

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.

Hooter Construction is requesting a variance for the 2 story single family home being constructed at 555 Lucerne Ave., Tampa, FL 33606. The current regulated height would create an unnecessary hardship as the current project was permitted by the City of Tampa on 08/13/2021. This home was approved to be built to 41 ' AMSL (or 35 ' above grade). Currently construction of the home has been completed up through the second floor concrete block walls. All walls have been poured solid

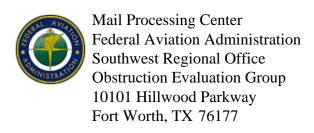
with concrete. All roof trusses have been manufactured and are for continued explanation	
Applicant acknowledges receipt of the applicable procedures and/or provisions pert consideration of issuance of this variance to be bound by the terms and conditions crules, regulations, procedures and laws. The petitioner must forward to FDOT by ce permit package and petition for comment. The review of this petition for variance at receipt of FDOT's comments or waiver of that right. Include a copy of the certified receipt of the certified re	of such documents and all other applicable laws, intified mail, return receipt requested, a copy of the right variance process will proceed only upon the
Date: 02/22/2022 Nearest Airport: Peter O. Knight Airport	Overall Height (AMSL): 41'
Under penalty of perjury, I hereby certify that the above statements are true and on behalf of the Applicant's named firm, corporation or organization in the submit Printed Name of Authorized Representative: Brian Hooter	ssion of this variance request.
Signature of Authorized Representative:	Date: 02 120 120002
All activities performed under this variance are at applicants own expense and risk,	the Authority will not be held liable for any
STATE OF FLORIDA, COUNTY OF HILLS DOVOUGLA	or online notarization, this Coday of
Sworn to (or affirmed) and subscribed before me by means of Dehysical presence Teb 20 27 by Children (NOTARY SEAL) Notary Signature	HARLEY JEAN SCOTT Notary Public - State of Florida Commission # HH 196736 My Comm. Expires Nov 8, 2025 Bonded through National Notary Assn.
Personally Known OR Produced Identification Type of Id Produ	ded Fl. Driver license
THIS SECTION TO BE COMPLETED BY AVIATION AUTHO	DRITY REPRESENTATIVE
Airport Study No. 2022-28	
FAA Study Number: 2021-ASO-15072-OE	
Associated Aeronautical Study Numbers: NA	
FDOT Concurrence: Yes No Waived n accordance	e with Resolution No
Approved by Board of Adjustment Chairman	Date



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: 555 Lucerne Avenue - Construction of 2 story single family residence. Applicant acknowledges receipt of the applicable procedures and/or provisions pertaining to the above request and agrees that in consideration of issuance of this permit to be bound by the terms and conditions of such documents and all other applicable laws, rules, regulations, procedures and laws. Permanent (Height Zoning) Check type of permit This application is required to be attached to the supplemental being requested data form for Permit request (see on-line application process). Temporary (Crane/Equip.) Name/Company/Organization: Hooter Construction, LLC Contact Person for Requested Activity: Brian E. Hooter Phone: (813) 376-5962 Project Location: 555 LUCEPAE DE TENDO. FL 33606 Email: brian@hooterconstruction.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: Brian E. Hooter Signature of Authorized Representative: Date: 02/16/2012 STATE OF FLORIDA, COUNTY OF HILLS BOLDER sworn to (or affirmed) and subscribed before me by means of online notarization, this was day of replying 2027 by BriAN Houter (NOTARY SEAL) Vietoria J. Dunn Notary Public State of Florida Notary Signature My Comm. Expires 06/08/23 Personally Known OR Produced Identification _____ Type of Id Produced _ Commission# GG322201 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. ____2022-28 Variance Required: Yes FAA Study Number <u>2021-ASO-15072</u>-QE Recommend Approval: Yes Associated FAA Study Numbers ____NA Coordinate with Airport Operations: No Reviewed By: __ Coordinate with ATCT: No Approved by Zoning Director Date



Issued Date: 07/15/2021

Brian E. Hooter Hooter Construction, LLC 6612 Clair Shore Drive Apollo Beach, FL 33572

** 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 555 Lucerne Residence

Location: Tampa, FL

Latitude: 27-54-37.60N NAD 83

Longitude: 82-27-23.70W

Heights: 6 feet site elevation (SE)

35 feet above ground level (AGL) 41 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:

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.

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

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 01/15/2023 unless:

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

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

This determination is subject to review if an interested party files a petition that is received by the FAA on or before August 14, 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 August 24, 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-15072-OE.

