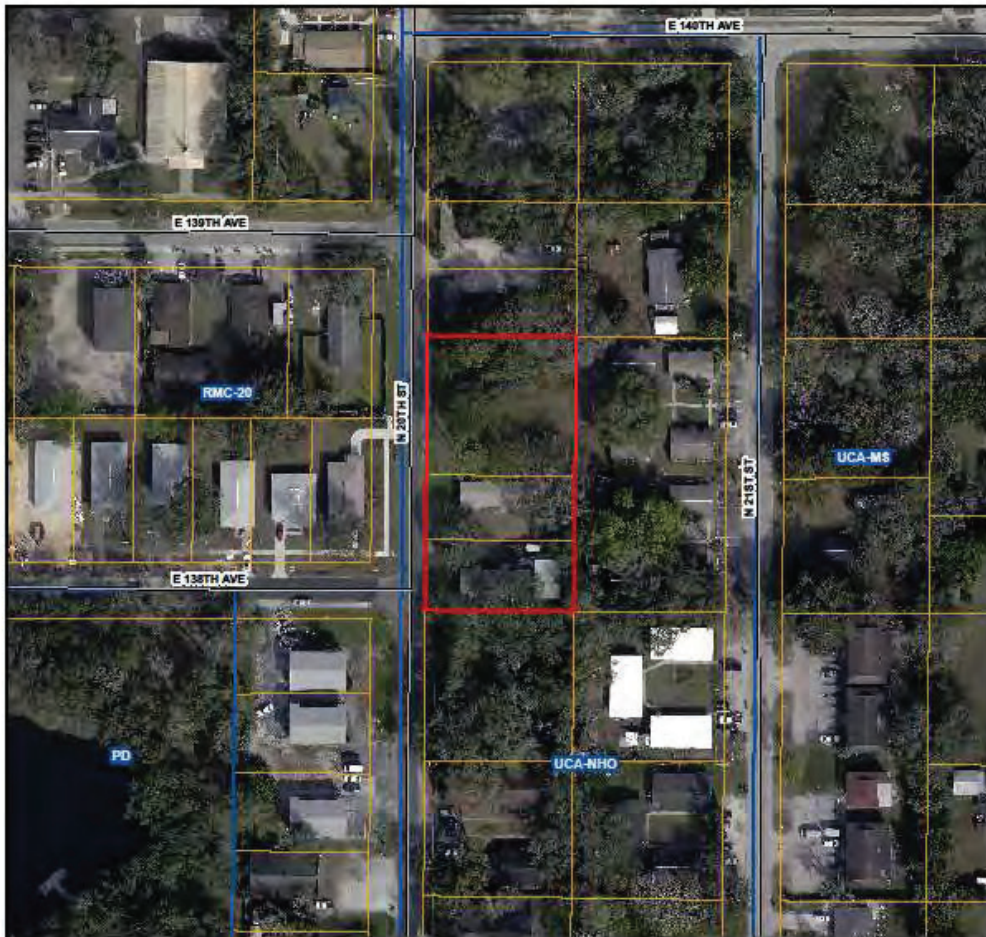




Land Use Application Summary Report

Application Number:	SU-CFW 23-0144	Adjacent Zoning and Land Uses:	
Request:	Special Use Permit for a Wireless Communication Facility	North:	UCA-NHO, Multifamily Residential
		East:	UCA-NHO, Multifamily Residential
Comp Plan:	RES-20	South:	UCA-NHO, Vacant
Service Area:	Tampa Service Area	West:	UCA-NHO, N 20 th Street, Single Family Residential



Hillsborough County Florida

ZONING MAP
SU-CFW 23-0144

Folio: 35684.0000, 35685.0000, 35685.0100

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

0 50 100 Feet

STR: 6-28-19

R17	18	19	20	21	22R
T	27	28	29	30	31
	32	33	34	35	36
R17	18	19	20	21	22R

DATE: 02/28/2023 10:58:00 AM
FILE: C:\23\0144\GIS\Zoning_Map.mxd
Produced By: Development Services Department

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 106-foot-high antenna tower with tree type camouflage that will be located on the east side of N 20th Street between E 138th Avenue and E 139th Avenue.

Staff Findings:

- The project site is comprised of three parcels with a total area of 0.79 acres and zoned UCA-NHO (University Community Area-Neighborhood Office), which allows for BPO (Business Professional Office) and RMC-20 (Residential, Multifamily Conventional) uses. The project is located on the east side of N 20th Street between E 138th Avenue and E 139th Avenue. The southernmost two parcels on the project site are developed with multifamily residential units, while the northernmost parcel is vacant. The surrounding area is developed primarily with a mixture of single family residential and multifamily residential uses.
- 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 in CPV, BMS, UCA, and TND districts permitting residential uses. The proposed tower is 106 feet in height and is located within the UCA-NHO district, which permits residential uses and therefore requires a Special Use review.
- The proposed antenna tower's setbacks are 96 feet to the northern boundary of the project site, 146 feet to the southern site boundary, 32 feet to the eastern site boundary and 96.7 feet to the western site boundary.
- The applicant is requesting a waiver to the minimum setback requirements found in LDC Section 6.11.29.D.2.a, which require proposed antenna towers to meet a minimum setback of 100 percent of tower height where adjacent to residentially developed property or residentially zoned property that is developable for residential use. The setbacks are measured from the boundary of the zoning lot, which is defined by the Land Development Code as "A lot or combination of lots shown on an application for a Zoning Compliance Permit." The zoning lot in this case is comprised of three parcels as identified in the Special Use application. Therefore, compliance with setback requirements is measured to the boundary of the zoning lot, not to the boundaries of the individual parcels which comprise the zoning lot.
- The project site is adjacent to residentially developed properties to the north and east. The applicant proposes a 10-foot reduction to the required minimum setback to the northern site boundary to allow a 96-foot setback and a 74-foot reduction to the required minimum setback to the eastern site boundary to allow a 32-foot setback. The proposed antenna tower and compound location is located as far south as possible on the project site given the pre-existing structures on the property. The initial plan submitted for the proposed Special Use proposed a 21-foot setback to the eastern site boundary abutting multifamily residential development. Staff requested the proposed tower be shifted west to provide additional setback/buffer area from the multifamily residential to the greatest extent possible, while maintaining adequate distance from the existing single-family residential development to the west of the project site. Mature trees exist on the western and northern portions of the site that restrict movement of the proposed antenna tower to the western portion of the site, however, the applicant was able to shift the proposed antenna tower west to a 32-foot setback to the eastern property boundary to allow for a larger setback adjacent to the multifamily residential use to the east. Per LDC Section 6.11.29.D.2, setback reductions may be approved under certain circumstances, provided the lesser setback meets the required setbacks of the site's zoning. These circumstances include a reduction in the number of significant trees that would be removed if the required setbacks were provided. Per LDC Section 3.13.04.B, a minimum rear yard setback of 10 feet is required in the UCA-NHO district. Therefore, the proposed reduced setback meets the setback requirement of the property's zoning. Staff recognizes that the western part of the site may be developed with a second use sometime in the future that will remove some of the trees, but finds the new buildings, which are permitted a maximum height of 50 feet, will serve to visually partially screen the tower from view in lieu of the trees.

- The project site and properties to the east, north and south were platted in 1954 (W.E. Hamner's Towering Pines subdivision, PB 31/PG 94) with relatively small lots that constrain the ability to provide setbacks of 100 percent tower height as compared to larger lots within more suburban and rural areas of the County. The required tower camouflaging with tree-type camouflage as well as the Type B screening provided between the tower compound and the northern and eastern property boundaries promote compatibility with the abutting residential development. Staff does not object to the proposed waiver of the minimum 100 percent tower height setback between the antenna tower and the existing residential development.
- The applicant is requesting a variance to the maximum front yard setback for non-residential use within the University Community Area. Per LDC Section 3.13.04.B, front yard setbacks along all street frontages shall be a minimum of 10 feet to a maximum of 20 feet. The applicant requests a 76.7-foot increase to the required maximum setback to allow a 96.7-foot front yard setback for the proposed antenna tower. The applicant has provided required variance criteria responses with their application. The hearing officer will be required to make a separate decision on the setback variance in conjunction with the subject Special Use application.
- The applicant is requesting a variance to the buffering and screening requirements found in LDC Section 6.06.06. The applicant requests to reduce the required 20-foot-wide buffer with Type B screening to a 10-foot-wide buffer with Type B screening on the north and east sides of the tower compound. The Type B screening will consist of a minimum 6-foot-tall solid wood fence, and a row of evergreen shade trees which are not less than 10 feet high at the time of planting with a minimum of two-inch caliper and spaced not more than 20 feet apart. The applicant has provided required variance criteria responses with their application. The hearing officer will be required to make a separate decision on the buffer and screening variance in conjunction with the subject Special Use application.
- 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 UCA-NHO zoning district, tree-type camouflage is presumed to be a compatible camouflage structure type. The proposed tower is camouflaged with tree-type camouflaging in accordance with this requirement.
- The subject area is currently a mixture of single family and multifamily residential uses. The UCA-NHO special district allows for a mixture of office and multifamily residential uses, and prohibits new single family detached and two-family attached dwellings. As properties redevelop, the area will likely become more predominately a mixture of multifamily residential and office uses. Staff finds the proposed antenna tower will be located on the site in a manner that's compatible with the existing single family residential development to the west, as well as the multifamily development to the east, while also maintaining mature trees on the site until a second use may be developed on the site in the future, at which time the new buildings will serve to partially screen the tower from view. Staff finds the proposed Type B screening on the north and east sides of the tower compound, a 6-foot-high opaque wood fence surrounding the tower compound on the south and west sides, and the tree-type camouflaging of the antenna tower provide adequate screening and camouflaging for surrounding residential development.
- The applicant has submitted documentation indicating the need for the facility at a height of 106 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 TMobile 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 TMobile and is in agreement with the applicant's findings.
- Per LDC Section 6.11.29.G, a letter of intent committing the antenna tower to shared use for co-location has been submitted. Notice to other potential users was sent on December 5, 2022.
- No transportation impacts are anticipated as the communications facility will be unmanned and very few trips per peak hour is expected.
- Staff has received no objections from reviewing agencies or other parties.

- Based on the above, staff finds the proposed communication facility compatible with the mixture of residential uses in the area and approvable, subject to conditions.

Exhibits:

- Exhibit 1: Vicinity Map
- Exhibit 2: Immediate Zoning Map
- Exhibit 3: Future Land Use Map
- Exhibit 4: Proposed Site Plan (23-0144)

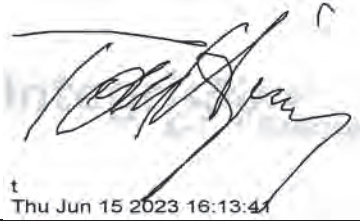
Recommended Conditions:

Approval – Approval of the request, subject to the conditions listed below, is based on the general site plan submitted on June 13, 2023.

