



# 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 towers are for the continued safe navigation of the Port's shipping channel. The existing Aids to Navigation(ATONS) no longer meet the Coast Guard Requirements due the increase of Vessel sizes. Ships at Berth 218 present an obstruction for navigating ships, and therefore extensive research by the Port and US Coast Guard (USCG) made necessary the addition/replacement of the existing towers. This research took approximately 1 1/2 years, and the requirements for tower locations and heights were determined by the USCG. The Port has hundreds of years of shipping history and with the need for regulated commerce to and from Tampa Bay, the Tampa Port Authority was enacted in 1945. Therefore, the need for safe navigation of our shipping channel has long been established. It should be noted that the rear tower in question, while permanent has a lower height and is farther from the runway approach to Peter O Knight Airport than cranes that were permitted which were directly in the path and were 300+ feet above mean sea level. These towers have been approved by the FAA.

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 : \_\_\_\_\_ Nearest Airport: Peter O Knight Overall Height (AMSL): 261

**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: Patrick Blair, VP of Engineering

Signature of Authorized Representative: [Signature] Date: 6/26/23

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 Hillsborough  
 Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 26 day of June, 20 23 by Patrick Blair

**(NOTARY SEAL)**

Notary Signature: Patricia M. Villanti  
 Personally Known  OR Produced Identification \_\_\_\_\_ Type of Id Produced \_\_\_\_\_

Notary Public State of Florida  
 Patricia M Villanti  
 My Commission HH 286736  
 Expires 7/12/2026

THIS SECTION TO BE COMPLETED BY AVIATION AUTHORITY REPRESENTATIVE

Airport Study No. 2023-80

FAA Study Number: 2023-ASO-7371-OE

Associated Aeronautical Study Numbers: 2023-ASO-7369-OE

FDOT Concurrence: Yes  No  Waived  n accordance 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:

Aids to Navigation, Hookers Point. Inbound Range (Front and Rear) Light Towers. These towers will serve as necessary Ship navigation for our main shipping channel.

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 being requested  
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: Michael Seifert, Port Tampa Bay

Contact Person for Requested Activity: Michael Seifert

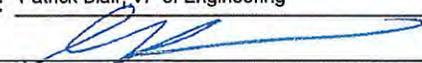
Phone: (813) 382-7186

Project Location: Hookers Point, Tampa, FL.

Email: mjseifert@tampaport.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: Patrick Blair, VP of Engineering

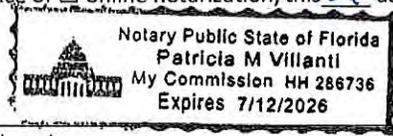
Signature of Authorized Representative: 

Date: 6/26/23

STATE OF FLORIDA, COUNTY OF Hillsborough

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 26 day of June, 20 23, by Patrick Blair

(NOTARY SEAL)



Notary Signature Patricia M. Villanti

Personally Known  OR Produced Identification  Type of Id Produced \_\_\_\_\_

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. 2023-80

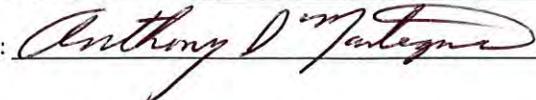
Variance Required: Yes

FAA Study Number 2023-ASO-7371-OE

Recommend Approval: Yes

Associated FAA Study Numbers 2023-ASO-7369-OE

Coordinate with Airport Operations: Yes

Reviewed By: 

Coordinate with ATCT: Yes

Approved by Zoning Director

Date

# Review Summary

**Airport Study Number**

2023-80

**Permit Number**

2380

**Maximum Height - AMSL**

261

**Approval Date**

**Expires**

12/21/2024

**Permit Type**

Height Zoning

## Review

77.9 Review

Required Notice

77.17 Review

Obstruction

77.19 Review

Exceeds Part 77

TERPS

Within Height Limits

OEI (62.5:1)

N/A

### Analysis Summary

Penetrates TPF Horizontal Surface - No Hazard as long as conditions are followed. No IFR or VFR impacts identified. No loss of utility to TPF.

