Special Use Application: SU-CFW 23-0750

LUHO Meeting Date: October 23, 2023

Case Reviewer: Tim Lampkin, AICP



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Tillman Infrastructure

Zoning: Parent Parcel: AR, Flag Area Only: AS-1, ASC-1

FLU Category: RES-4

Service Area: Urban

Site Acreage: Overall: +/-6.95 acres

Community Plan Area: Riverview / Southshore Systems

Overlay: None

Special District: None

Request: Special Use Permit for a Wireless

Communication Facility

Location: 11233 McMullen Road, Riverview; 76872.0010



Request Details:

Pursuant to Land Development Code Section 6.11.29, the request is for a Special Use Permit for a proposed Wireless Communications Facility with a 155-foot-high antenna tower with tree-type camouflage that will be located at 11233 McMullen Road, approximately 1,300 feet south/southwest of the intersection of Arbor Meade Avenue and McMullen Road.

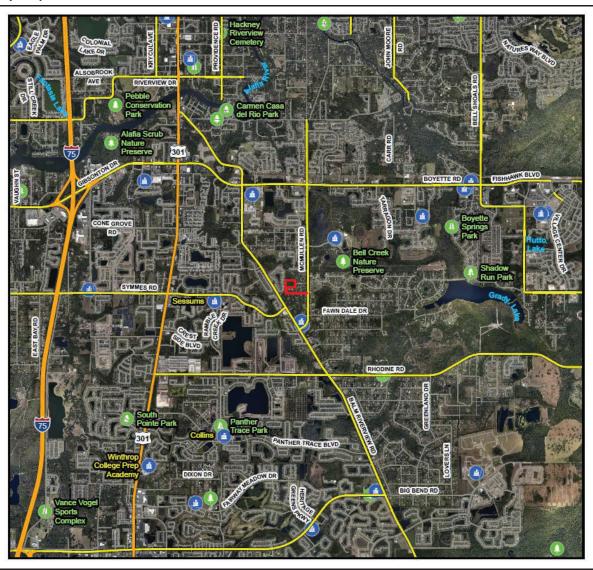
Tower Setbacks:	Required Setbacks	Proposed Tower Setbacks	100% Tower Height Setback Required
North	155 feet	157 feet	Yes
South	155 feet	290 feet	Yes
East	155 feet	434 feet	Yes
West	155 feet	161 feet	Yes

Proposed Tower Height and Camouflaging: 155-foot monopine tower (tree-type camouflage). Additional Information: Waiver(s) to the Land Development Code Variances(s) to the Land Development Code Yes Section 6.03.01(c) Minimum Easement Access Width requires a two-way driveway access. Pursuant to Section 6.02.01.B.5.C(2) requires an easement 30 feet in width serving 2 or more dwellings.

Planning Commission Recommendation:	Development Services Recommendation:
Consistent	Not Supportable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



Context of Surrounding Area:

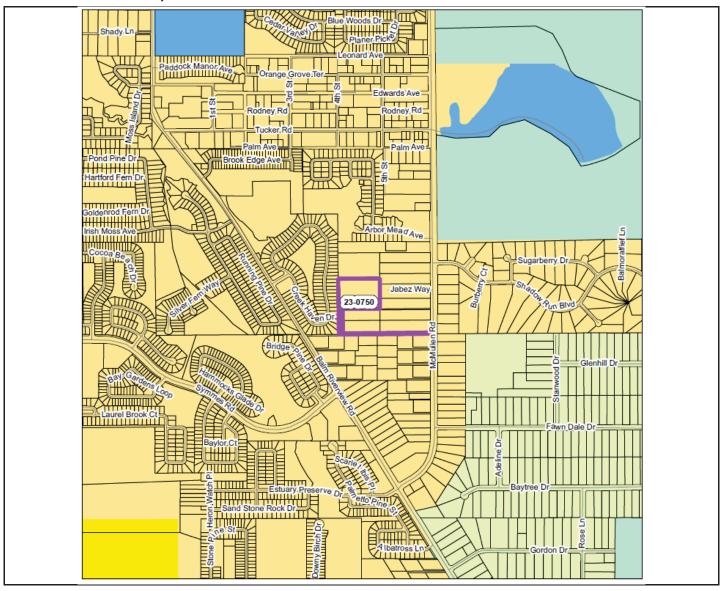
The site is located within the Urban Service Area and is located within the Riverview and Southshore Systems Area community plan. Nearby uses include single-family residential Planned Development, mobile homes and mobile home parks, single-family residential and agricultural.

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2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map



Subject Site Future Land Use Category:	RES-4
Maximum Density/F.A.R.:	Max. Density: 4 du/acre Max. FAR: 0.25
Typical Uses:	Typical uses include residential, suburban commercial, offices, multi- purpose.

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2.0 LAND USE MAP SET AND SUMMARY DATA

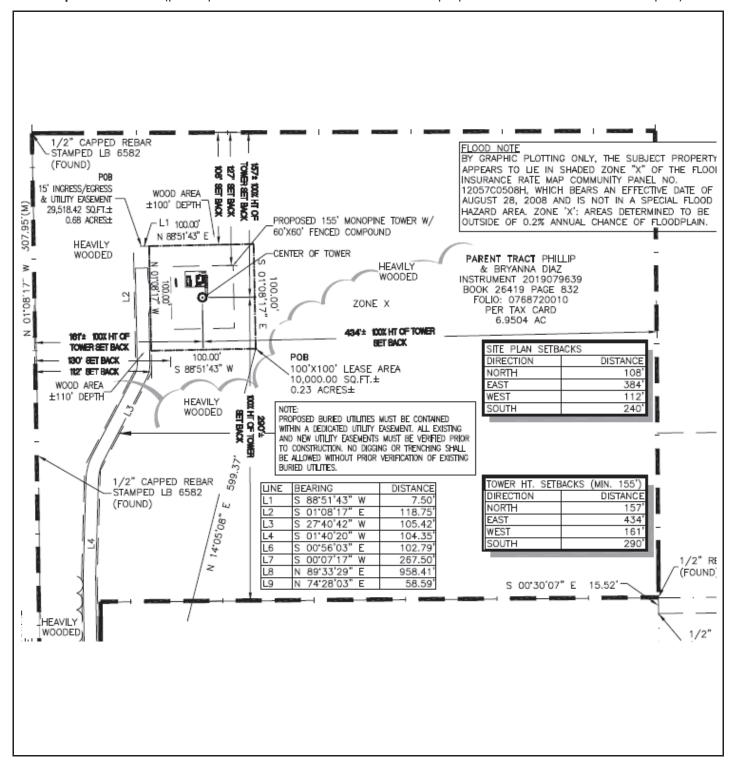
2.3 Immediate Area Map



Adjacent Zonings and Uses					
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:	
North	AR	1 du/ 5 acre	Agricultural Rural	Single Family MH	
South	AS-1/ASC-1	1 du/acre	Agricultural, Single-Family	Single Family Residential	
East	AR	1 du/5 acre	Agricultural Rural	MH / MH Park /Single Family Residential	
West	PD 03-0410	Max. 130 SF residences with min. lot size of 7,000 sf at east boundary.	Single-family	Single-family Residential	

2.0 LAND USE MAP SET AND SUMMARY DATA

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



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3.0 REQUESTED WAIVERS TO LDC SECTION 6.11.29	
Requested Waiver: NONE REQUESTED	Result
•	
Justification:	
Requested Waiver: NONE REQUESTED	Result
Justification:	

4.0 REQUESTED VARIANCES (IF APPLICABLE)			
LDC Section:	LDC Requirement:	Variance:	Result:
Section 6.03.01(c)	When an easement is used for access, a minimum width of a two-way driveway is required. As that width is not specifically dictated, staff refers to LDC Sec. 6.02.01.B.5.C(2).	To allow a 15-foot- wide access easement for a two- way driveway	15-foot-wide access easement serving 2 lots and communication facility**
Section 6.02.01.B.5.C (2)	30-foot-wide access easement width to serve 2-3 dwellings.	15-feet	15-foot-wide access easement serving 2 dwellings/lots and communication facility**

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

**See Transportation Report for complete review of proposed variances.

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5.0 OUTSIDE EXPERT REVIEW

The applicant has submitted documentation indicating the need for the facility at a height of 155 feet for the desired coverage area and capacity needs, and that no other existing facilities are available for co-location. Pursuant to LDC Section 6.11.29.E, an outside expert has reviewed the support material submitted by the applicant. The consultant indicated in their report that there are no viable tower structures, public structures or other appropriate support structures in the area that would allow AT&T to collocate and meet the needs of its network in this area. The consultant also reviewed and analyzed the report and coverage maps provided by AT&T and is in agreement with the applicant's findings.

6.0 COLLOCATION LETTERS

Per LDC Section 6.11.29.G, a letter of intent committing the antenna tower to shared use for co-location has been submitted. Notice to other potential users was sent on June 1, 2023.