1. The permitted Special Use Permit shall be limited to a wireless communication facility with a 106-foot-tall tower with tree-type camouflage.
2. The facility shall be developed in accordance with the site plan submitted on June 13, 2023, the conditions contained herein and all applicable rules, regulations, and ordinances of Hillsborough County.
3. The facility compound shall be located as shown on the site plan. The antenna tower shall have minimum setbacks of 96 feet from the north site boundary, 96.7 feet from the west site boundary, 32 feet from the east site boundary and 146 feet from the south site boundary. If the variance to the maximum front yard setback is not approved by the Land Use Hearing Officer, the required setback from the west site boundary will be a minimum of 10 feet and a maximum of 20 feet.
4. A solid opaque wood fence shall be provided on all sides of the tower compound. The fence shall have a minimum height of 6 feet and maximum height of 8 feet.
5. Buffering and screening shall be as shown on the site plan. A 10-foot buffer with Type B screening shall be provided on the north and east sides of the compound. If the variance to the minimum buffer width is not approved by the Land Use Hearing Officer, a 20-foot buffer with Type B screening shall be required on the north and east sides of the compound.
6. Prior to the issuance of development permits, the permit holder shall file a letter of intent with the Office of the County Clerk and Administrator committing the owner of the subject facility and successors to allow shared use of the antennae support structure subject to the collocation criteria found in the Land Development Code, or to allow a replacement antennae support structure to be erected provided the replacement is physically and contractually feasible and the cost of modifying or replacing the structure is borne by the collocating company as provided by the Land Development Code.
7. 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.
8. The subject facility and antennae tower shall be demolished and removed at no expense to Hillsborough County if the facility is not commercially operated for any one-year period.
9. 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:




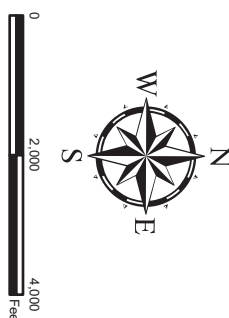
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Thu Jun 15 2023 16:13:41

VICINITY MAP

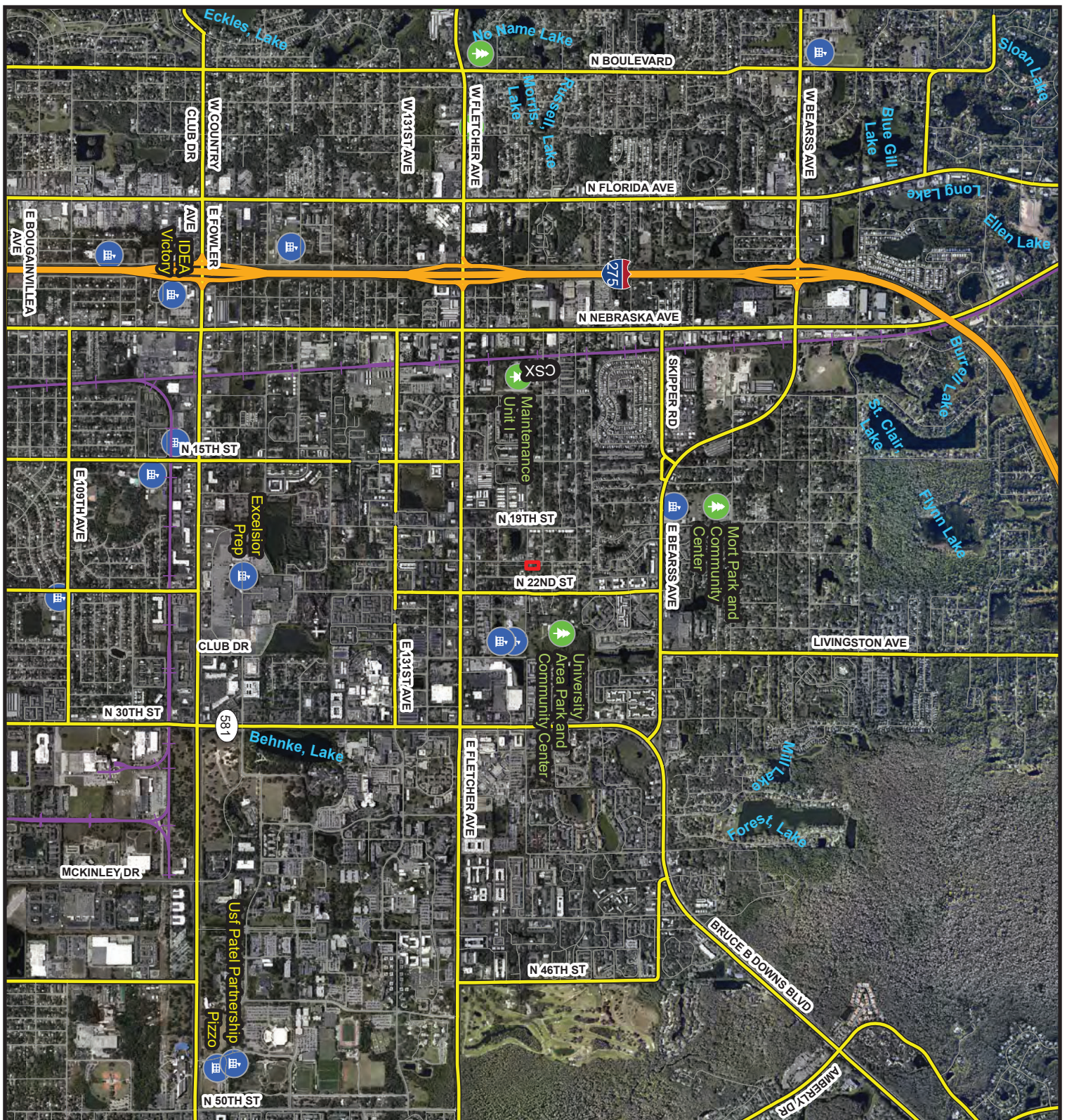
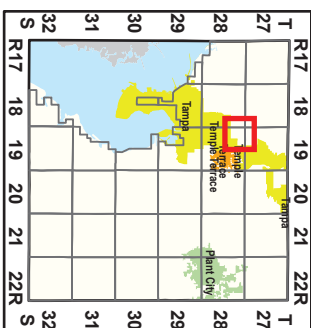
SU-CFW 23-0144

Folio: 35684.0000, 35685.0000,
35685.0100

-  APPLICATION SITE
-  RAILROADS
-  SCHOOLS
-  PARKS



STR: 6-28-19



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Date: 02/28/2023 Path: G:\DOWNS\GIS\Data\Vicinity_Map.aprx
Produced By: Development Services Department

PROJECT SUMMARY

SITE NAME: SPRING GLADE
 SITE NUMBER: FL-1046
 TAX MAP PROPERTY ID: U-06-28-19-1G-000003-00015.0
 SITE ADDRESS: 13805 N 20TH STREET TAMPA, FL 33613
 911 ADDRESS: -
 JURISDICTION: HILLSBOROUGH COUNTY
 TOWER OWNER: APC TOWERS IV, LLC 8601 SIX FORKS ROAD SUITE 250 RALEIGH, NC 27615

COORDINATES: NAD 83
 LATITUDE: 28 04' 23.87" N
 LONGITUDE: -82 26' 10.09" W
 APPLICANT: APC TOWERS IV, LLC 8601 SIX FORKS ROAD SUITE 250 RALEIGH, NC 27615

CO-APPLICANT: N/A
 COORDINATING AGENCY: UNMANNED AERIAL SYSTEMS FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION

DESIGN INFORMATION

AGE FRM: B+T GROUP
 SUITE 300 1717 S. BOULDER, MIAMI, FL 33133
 PHONE: (305) 441-1111
 FAX: (305) 441-1111
 MICK A. SPEEDE, PE (918) 987-4830
 SUFFICIENT: STONEMEPHER SPRING INC. TELCO: T.B.D.
 1223 NW 6TH AVENUE, SUITE 200, TAMPA, FL 33603
 PHONE: (813) 576-9548

CODE COMPLIANCE

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNMENT JURISDICTION. NOTHING IN THESE PLANS IS TO BE CONSIDERED A CHANGE TO ANY OF THE ABOVE LISTED CODES UNLESS SPECIFICALLY NOTED OTHERWISE.
 BUILDING/CWELLING: IRC 2020
 STRUCTURAL: IBC 2020
 ELECTRICAL: NEC 2020
 TIA: TIA-222-H
 WIND SPEED: 120 MPH (HILLSBOROUGH CONST. CODE)

**SITE NAME:
 SPRING GLADE**

SITE NUMBER:
FL-1046
 13805 N 20TH STREET
 TAMPA, FL 33613

**PROPOSED 102' MONOPINE TOWER
 ZONING DRAWINGS**



DRIVING DIRECTIONS

DEPART 4100 GEORGE J BEAN PKWY, TAMPA, FL 33607 (4100 GEORGE J BEAN PKWY, TAMPA, FL 33607) ON GEORGE J BEAN PKWY (NORTH-EAST) 2.4 MI, KEEP RIGHT ONTO RAMP 0.1 MI SR-60 W / SR-580-TOLL N / VETERANS EXPWY, AT EXIT 2A, ROAD NAME CHANGES TO MEMORIAL HWY 0.2 MI MEMORIAL HWY / CR-576 / SR-580-TOLL N / VETERANS EXPWY / AIR CARGO, TOLL ROAD AT EXIT 3, ROAD NAME CHANGES ONTO RAMP 0.4 MI SR-580 / HILLSBOROUGH AVE, JUNCT ONTO ESPENHOVER RD 12.4 YDS, KEEP RIGHT ONTO LOCAL ROAD(S) 78 YDS, BEAR RIGHT (EAST) ONTO SR-580 / HILLSBOROUGH AVE 2.4 MI, ROAD NAME CHANGES TO US-92 (SOUTH) 3.1 MI, BEAR RIGHT ONTO LOCAL ROAD(S) SR-250 0.2 MI, BEAR LEFT ONTO RAMP 0.1 MI, RAMP 0.2 MI, FLETCHER AVE / CR-582A, RAMP (RIGHT) ONTO SR-579 / E FLETCHER AVE 0.2 MI, ROAD NAME CHANGES TO DEWEY BLVD 0.2 MI, BEAR LEFT ONTO SR-579 / E FLETCHER AVE 0.3 MI

PROJECT DESCRIPTION

THE PROPOSED PROJECT INCLUDES:
 • CONSTRUCT (1) NEW 102' MONOPINE TOWER
 • CONSTRUCT FENCED GRAVEL UTILITY COMPOUND WITH LEASE AREA ACCESS GATE, 45' X 50' WITHIN 50' X 60'
 • INSTALL NEW POWER & TELCO UTILITY EQUIPMENT.
 • CONSTRUCT 12' WIDE GRAVEL ACCESS ROAD

DO NOT SCALE DRAWINGS

ALL DRAWINGS CONTAINED HEREIN CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF THE WORK OR BE RESPONSIBLE FOR SAME.

DRAWING INDEX

SHEET #	TITLE	DESCRIPTION
T-1	SURVEY	SHEET DESCRIPTION
C-1	AERIAL SHEET	
C-2	OVERALL SITE PLAN	
C-3	ENLARGED COMPOUND LAYOUT	
C-4	TOWER ELEVATION	
C-5	CONSTRUCTION DETAILS	
C-6	SIGNAGE DETAILS	
C-7	NOTES AND FENCE DETAIL	
L-1	LANDSCAPE PLAN	
L-2	LANDSCAPE DETAILS	



APC TOWERS
 SPRING GLADE
 PARCEL ID:
 U-06-28-19-1G-000003-00015.0
 13805 N 20TH STREET
 TAMPA, FL 33613

HILLSBOROUGH COUNTY
 PROPOSED 102' MONOPINE TOWER

PROJECT NO: G052910A02A1
 CHECKED BY: DJS
 ISSUED FOR:

REV	DATE	DESCRIPTION
1	04/17/23	WAS SUBMITTED
2	04/26/23	WAS SUBMITTED
3	5/16/23	WAS SUBMITTED
4	5/16/23	WAS SUBMITTED
5	6/9/23	WAS SUBMITTED
6	6/9/23	WAS SUBMITTED

B+T ENGINEERING, INC.
 1717 S. BOULDER AVENUE
 TULSA, OK 74119
 TEL: (918) 438-7466
 www.btginc.com



