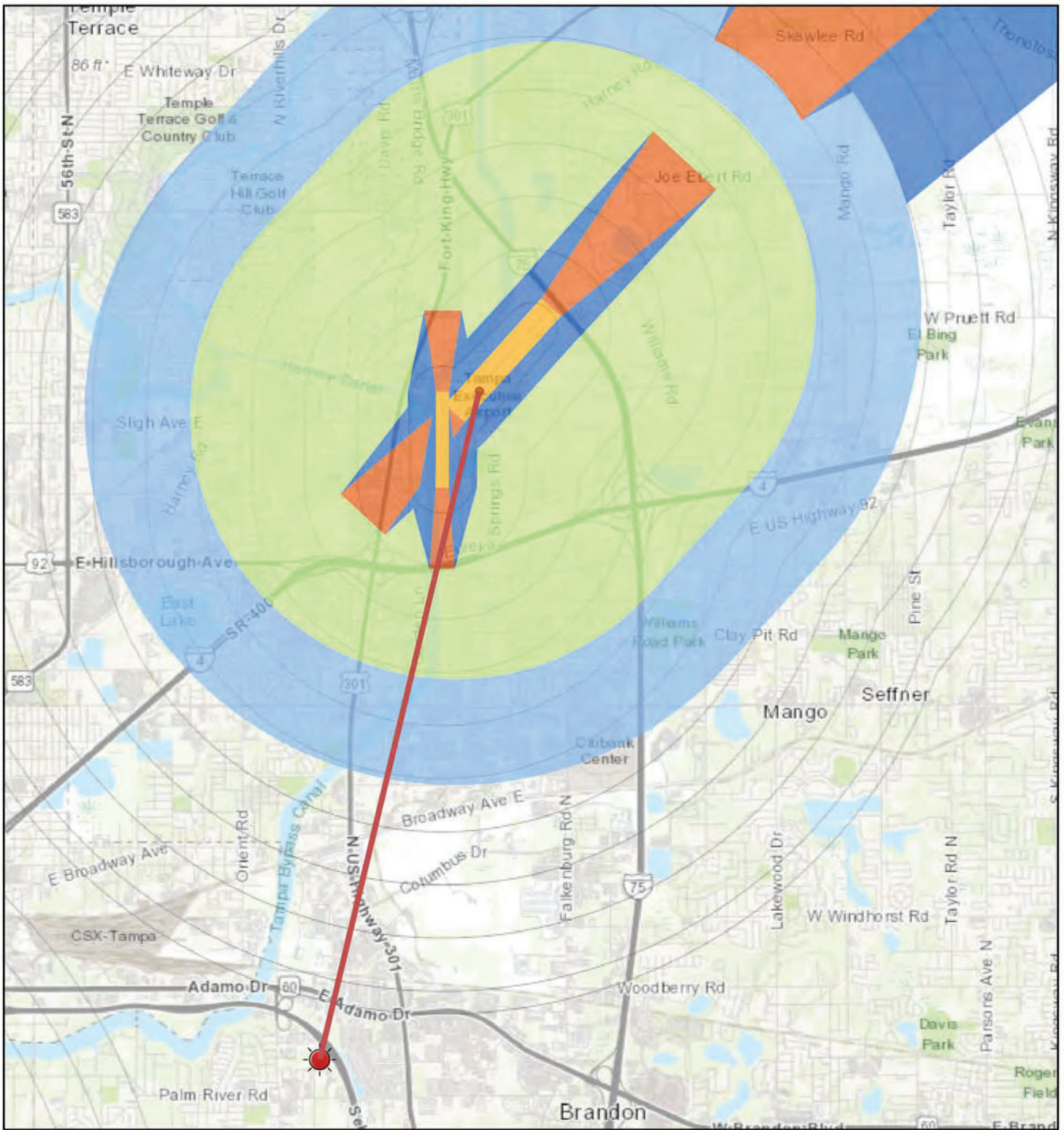
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-  Override 1
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- 200-22-3NM
- 300-22-4NM
- 400-22-5NM
- 500-22-6NM
- Airports - ARP
- TPA Height and Zoning
- TPA Height and Zoning
- TPA Height and Zoning



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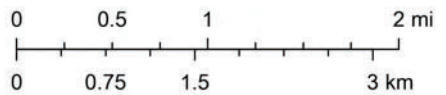
Part 77



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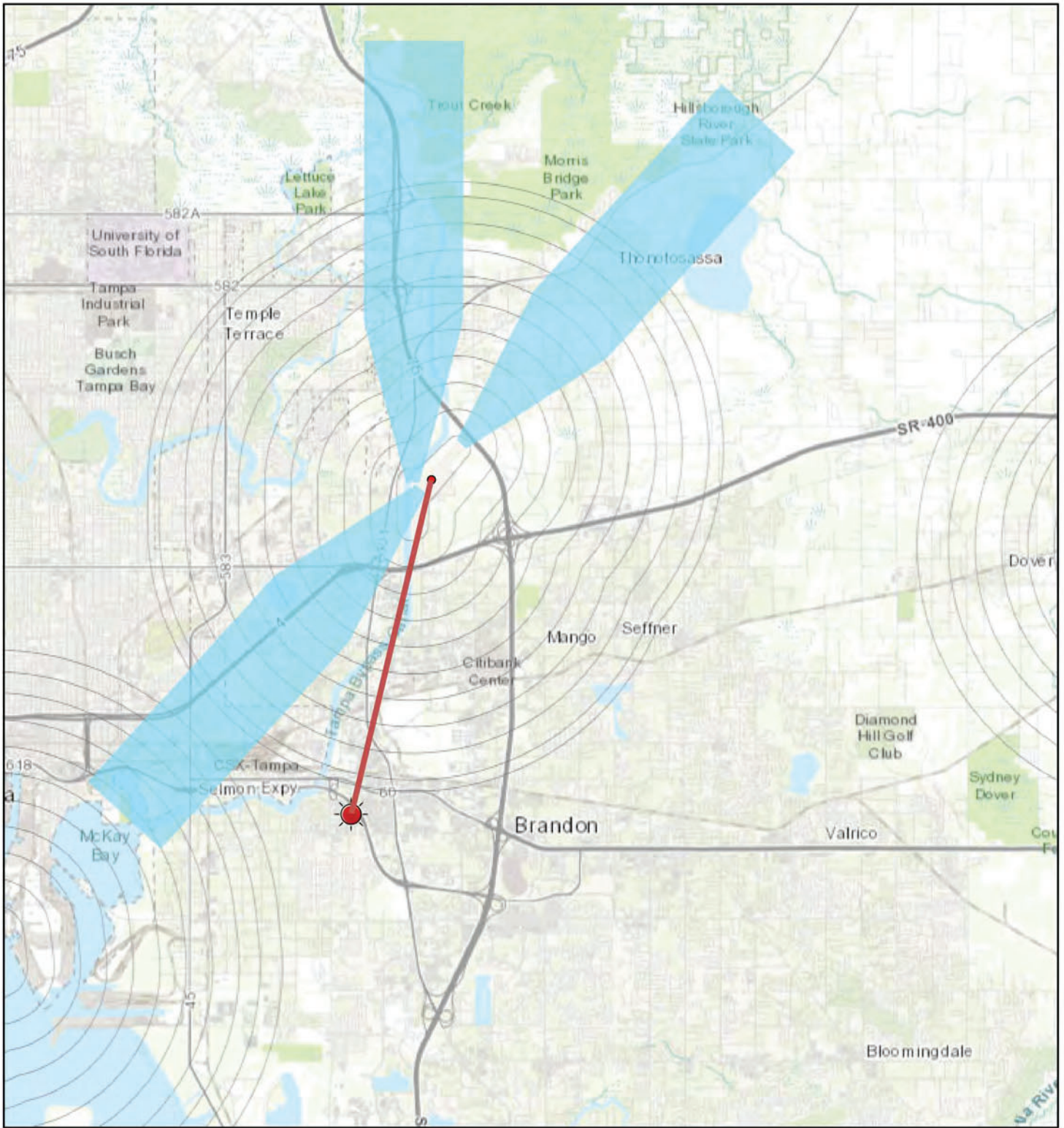
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- █ Override 1
- Override 1
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- █ VDF_18-36_P77_19_Primary
- █ VDF_18-36_P77_19_Primary_Trans
- █ VDF_18_P77_19_Inner_Appch
- █ VDF_18_P77_19_Inner_Trans_Appch
- █ VDF_23_P77_19_Inner_Appch
- █ VDF_23_P77_19_Inner_Trans_Appch
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- █ VDF_5_P77_19_Inner_Appch
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- █ VDF_23_P77_19_Outer_Trans_Appch
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- █ VDF_5-23_P77_19_Primary_Trans
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- █ VDF_5_P77_19_Inner_Trans_Appch
- █ VDF_P77_19_Conical
- █ VDF_P77_19_Horizontal_Plane
- Airports - ARP
- █ TPA Height and Zoning
- █ TPA Height and Zoning
- █ TPA Height and Zoning



University of South Florida, City of Tampa, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, NGA, EPA, USDA, Tony Mantegna

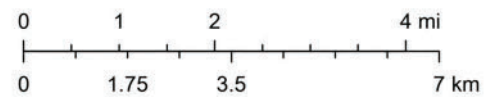
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- Override 1
- Override 1
- Airspace - VDF_DEP
- Airports - ARP
- TPA Height and Zoning
- TPA Height and Zoning
- TPA Height and Zoning



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Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2021-ASO-47052-OE

Issued Date: 04/11/2022

DAVE GEISLER
 PEAK POWER SERVICES
 7819 PROFESSIONAL PL
 TAMPA, FL 33637

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower Teco Relo
 Location: TAMPA, FL
 Latitude: 27-56-41.49N NAD 83
 Longitude: 82-21-50.19W
 Heights: 18 feet site elevation (SE)
 600 feet above ground level (AGL)
 618 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does exceed obstruction standards but would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, a med-dual system-Chapters 4,8(M-Dual),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 10/11/2023 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (404) 305-6462, or mike.blaich@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-ASO-47052-OE.

