Review Summary

Airport Study Number
2020-174

Permit Number

Maximum Height - AMSL
355'

Approval Date

Expires
03/08/22

Permit Type
Height Zoning

Review

77.9 Review
Required Notice

77.17 Review
Obstruction

77.19 Review
Within Height Limits

TERPS
Within Height Limits

OEI (62.5:1)
NA

Analysis Summary

No Airspace or Navaid impacts identified

Coordination with ATCT
○ Yes ◉ No

Coordination with Operations
○ Yes ◉ No

Emergency Use
○ Yes ◉ No

Hazard Marking and/or Lighting
◉ Yes ○ No

Objects affecting Navigable Airspace
○ Yes ◉ No

Exceeds Supportive Screening Criteria
○ Yes ◉ No

Conditions

• Red Obstruction lighting required in accordance with the FAA Advisory Circular 70/7460-1 L, Change 2
• E-File FAA form 7460-2 with the FAA and Airport if the project is abandoned or within 5 days after the construction reaches its greatest height.
• Notify the Airport at least 3 business days prior to starting construction at 813-870-7863.
• You will be required to follow all conditions specified in the FAA Determination to remain in compliance. Installation equipment (Crane) exceeding 330’ AMSL will require a separate permit by the Aviation Authority.
• Any glint or glare issues identified from this project must be mitigated by the petitioner to the satisfaction of the Authority to avoid adverse impacts to aviation.
• You will be required to follow all conditions specified in the FAA Determination to remain in compliance.

Recommend Approval ◉ Yes ○ No

Tampa International Airport

AVIATION AUTHORITY
* PERMIT APPLICATION *

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

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

Project Name \ Description:

Ritz Carlton Residence, Tampa the initial unit is 27 story structure with 86 condo units. The structure is located at 3105 Bay Oaks Ct, Tampa, FL and has maximum height of 346 feet AGL. The FAA DNHs are 2021-ASO-415:418-OE.

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

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

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

Name/Company/Organization: The Related Group

Contact Person for Requested Activity: Mike Hammon Phone: 305 460 9900 ext 418

Project Location: Tampa, FL Email: michael.hammon@relatedgroup.com

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

Printed Name of Authorized Representative: Mike Hammon

Signature of Authorized Representative: _____ Date: 3/2/21

STATE OF Florida, COUNTY OF Miami-Dade
Sworn to (or affirmed) and subscribed before me this 2 day of March, 20 21. by
Michael Hammon
Personally Known X OR Produced Identification _____ Type of Id Produced _____
(NOTARY SEAL)

CARLA ROEDER
Notary Public - State of Florida
Commission # GG 366228
My Comm. Expires Aug 15, 2023
Bonded through National Notary Assn.

Notary Signature _____

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

THIS SECTION TO BE COMPLETED BY AVIATION AUTHORITY REPRESENTATIVE

Airport Study No. _____ Variance Required:

FAA Study Number _____ Recommend Approval:

Associated FAA Study Numbers _____ Coordinate with Airport Operations:

Reviewed By: _____ Coordinate with ATCT:

_____ _____
Approved by Zoning Director Date

Tampa International Airport

AVIATION AUTHORITY

* PETITION FOR VARIANCE *

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

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

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

The proposed building is a 295,110 RSF condo building located at 3105 Bay Oaks Court, Tampa, FL 33629.

The regulated height of 200 feet or less would create an undue hardship and possible abandonment of the proposed project. The proposed building height of 355 feet AMSL was reviewed and approved by the FAA and found to have no VFR or IFR effect on any airports in the vicinity.

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

Date : 2/26/2021 Nearest Airport: Peter O. Knight Airport Overall Height (AMSL): 355 feet

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

Printed Name of Authorized Representative: Michael Hammon

Signature of Authorized Representative: _____ Date: 3/2/21

All activities performed under this variance are at applicants own expense and risk, the Authority will not be held liable for any Damages, losses or injuries resulting from or connected with this activity.

STATE OF Florida, COUNTY OF Miami-Dade
Sworn to (or affirmed) and subscribed before me this 3 day of March, 2021. by Michael Hammon
Personally Known X OR Produced Identification _____ Type of Id Produced _____

(NOTARY SEAL)

CARLA ROEDER
Notary Public - State of Florida
Commission # GG 366228
My Comm. Expires Aug 15, 2023
Bonded through National Notary Assn.

Notary Signature Carla Roeder

THIS SECTION TO BE COMPLETED BY AVIATION AUTHORITY REPRESENTATIVE

Airport Study No. 2020-174

FAA Study Number: 2021-ASO-415-OE

Associated Aeronautical Study Numbers: 416, 417, 418

FDOT Concurrence: YES: ☐ NO: ☐ WAIVED: ☐ **In accordance with Resolution No. 20___-____**

_____ _____
Board of Adjustment Chairman Date

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

Aeronautical Study No.
2021-ASO-415-OE
Prior Study No.
2020-ASO-22742-OE

Issued Date: 02/16/2021

Pablo Ehlers
Bay Oaks Apartments Owner, LLC
315 S. Biscayne Blvd.
4th Floor
Maimi, FL 33131

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

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

Structure:	Building Point 5
Location:	Tampa, FL
Latitude:	27-55-06.34N NAD 83
Longitude:	82-29-29.87W
Heights:	9 feet site elevation (SE)
	346 feet above ground level (AGL)
	355 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

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

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

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

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 08/16/2022 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

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

This determination is subject to review if an interested party files a petition that is received by the FAA on or before March 18, 2021. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager of the Rules and Regulations Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on March 28, 2021 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Rules and Regulations Group via telephone – 202-267-8783.

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

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

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

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

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative

impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Michael Blaich, at (404) 305-6462, or mike.blaich@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-ASO-415-OE.

Signature Control No: 462739427-469315646 (DNH)
Mike Helvey
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)

TPF = Peter O Knight Airport
TPA = Tampa International Airport
AGL = Above Ground Level
AMSL = Above Mean Sea Level
NM = Nautical Miles
ARP = Airport Reference Point
ASN = Aeronautical Study Number
RWY = Runway
IFR = Instrument Flight Rule

The proposed building project consists of four points, represented by ASNs 2021-ASO-415-OE through 418. The project points were submitted at a height of 345 to 347 feet AGL, 355 feet AMSL. The building points are located approximately 2.23 to 2.25 NM west of the TPF ARP and approximately 4.07 to 4.10 NM southeast of the TPA ARP and from 273.89 degrees azimuth clockwise to 274.58 degrees azimuth from TPF.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17 (a)(2) TPF --- > Exceeds from 145 to 147 feet.

Section 77.17 (a)(2) TPA --- > Exceeds from 19 to 22 feet.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited obstruction standard. This is provided the proposal does not lie within an airport traffic pattern. This policy does not affect the public's right to petition for review determinations regarding structures, which exceed the subject obstruction standards.

Part 77 Obstruction Standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study in order to determine if they would have significant adverse effect on protected aeronautical operations. While the obstruction standards may trigger further study, that may include circularization to the aeronautical public, they do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds an obstruction standard of Part 77 does not provide a basis for a determination that the structure would be a hazard to air navigation.

Details of the structure were not circularized to the aeronautical public for comment.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

> The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.

> The proposed structure would not penetrate those altitudes that are normally considered available to airmen for VFR en route flight.

> The proposed structure will be appropriately obstruction marked and lighted to make it more conspicuous to airmen.

The proposed structures' proximity to the airport was considered and found to be acceptable.