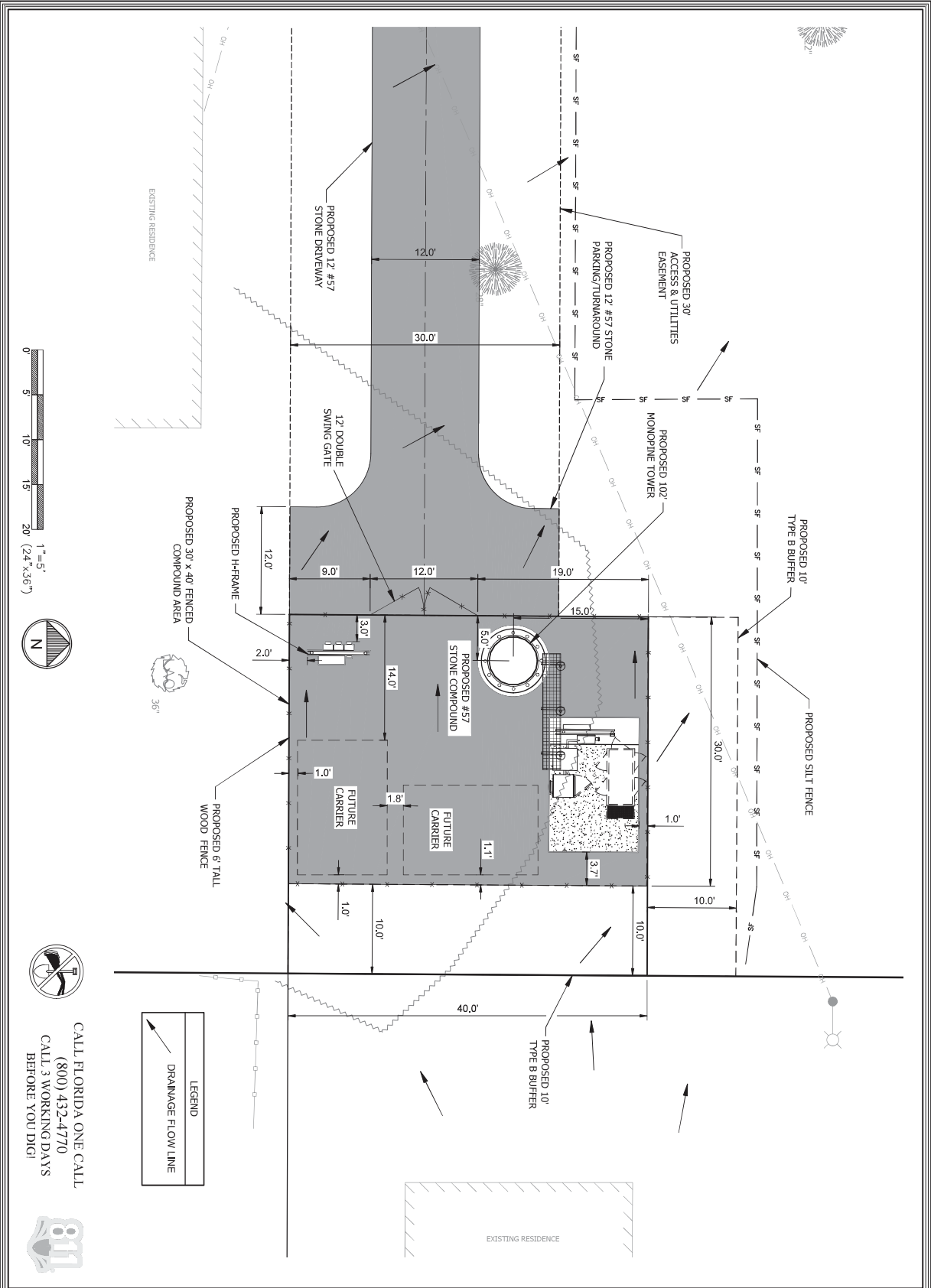
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TITLE SHEET
 SHEET NUMBER:
T-1



CALL FLORIDA ONE CALL
 (800) 432-4770
 CALL 3 WORKING DAYS
 BEFORE YOU DIG!





CALL FLORIDA ONE CALL
(800) 432-4770
CALL 3 WORKING DAYS
BEFORE YOU DIG!



APCTowers
8601 SW 22ND RD, SUITE 250
MIAMI, FL 33156
(305) 248-7722

APC TOWERS
SPRING GLADE
PARCEL ID:
U-106-28-19-1GH-000003-00015.0
13805 N 20TH STREET
TAMPA, FL 33613
HILLSBOROUGH COUNTY
PROPOSED 102' MONOPINE
TOWER

PROJECT NO.: G02571000201
CHECKED BY: DJS
ISSUED FOR:

REV	DATE	DESCRIPTION
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2	04/25/23	M/S SUBMITTAL
3	5/15/23	ECF SUBMITTAL
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5	6/9/23	ECF SUBMITTAL
6	6/9/23	M/S SUBMITTAL

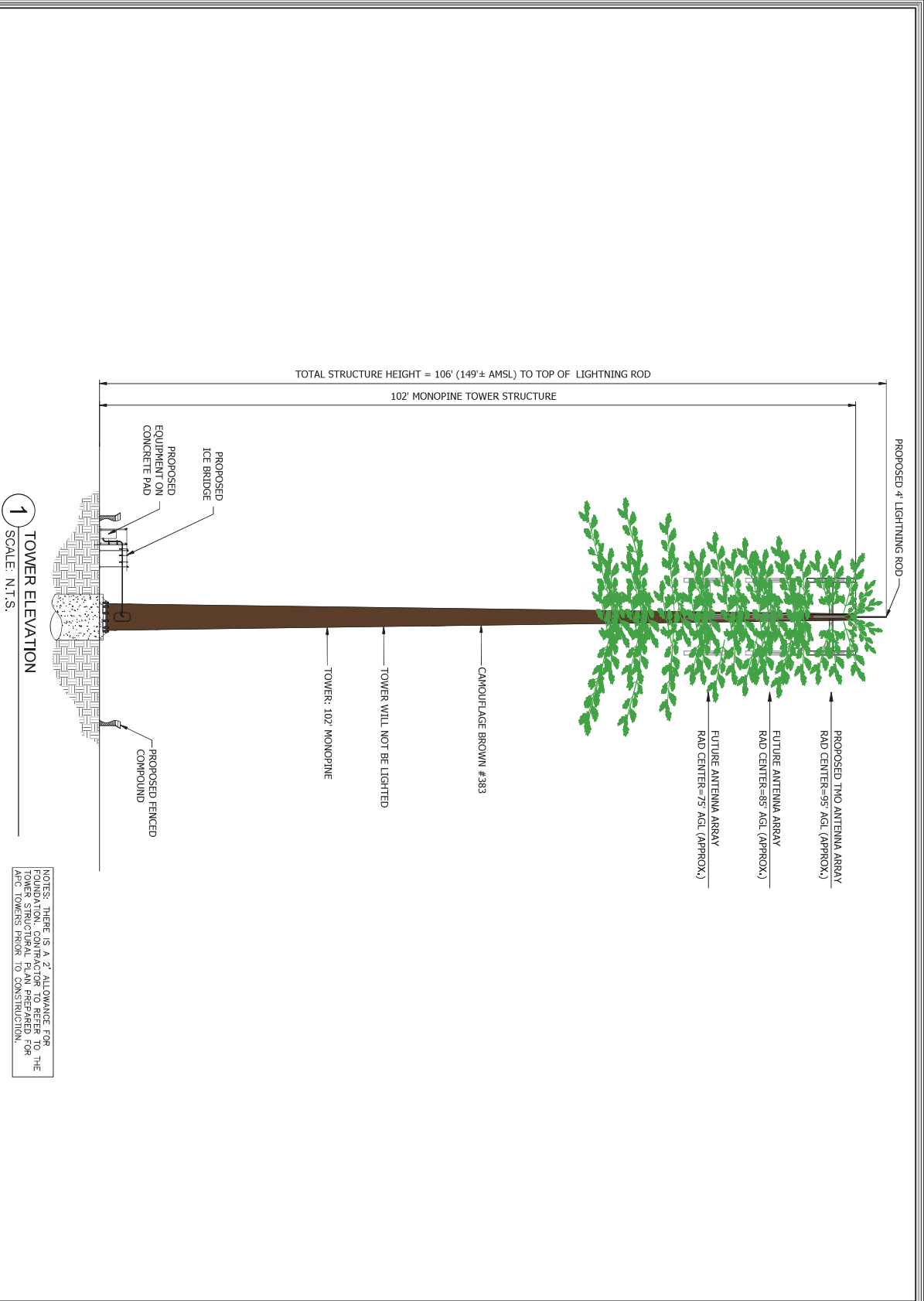
B&T ENGINEERING, INC.
1777 S. BOULDER AVENUE
TULSA, OK 74119
TEL: 918.462.9746



THIS FILE HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY CHAD TUTTLE. ANY ATTEMPT TO MODIFY THIS FILE AFTER THE SIGNATURE HAS BEEN APPLIED WILL REMOVE THE SIGNATURE AND THE SEAL. ANY ATTEMPT TO MODIFY THIS FILE WILL REMOVE THE SIGNATURE AND THE SEAL. ANY ATTEMPT TO MODIFY THIS FILE WILL REMOVE THE SIGNATURE AND THE SEAL. ANY ATTEMPT TO MODIFY THIS FILE WILL REMOVE THE SIGNATURE AND THE SEAL.

ENLARGED
COMPOUND
LAYOUT

SHEET NUMBER:
C-3



NOTES: THERE IS A 2' ALLOWANCE FOR FOUNDATION, CONTRACTOR TO REFER TO THE TOWER STRUCTURAL PLAN PREPARED FOR APC TOWERS PRIOR TO CONSTRUCTION.



B&T ENGINEERING, INC.
1777 S. BOULDER AVENUE
TULSA, OK 74119
918.466.9746

PROJECT NO.: G025915.0062.01
ISSUED FOR: DMS
CHECKED BY: DMS

REV	DATE	BY	DESCRIPTION
1	04/11/23	MMS	SUBMITTAL
2	04/26/23	MMS	SUBMITTAL
3	5/15/23	BCT	SUBMITTAL
4	5/16/23	BCT	SUBMITTAL
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6	6/9/23	MMS	SUBMITTAL

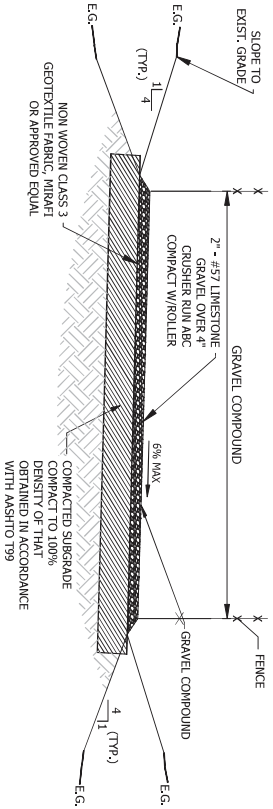
APC TOWERS
PARCEL ID:
U-106-28-19-1GH-000003-00015.0
13805 N 20TH STREET
TAMP A, FL 33613
HILLSBOROUGH COUNTY
PROPOSED 102' MONOPINE
TOWER



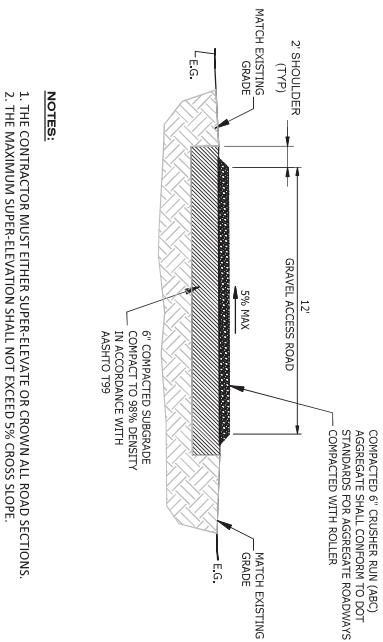
TOWER
ELEVATION

SHEET NUMBER:
C-4

1 ON GRADE GRAVEL COMPOUND SECTION
SCALE: N.T.S.

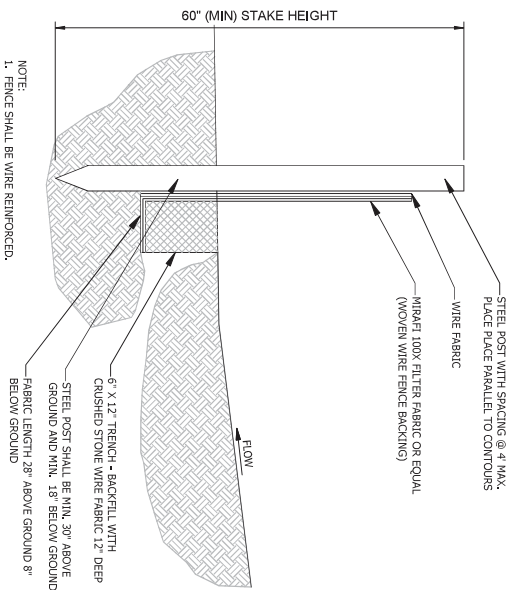


2 ON GRADE GRAVEL ROAD SECTION
SCALE: N.T.S.



- NOTES:**
1. THE CONTRACTOR MUST EITHER SUPER-ELEVATE OR CROWN ALL ROAD SECTIONS.
 2. THE MAXIMUM SUPER-ELEVATION SHALL NOT EXCEED 5% CROSS SLOPE.

3 SILT FENCE DETAIL - TYPE A
SCALE: N.T.S.



- NOTE:**
1. FENCE SHALL BE WIRE REINFORCED.

