



CITY OF TAMPA Transportation Division

GUIDELINES FOR PROCESSING DRIVEWAY ACCESS TO LOCAL STREET WAIVER

Note: Please be aware that these guidelines are intended as a supplement to assist you in submitting and processing your notice of waiver of driveway access location requirements. The reader should also review Chapter 27, specifically Section 27-283.12(j) of the City Code (see attached) for further information or clarifications regarding these guidelines.

**ALL APPLICATIONS FOR A DRIVEWAY ACCESS TO LOCAL STREET WAIVER
SHALL BE FILED AT THE MOBILITY DEPARTMENT, 306 EAST JACKSON
STREET, 6TH FLOOR EAST, TAMPA, FLORIDA**

I. APPLICATION REQUIREMENTS

A. Complete Original Application Form (Exhibit A). **Must be typewritten.**

1. Submit evidence that one or both of the following conditions set forth exist:

- (a) The local street primarily serves commercial traffic; or
- (b) The Transportation Division determines that the failure to allow ingress/egress to a local street in addition to, or in lieu of, ingress/egress to an arterial or collector street, will have a significant detrimental impact on traffic flow or safety on surrounding streets.

2. Submit a list of all neighborhood associations (if any) and property owners located within 250 feet (including right-of-way streets and roads) of the subject property based on information supplied by Office of Neighborhood Liaison and the Hillsborough County Property Appraiser Office, respectfully.

The neighborhood association list can be obtained from:

Good Neighbor Notices website: <https://www.tampa.gov/development-coordination/good-neighbor-notices>

The property owner list shall be composed according to the most current ad valorem tax roll, which can be obtained from:

**Hillsborough County Property Appraiser's Office
County Center
601 E. Kennedy Boulevard
(813) 272-6100**

It is the applicant's responsibility to ensure the lists are complete. We advise you to double-check the legal descriptions the Property Appraiser's Office gives you, so that everyone who owns property within the radius is included. **City Staff does not check your list for accuracy.** We will, however, investigate complaints of a missed notification. **Please make a photocopy of the list for your use in mailing out the letters.**

3. Submit a site plan showing the location of the driveway.

B. If the Transportation Division issues a written decision approving a driveway access waiver, then the applicant must provide notice of that decision.

II. NOTICE REQUIREMENTS

A. COPY OF NOTICE TO SURROUNDING REGISTERED NEIGHBORHOOD ASSOCIATION AND PROPERTY OWNERS (*Petitioner's Responsibility*)

1. The notification shall include the registered neighborhood association (if any) for the neighborhood in which the subject property is located and to all property owners within 250 feet of the property for which the waiver of driveway access location requirements was granted. If two or more names are listed on the Tax Rolls as property owners (regardless of relationship through blood or marriage) then all parties shall be notified. The 250 feet distance shall be measured in all directions from the property lines and ***shall include right-of-way streets and roads*** in the measurement.
2. The petitioner shall send a letter notifying all surrounding property owners and registered neighborhood associations of the approval of waiver of driveway access location requirements (**Exhibit B of package**). The letters shall be sent by **Certificate of Mailing** through the United States Post Office and must **be postmarked within ten (10) days** from the date of the Transportation Division's decision. Please ensure that the post office stamps the date on the Certificate of Mailing receipts.

B. COMPLETE ORIGINAL AFFIDAVIT ATTESTING TO NOTIFICATION (**Exhibit C of the application package**). **All forms must be typewritten or clearly printed and notarized.**

1. **SUBMITTAL OF AFFIDAVIT ATTESTING TO NOTIFICATION (*Petitioner's responsibility*)**. The petitioner must submit the **Affidavit Attesting to Notification** to the Transportation Division within ten (10) days of receipt of the Transportation Division's approval of waiver of driveway access location requirements. The petitioner shall also submit the receipt for the Certificate of Mailing with the **postmark date and a copy of the notice** sent to the surrounding property owners and registered neighborhood associations. The mailing address is:

City of Tampa
Transportation Division
Attn: Tarek Lofty-Kamal, Transportation Manager
306 E. Jackson Street, 6E
Tampa, FL 33602

III. FAILURE TO COMPLY WITH NOTIFICATION PROCEDURE

Failure to mail the letters or submit the affidavit within the required time frame means that proper notification of the approval of waiver of driveway access location requirements has not been provided. Therefore, the approval letter is revoked, and the waiver is denied and no permits can be issued until the Transportation Division makes a new determination, and proper notice is provided.

ALL NOTIFICATION REQUIREMENTS ARE THE FULL RESPONSIBILITY OF THE PETITIONER. TRANSPORTATION STAFF DOES NOT VERIFY THE COMPLETENESS OF THE NOTIFICATION.