Signature Control No: 479038414-488076919

(DNH)

Steve Phillips

Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)

Additional information for ASN 2021-ASO-15072-OE

TPF = Peter O Knight Airport

AGL = Above Ground Level

AMSL = Above Mean Sea Level

NM = Nautical Miles

ARP = Airport Reference Point

RWY = Runway

IFR = Instrument Flight Rule

ASN = Aeronautical Study Number

NEH = No Effect Height

DER = Departure End of Runway

The proposed building (single family residence) at a height of 35 AGL, 41 AMSL will be replacing an existing building.

The proposal would be located 828 feet from RWY 04 and approximately 0.49 NM southwest of the TPF ARP, Tampa, FL.

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

Section 77.17(a)(3) - a height that increases minimum instrument flight altitudes within a terminal area (TERPS criteria).

Obstacle penetrates RWY 22 40:1 Departure Surface by 19 feet. Qualifies as low, close-in penetration with climb gradient termination altitude 200 feet or less above DER, requiring TAKE-OFF MINIMUM AND (OBSTACLE) DEPARTURE PROCEDURES, NOTE: RWY 22, building 618 feet from DER, 551 feet right of centerline.

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 trigger a formal aeronautical study, including circularization, 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.

An obstacle that penetrates the 40:1 departure slope is considered to be an obstruction to air navigation. Any proposed obstacle that penetrates the 40:1 departure slope, originating at the departure end of runway (DER) by up to 35 feet will receive a favorable determination. Analysis by the Terminal Procedures and Charting Group and air traffic personnel determined there would not be a substantial adverse effect on the navigable airspace.

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.

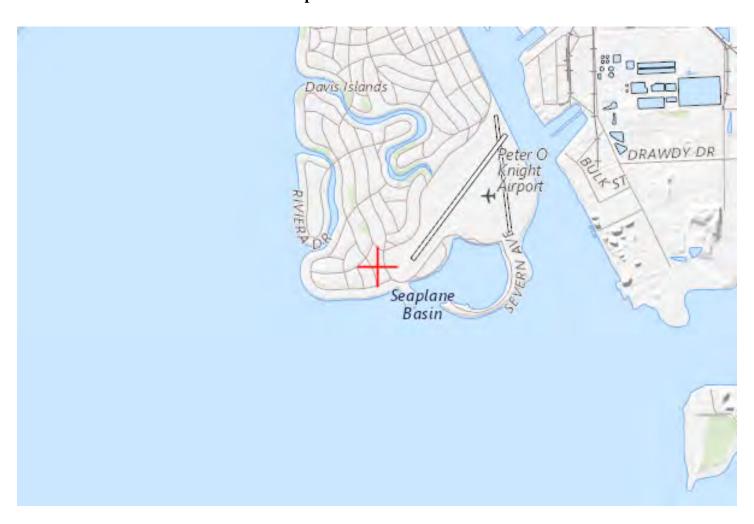
The proposed structures' proximity to the airport was considered and found to be acceptable.

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-15072-OE





Review Summary

Airport Study Number 2022-28	Permit Num 2229	ber	Maximum Height - AMSL 41
Approval Date	Expires 1/15/2023,	Permit Ty Temporar	rpe ry Structure
Review			
77.9 Review Required Notice	-,	77.17 Review Obstruction	3
77.19 Review Within Height Limits	TERPS Exceeds Height Limits		OEI (62.5:1) N/A
		•	P. Departure Surface, requiring a IFR, or Navaid impacts identified.
Coordination with ATCT No	7	Coordination with	Operations No
Emergency Use No		Hazard Marking an	d/or Lighting Yes
Objects affecting Navigable Ai	7	Exceeds Supportive	Screening Criteria
Conditions			

Conditions: • Red Obstruction lighting required in accordance with the FAA Advisory Circular 70/7460-1M.• E-File FAA form 7460-2 with the FAA at least 10 days prior to construction and within 5 days after the construction reaches its greatest height. Occupants and/or owner must be informed that the structure considered under this variance lies in close proximity to an airport and will be subjected to aircraft overflight. Notify the Airport at least 5 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 41' AMSL or installation of solar 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. The property falls outside of the 65 dnl noise contour around the airport and is a compatible use but the Aviation Authority suggests a noise reduction level of at least 25 db be incorporated into design. An executed Avigation Easement will be negotiated with the Aviation Authority to protect the controlling airspace in accordance with Section 3.05 of the Airport Zoning Regulations. This includes any structures or objects of natural growth from penetrating the surface, as shown on the attached Exhibit B.