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7.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
McMullen Rd.	County Collector - Rural	2 Lanes ⊠ Substandard Road ⊠ Sufficient ROW Width	☐ Corridor Preservation Plan ☐ Site Access Improvements ☐ Substandard Road Improvements ☐ Other

Project Trip Generation ☐ Not applicable for this request				
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips	
Existing	19	1	2	
Proposed	21	2	3	
Difference (+/-)	(+) 2	(+) 1	(+) 1	

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

Connectivity and Cross Access Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South		None	None	Meets LDC
East	Х	Vehicular & Pedestrian	None	Does Not Meet LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance ⊠ Not applicable for this request			
Road Name/Nature of Request Type Finding			
	Choose an item.	Choose an item.	
	Choose an item.	Choose an item.	
Notes:			

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8.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	⊠ Yes □ No	□ Yes ⊠ No	☐ Yes ⊠ No	
Natural Resources	☐ Yes ⊠ No	☐ Yes ☑ No	☐ Yes ⊠ No	
Conservation & Environ. Lands Mgmt.	☐ Yes ☐ No	☐ Yes ⊠ No	☐ Yes ⊠ No	
Check if Applicable: ☐ Wetlands/Other Surface Waters ☐ Use of Environmentally Sensitive Land Credit ☐ Wellhead Protection Area ☐ Surface Water Resource Protection Area	 ☑ Potable Water Wellfield Protection Area ☐ Significant Wildlife Habitat ☐ Coastal High Hazard Area ☐ Urban/Suburban/Rural Scenic Corridor ☐ Adjacent to ELAPP property ☐ Other 			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation ☐ Design Exc./Adm. Variance Requested ☐ Off-site Improvements Provided	⊠ Yes □ No	⊠ Yes □ No	□ Yes ⊠ No	Conditions are only provided by staff when an application meets applicable standards and is recommended for approval.
Service Area/ Water & Wastewater ⊠Urban ☐ City of Tampa ☐Rural ☐ City of Temple Terrace	☐ Yes ⊠ No	□ Yes ⊠ No	□ Yes ⊠ No	
Hillsborough County School Board Adequate □ K-5 □6-8 □9-12 ⊠N/A Inadequate □ K-5 □6-8 □9-12 ⊠N/A	□ Yes ⊠ No	☐ Yes ☐ No	□ Yes ⊠ No	
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission ☐ Meets Locational Criteria ☑ N/A ☐ Locational Criteria Waiver Requested ☐ Minimum Density Met ☑ N/A	⊠ Yes □ No	☐ Inconsistent ☑ Consistent	□ Yes ⊠ No	

9.0 IMPLEMENTATION RECOMMENDATIONS

9.1 Compatibility/Staff Findings

The proposed tower compound project is located on the northwestern portion of the subject property. According to the applicant's narrative the subject folio was recently developed with a single-family home. Pursuant to LDC Section 6.11.29.D.1, a wireless communications facility may be located on a zoning lot containing other principal uses.

Pursuant to Land Development Code Section 11.03.03, lots, tracts or parcels existing prior to July 26, 1989, shall be deemed pre-existing and may be certified as legally nonconforming by the Administrator. Staff has compared the legal description of the current property deed recorded February 22, 2019, (Instrument No. 2019079639) with the legal description per the 1998 Hillsborough County Tax Roll and finds that both legal descriptions describe the same parcel.

Per LDC Section 6.11.29.D.3.b.2, new wireless communication support structures shall be reviewed as a Special Use if the proposed tower is 100 to 200 feet in height and located within 250 feet of property zoned ASC-1, AS-1, RSC, RMC, RDC and residential Planned Development (PD) zoning districts. The proposed tower is 155 feet in height and will be located approximately 161 feet east from property zoned for a residential PD (03-0410); therefore, the request requires a Special Use review for the proposed tower.

The subject wireless communication facility exceeds the minimum setback requirements found in LDC Section 6.11.29.D.2, which require proposed antenna towers to meet the setbacks for principal structures required by the property's zoning, except where the facility will be located on property that is adjacent to residentially zoned or developed property in which case a minimum setback of 100 percent of tower height is required from those abutting property lines.

The table contained in Section 6.11.29.D.3.b.4 identifies the zoning districts in which specific camouflage structure types are presumed compatible. Within the AR zoning district, tree-type camouflage is presumed a compatible camouflage structure type. The proposed tower is camouflaged with tree-type camouflaging in accordance with this requirement.

The proposed communications facility meets Land Development Code requirements, and the applicant has not sought any waivers to the regulations contained in LDC Section 6.11.29. The applicant does not request any variances to Land Development Code Parts 6.06.00 (Landscaping/Buffering). The applicant is required to have a 20 ft. buffer with Type "B" screening adjacent to the tower compound. However, the site is heavily wooded, and the applicant proposes to allow the use of existing vegetation in lieu of required screening pursuant to Land Development Code Section 6.06.06.C.12, which permits an applicant to submit an alternative screening plan at the time of site and development review. The alternative plan shall afford screening, in terms of height, opacity and separation, equivalent to or exceeding that provided by the above requirements. Additionally, the applicant has agreed to provide a minimum 6-foot-tall opaque fence to visually screen the tower compound on all sides, which has been reflected in the applicant's proposed conditions of approval.

The surrounding area is a mixture of agricultural, single family residential and mobile home developments. Adjacent properties to the north, south and east contain single family residential, mobile homes, and a mobile home park. The proposed tower and compound are located within a heavily wooded area, proposed with tree-type camouflage, and exceed the 155-foot tower height setback in all directions to minimize any potential impacts to surrounding properties.

Pursuant to LDC Sec. 6.11.29.J, the applicant submitted documentation showing the Federal 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 Federal Aviation Authority (FAA) provided that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following

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condition(s), if any, is(are) met: Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

Transportation staff indicated objection to the proposed communication facility subject pursuant to the 15-foot-wide access variance request. Pursuant to LDC Sec. 6.02.01.B.5.c.(2), Transportation staff finds that the width of an easement serving two or three homes shall be a minimum width of 30 feet. Given that the access does not meet minimum standards to accommodate two homes, staff cannot support further addition of trips (regardless of how infrequent they may be) which could create safety and/or operational problems when traffic is unable to pass. As such, Transportation staff cannot support this request.

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

Staff has received no objections from other reviewing agencies. While Staff finds the proposed wireless communication facility compliant with LDC Section 6.11.29 and find the location to be compatible with surrounding land uses, given Transportation staff objections to the substandard access width and variance requests, staff cannot find the proposed communication facility supportable.

9.2 Recommendation

Based on the above, staff finds the proposed communication facility not supportable due to Transportation's objection and findings that the substandard access is not adequate.

Exhibits:

Exhibit 1: Area Zoning Map

Exhibit 2: Immediate Zoning Map

Exhibit 3: Future Land Use Map

10.0 PROPOSED CONDITIONS

N/A. Not Supported.

Zoning Administrator Sign Off:

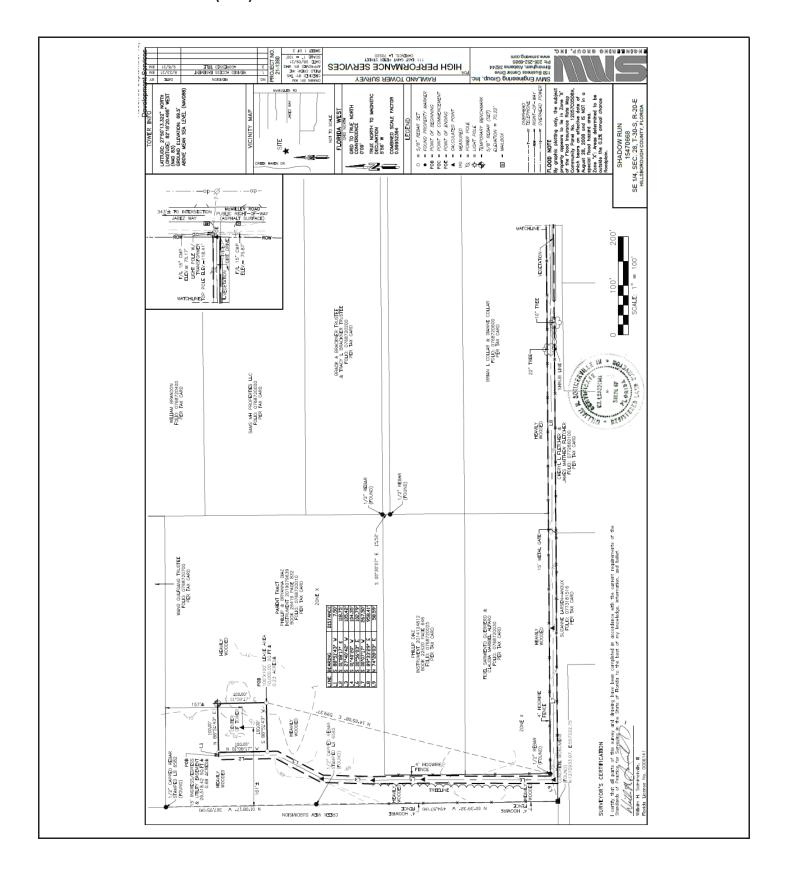
Colleen Marshall Fri Oct 13 2023 14:07:23

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

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

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11.0 PROPOSED SITE PLAN (FULL)



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12.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoi	TO: Zoning Technician, Development Services Department DATE: 10/12/2023		
REVIE	WER: James Ratliff, AICP, PTP, Principal Planne	AGENCY/DEPT: Transportation	
PLANNING AREA/SECTOR: RV/ Central		PETITION NO: SU 23-0750	
	This agency has no comments.		
	This agency has no objection.		
	This agency has no objection, subject to the listed or attac	hed conditions.	
X	X This agency objects for the reasons set forth below.		