Signature Control No: 502346050-523130983

(EBO)

Michael Blaich
Specialist

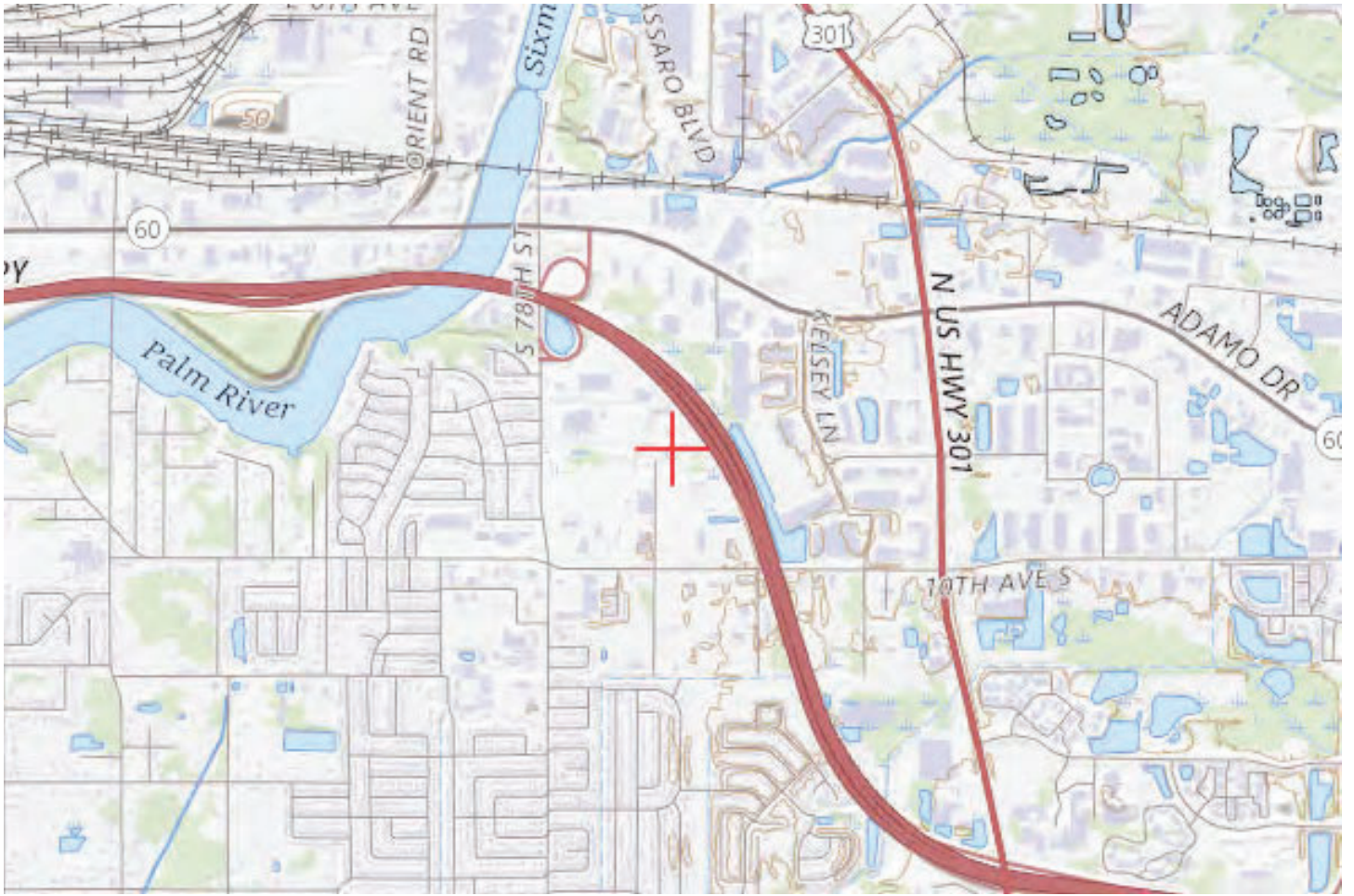
Attachment(s)
Additional Information
Frequency Data
Map(s)

cc: FCC

Replacement tower.

Frequency Data for ASN 2021-ASO-47052-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
5.735	5.835	GHz	4	W
153	158	MHz	100	W
854	860	MHz	210	W







ENGINEERS • SURVEYORS • SCIENTISTS • CONSTRUCTION MANAGERS

4041 Crescent Park Drive Tampa, FL 33578 (813) 740-2300 (813) 740-0158 Fax

1A CERTIFICATION OF LOCATION & ELEVATION

DATE: October 25, 2021

T-Mobile South LLC
Attn: Mrs. Jolene Ratliff
Tampa-Orlando
5901 Benjamin Center Dr., Suite 110 A-B
Tampa, Florida 33634

Site Ref.: 1-A SURVEY (Proposed Guyed Tower) Peak Power

**Site location: 820 S 78TH ST.
Tampa, FL. 33619**

T-Mobile Site # PEAK POWER

KCI JOB: 012104698

I certify that the latitude and the longitude shown hereon is accurate to within +/- 20' horizontally; and that ground elevation is accurate to within +/- 3' vertically. The horizontal datum (coordinates) is in terms of North American Datum of 1983 (NAD '83) and is expressed in degrees, minutes, and seconds to the nearest hundredth of a second. The vertical datum, (elevation) is in terms of the North American Vertical Datum of 1988 (N.A.V.D 88). Heights are referenced to the elevation at the center of the proposed TECO Tower, or Above Ground Level (A.G.L.)

Type of Tower: Proposed Guyed tower

Ground Elevation at Proposed tower: 17.8' (N.A.V.D 88 Datum) (+/-3')

NAD '83/2011

LATITUDE: 27° 56' 41.49"North (+/-20')

LONGITUDE: 082° 21' 50.19"West (+/-20')

Sincerely,
KCI Technologies

PAUL R. JACKSON, PSM
Florida Professional Surveyor & Mapper No. 6719



PEAK POWER SERVICES CROSS TOWN

820 S. 78TH ST.
TAMPA, FLORIDA 33619
(HILLSBOROUGH COUNTY)

PARCEL I.D.: U-24-29-19-663-400001-453060.0

THIS DRAWING IS THE PROPERTY OF THE SERVICE ENGINEER AND MAY NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE EXPRESS WRITTEN PERMISSION.



DRAWN BY: A. VASQUEZ
CHECKED BY: E. VASQUEZ
APPROVED BY: J. FENNELL

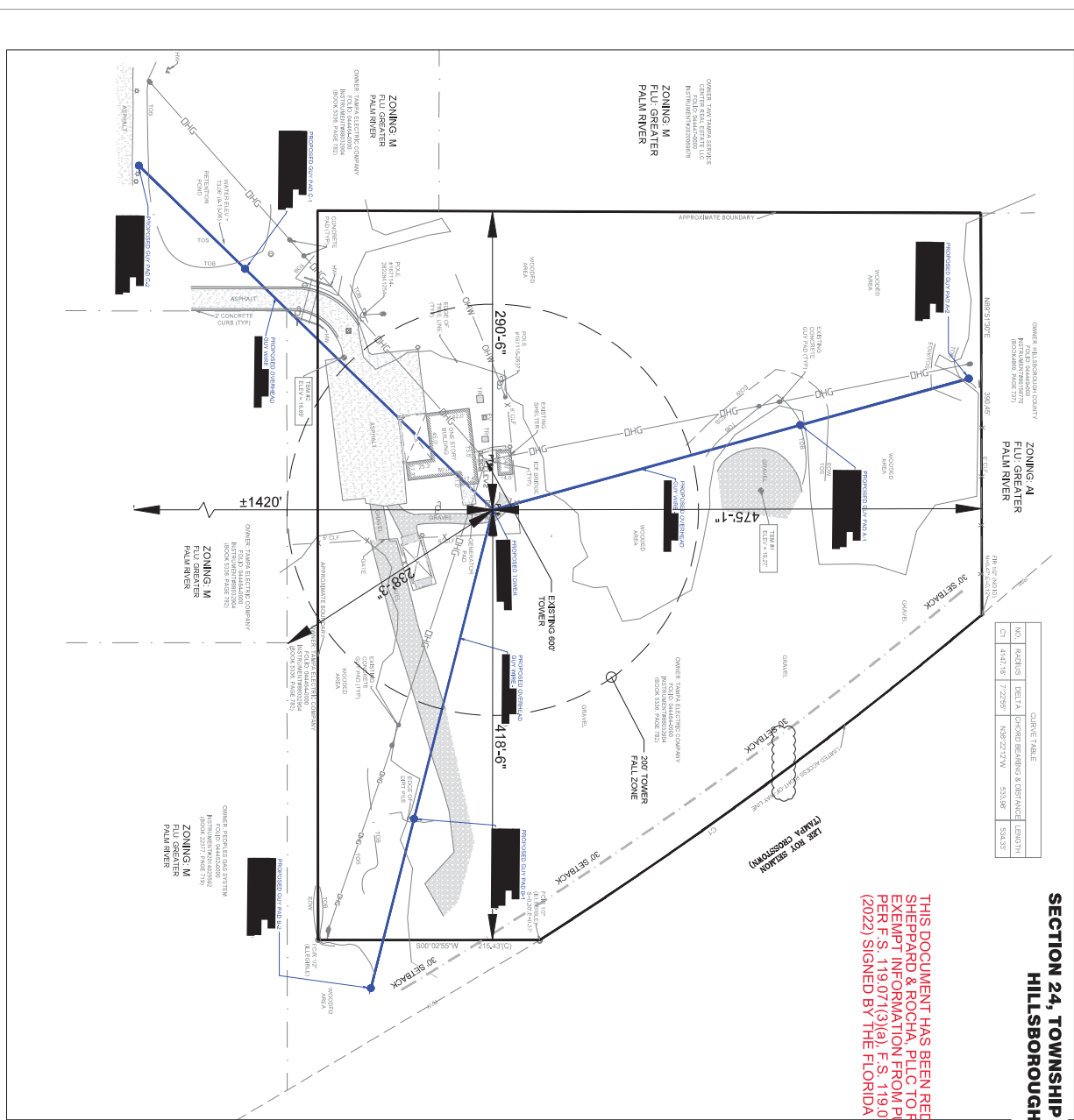
NO.	DATE	DESCRIPTION	BY
1	07/12/22	ISSUE FOR PERMIT	AV
2	07/12/22	REVISED PER COMMENTS	AV