B+T GRP

ARC TOWERS
PARCEL 11:
U-106-28-19-1GH-000003-00015.0
13805 N 20TH STREET
TAMPA, FL 33613

8601 SW 202ND RD., SUITE 250
MIRAFIELD, FL 34655
(813) 248-7722

PROJECT NO.: G052310A02A11
CHECKED BY: DLS
ISSUED FOR:

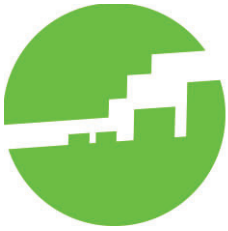
REV.	DATE	DESCRIPTION
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2	04/25/23	M/S SUBMITTAL
3	5/15/23	B/C SUBMITTAL
4	5/16/23	B/C SUBMITTAL
5	6/8/23	B/C SUBMITTAL
6	6/9/23	M/S SUBMITTAL

THIS DRAWING HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY CHAD STELLER, REGISTERED PROFESSIONAL ENGINEER, LICENSE NO. 12433, STATE OF FLORIDA. THE SIGNATURE AND SEAL OF THE ENGINEER ARE NOT CONSIDERED SIGNED AND SEALED UNLESS THE SIGNATURE AND SEAL ARE VERIFIED ON ANY ELECTRONIC COPY.

B&T ENGINEERING, INC.
1717 S. SHOULDER AVENUE
TAMPA, FL 33610
TEL: (813) 972-4619

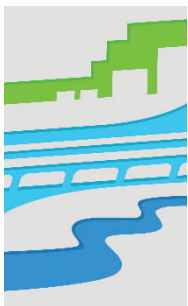
CONSTRUCTION DETAILS

SHEET NUMBER
C-5



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: June 26, 2023	Petition: SU 23-0144
Report Prepared: June 14, 2023	13805 20th Street <i>East side of N 20th Street, north of E Fletcher Avenue and west of N 22nd Street</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Residential-20 (20 du/ga; 0.75 FAR)
Service Area:	Urban
Community Plan:	University Area
Requested Zoning:	Special Use to permit a 106-foot monopine Wireless Communication Tower
Parcel Size (Approx.):	0.79 +/- acres (+/- 34,412 SF)
Street Functional Classification:	N 21 st Street – Local N 22 nd Street – Collector E Fletcher Avenue – Arterial
Locational Criteria:	N/A
Evacuation Zone:	None



Context

- The +/- 0.79 acre subject site made up of three folios is located on the east side of N 20th Street, north of E Fletcher Avenue and west of N 22nd Street. The subject site is in the Urban Service Area and is located within the limits of the University Area Community Plan.
- The site has a Future Land Use designation of Residential-20 (RES-20), which allows for consideration of up to 20 dwelling units per gross acre and a maximum Floor Area Ratio (FAR) of 0.75. Typical uses in the RES-20 include residential, neighborhood commercial, office uses, multi-purpose projects and mixed-use developments. Non-residential uses shall meet established locational criteria for specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- RES-20 surrounds the site on all sides. Office-Commercial-20 (OC-20) is located to the south, running along E Fletcher Avenue. To the southeast of the subject site is Public/Quasi-Public (P/QP)
- The subject site currently has one vacant parcel and two parcels each with a two-family dwelling on it. The site is mainly surrounded by single-family, two-family, three-family and manufactured homes. There are some public institutional uses to the east and west of the site.
- The subject property is currently zoned as University Community Area Neighborhood Office (UCA-NHO). UCA-NHO zoning is located to the north, east and south of the site, and Residential, Multi-Family Conventional – 20 (RMC-20) zoning is located to the west.
- The applicant is requesting a Special Use to permit a 106-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: University Area

Goal 2: Eliminate Obsolete Land Uses

The community supports:

- discouraging criminal activity and providing a sense of security for area residents through implementation of CPTED (Crime Prevention through Environmental Design) principles;
- working with the Hillsborough County Sheriff's Office and other stakeholders to develop strategies for crime prevention and public safety with the UAC boundary;
- maintaining a variety of land-use options and promotion mixed-use developments in the area;
- providing greater flexibility in land-use and density for future development while ensuring that neighborhood buffers and urban amenities are enhanced

Goal 3: Create Community Identity

The community supports:

- developing physical improvements such as landscaping, gateways, sidewalks, signage, and street trees to define community identity;
- using landscape buffers and urban design features/techniques to reduce conflicts between land uses, to promote high quality development, and to create an identifiable community character;

- *using Hillsborough County code enforcement to assist in regulating land-use and improving community identity and safety.*

Staff Analysis of Goals, Objectives and Policies:

The +/- 0.79 acre subject site made up of three folios is located on the east side of N 20th Street, north of E Fletcher Avenue and west of N 22nd Street. The subject site is in the Urban Service Area and is located within the limits of the University Area Community Plan. The applicant is requesting a Special Use to permit a 106-foot monopine wireless communication tower on site. The site is mainly surrounded by residential and public institutional uses.

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 106-foot monopine Wireless Communication Tower will be in an area that already has existing public institutional uses and residences that will be supported by its service. The applicant is proposing a 30' access and utility easement located off N 20th Street. The request includes variations to the required setbacks and buffers, however, with the size constraints of the site, the applicant is still providing the required Type B buffer and a 6-foot tall wood fence surrounding the tower compound to screen the it from all sides. Furthermore, the tower is a monopine design and will be reflective of the existing tree canopy in the immediate area. 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 variations from the setback and buffer requirements, however the Department of Development Services finds them to be supportable and in compliance with all applicable regulations.

The proposed Special Use meets the intent of University Area Community Plan that specifically seeks develop physical improvements such as landscaping, gateways and street trees, and to use landscape buffers and urban design features/techniques to reduce conflicts between land uses. Furthermore, the request states that the communications tower will provide reliable support for wireless callers making 911 calls and seeking emergency services. This supports the goal of developing strategies for crime prevention and public safety.

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 23-0144

Rezoning

<All other values>

- **STATUS**
- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

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

- w/m NATURAL LULC - Wet, Poly
- AGRICULTURAL/MINING-120 (.25 FAR)
- PFC PLANNED ENVIRONMENTAL COMMUNITY-112 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-112.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 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 PLANNED (.75 FAR)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASH/PUBLIC
- NATURAL PRESERVATION
- WIMUVA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

DATA SOURCES: Rezone boundaries from ThisDrawing Commissioned an aerial digital, fiscal lines and data from Hillsborough County Property Appraiser. Parcel boundaries from Hillsborough County GIS. Other data from Hillsborough County GIS. City/County Planning Commission. ACQUICUT: This includes the 1/5, 1/10, 1/12, 1/16, 1/20, 1/25, 1/35, 1/50, 1/75, 1/100, 1/125, 1/150, 1/200, 1/250, 1/300, 1/350, 1/400, 1/450, 1/500, 1/550, 1/600, 1/650, 1/700, 1/750, 1/800, 1/850, 1/900, 1/950, 1/1000, 1/1100, 1/1200, 1/1300, 1/1400, 1/1500, 1/1600, 1/1700, 1/1800, 1/1900, 1/2000, 1/2100, 1/2200, 1/2300, 1/2400, 1/2500, 1/2600, 1/2700, 1/2800, 1/2900, 1/3000, 1/3100, 1/3200, 1/3300, 1/3400, 1/3500, 1/3600, 1/3700, 1/3800, 1/3900, 1/4000, 1/4100, 1/4200, 1/4300, 1/4400, 1/4500, 1/4600, 1/4700, 1/4800, 1/4900, 1/5000, 1/5100, 1/5200, 1/5300, 1/5400, 1/5500, 1/5600, 1/5700, 1/5800, 1/5900, 1/6000, 1/6100, 1/6200, 1/6300, 1/6400, 1/6500, 1/6600, 1/6700, 1/6800, 1/6900, 1/7000, 1/7100, 1/7200, 1/7300, 1/7400, 1/7500, 1/7600, 1/7700, 1/7800, 1/7900, 1/8000, 1/8100, 1/8200, 1/8300, 1/8400, 1/8500, 1/8600, 1/8700, 1/8800, 1/8900, 1/9000, 1/9100, 1/9200, 1/9300, 1/9400, 1/9500, 1/9600, 1/9700, 1/9800, 1/9900, 1/10000, 1/10100, 1/10200, 1/10300, 1/10400, 1/10500, 1/10600, 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APC TOWERS
SPRING GLADE
 PARCEL ID:
 U-106-28-19-1GH-000003-00015.0
 13805 N 20TH STREET
 TAMPA, FL 33613
 HILLSBOROUGH COUNTY
 PROPOSED 102' MONOPRINE
 TOWER

PROJECT NO.	GH5211000201		
CHECKED BY	DJS		
ISSUED FOR			
REV.	DATE	BY	DESCRIPTION
1	04/17/23	MMS	SUBMITTAL
2	04/26/23	MMS	SUBMITTAL
3	5/15/23	BOT	SUBMITTAL
4	5/16/23	BOT	SUBMITTAL
5	6/9/23	BOT	SUBMITTAL
6	6/9/23	MMS	SUBMITTAL

B&T ENGINEERING, INC.
 1775 S. BOULDER AVENUE
 TULSA, OK 74119
 TEL: 918.436.9746



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 BOARD OF ENGINEERING
 100 EAST WASHINGTON
 OKLAHOMA CITY, OK 73101
 TEL: 405.505.6200
 FAX: 405.505.6201
 WWW.BOE.OC.GOV

IF A LOCATION OF SIGN OR ANY PART THEREOF, UNLESS
 OTHERWISE SPECIFIED, IS CHANGED, THE SIGNAGE
 PROFESSIONAL DESIGNER IS NOT RESPONSIBLE FOR
 THE SIGNAGE.

SIGNAGE
 DETAILS
 SHEET NUMBER
C-6

SIGNAGE NOTES:

- SIGNS SHALL BE FABRICATED FROM CORROSION RESISTANT PRESSED METAL & PAINTED WITH LONG LASTING UV RESISTANT CHALKS.
- SIGNS (EXCEPT WHERE NOTED OTHERWISE) SHALL BE MOUNTED TO THE TOWER, GATE & FENCE USING A MINIMUM OF 9 GAUGE ALUMINUM WIRE, HOG RINGS (FENCE) OR BRACKETS, WHERE NECESSARY. BRACKETS SHALL BE OF SIMILAR METAL AS THE STRUCTURE TO AVOID GALVANIC CORROSION.
- ADDITIONAL E911 ADDRESS & FCC REGISTRATION SIGNS SHALL BE MOUNTED AT EACH ACCESS ROAD GATE LEADING TO THE COMPOUND AS WELL AS ON THE COMPOUND GATE ITSELF.
- SIGNS NEED NOT BE PLACED IF ACCURATE AND APPROPRIATE SIGNAGE ALREADY EXISTS.

BLACK TEXT

WHITE BACKGROUND

APC Towers

SITE NAME: SPRING GLADE FCC Tower Registration #

SITE NUMBER: FL-1046

SITE ADDRESS:

13805 N 20TH STREET
 TAMPA FL 33613

In case of Emergency, dial 911
NO TRESSPASSING
 For Leasing Information: TBD
 For Operations & Access: TBD

RED TEXT

WHITE TEXT

GREEN BACKGROUND

INFORMATION

Federal Communications Commission
 Tower Registration Number
1 2 3 4 5 6 7

Printed in accordance with Federal Communications Commission 47 CFR 17.100

BLACK TEXT

WHITE BACKGROUND

BLACK TEXT

GREEN BACKGROUND

INFORMATION

ACTIVE ANTENNAS ARE MOUNTED

ON THE OUTSIDE OF THIS BUILDING

BEHIND THIS PANEL

ON THIS STRUCTURE

STAY BACK A MINIMUM OF 3 FEET FROM THESE ANTENNAS

Contact APC TOWERS
 and follow their instructions prior to performing any maintenance or repairs closer than 3 feet from the antennas.

Site Number : FL-1046

WHITE BACKGROUND

1 PROPERTY OF APC TOWERS
 NOT TO SCALE

WHITE BACKGROUND, RED/BLACK LETTERING
 MOUNTING LOCATION: SHUTTER OR TENANT IMPROVEMENT ROOM
 DOOR, IF OUTDOOR CABINET SITE PLACE ON END CABINET
 CLOSEST TO SITE ACCESS POINT. PLACE ON GENERATOR
 QUANTITY: 1 TO 2

2 FCC REGISTRATION SIGN
 NOT TO SCALE

WHITE/GREEN BACKGROUND, WHITE/BLACK LETTERING
 MOUNTING LOCATION: GATE & BASE OF TOWER
 QUANTITY: 2

3 RF EXPOSURE INFORMATION SIGN
 NOT TO SCALE

WHITE/GREEN BACKGROUND, BLACK LETTERING
 MOUNTING LOCATION: GATE & BASE OF TOWER
 QUANTITY: 2

BLACK TEXT

GREEN BACKGROUND

INFORMATION

Printed in accordance with Federal Communications Commission 47 CFR 17.100

WHITE BACKGROUND

INFORMACION

Printed in accordance with Federal Communications Commission 47 CFR 17.100

WHITE TEXT

WHITE TEXT

BLUE BACKGROUND

NOTICE

Beyond this Point you are entering an area where RF Emissions may exceed the FCC General Population Exposure Limits. Please read and obey guidelines for working in a RF environment.