RATIONALE FOR OBJECTION

- 1. The project is seeking approval for a 155 ft. high monopole communications tower on a +/- 6.95 legal non-conforming lot of record (i.e. folio 76872.0010, hereafter referred to as the "Subject Site").
- 2. A single-family residential dwelling was recently constructed on the Subject Site. Transportation Review Section staff reached out to the right-of-way permitting section staff to obtain a copy of the permit which authorized access to the public roadway system for that home. Permit ROW27220 indicates that access to the home was authorized via the flag portion of the Subject Site, which is 15 feet in width. The distance between the primary portions of the lot and McMullen Rd. (i.e. the point west of the flag where the lot becomes wider) within which the home takes its legal access is +/- 1,300 feet in length.
- 3. A single parcel subdividing as a flag lot under today's standards would require a 20-foot-wide flag with a distance of no more than 1,000 feet (reference Hillsborough County Land Development Code [LDC] Sec. 6.02.01.B.4.).
- 4. As shown in aerial photography, the Subject Site currently provides access to the recently construct home within the Subject Site, as well as a mobile home located on adjacent folio 76872.0030, hereafter referred to as the Adjacent Parcel. The applicant's representative indicated on a phone call that they were unaware of whether or not there was an easement which provided access to the Adjacent Parcel through the Subject Site. Regardless, aerials show access being utilized through the subject parcel and there is no clear alternative means of access for the parcel (meaning that in absence of another legal means of access that property owner could potentially petition the courts to grant an easement through the Subject Site, for example via the common-law and statutory easement rights provided in Florida Statutes Sec. 704.01).
- 5. Given the above, staff finds that the flag portion of the Subject Site provides access to two parcels. The applicant is also proposing an easement through the Subject Site to the tower. Pursuant to LDC Sec. 6.02.01.B.5.c.(2), the width of an easement serving two or three homes shall be a minimum width of 30 feet.

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6. LDC Sec. 6.03.01.C. (regarding access regulations during the site development process), states that "When an easement is used for access, a minimum easement width of 50 feet for a roadway access or, for driveways, the minimum width of a two-way driveway is required." A commercial only driveway would be permitted to develop a 24-foot-wide driveway with additional room needed to accommodate sidewalks on one or both sides of the facility. Given that the applicant is proposing a new easement, and that this driveway is proposed to support both the residential dwellings on the Subject Site and Adjacent Properties as well as the proposed tower, staff finds that the appropriate standard to apply is the 30-foot minimum standard pursuant to Sec. 6.02.01.B.5.c.(2).

- 7. Staff notes that new development/easements serving single-family residential uses have been limited to up to three homes on the easement pursuant to Sec. 6.02.01.B.5.c., which specifies the easement serves either one dwelling unit, or two or three dwelling units. Additional residential (or non-residential) uses have not been permitted to share such easements, given this language.
- 8. While both the Subject Site and Adjacent Parcel are legal non-conforming lots with the right to obtain a minimal beneficial use of the project (i.e. development of a single dwelling unit on each lot), the addition of any other uses (including the proposed tower) triggers requirements for compliance with current LDC requirements. The granting of the legal non-conforming status on the Subject Site does not confer unlimited rights to development on the subject parcel where such additional development cannot meet applicable LDC standards).
- 9. The applicant engaged in email correspondence with staff from Hillsborough County Fire Rescue, who indicated that "...a 15-foot-wide access is sufficient for the cellular tower. We will not impose a 20-foot roadway". This email only speaks to Fire Rescue's position regarding the acceptability of the site to meet minimum Fire Rescue standards. Staff notes that the applicant's email indicates that Fire Rescue's previous position had been that the "...Fire Marshall's office would be supportive of the tower development with only a 15' access easement with a 12' stabilized drive" and that Fire Rescue was "...fine with that given that that the proposed structure is unmanned and that traffic would only be essentially one way." It is unclear whether Fire Rescue was presented with the fact that two homes take access through this area, and that the flag must accommodate two-way traffic (not one-way traffic as was indicated in the email). Regardless, neither the Fire Marshall nor Fire Rescue staff are authorized to make decisions that affect all aspects of acceptable road and driveway standards, nor is their typical function one which evaluates roadway design from aspects of general traffic flow, roadway/driveway safety, etc. (which is a function of the County Engineer and the Transportation and Site Engineering staffs which operate under his supervision).
- 10. County staff notes that while the Fire Rescue email *may* be sufficient to demonstrate compliance with Sec. 6.02.01.B.5.d.(1) which states that easements "Shall provide for sufficient ingress and egress for fire trucks, ambulances, police cars and emergency vehicles", neither that email nor the applicant has addressed how the applicant has satisfied the Sec. 6.03.01.C. requirement that the "When an easement is used for access, a minimum easement width...for driveways...of a *two-way driveway* is required." [emphasis added]
- 11. Staff consulted with the County Engineer, who agreed that the application cannot be supported, despite the relatively low trip generation of the proposed use. Staff notes that regular two-way traffic cannot be accommodated on a 15-foot-wide facility, which may be bordered on either side by fences, trees or other obstructions which further reduces the amount of space available to facilitate the passing of vehicles. This problem is further exacerbated by the sheer length of the access (over ½ mile in total) with no means to accommodate a legal turnaround.

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12. With respect to the applicant's responses to the variance criteria, staff notes the following:

a. With respect to Criteria 1, the applicant states "The need for the variance arises from the unique flag lot configuration of the subject property." Staff notes that there is at least one other property in the immediate vicinity, folio 76872.0025, with a similar configuration. Staff notes there are other legal non-conforming properties with varying non-conforming characteristics across the County which would similarly be required to follow the same development rules in the event they were similarly situated. As such, the hardship is not unique and singular to this property.

- b. With respect to Criteria 2, staff finds the applicant's response is non-responsive to the criteria. The criteria requires the applicant to state how "...the literal requirements of the...LDC...would derive..." the applicant "...of rights commonly enjoyed by other properties in the same district and under the terms of the LDC." The applicant stated "Failure to approve the variance would deprive the property of the ability to develop accessory uses other than just the SFR, unlike other properties in the area that have greater ROW frontage." The applicant failed to consider that there is no right for further development of the subject property when the parcel cannot meet minimum acceptable standards and requirements. As such, this is not a right being deprived to the applicant, rather the minimums standards represent a "term of the LDC" which must be fulfilled by the applicant before it has the right to develop the proposed use.
- c. With respect to Criteria 3, staff notes that single family residential units typically generate on average +/-10 trips per day each. Regardless of the frequency of the traffic to and from the proposed tower, in staff's opinion this conflict represents an unacceptable risk to the safety and operational efficiency of the facility. Furthermore, staff finds that even if a conflict doesn't occur every day (or even every month), such conflict could deprive the Subject Site or Adjacent Property of safe and efficiency access to their properties.
- d. With respect to Criteria 4, staff notes that the applicant has not addressed how this variance is in harmony with Secs. 1.02.02 and 1.02.03 of the LDC, which states in part that standards, regulations and procedures are intended to provide a development review process which fosters and preserves "...public health, safety, comfort and welfare..."
- e. With respect to Criteria 5, staff notes that the applicant has failed to address how the situation is not the result of a "self-imposed hardship". The applicant is not required to construct a tower on the facility, and no variance would be necessary if that applicant did not seek to construct a tower on the property.
- f. With respect to Criteria 6, staff notes that the applicant has failed to provide a response which considered "both the public benefits intended to by secured by the LDC..." (i.e. a minimally compliant driveway connection) as well as the "...individual hardships that will be suffered..." Rather, staff notes the applicant states why a tower is needed generally (and the benefit to the community which would be provided) but failed to describe why other nearby parcels which can meet minimums standards cannot be pursued instead.
- 13. Given that the access does not meet minimum standards to accommodate two homes, staff cannot support further addition of trips (regardless of how infrequent they may be) which could create safety and/or operational problems when traffic is unable to pass. Additionally, staff believes that the applicant has failed to meet its burden under one or more variance criteria, as noted above. As such, staff recommends denial of this request.

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PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a Special Use (SU) approval on a \pm -6.95 ac. parcel, zoned Agricultural Rural (AR). The site is occupied by a single-family detached dwelling unit. The applicant is seeking SU approval for a 155 ft. high monopole communications tower on the property.