THIS DOCUMENT HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY JAMES T. FENNELL ON 07/12/22 AT 09:14 AM. ACCORDANCE WITH F.A.C. CHAPTER 61G05, ARTICLE 05, CERTIFICATE ISSUED BY ENTICUST, INC., PLEASE REFER TO THE COVER SHEET TO VIEW THE SIGNATURE AND PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

SCALE: AS NOTED
DATE: 06/24/22
PROJECT NUMBER: 012104698A
SHEET TITLE: OVERALL SITE PLAN
SHEET: C-1

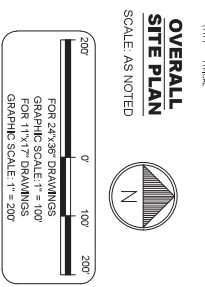
SECTION 24, TOWNSHIP 29 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA

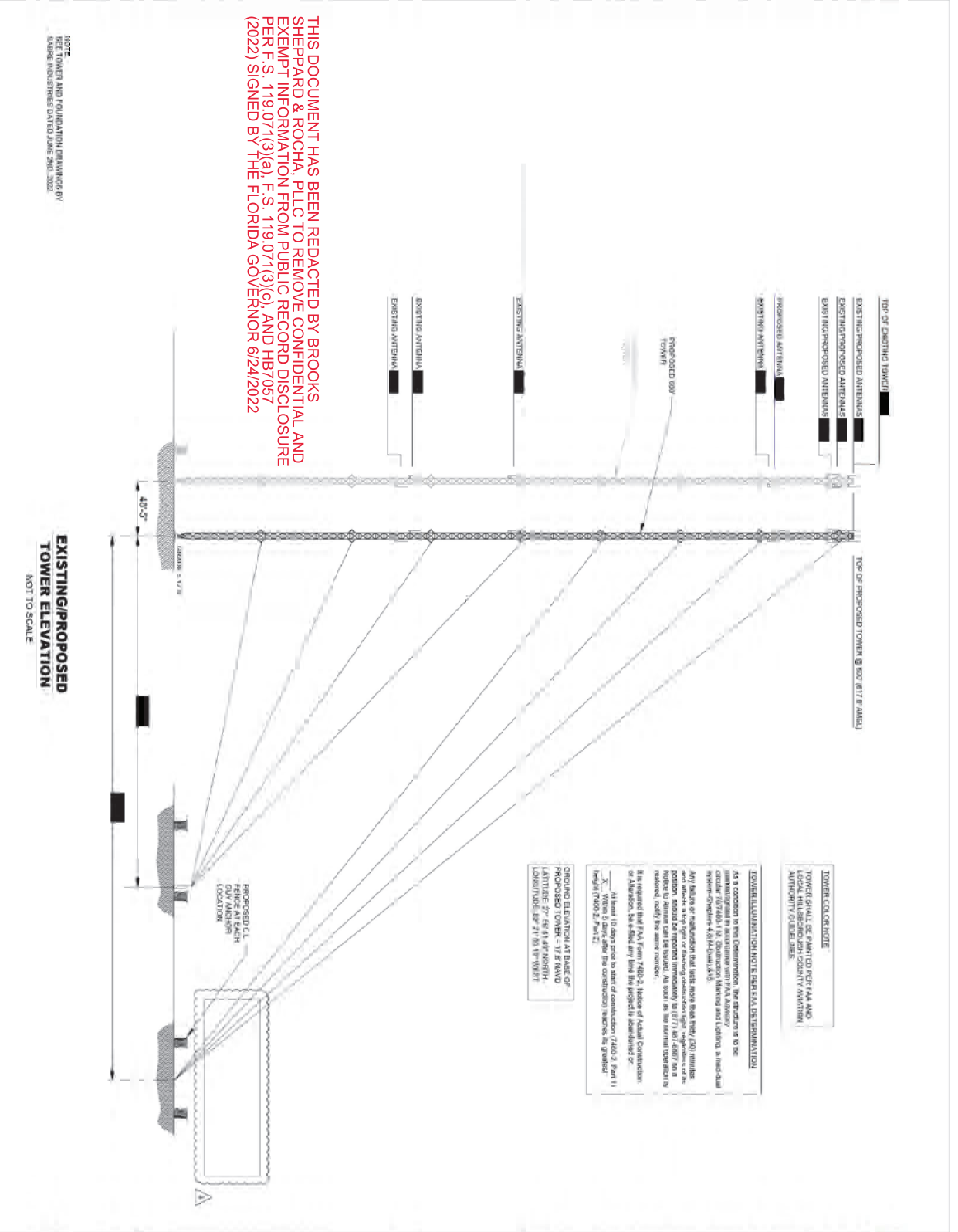
THIS DOCUMENT HAS BEEN REDACTED BY BROOKS SHEPARD & ROCHA, PLLC TO REMOVE CONFIDENTIAL AND EXEMPT INFORMATION FROM PUBLIC RECORD DISCLOSURE PER F.S. 119.07(1)(a), F.S. 119.07(1)(g), AND HB7057 (2022) SIGNED BY THE FLORIDA GOVERNOR 8/24/2022



OWNER: HILLSBOROUGH COUNTY
PROJECT: DELTA POWER BEARING & STRAINING
SHEET: 19-29-19-663-400001-453060.0

NO.	ACQUISITION	DELTA POWER BEARING & STRAINING	LENGTH
CT	4142.18'	72586'	531.86'
		108222.24'	531.86'
			544.37'





THIS DOCUMENT HAS BEEN REDACTED BY BROOKS SHEPPARD & ROCHA, PLLC TO REMOVE CONFIDENTIAL AND EXEMPT INFORMATION FROM PUBLIC RECORD DISCLOSURE PER F.S. 119.071(3)(a), F.S. 119.071(3)(c), AND HB7057 (2022) SIGNED BY THE FLORIDA GOVERNOR 6/24/2022

NOTE: SEE TOWER AND FOUNDATION DRAWINGS BY SAME INDUSTRIES DATED JUNE 2021, 2022.

TOWER COLOR NOTE:
TOWER SHALL BE PAINTED PER FAA AND LOCAL JURISDICTION (COLORS MAY VARY BY AUTHORITY GUIDELINES).

TOWER ELEVATION NOTE PER FAA DETERMINATION:
As a condition to this Determination, the structure is to be manufactured in accordance with FAA Advisory Circular 43-16, "Guidelines for Designing and Labeling a Non-Federal Structure" (https://www.faa.gov/regulations_policies/advisory_circulars/43-16).
Any labels or markings that are more than three (3) inches in height or width shall be painted in a color that is different from the color of the structure. Labels shall be placed in a location that is not immediately to the left or right of a structure's main entrance.
It is required that FAA Form 746-2, Notice of Actual Construction or Alteration, be filed any time the project is amended or altered.
X - At least 10 days prior to start of construction (unless as provided in paragraph 2.7(b)(12)).

GROUND ELEVATION AT BASE OF PROPOSED TOWER - 11.2' NAVD
LATITUDE: 27° 58' 41" NORTH
LONGITUDE: 81° 08' 17" WEST



PEAK POWER SERVICES CROSS TOWN

820 S. 78TH ST.
TAMPA, FLORIDA 33619
(HILLSBOROUGH COUNTY)

PARCEL I.D.: U-94-29-18-603-000001-53080.0

THIS DRAWING IS THE PROPERTY OF THE DESIGN ENGINEER AND MAY NOT BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION.

KCI
KCI TECHNOLOGIES, INC.
4041 CRESCENT PARK DRIVE
RIVERVIEW, FLORIDA 33578
(813) 746-5288

DRAWN BY: A. VASQUEZ
CHECKED BY: L. VASQUEZ
APPROVED BY: J. FENNELL

REVISIONS		
NO.	DATE	BY
1	01/12/22	SPR/SUBMITTAL
2	01/12/22	SPR/SUBMITTAL
3		
4		
5		

THIS DOCUMENT HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY JAMES T. FENNELL ON 06/24/22. THE DATE SHOWN ON THIS DOCUMENT IS THE DIGITAL SIGNATURE IN ACCORDANCE WITH F.S. 486.001(2)(a). THE DESIGN ENGINEER'S SIGNATURE AND SEAL ARE REQUIRED ON THE ORIGINAL COPY OF THIS DOCUMENT AND NOT CONSIDERED SIGNED AND SEALED AND THE DATE OF SIGNATURE MUST BE VERIFIED ON ANY ELECTRIFIC CODES.