IV. APPEAL TRANSPORTATION DIVISION DECISIONS

Decisions of the Transportation Division in connection with an application for a waiver may be appealed by an applicant, an appointed representative of the registered neighborhood association, or the owner of property within two hundred fifty (300) feet of the subject property. Any such appeal must be filed either within fifteen (15) days of the date of a letter from the Transportation Division denying the waiver, or within fifteen (15) days of the date of the certificate of mailing of notice of a decision approving a waiver, whichever is applicable.



CITY OF TAMPA
Transportation Division

Driveway Access to Local Street Waiver Application

EXHIBIT A

DATE:		
AUTHORIZED AGENT:		PHONE:
ADDRESS:		
CITY:	STATE:	ZIP CODE:
PROPERTY OWNER:		PHONE:
ADDRESS:		
CITY:	STATE:	ZIP CODE:
GENERAL LOCATION OF PROPERTY:		
ADDRESS OF PROPERTY:		
CURRENT ZONING DISTRICT:		TAX FOLIO #:
CURRENT USE (# and type of buildings):		
PROPERTY SIZE (acreage or sq. ft.):		
LEGAL DESCRIPTION – BLOCK:		LOT(S):
LINEAR PROPERTY FRONTAGE:		LINEAR BUILDING FRONTAGE:
SUBDIVISION:	(PLAT BOOK)	(PAGE):

EVIDENCE THAT WAIVER SHOULD BE GRANTED:

- [] Applicant will provide information
- [] Transportation Division to determine the evidence

PLEASE ATTACH LIST OF ALL NEIGHBORHOOD ASSOCIATIONS AND PROPERTY OWNERS LOCATED WITHIN 300 FEET OF THE SUBJECT PROPERTY, AND SITE PLAN SHOWING THE LOCATION OF THE DRIVEWAY.

I hereby certify that the information on this application is true and complete.

SIGNED (Property Owner)

Sworn and subscribed to before me this
day of _____, 20__.

SIGNED (Property Owner)

Notary Public, State of Florida
My Commission Expires: _____

TO BE COMPLETED BY TRANSPORTATION DIVISION		
WAIVER GRANTED	[] Yes [] No	DATE: _____
TRANSPORTATION DESIGNEE: _____		
SIGNATURE: _____		
COMMENTS: _____		



**CITY OF TAMPA
Transportation Division**

NOTICE TO SURROUNDING PROPERTY OWNERS

EXHIBIT B

DATE: _____

Project or Petition No.: _____
(where applicable)

SUBJECT: Waiver of Driveway Access Location Requirements (Section 27-283.12(j)).

DESCRIBE WORK PROPOSED:

DRIVEWAY ACCESS APPROVED ON (Name of Street):

PROPERTY OWNER/AUTHORIZED AGENT:

ADDRESS & LEGAL DESCRIPTION OF PROPERTY:

Dear Property Owner/Neighborhood Association:

Please be advised the City of Tampa Department of Public Works Transportation Division has granted a waiver of driveway access (Section 27-283.12(j)) for the above referenced property (see attached application). Should you have any questions, or wish to appeal this determination, please contact the Transportation Division at **(813) 274-8333** at your earliest convenience, as there is a time limit of fifteen (15) days for filing appeals.

Sincerely,

PETITIONER (Signature)

PETITIONER (Printed Name)

[☐] Owner [☐] Authorized Agent (please check one)



CITY OF TAMPA
Transportation Division

AFFIDAVIT ATTESTING TO NOTIFICATION - ACCESS TO LOCAL STREET WAIVER

EXHIBIT C

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

(NAME OF ALL PROPERTY OWNERS), being first duly sworn, depose(s) & say(s):

1. That (I am/we are) the owner(s) and record title holder(s) of the following described property (address or general location):

2. That this property constitutes the property for which a waiver of driveway access was granted (Section 27-283.12(j)).
3. That attached copy of the postmarked Certificate of Mailing receipt which notices were mailed on _____ (insert date) to the neighborhood associations and property owners within 250 feet of the subject property (including roads or streets).
4. That attached is a copy of the notice mailed to the neighborhood associations and property owners within 250 feet of the subject property (including roads or streets).
5. That a list of the neighborhood associations and property owners, their addresses and legal descriptions (according to the most current ad valorem tax record) and a site-plan showing the location of the driveway are attached and made a part of this affidavit.

SIGNED (Property Owner)

*Sworn and subscribed to before me this
day of _____, 20__.*

SIGNED (Property Owner)

*Notary Public, State of Florida
My Commission Expires: _____*

TO BE COMPLETED BY TRANSPORTATION DIVISION

Date Waiver Granted: _____

Date Waiver received by applicant: _____ Date Exhibit C received: _____

Receipt for Certificate of Mailing included: [] Yes [] No

Comments: _____

Sec. 27-283.12(j) *Nonresidential parking lots and garages shall be designed to minimize impact to residential neighborhoods.* In connection herewith the following requirements shall apply to all nonresidential parking lots and garages.

