

Item # 42

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

(Continued from the December 14, 2004 Regular Meeting)

SUBJECT: Appeal of the Board of Adjustment's denial of a (1) special exception to establish a 150 foot tall "ecclesiastical" communication tower in the A-1 (Agriculture District); and (2) associated variances from 450 feet to 350 feet, 450 feet to 250 feet, 450 feet to 237.4 feet, and 450 feet to 300 feet to reduce the minimum separation distance required between a proposed 150 foot tall "ecclesiastical" communication tower and properties with single-family residential dwellings; (Karl J. Sanders / Edwards Cohen, appellants).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Donald Fisher **CONTACT:** Earnest McDonald **EXT:** 7430

Agenda Date <u>01-25-05</u>	Regular <input type="checkbox"/>	Consent <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input type="checkbox"/>		Public Hearing – 7:00 <input checked="" type="checkbox"/>	

MOTION/RECOMMENDATION:

1. **UPHOLD** The Board of Adjustment's decision to deny a (1) special exception to establish a 150 foot tall "ecclesiastical" communication tower in the A-1 (Agriculture District); and (2) associated variances from 450 feet to 350 feet, 450 feet to 250 feet, 450 feet to 237.4 feet, and 450 feet to 300 feet to reduce the minimum separation distance required between a proposed 150 foot tall "ecclesiastical" communication tower and properties with single-family residential dwellings; (Karl J. Sanders / Edwards Cohen, appellants); or
2. **REVERSE** The Board of Adjustment's decision to deny a (1) special exception to establish a 150 foot tall "ecclesiastical" communication tower in the A-1 (Agriculture District); and (2) associated variances from 450 feet to 350 feet, 450 feet to 250 feet, 450 feet to 237.4 feet, and 450 feet to 300 feet to reduce the minimum separation distance required between a proposed 150 foot tall "ecclesiastical" communication tower and properties with single-family residential dwellings; (Karl J. Sanders / Edwards Cohen, appellants); or
3. **CONTINUE** the request to a time and date certain.

(Commission District 5 - Carey) (Earnest McDonald, Principal Coordinator)

This item was continued from the October 26, 2004 and December 14, 2005 regular meetings of the Board, by request of the appellants.

Reviewed by:	
Co Atty:	
DFS:	
Other:	
DCM:	
CM:	
File No.	ph700pdp01

BOARD OF ADJUSTMENT DECISION:

At its regular meeting on August 23, 2004, the Board of Adjustment denied the request for a (1) special exception to establish a 150 foot tall “ecclesiastical” communication tower in the A-1 (Agriculture District); and (2) associated variances from 450 feet to 320 feet and 450 feet to 300 feet to reduce the minimum separation distances required between a proposed 150 foot tall “ecclesiastical” communication tower and properties with single-family residential dwellings.

STAFF RECOMMENDATION:

This appeal reflects a site plan received for review after delivery of public notices for the August 2004 Board of Adjustment hearing. This factor explains the discrepancy between the two (2) variances denied by the Board of Adjustment and the four (4) variances stated in the appeal as shown below:

REFERENCE NUMBER *	Variances Denied By the Board of Adjustment	Variances Appealed to the Board of County Commissioners
1	450 feet to 320 feet	450 feet to 350 feet; modified variance based on current site plan, which is less than the variance amount denied by the Board of Adjustment
2		450 feet to 250 feet; new variance based on current site plan (never considered by the Board of Adjustment)
3		450 feet to 237.4 feet; new variance based on current site plan (never considered by the Board of Adjustment)
4	450 feet to 300 feet	450 feet to 300 feet; still applies, based on current site plan

* REFERENCE NUMBERS CORRESPOND TO GRAPHICAL DEPICTION OF REQUESTED VARIANCES ATTACHED TO THIS REPORT.

The County Attorney’s Office has informed the appellants that the Board of County Commissioners can consider only the appeal of the special exception and the two (2) variances acted upon by the Board of Adjustment. Should the Board of County Commissioners reverse the decision of the Board of Adjustment and approve the request, the additional two (2) variances would need to be granted by the Board of Adjustment before the proposed tower could be constructed.

Staff recommends the Board of County Commissioners uphold the Board of Adjustment’s decision to deny a special exception to establish a 150 foot tall “ecclesiastical” communication tower in the A-1 (Agriculture District) and the associated variances previously acted upon. Conversely, staff would support the granting of a

special exception and associated variances to establish a camouflage communication tower of an alternative design (e.g., flagpole, steeple, etc.) in the A-1 (Agriculture District). Staff's recommendation for approval would be conditioned upon the appellants' ability to present a workable tower design that would be compatible with surrounding residential development and effectively merge, blend into and conform in appearance with existing facilities on the church property. The Board may wish to consider staff's recommended conditions in reaching its decision.

STAFF REPORT

<p>GENERAL INFORMATION</p>	<p>KARL J. SANDERS / EDWARDS COHEN, APPELLANTS 6 E. BAY STREET, STE. 500 JACKSONVILLE, FL 32202</p> <p>MARKHAM WOODS PRESBYTERIAN CHURCH, INC., PROPERTY OWNER 5210 MARKHAM WOODS RD LAKE MARY, FL 32746</p>	<p>A-1 District, LDC Section 124 (b)(23) Communication Towers; LDC Section 30.1364(b) Performance Standards (Minimum Separation from Off-Site Uses / Designated Areas)</p>
<p>BACKGROUND / REQUEST</p>	<ul style="list-style-type: none"> • The appellants propose to lease a portion of the subject property in order to construct a 150 ft tall ecclesiastical monopole communication tower that would be designed to compliment and conform in appearance with the existing church facility. • The subject property is currently occupied by a church and attendant accessory facilities, which comprise part of a larger site owned by Markham Woods Presbyterian Church, Inc. • <u>REQUEST FOR SPECIAL EXCEPTION</u> <ul style="list-style-type: none"> ○ The existing site is located in the A-1 District, where camouflage communication towers are permitted subject to planning manager approval and the criteria below. ○ The Land Development Code defines a camouflage communication tower as: <ul style="list-style-type: none"> ▪ A structure designed to merge, blend into and conform in appearance with existing surroundings; and ▪ A structure that does not appear to be unique, unusual or out of place; and ▪ A structure that a reasonable person with normal observational faculties and intelligence would not perceive as a tower; and ▪ A structure with camouflage techniques that does not have negative impacts on the general area in which it would be located. ▪ Based on this definition, the planning manager has determined the proposed “ecclesiastical” tower, while camouflage in design, would not meet the above criteria ○ The Planning Manager has determined that the proposed ecclesiastical monopole does not meet the above criteria. <ul style="list-style-type: none"> ▪ The proposed tower, while camouflage in design, would not merge, blend or conform in appearance to the existing church due to its proposed height and 	

would thereby appear unique, unusual and out of place with surrounding development. For this reason, a special exception is requested for the proposed tower, as allowed by the land development code for structures that fail to meet the definition of a camouflage communication tower.

• **REQUEST FOR VARIANCES**

- Minimum separation distance is defined as 300 percent of proposed tower height (or 150 ft x 3 = 450 ft), measured from the outer extremity of the base of the tower to the nearest property line of the parcels where residences are located. For the proposed 150 foot tower, the Land Development Code requires a minimum separation distance of 450 ft between the base of the tower and existing single-family uses to the south.
- The subject property abuts four (4) properties to the south where there are existing single-family residences. The following variances are requested to reduce the minimum separation requirements:

REFERENCE NUMBER *	SE DESIGNATED PARCELS	PROPOSED DISTANCE SEPARATION	VARIANCE AMOUNT REQUESTED
1	02-20-29-300-027A-0000	350.0 feet	100 feet
2	02-20-29-506-0000-0040	250.0 feet	200 feet
3	02-20-29-506-0000-0030	237.4 feet	212.6 feet
4	02-20-29-506-0000-0020	300.0 feet	150 feet

* REFERENCE NUMBERS CORRESPOND TO GRAPHICAL DEPICTION OF REQUESTED VARIANCES ATTACHED TO THIS REPORT.

- The subject property is occupied by an existing church on property designated SE (Suburban Estates) future land use (FLU) and A-1 (Agriculture District), where the separation requirement does not apply.
- The abutting tract to the west is occupied by a single-family dwelling where the separation requirement does apply. However, section 30.1364(b)(3) of the Land Development Code allows the Planning Manager to reduce separation distances with written consent of property owners within the separation distance.
- The abutting tract to the west comprises a part of the Markham Woods Presbyterian Church site and is

commonly owned by the same entity authorizing the request. By virtue of this authorization, the owner has consented to allowing a reduction in separation distance between the base of the proposed tower and the abutting tract to the west; no variance is required.

ZONING & FLU

DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY
SITE	A-1	SE	CHURCH
NORTH	A-1	SE	VACANT
SOUTH	A-1	SE	SINGLE-FAMILY
EAST	A-1	SE	SINGLE-FAMILY
WEST	A-1	SE	SINGLE-FAMILY

STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2)

The Board of Adjustment (BOA) shall have the power to hear and decide special exceptions and variances it is specifically authorized to pass under the terms of the land development code upon determination the use requested:

IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:

The trend of development in the area has included other communication towers, including two (2) flagpole towers, 135 ft and 90 ft in height, located to the north of the subject property on property owned by First Baptist Church of Markham Woods, Inc. However, the applicant has submitted documentation to suggest a flag pole design is not compatible with Cingular Wireless' communication infrastructure.

The proposed tower is designed to resemble an ecclesiastical appurtenance and compliment the appearance of the existing church. However, the Land Development Code does not describe the proposed tower design as an acceptable form of camouflage treatment, unlike signs, light poles, utility poles and roof fascias.

Because the proposed ecclesiastical tower, at the height proposed, would not blend into existing surroundings such that a reasonable person with normal observational faculties and intelligence would not perceive its presence as a tower, staff believes an alternative camouflage design would be more appropriate on the subject property. The Board might want to consider alternative design elements, including those identified in the Land Development Code (e.g., utility pole, flag pole, architecturally integrated facility, or steeple design.)

DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:

The proposed tower would not have an adverse impact on existing traffic volumes, since the facility would be unmanned and require a minimum number of vehicle trips for routine service and maintenance.

IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:

The Seminole County Vision 2020 Comprehensive Plan describes the SE (Suburban Estates) FLU as most appropriate for (1) the development of large-lot single-family estates as a desired final land use, (2) providing a transitional use between urban development and general rural uses, and (3) locations where agricultural operations can continue until development occurs for other purposes.

The Comprehensive Plan further describes SE FLU as appropriate for special exception uses like utility structures. With the imposition of staff's recommended conditions, the proposed communication tower would be consistent with the SE FLU designation.

MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:

Based on the submitted site plan, the proposed communication tower would not meet the 450 ft minimum separation distance required between a 150 ft tower and four (4) abutting parcels with single-family homes to the south. For this reason, variances from the minimum separation distance required between the base of the proposed tower and the nearest property line to the south are requested as a part of this application.

WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:

Within the A-1 District, communication towers are allowed as conditional uses. The prior establishment of similar tower structures on adjacent property to the north has defined the character of the area as appropriate for this type of facility.

The proposed incorporation of camouflage design elements,

	<p>including the ecclesiastical features, would further reduce the visual impact of the proposed tower. However, the proposed height of 150 ft would be substantially taller than the existing church buildings the tower would be designed to compliment. For this reason, staff believes an alternative design, as suggested elsewhere in the report, could provide a reasonable alternative for assimilation and thereby reduce visual impact to surrounding residential development.</p>
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-1 (AGRICULTURE DISTRICT); LDC SECTION 30.124(a)</p>	<p>The BOA may permit any use allowed by special exception in the A-1 (Agriculture District) upon making findings of fact, in addition to those required by section 30.43(b)(2) of the land development code, that the use:</p> <p><u>IS CONSISTENT WITH THE GENERAL ZONING PLAN OF THE A-1 (AGRICULTURE):</u></p> <p>As previously stated, the proposed use would be consistent with the SE FLU and underlying A-1 District zoning with the imposition of staff's recommended conditions. The proposed use would otherwise comply with the dimensional standards of the A-1 District.</p> <p><u>IS NOT HIGHLY INTENSIVE IN NATURE:</u></p> <p>The request would not be highly intensive in nature, if improvements are limited to a camouflage tower system that furthers the policy intent of the Land Development Code, an equipment cabinet, privacy fence, and requisite landscaping as depicted on the submitted site plan.</p> <p>The proposed facility would be self-operating and used exclusively for transmitting and receiving. Routine maintenance visits would occur approximately twice a month. More frequent visits would be required in the event of malfunction or emergency.</p> <p>Proposed ingress/egress to the facility would be provided from Markham Woods Road through the existing church site.</p> <p><u>IS COMPATIBLE WITH THE CONCEPT OF LOW DENSITY LAND USE:</u></p> <p>With staff's recommended design alternatives and conditions, the proposed use could be made compatible with surrounding low density land uses.</p> <p><u>HAS ACCESS TO AN ADEQUATE LEVEL OF URBAN SERVICES SUCH AS SEWER, WATER, POLICE, SCHOOLS</u></p>

	<p><u>AND RELATED SERVICES:</u></p> <p>The proposed tower would be an unmanned facility, which would require no connection to water or sewer, nor impact school services. Other County services, including police, emergency, and garbage disposal are otherwise available to the site. Electrical power and telephone service would be respectively provided by Progress Energy and BellSouth.</p>
<p>STANDARDS FOR GRANTING A VARIANCE; LDC SECTION 30.43 (b)(3)</p>	<p>Separation distances may be decreased or increased by the Board of Adjustment in accordance with the procedural requirements for variances.</p> <p>Prior to granting a variance, the Board of Adjustment must reach a finding that literal enforcement of applicable regulations would result in an unnecessary and undue hardship upon the applicant and determine compliance with the criteria presented in section 30.43(b)(3) of the Land Development Code.</p> <p>The standards relative to variances as otherwise stated below may be considered in determining whether to approve a variance but <u>shall not</u> be determinative as to whether the variance may be granted:</p> <p><u>THAT SPECIAL CONDITIONS AND CIRCUMSTANCES EXIST WHICH ARE PECULIAR TO THE LAND, STRUCTURE, OR BUILDING INVOLVED AND WHICH ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES, OR BUILDINGS IN THE SAME ZONING CLASSIFICATION:</u></p> <p>Should the Board of Adjustment find that a communication tower is appropriate for the proposed location and thereby approve the requested special exception, reasonable use of the subject property for the purpose of establishing a tower in excess of 79 feet would be dependent upon variances from the minimum separation distance required between the proposed tower and the properties with single-family dwellings to the south.</p> <p>Based on the submitted propagation maps and supporting documentation, the appellants have demonstrated a need to expand Cingular Wireless' service area by establishing a communication tower in the general vicinity of the subject property. The appellants have further indicated that all collocation opportunities, including the 100 foot collocation opportunity to the north, have been explored and determined to be unacceptable for meeting Cingular Wireless' coverage goals and the provision of homogeneous service across its network.</p>

Staff has further determined that the proposed tower height is consistent with Cingular Wireless' desire to provide coverage in the areas identified on the attached propagation maps. In general, communication towers require a spacing of approximately 2 to 3 miles to provide the necessary overlap and signaling requirement to optimize performance and coverage to a geographic area. The 150 foot height is requested to compensate for the terrain of the Wekiva River Basin, which the proposed tower would cover. This factor constitutes a hardship, which should be considered by the board if the requested special exception is approved. Further, the applicant has stated that by approving a tower at the requested height, the need for additional towers in the area would be reduced and/or eliminated.

THAT THE SPECIAL CONDITIONS AND CIRCUMSTANCES DO NOT RESULT FROM THE ACTIONS OF THE APPELLANTS:

The aforementioned special condition resulted from the topography of the area to be serviced by the new tower facility. This is a special circumstance that did not result from the appellants' actions.

THAT GRANTING THE VARIANCE REQUESTED WILL NOT CONFER ON THE APPLICANT ANY SPECIAL PRIVILEGE THAT IS DENIED BY CHAPTER 30 TO OTHER LANDS, BUILDINGS, OR STRUCTURES IN THE SAME ZONING CLASSIFICATION:

Should the Board approve the requested special exception, the granting of variances from the minimum separation distance would not confer special privileges, since reasonable use of the property for expanding Cingular Wireless' service area would be compromised without relief from the minimum separation distance requirements of the land development code.

THAT LITERAL INTERPRETATION OF THE PROVISIONS OF CHAPTER 30 WOULD DEPRIVE THE APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION AND WOULD WORK UNNECESSARY AND UNDUE HARDSHIP ON THE APPLICANT:

The literal interpretation of the provisions of Section 30.1364 (Performance Standards) would deprive the applicant of rights commonly enjoyed by other properties in the A-1 District. Without variances from minimum separation distances, a tower no taller

than 79 feet in height could be constructed at the proposed location, should a special exception be granted by the Board. Furthermore, the need for a 79 foot tall tower would be negated by the 100 foot collocation opportunity that exists immediately to the north.

THAT THE VARIANCE GRANTED IS THE MINIMUM VARIANCE THAT WILL MAKE POSSIBLE THE REASONABLE USE OF THE LAND, BUILDING, OR STRUCTURE:

The appellants have indicated the proposed tower height of 150 feet is necessary to overcome the terrain of the Wekiva River Basin, which the proposed tower site would cover. Staff believes the proposed height and the corresponding request to reduce minimum distance separation distances to be reasonable.

THAT THE GRANT OF THE VARIANCE WILL BE IN HARMONY WITH THE GENERAL INTENT AND PURPOSE OF CHAPTER 30, WILL NOT BE INJURIOUS TO THE NEIGHBORHOOD, OR OTHERWISE DETRIMENTAL TO THE PUBLIC WELFARE:

The appellants have stated that 150 feet is the minimum height at which a communication tower could be constructed to achieve reasonable use of the subject property. Staff believes the granting of any variance from separation distance for a tower exceeding 79 feet in height could be made harmonious with the general intent and purpose of the Land Development Code (with the imposition of staff's recommended design alternatives and conditions), since special circumstances constituting a hardship have been demonstrated.