SCALE: AS NOTED
DATE: 06/24/22
SHEET NUMBER: 012104698A
SHEET TITLE: TOWER ELEVATION
SHEET: C-3

C. BOARD OF ADJUSTMENT HEARING

Subject	2. Airport Study No. 2023-25, Tampa Electric Company, requesting a variance to replace an existing non-conforming antenna tower, at the maximum height of 618' AMSL, located at 820 South 78th Street, Tampa, FL, Resolution No. 2023-34
Meeting	May 4, 2023 - Aviation Authority Regular Board Meeting and Board of Adjustment Public Hearing
Access	Public
Type	Action

Background:

Tampa Electric Company (Petitioner) is seeking to replace an existing non-conforming antenna tower at the maximum height of 618' AMSL located at 820 South 78th Street, Tampa, FL. The nearest airport is Tampa Executive Airport.

Notice of this Hearing before the Board of Adjustment was provided on April 12, 2023.

Proposal:

Petitioner is requesting a variance to replace an existing non-conforming antenna tower.

Operational Impact:

The Petition was presented to the Airport Hearing Officer on March 31, 2023 and, based on testimony and evidence presented, the Hearing Officer found that approval of the variance, with required conditions, would have no adverse effect on existing FAA restrictions, would not cause additional impacts or loss of utility to Tampa Executive Airport, would not be contrary to the public interest, would avoid unnecessary hardship to the applicant's property, and would be in accordance with the spirit of the Airport Zoning Regulations and Chapter 333, Florida Statutes.

The FAA's aeronautical study found that the Petitioner's request would not be a hazard to air navigation provided certain conditions are met. Additionally, the FDOT did not identify any concerns with the request.

Funding:

N/A

Recommendation:

The Airport Hearing Officer recommends that the Board of Adjustment approve the variance to Airport Zoning Regulations requested by Petitioner with the following conditions: (1) Red Obstruction lighting required in accordance with the FAA Advisory Circular 70/7460-1M; (2) E-File FAA Form 7460-2 with the FAA if the project is abandoned or within five (5) days after the construction reaches its greatest height; (3) If frequency interference is identified to aviation operations the owner will mitigate the interference or remove the antenna; (4) Notify the Airport at least five (5) business days prior to starting construction at 813-870-7863 and provide Airport Study Number; (5) The Petitioner will be required to follow all conditions specified in the FAA Determination of No Hazard to remain in compliance; (6) Installation equipment (crane) exceeding 618' AMSL will require a separate permit by the Authority and equipment greater than 649' AMSL will not be approved; (7) Any glint or glare issues identified from the project must be mitigated by the Petitioner to the satisfaction of the Authority to avoid adverse impacts to aviation; (8) The Authority requires a survey of the construction to be completed and submitted to the Authority within five (5) days of construction reaching its greatest height; and (9) In the event that the proposed elevation is exceeded, the Petitioner acknowledges that it will remove any feature or portion of the structure exceeding the permitted elevations.

The variance will be valid until the FAA Determination of No Hazard to Air Navigation expires October 11, 2023, but if the FAA Determination of No Hazard is extended by the FAA for no more than 18 months, the variance will also be extended one time, without further action of the Board of Adjustment, provided that no changes in the proposed structure have occurred.

The Board of Adjustment may render its decision based on the findings and recommendations of the Hearing Officer. However, the Board of Adjustment may, but is not required to, review the record of the Hearing Officer's public hearing.

Resolution:

Resolution No. 2023-34 approves and authorizes a variance for Airport Study No. 2023-25, Tampa Electric Company, requesting a variance to replace an existing non-conforming antenna tower at the maximum height of 618' AMSL located at 820 South 78th Street, Tampa, FL; and authorizes the Airport Zoning Director or designee to execute all other ancillary documents.



**Hillsborough
County Florida**
Development Services

Additional / Revised Information Sheet

Office Use Only		
Application Number: <u>SU 23-0145</u>	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 23-0145 Applicant's Name: Tampa Electric

Reviewing Planner's Name: Tim Lampkin Date: 03/28/2023

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): 05/22/2023

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@hcflgov.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@hcflgov.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

03/28/2023
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 23-0145

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	<input type="checkbox"/> Cover Letter** If adding or removing land from the project site, the final list of folios must be included
2	<input type="checkbox"/> Revised Application Form**
3	<input type="checkbox"/> Copy of Current Deed* Must be provided for any new folio(s) being added
4	<input type="checkbox"/> Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5	<input type="checkbox"/> Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6	<input type="checkbox"/> Property Information Sheet**
7	<input type="checkbox"/> Legal Description of the Subject Site**
8	<input type="checkbox"/> Close Proximity Property Owners List**
9	<input type="checkbox"/> Site Plan** All changes on the site plan must be listed in detail in the Cover Letter.
10	<input type="checkbox"/> Survey
11	<input type="checkbox"/> Wet Zone Survey
12	<input type="checkbox"/> General Development Plan
13	<input type="checkbox"/> Project Description/Written Statement
14	<input type="checkbox"/> Design Exception and Administrative Variance requests/approvals
15	<input type="checkbox"/> Variance Criteria Response
16	<input type="checkbox"/> Copy of Code Enforcement or Building Violation
17	<input type="checkbox"/> Transportation Analysis
18	<input type="checkbox"/> Sign-off form
19	<input checked="" type="checkbox"/> Other Documents (please describe): <div style="border: 1px solid black; padding: 5px; min-height: 60px;">Service Study Memo</div>

*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.



SUPPLEMENTAL INFORMATION

March 10, 2023

RE: SPECIAL USE 23-0145

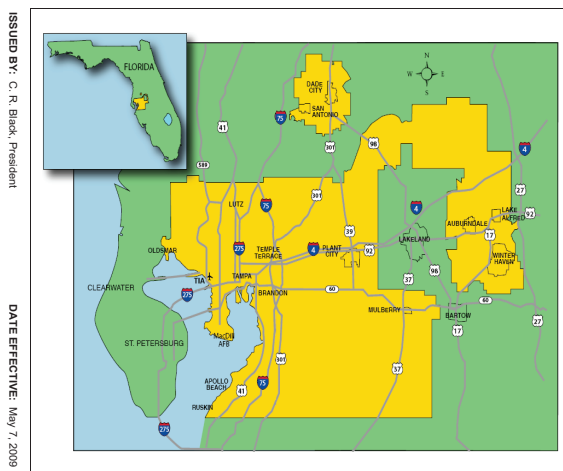
Tampa Electric Company (TEC) submits this supplemental information in support of the above referenced Special Use petition seeking approval for a 600-foot (AGL) guyed replacement tower at its 60+ acre operations center site located at 820 South 78th Street, Tampa, FL (aka “Eastern Operations Center”). Replacement of aging infrastructure is part an ongoing effort by TEC to maintain and enhance system resilience in the region consistent with national policies that encourage protection of critical infrastructure serving our community.¹

Section 6.11.79(H), Land Development Code (LDC) provides:

“H. With the exception of facilities for the transmission of radio and/or television signals, proposed facilities shall not be approved unless it can be documented by the applicant, to the satisfaction of the Administrator, the proposed wireless communications antennas (WCA) cannot be placed on an existing or approved wireless communications support structure (WCSS), on a public structure, or on some other appropriate structure. The documentation shall be submitted and reviewed in accordance with Section 6.11.29.E of this Code.” (Emphasis provided.)

In response to these criteria, TEC offers the following as to the location specific nature of the replacement tower, including its existing and future antennas, and the established tower height.

1. Replacement Tower is Location Specific



As a threshold issue, TEC is a “public utility” as defined by F.S. 336.02(1) (2021) and not a commercial enterprise operating within the ordinary scope of Section 6.11.79(H).

TEC’s geographic service area includes Hillsborough County, as well as portion of Pasco County and Polk County that are over thirty (30) miles away from the Eastern Operation Center. The existing radio tower is an essential component of the facility that provides TEC with the

¹ Based on best available information, the existing guyed tower appears to have been constructed roughly 40-years ago. The Federal Aviation Administration (“FAA”) issued a DETERMINATION OF NO HAZARD TO AIR NAVIGATION (Aeronautical Study No. 82-ASO-1714-OE) for the existing structure in a letter dated October 8, 1982. A copy of this determination is included with the application.



independent capability to communicate with other facilities in the service area, remotely monitor and control utility infrastructure, and communicate with employees. Most important, during black sky days, these essential capabilities are protected and secured within the Eastern Operation Center and unaffected by potential service interruptions that could occur to a third-party, off-site commercial communication tower and its support infrastructure. In short, the operation center and tower comprise and function as an integrated public service facility use— with each component dependent on the other and not capable of separation.