**Coordination with ATCT:**

Yes

**Emergency Use**

Yes

**Objects affecting Navigable  
Airspace**

Yes

**Coordination with Operations:**

Yes

**Hazard Marking and/or Lighting**

Yes

**Exceeds Supportive Screening Criteria**

Yes

### 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 if the project is abandoned or within 5 days after the construction reaches its greatest height.Notify the Airport at least 5 business days prior to starting construction at 813-870-7863 and provide Airport Study number.You will be required to follow all conditions specified in the FAA Determination to remain in compliance. Installation equipment (Crane) exceeding 261' 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.

**Recommended Approval**

Yes

**Airport Study Number:**

**2023-80**

**CONDITIONS**

Red Obstruction lighting required in accordance with the FAA Advisory Circular 70/7460-1M.

E-File FAA form 7460-2 with the FAA if the project is abandoned or within 5 days after the construction reaches its greatest height.

Notify the Airport at least 5 business days prior to starting construction at 813-870-7863 and provide Airport Study number.

You will be required to follow all conditions specified in the FAA Determination to remain in compliance.

Installation equipment (Crane) exceeding 261' 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.



# Point Locations



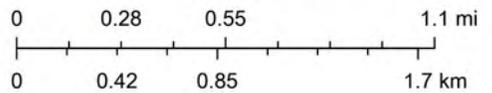
# Part 77 - Horizontal



6/26/2023, 10:04:31 AM

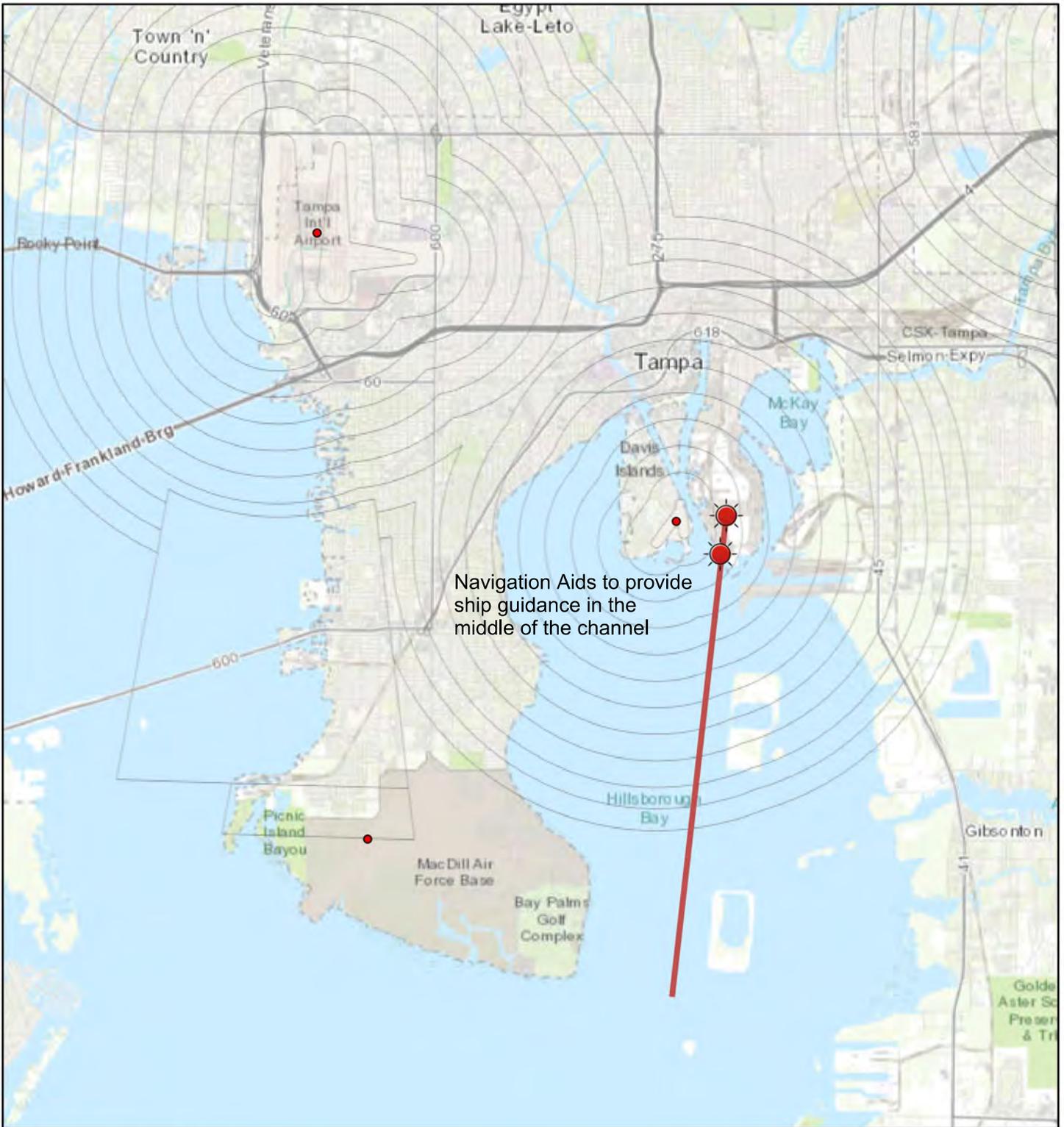
1:36,112

-  Override 1
-  Airspace - TPF\_P77\_19\_Dissolve
-  TPF\_18-36\_P77\_19\_Primary
-  TPF\_18-36\_P77\_19\_Primary\_Trans
-  TPF\_18\_P77\_19\_Inner\_Appch
-  TPF\_18\_P77\_19\_Inner\_Trans\_Appch
-  TPF\_22\_P77\_19\_Inner\_Appch
-  TPF\_22\_P77\_19\_Inner\_Trans\_Appch
-  TPF\_36\_P77\_19\_Inner\_Appch
-  TPF\_36\_P77\_19\_Inner\_Trans\_Appch
-  TPF\_4-22\_P77\_19\_Primary
-  TPF\_4-22\_P77\_19\_Primary\_Trans
-  TPF\_4\_P77\_19\_Inner\_Appch
-  TPF\_4\_P77\_19\_Inner\_Trans\_Appch
-  TPF\_P77\_19\_Conical
-  TPF\_P77\_19\_Horizontal\_Plane
-  Airports - ARP
-  TPA Height and Zoning
-  TPA Height and Zoning
-  TPA Height and Zoning



University of South Florida, City of Tampa, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA, Tony Mantegna

# Channel Guidance

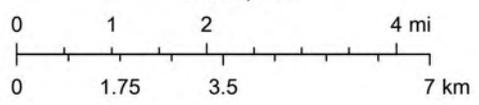


Navigation Aids to provide ship guidance in the middle of the channel

6/26/2023, 10:09:15 AM

1:144,448

-  Override 1
-  Override 1
-  Airports - ARP
-  TPA Height and Zoning
-  TPA Height and Zoning
-  TPA Height and Zoning



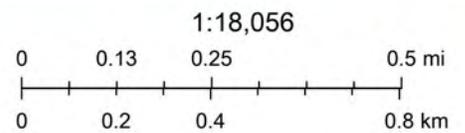
University of South Florida, City of Tampa, Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS, Tony Mantegna