STAFF FINDINGS

When special exceptions and associated variances are requested from minimum separation distance required between a communication tower and properties with existing residences, the Land Development Code requires the following findings:

- **THE AESTHETIC IMPACT OF THE TOWER WOULD BE ENHANCED IN THE FOLLOWING MANNER:**
 - The visual impact of the proposed tower to abutting residential properties could be minimized by design features intended to camouflage its presence and assimilate the same into surrounding development. The proposed "ecclesiastical" method fails to achieve this objective. Staff believes a design more commonly associated as a church appurtenance (e.g., flagpole, steeple, etc.) would be a more

suitable design at the requested height of 150 feet.

o COMPATIBILITY WITH ABUTTING PROPERTY OWNERS WOULD BE MAINTAINED IN THE FOLLOWING MANNER:

- The proposed tower is an allowable special exception use under the existing SE FLU and corresponding A-1 District zoning; with staff's recommendations, the proposed use could be made compatible with the existing trend of development in the area, which includes other communication towers on adjacent property to the north.

o THE PROPOSED TOWER WOULD FURTHER THE LEGISLATIVE INTENT OF SECTION 30.1362 OF THE LAND DEVELOPMENT CODE IN THE FOLLOWING MANNER:

- The appellants have submitted documentary evidence (radio frequency propagation maps and a signed statement from a radio frequency engineer) to support Cingular Wireless' need for a new telecommunications facility of the height proposed in the general area. Furthermore, the appellants argue that a 150 foot tower would help to achieve Cingular Wireless' coverage goals, while reducing the need for additional tower sites in the future.

On October 27, 2003, the Board of Adjustment denied a similar request by Cingular Wireless for special exception to establish a 150 foot tall monopine communication tower on the abutting property to the west after finding the request failed to meet minimum separation requirements of the Land Development Code. On February 24, 2004, the Board of County Commissioners upheld this decision.

It is important to note that while the findings appear to support the need for a communication tower on the subject property, the legislative intent of the Land Development Code for ensuring compatibility through the assimilation of the proposed tower with the existing church site has not been satisfied by the appellants. The Board's decision to deny the prior application is consistent with the promotion of this policy.

**BOARD OF
ADJUSTMENT**

At its regular meeting on August 23, 2004, the Board of Adjustment denied the request for a (1) special exception to

DECISION	establish a 150 foot tall "ecclesiastical" communication tower in the A-1 (Agriculture District); and (2) associated variances from 450 feet to 320 feet and 450 feet to 300 feet to reduce the minimum separation distances required between a proposed 150 foot tall "ecclesiastical" communication tower and properties with single-family residential dwellings.															
STAFF RECOMMENDATION	<p>This appeal reflects a site plan received for review after delivery of public notices for the August 2004 Board of Adjustment hearing. This factor explains the discrepancy between the two (2) variances denied by the Board of Adjustment and the four (4) variances stated in the appeal as shown below:</p> <table border="1" data-bbox="548 632 1458 1220"> <thead> <tr> <th data-bbox="548 632 743 726">REFERENCE NUMBER *</th> <th data-bbox="751 632 1076 726">Variances Denied By the Board of Adjustment</th> <th data-bbox="1084 632 1458 726">Variances Appealed to the Board of County Commissioners</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 730 743 884">1</td> <td data-bbox="751 730 1076 884">450 feet to 320 feet</td> <td data-bbox="1084 730 1458 884">450 feet to 350 feet; modified variance based on current site plan, which is less than the variance amount denied by the Board of Adjustment</td> </tr> <tr> <td data-bbox="548 888 743 1003">2</td> <td data-bbox="751 888 1076 1003"></td> <td data-bbox="1084 888 1458 1003">450 feet to 250 feet; new variance based on current site plan (never considered by the Board of Adjustment)</td> </tr> <tr> <td data-bbox="548 1008 743 1123">3</td> <td data-bbox="751 1008 1076 1123"></td> <td data-bbox="1084 1008 1458 1123">450 feet to 237.4 feet; new variance based on current site plan (never considered by the Board of Adjustment)</td> </tr> <tr> <td data-bbox="548 1127 743 1220">4</td> <td data-bbox="751 1127 1076 1220">450 feet to 300 feet</td> <td data-bbox="1084 1127 1458 1220">450 feet to 300 feet; still applies, based on current site plan</td> </tr> </tbody> </table> <p data-bbox="540 1224 1422 1276">* REFERENCE NUMBERS CORRESPOND TO GRAPHICAL DEPICTION OF REQUESTED VARIANCES ATTACHED TO THIS REPORT.</p> <p data-bbox="540 1308 1479 1608">The County Attorney's Office has informed the appellants that the Board of County Commissioners can consider only the appeal of the special exception and the two (2) variances acted upon by the Board of Adjustment. Should the Board of County Commissioners reverse the decision of the Board of Adjustment and approve the request, the additional two (2) variances would need to be granted by the Board of Adjustment before the proposed tower could be constructed.</p> <p data-bbox="540 1640 1474 1896">Staff recommends the Board of County Commissioners uphold the Board of Adjustment's decision to deny a special exception to establish a 150 foot tall "ecclesiastical" communication tower in the A-1 (Agriculture District) and the associated variances previously acted upon. Conversely, staff would support the granting of a special exception and associated variances to establish a camouflage communication tower of an alternative</p>	REFERENCE NUMBER *	Variances Denied By the Board of Adjustment	Variances Appealed to the Board of County Commissioners	1	450 feet to 320 feet	450 feet to 350 feet; modified variance based on current site plan, which is less than the variance amount denied by the Board of Adjustment	2		450 feet to 250 feet; new variance based on current site plan (never considered by the Board of Adjustment)	3		450 feet to 237.4 feet; new variance based on current site plan (never considered by the Board of Adjustment)	4	450 feet to 300 feet	450 feet to 300 feet; still applies, based on current site plan
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design (e.g., flagpole, steeple, etc.) in the A-1 (Agriculture District). Staff's recommendation for approval would be conditioned upon the appellants' ability to present a workable tower design that would be compatible with surrounding residential development and effectively merge, blend into and conform in appearance with existing facilities on the church property. The Board may wish to consider the following design alternatives, which are presented as illustrated attachments in this report:

- Rooftop design
- Rooftop church cross
- Freestanding church cross
- Church steeple
- Flagpole
- Existing utility pole

Should the special exception be granted, staff recommends the following conditions of approval:

1. The proposed tower shall not exceed the minimum height needed to further Cingular Wireless' communication goals in the immediate area, as verified by a RF (Radio Frequency) engineer.
2. The proposed tower shall be camouflage in design and painted a muted color to blend in with the natural environment.
3. Any improvements and/or additions to the proposed tower shall be submitted for approval to the county.
4. A listed species survey shall be provided prior to final engineering approval.
5. Prior to final engineering approval, a water quality swale shall be provided.
6. Prior to the final development order / approval, an application for full concurrency management shall be provided.

Should the associated variances from minimum separation distances be granted, staff recommends the following conditions of approval:

1. Any variance granted shall apply only to the proposed communication tower depicted on the attached site plan.
2. Any variance granted shall be the minimum that would make possible the reasonable use of the property for siting a communication tower, based on the minimum tower height

	<p>deemed acceptable by a RF engineer for expanding Cingular Wireless' service area.</p> <p>3. Any variance granted should be conditioned upon certification by a structural engineer of the proposed tower's safe performance in the event of structural failure or collapse.</p> <p>4. Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.</p>
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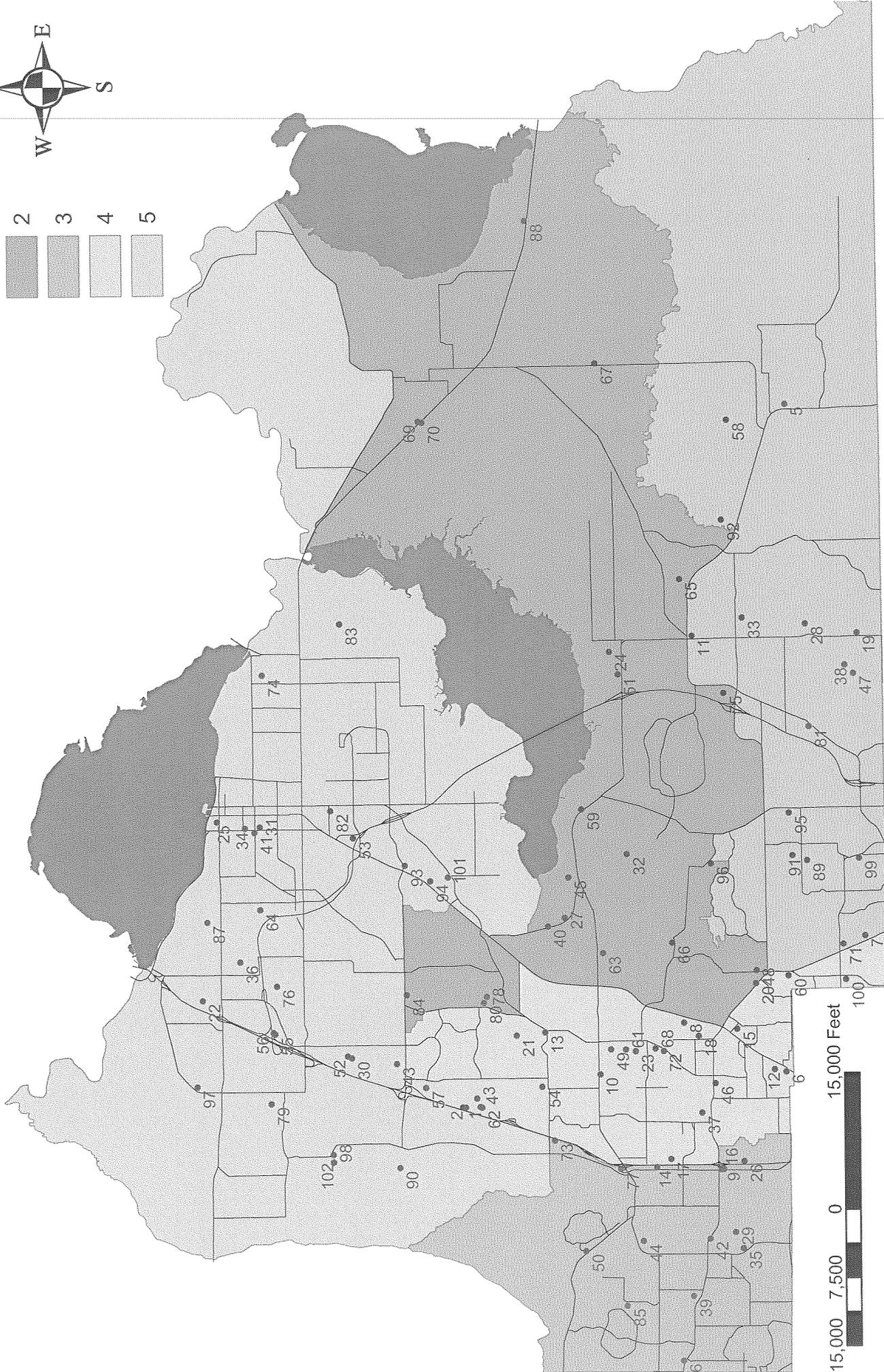
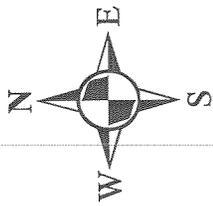
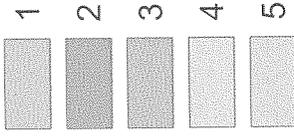
Attachments:

- Seminole County communication tower inventory
- Staff correspondence
- Applicable regulations
- Application for special exception supporting material
- Application for variances & supporting material
- Authorization forms
- Engineering & safety information
- Propagation maps
- Site map
- Graphical Depiction of requested variances
- Property Appraiser report
- Proposed site plan
- Photographic simulations
- Camouflage communication tower design illustrations
- August 23, 2004 Board of Adjustment Meeting Minutes

Seminole County Communication Tower Inventory

Commission District

DISTRICT



SEMINOLE COUNTY COMMUNICATION TOWER INVENTORY

TOWER #	COMPANY	STREET ADDRESS	COMMUNITY	HEIGHT (In feet - If available)
1	EMMIS TV BROADCASTING	31 SKYLINE DR	LAKE MARY	
2	WOFL TV - CHANNEL 35	35 SKYLINE DR	LAKE MARY	
3	AT&T WIRELESS	36 SKYLINE DR	LAKE MARY	235
4	CINGULAR WIRELESS	40 SKYLINE DR	LAKE MARY	235
5	T-MOBILE USA, INC.	47 SKYLINE DR	LAKE MARY	198
6	NEXTEL COMMUNICATIONS	47 SKYLINE DR	LAKE MARY	198
7	SPRINT PCS	47 SKYLINE DR	LAKE MARY	198
8	CINGULAR WIRELESS	95 E 7TH ST	CHULUOTA	
9	NEXTEL COMMUNICATIONS	95 AVENUE C	CHULUOTA	
10	T-MOBILE USA, INC.	669 AVENUE C	CHULUOTA	
11	CINGULAR WIRELESS	100 2ND ST	MAITLAND	100
12	NEXTEL COMMUNICATIONS	100 CASSELTON DR	CASSELBERRY	
13	SPRINT PCS	100 CASSELTON DR	CASSELBERRY	
14	AT&T WIRELESS	101 MELODY LN	CASSELBERRY	
15	NEXTEL COMMUNICATIONS	101 MELODY LN	CASSELBERRY	
16	NEXTEL COMMUNICATIONS	101 WYMORE RD	ALTAMONTE SPRINGS	89
17	AT&T WIRELESS	110 MINGO TRL	LONGWOOD	182
18	CINGULAR WIRELESS	110 MINGO TRL	LONGWOOD	182
19	NEXTEL COMMUNICATIONS	110 MINGO TRL	LONGWOOD	182
20	SPRINT PCS	110 E BROADWAY ST	OVIDO	
21	NEXTEL COMMUNICATIONS	111 CANDACE DR	MAITLAND	169
22	AT&T WIRELESS	113 CANDACE DR	MAITLAND	169
23	VERIZON WIRELESS	115 LONGWOOD HILLS RD	LONGWOOD	298
24	AT&T WIRELESS	133 W PINEVIEW ST	ALTAMONTE SPRINGS	150
25	CINGULAR WIRELESS	133 W PINEVIEW ST	ALTAMONTE SPRINGS	150
26	SPRINT PCS	133 W PINEVIEW ST	ALTAMONTE SPRINGS	150
27	CINGULAR WIRELESS	142 FERNWOOD BLVD	FERN PARK	193
28	NEXTEL COMMUNICATIONS	142 FERNWOOD BLVD	FERN PARK	193
29	AT&T WIRELESS	151 WYMORE RD	ALTAMONTE SPRINGS	68
30	T-MOBILE USA, INC.	151 WYMORE RD	ALTAMONTE SPRINGS	68
31	SPRINT PCS	151 WYMORE RD	ALTAMONTE SPRINGS	68
32	UNKNOWN	170 E HILLCREST ST	ALTAMONTE SPRINGS	
33	T-MOBILE USA, INC.	185 ANCHOR RD	CASSELBERRY	136
34	AT&T WIRELESS	186 PARK RD	OVIDO	182
35	CINGULAR WIRELESS	186 PARK RD	OVIDO	182
36	T-MOBILE USA, INC.	186 PARK RD	OVIDO	182

SEMINOLE COUNTY COMMUNICATION TOWER INVENTORY

TOWER #	COMPANY	STREET ADDRESS	COMMUNITY
20	SPRINT PCS	201 CANNON WAY	CASSELBERRY
21	T-MOBILE USA, INC.	208 BAY MEADOW RD	LONGWOOD
	SPRINT PCS	208 BAY MEADOW RD	LONGWOOD
	GLOBAL SIGNAL (PINNACLE TOWERS)	208 BAY MEADOW RD	LONGWOOD
22	VERIZON WIRELESS	222 HICKMAN CIR	SANFORD
	NEXTEL COMMUNICATIONS	222 HICKMAN DR	SANFORD
	SPRINT PCS	222 HICKMAN DR	SANFORD
23	GLOBAL SIGNAL (PINNACLE TOWERS)	225 PINEDA ST	LONGWOOD
24	NEXTEL COMMUNICATIONS	249 CRESS RUN	OVIEDO
25	VERIZON WIRELESS	312 W 1ST ST	SANFORD
26	CINGULAR WIRELESS	350 S NORTH LAKE BLVD	ALTAMONTE SPRINGS
27	CINGULAR WIRELESS	350 OLD SANFORD OVIEDO RD	WINTER SPRINGS
28	VERIZON WIRELESS	350 LAKE HAYES RD	OVIEDO
29	SPRINT PCS	389 S SR 434	ALTAMONTE SPRINGS
30	SIEMENS STROMBERG-CARLSON	400 RINEHART RD	LAKE MARY
31	AT&T WIRELESS	411 W 14TH ST	SANFORD
	CINGULAR WIRELESS	411 W 14TH ST	SANFORD
	NEXTEL COMMUNICATIONS	411 W 14TH ST	SANFORD
32	CINGULAR WIRELESS	411 SHORE RD	WINTER SPRINGS
33	AT&T WIRELESS	420 ALEXANDRIA BLVD	OVIEDO
	CINGULAR WIRELESS	440 ALEXANDRIA BLVD	OVIEDO
34	CROWN CASTLE SOUTH LLC	501 W 9TH ST	SANFORD
35	T-MOBILE USA, INC.	521 S SR 434	ALTAMONTE SPRINGS
	NEXTEL COMMUNICATIONS	525 S SR 434	ALTAMONTE SPRINGS
36	NEXTEL COMMUNICATIONS	551 CODISCO WAY	SANFORD
37	AT&T WIRELESS	601 E ALTAMONTE DR	ALTAMONTE SPRINGS
	NEXTEL COMMUNICATIONS	601 E ALTAMONTE DR	ALTAMONTE SPRINGS
	CINGULAR WIRELESS	661 E ALTAMONTE DR	ALTAMONTE SPRINGS
38	SPRINT PCS	601 IRON BRIDGE CIR	OVIEDO
39	NEXTEL COMMUNICATIONS	631 SELF ESTEEM WAY	APOPKA
	SPRINT PCS	631 SELF ESTEEM WAY	APOPKA
	AT&T WIRELESS	3909 E SEMORAN BLVD	APOPKA
40	NEXTEL COMMUNICATIONS	657 SR 419	WINTER SPRINGS
41	T-MOBILE USA, INC.	700 W 13TH ST	SANFORD
42	CINGULAR WIRELESS	746 W SR 436	ALTAMONTE SPRINGS