BLACK TEXT

WHITE BACKGROUND

BLACK TEXT

YELLOW BACKGROUND

CAUTION

On this tower, Radio frequency fields near some antennas may exceed FCC rules for human exposure. Personnel should be trained for working in radio frequency environments and should wear protective equipment if working near active antennas.

WHITE BACKGROUND

BLACK TEXT

RED BACKGROUND

WARNING

Beyond this point, Radio frequency fields at this site exceed the FCC rules for human exposure. Personnel should be trained for working in radio frequency environments and should wear protective equipment if working near active antennas.

WHITE BACKGROUND

4 RF EXPOSURE INFORMATION SIGN
 NOT TO SCALE

WHITE/GREEN BACKGROUND, BLACK LETTERING
 MOUNTING LOCATION: GATE & BASE OF TOWER
 QUANTITY: 2

5 RF EXPOSURE NOTICE SIGN
 NOT TO SCALE

WHITE/BLUE BACKGROUND, BLACK/WHITE LETTERING
 MOUNTING LOCATION: GATE & BASE OF TOWER
 QUANTITY: 1

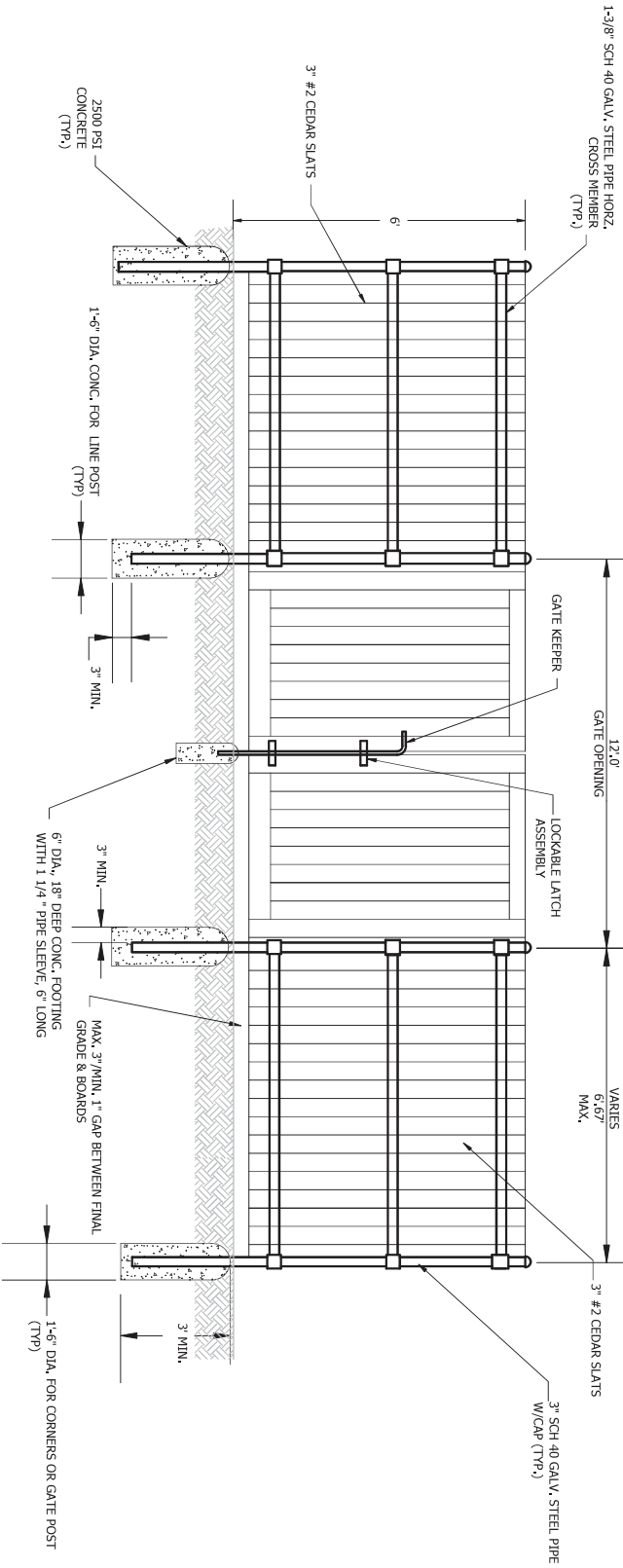
6 RF EXPOSURE CAUTION SIGN
 NOT TO SCALE

WHITE/YELLOW BACKGROUND, BLACK LETTERING
 MOUNTING LOCATION: BASE OF TOWER
 QUANTITY: 1

7 RF EXPOSURE WARNING SIGN
 NOT TO SCALE

WHITE/RED BACKGROUND, BLACK LETTERING
 MOUNTING LOCATION: GATE & BASE OF TOWER
 QUANTITY: 1

NOTES:
 • ANY WCSS WHICH IS ABANDONED SHALL BE REMOVED OR DEMOLISHED EITHER BY THE OWNER OF THE TOWER, OR BY THE PROPERTY OWNER, BUT NOT AT HILLSBOROUGH COUNTY'S EXPENSE. FOR THE PURPOSES OF THIS SECTION, ABANDONED SHALL MEAN THAT NO COMMERCIAL OPERATION OF ANY WCA OR OTHER COMMERCIAL ANTENNA ON THE WCSS HAS OCCURRED FOR A ONE-YEAR PERIOD.



1 CEDAR SLAT WOOD FENCE DETAIL
 SCALE: N.T.S.



APCTowers
 8601 SW 129th Rd., Suite 250
 Tampa, FL 33613
 (813) 248-7722

APC TOWERS
SPRING GLADE
 PARCEL ID:
 U-106-28-19-1GH-000003-00015.0
 13805 N 20TH STREET
 TAMPA, FL 33613
 HILLSBOROUGH COUNTY
 PROPOSED 102 MONOPRINE
 TOWER

PROJECT NO.: G052913.00A2.01
 CHECKED BY: DJS
 ISSUED FOR:

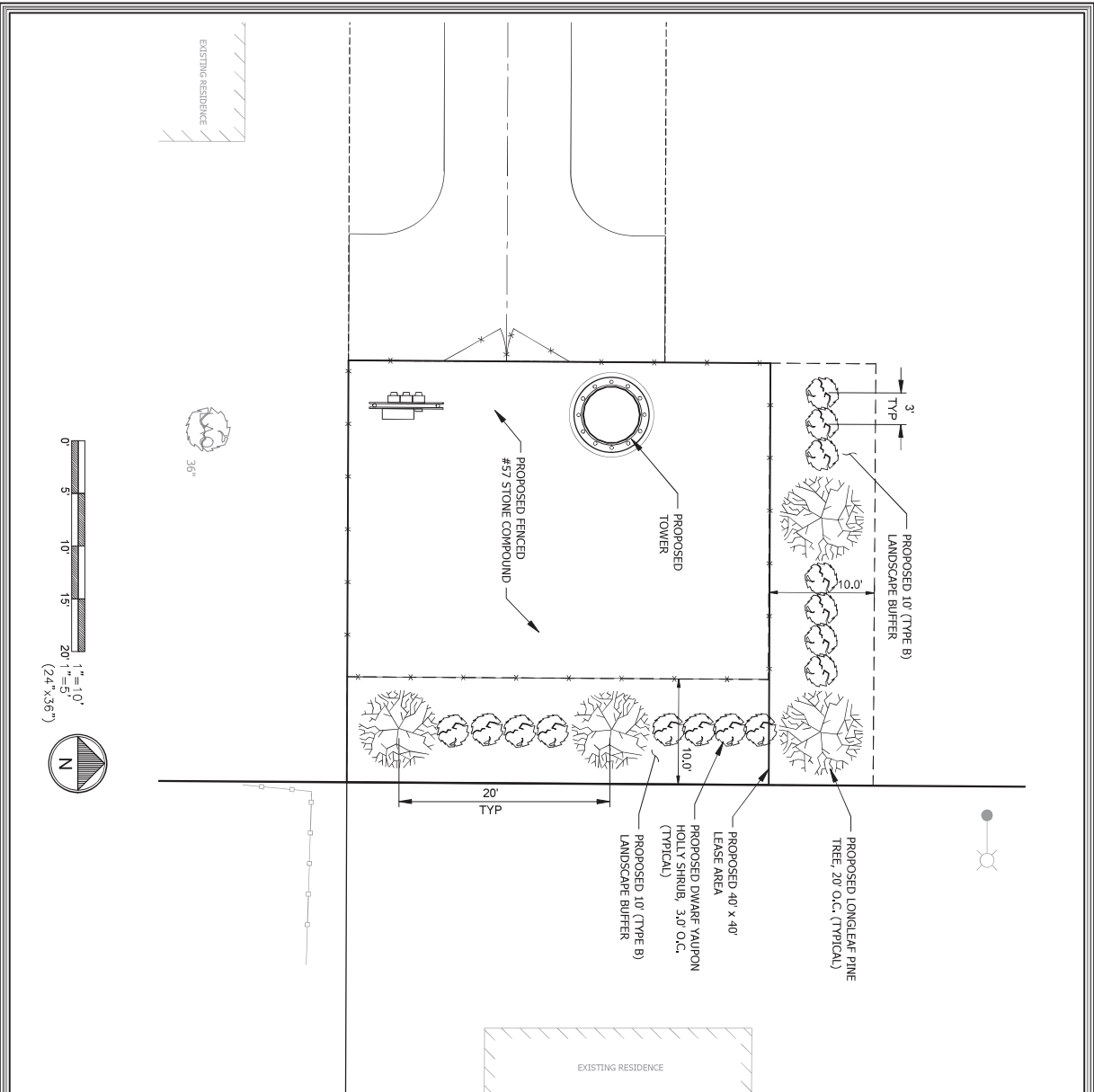
REV.	DATE	DESCRIPTION
1	04/17/23	M/S SUBMITTAL
2	04/26/23	M/S SUBMITTAL
3	5/15/23	BOT SUBMITTAL
4	5/16/23	BOT SUBMITTAL
5	6/8/23	BOT SUBMITTAL
6	6/9/23	M/S SUBMITTAL

B&T ENGINEERING, INC.
 1777 S. BOULDER AVENUE
 TULSA, OK 74119
 TEL: 918.437.4461

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IF A MODIFICATION TO ANY PART OF THIS PLAN IS MADE, THE PROFESSIONAL ENGINEER'S SIGNATURE AND SEAL SHALL BE REAPPLIED TO ANY SUCH MODIFICATION.
 PROFESSIONAL ENGINEER'S SIGNATURE AND SEAL SHALL BE REAPPLIED TO ANY SUCH MODIFICATION.

NOTES AND
 FENCE DETAIL
 SHEET NUMBER
C-7



LANDSCAPE NOTES:

1. SEE SHEET L-2 FOR LANDSCAPE PLANTING DETAILS.
2. EXISTING VEGETATION SHALL BE PRESERVED TO MAXIMUM EXTENT PRACTICABLE.
3. VEGETATION SHALL BE MAINTAINED IN A HEALTHY STATE AND VEGETATION THAT PERISHES OR FAILS TO THRIVE SHALL BE REPLACED.
4. TREES AND SHRUBS SHALL BE WARRANTED FOR 1 YEAR AGAINST DEATH, UNSATISFACTORY GROWTH, DISEASE AND INSECT INFESTATION.
5. CONTRACTOR SHALL APPLY WATER TO TREES AND SHRUBS UNTIL THEY ARE ESTABLISHED AND CAN SURVIVE ON THEIR OWN. PER THE MANUAL WATERING SCHEDULE ON SHEET L-2.
6. SUBSTITUTION OF PLANT MATERIAL WILL NOT BE PERMITTED UNLESS AUTHORIZED BY THE OWNER OR OWNER'S REPRESENTATIVE.
7. SEE PLANTING DETAILS ON L-2 FOR OTHER INSTALLATION NOTES.
8. THE CONTRACTOR SHALL FIELD VERIFY THE LOCATION OF ALL EXISTING ABOVE GROUND IMPROVEMENTS.
9. THE CONTRACTOR IS RESPONSIBLE FOR ANY NECESSARY RELOCATION OR REPAIR DUE TO DAMAGE CAUSED DURING CONSTRUCTION.