Consistent with the Development Review Procedures Manual (DRPM), the applicant was not required to submit a trip generation and site access letter for the proposed project. Staff notes that existing and proposed traffic on the subject parcel generates less than 50 peak hour trips in any peak hour. Staff has prepared the below comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is based on data from the Institute of Transportation Engineer's <u>Trip Generation Manual</u>, 11th Edition.

Existing Use:

Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
	way volume	AM	PM
2-single family dwelling units (ITE LUC 210)	19	1	2

Proposed Uses:

Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
2-single family dwelling units (ITE LUC 210)	19	1	2
155 ft. monopole tower	2	1	1
Subtotal:	21	2	3

Trip Generation Difference:

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

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

McMullen Rd. is a 2-lane, undivided, publicly maintained, substandard collector roadway. The roadway is characterized by +/- 11-foot-wide travel lanes in average condition. According to the County's GIS roadway inventory, the roadway lies within a +/- 100-foot-wide right-of-way. There are +/- 5-foot-wide sidewalks along portions of the east and west sides of McMullen Rd. in the vicinity of the proposed project. There are no bicycle facilities present on McMullen Rd. in the vicinity of the proposed project.

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

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SITE ACCESS AND CONNECTIVITY

Access to the site is proposed via one (1) access connection to McMullen Rd. Staff notes that the access does not meet minimum standards. As such, the applicant has applied for a Sec. 11.04 variance from the applicable standards. Staff's rationale for objection with respect to issues surrounding this variance request and the proposed access are contained hereinabove.

TRANSIT FACILITIES

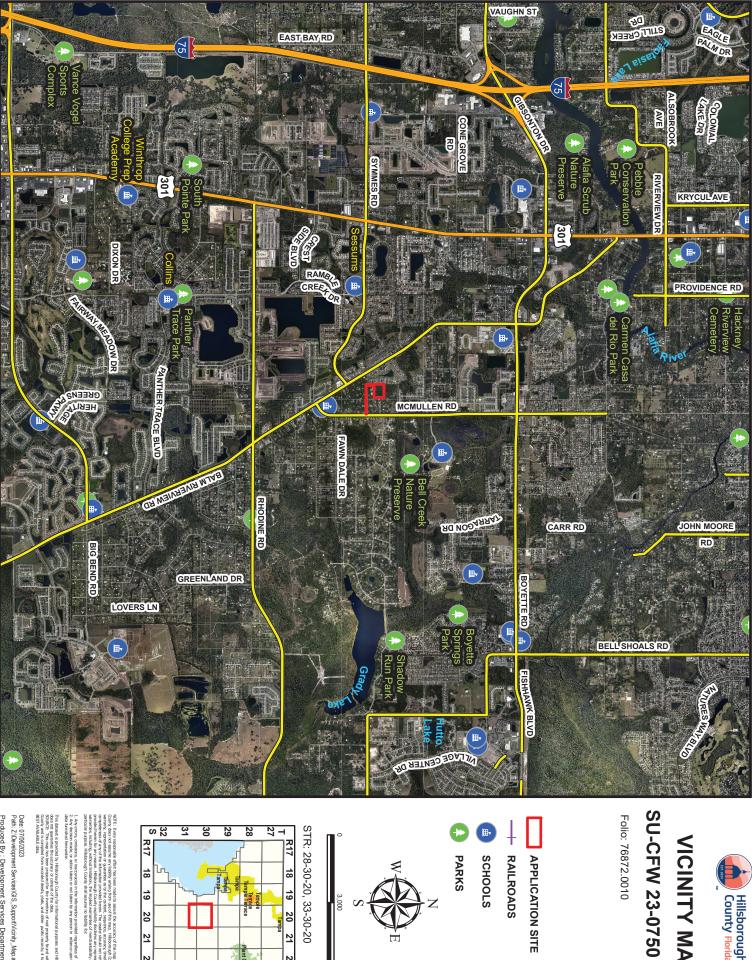
Transit facilities are not required for the proposed project, consistent with Sections 6.02.17 and 6.03.09 of the Hillsborough County Land Development Code.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Hillsborough County Level of Service Report (LOS) information for the adjacent roadway segment is provided below.

Roadway	From	То	LOS Standard	Peak Hour Directional LOS
McMullen Rd.	Balm Riverview Rd.	McMullen Loop Rd.	D	С

Source: Hillsborough County 2020 Level of Service Report.





VICINITY MAP

Folio: 76872.0010



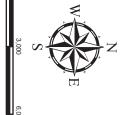
RAILROADS



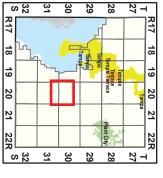




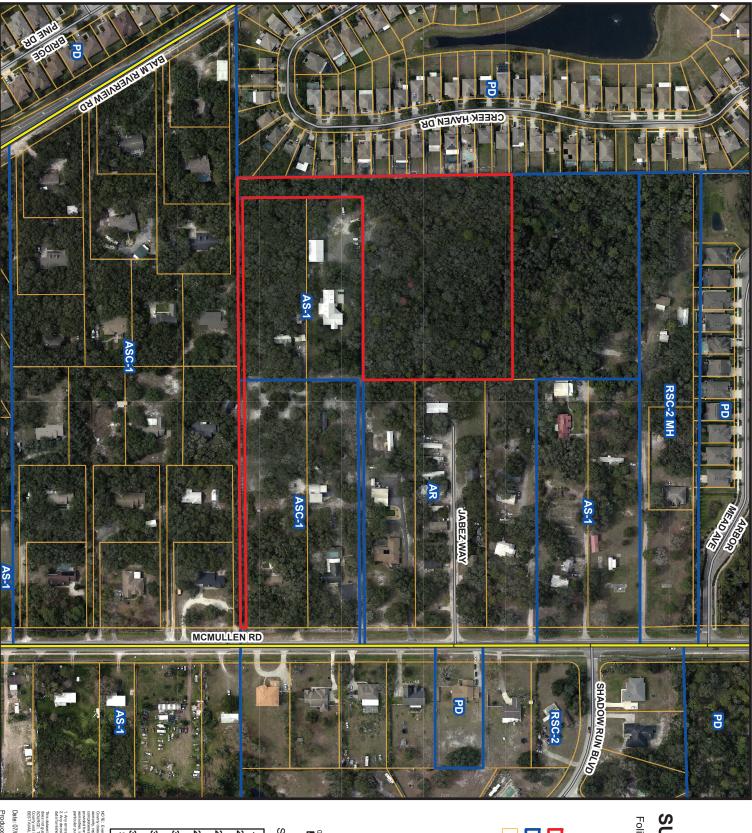




STR: 28-30-20, 33-30-20



Date: 07/06/2023
Path: Z/Ub-velopment Services (GIS_Support/Violnity_Map aprx
Path: Z/Ub-velopment Services Department
Produced By: Development Services Department





ZONING MAP

SU-CFW 23-0750

Folio: 76872.0010





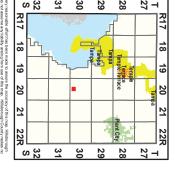
PARCELS SCHOOLS



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STR: 28-30-20, 33-30-20



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is dataset is provided by Hillsboroogh County for informational purposes and Hillsboroogh County, as not guarantee the accurage or content of the class.

JORGE: This impalies been prepared for the inventory of real properly found within Hillsborough Junity and is complied from recorded deeds, plats, and other public records; that been based on ESTAVALABLE class.

Date: 07/06/2023 Path: G:\ZONING\GIS\Data\Zoning_Map.aprx
Produced By: Development Services Department

Pond:Pine Γ Coco oldenrod artford Fern Dr L'aurel Brook Ct Shady Fern Dr Moss Ē Island Dr Heron, Watch F k Manor Ave aich' Pi Baylor, Ct Brook:Edge Ave 1st St Sand Stone Rock Dr Palm Rodney Rd Estuary Preserve, D Im Ave Tucker Rd Orange Grove Ter Name of the second seco St Downy Birch Dr Walin Riverview Blue Woods Dr 4th St Letto Pine Leonard Ave 23-0750 Arbor MeadAve Edwards Ave— Rodney Rd Jabez Way Palm Ave McMullen Rd Burberry Ct Adeline Dr 5 Sugarberry g Pun Blvd Di Stanwood Ū Rose Lr Glenhill Balmoralfief Ln STATUS Rezonings Author: Beverly F. Daniels

HILLSBOROUGH COUNTY **FUTURE LAND USE**

Exhibit 3

<all other values> **RZ SU 23-0750**

CONTINUED APPROVED

PENDING WITHDRAWN DENIED

Shoreline Urban Service Tampa Service

County Boundary

Jurisdiction Boundary

PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR) AGRICULTURAL/MINING-1/20 (.25 FAR)

AGRICULTURAL-1/10 (.25 FAR)

AGRICULTURAL/RURAL-1/5 (.25 FAR) AGRICULTURAL ESTATE-1/2.5 (.25 FAR)

RESIDENTIAL PLANNED-2 (.35 FAR) RESIDENTIAL-2 (.25 FAR) RESIDENTIAL-1 (.25 FAR)

RESIDENTIAL-9 (.35 FAR) RESIDENTIAL-6 (.25 FAR) RESIDENTIAL-4 (.25 FAR)