SEMINOLE COUNTY COMMUNICATION TOWER INVENTORY

TOWER #	COMPANY	STREET ADDRESS	COMMUNITY
43	T-MOBILE USA, INC.	762 N SUN DR	LAKE MARY
	NEXTEL COMMUNICATIONS	762 N SUN DR	LAKE MARY
	SPRINT PCS	762 N SUN DR	LAKE MARY
	AT&T WIRELESS	776 SUN DR	LAKE MARY
44	NEXTEL COMMUNICATIONS	780 SANLANDO RD	LONGWOOD
	AT&T WIRELESS	782 SANLANDO RD	ALAMONTE SPRINGS
	SPRINT PCS	782 SANLANDO RD	ALAMONTE SPRINGS
45	UNKNOWN	822 E SR 434	WINTER SPRINGS
46	SPRINT PCS	850 E ALAMONTE DR	ALAMONTE SPRINGS
47	M/A COMM INC	890 IRON BRIDGE CIR	OVEDO
48	AT&T WIRELESS	892 N WINTER PARK DR	CASSELBERRY
49	UNKNOWN	901 RECYCLING PT	LONGWOOD
50	CINGULAR WIRELESS	903 WEKIVA SPRINGS RD	LONGWOOD
	T-MOBILE USA, INC.	940 WEKIVA SPRINGS RD	LONGWOOD
	SPRINT PCS	942 WEKIVA SPRINGS RD	LONGWOOD
51	CINGULAR WIRELESS	908 W SR 434	OVEDO
	T-MOBILE USA, INC.	950 W SR 434	OVEDO
52	SPRINT PCS	913 WALLACE CT	LAKE MARY
	VERIZON WIRELESS	915 WALLACE CT	LAKE MARY
	CINGULAR WIRELESS	935 WALLACE CT	LAKE MARY
53	VERIZON WIRELESS	920 STATE ST	SANFORD
54	NEXTEL COMMUNICATIONS	925 LONGWOOD HILLS RD	LONGWOOD
55	NEXTEL COMMUNICATIONS	1080 RINEHART RD	SANFORD
56	CINGULAR WIRELESS	1050 RINEHART RD	SANFORD
57	CINGULAR WIRELESS	1101 GREENWOOD BLVD	LAKE MARY
58	SPRINT PCS	1101 WILLINGHAM RD	CHULUOTA
59	AT&T WIRELESS	1126 E SR 434	WINTER SPRINGS
	T-MOBILE USA, INC.	1126 E SR 434	WINTER SPRINGS
	NEXTEL COMMUNICATIONS	1126 E SR 434	WINTER SPRINGS
	SPRINT PCS	1126 E SR 434	WINTER SPRINGS
60	CINGULAR WIRELESS	1131 SR 436	CASSELBERRY
	T-MOBILE USA, INC.	1131 SR 436	CASSELBERRY
	NEXTEL COMMUNICATIONS	1131 SR 436	CASSELBERRY
61	NEXTEL COMMUNICATIONS	1155 CHARLES ST	LONGWOOD
	SPRINT PCS	1155 CHARLES ST	LONGWOOD
	GLOBAL SIGNAL (PINNACLE TOWERS)	1155 CHARLES ST	LONGWOOD

SEMINOLE COUNTY COMMUNICATION TOWER INVENTORY

TOWER #	COMPANY	STREET ADDRESS	COMMUNITY
62	FLA POWER CORP	1160 EMMA OAKS TRL	LAKE MARY
63	AT&T WIRELESS	1200 BELLE AVE	WINTER SPRINGS
	SPRINT PCS	1200 BELLE AV	WINTER SPRINGS
	NEXTEL COMMUNICATIONS	1230 BELLE AV	WINTER SPRINGS
64	NEXTEL COMMUNICATIONS	1201 ALBRIGHT RD	SANFORD
	SPRINT PCS	1201 ALBRIGHT RD	SANFORD
	VERIZON WIRELESS	1241 E BROADWAY ST	OVIEDO
66	VERIZON WIRELESS	1279 SEMINOLA BLVD	CASSELBERRY
	NEXTEL COMMUNICATIONS	1279 SEMINOLA BLVD	CASSELBERRY
	SPRINT PCS	1279 SEMINOLA BLVD	CASSELBERRY
67	S B A TOWERS INC	1355 SNOW HILL RD	GENEVA
68	NEXTEL COMMUNICATIONS	1410 N CR 427	LONGWOOD
69	AT&T WIRELESS	1438 W SR 46	GENEVA
70	CINGULAR WIRELESS	1461 W SR 46	GENEVA
	T-MOBILE USA, INC.	1461 W SR 46	GENEVA
71	AT&T WIRELESS	1540 SR 436	WINTER PARK
72	CINGULAR WIRELESS	1648 CR 427	ALTAMONTE SPRINGS
73	AT&T WIRELESS	1649 E E WILLIAMSON RD	LONGWOOD
	CINGULAR WIRELESS	1649 E E WILLIAMSON RD	LONGWOOD
	SPRINT PCS	1649 E E WILLIAMSON RD	LONGWOOD
	T-MOBILE USA, INC.	1655 E E WILLIAMSON RD	LONGWOOD
	NEXTEL COMMUNICATIONS	1669 E E WILLIAMSON RD	LONGWOOD
74	NEXTEL COMMUNICATIONS	1683 BEARDALL AV	SANFORD
	SPRINT PCS	1683 BEARDALL AV	SANFORD
75	AT&T WIRELESS	1699 W BROADWAY ST	OVIEDO
	VERIZON WIRELESS	1701 W SR 426	OVIEDO
	T-MOBILE USA, INC.	1701 W BROADWAY ST	OVIEDO
	NEXTEL COMMUNICATIONS	1701 W BROADWAY ST	OVIEDO
	SPRINT PCS	1701 W BROADWAY ST	OVIEDO
76	AT&T WIRELESS	1701 LOWE AVE	SANFORD
	T-MOBILE USA, INC.	1701 LOWE AVE	SANFORD
77	NEXTEL COMMUNICATIONS	2015 W SR 434	LONGWOOD
	SPRINT PCS	2015 W SR 434	LONGWOOD
78	AT&T WIRELESS	2050 CR 427	LONGWOOD

SEMINOLE COUNTY COMMUNICATION TOWER INVENTORY

TOWER #	COMPANY	STREET ADDRESS	COMMUNITY
79	AT&T WIRELESS	2050 ORANGE BLVD	SANFORD
	T-MOBILE USA, INC.	2050 ORANGE BLVD	SANFORD
	NEXTEL COMMUNICATIONS	2050 ORANGE BLVD	SANFORD
80	VERIZON WIRELESS	2187 LONGWOOD LAKE MARY RD	LONGWOOD
81	T-MOBILE USA, INC.	2661 MIKLER RD	OVIEDO
	NEXTEL COMMUNICATIONS	2661 MIKLER RD	OVIEDO
82	SPRINT PCS	2703 MAGNOLIA AV	SANFORD
83	T-MOBILE USA, INC.	2825 RICHMOND AVE	SANFORD
84	SPRINT PCS	2893 W LAKE MARY BLVD	LAKE MARY
85	T-MOBILE USA, INC.	2941 BRANTLEY HILLS CT	LONGWOOD
86	SPRINT PCS	2955 E SR 436	AOPKA
87	CINGULAR WIRELESS	3051 NARCISSUS AV	SANFORD
	NEXTEL COMMUNICATIONS	3051 NARCISSUS AV	SANFORD
88	SPRINT PCS	3110 E SR 46	GENEVA
89	SPRINT PCS	3375 GARDEN LAKE BLVD	WINTER PARK
90	UNKNOWN	3440 ROCKCLIFF PL	LONGWOOD
91	CINGULAR WIRELESS	3574 DIKE RD	WINTER PARK
92	NEXTEL COMMUNICATIONS	3710 WILLINGHAM RD	CHULUOTA
93	CINGULAR WIRELESS	3825 N US 17-92	SANFORD
	T-MOBILE USA, INC.	3825 N US 17-92	SANFORD
	AT&T WIRELESS	3825 N US 17-92	SANFORD
94	VERIZON WIRELESS	4175 N US 17-92	SANFORD
	SPRINT PCS	4175 N US 17-92	SANFORD
95	AT&T WIRELESS	4479 SUNSET LN	OVIEDO
	VERIZON WIRELESS	4479 SUNSET LN	OVIEDO
	T-MOBILE USA, INC.	4479 SUNSET LN	OVIEDO
	NEXTEL COMMUNICATIONS	4479 SUNSET LN	OVIEDO
96	UNKNOWN	4627 E LAKE DR	WINTER SPRINGS
97	CINGULAR WIRELESS	5397 ORANGE BLVD	SANFORD
	T-MOBILE USA, INC.	5405 ORANGE BLVD	SANFORD
98	NEXTEL COMMUNICATIONS	5400 MARKHAM WOODS RD	LAKE MARY
	T-MOBILE USA, INC.	5400 MARKHAM WOODS RD	LAKE MARY
99	NEXTEL COMMUNICATIONS	5450 HOWELL BRANCH RD	WINTER PARK
100	CINGULAR WIRELESS	5487 LAKE HOWELL RD	WINTER PARK
101	NEXTEL COMMUNICATIONS	5602 N CR 427	SANFORD
102	SPRINT PCS	5400 MARKHAM WOODS RD	LAKE MARY



Greg Holcomb

01/13/2004 03:16 PM

To: Earnest McDonald/Seminole@Seminole

cc: Don Fisher/Seminole@Seminole

Subject: Agenda Item 58 - Cingular Wireless

I have reviewed item 58 regarding the Appeal of the Board of Adjustment's decision to deny a special exception to establish a 150 ft. tall camouflage communication tower in the A-1 (Agriculture District) and associated variances from 450 feet to 298.67 feet; 450 feet to 307.46 feet; and 450 feet to 353.5 feet for the minimum separation distance required between a proposed 150 foot tall camouflage communication tower and abutting properties with existing single-family residences; (Wireless Facilities, Cingular Wireless, LLC, & Kevin Karr). District – 5 McLain (Earnest McDonald).

The technical review finds that the proposed tower site is a necessity for Cingular Wireless to provide adequate coverage to the area identified by the request. In general, Cell towers require a spacing of approximately 2-3 miles to provide the necessary overlap and signaling requirement to optimize performance and coverage to a geographic area. The coverage maps are consistent with this requirement. The additional height in this area is designed due to the terrain of the Wekiva River basin that is being covered. This request conforms to the industry configuration for cellular coverage.

Please let me know if there is anything additional that you require. Thanks.

Sec. 30.124 Special exceptions.

- (a) The Board of Adjustment may permit any of the following uses upon making findings of fact that the
- (1) Is consistent with the general zoning category and plan of A-1 Agriculture;
 - (2) Is not detrimental to the character of the area or neighborhood or inconsistent with the trends of development in the area or neighborhood; and
 - (3) Is not highly intensive in nature;
 - (4) Is not incompatible with the concept of low-density, rural land use;
 - (5) Does not have an unduly adverse effect on existing traffic patterns, movements, and volumes ;
 - (6) Has access (where applicable) to urban services such as sewage, water, police, fire, schools, and related services; and
 - (7) Is consistent with the Seminole County Comprehensive
- (b) The Board of Adjustment, in granting any of the uses may place such restrictions and conditions thereon as said Board shall, in its sound discretion, deem necessary to protect the character of the area or neighborhood and the public health, safety, and welfare:
- (1) Cemeteries,
 - (2) Kennels including the commercial raising or breeding of
 - (3) Hospitals, sanitariums and convalescent homes, veterinary clinics and adult congregate living facilities and group homes when such facilities and homes are approved and licensed by the Florida State Department of Health and Rehabilitative Services.
 - (4) Public and private nursery schools, kindergartens, middle schools, high schools and
 - (5) Temporary asphalt plants for purpose of specific public road
 - (6)
 - (7) Public utility and service
 - (8) Fraternal clubs when chartered with the
 - (9) Country and golf clubs, fishing clubs, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, as determined by the Current Planning Manager.
 - (10) Privately owned and operated recreational facilities open to the paying public, such as, athletic fields, stadiums, racetracks, and speedways if, the use is located along a major roadway or has immediate accessibility thereto.
 - (11) Golf driving
 - (12) Riding stables, provided that no structure housing animals is located nearer than one hundred (100) feet from a property line.
 - (13) Airplane landing fields and helicopter ports with accessory facilities for private or public
 - (14) Commercial raising of swine (other than for family
 - (15) Sewage disposal plants, water plants, and sanitary landfill
 - (16) Off-street parking lots. When approved, said parking lots

(A) Be provided with a durable, dust-free surface which is properly drained;

(B) Be adequately buffered from adjacent properties and roadways by a landscape

(17) (A) Farmworker housing; either single family or multifamily dwellings, where land use is for bona fide agriculture uses; provided further, that such structures house only those persons, their immediate family or households, employed in carrying out such bona fide agricultural use. Mobile homes may be permitted in lieu of tenant dwellings, provided, however, that approval for mobile homes shall be limited to a time period not exceeding two (2) years after review and finding that the land is used for bona fide agricultural uses.

(B) "Bona fide agriculture purpose," as used herein, shall be determined by reference to the following criteria:

(i) Is the parcel or its adjacent lands being actually utilized in agricultural pursuits by the same owner?

(ii) Does the requested tenant dwelling or mobile home serve a purpose directly, and not indirectly, related to the agricultural laborers or employees and/or other direct purposes?

(18) A mobile home may be permitted as a Special Exception on a lot or parcel of record subject to the following requirements:

(A) Only one (1) single-family mobile home may be

(B) A mobile home placed on a lot or parcel shall bear the Florida Standards Seal or acceptable equivalent.

(C) An approved mobile home shall be subject to all applicable regulations of the zoning classification, i.e., setbacks, land uses.

(D) Where installation of a septic tank is proposed, an acceptable percolation and depth-of-water-table test shall be submitted at the time of application.

(E) If the proposed site is known to be flood prone, an acceptable plan shall be submitted at time of application which details steps to prevent hazard to health and property.

(F) An approved single-family mobile home shall be firmly anchored in accordance with all applicable codes and shall have skirting installed to screen the underside of the structure.

(19) Retail nurseries where products sold are grown on site of

(20) Slaughter of livestock and meat cutting and processing operations, with no retail

(21) Adult congregate living facilities and community residential homes (group homes and foster care facilities) housing more than six (6) permanent unrelated residents.

(22) Landscaping contractors as an accessory use to a wholesale nursery or wholesale tree

(23) Communication

(24) Disposal of tree cuttings or similar organic materials by burning which materials have been transported to the property.

(25) Bed and Breakfast establishments when not located within a platted

(c) A proposed master plan of development shall be submitted at time of application and approval shall be based upon and limited to the extent of said master plan.

(§ 3, Ord. No. 81-59, 9-1-81; § 1, Ord. No. 83-23, 7-26-83; § 11, Ord. No. 87-1, 2-10-87; § 5.104, LDC, through Supp 16; Part XIII, § 3, Ord. No. 92-5, 3-30-92; Part XX, § 1, Ord. No. 92-5, 3-30-92; Part XVIII, § 2, Ord. No. 93-1, 2-23-93; § 15, Ord. No. 94-15, 12-13-94; Ord. No. 96-5, § 3, 7-9-96; Ord. No. 97-18, §§ 14, 25, 5-13-97; Ord.

Sec. 30.1364. Performance standards.

(a) *Setbacks.*

- (1) **Communication tower** setbacks shall be measured from the outer extremity of the base of the **communication tower** to the property line of the parcel on which it is located.
- (2) **Communication towers** shall be located on parcels which comply with the minimum setback and lot size requirements of the zoning classification assigned to the property on which they are located.
- (3) For **towers** located on properties assigned the PUD or PCD zoning classification, the setback requirements for the parcel outlined in the PUD/PCD approval shall apply.
- (4) In cases where there are non-conforming residential uses on property which is not assigned a residential zoning classification, a reduction of fifty (50) percent of the side or rear yard setback distance opposite the non conforming residential use shall be permitted by the current planning manager unless the side or rear yard proposed for reduction is assigned a residential land use designation or zoning classification.

(b) *Minimum separation from off-site uses/designated areas.*

- (1) **Communication tower** separation shall be measured from the outer extremity of the base of the **tower** to the closest property line of the off-site use as specified in Table 1 below.
- (2) Separation requirements for **communication towers** shall comply with the minimum standards established in Table 1 below unless otherwise provided.
- (3) Reduced separation distances may be reduced by the current planning manager when written consent as set forth in a recordable instrument is obtained from all property owners within the applicable separation distance.
- (4) Separation distances may be decreased or increased by the board of adjustment in accordance with the procedural requirements for variances as set forth in this Code and the substantive determinations as set forth in Table 1 below, when considering whether to approve a special exception, if competent substantial evidence is presented demonstrating unique planning considerations and compatibility impacts.

TABLE 1

MINIMUM SEPARATION FROM OTHER USES

TABLE INSET:

Off-site Use	Separation Distance
Property assigned a single-family (includes modular homes and mobile homes used for living purposes), duplex, or multi-family residential zoning classification or future land use designation or with an existing residential use.	200 feet or 300% height of tower whichever is greater except when a variance is granted based upon findings that the aesthetic impacts of the tower is enhanced, that compatibility with abutting property owners is maintained, and the approval of the tower would be consistent with and further the provisions of Section 30.1362. The standard relative to variances as otherwise set forth in this Code may be considered in determining whether to approve a variance hereunder, but shall not be determinative as to whether the variance may be granted.
Property assigned a non-residential zoning classification or future land use designation or property with an existing non-residential use.	None. Only district setbacks apply.