Even if the replacement tower were not confined to the Eastern Operations Center, a search of the FAA database demonstrates there are no existing or approved towers of equal height within a 1-mile radius. Moreover, the closest existing or approved tower of at least 600 feet AGL is more than 5-miles from the Eastern Operations Center. (See: 1987-ASO-1839-OE)

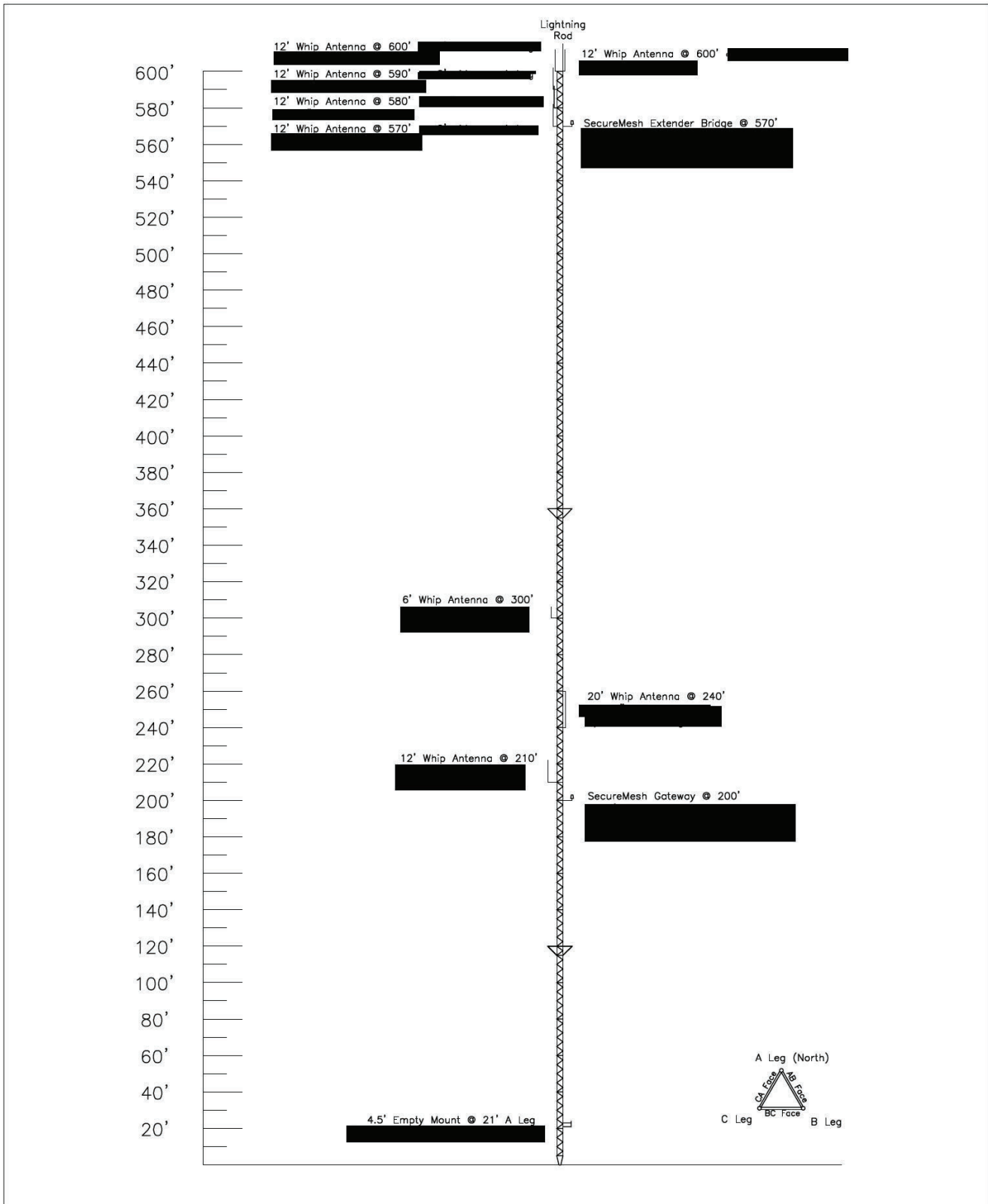
Federal Aviation Administration		Circle Search for Cases Results (Determined Status)							OE/AAA
Obstruction Evaluation Version 2022-NOV.5		Records 1 to 13 of 13							Page 1 of 1
Case Number	City	State	Latitude	Longitude	Site Elevation	Structure Height	Total Height		
1998-ASO-2998-OE	GIBSONTON	FL	27° 46' 33.10" N	82° 22' 09.33" W	42	420	462		
1996-ASO-1943-OE	GIBSONTON	FL	27° 46' 33.10" N	82° 22' 09.33" W	42	420	462		
1997-ASO-5946-OE	GIBSONTON	FL	27° 46' 33.10" N	82° 22' 09.33" W	42	420	462		
1999-ASO-327-OE	GIBSONTON	FL	27° 46' 31.85" N	82° 22' 07.82" W	41	420	461		
2022-ASO-16724-OE	Gibsonton	FL	27° 47' 32.00" N	82° 21' 26.00" W	21	181	202		
2018-ASO-21085-OE	Tampa	FL	27° 46' 13.62" N	82° 21' 50.99" W	39	80	119		
2018-ASO-16767-OE	Tampa	FL	27° 46' 12.52" N	82° 21' 48.63" W	38	80	118		
2018-ASO-16769-OE	Tampa	FL	27° 47' 01.63" N	82° 21' 34.65" W	37	80	117		
2018-ASO-21084-OE	Tampa	FL	27° 46' 13.62" N	82° 21' 50.99" W	39	55	94		
2018-ASO-16766-OE	Tampa	FL	27° 46' 12.52" N	82° 21' 48.63" W	38	55	93		
2018-ASO-16768-OE	Tampa	FL	27° 47' 01.63" N	82° 21' 34.65" W	37	55	92		
2019-ASO-13335-OE	Riverview	FL	27° 47' 30.56" N	82° 21' 57.47" W	34	35	69		
2019-ASO-13336-OE	Riverview	FL	27° 47' 30.60" N	82° 21' 58.59" W	34	30	64		

2. Replacement Tower Height Necessary

The Special Use petition is for a 600-foot (AGL) guyed replacement tower. TEC is the only user of the existing tower and currently utilizing the structure to its maximum height for a variety of antennas systems and arrays—including land mobile radio connecting TEC employees and wireless SCADA systems that communicate with remote features of the energy grid throughout the service area.

Attached as Exhibit A is a partially redacted profile of the existing tower depicting current antenna heights, which range from approximately 200 feet to 600 feet. These existing antennas will be transferred to the new replacement tower upon completion of construction; however, it is anticipated that additional antennas will be placed on the replacement tower over time.

EXHIBIT A



CROSTOWN TOWER (600' GUYED)

ENG: DMB
DWG: JLS

DATE: 08/17
REVISION: 06

SCALE:
NONE



TAMPA ELECTRIC COMPANY

CROSTOWN



23 March 2023

OMNICOM CONSULTING GROUP, INC.
TECHNICAL REVIEW REPORT
SPECIAL USE APPLICATION (SU 23-0145) FOR
Wireless Communications Support Structure
for
HILLSBOROUGH COUNTY
for
Tampa Electric (TECO)
600' GUYED TOWER

This report is in response to the Hillsborough County request to perform Consulting Services related to the Tampa Electric (TECO) application to construct a 600' guyed tower as a replacement to an existing 600' guyed tower located at 820 S. 78th Street Tampa, FL. TECO will build and own this tower and will use it for its own mission critical communications systems. 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 special 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 that would support TECO's mission critical communications system needs.

TECO currently has a 600' guyed tower at this location that supports multiple mission critical communication systems. This tower is proposed to replace the existing tower as it is at end of life. The proposed replacement tower will be constructed approximately 50' from the existing tower and it is assumed that the existing tower will be removed once the new tower is constructed, and all communication systems are successfully transitioned to the new tower.

Based on OCG's analysis there are no viable support structures in the area that would allow TECO to collocate and meet the needs of its mission critical communication systems in this area.

Submitted by:

A handwritten signature in black ink, appearing to read 'Chris Monzingo', written over a white background.

Christopher J. Monzingo, P.E., PMP
Senior Consultant



**Hillsborough
County Florida**
Development Services

Additional / Revised Information Sheet

Office Use Only		
Application Number: SU 23-0145	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 23-0145 Applicant's Name: Tampa Electric

Reviewing Planner's Name: Tim Lampkin Date: 05/02/2023

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): 05/22/2023

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@hcflgov.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@hcflgov.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

05/02/2023

Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

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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 23-0145

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):

HC Aviation Authority documents

*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.

May 2, 2023

ADDITIONAL INFORMATION

RE: SU 23-0145 (TECO – 78th Street Replacement Tower)

The Applicant hereby submits the following additional information in connection with the above referenced Petition:

1. Revised Site Plan, which depicts the following non-substantive changes:
 - Add Project Data Table
 - Revise Tower Site Data Table
 - Clarify existing property boundaries in relationship to parent parcel and tower site.
 - Clarify location of existing security fences
 - Correct Future Land Use designations
 - Include Sheet C-5, which contains location maps

2. The following documents related to Hillsborough County Aviation Authority permit and variance processes (Airport Study No. 2023-25):
 - Hearing Officer Recommendation on Variance Request (dated: April 6, 2023)

The Applicant's Permit and Variance Requests are scheduled to be heard by the Hillsborough County Aviation Authority / Board of Adjustment on May 4, 2023.

The Petition is currently scheduled to be heard by a Hillsborough County Hearing Officer on May 22, 2023. Please contact our office should any additional action be needed to include this additional information as part of the official record for the Petition.