RESIDENTIAL-16 (.35 FAR) RESIDENTIAL-12 (.35 FAR)

RESIDENTIAL-20 (.35 FAR)

NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR) RESIDENTIAL-35 (1.0 FAR)

COMMUNITY MIXED USE-12 (.50 FAR) SUBURBAN MIXED USE-6 (.35 FAR)

URBAN MIXED USE-20 (1.0 FAR)

INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR) REGIONAL 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, FAR RETAIL/COMMERCE) LIGHT INDUSTRIAL PLANNED (.75 FAR)

. .25

LIGHT INDUSTRIAL (.75 FAR)

PUBLIC/QUASI-PUBLIC HEAVY INDUSTRIAL (.75 FAR)

NATURAL PRESERVATION

WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)

CITRUS PARK VILLAGE



Map Printed from Rezoning System: 7/7/2023

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Unincorporated Hillsborough (Unincorporated Hillsborough County Rezoning			
Hearing Date: October 23, 2023 Report Prepared: October 11, 2023	Petition: SU 23-0750 11233 McMullen Road West side of McMullen Road, east of Balm Riverview Road and south of Boyette Road			
Summary Data:				
Comprehensive Plan Finding	CONSISTENT			
Adopted Future Land Use	Residential-4 (4 du/ga; 0.25 FAR)			
Service Area	Urban			
Community Plan	Riverview, SouthShore Areawide Systems			
Requested Zoning	Special Use to permit a 155-foot Monopine Wireless Communication Tower			
Parcel Size	6.95 +/- acres (302,742 square feet)			
Street Functional Classification	McMullen Road – Collector Balm Riverview Road – Collector Boyette Road - Arterial			
Locational Criteria	N/A			
Evacuation Zone	None			



Plan Hillsborough planhillsborough.org planner@plancom.org 813 - 272 - 5940 601 E Kennedy Blvd 18th floor Tampa, FL, 33602

Context

- The ±6.95 acre subject site is located on the west side of McMullen Road, east of Balm Riverview Road and south of Boyette Road. The subject site is in the Urban Service Area and is located within the limits of the Riverview and SouthShore Areawide Systems Community Plans.
- The site has a Future Land Use designation of Residential-4 (RES-4), which allows for consideration of up to 4 dwelling units per gross acre and a maximum Floor Area Ratio (FAR) of 0.25. The RES-4 Future Land Use is intended to designate areas that are suitable for low density residential development. In addition, suburban scale neighborhood commercial, office, multi-purpose and mixed-use projects that are serving the area may be permitted. Typical uses in the RES-4 Future Land Use category include residential, suburban scale neighborhood commercial, office uses and multi-purpose projects. Non-residential uses must meet locational criteria for specific land uses.
- The RES-4 designation surrounds the site on all sides. The Residential-1 (RES-1) designation
 is located further southeast of the site and the Natural Preservation (N) designation is located
 further northeast of the site. The Residential-6 (RES-6) designation is located further west of
 the site.
- The subject site is a legal nonconforming lot that is developed with one single family residential dwelling. The site is surrounded by single family detached dwellings.
- The subject property is currently zoned as Agricultural Rural (AR), Agricultural, Single-Family-1 (AS-1) and Agricultural, Single-Family Conventional-1 (ASC-1). Planned Development (PD) zoning is located to the west. AR, AS-1, and ASC-1 zoning districts surround the site on the north, east and south sides.
- The applicant is requesting a Special Use to permit a 155-foot Monopine wireless communication tower on site.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area

Policy 1.4: Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

Neighborhood/Community Development

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

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

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

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

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

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

TELECOMMUNICATIONS FACILITIES

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

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

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

LIVABLE COMMUNITIES ELEMENT

Riverview Community Plan

Goal 1 Achieve better design and densities that are compatible with Riverview's vision.

• Develop Riverview district-specific design guidelines and standards.

The standards shall build on recognizable themes and design elements that are reflective of historic landmarks, architecture and heritage of Riverview. The mixed-use, residential, non-residential and roadway design standards shall include elements such as those listed.

Mixed Use-Commercial-Residential

Provide appropriate and compatible buffers and transitions to existing, adjacent land uses particularly with agricultural operations and the lands acquired for preservation and/or open space.

Goal 7 Encourage economic development by supporting local business while attracting a variety of new uses and services, particularly high technology businesses.

• Upgrade existing infrastructure to state-of-the-art, technologically advanced infrastructure.

Goal 9 Attract, locate and support appropriate industry and employment with state-of-the-art infrastructure.

Provide state-of-the-art infrastructure for existing and prospective industry.

SouthShore Arewide Systems Plan

Economic Development Objective

The SouthShore community encourages activities that benefits residents, employers, employees, entrepreneurs, and businesses that will enhance economic prosperity and improve quality of life.

The community desires to pursue economic development activities in the following areas:

- 1. Land Use/ Transportation
- a. Analyze, identify and market lands that are available for economic development, including: residential, commercial, office, industrial, agricultural (i.e., lands that already have development orders or lands that are not developable.)
- b. Recognize preferred development patterns as described in individual community plans, and implement the communities' desires to the greatest extent possible (including codification into the land development code). I.e., activity center, compatibility, design and form, pedestrian and bicycle/trail connectivity.
- 2. Future Conversion of Land
- a. Recognize that agriculture is allowed and encouraged within the Urban Service Boundary, but that the viable use of the land should be solely determined by the property owner. Outside the Urban Service Boundary agriculture and related uses are the preferred use of the property.

Staff Analysis of Goals, Objectives and Policies:

The ±6.95 acre subject site is located on the west side of McMullen Road, east of Balm Riverview Road and south of Boyette Road. The subject site is in the Urban Service Area and is located within the limits of the Riverview and SouthShore Areawide Systems Community Plans. The subject site is a legal nonconforming lot that is developed with one single family residential dwelling. The site is surrounded by single family detached dwellings. The applicant is requesting a Special Use to permit a 155-foot Monopine wireless communication tower on site.

The proposed Special Use is compatible with the character of the surrounding area and meets the intent of Policy 1.4 of the Future Land Use Element (FLUE). The proposed 155-foot Monopine Wireless Communication Tower will be in an area that is heavily wooded, and the camouflage design will be reflective of the existing tree canopy in the immediate area. The request does not include any variations to the required setbacks and buffers. The area surrounding the tower will be fenced so the compound will be screened from all sides. The design is sensitive to the surrounding residential uses and preserves the mature trees. Therefore, the request meets the intent of the Neighborhood Protection policy direction under FLUE Objective 16 and FLUE Policies 16.1, 16.2 and 16.3.

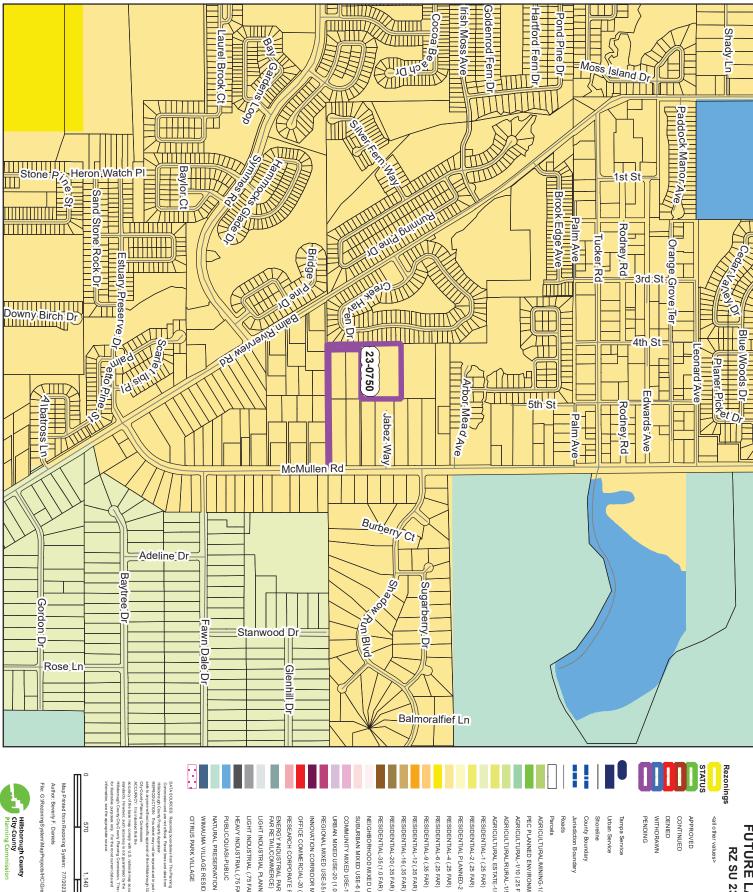
The proposed Special Use also meets the intent of FLUE Objective 46 and Policies 46.1 and 46.2 that require telecommunication towers and facilities to be in areas with compatible land uses and adhere to all local, state and federal laws. The applicant is requesting a variance to allow a minimum access width of 15 feet. However, at the time of filing this report there were no Transportation comments filed in Optix.