CALL FLORIDA ONE CALL
(800) 432-4770
CALL 3 WORKING DAYS
BEFORE YOU DIG!



APC TOWERS
SPRING GLADE
PARCEL 1D
13805 N 20TH STREET
TAMP A, FL 33613
HILLSBOROUGH COUNTY
PROPOSED 102' MONORPINE
TOWER

PROJECT NO.: GMS210402A1
CHECKED BY: DJS



ISSUED FOR:

REV	DATE	ISSUE DESCRIPTION
1	04/11/23	M/S SUBMITTAL
2	04/26/23	M/S SUBMITTAL
3	5/15/23	B/C SUBMITTAL
4	5/16/23	B/C SUBMITTAL
5	6/8/23	B/C SUBMITTAL
6	6/9/23	M/S SUBMITTAL

B&T ENGINEERING, INC.
1777 S. BOULDER AVENUE
TULSA, OK 74469

REGISTERED PROFESSIONAL ENGINEER
STATE OF FLORIDA
No. 57189
DATE OF EXPIRATION 12/31/2024
THIS SEAL HAS BEEN ELECTRONICALLY
SIGNED AND SEALED BY GRID TITLE
SEAL NUMBER 17777777777777777777
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ELECTRONIC COPIES.

LANDSCAPE PLAN
SHEET NUMBER
L-1

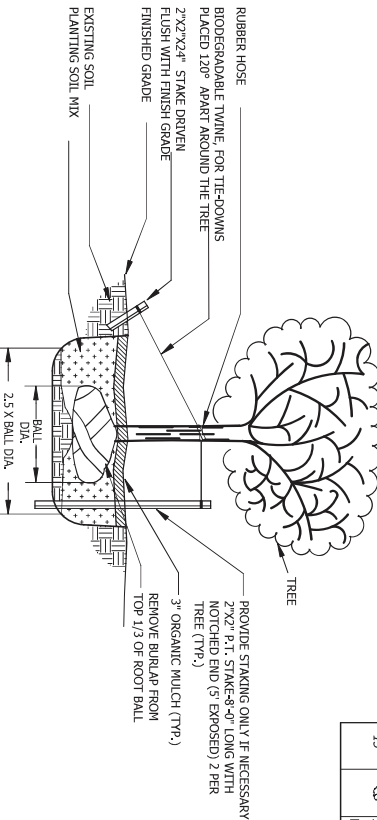
PLANT SCHEDULE					
QTY.	SYM.	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
4		TREE LONGLEAF PINE	PNUS PALUSTRIS	MINIMUM OF TEN FT. IN HEIGHT AND TWO INCHES DIAMETER AT BREAST HEIGHT (DBH) AT THE TIME OF PLANTING	PLANT 5' FROM FENCE, 20' O.C. MIN.
15		SHRUB DWARF HYDRANGEA	ILEX VOMITORIA "TAMM"	24" MIN. HEIGHT AT PLANTING	PLANT 36" O.C. MIN.

MANUAL WATERING SCHEDULE:

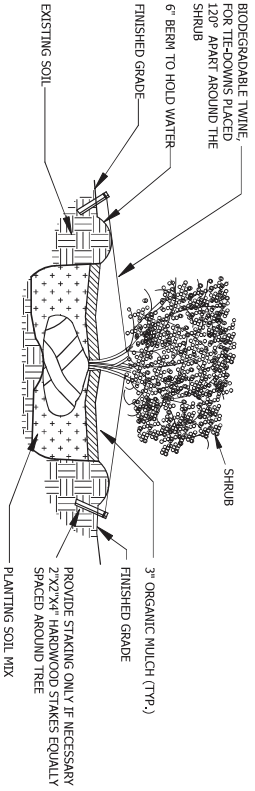
1. WATER DAILY FOR FIRST 30 DAYS. PROVIDE 5 GALLONS PER TREE PER CALIPER INCH. SHRUBS TO RECEIVE 5 GALLONS EACH PER WATERING.
2. WATER EVERY OTHER DAY FROM 30 DAYS TO 3 MONTHS, AT SAME RATE.
3. WATER WEEKLY FROM 3 MONTHS UNTIL ESTABLISHED. TYPICALLY 4 MONTHS AFTER PLANTING, AT SAME RATE.
4. APPLY WATER DIRECTLY TO ROOT BALL.
5. AT EACH WATERING CHECK FOR EXCESSIVE OR INEFFICIENT WATER.

PLANTING NOTES:

1. MULCH WITH 4" MIN. ORGANIC MULCH.
2. LANDSCAPE CONTRACTOR TO GUARANTEE AND MAINTAIN TREES AND SHRUBS FOR 180 DAYS.
3. ALL TRIMMING OF EXISTING TREES TO BE PERFORMED BY LICENSED ARBORIST.
4. ALL NEW PLANT MATERIAL WILL BE FLORIDA GRADE #1 OR BETTER, HEALTHY, DISEASE FREE, AND PEST FREE.
5. ALL PROPOSED LANDSCAPING IS REQUIRED AND SHALL BE PROPERLY MAINTAINED TO ENSURE GOOD HEALTH & VITALITY.
6. SEED, MULCH AND FERTILIZE ALL DISTURBED AREAS.
7. REFER TO LANDSCAPE PLAN, SHEET L-1 FOR PLANTING LOCATION.



1 TREE PLANTING DETAIL
SCALE: N.T.S.



2 SHRUB PLANTING DETAIL
SCALE: N.T.S.



CALL FLORIDA ONE CALL
(800) 432-4770
CALL 3 WORKING DAYS
BEFORE YOU DIG!



APC TOWERS
SPRING GLADE
PARCEL ID:
U-106-28-19-1G1-000003-00015.0
13805 N 20TH STREET
TAMP A, FL 33613
HILLSBOROUGH COUNTY
PROPOSED 102' MONORPILE
TOWER

PROJECT NO.	GH2311040211		
CHECKED BY:	DJS		
ISSUED FOR:			
REV.	DATE	BY	DESCRIPTION
1	04/17/23	MAS	SUBMITTAL
2	04/25/23	MAS	SUBMITTAL
3	5/15/23	BCI	SUBMITTAL
4	5/16/23	BCI	SUBMITTAL
5	6/8/23	BCI	SUBMITTAL
6	6/9/23	MAS	SUBMITTAL

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RECORDED. A DIGITAL SIGNATURE
PRINTED COPY OF THIS DOCUMENT THE
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ELECTRONIC COPIES.
REGISTERED PROFESSIONAL ENGINEER
STATE OF FLORIDA
No. 57189
DATE OF EXPIRATION: 12/31/2024
JAMES S. SPEEDE, P.E.
LANDSCAPE ARCHITECT

B&T ENGINEERING, INC.
1775 S. BOLDER AVENUE
TULSA, OK 74106
TEL: 918.436.9746

LANDSCAPE DETAILS

SHEET NUMBER
L-2



**Hillsborough
County Florida**
Development Services

601 E. Kennedy Blvd., 19th Floor | (813) 272 5600

Additional / Revised Information Sheet

Date Stamp Here

Application Number: SU 23-0144 Applicant's Name: Mattaniah S. Jahn, P.A.

Reviewing Planner's Name: Colleen Marshall Date: 05/18/2023

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): 6/26/23

Will this revision add land to the project? Yes No

IMPORTANT: If "Yes" is checked on the above, a Revised Application Sheet, Property Information Sheet, Affidavit to Authorize Agent, and additional Deeds must be filed immediately to ensure proper noticing and sign posting requirements are met.

Will this revision remove land from the project? Yes No

The following must be attached to this Sheet.

- Cover Letter with summary of the changes and/or additional information provided. If a revised Site Plan is being submitted, all changes on the site plan must be listed in detail in the Cover Letter.
- An updated Project Narrative consistent with the changes or additional information provided, if applicable.


Submittal Via:

Email - Note that no follow up paper file is necessary. Files must be in pdf format and minimum resolution of 300 dpi. Maximum attachment(s) size is 15 MB.

Email this sheet along with all the additional/revised submittal items in pdf to: ZoningIntake-DSD@hcflgov.net

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

5/18/23
Date

FOR OFFICE USE ONLY

- Notification E-Mail Sent
- Transmittal Completed

Scanned into OPTIX

In-Take Completed by: _____



935 Main Street, Suite C4
Safety Harbor, FL 34695
Telephone: (727) 773-2221
Facsimile: (727) 773-2616

SENT VIA EMAIL ONLY

May 18, 2023

Colleen Marshall, AICP, CFM
Hillsborough County Planning and Growth Management
601 East Kennedy Boulevard
20th Floor
Tampa, Florida 33601

**RE: APC Towers III, LLC
Site Name: FL 1046 – Spring Glade
Supplemental Variance Request for application SU 23-0144**

Dear Ms. Marshall:

On behalf of this firm's client, APC Towers III, LLC (APC), please find the included Variance Application to supplement Special Use application SU 23-0144:

- 2022 Hillsborough County 911 Call Statistics
- Survey – 1 Signed and Sealed PDF
- Revised Site Plan - 1 Signed and Sealed PDF

Summary of Request

APC respectfully requests partial relief from the 20' type B buffer in the LDC at section 6.06.06 (Buffering and Screening Requirements) to instead provide all type B plantings within a 10' wide buffer on the North, East, and West sides of the compound. Additionally, APC respectfully requests relief from the maximum front lot setbacks under section 3.13.04 of the Code, to instead provide 95.3' of front lot setback. Finally, APC will provide an opaque wooden compound fence in accordance with section 3.13.03 of the Code.

Sec 11.04.00 Variances

...

Sec. 11.04.02. Standards

A. Findings Required; Conditions

1. A variance may only be allowed by the Land Use Hearing Officer in cases involving practical difficulties or unnecessary hardship, when substantial evidence in the official record of the hearing supports specific findings.

APC respectfully submits that practical difficulties present on the parent parcel, preventing the 20' width of the type B buffers. The project's compatibility turns on balancing separations from apartments to the East and single-family homes to the West. Due to the parcel's size, a 20' wide buffer to the East will push the facility to the West, towards the single-family homes. Further, if 20' wide buffers are required, the small size of the lot would prevent any additional development on the parent parcel.

Further, section 3.13.4 of the Code requires a maximum setback of 20'. This presents a practical hardship in that the facility would be placed in the center of the parcel, taking up all developable space, and undermines the compatibility of the site by moving it closer to the single-family homes to the West. Finally, observing a maximum front lot setback of 20' would require removal of existing mature trees that would help provide buffering to the West. Please see Sheet C-1 of the enclosed Site Plan as well as the enclosed Photosimulations.

2. All findings of fact shall be made in the indicated order by the Land Use Hearing Officer, which is not empowered to grant a variance without an affirmative finding of fact on all six categories in 11.04.02 B below. Each finding of fact shall be supported by substantial evidence in the record.

APC respectfully submits the entire application packet as competent substantial evidential in support of the variance request.

3. The Land Use Hearing Officer may impose reasonable conditions upon the granting of any variance to insure that the public health, safety, and general welfare shall be protected and substantial justice done. Violation of such conditions shall be a violation of this Code.

Noted.

B. Specific Required Findings

The following specific findings must be made by the Land Use Hearing Officer prior to approving an application for a Variance:

1. That the alleged hardships or practical difficulties are unique and singular as regards the property of the person requesting the variance and are not those suffered in common with other property similarly located.

The hardships leading to the variance request for the reduced buffers and the relief for the maximum front lot setback arise from the unique conditions of the parent parcels small size combined with the mature trees on the parent parcel that help provide additional buffering to off-site properties. Please see Sheet C-1 of the enclosed Site Plan as well as the enclosed Photosimulations.

2. That literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district and area under the terms of this Code.

In this instance, the literal interpretation of the Code would deprive the applicant of rights commonly enjoyed by others, as it would require the Monopine to be placed on the parent parcel in such a way that the remaining space would be useless for further development. Additionally, the literal interpretation of the Code would undermine the sound planning objectives of the Tower Code by requiring the removal of mature trees on the parent parcel, which are currently providing buffering from the Single-Family Homes to the West.

3. That 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 reliefs requested will not substantially interfere or injure the rights of others. Rather granting the variance request will support the rights of others with property surrounding the parent parcel as it will enable T-Mobile to provide reliable wireless service in and around North 20th Street. In 2022, 81.2% of all 911 calls received by the Hillsborough County Sheriff's Office came from wireless numbers. This shows that reliable wireless service is not a luxury, rather, it is a necessity.