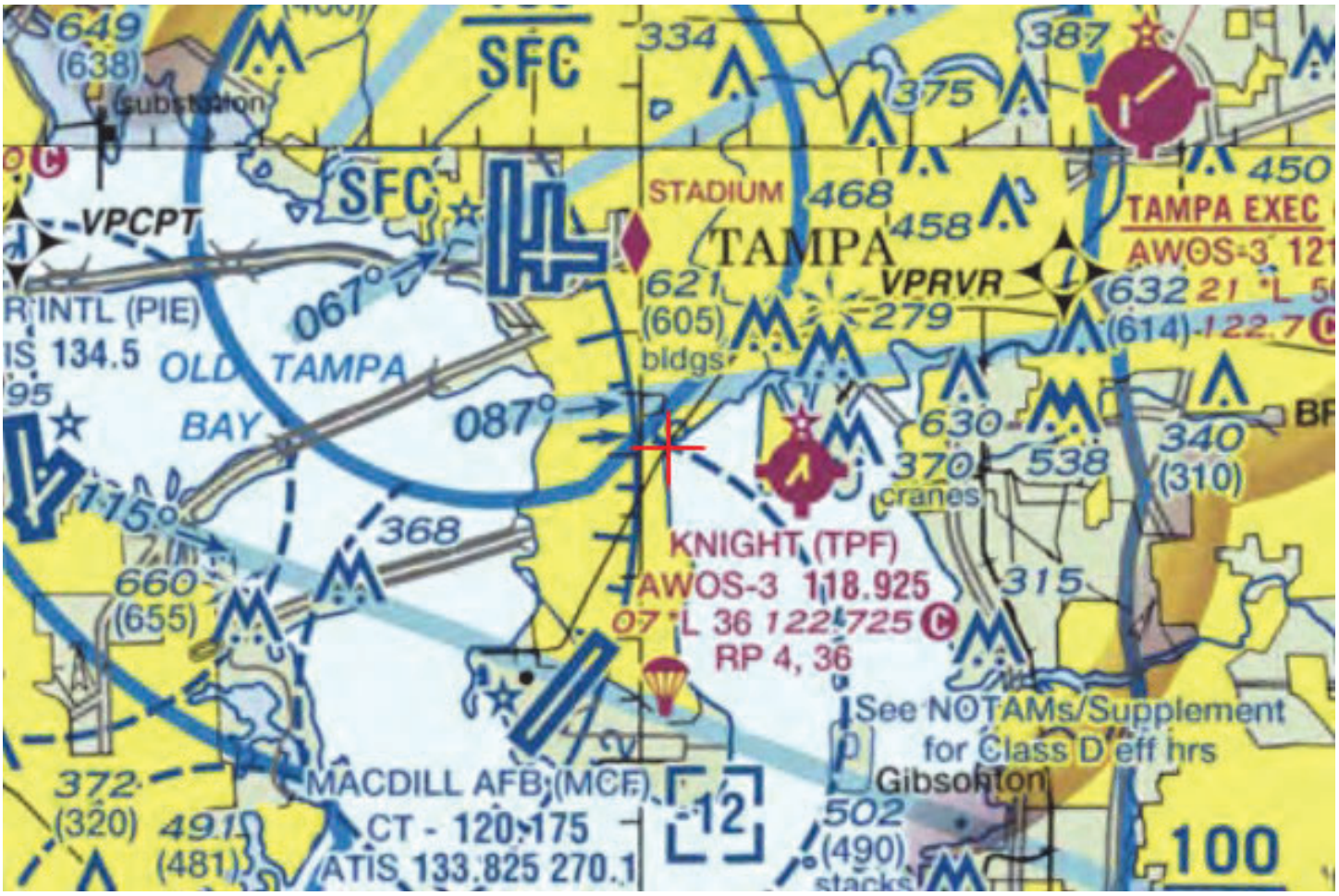
The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.

TOPO Map for ASN 2021-ASO-415-OE

Sectional Map for ASN 2021-ASO-415-OE



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

Aeronautical Study No.
2021-ASO-416-OE
Prior Study No.
2020-ASO-22743-OE

Issued Date: 02/16/2021

Pablo Ehlers
Bay Oaks Apartments Owner, LLC
315 S. Biscayne Blvd.
4th Floor
Maimi, FL 33131

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

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

Structure:	Building Point 6
Location:	Tampa, FL
Latitude:	27-55-06.33N NAD 83
Longitude:	82-29-28.79W
Heights:	8 feet site elevation (SE)
	347 feet above ground level (AGL)
	355 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

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

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

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

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 08/16/2022 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

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

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This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative

impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Michael Blaich, at (404) 305-6462, or mike.blaich@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-ASO-416-OE.

Signature Control No: 462739433-469315644 (DNH)
Mike Helvey
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)

TPF = Peter O Knight Airport
TPA = Tampa International Airport
AGL = Above Ground Level
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NM = Nautical Miles
ARP = Airport Reference Point
ASN = Aeronautical Study Number
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The proposed building project consists of four points, represented by ASNs 2021-ASO-415-OE through 418. The project points were submitted at a height of 345 to 347 feet AGL, 355 feet AMSL. The building points are located approximately 2.23 to 2.25 NM west of the TPF ARP and approximately 4.07 to 4.10 NM southeast of the TPA ARP and from 273.89 degrees azimuth clockwise to 274.58 degrees azimuth from TPF.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17 (a)(2) TPF --- > Exceeds from 145 to 147 feet.

Section 77.17 (a)(2) TPA --- > Exceeds from 19 to 22 feet.

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Part 77 Obstruction Standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study in order to determine if they would have significant adverse effect on protected aeronautical operations. While the obstruction standards may trigger further study, that may include circularization to the aeronautical public, they do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds an obstruction standard of Part 77 does not provide a basis for a determination that the structure would be a hazard to air navigation.

Details of the structure were not circularized to the aeronautical public for comment.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

> The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.

> The proposed structure would not penetrate those altitudes that are normally considered available to airmen for VFR en route flight.

> The proposed structure will be appropriately obstruction marked and lighted to make it more conspicuous to airmen.

The proposed structures' proximity to the airport was considered and found to be acceptable.

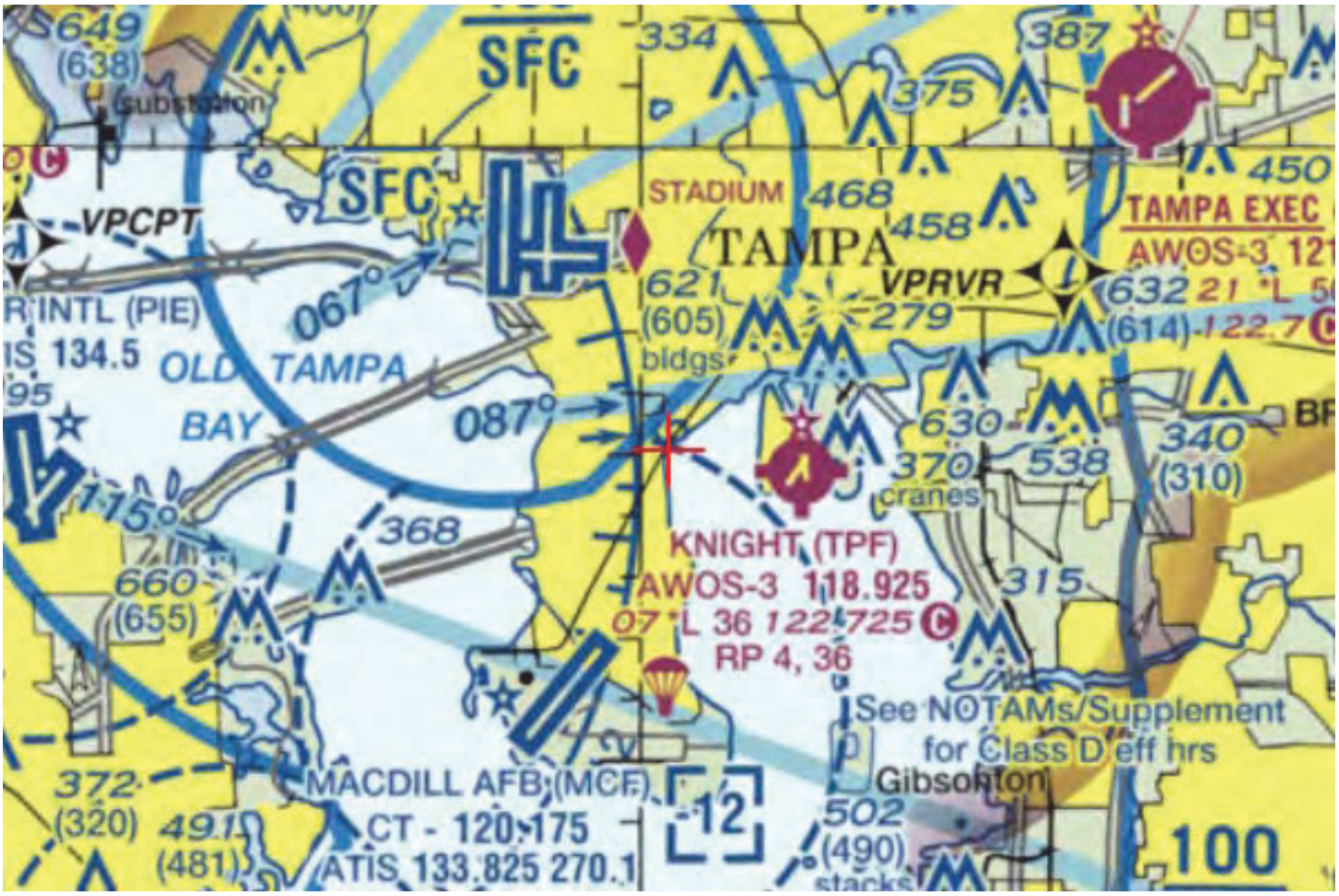
The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.