(c) *Separation distances between communication towers.*

- (1) Separation distances between **communication towers** shall be and measured between the **communication tower** proposed for approval and those **towers** that are permitted or existing.
- (2) The separation distances shall be measured by drawing or following a straight line between the GPS coordinate of the center of the existing or permitted **communication tower** and the proposed GPS

coordinate of the center of the proposed **communication tower** as depicted on a site plan of the proposed **tower**.

(3) The separation distances, listed in linear feet, shall be as set forth in Table 2

TABLE 2

SEPARATION DISTANCES BETWEEN **COMMUNICATION TOWERS**

TABLE INSET:

DESCRIPTION	EXISTING TOWERS				
	LATTICE	GUYED	MONOPOLE 75 FT IN HEIGHT OR GREATER	MONOPOLE LESS THAN 75 IN HEIGHT	CAMOUFLAGE
LATTICE	5,000	5,000	1,500	750	0
GUYED	5,000	5,000	1,500	750	0
MONOPOLE 75 FT IN HEIGHT OR GREATER	1,500	1,500	1,500	750	0
MONOPOLE LESS THAN 75 IN HEIGHT	750	750	750	750	0
CAMOUFLAGE	0	0	0	0	0

(4) A variance from the minimum separation distances between **communication towers** as set forth in Table 2 may be granted when two (2) or more **communication tower** owners or operators agree to co-locate their **communication** antennas on the same **communication tower** and upon findings being made that the aesthetic impacts of the **tower** is enhanced, that compatibility with abutting property owners is maintained, and the approval of the **tower** would be consistent with and further the provisions of section 30.1362. The standard relative to variances as otherwise set forth in this Code may be considered in determining whether to approve a variance hereunder, but shall not be determinative as to whether the variance may be granted.

(d) *Measurement of height.* Measurement of **communication tower** height shall include antenna, base pad and any and all other appurtenances and shall be measured from the finished grade of the parcel on which the **communication tower** is located.

(Ord. No. 96-5, § 29, 7-9-

RECEIVED

Staff File # BS2004-019

Staff File # BV2004-108

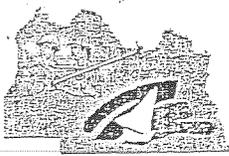
SEP 07 2004

APPEAL OF BOARD OF ADJUSTMENT DECISION

Cingular Wireless is seeking approval to construct an "ecclesiastical" camouflage-design communications tower next to the Markham Woods Presbyterian Church. Previously, the County issued permits to two of Cingular's competitors for towers located just north of the subject property at the Markham Woods Baptist Church. Notably, however, neither one of those applicants were required to seek either a special exception or variance to construct the new towers. Nevertheless, on August 23, 2004, the Board of Adjustment voted 3-2 to deny Cingular's request for a camouflage tower on the Presbyterian Church property.

Although Staff recommended approval of Cingular's applications, the recommendation was conditioned upon agreeing to an alternative camouflage design, such as a flagpole. Such an alternative, however, is not a feasible option for this site. Cingular respectfully submits that the Board of Adjustment's decision was in error, as it fails to comport with either federal or state law.

EXHIBIT "A"



COPY

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

VARIANCE

SPECIAL EXCEPTION Seeking approval for 150' "Ecclisiastical" type monopole. This is an unmanned telecommunications facility w/ supporting ground equipment.

MOBILE HOME SPECIAL EXCEPTION

EXISTING PROPOSED REPLACEMENT

MOBILE HOME IS FOR

YEAR OF MOBILE HOME _____ SIZE OF MOBILE HOME _____

ANTICIPATED TIME MOBILE HOME IS NEEDED _____

PLAN TO BUILD YES NO IF SO WHEN _____

MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO

APPEAL FROM DECISION OF THE PLANNING MANAGER

	PROPERTY OWNER	AUTHORIZED AGENT
NAME	<u>Markham Woods Presbyterian Church</u>	<u>Bob Chopra, WFI, Agents for Cingular Wireless</u>
ADDRESS	<u>5210 Markham Woods Road Lake Mary, FL 32746</u>	<u>1101 N. Lake Destiny Rd. Ste. 110 Maitland, FL 32751</u>
PHONE 1	<u>(407) 333-2030</u>	<u>(267) 973-4228</u>
PHONE 2 (FAX)	<u>(407) 333-3202</u>	<u>(407) 660-4909 (FAX)</u>
E-MAIL		<u>Bob.Chopra@WFINET.COM</u>

PROJECT NAME: West Heathrow (B)

SITE ADDRESS: 5210 Markham Woods Rd., Lake Mary, FL 32746

CURRENT USE OF PROPERTY: Church

LEGAL DESCRIPTION: Leg Sec 02 Twp 20S R. 6E 29E E 1/2 of N 3/4 of S 1/2 of NW 1/4 of SE 1/4 (Less N 165 FT + E 50 FT for RD)

SIZE OF PROPERTY: 4.7 acre(s) PARCEL I.D. 02-20-29-300-030B-0000

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER N/A

KNOWN CODE ENFORCEMENT VIOLATIONS None

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 7/26/04 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Bob Chopra, WFI, Agents for Cingular Wireless 6/3/04
 SIGNATURE OF OWNER OR AGENT* DATE

* Proof of owner's authorization is required with submittal if signed by agent.
 I:\p\projects\boa\master forms & lists\boa applications\boa application.doc

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	Markham Woods Presbyterian Church	Bob Chapro, WFT, Agents for Cellular Wireless
ADDRESS	5210 Markham Woods Rd. Lake Mary, FL 32746	1101 N. Lake Destiny Rd. Ste. 110 Maitland, FL 32751
PHONE 1	(407) 333-2030	(267) 633-4228
PHONE 2	(FAX) (407) 333-3202	same as above
E-MAIL	N/A	Bob.Chapro@WFTNET.COM
NATURE OF THE APPEAL	Please see attached "Exhibit A" for details	

BCC PUBLIC HEARING DATE 10/12/04 @ 1:30 p.m.

FOR OFFICE USE ONLY

PROCESSING:

FEE: _____ COMMISSION DISTRICT _____ FLU / ZONING _____

LOCATION FURTHER DESCRIBED AS _____

PLANNER _____ DATE _____

SUFFICIENCY COMMENTS _____

Cingular Wireless LLC

Seeks

Special Exception

In

A-1 Industrial (Zoning District)

**For a Proposed
150' "Ecclesiastical" Monopole Tower
Communication Service Facility**

**Site Name: West Heathrow (B)
5210 Markham Woods Rd., Lake Mary, Fl 32746
TAX PARCEL ID #02-20-29-300-030B-0000; 4.7 Acres**

PROJECT DESCRIPTION AND JUSTIFICATION

INTRODUCTION

Cingular Wireless LLC, a subsidiary of Bellsouth Wireless, Inc., a Federal Communications Commission (FCC) licensed operator of commercial mobile radio services in the State of Florida, submits this application to the Seminole County Board of Adjustment for a Special Exception approval in the A-1 Agriculture zoning district in order to construct and operate an unmanned wireless communications service within Seminole County. In addition, a variance to the separation requirements is sought under a separate variance application request. This project description and justification narrative describes the scope of the proposed project by providing specific information regarding the project location, zoning, specifications, and required services.

PROJECT GOAL

Cingular's goal for this proposed site is to enhance the quality of wireless service coverage on Markham Woods Road and the surrounding area west of Heathrow, in addition to providing quality contiguous coverage into Sanford, Heathrow and the Lake Mary areas. This goal will be accomplished in an environmentally sensitive manner and consistent with the policies and ordinances of Seminole County, which the reason why Cingular has chosen to pursue approval for an "ecclesiastical" type monopole tower for this site location

GENERAL PROJECT DESCRIPTION

The subject parcel is located at 5210 Markham Woods Rd., Lake Mary, FL 32746. The parent tract consists of approximately 4.7 acres and is zoned A-1 Agriculture with a future land use designation of Suburban Estates. The parent tract is currently occupied by the Markham Woods Presbyterian Church. Cingular Wireless proposes to construct a 150' "ecclesiastical" type monopole communications tower (*please see submitted photo simulations*) and place the supporting equipment cabinets on a 9'-6" x 13' concrete pad, within a fenced 60' x 60' lease compound.

Facility Specifications

Cingular's personal wireless service facility consists of three (3) equal "sectors" for three (3) panel antennas each, mounted to a support bracket at approximately 150' above ground level (AGL). The proposed 150' "ecclesiastical" monopole communications tower is designed with the structural capacity to accommodate two (2) future service providers at a lower height. The panel antennas will be approximately 8'-0" tall x 12.5" wide x 7" deep. Attached to each antenna will be coax cable that will run down the inside of the tower to the base and across a cable-bridge into the equipment cabinets located on the aforementioned concrete pad.

The proposed facility will be used strictly as a wireless transmitting and receiving facility. The facility is completely self operating, thus unmanned. Once the facility is operational, technicians from Cingular will visit the site approximately once or twice a month for routine site maintenance. In the event of a malfunction or emergency, more frequent visits will be necessary. Ingress/Egress to the facility is off Markham Woods Road, over an unrestricted access easement to the site. Electrical power and telephone will be supplied from existing utility service providers – Progress Energy and BellSouth respectively.

PROJECT JUSTIFICATION

Necessity and/or Desirability of the Proposed Project

Cingular has quite strong customer demand for continuous quality mobile radio telephone services in Seminole County and particularly in the areas of Lake Mary, Heathrow and Sanford. The Cingular Wireless radio frequency engineer assigned to this area has identified a pressing need for a wireless communication facility in this proposed location of Seminole County to provide quality enhanced and continuous coverage into the areas of Sanford, Heathrow, Lake Mary, and the surrounding area west of Heathrow, as well as enhanced coverage along Markham Woods Road.

The proposed facility was selected after intense investigation of the topographic characteristics of the area, frequency analysis, adjacent cell interconnection capabilities (meaning "seamless radio frequency hand-offs" from cell to cell), existing co-location opportunities within and outside the RF search ring area, and most importantly land-use compatibility.

Siting Analysis

In the site selection and acquisition process, the site leasing agent attempts to find any collocation opportunities with the search ring area or close enough that the site compliments the RF propagation studies and height requirements. This particular search ring affords no collocation opportunities and therefore a “green field” or “raw land” site is sought within the search area.

There are several criteria taken into consideration when attempting to site a tower location within the search ring area and it is always a compromise in blending all the factors together in order to come up with an “ideal” site location. Below are a list of general criteria a site leasing agent must address in locating an optimal site:

- A. Compliance with local land use ordinances (Is the use allowed in the zoning district?)
- B. Find a willing landlord with sufficient land to locate the site;
- C. Find a mutually agreed upon site location on the owner’s property;
- D. Find a mutually agreed upon ingress/egress to the proposed site;
- E. Locate the site where reasonable telephone and electrical runs are present;

Alternative Sites Investigated: The two potential collocation sites within the search ring area lie to the east of the First Baptist Church property located at 5400 Markham Woods Road. The two potential collocation opportunities were two stealth flag pole installations. The first is the 135’ T-Mobile flag pole. T-Mobile is at the top and Nextel is collocated at approximately the 120’-125’ level. The next available height down on this pole was rejected by Cingular RF as not an acceptable height. The second flag pole is approximately 90’ in height and owned by Sprint who are located at the top of the pole. This site was rejected by Cingular RF as being an unacceptable height.

Proposed Site Justification: Please see attached “Engineering & Safety Information”

Additional Benefits:

- A. The proposed “ecclesiastical” type monopole tower mitigates the visual impact on the area to the greatest extent possible by locating at the rear northwest portion of the parent tract, taking advantage of the buffer provided by the trees located on the property lines.
- B. The proposed tower will afford the collocation opportunity for two more future communications providers (total of three), if technologically feasible for a future provider.

PUBLIC BENEFITS OF THE PROJECT – AN OVERVIEW

The Congress of the United States has found that wireless radio services serve the national interest, and directly or indirectly benefit all of its citizens. Through licensing agreements

the FCC has established the desirability and need for wireless telephone service to facilitate telephone conversations between mobile units and the existing telephone system. The wireless system is intended to function as an extension of the present telephone network, and is intended to provide quality service for the entire nation at a reasonable price. Cingular Wireless LLC is mandated to provide mobile cellular radio service to those service areas of Florida granted under their FCC license. Seminole County is one of those areas granted under their FCC license.

The wireless telephone system divides the service area into a grid system call "cells". Each cell has its own radio receiver and low-power transmitter. The size and location of each cell is based on the anticipated volume of telephone traffic in each cell area. From each cell, calls are sent by radio to and from the mobile hand-held units, and then routed though the public telephone system to fixed (land-line) telephone or routed to other cells and on to other mobile units. A central "switch" routes all of the calls through the wireless system, facilitating the "seamless hand-offs" between cells as the hand-held mobile unit moves through the wireless service area.

Wireless telephone services play an important role in providing communications to individuals, the business community and to emergency service providers. In polls conducted over the past few years, it has been found that individuals purchase wireless services primarily for safety and security reasons. It makes individuals feel safer when traveling for business or pleasure. 911 wireless phone calls from individual customers are approaching 50,000 per day nationwide, and about 50 percent of wireless users have called authorities to report car trouble, medical emergencies, crimes, or drunk driving.

Business owners, managers, and employees have commented on the increase in productivity and better use of their time. Just as the standard (land-line) telephone facilitated the growth of American business in the 20th Century, wireless communications have become an indispensable 21st Century tool of the modern business world.

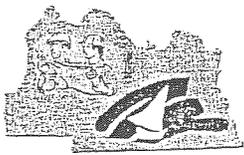
Most importantly, wireless telephone services play an important role in providing vital communications to relief and emergency workers, i.e. 9-11 disaster in NYC, Hurricane Andrew. In addition, police patrol cars regularly use "mobile data terminals" giving them fast wireless access to key information for critical "on the spot" decision making.

REQUIRED FINDINGS

Granting special exception approval for Cingular's personal wireless service facility will not be detrimental to the health, safety, convenience or general welfare of persons working or residing in the vicinity of the proposed cell site; nor will it be injurious to property, improvements or potential development in the vicinity. Once installed, the unmanned cell site becomes a *passive* use.

CONCLUSION

The proposed site location satisfies Cingular's radio frequency requirements under its FCC license obligations to provide continued, quality "mobile radio telephone service" to the people of Seminole County. Under Seminole County's current ordinance, the "ecclesiastical" type monopole tower should be considered the most unobtrusive to the community, while providing a symbol of faith for the property on which tower will be sited.



EM

APPL. NO. 3V2004-108

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

COPY

APPLICATION TYPE:

- VARIANCE** *Variance necessary from minimum separation requirements from off-site uses for a communication tower that is within 450' of off-site residential future land-use designation*
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
 - EXISTING PROPOSED REPLACEMENT
 - MOBILE HOME IS FOR _____
 - YEAR OF MOBILE HOME _____ SIZE OF MOBILE HOME _____
 - ANTICIPATED TIME MOBILE HOME IS NEEDED _____
 - PLAN TO BUILD YES NO IF SO, WHEN _____
 - MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT*
NAME	<i>Markham Woods Presbyterian Church</i>	<i>Bob Chopra, W.F.I., Agents for Cingular Wireless</i>
ADDRESS	<i>5210 Markham Woods Rd. Lake Mary, FL 32746</i>	<i>1101 N. Lake Destiny Rd. Ste. 110 Maitland, FL 32751</i>
PHONE 1	<i>(407) 333-2030</i>	<i>(267) 973-4228</i>
PHONE 2 (FAX)	<i>(407) 333-3202</i>	<i>(407) 660-4909</i>
E-MAIL		<i>Bob.Chopra@WFINET.COM</i>

PROJECT NAME: *West Heathrow (B)*
 SITE ADDRESS: *5210 Markham Woods Rd, Lake Mary, FL 32746*
 CURRENT USE OF PROPERTY: *Church*
 LEGAL DESCRIPTION: *Leg Sec 02 Twp 20S RGE 29E E 1/2 of N 3/4 of S 1/2 of NW 1/4 of SE 1/4 (less N 165 FT & E 50 FT for RD)*
 SIZE OF PROPERTY: *4.7* acre(s) PARCEL I.D. *02-20-29-300-030B-0000*
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER *N/A*
 KNOWN CODE ENFORCEMENT VIOLATIONS *NONE*

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on *7/26/04* (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Bob Chopra, W.F.I., Agents for Cingular Wireless *6/3/04*
 SIGNATURE OF OWNER OR AGENT* DATE

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL _____

BCC PUBLIC HEARING DATE _____

FOR OFFICE USE ONLY

PROCESSING:

FEE: \$150 COMMISSION DISTRICT 5 FLU/ZONING SE / A1

LOCATION FURTHER DESCRIBED AS _____

ON WEST SIDE OF MARKHAM WOODS RD. APPROX. 0.3 MI SE OF CARTER RD.

PLANNER V.B DATE 6/3

SUFFICIENCY COMMENTS _____

**APPLICATION FOR VARIANCE FROM MINIMUM SEPARATION
REQUIREMENTS FOR COMMUNICATION TOWER FACILITIES**

I. Is a Variance Required?

Per section 30.1364(b) of the Seminole County Zoning Code, minimum separation requirements from off-site uses for communication towers that are to be sited within 200 feet or 300% of the height of the tower (whichever is greater) from property that (a) has a residential zoning classification; (b) has a residential future land use designation; or (c) contains an existing residential use. The proposed "ecclesiastical" monopole tower at issue will be 150' in height. Thus, the applicant must seek a variance if the tower is located within 450' of the off-site uses listed above.