# Distance from ARP



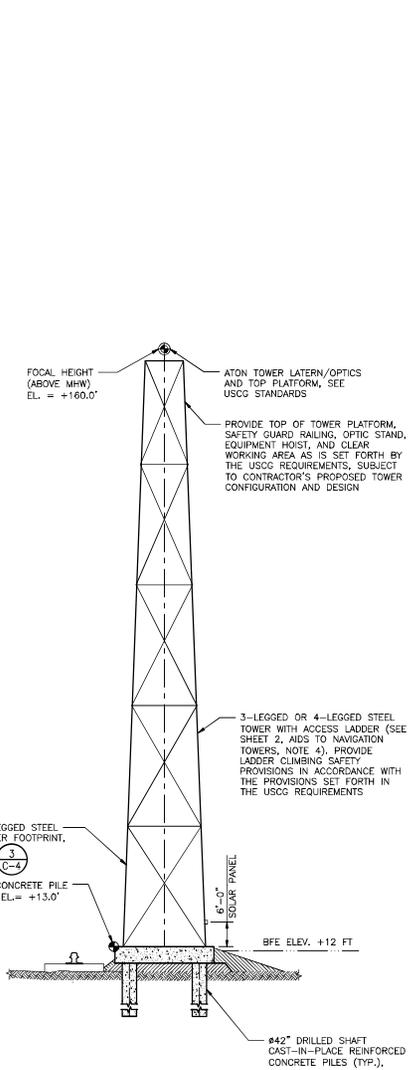
6/26/2023, 10:02:10 AM

-  Override 1
-  Override 1
-  Airports - ARP
-  TPA Height and Zoning
-  TPA Height and Zoning
-  TPA Height and Zoning

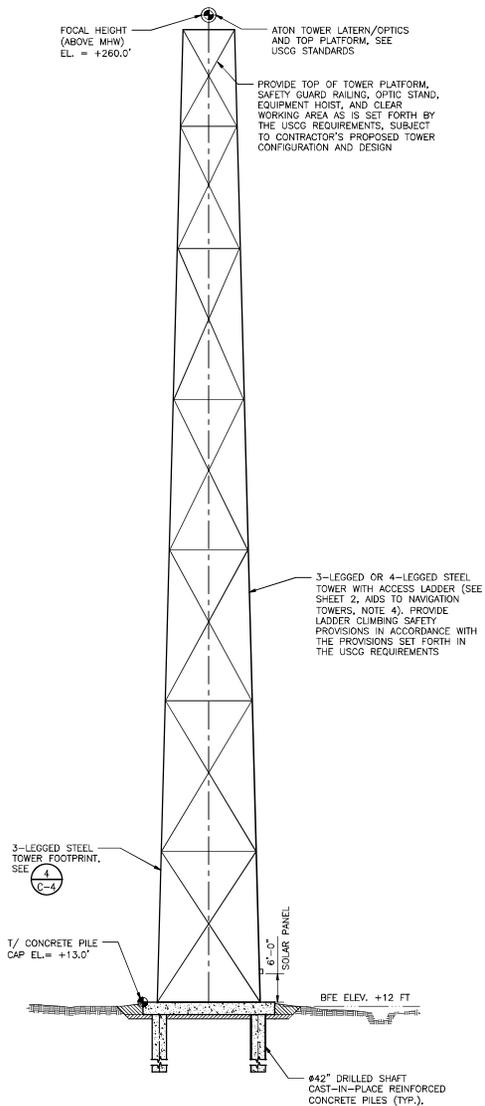


University of South Florida, City of Tampa, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA, Tony Mantegna