TOPO Map for ASN 2021-ASO-416-OE

Sectional Map for ASN 2021-ASO-416-OE



Mail Processing Center
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Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2021-ASO-417-OE
Prior Study No.
2020-ASO-22744-OE

Issued Date: 02/16/2021

Pablo Ehlers
Bay Oaks Apartments Owner, LLC
315 S. Biscayne Blvd.
4th Floor
Maimi, FL 33131

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

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

Structure:	Building Point 7
Location:	Tampa, FL
Latitude:	27-55-04.81N NAD 83
Longitude:	82-29-28.78W
Heights:	10 feet site elevation (SE)
	345 feet above ground level (AGL)
	355 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

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

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

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

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 08/16/2022 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

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

This determination is subject to review if an interested party files a petition that is received by the FAA on or before March 18, 2021. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager of the Rules and Regulations Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on March 28, 2021 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Rules and Regulations Group via telephone – 202-267-8783.

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

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

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

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

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative

impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Michael Blaich, at (404) 305-6462, or mike.blaich@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-ASO-417-OE.

Signature Control No: 462739436-469315645 (DNH)
Mike Helvey
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)

TPF = Peter O Knight Airport
TPA = Tampa International Airport
AGL = Above Ground Level
AMSL = Above Mean Sea Level
NM = Nautical Miles
ARP = Airport Reference Point
ASN = Aeronautical Study Number
RWY = Runway
IFR = Instrument Flight Rule

The proposed building project consists of four points, represented by ASNs 2021-ASO-415-OE through 418. The project points were submitted at a height of 345 to 347 feet AGL, 355 feet AMSL. The building points are located approximately 2.23 to 2.25 NM west of the TPF ARP and approximately 4.07 to 4.10 NM southeast of the TPA ARP and from 273.89 degrees azimuth clockwise to 274.58 degrees azimuth from TPF.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17 (a)(2) TPF --- > Exceeds from 145 to 147 feet.

Section 77.17 (a)(2) TPA --- > Exceeds from 19 to 22 feet.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited obstruction standard. This is provided the proposal does not lie within an airport traffic pattern. This policy does not affect the public's right to petition for review determinations regarding structures, which exceed the subject obstruction standards.

Part 77 Obstruction Standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study in order to determine if they would have significant adverse effect on protected aeronautical operations. While the obstruction standards may trigger further study, that may include circularization to the aeronautical public, they do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds an obstruction standard of Part 77 does not provide a basis for a determination that the structure would be a hazard to air navigation.

Details of the structure were not circularized to the aeronautical public for comment.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

> The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.

> The proposed structure would not penetrate those altitudes that are normally considered available to airmen for VFR en route flight.

> The proposed structure will be appropriately obstruction marked and lighted to make it more conspicuous to airmen.

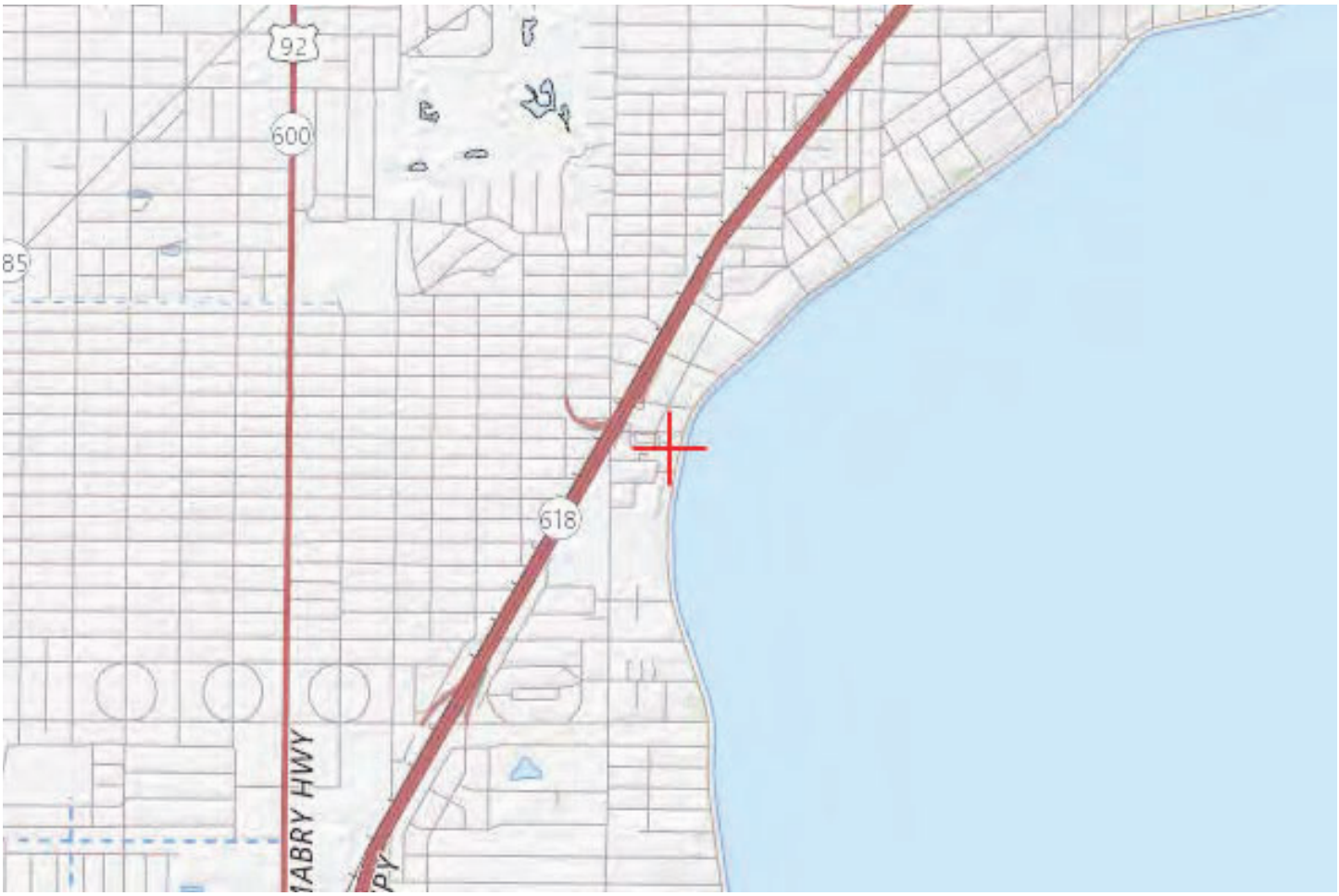
The proposed structures' proximity to the airport was considered and found to be acceptable.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