- A. Is there property within 450 feet of the tower that has a residential zoning classification?** No. The property has an A-1 (Agriculture) zoning classification. Thus, no variance is needed from the minimum separation requirements.
- B. Is there property within 450 feet of the tower that contains an existing residential use?** Yes. The owner of the property (Markham Woods Presbyterian Church, Inc.) leases a single-family home that is located on-site. However, Section 30.1364(b) (3) provides that a "reduced separation distance may be approved by the current planning manager when written consent is obtained by all property owners within the applicable separation distance." By the fact that the property owner (Markham Woods Presbyterian Church) is in fact the one seeking the variance, the County has "written consent" that the "property owner within the applicable separation distance" (Markham Woods Presbyterian Church) consents to the reduced separation distance. Additionally, there is a parcel just south of the subject property that contains another single family residence.
- C. Is there property within 450 feet of the tower that has a residential future land use designation?** Yes. The tower is located within 450 feet of another parcel that has a Suburban Estates land use classification. However, the applicant respectfully submits that it meets the requisite criteria (as set forth in "Table 1" of Section 30.1364) for granting a variance from this minimum separation requirement.

II. Does the applicant meet the requirements for a variance?

A variance from the minimum separation requirements for communication towers may be granted based upon findings that: (1) the aesthetic impacts of the tower are enhanced; (2) compatibility with abutting property owners is maintained; and (3) approval of the tower would be consistent with and further the provisions of Section 30.1362.

- A. **Have the “aesthetic impacts” of the tower been enhanced?** Yes. The proposal is for an “ecclesiastical” type monopole tower, designed to blend in with the religious nature of the property and as a symbol of faith.
- B. **Is compatibility with abutting property owners maintained?** Yes. The property to the north of the subject parcel has an agricultural zoning classification (A-1) currently occupied by another church. This property has two “flagpole” communication towers on its property. The property to the south of the subject parcel contains single family dwellings, however with the proposed “ecclesiastical” monopole tower, it will act as a symbol of faith for the church and the community as opposed to acting as visual obtrusiveness.
- C. **Would the approval of the tower be consistent with and further the provisions of Section 30.1362?** Yes. The primary purposes of Section 30.1362 are to (1) accommodate the growing need for communication tower facilities; (2) encourage and direct the location of communication towers to the most appropriate locations, to provide the needs of the communication industry, and to provide for the needs of public and to provide for the protection of private property rights; (3) protect residential areas and land uses from potential adverse impacts of communication towers when placed at inappropriate locations or permitted without adequate controls and regulation; (4) minimize the adverse visual impacts resulting from communication towers through design, siting, screening, and innovative camouflaging techniques; and (5) avoid potential damage to adjacent properties through sound engineering and planning. The proposal for an “ecclesiastical” type monopole tower at this proposed location advances the aforementioned objectives.

Cingular Wireless LLC

Seeks

Special Exception

In

A-1 Agriculture (Zoning District)

**For a Proposed
150' "Ecclesiastical" Monopole Tower
Communication Service Facility**

**Site Name: West Heathrow (B)
5210 Markham Woods Rd., Lake Mary, Fl 32746
TAX PARCEL ID #02-20-29-300-030B-0000; 4.7 Acres**

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INTRODUCTION

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Proposed Site Justification: Please see attached “Engineering & Safety Information”

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CONCLUSION

The proposed site location satisfies Cingular's radio frequency requirements under its FCC license obligations to provide continued, quality "mobile radio telephone service" to the people of Seminole County. Under Seminole County's current ordinance, the "ecclesiastical" type monopole tower should be considered the most unobtrusive to the community, while providing a symbol of faith for the property on which tower will be sited.

AGENT AUTHORIZATION

Please accept this signed and notarized document authorizing Cingular Wireless and its agent, Wireless Facilities, Inc., to act as agents for the property owner in the submission of any applications and supporting documentation, and to attend and represent the property owner at all meetings and public hearings pertaining to the installation of a Cingular Wireless unmanned telecommunications facility located at 5214 Markham Woods Rd

Lake Mary, FL 32746

Markham Woods Presbyterian Church, Inc

Signature: By James A Barks

Owner James A Barks

Print Name President

Title

STATE OF FLORIDA

COUNTY OF Seminole

The foregoing instrument was acknowledged before me this 28 day of May, 2006 by James A. Barks. He is personally known to me or has produced as identification.

(NOTARY SEAL)

Malinda H. McAdow

Signature of Notary

(Printed or typed name of Notary

Malinda H. McAdow
My Commission DD0307753
Expires June 19, 2008



To: Bob Chopra

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Lake Mary, FL. 32746

Signature: By [Signature]
Owner
James A. Barks
Print Name
President
Title

STATE OF FLORIDA

COUNTY OF Seminole

The foregoing instrument was acknowledged before me this 28 day of May, 2000
by James A. Barks. He/she is personally known to me or has produced
as identification.

(NOTARY SEAL)

Malinda H. McAdow
Signature of Notary



Malinda H. McAdow
My Commission DD307733
Expires June 19, 2006

(Printed or typed name of Notary Public)



SITE

West Heathrow

Engineering and Safety
Information

Site Name

Overview and Site Objective

The proposed new cell West Heathrow is required to improve the RF signal strength and coverage for the existing cellular system in the area north of Lake Mary Boulevard, West of I-4, along Markham Woods Road. The new West Heathrow cell is also required to provide the necessary capacity relief to decrease overflow and blocking on the alpha face of the Lake Mary Cell.

Tower Height Requirements

Several factors have to be considered when determining the height for the new West Heathrow cell. In this particular case, neighboring trees, surrounding towers and terrain of the area dictate that the minimum tower height for this cell site to meet the objectives of coverage and traffic relief in the area effectively should be 150 feet.

The two potential collocation sites within the search ring area lie to the north at the First Baptist Church property located at 5400 Markham Woods Rd. The two potential collocation opportunities were two stealth flag pole installations. The first is the 135' Voice Stream (now known as T-Mobile) flag pole. T-Mobile is at the top and Nextel is collocated at approximately the 120'-125' level. The next available height down on this pole would be 100'. This height has been rejected by Cingular as an unacceptable height to meet coverage goals, as well as Nextel being a potential interferer to Cingular. The second flag pole is approximately 90' in height and owned by Sprint who is at the top of the pole. The 70' available on this site was also rejected by Cingular as being too low in height. All of Cingular's engineering and testing for this proposed cell has been optimized around a 150' height, which is only attainable at the Presbyterian Church location.

Neighboring Sites

Site Name	Address	County	Tower Ht.	Gnd. Elev.
Lake Mary	40 Skyline Dr.	Seminole	200' AGL	62' MSL
Payola	935 Wallace Ct.	Seminole	120' AGL	57' MSL
Towne Center	1050 Rinehart Rd.	Seminole	120' AGL	65' MSL
Sanford Mall	5405 Orange Blvd.	Seminole	180' AGL	39' MSL

• MSL - Mean Sea Level AGL - Above Ground Level

The ground elevation for the West Heathrow site is approximately 56' MSL. With the ground elevation at this level, the required antenna centerline to meet the objective will be 150'.

FAA Status

It is the policy of Cingular Wireless to notify the FAA of construction and modifications of all cell sites and to comply with any and all regulations.

Safety

The proposed West Heathrow cell site will be 150 feet above ground level. The Decibel Products antenna model 854DG90VTESX is four feet in length and would be mounted for a centerline of 148 feet, putting the tip height at 150 feet and the lower tip at 146 feet. The maximum proposed power per sector is 400 Watts (based on 100 Watts per channel for 4 channels per sector).

The FCC's OET Bulletin 65 (Edition 97-01), "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio frequency Electromagnetic Fields," provides guidelines for predicting radio frequency (RF) field levels which can be used in evaluating FCC RF safety compliance. Using the predictive methods described in OET Bulletin 65 and the FCC-adopted standards for general public Maximum Permissible Exposure (MPE) defined in Appendix A to OET Bulletin 65, the following evaluation for the West Heathrow cell site was performed:

Base (feet)	(mW/cm ²)*		
10	0.000022	0.003794	1/ 263
20	0.000031	0.005411	1/ 184
50	0.000010	0.001795	1/ 556
100	0.000073	0.012525	1/ 79
150	0.000074	0.012712	1/ 78
200	0.000002	0.000275	1/ 3631
250	0.000030	0.005191	1/ 192
300	0.000030	0.005162	1/ 193
350	0.000005	0.000875	1/ 1142
400	0.000008	0.001451	1/ 688
450	0.000037	0.006465	1/ 154
500	0.000096	0.016490	1/ 60
550	0.000130	0.022415	1/ 44
600	0.000225	0.038876	1/ 25

* milliWatts/square centimeter

** FCC's Maximum Permissible Exposure at 880 MHz is 0.58 mW/cm²

The data presented in the table above confirm that the West Heathrow cell site will pose no RF safety hazard to the general public.

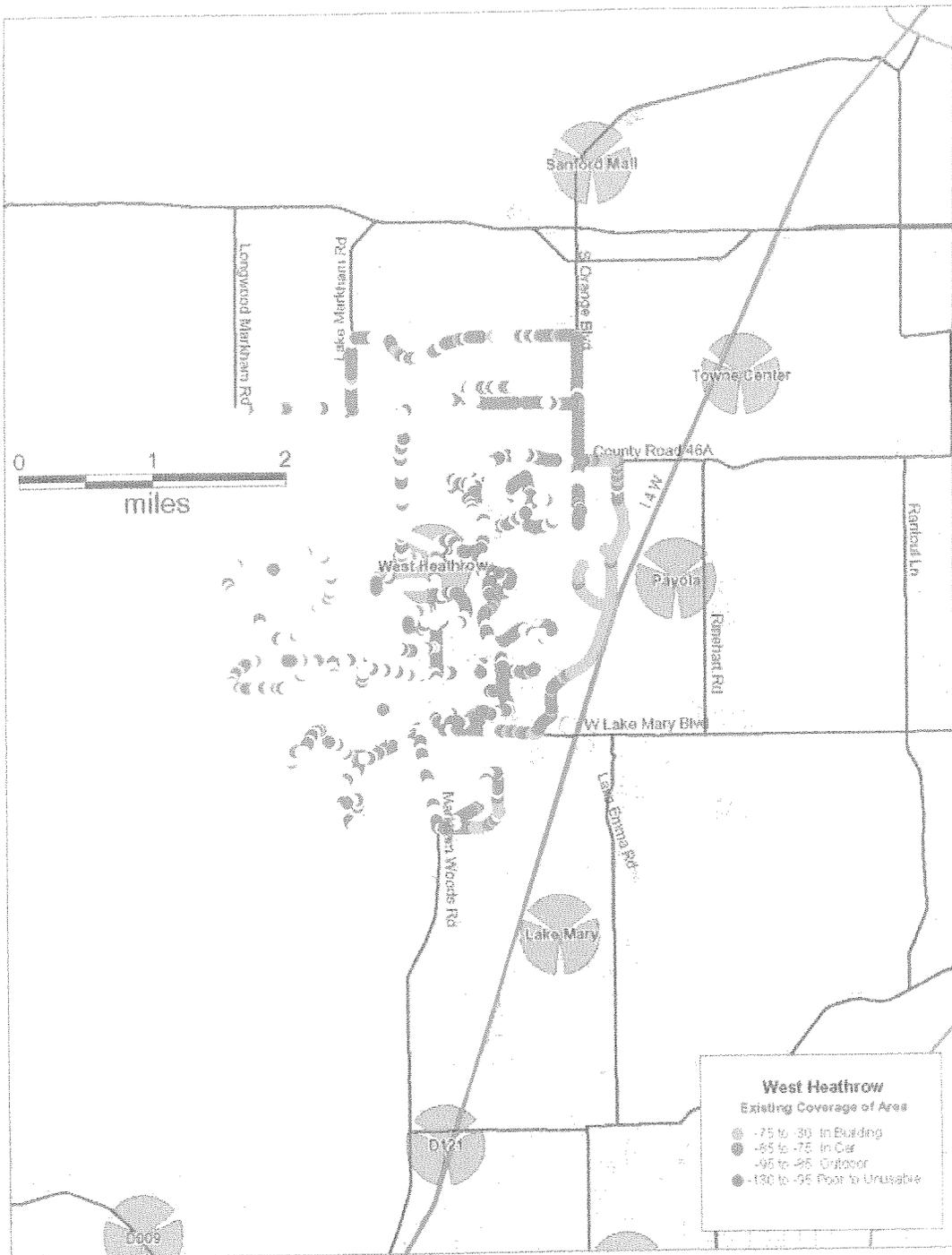
Attachments

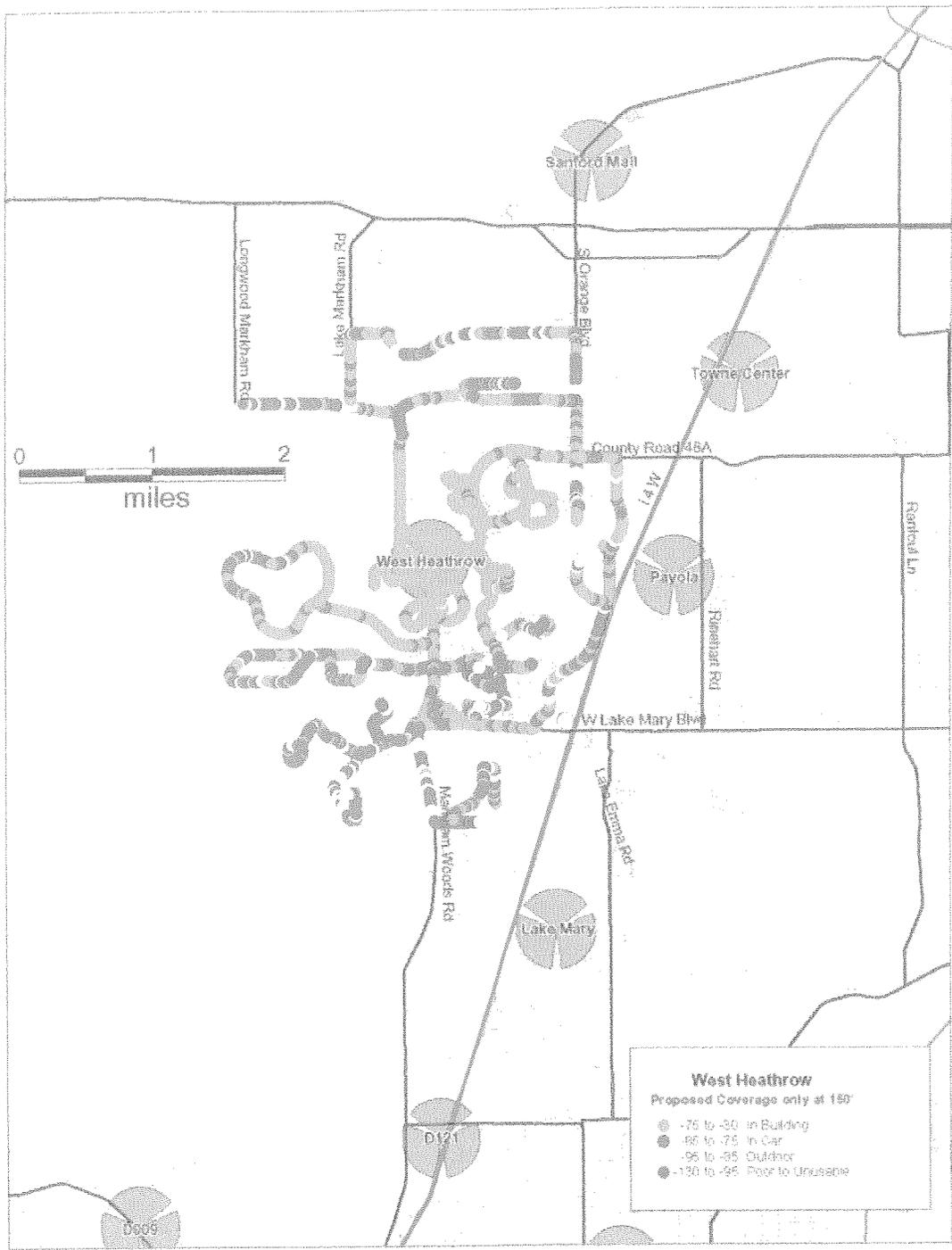
The following plots are from drive data collected during a crane test of the proposed site:

1. The existing present coverage in the area.
2. The proposed coverage of just the new cell at 150 feet.
3. The proposed coverage of just the proposed cell at 100 feet.
4. The proposed coverage at 150 feet and existing coverage combined.
5. The proposed coverage at 100 feet and existing coverage combined.