HILLSBOROUGH COUNTY AVIATION AUTHORITY
BOARD OF ADJUSTMENT

IN THE MATTER OF:

Petition for Variance on behalf of

Airport Study No. 2023-25

TAMPA ELECTRIC COMPANY

RECOMMENDED ORDER

THIS MATTER was heard on March 31, 2023, by SCOTT I. STEADY, Hearing Officer for the Board of Adjustment of the Hillsborough County Aviation Authority, upon the Petition for Variance filed on behalf of Tampa Electric Company ("Petitioner").

At the hearing, the Hillsborough County Aviation Authority ("Authority") was represented by Michael Kamprath, Esquire and Jeff Siddle, Vice President of Planning and Development. The Authority presented testimony from Anthony Mantegna, Height Zoning and Land Use Manager. Testimony on behalf of Petitioner was presented by Michael Brooks and Jeffrey Ogden. Petitioner's application for the variance with supporting documents and PowerPoint slides concerning the proposed antenna tower was received in evidence. Based upon the testimony and evidence presented, the following Findings of Fact, Conclusions of Law, and Recommendations are entered:

FINDINGS OF FACT

1. In February, 2023, Petitioner filed a Petition for Variance requesting a variance to replace an existing non-conforming 618 foot AMSL antenna tower at 820 South 78th Street, Tampa, Florida with a new antenna tower at the same maximum height of 618 feet AMSL.
2. The nearest airport to Petitioner's proposed antenna tower is the Tampa Executive Airport, and it will be approximately 4.25 NM from the Airport.

3. Petitioner's proposed antenna tower requires a variance because it will exceed the Obstruction Standards for the Tampa Executive Airport requiring a variance of 272 feet.

4. Prior to filing this Petition, Petitioner received a Determination No Hazard to Air Navigation issued by the Federal Aviation Administration ("FAA") dated April 11, 2023, which found that the proposed antenna tower would not be a hazard to air navigation provided that: The structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, a med-dual system-Chapters 4, 8 (M-Dual) and 15. Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number. FAA Form 7460-2 is filed if the project is abandoned or within five (5) days after the construction reaches its greatest height.

5. The FAA's Determination of No Hazard to Air Navigation expires on October 11, 2023, unless extended, revised or construction has started.

6. Representatives of the Florida Department of Transportation were given an opportunity to review this variance application, and had no objections.

7. Authority staff has reviewed Petitioner's request for the variance and recommends approval, subject to conditions as stated below.

CONCLUSIONS OF LAW

8. The Hillsborough County Aviation Authority has established the Board of Adjustment and adopted Airport Zoning Regulations in accordance with Sections 333.03 and 333.09, Florida Statutes, and Section 6(2)(x) and (y) of Chapter 2022-252, Laws of Florida.

9. The Board of Adjustment has jurisdiction over this matter and the authority to consider requests for variances from Airport Zoning Regulations pursuant to Sections 7.04 and 7.06 of Airport Zoning Regulations adopted on April 5, 2022.

10. Section 3.08 of the Airport's Zoning Regulations sets forth the criteria for approval or disapproval of airport height zoning permits. In order to receive a permit, a proposed structure must conform to the height requirements of Section 3.05 and the standards in Section 3.06. Any permit application that does not meet the requirements of Section 3.05 and the standards set forth in Section 3.06 must file a Petition for Variance.

11. Section 7.06 of the Airport Zoning Regulations provides that a variance may be granted by the Board of Adjustment if the application of these Regulations to the Petitioner's property would create an unnecessary hardship; special conditions exist which are peculiar to the property; or, if relief will not cause substantial adverse effect on the utility of the Airport. A variance may be allowed subject to reasonable conditions that the Board of Adjustment may deem necessary to effectuate the purposes of the Airport Zoning Regulations and Chapter 333, Florida Statutes

12. The FAA has issued Determinations of No Hazard to Air Navigation, subject to recommended conditions. The Authority staff has recommended approval of a variance, with conditions.

13. The regulated height would not allow the tower to be built as proposed.

14. Based on the testimony and evidence presented, the Hearing Officer finds and concludes that:

a) The application of the applicable Airport Zoning Regulations to Petitioner's property/structure would create an unnecessary hardship.

b) Special conditions and circumstances exist which are peculiar to the property/structure which are not applicable to other similarly situated property/structures.

c) The variance as granted (subject to the conditions enumerated herein) will not cause substantial detriment to the public good, impair the purposes and intent of the Airport Zoning Regulations or have a substantial adverse effect on the utility of the Airport.

RECOMMENDATION

Based upon the foregoing Findings of Fact and Conclusions of Law, it is:

RECOMMENDED that the Board of Adjustment APPROVE the Variance requested by Petitioner with the following conditions:

- A. Red Obstruction lighting required in accordance with the FAA Advisory Circular 70/7460-1M.
- B. E-File FAA form 7460-2 with the FAA if the project is abandoned or within five (5) days after the construction reaches its greatest height.
- C. If frequency interference is identified to Aviation operations the owner will mitigate the interference or remove the antenna.
- D. Notify the Airport at least five (5) business days prior to starting construction at 813-870-7863 and provide Airport Study number.
- E. The Petitioner will be required to follow all conditions specified in the FAA Determination to remain in compliance.
- F. Installation equipment (Crane) exceeding 618' AMSL will require a separate permit by the Aviation Authority. Equipment greater than 649' AMSL will not be approved.

G. Any glint or glare issues identified from this project must be mitigated by the Petitioner to the satisfaction of the Aviation Authority to avoid adverse impacts to aviation.

H. The Aviation Authority requires a survey of the construction to be completed and submitted to the Aviation Authority within five (5) days of reaching its greatest height.

I. In the event that the proposed elevation is exceeded the Petitioner acknowledges that it will remove any feature or portion of the structure exceeding the permitted elevations.

DONE AND ENTERED on this 6 day of April, 2023, in Tampa, Hillsborough County, Florida.



SCOTT I. STEADY, Hearing Officer
Board of Adjustment
Hillsborough County Aviation Authority
Florida Bar No. 0614173
Burr & Forman LLP
201 N. Franklin Street, Suite 3200
Tampa, FL 33602
813/367-5719
ssteady@burr.com

23-0145
RCVD
5-4-23

Copies furnished via email to:

Michael Kamprath, Assistant General Counsel
Hillsborough County Aviation Authority
P.O. Box 22287
Tampa, FL 33622
mkamprath@TampaAirport.com

Michael Brooks
400 North Tamp Street, #1910
Tampa, FL 33602
mbrooks@bspfirm.com

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WRITTEN STATEMENT

**RE: SPECIAL USE
78TH STREET REPLACEMENT TOWER**

Tampa Electric Company (TEC) requests special use approval to replace a 600-foot (AGL) guyed tower at its 60+ acre operations center site located at 820 South 78th Street, Tampa, FL (aka "Eastern Operations Center"). Replacement of aging infrastructure is part an ongoing effort by TEC to maintain and enhance system resilience in the region consistent with national policies that encourage protection of critical infrastructure serving our community.¹

The special use request falls under Section 6.11.79, LDC, which governs Radio and Television Transmitting and Receiving Facilities. Following is an assessment of how the proposed replacement tower meets each of the criteria and standards set forth therein.

A. *Radio and Television Transmitting facilities that are concealed within a legally permitted structure and are not visible or discernable as a Radio and Television Transmitting facility shall be exempt from the requirements of this Section.*

RESPONSE: The replacement guyed tower will not be concealed within a structure.

B. *With the exception of Radio and Television Transmitting structures proposed to be located in the AM, AI, CI and M zoning districts, all Radio and Television Transmitting structures shall be camouflaged as defined by this Code ...*

RESPONSE: The replacement guyed tower will be located within the M zoning district; therefore, camouflage techniques are neither required nor proposed.

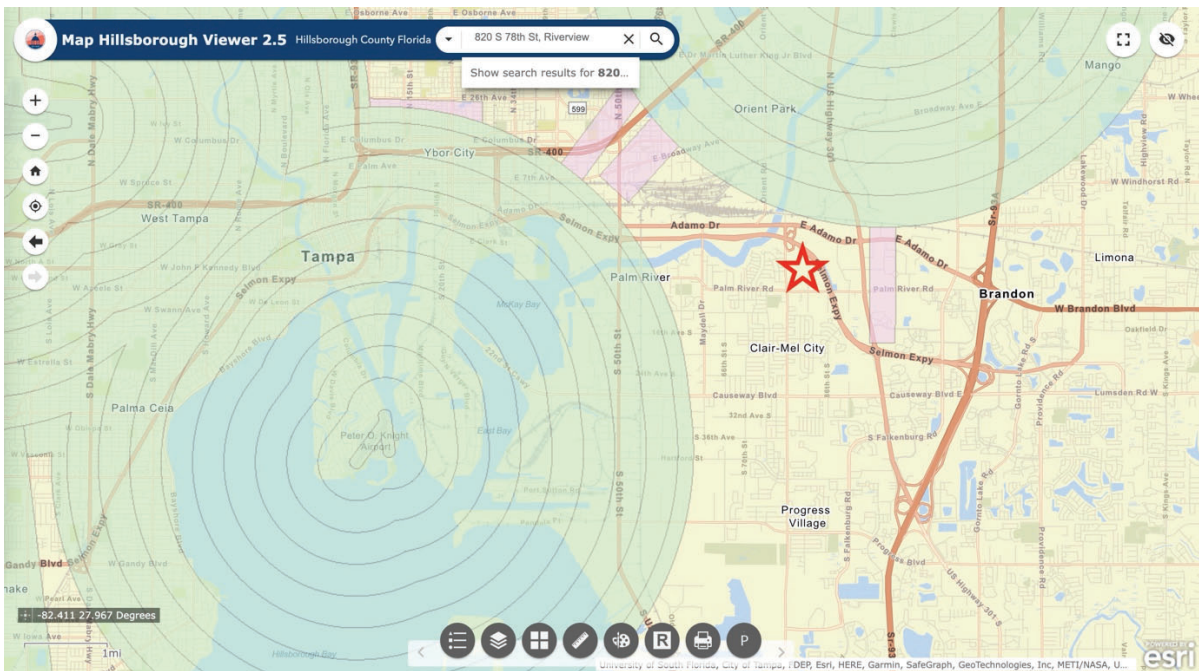
C. *The proposed structure shall not be located on property zoned SPI- AP, nor result in restriction or interference with air traffic or air travel to or from any existing or proposed airport. Applications shall include documentation showing the Hillsborough County Aviation Authority has reviewed the proposal as required by Airport Zoning Regulations (HCAA Resolution 2010-54, April 1, 2010, as revised) to determine if there is any potential impact on public airports in Hillsborough County. No structure shall be located in a manner or built to*