The proposed Special Use meets the intent of the Riverview Community Plan and SouthShore Areawide Systems Plan. The proposed Monopine tower will provide appropriate and compatible buffers and transitions to existing, adjacent land uses. The proposal will also implement technologically advanced infrastructure.

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

Recommendation

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



HILLSBOROUGH COUNTY **FUTURE LAND USE**

RZ SU 23-0750

<all other values>

DENIED CONTINUED APPROVED

Tampa Service

PENDING WITHDRAWN

Shoreline Urban Service

Jurisdiction Boundary County Boundary

AGRICULTURAL/MINING-1/20 (.25 FAR)

AGRICULTURAL-1/10 (.25 FAR)

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AGRICULTURAL/RURAL-1/5 (.25 FAR) AGRICULTURAL ESTATE-1/2.5 (.25 FAR)

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NATURAL PRESERVATION PUBLIC/QUASI-PUBLIC HEAVY INDUSTRIAL (.75 FAR)

CITRUS PARK VILLAGE WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)





Author: Beverly F. Daniels

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Additional / Revised Information Sheet

Office Use Only

Application Number: SU-CFW-23-0750 Received Date: Received By:

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, the second page of this form must be included indicating the additional/revised documents being submitted with this form. Application Number: SU-CFW-23-0750 Applicant's Name: Tillman Infrastructure

Reviewing Planner's Name: Timothy Lampkin

Date: 09/19/2023 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): 09/19/2023 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 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 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.

Man Ste

Signature

9/19/23 Date



Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to <u>Chapter 119 Florida Statutes</u>, 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 <u>Florida Statutes §119.071(4)</u> will need to contact <u>Hillsborough County Development Services</u> to obtain a release of exempt parcel information.

es 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 Includes sensitive and/or protected information. Type of information included and beautiful
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.

In	icluded	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	\boxtimes	Variance Criteria Response
16		Copy of Code Enforcement or Building Violation
17		Transportation Analysis
18		Sign-off form
19		Other Documents (please describe):

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

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



Hillsborough County-Development Services 601 East Kennedy Boulevard, 19th Floor Tampa, Florida 33602

RE: SU-CFW-23-0750 Additional/Revised Information Submittal

Applicant: Tillman Infrastructure, LLC

152 W. 57th Street New York, NY 10019

Owner: Phillip & Bryanna Diaz

11233 McMullen Road Riverview, FL 33569

Contact: Mary D. Solik, Esq.

121 S Orange Ave, STE 1500

Orlando, FL 32801

407 367 7868

msolik@dotysoliklaw.com Counsel for Applicant

Dear Staff:

Enclosed please find Tillman Infrastructure, LLC's (Tillman) Resubmittal which includes the following information:

- Written Statement of Variance Request
- Variance Criteria Response
- Survey
- Correspondence from Michael Hudkins, Hillsborough County Fire Plans Examiner related to approval of 15' access.

Please advise if any additional information is required.



STATEMENT OF VARIANCE REQUEST

SU-CFW-23-0750

Tillman Infrastructure is seeking variance relief associated with its Special Use application for a 155' Monopine Telecommunications tower. The subject property is a 6.95 acre tract owned by Phillip and Bryanna Diaz. The Diaz property is uniquely shaped. The property has its legal access to a public rightof-way, McMullen Road, through a 15' strip that runs east and west on the southernmost portion of the property. The tract then turns north in an area that is approximately 50' wide until it reaches the large rectangularly shaped parcel majority. This is the only access to public right-of-way. The Diazes recently built a new SFR on the property that is now their homestead. The County approved the construction utilizing the 15' strip as sufficient access, recognizing that a denial would deprive the Diazes of any beneficial use of their property. The Proposed Monopine tower is an accessory use on the property subject to Special Use approval. Access to the Proposed Monopine is proposed as a 15' access easement from the Diazes to Tillman from the tower site in the northwest portion of the tract and then south and east through the 15' strip on the south. County staff have advised Tillman that it must seek variance relief to utilize the same 15' driveway approved for the Diaz homestead due to Section 6.03.01(c) which provides that when an easement is used for access the minimum width of a two-way driveway is required. Because the 15' strip on the south side also provides easement access to another adjacent parcel Staff has determined that the minimum driveway width per Section 6.02.01.B.5.c(2) is 30'. The variance relief requested is a reduction of the required easement width from 30' to 15'.

The easement width requirement is for the purpose of accommodating two way traffic. Only the Diazes and the proposed tower tenants will utilize the entire length of the 15'. The abutting SFR property only uses the 15' for the easternmost section. The proposed tower will only generate one light duty vehicle trip per month per carrier, a de minimus level of traffic. The two SFRs also utilizing the 15' strip are also de minimus level traffic generators making the event of two way traffic extremely unlikely. Prior to the submission of its Special Use application Tillman confirmed with the County Fire Marshall's office that they had no objection to the Tillman access to its proposed tower location through the 15' strip, finding that the structure is unmanned and would not generate two way traffic. That correspondence is submitted herewith.



Specific Submittal Requirements for Variances

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

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

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

Part B: Project Information

		Additional Submittal Requirements for a Variance
1	\boxtimes	Project Description/Written Statement of the Variance Request
2	\times	<u>Variance Criteria Response</u>
3		Attachment A (if applicable)
4	\times	Survey/Site Plan

Supplemental Information (optional/if applicable)

5



Application No:	170
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Project Description (Variance Request)

	extra pages to this application. See attached.					
	See attached.					
	A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:					
	Section 6.03.01(c). Minimum Width of easement access must meet two-way drivoway required					
	30'.					
I						
l						
	Additional Information					
	Have you been cited by Hillsborough County Code Enforcement? No Yes					
	If you you must sub- it is a feet and a feet and a feet and a feet a fee					
	If yes, you must submit a copy of the Citation with this Application.					
	Do you have any other applications filed with Hillsborough County that are related to the subject property?					
The state of the s	Do you have any other applications filed with Hillsborough County that are related to the subject property?					
1	Do you have any other applications filed with Hillsborough County that are related to the subject property? No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): SU-CFW-23-0750					
1	Do you have any other applications filed with Hillsborough County that are related to the subject property? No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): SU-CFW-23-0750 Is this a request for a wetland setback variance? No Yes					
1	Do you have any other applications filed with Hillsborough County that are related to the subject property? No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): SU-CFW-23-0750					
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	Do you have any other applications filed with Hillsborough County that are related to the subject property? No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): SU-CFW-23-0750 Is this a request for a wetland setback variance? No Yes If yes, you must complete the Wetland Setback Memorandum and all required information must be included with this Application Packet. Please indicate the existing or proposed utilities for the subject property:					
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Additional / Revised Information Sheet

Office Use Only

Application Number: SU-CFW-23-0750 Received Date: Received By:

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Man Ste

Signature

9/19/23 Date



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Additionally, parcels exempt under <u>Florida Statutes §119.071(4)</u> will need to contact <u>Hillsborough County Development Services</u> to obtain a release of exempt parcel information.

Are you see to Chapter 1	eking an exemption from public disclosure of selected 119 FS? Yes No	d information submitted with your application pursuant				
I hereby con	nfirm that the material submitted with application _	SU-CFW-23-0750				
	Includes sensitive and/or protected information.					
	Type of information included and location					
×	Does not include sensitive and/or protected inform	ation.				
Please note: Se	ensitive/protected information will not be accepted/requested to	nless 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 pub	blic information if not required by law to be protected	J.				
Signature: _	(Must be signed by applicant or a	Ithorized representative)				
	, approximent					
Intake Staff S	Signature:	Date:				



Additional / Revised Information Sheet

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

In	icluded	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	\boxtimes	Variance Criteria Response
16		Copy of Code Enforcement or Building Violation
17		Transportation Analysis
18		Sign-off form
19		Other Documents (please describe):

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

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



Hillsborough County-Development Services 601 East Kennedy Boulevard, 19th Floor Tampa, Florida 33602

RE: SU-CFW-23-0750 Additional/Revised Information Submittal

Applicant: Tillman Infrastructure, LLC

152 W. 57th Street New York, NY 10019

Owner: Phillip & Bryanna Diaz

11233 McMullen Road Riverview, FL 33569

Contact: Mary D. Solik, Esq.

121 S Orange Ave, STE 1500

Orlando, FL 32801

407 367 7868

msolik@dotysoliklaw.com Counsel for Applicant

Dear Staff:

Enclosed please find Tillman Infrastructure, LLC's (Tillman) Resubmittal which includes the following information:

- Written Statement of Variance Request
- Variance Criteria Response
- Survey
- Correspondence from Michael Hudkins, Hillsborough County Fire Plans Examiner related to approval of 15' access.

Please advise if any additional information is required.