(1) Ingress and egress to nonresidential parking lots/garages shall be limited to arterial or collector streets, unless one (1) or more of the following conditions exist:

- (a) The property fronts only local street(s); or
- (b) Access to all adjacent arterial or collector street(s) is/are discouraged or rendered impracticable by another provision(s) of the City of Tampa Code; or
- (c) Access to all adjacent arterial or collector street(s) is/are prohibited by the Florida Department of Transportation or another governmental entity; or
- (d) No residentially zoned property exists on the affected segment of a local street where ingress and/or egress is proposed to a nonresidential parking lot or garage. For purposes hereof, the "affected segment of a local street" shall mean the segment of a local street where ingress and/or egress to a nonresidential parking lot or garage is proposed lying between the two (2) closest intersecting arterial or collector streets.

If one (1) or more of the conditions set forth above exist, then ingress and egress to the nonresidential parking lot or garage on a local street shall be permitted without requiring a waiver or special approval from the city; provided, however, the design and location of the ingress and egress to a nonresidential parking lot or garage on a local street shall comply with the requirements provided herein.

(2) In the event that none of the conditions contained in subsection 27-283.12(j)(1) apply, the owner of the property on which the nonresidential parking lot or garage is or will be located may file an application with the city requesting a waiver allowing ingress and egress to a nonresidential parking lot or garage on a local street.

Applications for a waiver shall be filed with the Development Services Center and shall include the following information:

- (a) The name and address of the applicant;
- (b) The name and address of the owner of the property on which the nonresidential parking lot is or will be located;
- (c) The legal description of the property;
- (d) Evidence that one or both of the conditions set forth below exist; and

(e) A list of all property owners located within two hundred fifty (250) feet of the subject property based on information supplied by the Hillsborough County Property Appraiser's Office.

The Development Services Center shall transmit the application to the Transportation Division. The Transportation Division may grant a waiver allowing ingress and egress to a nonresidential parking lot or garage on a local street if the Transportation Division finds that one (1) or both of the following conditions exist:

(a) The local street primarily serves commercial traffic; or

(b) The Transportation Division determines that the failure to allow ingress/egress to a local street in addition to, or in lieu of, ingress/egress to an arterial or collector street, will have a significant detrimental impact on traffic flow or safety on surrounding streets.

The Transportation Division shall notify an applicant, in writing, of its decision on an application for a waiver of the driveway location requirements set forth herein. If the Transportation Division issues a written decision approving such a waiver, then the applicant must thereafter provide notice of that decision to the officially registered neighborhood association, as registered with the City of Tampa, in which the subject property is located, and to all other officially registered neighborhood associations that lie within two hundred fifty (250) feet, including roads and streets, in all directions from the subject property, and to his or her neighboring property owners within two hundred fifty (250) feet of the subject property consistent with those public notice procedures set forth in [section 27-149\(c\)\(2\)](#); however, the applicant must submit an affidavit regarding notification and certificate of mailing to the Transportation Division within ten (10) days of receipt of the Transportation Division's decision. In the event that the applicant fails to properly notice the waiver or fails to timely file the affidavit regarding notification and the certificate of mailing, then the waiver shall be denied. If the application for a waiver is denied for any reason, then no application for the same or similar waiver shall be accepted and considered by the city until three (3) months has elapsed since the date that the prior request for the same or similar waiver was denied. Decisions of the Transportation Division in connection with an application for a waiver may be appealed by an applicant, an appointed representative of the registered neighborhood association, or the owner of property within two hundred fifty (250) feet of the subject property to the variance review board or the Architectural Review Commission (in historic districts, generally, or landmark sites) or the Barrio Latino Commission (in the Ybor City Historic District) in accordance with [section](#)

27-61(a). Any such appeal must be filed either within fifteen (15) days of the date of a letter from the Transportation Division denying the waiver, or within fifteen (15) days of the date of the certificate of mailing of notice of a decision approving a waiver, whichever is applicable. No permits shall be issued for construction or development until the applicable fifteen-day appeal period has lapsed, and if an appeal petition has been filed, until the appropriate board has rendered a final decision thereon.

(3) In the event ingress and egress to a nonresidential parking lot or garage on a local street is allowed in accordance with the terms hereof (by waiver or otherwise) and the local street is adjacent to a residential neighborhood, then, to the extent practicable and safe the driveway shall be designed to channel traffic away from the residential neighborhood. This driveway may not exceed the minimum distance from an intersection as required by the department of public works.

(4) A proposed development shall be exempt from the requirements of this subsection if it has received a final local development order as defined in the concurrency management system ordinance on or before January 31, 1990.