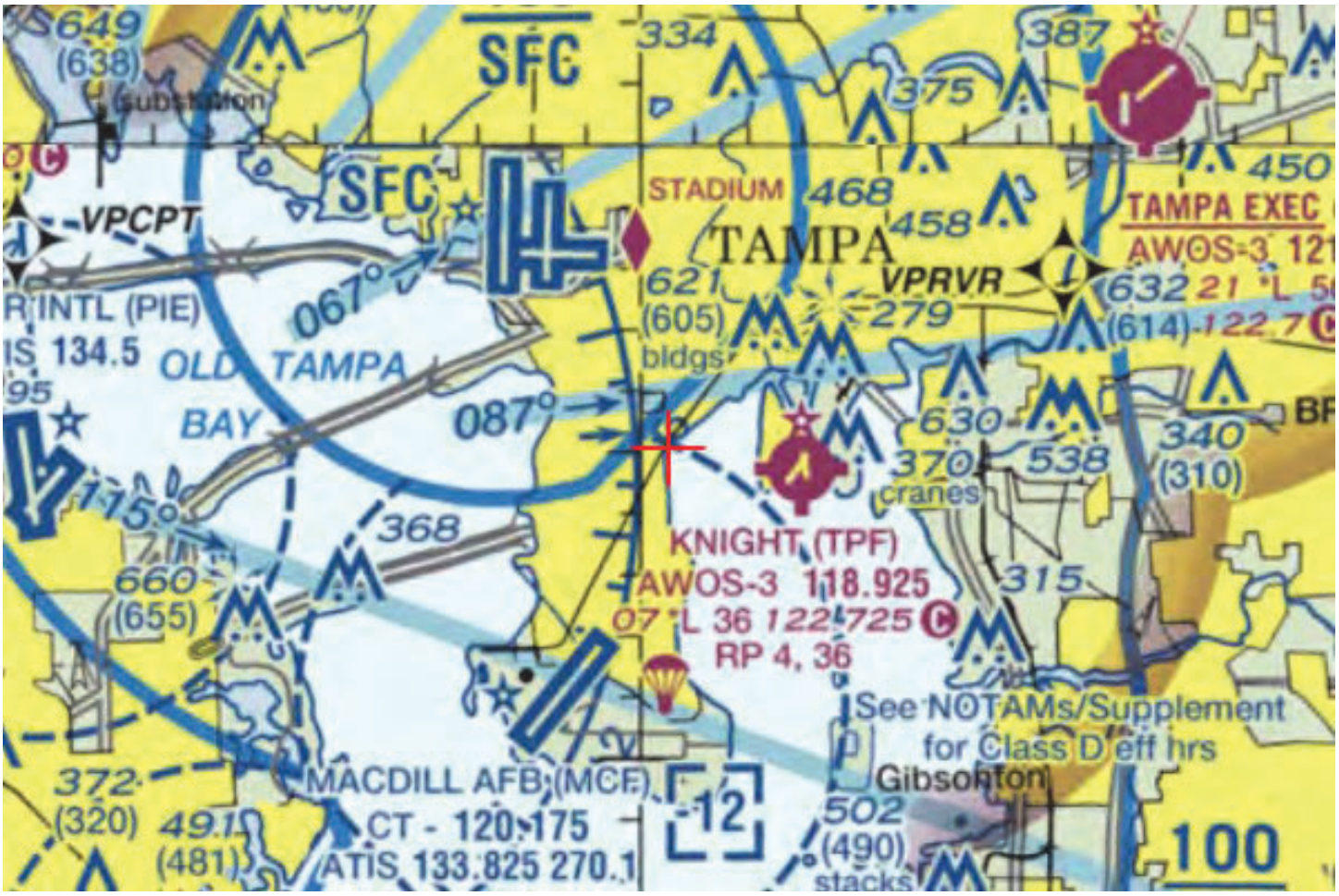
The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.

TOPO Map for ASN 2021-ASO-417-OE



Sectional Map for ASN 2021-ASO-417-OE



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

Aeronautical Study No.
2021-ASO-418-OE
Prior Study No.
2020-ASO-22745-OE

Issued Date: 02/16/2021

Pablo Ehlers
Bay Oaks Apartments Owner, LLC
315 S. Biscayne Blvd.
4th Floor
Maimi, FL 33131

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

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

Structure:	Building Point 8
Location:	Tampa, FL
Latitude:	27-55-04.75N NAD 83
Longitude:	82-29-29.86W
Heights:	9 feet site elevation (SE)
	346 feet above ground level (AGL)
	355 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

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

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

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

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 08/16/2022 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

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

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impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Michael Blaich, at (404) 305-6462, or mike.blaich@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-ASO-418-OE.

Signature Control No: 462739440-469315647 (DNH)
Mike Helvey
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)

TPF = Peter O Knight Airport
TPA = Tampa International Airport
AGL = Above Ground Level
AMSL = Above Mean Sea Level
NM = Nautical Miles
ARP = Airport Reference Point
ASN = Aeronautical Study Number
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> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