Specific Submittal Requirements for Variances

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

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

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

Part B: Project Information

		Additional Submittal Requirements for a Variance
1	\boxtimes	Project Description/Written Statement of the Variance Request
2	\times	Variance Criteria Response
3		Attachment A (if applicable)
4	\times	Survey/Site Plan

Supplemental Information (optional/if applicable)

5



Application No:	1779
-----------------	------

Project Description (Variance Request)

	See attached.
	See attached.
	A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:
	Section 6.03.01(c). Minimum Width of easement access must meet two-way driveway required
	30'.
I	
	Additional Information
	Have you been cited by Hillsborough County Code Enforcement? No Yes
	If yes, you must submit a copy of the Citation with this Application.
	Do you have any other applications filed with Hillsborough County that are related to the subject property?
	Do you have any other applications filed with Hillsborough County that are related to the subject property? No Yes If yes, please indicate the nature of the application and the subject property?
	No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): SU-CFW-23-0750
	No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): SU-CFW-23-0750 Is this a request for a wetland setback variance? No
1	No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): SU-CFW-23-0750 Is this a request for a wetland setback variance? No Yes
1	No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): SU-CFW-23-0750 Is this a request for a wetland setback variance? No Yes If yes, you must complete the Wetland Setback Memorandum and all required information must be included with this Application Packet.
	No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): SU-CFW-23-0750 Is this a request for a wetland setback variance? No Yes If yes, you must complete the Wetland Setback Memorandum and all required information must be included with this Application Packet. Please indicate the existing or proposed utilities for the subject property:
	No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): SU-CFW-23-0750 Is this a request for a wetland setback variance? No Yes If yes, you must complete the Wetland Setback Memorandum and all required information must be included with thi Application Packet. Please indicate the existing or proposed utilities for the subject property: Public Water ` Public Wastewater Private Well Septic Tank
	No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): SU-CFW-23-0750 Is this a request for a wetland setback variance? No Yes If yes, you must complete the Wetland Setback Memorandum and all required information must be included with this Application Packet. Please indicate the existing or proposed utilities for the subject property:



Application No: _	

Variance Criteria Response

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

The need for the variance arises from the unique flag lot configuration of the subject property. Nearly all of the residential properties in the area have sufficient ROW frontage to meet the easement width requirements.

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

Failure to approve the variance would deprive the property of the ability to develop accessory uses other than just the SFR, unlike other properties in the area that have greater ROW frontage.

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

The purpose of the 30' easement width requirement is to provide for two-way traffic. The 15' strip at issues serves as access to two SFR structures and the proposed tower. The proposed tower will only generate one light duty vehicle trip per month per carrier, during business hours, far less traffic than the two SFRs which are also light traffic generators. The likelihood of there being two way traffic on the 15' strip is very sllim

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

The area to be served by the proposed tower is residential in nature. Due to the surrounding development the proposed tower must maintain property line setbacks equal to the height of the tower. This results in a required parcel size of over two acres in order to meet onsite setback requirements. Parcels of this size in area are few and far between. The setback requirement can be met on the subject property and it has the added benefit of being heavily wooded. This allows

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

The Diaz unique flag lot is a legal of record and not created by the applicant.

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

The Proposed tower is intended to provide wireless coverage to a densely developed residential area. The anchor tenant for the Tower is AT&T, but Verizon and T-Mobile have already submitted colocation applications to Tillman to utilize the proposed tower. The interest of the three major carriers in the marketplace is indicative of the lack of service to this community. A robust wireless network is essential to public safety and will provide a community benefit





June 2, 2023

Re: Proposed Raw Land Monopole Tower Build

To Whom it may concern,

I respectfully submit this letter as an explanation of the need for a new telecommunications site in the county of Hillsborough, Florida. As a RF System design engineer for AT&T Mobility, I have performed a thorough analysis of the desired coverage need in the impacted area and the interaction of proposed site with the existing AT&T sites within the immediate coverage area. The candidate's selection was based on the proposed site's location relative to the current surrounding sites and coverage enhancements needed within this area of the county. After running numerous propagation modeling's, the location and design height was selected as to provide optimum indoor/outdoor coverage and handoff capabilities between the surrounding AT&T sites, based on their location and antenna centerlines. My study included field visits and computer analysis with sophisticated RF modeling that takes into account the following variables: (A) The physical characteristics of the frequencies allotted by the FCC to AT&T; (B) The allowable power outputs of those frequencies; (C) The AT&T Mobility equipment specifications; (D) The location of existing AT&T Mobility and other facilities; (E) The topography and building density of the area; (F) The optimum coverage using the minimum use of new tower sites. After this review, it was determined that there are no existing structures within the area to meet AT&T Mobility's engineering objectives. These factors were quantified, and values extrapolated using RF modeling software to arrive at a design location and minimum requirement for antenna height. The site candidate, proposed location of LAT 27.8370, LON -82.3057 in proximity of 11235 McMullen Road, Riverview, FL 33569, identified as AT&T Mobility's Shadow Run site, and is required to meet the coverage objective. Existing cell site locations on the network in proximity are located approximately 1.5 miles to 3.1 miles from the targeted location. This new network node will shorten the distance between the existing sites significantly, offering much improved coverage and levels of service for cellular, E911 Location Services and AT&T FIRSTNET services.

As an experienced design Engineer, I have reviewed all viable candidate locations submitted for review and it is my opinion that a new tower at this proposed location would provide the best location and height to expand AT&T's wireless network coverage into the target area.

The frequency plan for this site is also in accordance with FCC requirements and will not interfere with the Public Safety bands assigned by the FCC. AT&T is licensed by the FCC to use the Cellular A band, PCS E, F, C3, C4, C5, 700 B&C, D, AWS-3(I&J) & WCS A, B, C, D, 700 Upper D, 24GHz, F, G, 39GHz N7, N8, N9, N10, N11, N12, N13, N14, C-Band B5, C1, C2, C3.

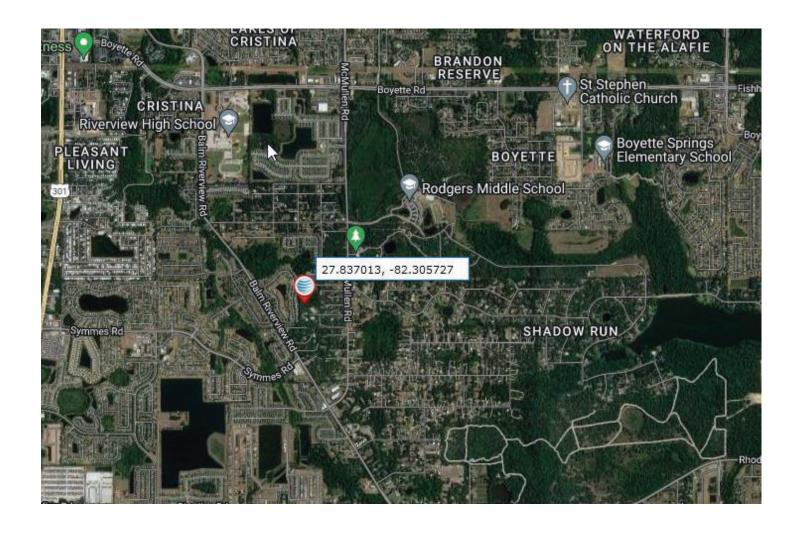
In summary, it is my professional opinion as the radio frequency design engineer, there are no other facilities existing or offered for lease in the proper location and at the required height, which will provide the coverage to meet our requirement of providing excellent wireless and E911 services in this area.

Sincerely,

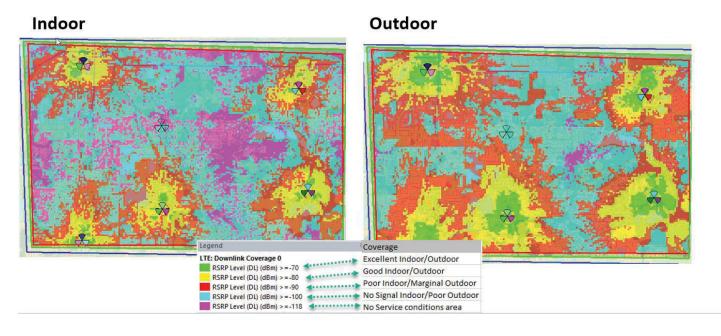
Roger Self

Principal Engineer-AT&T Mobility

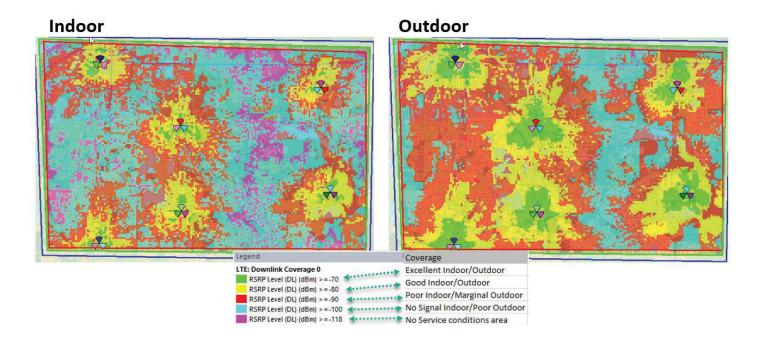
813-240-9969



Existing Coverage



Coverage with NSB Shadow Run



RSRP Levels of -60 to -80 represent acceptable INDOOR coverage. Levels of -90 to -100 represent acceptable OUTDOOR coverage. Levels above -100 are areas of weak signal and possible dropped calls/no service conditions can be experienced due to frequency reuse interference and poor SINR(Signal to Noise Ratio).