The following plots are from software generated propagation:

1. The propagation of the existing coverage..
 2. The proposed propagation of 150 feet at the Presbyterian Church.
 3. The proposed propagation of the Presbyterian church by itself.
 4. The proposed propagation of 100 feet at the Baptist Church.
 5. The proposed propagation of 115 feet at the Baptist Church.
-





0 1 2
miles

Sanford Mall

Towne Center

West Heathrow

Pavolo

W Lake Mary Blvd

Lake Mary

D121

D386

Longwood Markham Rd

Lake Markham Rd

St George Blvd

County Road 46A

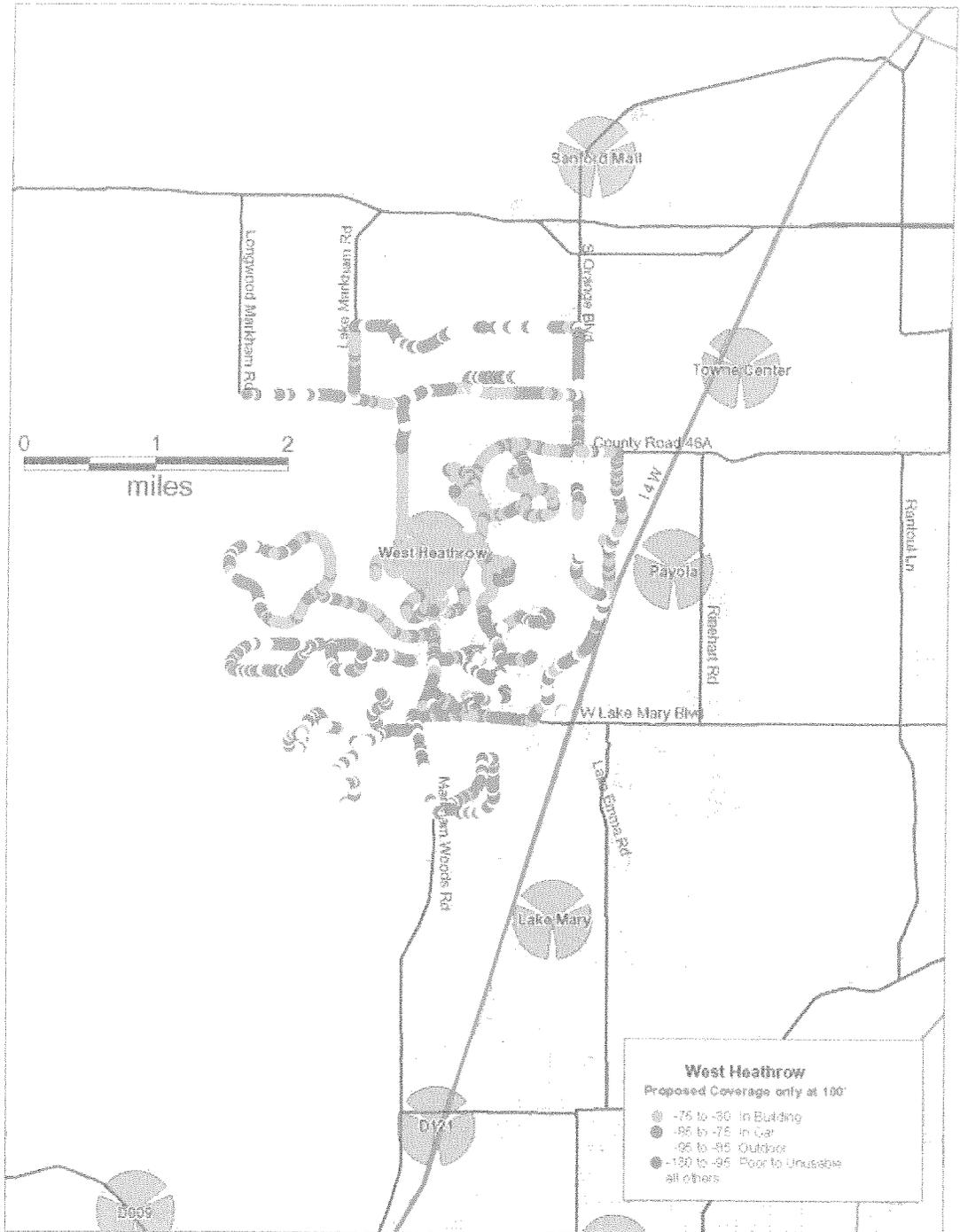
W 51

Ranford Ln

Pleasant Rd

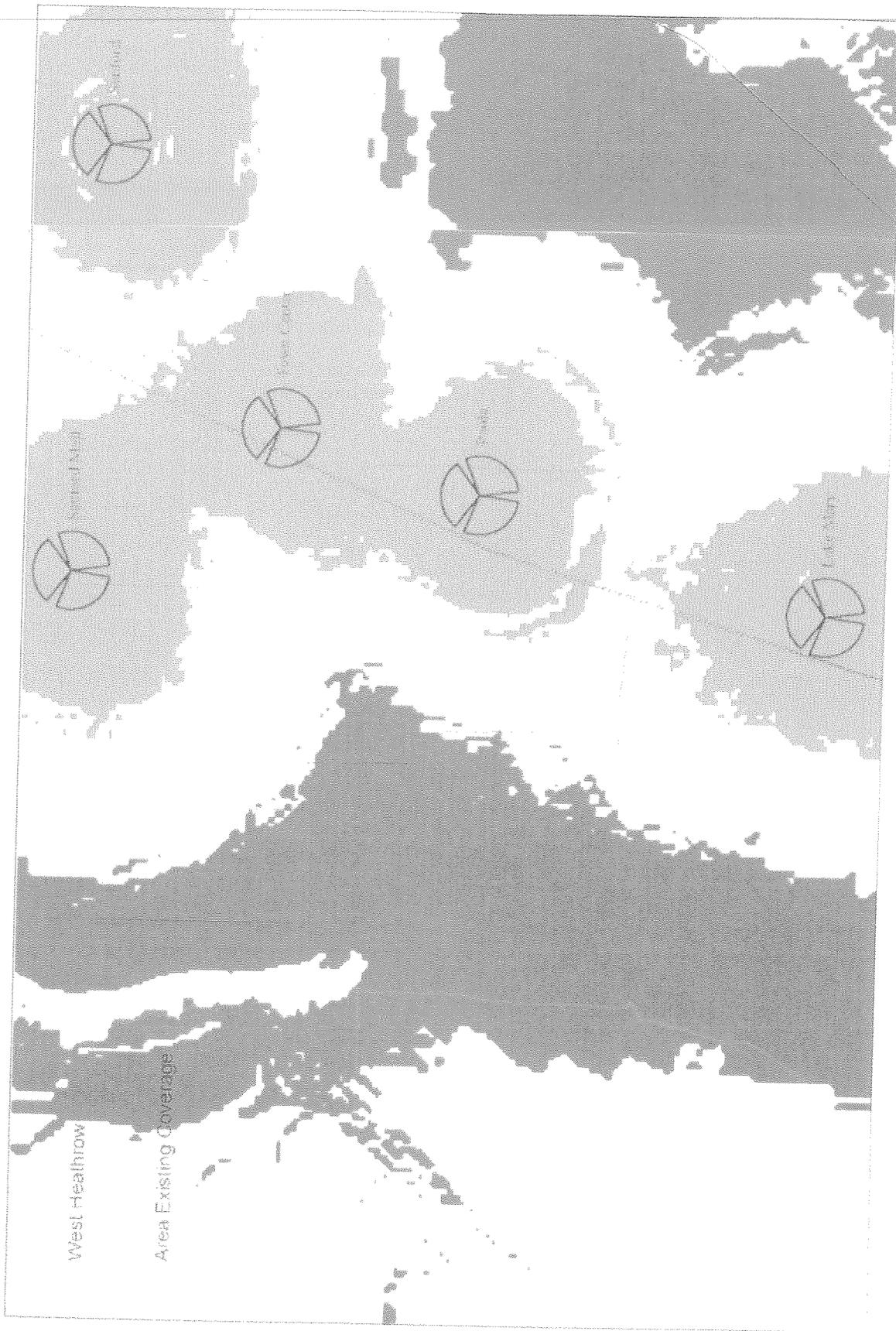
Maple Woods Rd

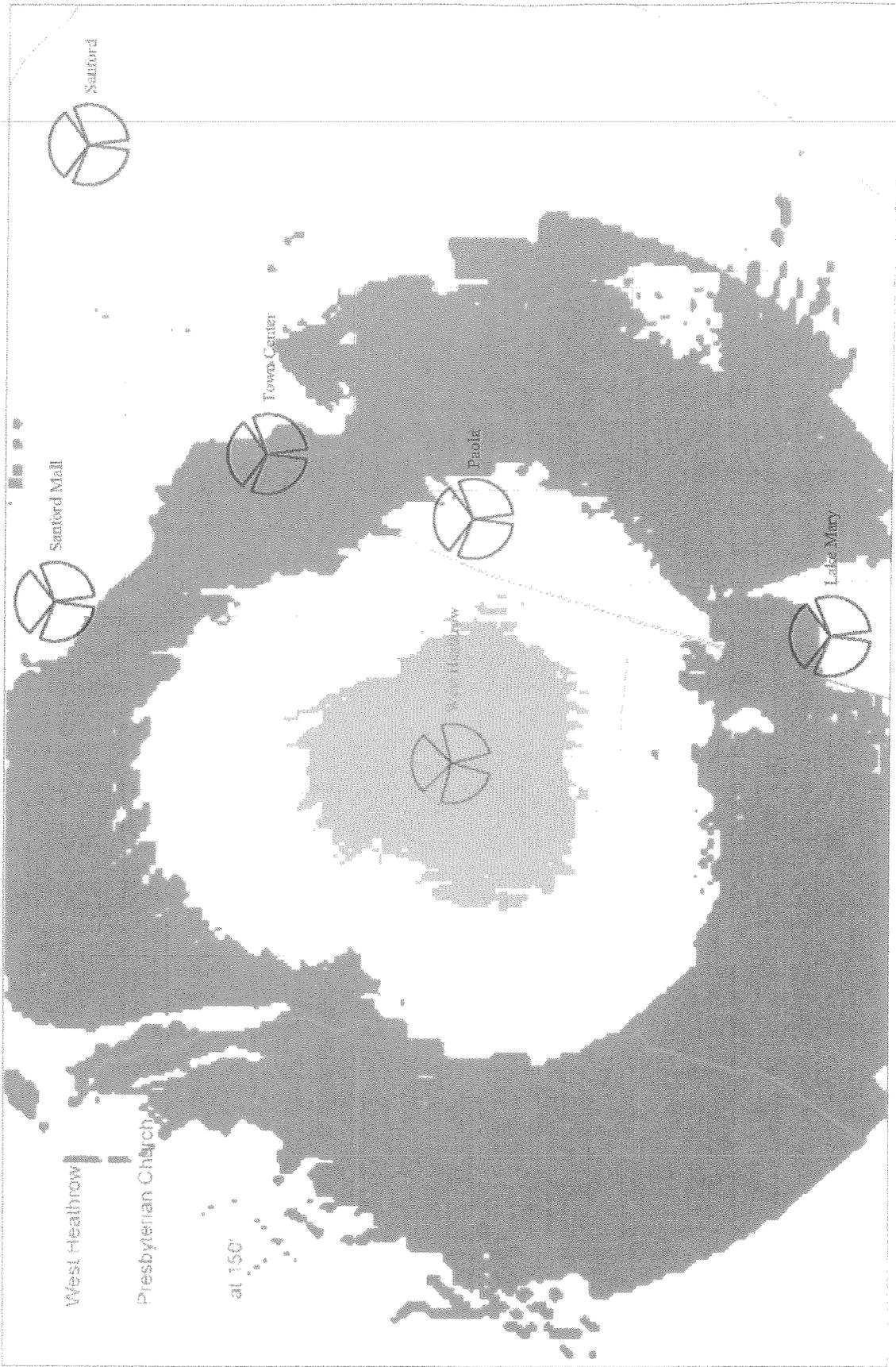
La Estrella











West Heathrow

Presbyterian Church

at 150'

Sanford Mall

Town Center

Paola

Lake Mary

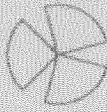
Sanford

West Heathrow

Baptist Church

at 100'

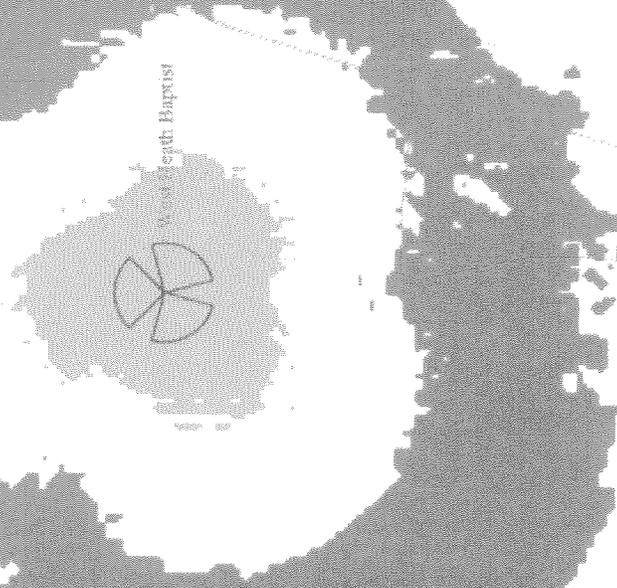
West Baptist



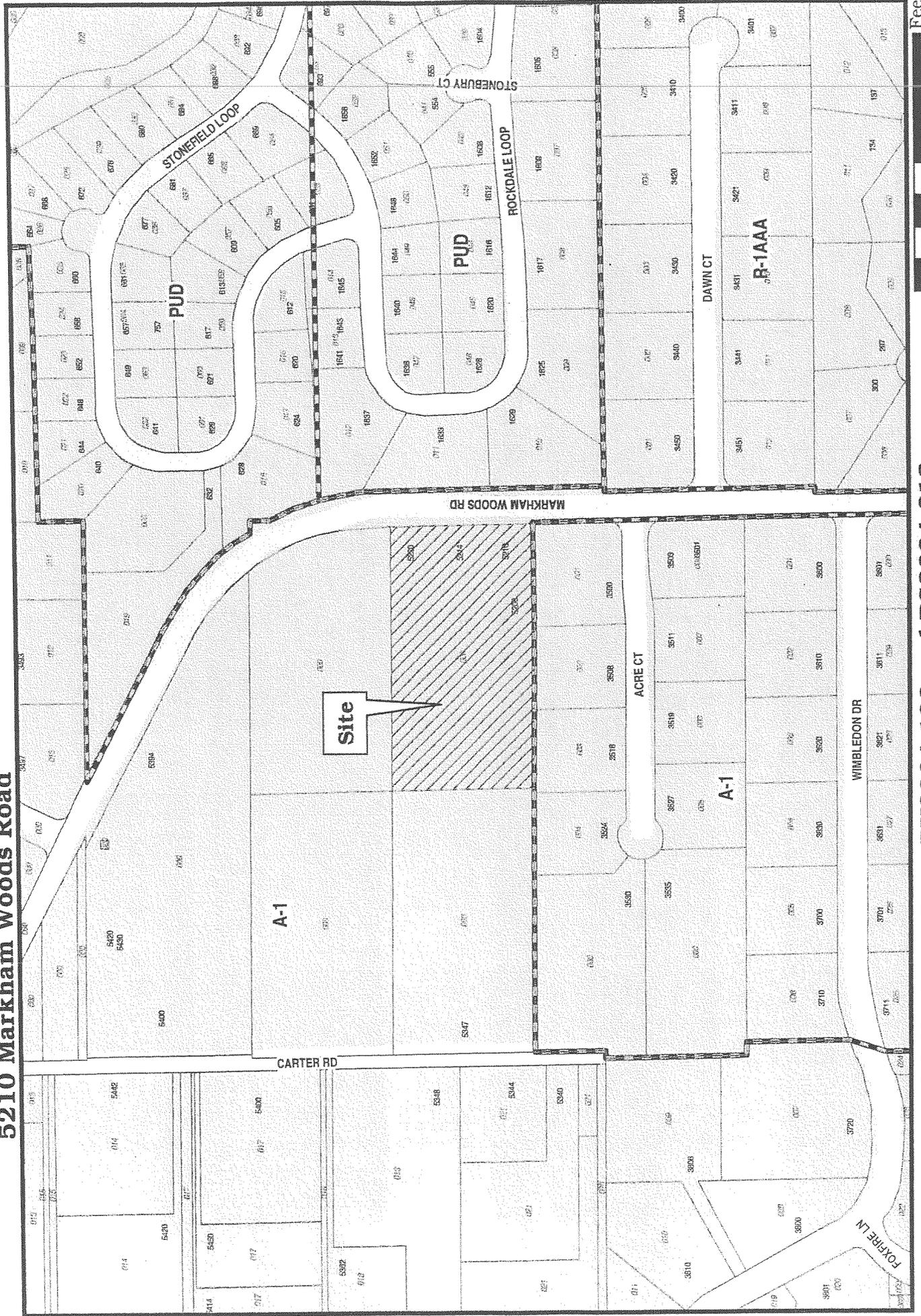
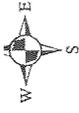
West Heathrow

