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.

Construct an 18-story residential building

The Sanctuary at Alexandra Place

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: 11/30/18  Nearest Airport: Peter O. Knight  Overall Height (AMSL): 223

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: Todd Fultz
Signature of Authorized Representative: _________________ Date: 11/30/18

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 Hillsborough
Sworn to (or affirmed) and subscribed before me this 30 day of January, 2018, by Todd Fultz.
Personally Known / OR Produced Identification / Type of Id Produced

(NOTARY SEAL)

AMY GOUGH
State of Florida-Notary Public
Commission # GG 190316
My Commission Expires
February 20, 2022

THIS SECTION TO BE COMPLETED BY AVIATION AUTHORITY REPRESENTATIVE

Airport Study No. 2018-158  Variance Approval  YES  NO
FAA Study Number: 2018-ASO-11772-0E
Associated Aeronautical Study Numbers: 

FDOT Concurrence: YES:  NO:  WAIVED:  In accordance with Resolution No. 20

Board of Adjustment Chairman  Date

PD-01
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:
The Sanctuary at Alexandra Place
18 story condos

2619 Bayshore Blvd.

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) ☐
Temporary (Crane/Equip.) ☑

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

Name/Company/Organization: Plaza Construction Group Florida, LLC

Contact Person for Requested Activity: Todd Fultz Phone: 813-694-2256

Project Location: 2619 Bayshore Blvd, Tampa FL 33629 Email: tfultz@plazaconstruction.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: Todd Fultz

Signature of Authorized Representative: [Signature]

Date: 12-3-18

STATE OF Florida COUNTY OF Hillsborough
Sworn to (or affirmed) and subscribed before me this 3 day of Dec, 2018 by

Personally Known OR Produced Identification Type of Id Produced (NOTARY SEAL)

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. 2018-158

FAA Study Number 2018-ASO-11772-0E

Variance Required: ☑
Recommend Approval: ☑
Coordinate with Airport Operations: ☐
Coordinate with ATCT: ☐

Reviewed By: Anthony [Signature]

Zoning Director Date Approved ☐ Denied ☐
**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 Sanctuary at Alexandra Place
- **Location:** Tampa, FL
- **Latitude:** 27-55-18.93N NAD 83
- **Longitude:** 82-29-16.83W
- **Heights:**
  - 8 feet site elevation (SE)
  - 215 feet above ground level (AGL)
  - 223 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 L Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

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

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

- At least 10 days prior to start of construction (7460-2, Part 1)
- 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 05/25/2020 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 December 25, 2018. 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 Airspace Policy Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on January 04, 2019 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 Airspace Policy 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 2018-ASO-11772-OE.

Signature Control No: 367374996-390692061 (DNH)
Kent M. Wheeler
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)
Additional information for ASN 2018-ASO-11772-OE

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

This ASN is for a proposed building at height of 215 feet AGL, 223 feet AMSL.

The structure would be located approximately 2.09 NM west of the TPF ARP, Tampa, FL.

It 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 by 15 feet.

Part 77 Obstruction Standards are used to screen the many structures 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 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 structure exceeds an obstruction standard of Part 77 does not provide a basis for a determination that the structure would constitute a hazard to air navigation.

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

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.

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 arrival/departure routes, operations, or procedures.

> 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 flying in VFR weather conditions at night.

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.
# Review Summary

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<th>Airport Study Number</th>
<th>Permit Number</th>
<th>Address</th>
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<tbody>
<tr>
<td>2018-158</td>
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<td>2619 Bayshore Blvd</td>
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<th>Approval Date</th>
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<td></td>
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## REVIEW PROCESS

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<tr>
<th>MSL</th>
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<th>AMSL</th>
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<th>LONG</th>
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<td>223</td>
<td>27-55-18.93</td>
<td>82-29-16.83</td>
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### 77.9 Review
- **Required Notice**: 

### 77.17 Review
- **Obstruction**

### 77.19 Review

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<tr>
<td>Within Height Limits</td>
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## Analysis Summary

No Airspace or Navaid impacts identified. No IFR or VFR impacts. Exceeds obstruction standard - greater than 200 ft AGL within 3 NM of TPF

## 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  
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.

## Recommend Approval
- **Yes**  
- **No**
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<tr>
<th>Point Number</th>
<th>Description</th>
<th>Latitude</th>
<th>Longitude</th>
<th>X</th>
<th>Y</th>
<th>Site Elev. (AMSL)</th>
<th>Struct Height (AGL)</th>
<th>Overall Height (AMSL)</th>
<th>Down &amp; Over From Closest Runway</th>
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<tbody>
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