INSTRUMENT#: 2014124812, BK: 22520 PG: 646 PGS: 646 - 647 04/15/2014 at 02:18:10 PM, DOC TAX PD(F.S.201.02) \$525.00 DEPUTY CLERK:ADUPREE Pat

Frank, Clerk of the Circuit Court Hillsborough County

Prepared by and return to: Jacqueline K. Murray, an employee of Redding & Associates, P.A. 113 South MacDill Ave. Suite A Tampa, Florida 33609

Matter number: Folio number:

076872-0025

\$ 75,000

The space above is reserved for recording purposes.

WARRANTY DEED

THIS WARRANTY DEED made and executed this 14 day of April, 2014 between Michael Beckman, an married man, (hereinafter "grantor") whose mailing address is 4409 Ann Arbor Drive Tampa, Florida 33610, and Phillip M. Diaz, an unmarried man, (hereinafter "grantee") whose mailing address is 5114 Abisher Wood Lane Brandon, Florida 33511.

(Whenever used herein the term "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 grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt which is acknowledged, by these presents, does grant, bargain, sell, alien, remise, release, convey, and confirm to grantee, her heirs, and assigns forever the following described land, situate, lying and being in **Hillsborough name** Hillsborough, Florida, to wit:

TRACT BEGINNING 975 FEET SOUTH OF NORTHEAST CORNER OF SOUTHEAST 1/4 OF SOUTHEAST 1/4 RUN WEST 1258.60 FEET SOUTH 339.15 FEET EAST 534 FEET NORTH 324.15 FEET EAST 724.53 FEET AND NORTH 15 FEET TO POINT OF BEGINNING LESS FOLLOWING: TRACT BEGINNING 1140.42 FEET SOUTH AND 724.6 FEET WEST OF NORTHEAST CORNER OF SOUTHEAST 1/4 OF SOUTHEAST 1/4 RUN SOUTH 173.86 FEET WEST 534 FEET NORTH 174.41 FEET AND EAST 534 FEET to POINT OF BEGINNING.

This is NOT the Grantor's Florida Constitutional Homestead property.

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 grantor covenants with grantee that grantor is lawfully seized of the land in fee simple; that grantor has good right and lawful authority to sell and convey the land; that grantor

Redding & Associates, P.A. 113 South MacDill Avenue, Suite A Tampa, Florida 33609 Telephone 813.258.4401 Facsimile 813.871.3299 will fully warrant the title to the land and will defend the same against the lawful claims of all persons whomsoever; and that the land is free of all encumbrances except taxes accruing subsequent to 31 December 2013.

IN WITNESS WHEREOF, grantors have set their hand and seal the day and year first above written.

Signed, sealed, and delivered in the presence of these witnesses:

Witness signature

Witness signature

Michael Beckman

Witness printed name

Witness signature

JACKIE MURRAY

Mac

Witness printed name

STATE OF FLORIDA

HILLSBOROUGH OF

HILLSBOROUGH

Sworn to, Subscribed and Acknowledged before me on this 14 day of April, 2014, by MICHAEL BECKMAN who has/have produced Jalid and Jalid as

identification.

[AFFIX SEAL BELOW]

NOTABLY PUBLIC

Printed Name of Notary

My Commission Expires:

JACKIE MURBA?

JACKIE KAY MURRAY NOTARY PUBLIC STATE OF FLORIDA Comm# FF055255 Expires 10/8/2017

Redding & Associates, P.A.
113 South MacDill Avenue, Suite A
Tampa, Florida 33609
Telephone 813.258.4401 Facsimile 813.871.3299



Additional / Revised Information Sheet

State Control of the		Office Use Only	
Application Number: SU-	-CFW-23-0750	Received Date:	Received By:
must be submitted providir	g a summary of the must list any new fo	e changes and/or additiona olio number(s) added. Addi	n that was previously submitted. A cover letter al information provided. If there is a change in tionally, the second page of this form must be ith this form.
Application Number:	CFW-23-0750	Applicant's Name:	Fillman Infrastructure
Reviewing Planner's Name:			09/22/2023
Application Type:			
Planned Development (P	D) 🗖 Minor Modif	fication/Personal Appearan	ce (PRS) 🗖 Standard Rezoning (RZ)
☐ Variance (VAR)	Developmen	t of Regional Impact (DRI)	Major Modification (MM)
Special Use (SU)	Conditional l	Use (CU)	☐ Other
Current Hearing Date (if app	licable): 09/22	2/2023	
Important Project Size of Changes to project size may of Will this revision add land to If "Yes" is checked on the abo	result in a new hearing the project?	ng date as all reviews will be	e subject to the established cut-off dates. with * on the last page.
Will this revision remove lan If "Yes" is checked on the abo			rith ⁺ on the last page.
Email this form	along with all sub Zonin	mittal items indicated o	n the next page in pdf form to: et
Files must be in pdf forma titled according to its conte included on the subject line	nts. All items should	l be submitted in one ema	em should be submitted as a separate file il with application number (including prefix)
For additional help and s	ubmittal questions,	please call (813) 277-1633	or email ZoningIntake-DSD@hcflgov.net.
l certify that changes describ will require an additional su	ped above are the on bmission and certifi	nly changes that have been cation.	made to the submission. Any further changes
Villey!	Signature		4/2/23
	Signature		Date



Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to <u>Chapter 119 Florida Statutes</u>, 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 <u>Florida Statutes §119.071(4)</u> will need to contact <u>Hillsborough County Development Services</u> to obtain a release of exempt parcel information.

Are you seel to Chapter 1	king an exemption from public disclosure of selected information submitted with your application pursuant 19 FS? Yes No		
I hereby con	firm that the material submitted with applicationSU-CFW-23-0750		
	Includes sensitive and/or protected information.		
Type of information included and location			
×	Does not include sensitive and/or protected information.		
Please note: Se	nsitive/protected information will not be accepted/requested unless it is required for the processing of the application.		
If an exempti being held fr	on is being sought, the request will be reviewed to determine if the applicant can be processed with the data om public view. Also, by signing this form I acknowledge that any and all information in the submittal wil		
become publ	ic information if not required by law to be protected.		
Signature:(Must be signed by applicant or authorized representative)			
Intake Staff S	ignature: 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		
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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.		
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16		Copy of Code Enforcement or Building Violation		
17		Transportation Analysis		
18		Sign-off form		
19		Other Documents (please describe):		

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

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



Property/Applicant/Owner Information Form

Officia	al Use Only
Application No:	Intake Date:
Hearing(s) and type: Date: Type:	Receipt Number:
Date: Type:	Intake Staff Signature:
Property	/ Information
Address: 11233 McMullen Road	City/State/Zip: Riverview, FL 33569
TWN-RN-SEC: 30-20-28 Folio(s): 76872-0010 Zoning:	R. AS-1, Asc-1 Future Land Use: R-4 Property Size: 6.95 ac
Property Ow	ner Information
Name: Phillip & Bryanna Diaz	Daytime Phone
Address: 11233 Mc Mullen Road	Daytime Phone
mail:	Fax Number
Illman Infractor of	Information
	Daytime Phone 212 706 1677
ddress: 102 VV. 37th Street	New York NV 10010
mail: emularadilis@Tillmaninfrastru	cture.comFax Number
Applicant's Representati	ve (if different than above)
Mary D. Solik, Esq.	Daytime Phone 407 367 7868
C C	ity/State/Zip:Orlando, FL 32801
msolik@dotysoliklaw.com	
	Fax Number
I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.	I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.
(11/1/11/11	

02/2023



Property/Applicant/Owner Information Form

Offic	cial Use Only
Application No:	Intake Date:
Hearing(s) and type: Date: Type:	Receipt Number:
Date: Type:	Intake Staff Signature:
	rty Information
Address: 11233 McMullen Road	Riverview, FL 33569
	AR, AS-1, Asc-1 Future Land Use: R-4 Property Size: 6.95 ac
	Owner Information
Phillip & Bryanna Diaz	Daytime Phone
ddress: 11233 Me Mulen Roae	city/State/Zip: Riverview, FL 33569
	Fax Number
Annlia	and Information
report 1 C	ant Information 212 706 1677
ddress: 152 VV. 57th Street	New York, NY 10019
mail: cmularadilis@Tillmaninfrast	ructure.comFax Number
	tative (if different than above)
Many D Calily E	5-22 G
	Daytime Phone 407 367 7868
Address: 121 S Orange Ave STE 1500	City/State/Zip: Onando, FL 32801
msolik@dotysoliklaw.con	Fax Number
and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.	I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners. Alpha
Signature of the Applicant	Signature of the Gwner(s) - (All parties of the deed must sign) Phillip DiRZ - Bruana Diaz
Type or print name	Phillip DIRZ - Bryanna Diaz Type or print name

VAR

3 of 11

02/2023