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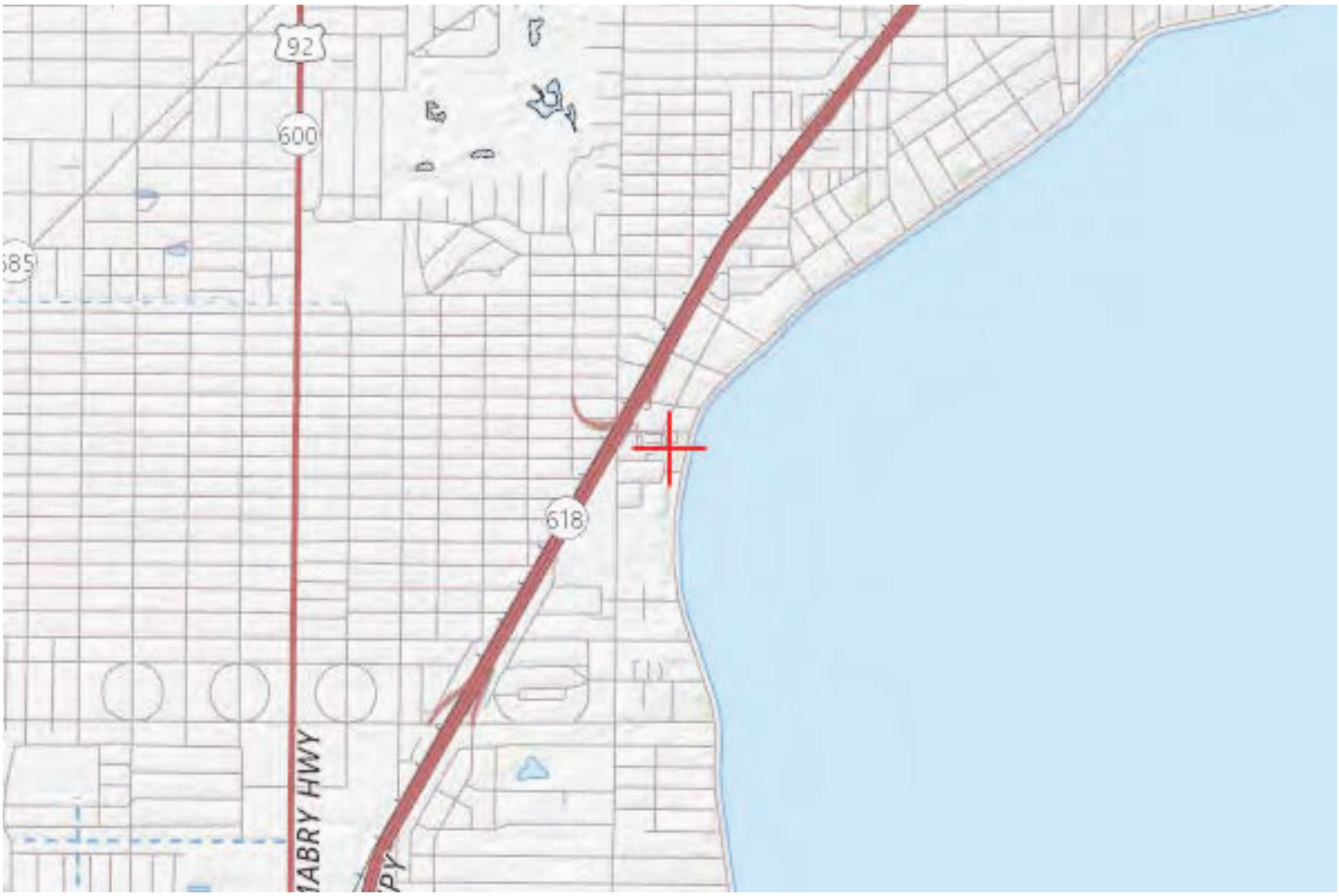
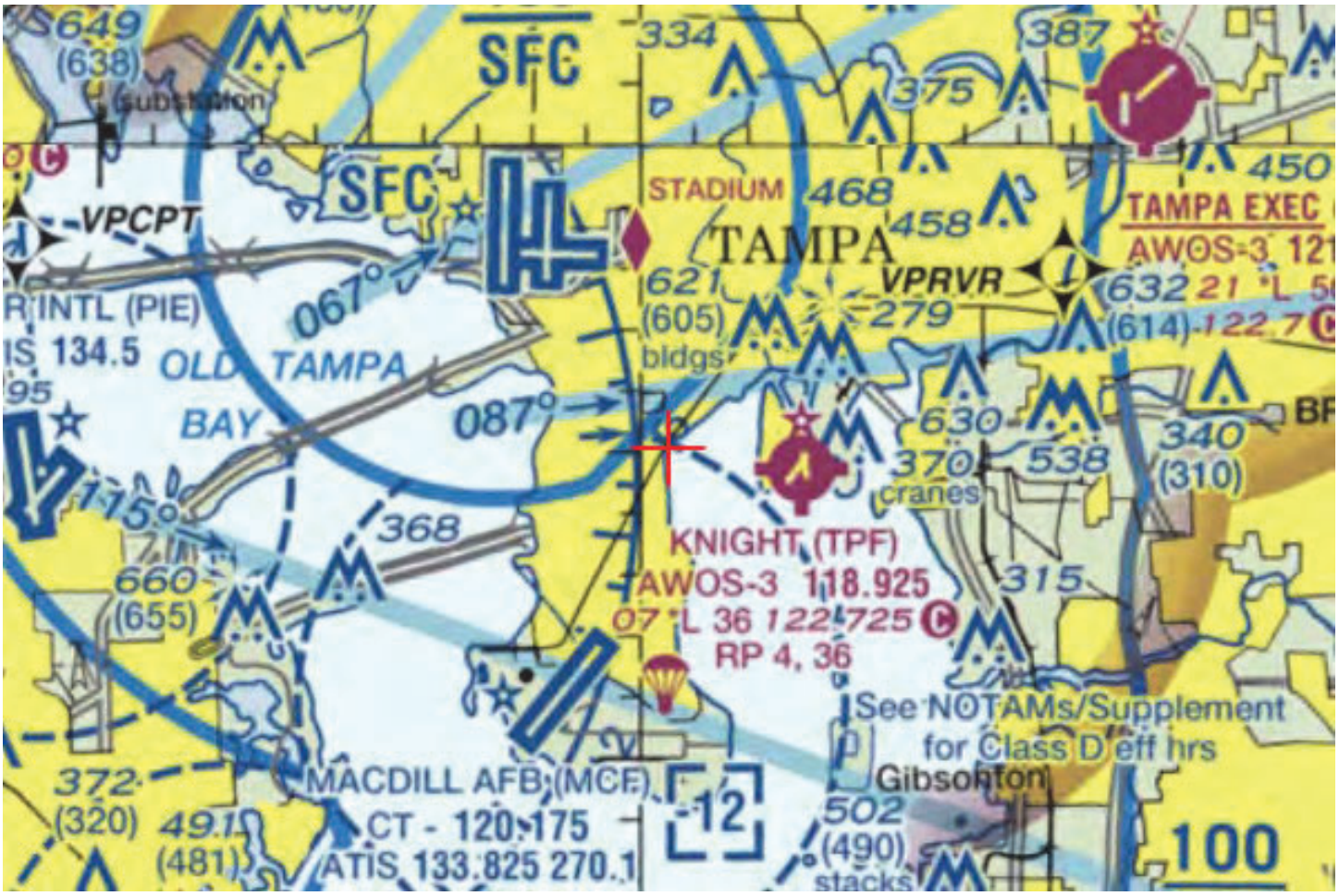
The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.