> **Recommended Approval** Yes O No

Airport Study Number 2022-28

CONDITIONS

- Red Obstruction lighting required in accordance with the FAA Advisory Circular 70/7460-1M.
- E-File FAA form 7460-2 with the FAA at least 10 days prior to construction and within 5 days after the construction reaches its greatest height.
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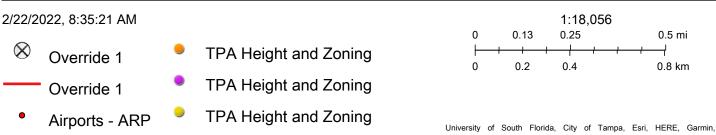
Associated Point Data Report Created on									
Point	Structure	Latitude	Longitude	Х	Υ	Site Elev.	Struct Height	Overall Height	Down & Over
Number	Name					(MSL)	(AGL)	(AMSL)	From Closest Runway
1	2228-bldg	27.91044444	-82.45658333	508,709.33	1,300,420.51	6	35	41.00	TPF RW 04-625(+)544(+)

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

Down = (-) down RW (+) outward Over = (-) Left (+) Right

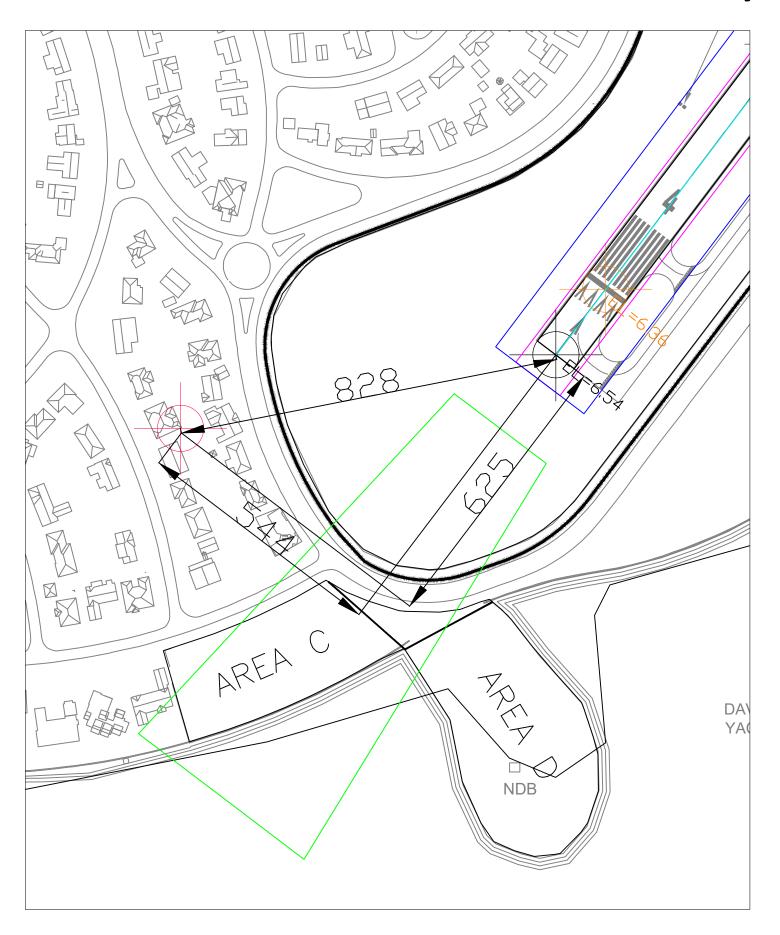
Distance from ARP



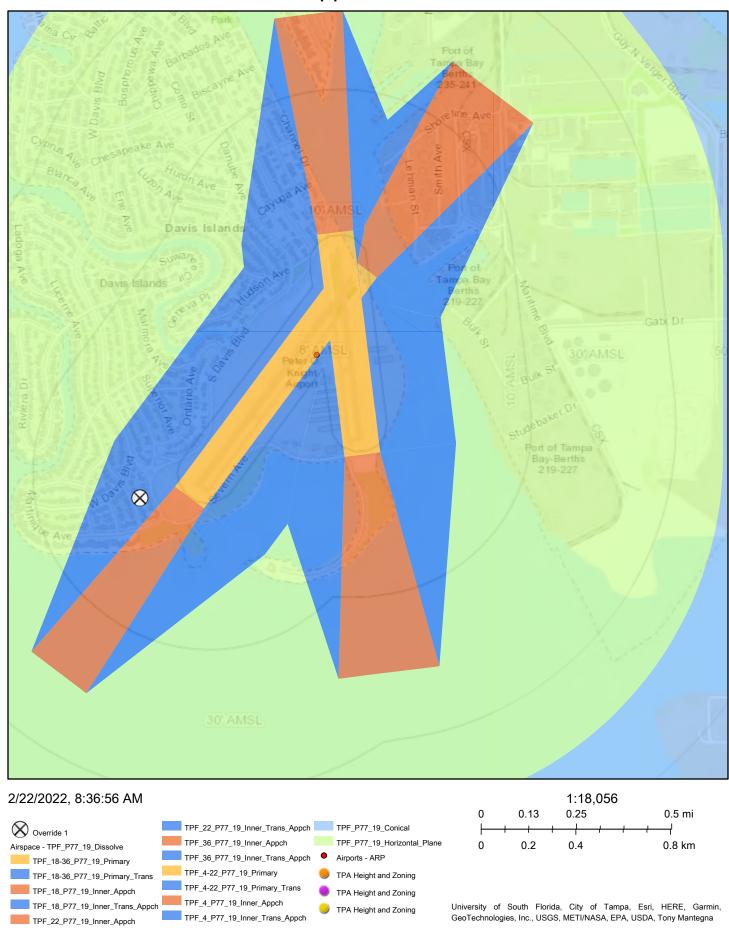


GeoTechnologies, Inc., USGS, METI/NASA, EPA, USDA, Tony Mantegna

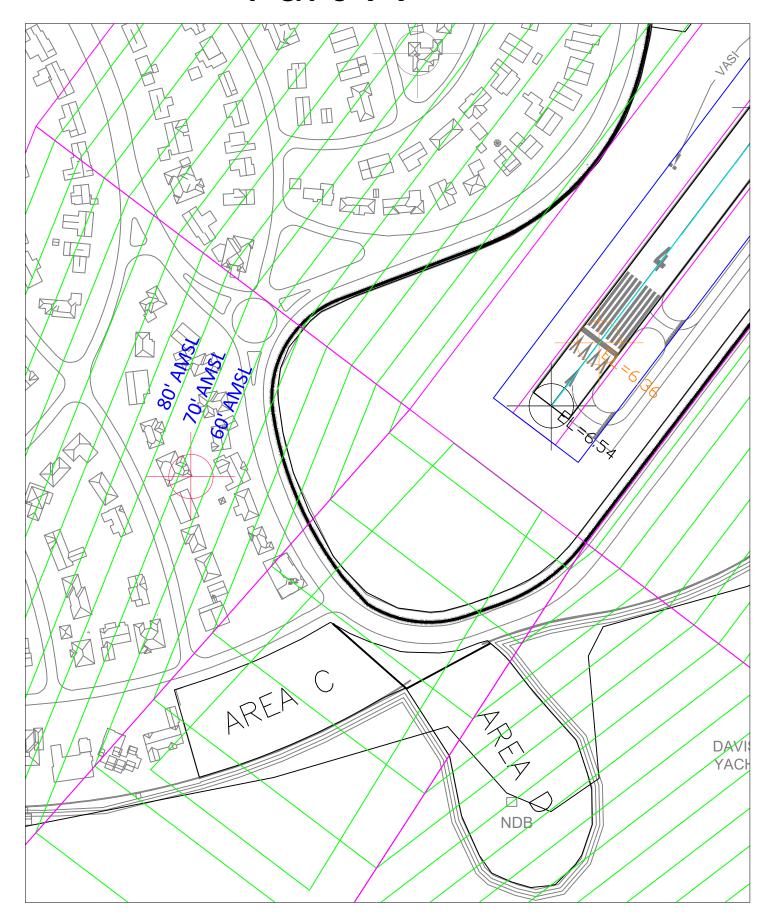
Distance from End of Runway