4. That the variance is in harmony with and serves the general intent and purpose of this Code and the Comprehensive Plan.

The variance requests will be in harmony with and further the comprehensive plan and the Code's sound planning objectives of compatibility by allowing the Monopine to be sited in such a way that shows sensitivity to both the surrounding apartments and the single-family

homes to the West, while preserving mature trees on the parcel. Please see Sheet C-2 of the enclosed Site Plan as well as the Photosimulations.

5. That 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 variance does not arise from any illegal action of APC or the property owner. Rather, it arises from the unique conditions of the parent parcel's small size combined with the existing vegetation on the parent parcel. Please see Sheet C-1 of the enclosed Site Plan.

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

The variance reliefs requested will result in substantial justice being done as it will allow the Monopine to be sited in a manner that preserves existing trees on the parent parcel while allowing T-Mobile to solve a significant gap in its service to the public located in and around North 20th Street.

...

D. Provisions for Variations from Regulations Applying to Special Uses

Regulations for a particular Special Use may be varied where the Land Use Hearing Officer makes a finding in the particular case, that public purposes are satisfied to an equivalent or greater degree. Any related variances to Special Use standards must be heard by the Land Use Hearing Officer and cannot be acted on administratively prior to the Special Use being approved.

Noted.

Thank you for your assistance in this matter. Please do not hesitate to contact me if I am able to provide you with additional information.

Sincerely,



Aya M. Abunada
Planner

enclosures

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Prepared by and return to:

Eric Gruman
Peer Title, Inc.
3400 W. Kennedy Boulevard
Tampa, FL 33609
(813) 871-3400
File Number: **2019-54**
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 13th day of December, 2019 between **Tonias Investments, LLC A/K/A Tonias Investments, "LLC"**, a Florida Limited Liability Company whose post office address is **1908 E Fletcher Ave, Suite E, Tampa, FL 33612**, grantor, and **Pro-Buy GSN, LLC**, a New York Limited Liability Company whose post office address is **2825 W Fountain Blvd, Tampa, FL 33609**, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Hillsborough County, Florida** to-wit:

Lot 15, Block 3, W.E. HAMNER'S TOWERING PINES, according to the Plat thereof, recorded in Plat Book 31, Page 97, of the Public Records of Hillsborough County, Florida.

Parcel Identification Number: 035684-0000

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 **12/31/2019**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

23-0144

Signed, sealed and delivered in our presence:

**Tonias Investments, LLC A/K/A Tonias Investments,
"LLC", a Florida Limited Liability Company**

Witness

Printed Name: E. G. W. W. W. W. W.

Witness

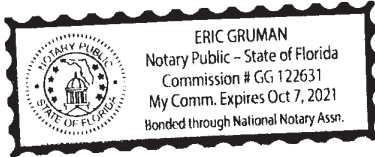
Printed Name: D. H. A. T. E. R. I.

By: Totaram Radhacharan
Totaram Radhacharan, Manager

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 13th day of December, 2019 by Totaram Radhacharan, Manager of Tonias Investments, LLC A/K/A Tonias Investments, "LLC", a Florida Limited Liability Company, who is personally known or has produced a driver's license as identification.

[Notary Seal]



Notary Public

Printed Name: _____

My Commission Expires: _____

Prepared by and return to:
Eric S. Gruman
Vice President
Peer Title, Inc.
3400 West Kennedy Blvd
Tampa, FL 33609
813-871-3400
File Number: 19-0458
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 6th day of June, 2019 between **David Michael Carr, P.A., a Florida Corporation** whose post office address is **11503 Humber Place , Temple Terrace, FL 33617**, grantor, and **GSN Tampa LLC, a New York Limited Liability Company**, whose post office address is **271 Jericho Tpke, Suite 3200, Floral Park, NY 11001**, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Hillsborough County, Florida** to-wit:

North 1/2 of Lot 16, Block 3 of W.E. HAMNER'S TOWERING PINES SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 31, Page 97 of the Public Records of Hillsborough County, Florida.

Parcel Identification Number: 035685-0100

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, 2018**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

23-0144

Signed, sealed and delivered in our presence:

D Brady
Witness Name: D Brady

L Cutting
Witness Name: L Cutting

David Michael Carr, P.A.

By: [Signature]
David M Carr, President

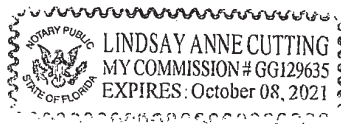
(Corporate Seal)

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 5th day of June, 2019 by David M Carr, President of David Michael Carr, P.A., on behalf of the corporation. He/she is personally known to me or has produced a driver's license as identification.

[Notary Seal]

[Signature]
Notary Public
Printed Name: L Cutting
My Commission Expires: _____



Prepared by and return to:

Eric Gruman
Peer Title, Inc.
3400 W. Kennedy Boulevard
Tampa, FL 33609
(813) 871-3400
File Number: **2019-54**
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 13th day of December, 2019 between **Tonias Investments, LLC A/K/A Tonias Investments, "LLC"**, a Florida Limited Liability Company whose post office address is **1908 E Fletcher Ave, Suite E, Tampa, FL 33612**, grantor, and **Pro-Buy GSN, LLC**, a New York Limited Liability Company whose post office address is **2825 W Fountain Blvd, Tampa, FL 33609**, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Hillsborough County, Florida** to-wit:

Lot 15, Block 3, W.E. HAMNER'S TOWERING PINES, according to the Plat thereof, recorded in Plat Book 31, Page 97, of the Public Records of Hillsborough County, Florida.

Parcel Identification Number: 035684-0000

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 **12/31/2019**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

23-0144

Signed, sealed and delivered in our presence:

**Tonias Investments, LLC A/K/A Tonias Investments,
"LLC", a Florida Limited Liability Company**

Witness

Printed Name: E. G. W. W. W. W.

Witness

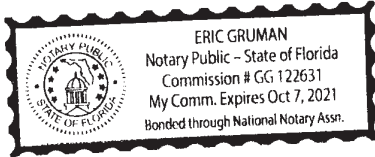
Printed Name: D. H. A. L. E. R. I.

By: Totaram Radhacharan
Totaram Radhacharan, Manager

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 13th day of December, 2019 by Totaram Radhacharan, Manager of Tonias Investments, LLC A/K/A Tonias Investments, "LLC", a Florida Limited Liability Company, who is personally known or has produced a driver's license as identification.

[Notary Seal]



Notary Public

Printed Name: _____

My Commission Expires: _____

Prepared by and return to:

Eric S. Gruman
Vice President
Peer Title, Inc.
3400 West Kennedy Blvd
Tampa, FL 33609
813-871-3400
File Number: 19-0458
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 6th day of June, 2019 between **David Michael Carr, P.A., a Florida Corporation** whose post office address is **11503 Humber Place , Temple Terrace, FL 33617**, grantor, and **GSN Tampa LLC, a New York Limited Liability Company**, whose post office address is **271 Jericho Tpke, Suite 3200, Floral Park, NY 11001**, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Hillsborough County, Florida** to-wit:

North 1/2 of Lot 16, Block 3 of W.E. HAMNER'S TOWERING PINES SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 31, Page 97 of the Public Records of Hillsborough County, Florida.

Parcel Identification Number: 035685-0100

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, 2018**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

23-0144

Signed, sealed and delivered in our presence:

Brady
Witness Name: Brady

L Cutting
Witness Name: L Cutting

David Michael Carr, P.A.

By: David M Carr
David M Carr, President

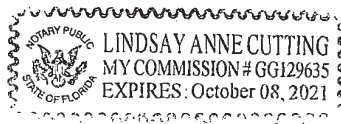
(Corporate Seal)

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 5th day of June, 2019 by David M Carr, President of David Michael Carr, P.A., on behalf of the corporation. He/she is personally known to me or has produced a driver's license as identification.

[Notary Seal]

L Cutting
Notary Public
Printed Name: L Cutting
My Commission Expires: _____



Prepared by and return to:

Eric S. Gruman
Vice President
Peer Title, Inc.
3400 West Kennedy Blvd
Tampa, FL 33609
813-871-3400
File Number: 19-0458
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this ²⁴ day of October, 2019 between David Michael Carr, P.A., a Florida Corporation whose post office address is 11503 Humber Place , Temple Terrace, FL 33617, grantor, and GSN Tampa LLC, a New York Limited Liability Company, whose post office address is 2825 W Fountain Blvd , Tampa, FL 33609, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Hillsborough County, Florida to-wit:

South 1/2 of Lot 16, Block 3 of W.E. HAMNER'S TOWERING PINES SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 31, Page 97 of the Public Records of Hillsborough County, Florida.

Parcel Identification Number: 035685-0000

This is a corrective instrument adding a parcel which was erroneously omitted from that prior deed recorded in OR book 26687, Page 110, of the Public Records of Hillsborough County, Florida, therefore no additional documentary stamps are due.

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, 2018**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

23-0144

Signed, sealed and delivered in our presence:

D. Brady
Witness Name: D. Brady
D. Hater
Witness Name: D. Hater

David Michael Carr, P.A.
By: [Signature]
David M Carr, President

(Corporate Seal)

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 24 day of October 2019 by David M Carr, President of David Michael Carr, P.A., on behalf of the corporation. He/she is personally known to me or has produced a driver's license as identification.

[Notary Seal]



[Signature]
Notary Public
Printed Name: _____
My Commission Expires: _____

PREPARED BY AND
AND WHEN RECORDED MAIL TO:

APC TOWERS IV, LLC
8601 Six Forks Rd, Ste 250
Raleigh, NC 27615
Attn: Talicia C. Neal

(space above for Recorder's use only)

MEMORANDUM OF GROUND LEASE AGREEMENT

THIS MEMORANDUM OF GROUND LEASE AGREEMENT ("Memorandum"), made and entered into on this 21st day of November, 2022, by and between PRO-BUY GSN, LLC, a Florida limited liability company, with a mailing address of 4515 George Road, Suite 355, Tampa, FL 33634 ("**Landlord**"); and APC TOWERS IV, LLC, a Delaware limited liability company, whose mailing address is 8601 Six Forks Road, Suite 250, Raleigh, NC 27615 ("**Tenant**"), is a record of that certain Option and Ground Lease Agreement ("**Lease**") between Landlord and Tenant dated as of November 21, 2022, which Lease contains, among other things, the following terms:

1. Description of Premises. The Lease pertains to certain real property owned by Landlord (the "Property") and certain premises located thereon to be used by Tenant for the construction, modification, operation, maintenance, repair, replacement and removal of the telecommunications facilities, which premises are hereinafter referred to as the "Premises." The Property is described in **Exhibit A** and the said Premises are shown on **Exhibit B** attached to this Memorandum.
2. Term. The Initial Term of the Lease is five (5) years beginning on the Commencement Date.
3. Renewal Terms. Tenant has the right to extend the Term of the Lease for nine (9) successive terms of five (5) years each.
4. Subletting. Tenant has the right, at any time during the Term of this Lease, to sublet any portion of the Premises or permit any portion of the Premises to be occupied or used by subtenants, licensees or customers (including agents, contractors and subcontractors thereof) in connection with the provision of wireless communications services.
5. Right of First Refusal; Rental Stream Offer.
 - (a) From and after the date of the Lease through the expiration or termination of the term, Landlord has granted Tenant a right of first refusal in connection with all requests, proposals or offers from any third party (i) to acquire, lease or obtain an easement (or other right of way) under all or any portion of the

Premises or (ii) to acquire the Landlord's interest in this Agreement. Landlord shall provide Tenant written notice (the "**ROFR Notice**") of its receipt of such a request, proposal or offer which Landlord desires to accept. Such ROFR Notice shall describe all material terms of such request, proposal or offer and include a copy of such request, proposal or offer. Tenant will have 30 days to evaluate such request, proposal or offer and notify Landlord in writing (the "**Acceptance Notice**") if it intends to exercise its right to consummate such acquisition, lease or obtaining of easement (or other right of way) or such sale of the Landlord's interest in the Lease pursuant to the terms and conditions set forth in such request, proposal or offer. If Tenant fails to provide Landlord with an Acceptance Notice within such 30-day period, then Landlord may proceed with such sale, lease or grant of easement (or other right of way) or such sale of the Landlord's interest in the Lease to such third party as set forth in the ROFR Notice, provided that if the acquisition, lease or obtaining of easement (or other right of way) or such sale of the Landlord's interest in the Lease set forth in the ROFR Notice is not completed within 180 days of when Tenant notifies Landlord it does not intend to provide an Acceptance Notice (or, if no such notice is given, 180 days after the expiration of the aforementioned 30-day period), then Landlord shall not complete such transaction(s) without first providing Tenant an additional ROFR Notice pursuant to the terms of the Lease, whereupon the foregoing provisions will again apply.