Baptist Church

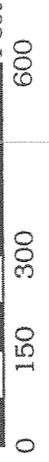
at 15

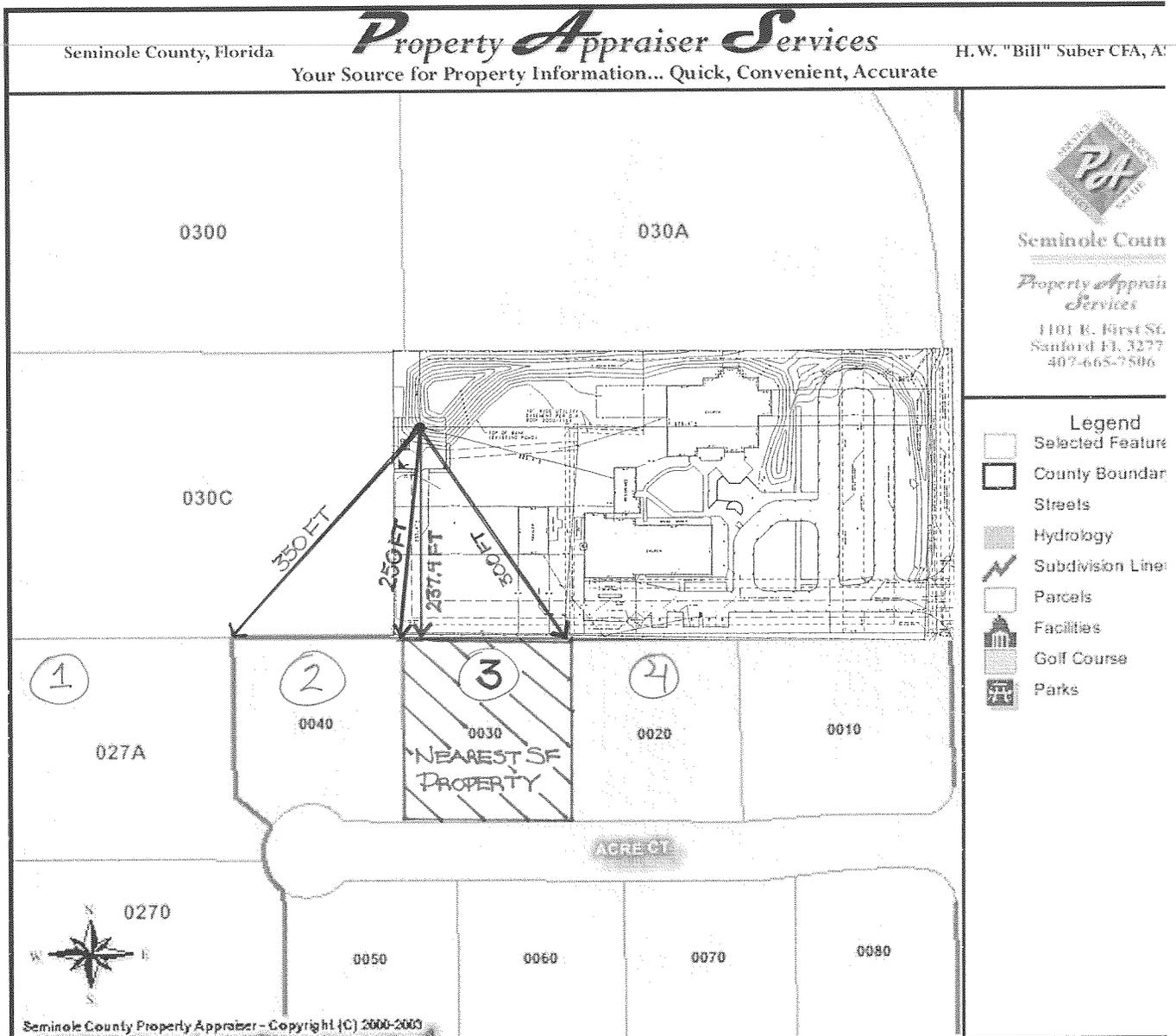


**Bob Chopra / Wireless Facilities
Cingular Wireless, LLC
5210 Markham Woods Road**



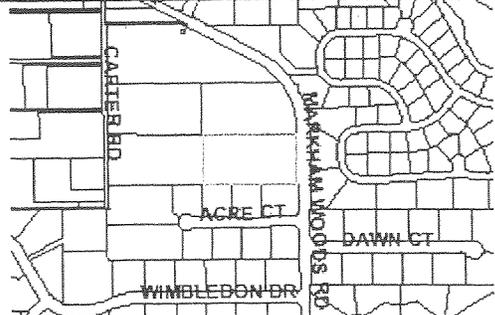
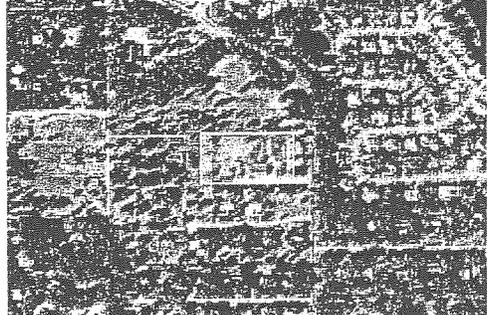
Parcel: 02-20-29-300-030B-0000 / District: 5 **BV2004-108 and BS2004-019**
August, 2004





Rec	Parcel	Owner	Owner Addr	City	State	Zip
1	022029300030B0000	CHURCH MARKHAM WOODS	5210 MARKHAM WOODS RD	LAKE MARY	FL	32746

Personal Property Please Select Account

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP.	TAX ROLL	SALES SEARCH																														
 <p>Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-865-7506</p>																																		
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 02-20-29-300-030B-0000 Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: CHURCH MARKHAM WOODS Exemptions: 36-CHURCH/RELIGIOUS</p> <p>Own/Addr: PRESBYTERIAN INC</p> <p>Address: 5210 MARKHAM WOODS RD</p> <p>City,State,ZipCode: LAKE MARY FL 32746</p> <p>Property Address: 5210 MARKHAM WOODS RD LAKE MARY 32746</p> <p>Facility Name: Dor: 71-CHURCHES</p>			<p style="text-align: center;">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 3</p> <p>Depreciated Bldg Value: \$1,068,668</p> <p>Depreciated EXFT Value: \$58,220</p> <p>Land Value (Market): \$164,500</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$1,291,388</p> <p>Assessed Value (SOH): \$1,291,388</p> <p>Exempt Value: \$1,291,388</p> <p>Taxable Value: \$0</p>																															
<p style="text-align: center;">SALES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>03/1993</td> <td>02575</td> <td>0160</td> <td>\$681,400</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1986</td> <td>01791</td> <td>1240</td> <td>\$4,600</td> <td>Vacant</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1983</td> <td>01517</td> <td>1196</td> <td>\$180,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1977</td> <td>01114</td> <td>0839</td> <td>\$15,000</td> <td>Vacant</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this DOR Code</p>			Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	03/1993	02575	0160	\$681,400	Improved	WARRANTY DEED	11/1986	01791	1240	\$4,600	Vacant	WARRANTY DEED	01/1983	01517	1196	\$180,000	Improved	WARRANTY DEED	01/1977	01114	0839	\$15,000	Vacant	<p style="text-align: center;">2003 VALUE SUMMARY</p> <p>2003 Tax Bill Amount: \$0</p> <p>2003 Taxable Value: \$0</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>	
Deed	Date	Book	Page	Amount	Vac/Imp																													
WARRANTY DEED	03/1993	02575	0160	\$681,400	Improved																													
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<p style="text-align: center;">LAND</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>ACREAGE</td> <td>0</td> <td>0</td> <td>4.700</td> <td>35,000.00</td> <td>\$164,500</td> </tr> </tbody> </table>			Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	ACREAGE	0	0	4.700	35,000.00	\$164,500	<p style="text-align: center;">LEGAL DESCRIPTION</p> <p>LEG SEC 02 TWP 20S RGE 29E E 1/2 OF N 3/4 OF S 1/2 OF NW 1/4 OF SE 1/4 (LESS N 165 FT & E 50 FT FOR RD)</p>																			
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																													
ACREAGE	0	0	4.700	35,000.00	\$164,500																													
BUILDING INFORMATION																																		
Bld Num	Bld Class	Year Blt	Fixtures	Gross SF	Stories	Ext Wall	Bld Value	Est. Cost New																										
2	MASONRY PILAS	1989	12	9,550	1	BRICK COMMON - MASONRY	\$486,672	\$597,143																										
			Subsection / Sqft			OPEN PORCH FINISHED / 120																												
3	MASONRY PILAS	1993	20	9,263	1	BRICK COMMON - MASONRY	\$499,178	\$578,757																										
			Subsection / Sqft			OPEN PORCH FINISHED / 400																												
			Subsection / Sqft			OPEN PORCH FINISHED / 616																												
BUILDING INFORMATION																																		
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New																									
1	SINGLE FAMILY	1978	6	1,473	1,473	1,473	CB/STUCCO FINISH	\$82,818	\$92,534																									
EXTRA FEATURE																																		
		Description	Year Blt	Units	EXFT Value	Est. Cost New																												
		ALUM PORCH W/CONC FL	1987	448	\$1,264	\$2,912																												
		WOOD DECK	1987	350	\$700	\$1,750																												

MOBILE HOME COMM	1984	2,520	\$40,320	\$50,400
MH A/C PKG	1984	2,520	\$2,520	\$3,150
COMMERCIAL CONCRETE DR 4 IN	1989	3,000	\$3,750	\$6,000
COMMERCIAL ASPHALT DR 2 IN	1989	17,500	\$9,078	\$14,525
POLE LIGHT STEEL	1989	2	\$308	\$308
POLE LIGHT STEEL	1989	2	\$280	\$280

NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.
 *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.

[BACK](#)
 [PROPERTY APPRAISER HOME PAGE](#)
 [CONTACT](#)

PROJECT INFORMATION

SCOPE OF WORK: PROPOSED UNMANNED TELECOMMUNICATIONS FACILITY
 5210 MARKHAM WOODS ROAD
 LAKE MARY, FLORIDA 32746
 COUNTY: SEMINOLE
 N28° 46' 33.1"
 LONGITUDE: W81° 23' 57.3"
 JURISDICTION: SEMINOLE COUNTY
 PARCEL ID #: 02-20-29-300-030B-0000
 ZONING: A1-AGRI CULTURE
 CURRENT USE: CHURCH
 PROPOSED USE: PROPOSED 150' 3 CARRIER ECCLESIASTICAL MONOPOLE
 PROPERTY OWNER: 5210 MARKHAM WOODS ROAD
 LAKE MARY, FLORIDA 32746
 PROPERTY CONTACT PERSON: FRANK BELL 14071 333-2030
 TOWER COLOR: GALVANIZED
 PARENT TRACT: 4.7 ± ACRES

A/E DOCUMENT REVIEW STATUS	
Status	Code
1	Accepted - With minor or no comments, construction may proceed
2	Not accepted - Please resolve comments and resubmit

Acceptance does not constitute approval of design or construction. The contractor shall be responsible for all details developed or selected by the subcontractor and does not relieve subcontractor from full compliance with contractual obligations.

ENG	CONST		
Reviewed			
B. J. Behrens		Date: 5/22/14	



SITE NAME:
NFB-WEST HEATHROW

RF REVISION

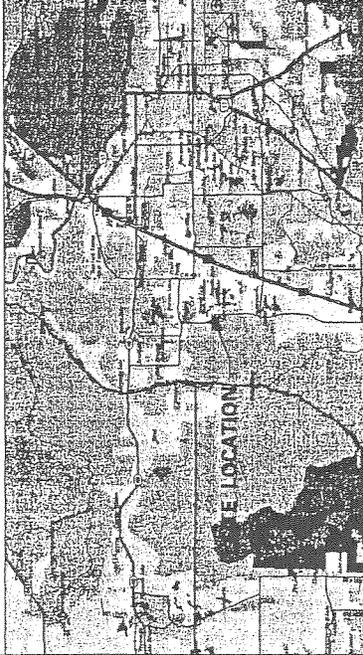
RF REVISION #	DATE	DESCRIPTION
1.0	01/26/04	

DRAWING INDEX

DRAWING INDEX	REV
NFB-REYNOLDS AIRPARK-01	0
NFB-REYNOLDS AIRPARK-02	0
NFB-REYNOLDS AIRPARK-03	0
NFB-REYNOLDS AIRPARK-04	0
NFB-REYNOLDS AIRPARK-05	0
NFB-REYNOLDS AIRPARK-06	0
NFB-REYNOLDS AIRPARK-07	0

VICINITY MAP

DIRECTIONS: FROM I-4 IN ORLANDO, FL, TRAVEL NORTHEAST TO EXIT #60, TURN LEFT ON ROAD 1000, TURN RIGHT HEADING NORTH AND TRAVEL APPROXIMATELY 1 MILE. SITE IS ON THE LEFT HAND SIDE OF THE ROAD.



APPLICABLE BUILDING CODES AND STANDARDS

SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (HAJ) FOR THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.
 BUILDING CODE: FLORIDA BUILDING CODE (FBC), LATEST EDITION
 WIND SPEED: PER FBC - WINDSPEED 110 MPH (3 SEC. GUST) 190 MPH FASTEST MILE 1 EIA/71A-222-F-95 MPH BASIC WIND SPEED
 ELECTRICAL CODE: NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70, NATIONAL ELECTRICAL CODE, LATEST ADOPTED EDITION.
 LIGHTNING PROTECTION CODE: NEPA - 2000, LIGHTNING PROTECTION CODE
 SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS:
 AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE AND LIGHTWEIGHT CONCRETE CONSTRUCTION, MANUAL OF STEEL CONSTRUCTION, AND LIGHTWEIGHT STEEL CONSTRUCTION (LASC), MANUAL OF STEEL CONSTRUCTION, TELECOMMUNICATIONS INDUSTRY ASSOCIATION/ELECTRONIC INDUSTRIES ASSOCIATION-FLA STRUCTURE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE AND EARTH SURFACE POTENTIALS AND GROUNDING OF ELECTRIC EQUIPMENT IEEE C62.1, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORIES C3 AND C4) AND REQUIREMENTS FOR TELECOMMUNICATIONS, TELECORDIAL, OR-100, COAXIAL CABLE CONNECTION, FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING REQUIREMENT SHALL GOVERN WHERE THERE IS A CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.

PROJECT INFORMATION

- THIS IS AN UNMANNED AND RESTRICTED ACCESS EQUIPMENT BODY AND WILL BE USED FOR THE TRANSMISSION OF RADIO SIGNALS FOR THE PURPOSE OF PROVIDING PUBLIC CELLULAR SERVICE.
- CINGULAR WIRELESS CERTIFIES THAT THE ABOVE EQUIPMENT FACILITY WILL BE OPERATED IN ACCORDANCE WITH THE FEDERAL COMMUNICATIONS COMMISSION (FCC) REGULATIONS AND THAT THE FACILITY WILL BE OPERATED IN ACCORDANCE WITH THE FCC REGULATIONS. THE FACILITY WILL BE OPERATED ONLY BY SERVICE PERSONNEL FOR REPAIR PURPOSES PURSUANT TO CHAPTER 380, F.S. AND THE FCC REGULATIONS. THE FACILITY WILL BE OPERATED IN ACCORDANCE WITH THE FCC REGULATIONS OF THAT STATE PURSUANT TO THE AMERICANS WITH DISABILITIES ACT (ADA) AND APPENDIX B, SECTION 4.11. (511B). THIS FACILITY IS EXEMPT FROM THAT ACT.
- THIS FACILITY WILL CONSUME NO UNRECOVERABLE ENERGY AND IS EXEMPT FROM THE FLORIDA ENERGY REVIEW CODE.
- NO POTABLE WATER SUPPLY IS TO BE PROVIDED AT THIS LOCATION.
- NO WASTE WATER WILL BE GENERATED AT THIS LOCATION.
- NO SOLID WASTE WILL BE GENERATED AT THIS LOCATION.
- SEE ATTACHED SURVEY FOR LEGAL DESCRIPTION, EXISTING GRADE INFORMATION, LOCATION CINGULAR AND OTHER SITE INFORMATION.
- CINGULAR WIRELESS COMMUNICATIONS MAINTENANCE CREW (TYPICALLY ONE PERSON) WILL MAKE AN AVERAGE OF ONE TRIP PER MONTH FOR ONE HOUR PER VISIT.

SCOPE OF WORK
 (INCLUDING BUT NOT LIMITED TO)

- INSTALL NEW 150' ECCLESIASTICAL TOWER (DESIGN BY OTHERS)
- INSTALL NEW CONCRETE SLAB FOR NEW OUTDOOR EQUIPMENT
- REMOVE EXISTING CONCRETE SLAB AND REINFORCE WITH NEW REINFORCING
- FURNISH AND INSTALL NEW ELECTRIC SERVICES WITH METER AND DISCONNECT.
- FURNISH AND INSTALL ALL UNDERGROUND UTILITIES.
- INSTALL ALL MODULAR EQUIPMENT AND CABLES.
- INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT.

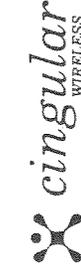
IMPORTANT NOTICE

THE EXISTING CONDITIONS REPRESENTED HEREIN ARE BASED ON VISUAL OBSERVATIONS, AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE CORRECTNESS AND COMPLETENESS OF THE EXISTING CONDITIONS SHOWN AND ASSUMES NO LIABILITY THEREOF. CONTRACTOR AND HIS SUB-CONTRACTORS SHALL VISIT THE SITE TO VERIFY THE EXISTING CONDITIONS AND REPORT ANY DISCREPANCIES TO THE CONSULTANT PRIOR TO CONSTRUCTION.

NOTES

- SEE THE FOLLOWING NOTES, SYMBOLS AND DETAILS - BECHTEL DOCUMENT NUMBER 24702-000-AS-ET-00007 FOR THE IMPLEMENTATION OF THIS SITE DESIGN PACKAGE!
 CONCRETE AND REINFORCING STEEL NOTES (DETAIL 102)
 REINFORCING NOTES (DETAIL 116)
 STRUCTURAL STEEL NOTES (DETAIL 620)
 GROUNDING NOTES (DETAIL 621)
 GENERAL NOTES (DETAIL 622)
 GREENFIELD TSS NOTES (DETAIL 624)
- ALL BECHTEL SAFETY PROCEDURES MUST BE ADHERED TO AS PER EXHIBIT B1.
- SUB-CONTRACTOR SHALL INCLUDE ANTENNA SYSTEM SWEEP TESTING PER BECHTEL DOCUMENT 24702-601-3PS-ETD-00001 REV A.
- POWER TO BE PROVIDED BY PROGRESS ENERGY: 1-866-372-4663
 TELCO TO BE PROVIDED BY BELLSOUTH: 727-535-8157.

KCI Technologies, Inc.
 1000 N. W. 10th Ave., Suite 120
 Fort Lauderdale, FL 33304
 PHONE: 954-561-1200
 FAX: 954-561-1201
 WWW: WWW.KCI-TECH.COM



REV	DATE	ISSUED FOR REVIEW	BY	APP'D
0	5/24/04	ISSUED FOR ZONING	MB	DK
1	5/25/04	ISSUED FOR REVIEW	MB	DK

NO.	REVISIONS	BY	DATE
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

DESIGNED: DAVID K. KRZYZEJ
 DRAWN: M. BURNS
 SCALE: AS SHOWN
 PROJECT NO.: 247182-350
 SHEET NO.: 01
 TOTAL SHEETS: 01

CONSTRUCTION NOTES

1. FIELD VERIFICATION: SUBCONTRACTOR SHALL FIELD VERIFY SCOPE OF WORK, CINGULAR WIRELESS ANTENNA PLATFORM LOCATION AND ANTENNAS TO BE INSTALLED.
2. SUBCONTRACTOR SHOULD COORDINATE ALL WORK AND PROCEDURES WITH CONTRACTOR.
3. CABLE TENSION: INSTALL CABLE LADDER RACKS, LAY W/ 24" X 48" X 1/2" DRUMS, AND FINISH CORDS TO BE 24" X 48" X 1/2" DRUMS.
4. GRAVEL SURFACE: IN AREAS OF COMPACTING, THE CONTRACTOR SHALL MAINTAIN GRAVEL SURFACE TO BE REARED TO ORIGINAL CONDITION BY SUBCONTRACTOR.
5. OTHER: NOT TO BE PERFORMED BY THE SUBCONTRACTOR UNLESS NOTED OTHERWISE.