TOPO Map for ASN 2021-ASO-418-OE

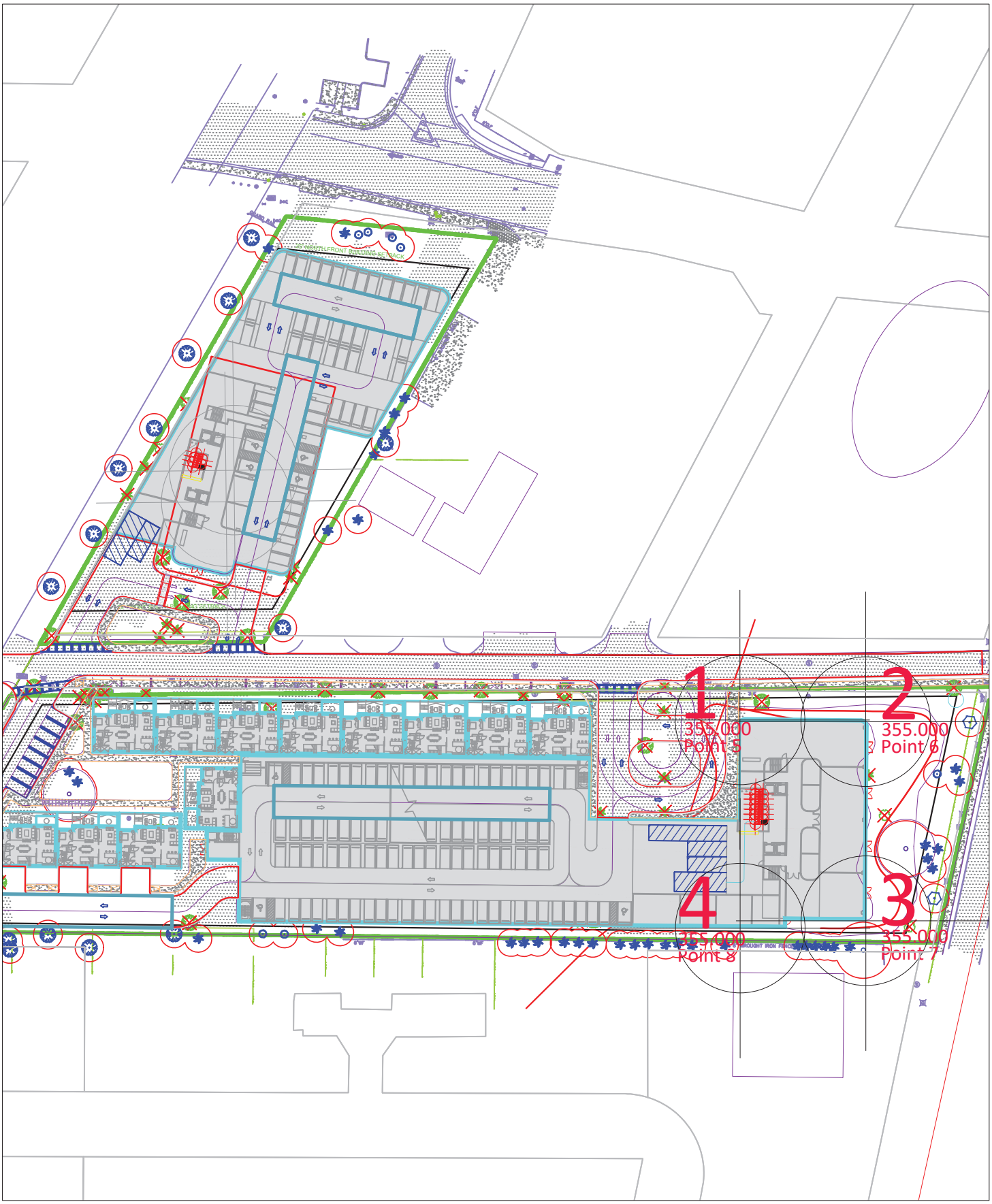


Sectional Map for ASN 2021-ASO-418-OE

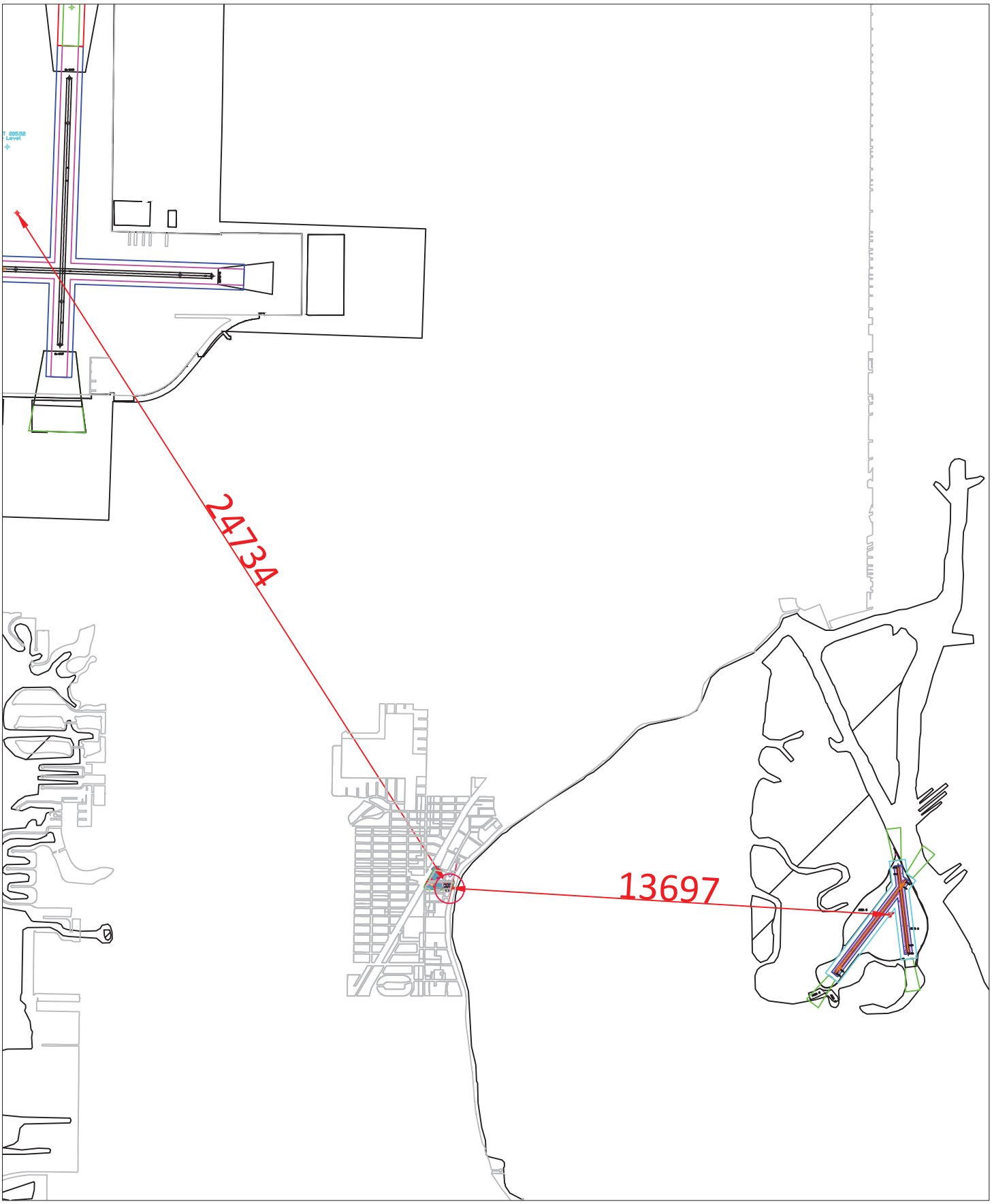


Associated Point Data				2020-174	Report Created on				
Point Number	Description	Latitude	Longitude	X	Y	Site Elev. (AMSL)	Struct Height (AGL)	Overall Height (AMSL)	Down & Over From Closest Runway
1	Point 5	27° 55' 6.34" N	82° 29' 29.87" W	497,402.04	1,303,366.79	9	346	355	Down(+): 5,275.49 Over(+): 11,340.54
2	Point 6	27° 55' 6.33" N	82° 29' 28.79" W	497,498.92	1,303,365.39	8	347	355	Down(+): 5,218.08 Over(+): 11,262.50
3	Point 7	27° 55' 4.81" N	82° 29' 28.78" W	497,499.20	1,303,211.88	10	345	355	Down(+): 5,340.23 Over(+): 11,169.53
4	Point 8	27° 55' 4.75" N	82° 29' 29.86" W	497,402.29	1,303,206.21	9	346	355	Down(+): 5,403.30 Over(+): 11,243.33