- (b) If at any time after the date of the Lease through the expiration or termination of the term, Landlord receives a bona fide written offer from a third party seeking an assignment or transfer of rent payments associated with the Lease ("Rental Stream Offer") which Landlord desires to accept, Landlord must furnish Tenant with a copy of the Rental Stream Offer. Tenant has the right within 30 days after it receives such copy to match the Rental Stream Offer and agree in writing to match the terms of the Rental Stream Offer. Such writing shall be in the form of a contract substantially similar to the Rental Stream Offer. If Tenant chooses not to exercise this right or fails to provide written notice to Landlord within such 30-day period, Landlord may assign the right to receive the rent payments pursuant to the Rental Stream Offer, subject to the terms of the Lease.

6. Ratification of Lease. By this Memorandum, the parties intend to record a reference to the Lease and do hereby ratify and confirm all of the terms and conditions of the Lease and declare that the Premises are subject to all of the applicable provisions of the Lease. In the event of a conflict between this Memorandum and the Lease, the Lease shall control.

IN WITNESS WHEREOF, Landlord and Tenant have executed this MEMORANDUM OF GROUND LEASE AGREEMENT as of the date first above written.

(Signature Pages Follow)



23-0144

IN WITNESS WHEREOF, the parties have hereto caused this MEMORANDUM OF GROUND LEASE AGREEMENT to be duly executed on the dates below.

LANDLORD:

PRO-BUY GSN, LLC,
a Florida limited liability company

By: Victor Nissim
Name: _____
Title: Managing Member
Date: 10-7-2022

Witness: _____
Witness: Belinda Leonard

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

LANDLORD ACKNOWLEDGMENT

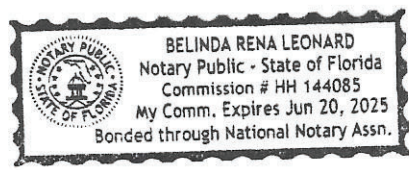
STATE OF FLORIDA

COUNTY OF Hillsborough

On the 7 day of October in the year 2022 before me, the undersigned, personally appeared Victor Nissim, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Belinda Leonard
Belinda Leonard, Notary Public

My Commission Expires: 20 June 25



TENANT:

APC TOWERS IV, LLC,
a Delaware limited liability company

By: *[Signature]*

Name: Daniel C. Agresta III

Title: President & CEO

Date: 11/21/2022

Witness: *M. Montgomery*
M. Montgomery

Witness: *Chalyn*
Charlotte Routhier

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

TENANT ACKNOWLEDGMENT

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, Talicia C. Neal, a Notary Public of Wake County, North Carolina, certify that Daniel C. Agresta III personally came before me this day and acknowledged that he is the President & CEO of APC TOWERS IV, LLC, and that he, as President & CEO, being authorized to do so, executed the foregoing on behalf of APC TOWERS IV, LLC.

Witness my hand and official seal this the 21st day of November, 2022.
Talicia C. Neal

Talicia C. Neal, Notary Public

My Commission Expires: April 12, 2023



RN DA

EXHIBIT A TO MEMORANDUM OF GROUND LEASE AGREEMENT

LEGAL DESCRIPTION OF REAL PROPERTY

HAMNER'S W E TOWERING PINES LOT 15 BLOCK 3

VN DA

23-0144

EXHIBIT B TO MEMORANDUM OF GROUND LEASE AGREEMENT

DESCRIPTION OF PREMISES

A portion of the Property comprised of approximately 1,600 square feet of ground space, together with easements for ingress and egress and the installation and maintenance of utilities.

(Attached Hereto)

Notes:

1. This Exhibit may be replaced by a land survey and/or construction drawings of the Premises.
2. Any setback of the Premises from the Property's boundaries shall be the distance required by the applicable governmental authorities.
3. Width of access road shall be the width required by the applicable governmental authorities, including police and fire departments.

VWDA
23-0144



Received
02/01/23
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: 13805 N. 20th St. City/State/Zip: Tampa, FL 33613 TWN-RN-SEC: 28S, 19E, 6

Folio(s): 035684-0000, 035685-0100, & 035685-0000 Zoning: UCA - NHO Future Land Use: R-20 Property Size: 0.79 Ac.

Property Owner Information

Name: Pro Buy GSN, LLC c/o Mattaniah S. Jahn, P.A. Daytime Phone: 727-773-2221

Address: 935 Main St. Suite C4 City/State/Zip: Safety Harbor, FL

Email: mjahn@thelawmpowered.com; mscicchitano@thelawmpowered.com FAX Number: 727-773-2616

Applicant Information

Name: APC Towers IV, LLC c/o Mattaniah S. Jahn, P.A. Daytime Phone: 727-773-2221

Address: 935 Main St. City/State/Zip: Safety Harbor, FL 34695

Email: mjahn@thelawmpowered.com; mscicchitano@thelawmpowered.com FAX Number: 727-773-2616

Applicant's Representative (if different than above)

Name: Mattaniah S. Jahn, P.A. Daytime Phone: 727-773-2221

Address: 935 Main St. City / State/Zip: Safety Harbor, FL 34695

Email: mjahn@thelawmpowered.com; mscicchitano@thelawmpowered.com FAX Number: 727-773-2616

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

Mattaniah S. Jahn

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

Mattaniah S. Jahn

Type or Print Name

Intake Staff Signature: Ana Lizardo Office Use Only Intake Date: 02/01/2023

Case Number: 23-0144 Public Hearing Date: 05/22/2023 Receipt Number: _____

Type of Application: SU-CFW

Development Services, 601 E Kennedy Blvd. 19th Floor

Revised 07/02/2014

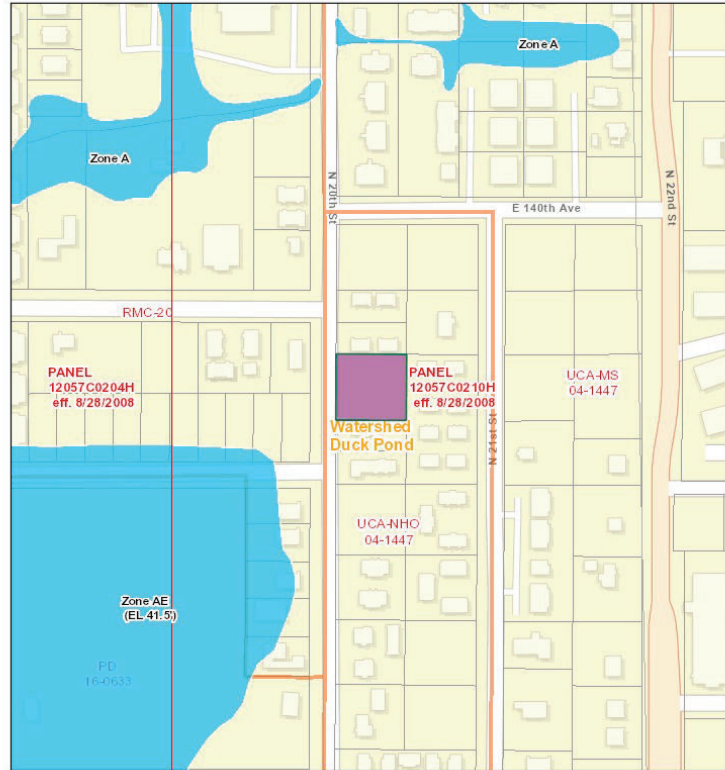
23-0144



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Community Based
Zoning	UCA-NHO
Description	University Community Area
RZ	04-1447
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0210H
FIRM Panel	12057C0210H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120210E
County Wide Planning Area	University Area Community
Community Base Planning Area	University Area Community
Planned Development	PD
Re-zoning	null
Census Data	Tract: 010818 Block: 3005
Future Landuse	R-20
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	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Overlay District	University Community Area
Competitive Sites	NO
Redevelopment Area	University Redevelopment Area

Folio: 35684.0000



February 2, 2023

PG: egs. Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Hillsborough County Florida

Folio: 35684.0000
PIN: U-06-28-19-1GI-000003-00015.0

PRO BUY GSN LLC

Mailing Address:

2825 W FOUNTAIN BLVD
TAMPA, FL 33609-4011

Site Address:

13805 20TH ST
TAMPA, FL 33613
SEC-TWN-RNG: 06-28-19

Acreage: 0.40011901

Market Value: \$94,003.00

Landuse Code: 0000 VACANT RESIDENT

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

1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.

Or

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

23-0144



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Community Based
Zoning	UCA-NHO
Description	University Community Area
RZ	04-1447
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0210H
FIRM Panel	12057C0210H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120210E
County Wide Planning Area	University Area Community
Community Base Planning Area	University Area Community
Planned Development	PD
Re-zoning	null
Census Data	Tract: 010818 Block: 3005
Future Landuse	R-20
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	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Overlay District	University Community Area
Competitive Sites	NO
Redevelopment Area	University Redevelopment Area

Folio: 35685.0100



February 2, 2023

PG. 1/1. Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Hillsborough County Florida

Folio: 35685.0100
PIN: U-06-28-19-1GI-000003-00016.1
GSN TAMPA LLC
Mailing Address:
 50 JERICHO TPKE STE 103
 JERICHO, NY 11753-1014
Site Address:
 13801 N 20TH ST
 TAMPA, FL 33613
SEC-TWN-RNG: 06-28-19
Acreage: 0.18506899
Market Value: \$139,286.00
Landuse Code: 0800 MULTI-FAMILY

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1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.

Or

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

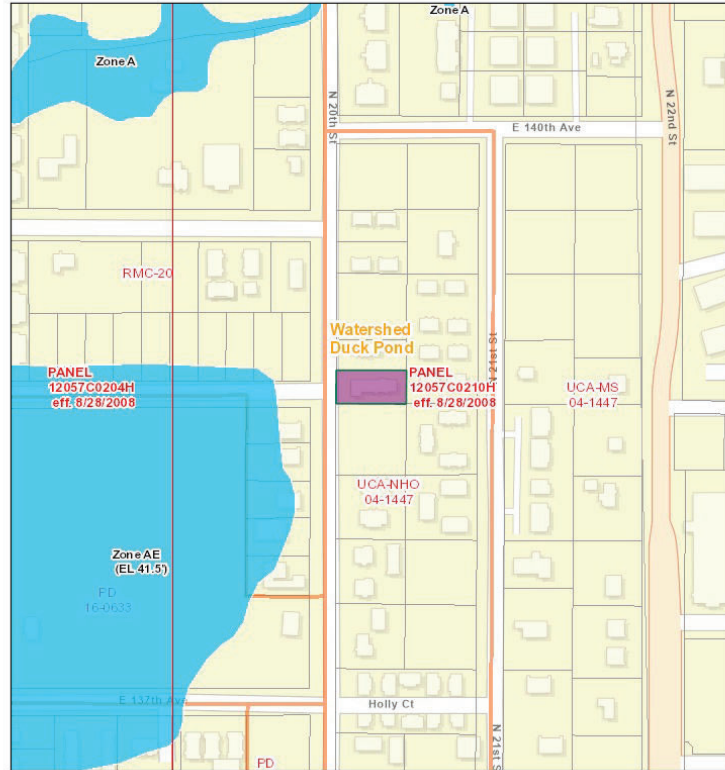
23-0144



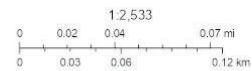
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Community Based
Zoning	UCA-NHO
Description	University Community Area
RZ	04-1447
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0210H
FIRM Panel	12057C0210H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120210E
County Wide Planning Area	University Area Community
Community Base Planning Area	University Area Community
Planned Development	PD
Re-zoning	null
Census Data	Tract: 010818 Block: 3005
Future Landuse	R-20
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	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Overlay District	University Community Area
Competitive Sites	NO
Redevelopment Area	University Redevelopment Area

Folio: 35685.0000



February 2, 2023



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Hillsborough County Florida

Folio: 35685.0000
PIN: U-06-28-19-1GI-000003-00016.0
GSN TAMPA LLC
Mailing Address:
 2825 W FOUNTAIN BLVD
 TAMPA, FL 33609-4011
Site Address:
 13801 20TH ST
 TAMPA, FL 33613
SEC-TWN-RNG: 06-28-19
Acreage: 0.202282
Market Value: \$218,956.00
Landuse Code: 0800 MULTI-FAMILY

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Or

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

23-0144