¹ Based on best available information, the existing guyed tower appears to have been constructed roughly 40-years ago. The Federal Aviation Administration ("FAA") issued a DETERMINATION OF NO HAZARD TO AIR NAVIGATION (Aeronautical Study No. 82-ASO-1714-OE) for the existing structure in a letter dated October 8, 1982. A copy of this determination is included with this application.

a height which constitutes a hazard to aviation or creates hazards to persons or property by reason of unusual exposure to aviation hazards.

RESPONSE: The FAA issued a DETERMINATION OF NO HAZARD TO AIR NAVIGATION (Aeronautical Study No. 2021-ASO-47052-OE) for the replacement tower in a letter dated April 11, 2022. A copy of this determination is included with this application.

Locally, the proposed tower is located outside the SPI- AP overlay district and within Zone B of the Airport Height Zoning Map. However, because the new structure exceeds 499 feet (AGL) [See § 77.17(a)(1), CFR], a permit and variance approval are needed from the Hillsborough County Aviation Authority [See §§ 3.06 and 7.06, Airport Zoning Regulations].



D. The proposed structure shall be consistent with the existing surrounding uses and compatible with the existing neighborhood development.

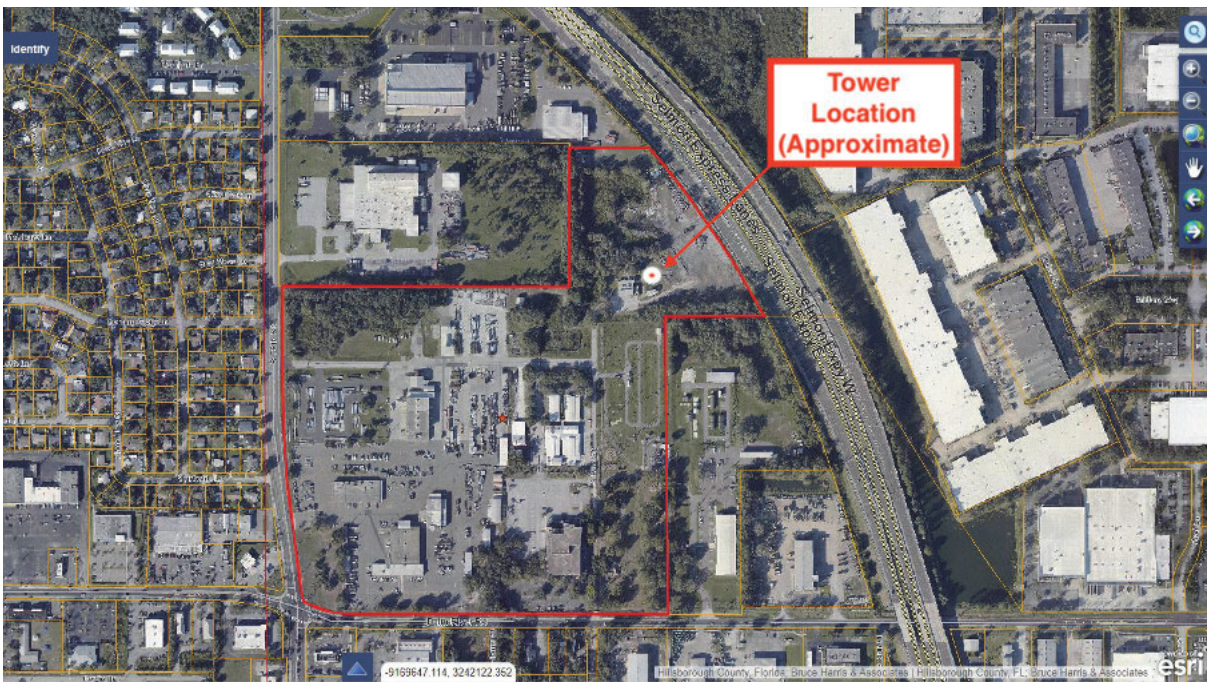
RESPONSE: The replacement guyed tower site is in the M zoning district and compatible with the interstate, government, manufacturing, and light industrial uses located in the general area. Moreover, any impacts from the replacement tower will be substantially like those of the existing structure.

E. The proposed structure shall be consistent with any adopted or projected development plan for the area.

RESPONSE: The replacement tower is located within the Greater Palm River Community Plan area, which recognizes existing industrial and similar uses on 78th Street north of Palm River Avenue. There has been no implementing overlay plan adopted for this area.

- F. *The proposed structure shall not be detrimental to the existing or proposed use of any neighboring property and shall not unreasonably restrict the free flow of light, sunlight and air to those properties.*

RESPONSE: The replacement guyed tower will not be detrimental to any of the interstate, government, manufacturing, and light industrial uses located in the general area. Moreover, any impacts will be substantially like those of the existing structure.



- G. *The proposed tower shall be setback from the zoning lot line one foot for every three feet of height of the tower, except that where adjacent to residentially developed property or residentially zoned property that is developable for residential use, the minimum setback from the property line abutting said residential property shall be 100 percent of structure height.*

RESPONSE: The replacement guyed tower will be setback from adjacent properties more than 200 feet (i.e., one third of the height) as demonstrated on the Overall Site Plan submitted with this application.

- H. *With the exception of facilities for the transmission of radio and/or television signals, proposed facilities shall not be approved unless it can be documented by the applicant, to the satisfaction*



of the Administrator, the proposed wireless communications antennas (WCA) cannot be placed on an existing or approved wireless communications support structure (WCSS), on a public structure, or on some other appropriate structure. The documentation shall be submitted and reviewed in accordance with Section 6.11.29.E of this Code.

As a threshold issue, TEC is a “public utility” as defined by F.S. 336.02(1) (2021) and not a commercial enterprise operating within the intended scope of this regulatory standard.

The existing (and proposed) replacement tower is an essential component of the Eastern Operation Center, which functions as a public service facility under the Hillsborough County LDC. The on-site tower provides TEC with the *independent* capability to communicate with other utility facilities within the service area, remotely monitor and control utility infrastructure, and communicate with employees. Most important, during black sky days, these essential capabilities are protected and secured within the Eastern Operation Center and unaffected by potential service interruptions that could occur to a third-party, off-site commercial communication tower and its support infrastructure. In short, the operation center and tower comprise and function as an integrated public service facility use—with each component dependent on the other and not capable of separation.

Given the essential nature of the proposed replacement tower, the following findings and considerations are offered. Moreover, TEC is agreeable to similar conditions of approval.

The replacement guyed tower will be an essential component of the public service facility operations, not a stand-alone principal use, which requires that it be located on the subject property to serve the special and unique needs of the facility. The tower will provide the facility with the independent capability to communicate with other company facilities, remotely monitor and control utility infrastructure and communicate with employees. Furthermore, during black sky days, these essential capabilities will be protected within the facility—inaccessible to the public—and unaffected by potential service interruptions that could occur to third-party off-site towers and support infrastructure. To ensure operation and use of the radio tower consistent with these special and unique needs, following is a list of agreeable conditions of approval should the Hearing Office determine them necessary:

- 1. The radio tower shall be used exclusively to support the operations of the public service facility and shall not be available to third party commercial uses and services unrelated to the operations of the public service facility.*
- 2. The radio tower shall be used only by a public utility, as that term is defined by Florida Statutes Section 366.02 (2021), or an equivalent public utility under future laws, or in furtherance of the operations of a public utility.*



3. *If the property ceases to be used as a public service facility by a public utility for a period exceeding one (1) year, the County may deem the radio tower as abandoned for purposes of this approval and require the removal or demolition of the radio tower.*
4. *Except for those matters expressly stated in these conditions of approval, the radio tower shall be constructed and operated consistent with Section 6.11.79, LDC.*
5. *If approved, the radio tower shall not be required to utilize camouflage techniques in connection with its design.*

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This Warranty Deed Made the 5th day of January A. D. 19 88 by

David B. Sheppard and Susan E. Sheppard, His Wife OFF. 5336 G 782
REC.
hereinafter called the grantor, to

Tampa Electric Company, a Florida Corporation
whose post office address is P. O. Box 111 ATTN: Corporate Tax Department
hereinafter called the grantee: Tampa, Florida 33601

(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 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 ATTACHED EXHIBIT "A"

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

Documentary Tax Pd. \$ 55
Intangible Tax Pd. \$ 0
Richard Ake, Clerk Hillsborough County
By: J. K. ... Deputy Clerk

1988 FEB 16 PM 4:17
88032904

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; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 19 87, easements and restrictions of record, if any.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

C. Joseph Norman
Linda D. Hisham

David B. Sheppard L.S.
Susan E. Sheppard L.S.