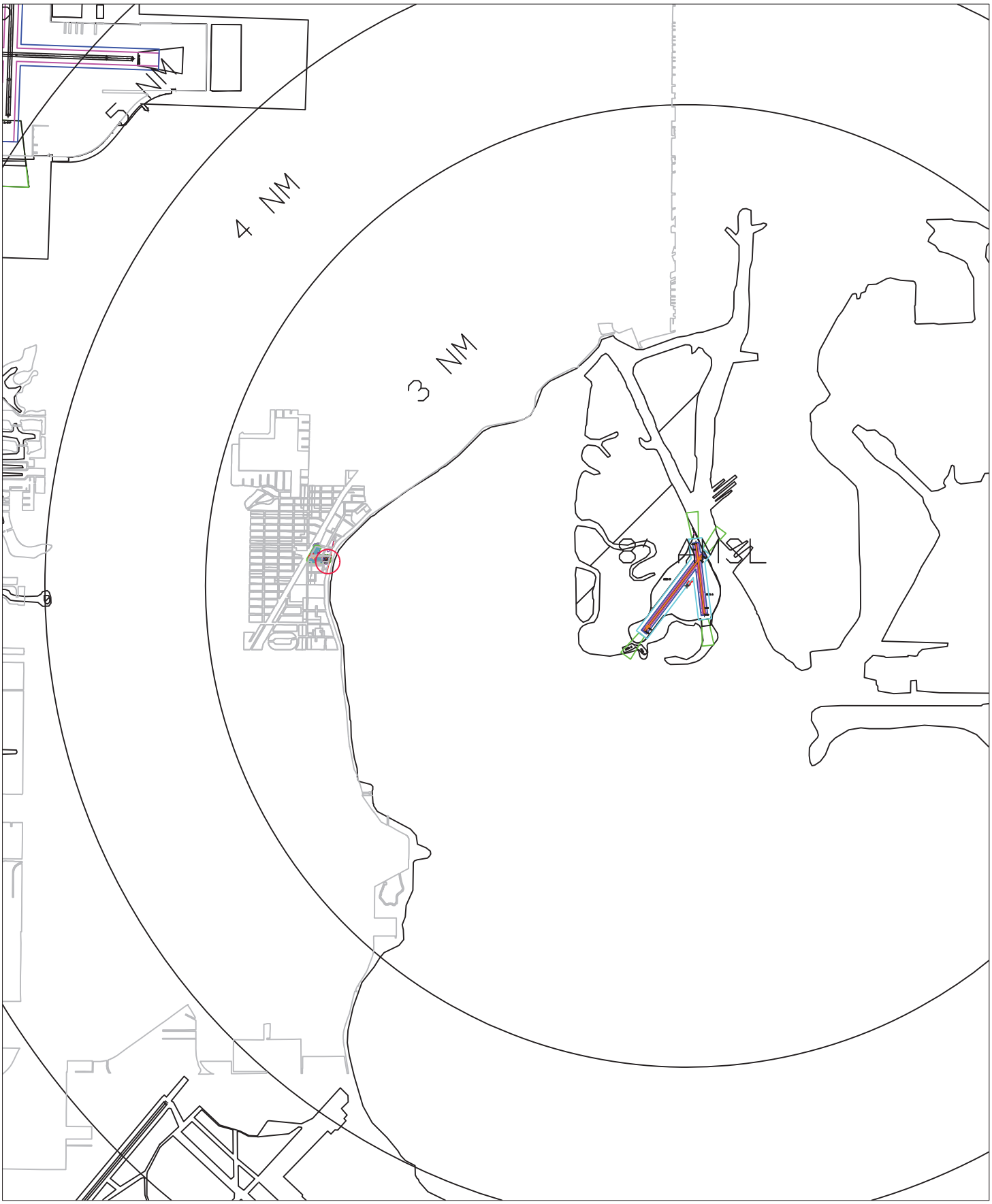
Point Location



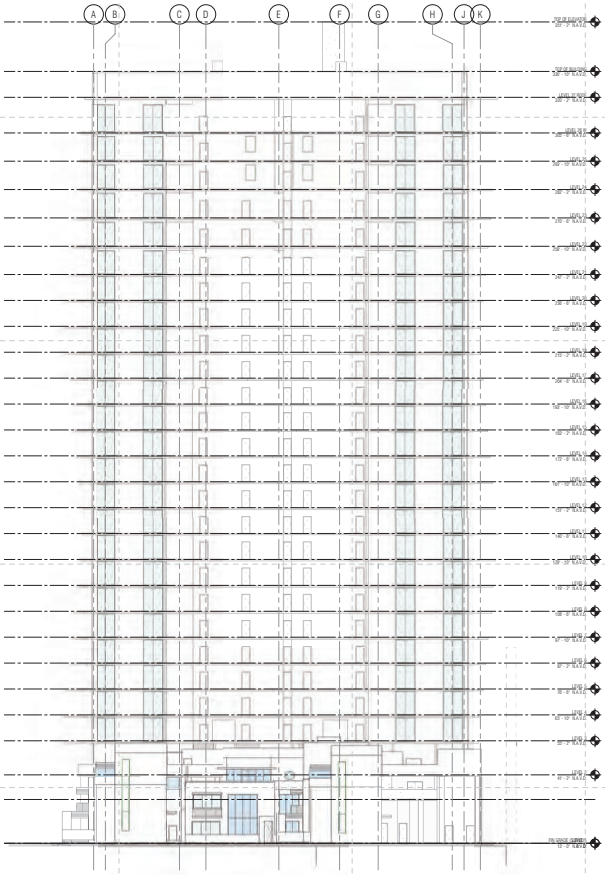
Distance



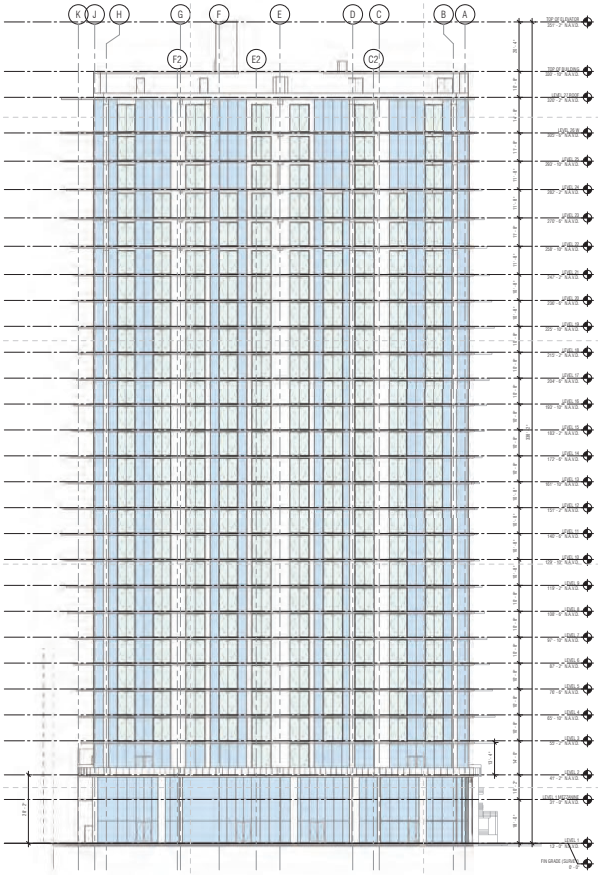
Obstruction



Part 77



2 WEST ELEVATION
1/16" = 1'-0"



1 EAST ELEVATION
1/16" = 1'-0"

TAMPA BAY OAKS RITZ

PROJECT ADDRESS:
BAY OAKS TOWERS
3105 Bay Oaks Drive
Tampa, Florida

OWNER:
RELATED
BAY OAKS APARTMENT OWNER, LLC
701 S. Miami Ave, Suite 300
Miami, Florida 33130

ARCHITECT:
ARQUITECTONICA
2900 Oak Avenue
Miami, Florida 33133
305.372.1812 TEL
305.372.1175 FAX
www.arquitectonica.com

CIVIL ENGINEER:
KIMLEY-HORN
600 North Franklin street
Suite 130
Tampa, FL 33602
T 813.635.1460

STRUCTURAL ENGINEER:
B&J Consulting Engineers, Inc.
7901 NW 12th Street
Suite 201
Miami, FL 33126
T 786.703.8242

MEP ENGINEER:
FLORIDA ENGINEERING SERVICES
34 NW 168th
North Miami Beach, FL 33169
T 305.653.6312

LANDSCAPE ARCHITECT:
ARQUITECTONICA GEO
2900 Oak Avenue
Miami, FL 33133 USA
T 305.372.1812

INTERIOR DESIGNER:
MARSHALL STUDIO, INC.
180 VARICK ST, STE. 406
NEW YORK, NEW YORK 10014
T 212.627.3274

LIFE SAFETY CONSULTANT:
MARKS GROUP, INC.
355 PALERMO AVENUE
CORAL GABLES, FLORIDA 33134
T 305.461.8812

SEAL/SIGNATURE/DATE:
OFFICE REGISTRATION: # AA C000445

PROJECT NUMBER:
19-0001

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THESE PLANS AND SPECIFICATIONS COMPLY WITH THE FLORIDA BUILDING CODE AND THE APPLICABLE FIRE-SAFETY STANDARDS AS DETERMINED BY THE CITY OF MIAMI IN ACCORDANCE WITH SECTION 119, FLORIDA AIR-ZONE CODE, AND CHAPTER 633, FLORIDA STATUTES.