Part 77 - Approach Transitional



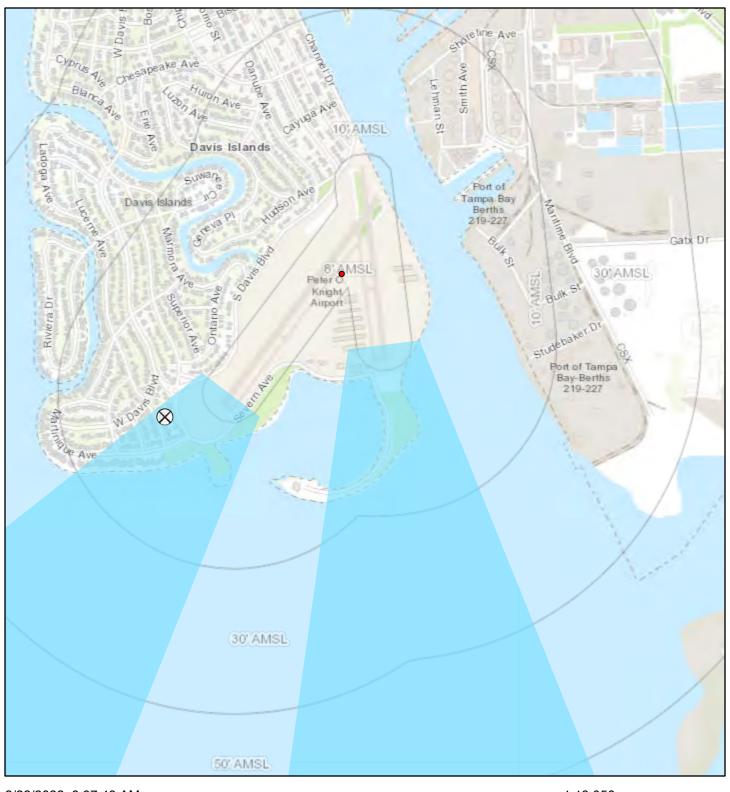
Part 77

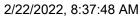


Approach Obstacle Clearance



RW-22- Departure





Override 1

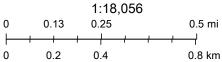
Airspace - TPF_DEP

Airports - ARP

TPA Height and Zoning

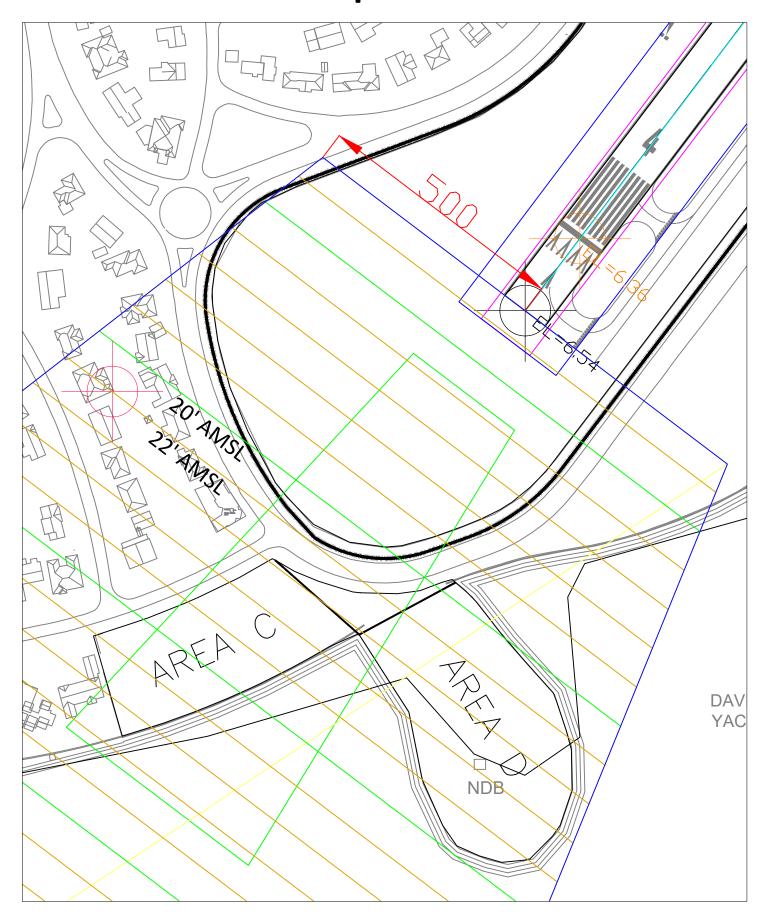
TPA Height and Zoning

TPA Height and Zoning



University of South Florida, City of Tampa, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, METI/NASA, EPA, USDA, Tony Mantegna

Departure



Departure EB-99