Return to:
Tampa Electric Company
Plant Management Dept.
Tampa, Florida 33601

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

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 David B. Sheppard and Susan E. Sheppard, His Wife

to me known to be the person S described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 5th day of January

A. D. 19 88

C. Joseph Norman

Notary Public

Notary Public, State of Florida at Large
My Commission Expires Jan. 22, 1989

My commission expires:

A parcel of land lying in Tract 2, SOUTH TAMPA as recorded in Plat Book 6, Page 3 of the Public Records of Hillsborough County, Florida in the Southwest one-quarter of Section 24, Township 29 South, Range 19 East, Hillsborough County, Florida explicitly described as follows:

Commence at the Southwest corner of said Tract 2 for a POINT OF BEGINNING; thence on the West boundary thereof, N 00°01'08" W, a distance of 639.58 feet to the Northwest corner of said Tract 2; thence on the North boundary of said Tract 2, N 89°58'05" E, a distance of 324.18 feet; thence departing said North boundary, S 00°03'49" W, a distance of 640.88 feet to a point on the South boundary of said Tract 2; thence on said South boundary N 89°48'05" W, a distance of 323.26 feet, to the POINT OF BEGINNING.

Containing 4.76 acres of land, more or less.

Less and Except

That part of Tract 2 in the Southwest 1/4 of Section 24, Township 29 South, Range 19 East, according to map of SOUTH TAMPA as recorded in Plat Book 6, on Page 3 of the Public Records of Hillsborough County, Florida, described as follows: Beginning at an iron rod on the West line of said Tract 2 420 feet North 0 degrees 5 minutes West of the Southwest corner of said Tract 2, run thence due East 319.96 feet, more or less, to the East line of the West one-half of Tract 2, thence North 220.5 feet, more or less, to an iron rod in the Northeast corner of the West one-half of said Tract 2, thence due West 319.82 feet more or less to the Northwest corner of said Tract 2, thence South 220 feet to the point of beginning.

AND

Begin at an iron rod North 0 degrees 05 minutes, West 210 feet from the Southwest corner of Tract 2, thence due East 320.10 feet to an iron rod thence North 0 degrees 07 minutes West 210.0 feet to an iron rod, thence due West 319.96 to an iron rod, thence South 0 degrees 5 minutes East 210.0 feet to beginning. Said Tract 2 being of South Tampa Subdivision, Map 11-A as per map or plat thereof as recorded in Plat Book 6, on Page 3 of the Public Records of County, Hillsborough Florida. The above lot being located in Section 24, Township 29 South, Range 19 East, Hillsborough County, Florida.

AND

Begin at a concrete monument at Southwest corner of Tract 2; thence due East 320.24 feet to an iron rod; thence 0 degrees 07 minutes West 210.0 feet to an iron rod thence due West 320.10 feet to an iron rod; thence South 0 degrees 05 minutes East 210 feet to the beginning. Said Tract 2 being of South Tampa Subdivision, Map 11-A as per map or plat thereof, as recorded in Plat Book 6, Page 3 of the Public Records of Hillsborough County, Florida. The above lot being located in Section 24, Township 29 South, Range 19 East, Hillsborough County, Florida.



Received
02/02/2023
Development Services

SPECIAL USE (GENERAL)

IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

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

Property Information

Address: 820 S 78TH ST City/State/Zip: Tampa, FL 33619 TWN-RN-SEC: 24/29/19
Folio(s): 044464-0000 Zoning: M Future Land Use: LI-P Property Size: 63.1

Property Owner Information

Name: TAMPA ELECTRIC CO Daytime Phone: 813-228-4139
Address: ATT: Kristen T. Mora PO BOX 111 City/State/Zip: TAMPA, FL 33601-0111
Email: kmmora@tecoenergy.com FAX Number: _____

Applicant Information

Name: TAMPA ELECTRIC CO Daytime Phone: 813-228-4139
Address: ATT: Kristen T. Mora PO BOX 111 City/State/Zip: TAMPA, FL 33601-0111
Email: kmmora@tecoenergy.com FAX Number: _____

Applicant's Representative (if different than above)

Name: Michael Brooks c/o Brooks, Sheppard, and Rocha, PLLC Daytime Phone: 813-543-5900
Address: 400 N Tampa Street, Suite 1910 City / State/Zip: Tampa, FL33602
Email: mbrooks@bsrfirm.com FAX Number: 813-543-5901

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.

Signature of Applicant

Michael Brooks, Authorized Representative

Type or Print Name

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.

Signature of Property Owner

Type or Print Name

Intake Staff Signature: Ana Lizardo Office Use Only Intake Date: 02/02/2023
Case Number: 23-0145 Public Hearing Date: 05/22/2023 Receipt Number: _____
Type of Application: SU-RFF

Development Services, 601 E Kennedy Blvd. 19th Floor

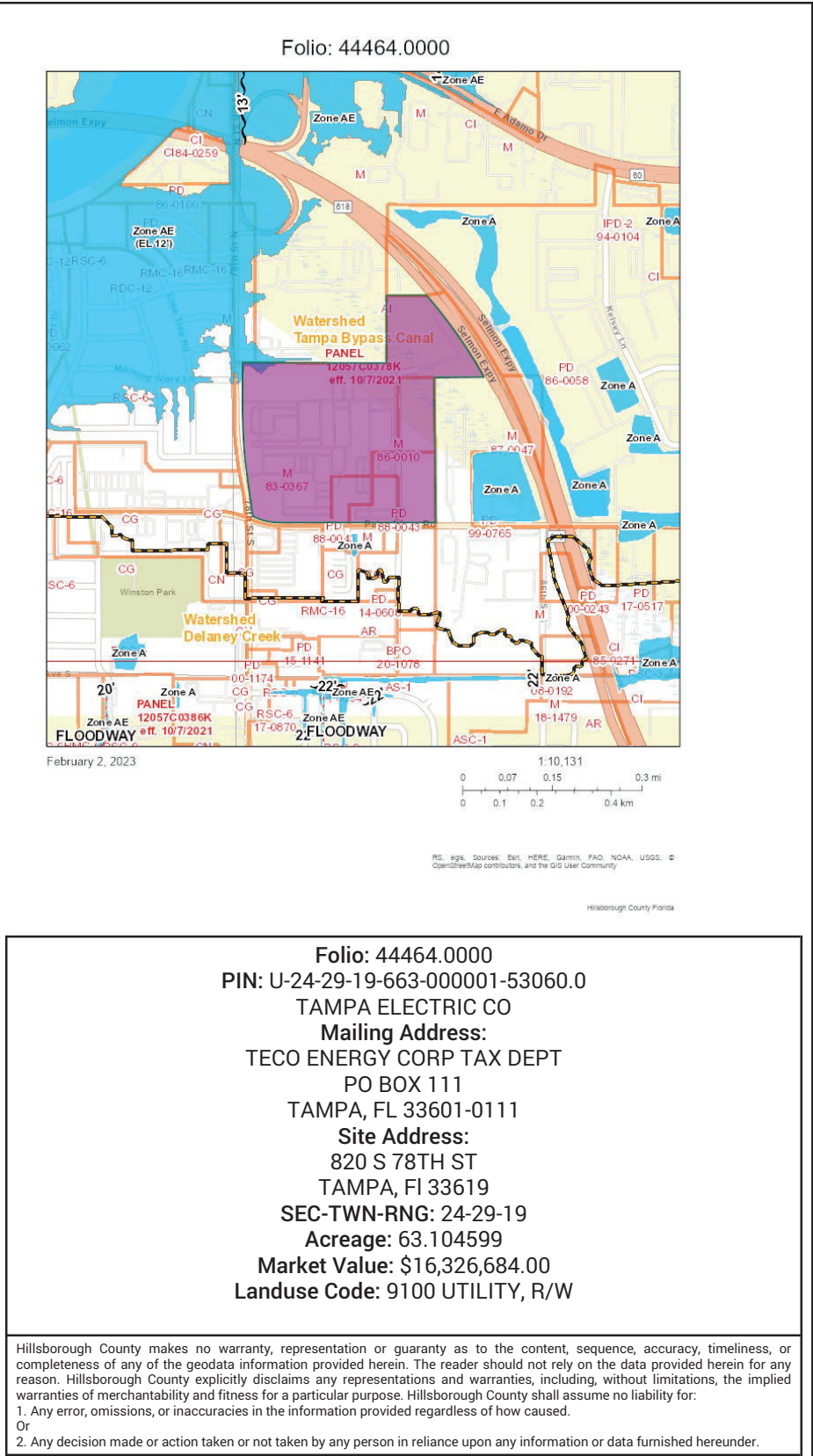
Revised 07/02/2014

23-0145



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Commercial/Office/Industr
Zoning	M
Description	Manufacturing
RZ	86-0010
Zoning Category	Commercial/Office/Industr
Zoning	M
Description	Manufacturing
RZ	83-0367
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	88-0043
Zoning Category	Commercial/Office/Industr
Zoning	M
Description	Manufacturing
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0378J
FIRM Panel	12057C0378J
Suffix	J
Effective Date	Fri Sep 27 2013
Pre 2008 Flood Zone	X
Pre 2008 Flood Zone	X500
Pre 2008 Firm Panel	1201120378E
County Wide Planning Area	Greater Palm River
Community Base Planning Area	Greater Palm River
Planned Development	PD
Re-zoning	null
Census Data	Tract: 013503 Block: 2002
Future Landuse	LI-P
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 8
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



23-0145