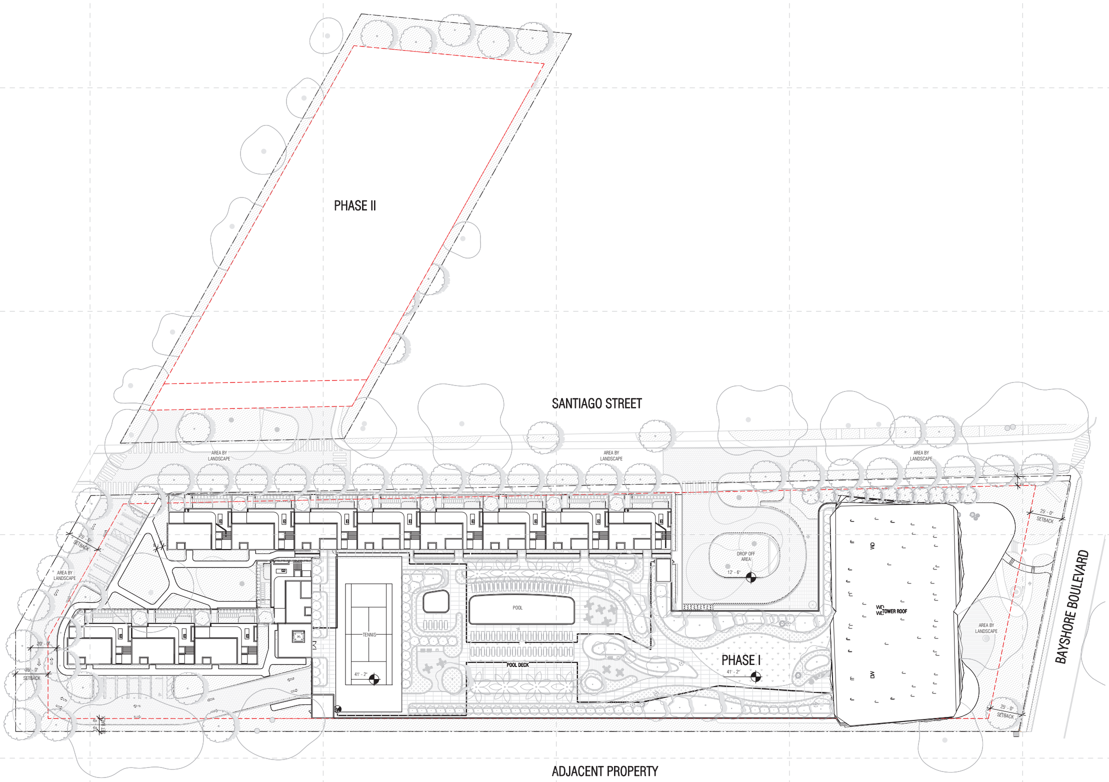
ISSUE #	DESCRIPTION	DATE

50% DESIGN DEVELOPMENT PROGRESS SET

SHEET ISSUE DATE: 09-30-19

DRAWING NAME:
EAST & WEST ELEVATIONS

A-200



1 SITE PLAN
1" = 30'-0"

TAMPA BAY OAKS RITZ

PROJECT ADDRESS:
BAY OAKS TOWERS
3105 Bay Oaks Drive
Tampa, Florida

OWNER:
RELATED
BAY OAKS APARTMENT OWNER, LLC
315 S. Biscayne Bldv.
Miami, Florida 33131

ARCHITECT:
ARQUITECTONICA
2900 Oak Avenue
Miami, Florida 33133
305.372.1812 TEL
305.372.1175 FAX
www.arquitectonica.com

CIVIL ENGINEER:
KIMLEY-HORN
655 North Frankling street
Suite 150
Tampa, Fl. 33602
T 813.620.1460

STRUCTURAL ENGINEER:
B&J Consulting Engineers, inc.
7955 NW 12th Street
Ste. 418
Miami, FL 33126
T 786.703.9243

MEP ENGINEER:
FLORIDA ENGINEERING SERVICES
34 NW 168th
North Miami Beach, FL 33169
T 305.653.0212

LANDSCAPE ARCHITECT:
ARQUITECTONICA GEO
2900 Oak Avenue
Miami, FL 33133 USA
T 305.372.1812

INTERIOR DESIGNER:
MEYER DAVIS STUDIO, INC.
180 VARICK ST, STE. 404
NEW YORK, NEW YORK 10014
T 212.627.5574

LIFE SAFETY CONSULTANT:
SLS CONSULTING, INC.
260 PALERMO AVENUE
CORAL GABLES, FLORIDA 33134
T 305.461.9852

SEAL/SIGNATURE/DATE:
OFFICE REGISTRATION: # AA C000465

PROJECT NUMBER:
10-0001

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THESE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES AND THE APPLICABLE FIRE-SAFETY STANDARDS AS DETERMINED BY THE CITY OF MIAMI IN ACCORDANCE WITH SECTION 110, FLORIDA BUILDING CODE AND CHAPTER 633, FLORIDA STATUTES.

ISSUE #	DESCRIPTION	DATE

50% DESIGN DEVELOPMENT PROGRESS SET

SHEET ISSUE DATE: 10/06/20

DRAWING NAME:
SITE PLAN

A-001

11/2/2020 9:40:54 AM

POLARIS ASSOCIATES, INC.
PROFESSIONAL SURVEYING

FAA CERTIFICATION

JULY 8, 2020

RE: RITZ-BAY-OAKS TAMPA

A PORTION OF PARCEL C.W. CHAPIN, OF MADRID SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 69 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA AND BEING A PORTION OF SECTION 34, TOWNSHIP 29 SOUTH, RANGE 18 EAST HILLSBOROUGH COUNTY, FLORIDA.

I HEREBY CERTIFY THAT THE COORDINATES AND SITE ELEVATIONS ARE ACCURATE TO WITHIN +/- 20' HORIZONTALLY AND 3' +/- FEET VERTICALLY. THE HORIZONTAL DATUM (COORDINATES) ARE IN TERMS OF THE NORTH AMERICAN DATUM OF 1983 (NAD83) AND ARE EXPRESSED IN DEGREES, MINUTES, AND SECONDS. THE VERTICAL DATUM (HEIGHTS) ARE IN TERMS OF THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AND ARE DETERMINED TO THE NEAREST FOOT.

POINT 5 NORTHWEST CORNER SOUTH BUILDING	LATITUDE 27°55'06.34 N. NAD 83/90 LONGITUDE 082°29'29.87 W. NAD 83/90 ELEVATION = 9.2
POINT 6 NORTHEAST CORNER SOUTH BUILDING	LATITUDE 27°55'06.33 N. NAD 83/90 LONGITUDE 082°29'28.79 W. NAD 83/90 ELEVATION = 8.2
POINT 7 SOUTHEAST CORNER SOUTH BUILDING	LATITUDE 27°55'04.81 N. NAD 83/90 LONGITUDE 082°29'28.78 W. NAD 83/90 ELEVATION = 9.6
POINT 8 SOUTHWEST CORNER SOUTH BUILDING	LATITUDE 27°55'04.75 N. NAD 83/90 LONGITUDE 082°29'29.8587 W. NAD 83/90 ELEVATION = 8.5

POLARIS ASSOCIATES, INC.

DAN H. RIZZUTO, P.L.S. JULY 8, 2020
PROFESSIONAL LAND SURVEYOR
FLORIDA REGISTRATION NO. 5227

POLARIS ASSOCIATES, INC.
2165 SUNNYDALE BOULEVARD SUITE D
CLEARWATER, FL 33765
L.B. #6113