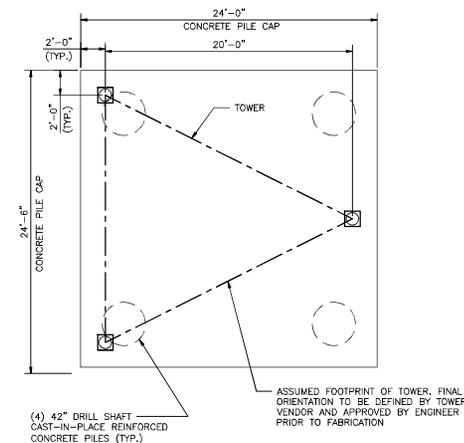




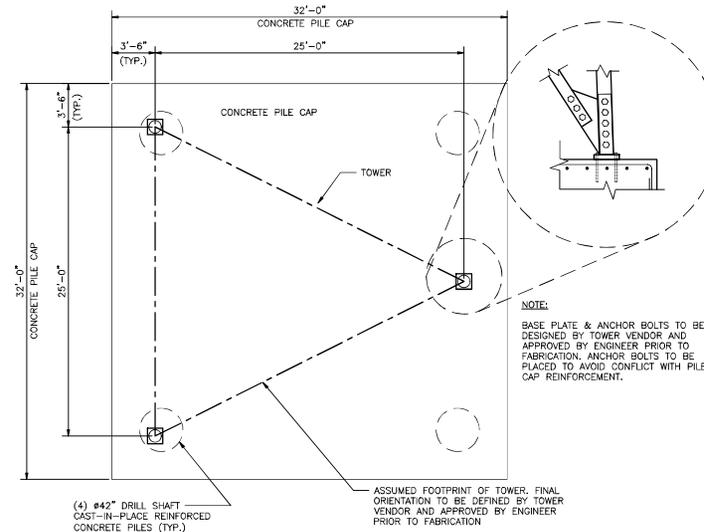
1 SECTION THROUGH RFL TOWER  
C-4 SCALE: 1" = 15'



2 SECTION THROUGH RRL TOWER  
C-4 SCALE: 1" = 15'



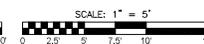
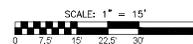
3 TYPICAL VENDOR TOWER FOOTPRINT (3-LEGGED SHOWN) - RFL  
C-4 SCALE: 1" = 5'



4 TYPICAL VENDOR TOWER FOOTPRINT (3-LEGGED SHOWN) - RRL  
C-5 SCALE: 1" = 5'

NOTES:

- ALL ELEVATIONS ARE BASED ON NAVD88 DATUM.
- BASE FLOOD ELEVATION (B.F.E.) ARE BASED ON FEMA FIRM MAPS CORRESPONDING TO THE 100-YEAR FLOOD.



ISSUED FOR BID  
NOT FOR CONSTRUCTION



SHEET NO:  
0  
7

AIDS TO NAVIGATION, HOOKERS POINT INBOUND RANGE FRONT AND REAR LIGHT TOWERS TYPICAL NAVIGATION TOWER SECTIONS	
DESIGNED BY: S. MERSDOFF	REVISION DESCRIPTION
DRAWN BY: C. PRICE	REVISION NO.:
DATE: JAN 27, 2023	REVISION DATE:
CHECKED BY: S. MERSDOFF	REVISION BY:
DATE: JAN 27, 2023	REVISION DATE:
APPROVED BY: M. FRENER	REVISION NO.:
DATE: JAN 27, 2023	REVISION DATE:
PROJECT NO.:	REVISION DESCRIPTION
22-02422	REVISION NO.:
SCALE:	REVISION DATE:
AS SHOWN	REVISION BY:
DRAWING NO.:	REVISION DATE:
C-4	REVISION NO.:
	REVISION DATE:

1101 CHANNELSIDE DRIVE TAMPA, FL 33602 TELEPHONE: 813-905-7678

PORT TAMPA BAY



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

Aeronautical Study No.  
 2023-ASO-7371-OE  
 Prior Study No.  
 2005-ASO-1827-OE

Issued Date: 06/21/2023

Patrick M. Blair, P.E., SI  
 Port Tampa Bay  
 1101 Channelside Drive  
 Tampa, FL 33602

**\*\* 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: Non-Transmitting Tower RRL Rear Range Tower  
 Location: Tampa, FL  
 Latitude: 27-55-01.73N NAD 83  
 Longitude: 82-26-14.24W  
 Heights: 11 feet site elevation (SE)  
 250 feet above ground level (AGL)  
 261 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, a med-dual system-Chapters 4,8(M-Dual),&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 Air Missions (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)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/21/2024 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 July 21, 2023. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager of the Rules and Regulations Group via e-mail at OEPetitions@faa.gov, via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, Room 425, 800 Independence Ave, SW, Washington, DC 20591, or via facsimile (202) 267-9328. FAA encourages the use of email to ensure timely processing.

This determination becomes final on July 31, 2023 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, 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](mailto:mike.blaich@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-ASO-7371-OE.

**Signature Control No: 574241085-590873266**

( DNH )

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

## Additional information for ASN 2023-ASO-7371-OE

TPF = Peter O Knight Airport  
AGL = Above Ground Level  
AMSL = Above Mean Sea Level  
NM = Nautical Miles  
ARP = Airport Reference Point  
RWY = Runway  
ASN = Aeronautical Study Number

The proposed non-transmitting navigational towers used for shipping channel, under ASNs 2023-ASO-7369-OE and 7371, at a height of 160 feet AGL, 168 feet AMSL and 250 feet AGL, 261 feet AMSL, respectively. Tower 23-7369 would be located approximately 0.74 NM southeast of the TPF ARP and tower 23-7371 would be approximately 0.65 NM east 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) (2) TPF: A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. The proposal exceeds by 50 feet.

Section 77.19 (a) TPF: A Horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of a specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The proposals exceed the Horizontal Surface by 11 and 104 feet.

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 circularized to the aeronautical public for comment. No letters of objection were received during the comment period.

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

- > The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- > The proposal 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 proposal would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- > The proposal would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.
- > The proposal would not penetrate those altitudes that are normally considered available to airmen for VFR en route flight.
- > The proposal 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 proposal would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

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

Therefore, it is determined that the proposal 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.



Sectional Map for ASN 2023-ASO-7371-OE





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

Aeronautical Study No.  
 2023-ASO-7369-OE  
 Prior Study No.  
 2005-ASO-1825-OE

Issued Date: 06/21/2023

Patrick M. Blair, P.E., SI  
 Port Tampa Bay  
 1101 Channelside Drive  
 Tampa, FL 33602

**\*\* 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: Non-Transmitting Tower RFL Front Range Tower  
 Location: Tampa, FL  
 Latitude: 27-54-28.70N NAD 83  
 Longitude: 82-26-17.62W  
 Heights: 8 feet site elevation (SE)  
 160 feet above ground level (AGL)  
 168 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, a med-dual system-Chapters 4,8(M-Dual),&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 Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

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- (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.

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This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 21, 2023. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager of the Rules and Regulations Group via e-mail at [OEPetitions@faa.gov](mailto:OEPetitions@faa.gov), via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, Room 425, 800 Independence Ave, SW, Washington, DC 20591, or via facsimile (202) 267-9328. FAA encourages the use of email to ensure timely processing.

This determination becomes final on July 31, 2023 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, 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](mailto:mike.blaich@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-ASO-7369-OE.

**Signature Control No: 574238431-590873474**

( DNH )

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

## Additional information for ASN 2023-ASO-7369-OE

TPF = Peter O Knight Airport  
AGL = Above Ground Level  
AMSL = Above Mean Sea Level  
NM = Nautical Miles  
ARP = Airport Reference Point  
RWY = Runway  
ASN = Aeronautical Study Number

The proposed non-transmitting navigational towers used for shipping channel, under ASNs 2023-ASO-7369-OE and 7371, at a height of 160 feet AGL, 168 feet AMSL and 250 feet AGL, 261 feet AMSL, respectively. Tower 23-7369 would be located approximately 0.74 NM southeast of the TPF ARP and tower 23-7371 would be approximately 0.65 NM east 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) (2) TPF: A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. The proposal exceeds by 50 feet.

Section 77.19 (a) TPF: A Horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of a specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The proposals exceed the Horizontal Surface by 11 and 104 feet.

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 circularized to the aeronautical public for comment. No letters of objection were received during the comment period.

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

- > The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- > The proposal 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 proposal would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- > The proposal would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.
- > The proposal would not penetrate those altitudes that are normally considered available to airmen for VFR en route flight.
- > The proposal 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 proposal would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

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

Therefore, it is determined that the proposal 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.