SITE NOTES

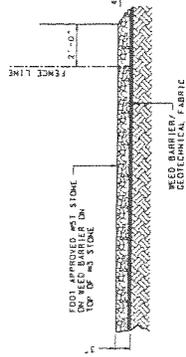
1. THE MINIMUM LOWEST ELEVATION SHALL NOT BE LESS THAN 4" ABOVE CROWN OF ROAD. CONTRACTOR SHALL VERIFY ELEVATION OF ALL UTILITY LOCATIONS PRIOR TO POURING SLAB AND A FINAL SURVEY UPON COMPLETION OF PROJECT.
2. HOLE OUTLET: THE HOLE OUTLET SHALL BE INCLUDED IN THIS SET OF DRAWINGS AND SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE CODES AND UTILITY CONNECTIONS.
3. EXISTING TREES WITHIN BUILDING FOOTPRINT SHALL BE REMOVED. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS AND PROTECTING WITH ALL APPLICABLE CODES AND NOTES BEFORE SUBMITTING BID AND PROCEEDING WITH WORK.
4. CONTRACTOR AND SUBCONTRACTORS SHALL VERIFY ALL UTILITY LOCATIONS AND PROTECTING WITH ALL APPLICABLE CODES AND NOTES BEFORE SUBMITTING BID AND PROCEEDING WITH WORK.
5. ALL PRACTICAL TRUCKS, CONTRACTOR SHALL COORDINATE ALL

GENERAL EROSION CONTROL NOTES

ALL WORK SHALL CONFORM TO THE WATER MANAGEMENT DISTRICT GUIDELINES REGARDING PREVENTION OF ANY OFF-SITE RUNOFF, OF ANY POSSIBILITY OF RUNOFF THAT COULD OCCUR TO THE FOLLOWING AREAS. THESE BARRIERS SHALL BE BARRICADED AS SHOWN ON THE DETAILS.

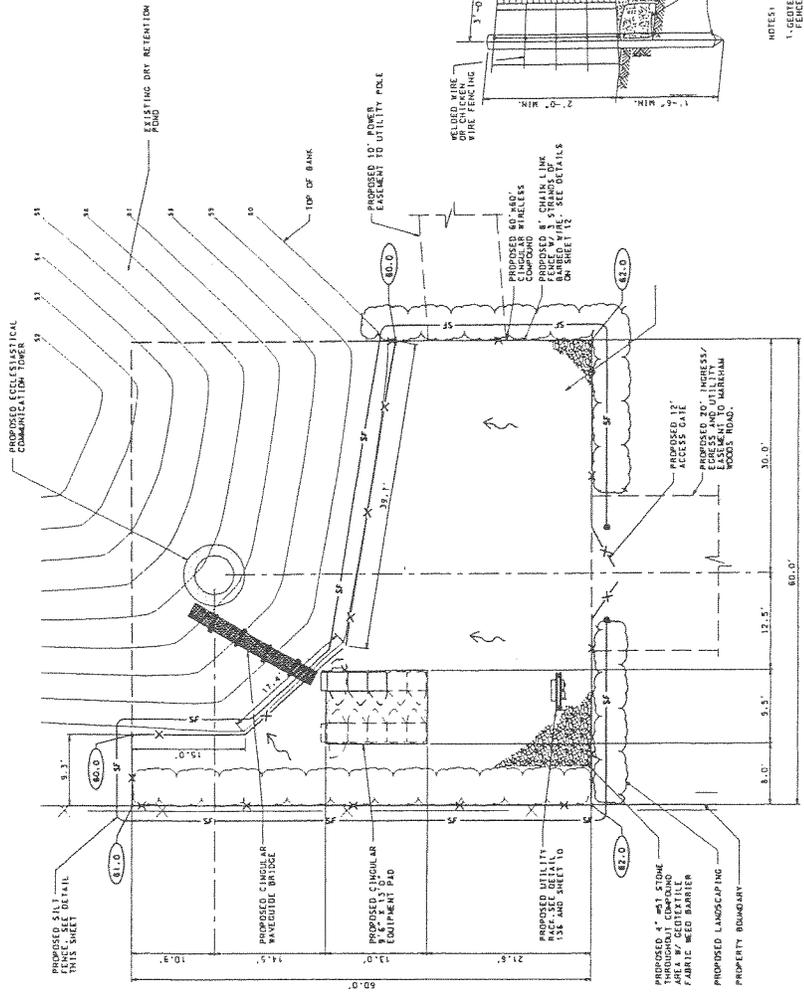
THE SITE CONTRACTOR IS TO PROVIDE EROSION CONTROL AND SEDIMENTATION BARRIERS THAT BAYES AND/OR RELATION CURBANS TO PREVENT EROSION OF SOILS AND SEDIMENTATION AND RESTORE ANY DAMAGED AREAS AS REQUIRED.

ADDITIONAL, THE CONTRACTOR SHALL PLACE STRIP WHICH OTHER TRAFFIC IS TO ENTER AND EXIT THE SITE. THE CONTRACTOR SHALL SWEEP AND REMOVE ALL DEBRIS FROM THE SITE BY CONSTRUCTION VEHICLES IN THE APPROXIMATE AREA OF THE SITE EITHER BY MANUAL DRAINAGE OR BY VEHICULAR MEANS TO THE SATISFACTION OF THE ENGINEER AND/OR AUTHORITIES.

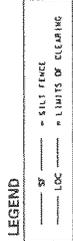


COMPOUND DETAIL
NOT TO SCALE

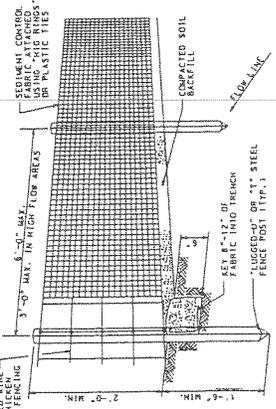
FOR 24" X 48" DRAWINGS
GRAPHIC SCALE: 1/8" = 1' - 0"
FOR 36" X 48" DRAWINGS
GRAPHIC SCALE: 1/4" = 1' - 0"



COMPOUND PLAN
SCALE: AS NOTED



SILT FENCE DETAIL
NOT TO SCALE



- NOTES:
1. GEOTEXTILE FABRIC TO BE FASTENED SECURELY TO 12" DIA. STEEL FENCE POSTS OR HDG RINGS.
 2. ENDS OF INDIVIDUAL ROLLS OF GEOTEXTILE SHALL BE SECURELY TIED TO A COMMON POST OR RING.
 3. THIS DETAIL IS INTENDED TO CONTROL SHEET FLOW ONLY. SILT FENCE SHALL NOT BE USED IN AREAS OF 1/4 ACRE OR MORE.
 4. ALL SILT FENCING SHALL BE INSTALLED PRIOR TO COMMENCEMENT OF ALL CONSTRUCTION AND SHALL REMAIN IN PLACE UNTIL ALL CONSTRUCTION ACTIVITIES ARE COMPLETED.

NO.	DATE	ISSUED FOR	BY	CHK	APP'D
0	1/28/2004	ISSUED FOR BIDDING	ME	DA	DA
1	1/29/2004	ISSUED FOR REVISE	ME	DA	DA

DESIGNED: DARRYL W. BURRELL
DRAWN: M. BURRELL
SCALE: AS SHOWN



NFB-WEST HEATHROW
5210 MARKHAM WOODS ROAD
LAKE MARY, FLORIDA 32746

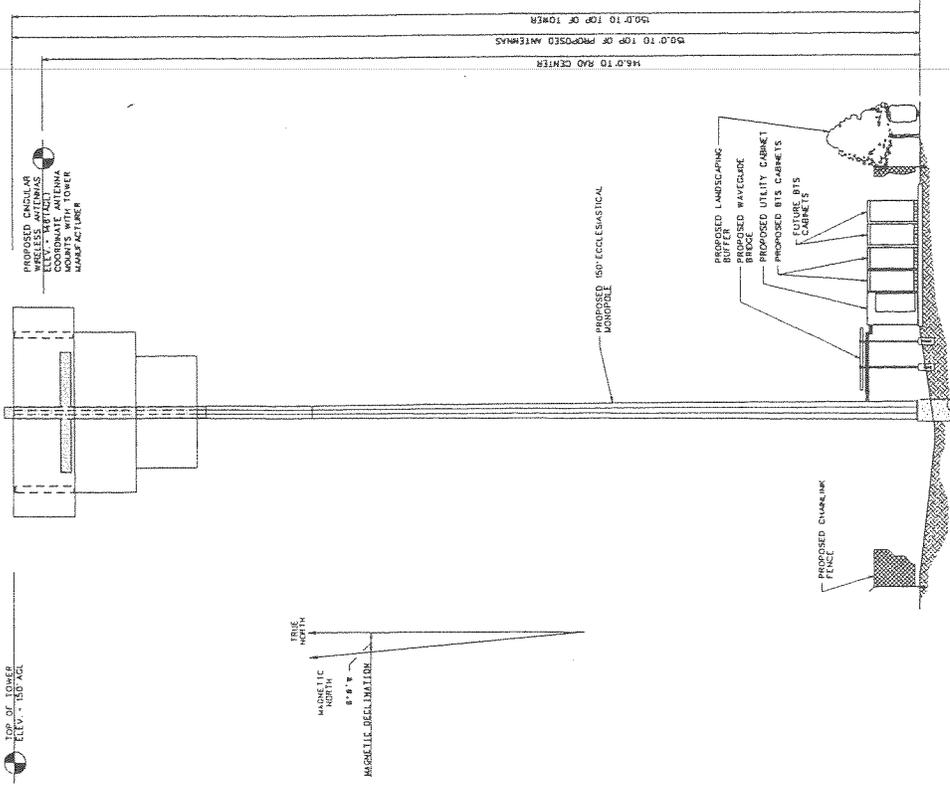
KCI KCI Technologies, Inc.
1000 HERRINGTON WOOD DRIVE, SUITE 100
LAKE MARY, FLORIDA 32746
TEL: 407-270-2200
FAX: 407-270-2201
WWW.KCI-TECH.COM

REVISION	DATE	BY	CHK	APP'D

CINGULAR WIRELESS
COMPOUND PLAN
REG. JOB NO. 24182-350
NFB-WEST HEATHROW-03

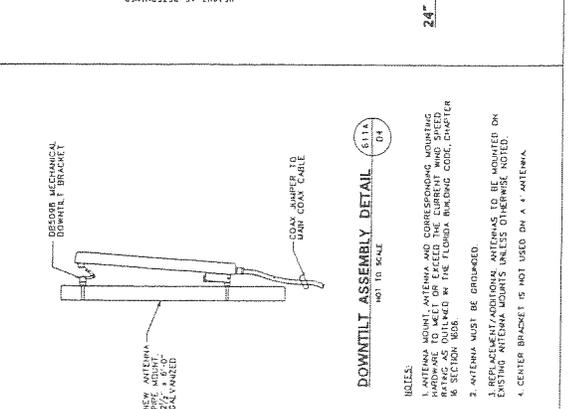
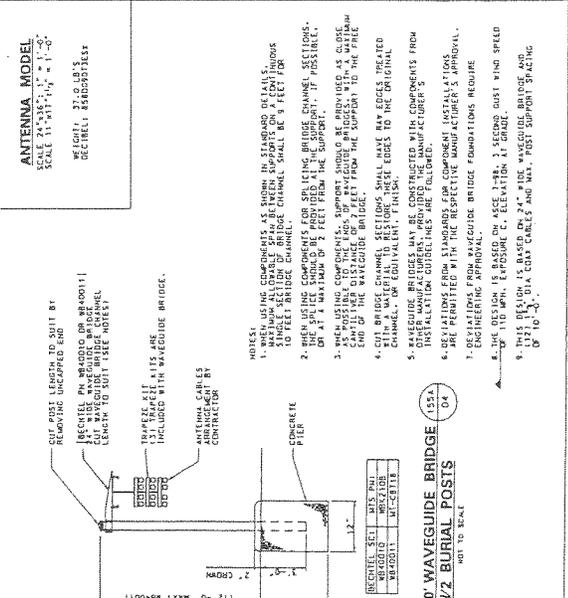
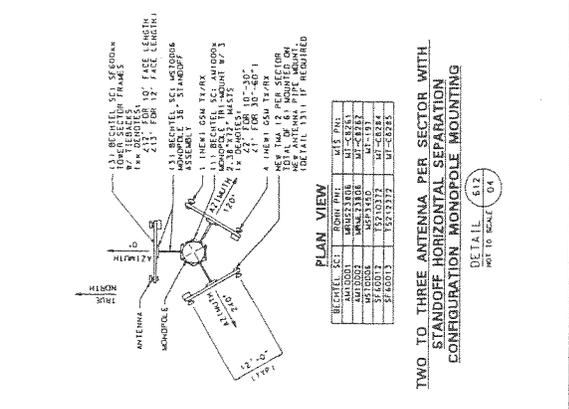
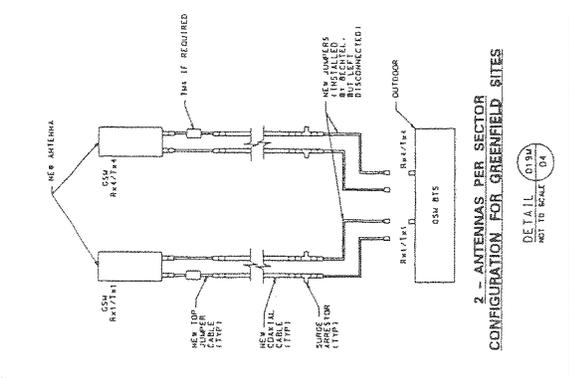
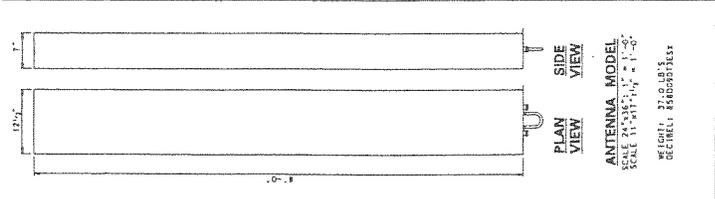
DATE: 1/29/04
DRAWN: M. BURRELL
CHECKED: M. BURRELL
APPROVED: M. BURRELL

NOTE: 1. CARRIER WITH CROSS ON EACH SECTOR



NOTES:
1. ELEVATION SHOWN FOR REFERENCE ONLY. DO NOT USE FOR DIMENSIONING.

TOWER ELEVATION
NOT TO SCALE



NO.	DATE	REVISIONS	BY	CHK	APP'D
1	5/26/04	ISSUED FOR ZONING	MB	DK	DK
2	5/26/04	ISSUED FOR REVIEW	MB	DK	DK

SCALE: AS SHOWN
DESIGNED BY: G. FRIEZE
DRAWN BY: M. BURNS

RECTEL JOB NO.: 2478Z-350
NFB-WEST HEATHROW-05

CINGULAR WIRELESS
TOWER ELEVATION AND ANTENNA ORIENTATION PLAN

RECTEL JOB NO.: 2478Z-350
NFB-WEST HEATHROW-05



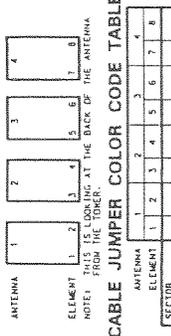
NFB-WEST HEATHROW
5210 HARRISMAN WOODS ROAD
LAKE MARY, FLORIDA 32146

KCI Technologies, Inc.
1000 HIGHLAND MANOR DRIVE, SUITE 100
TAMPA, FL 33606
(813) 740-0200
www.kcitech.com

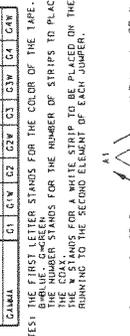
KCI TECHNOLOGIES
ENGINEERS
PLANNERS

CABLE MARKING TAGS:

- SECTOR ORIENTATION/AZIMUTH WILL VARY FROM REGION TO REGION AND IS SITE SPECIFIC. REFER TO RF REPORT FOR EACH SITE TO DETERMINE THE ANTENNA LOCATION AND FUNCTION OF EACH TOWER SECTOR FACE.
- THE STANDARD IS BASED ON EIGHT COLORED TAPES-RED, BLUE, GREEN, YELLOW, ORANGE, BROWN, WHITE, AND SLATE/GRAY. THESE TAPES SHOULD BE READILY AVAILABLE TO THE ELECTRICIAN OR CONTRACTOR ON SITE.
- USING COLOR BANDS ON THE CABLES. MARK ALL RF CABLE BY SECTOR AND CABLE NUMBER AS SHOWN ON "CABLE MARKING COLOR CONVENTION TABLE".
- ALL COLOR CODE TAPE SHALL BE 3/4" WIDE AND SHALL BE INSTALLED USING A MINIMUM OF 131 WRAPS OF TAPE AND SHALL BE NEATLY TRIMMED AND SMOOTHED OUT SO AS TO AVOID UNRAVELING.
- ALL COLOR BANDS INSTALLED AT THE TOWER TOP SHALL BE A MINIMUM OF 3" WIDE AND SHALL HAVE A MINIMUM OF 3/4" OF SPACING BETWEEN EACH COLOR.
- ALL COLOR BANDS INSTALLED AT OR NEAR THE GROUND SHALL BE A MINIMUM OF 3/4" WIDE.
- ALL COLOR CODES SHALL BE INSTALLED SO AS TO ALIGN NEATLY WITH ONE ANOTHER FROM SIDE-TO-SIDE.



WAVEGUIDE BRIDGE LAYOUT



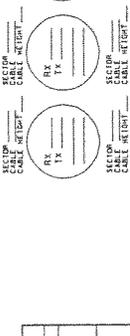
GSM LINE TAG

TO PROVIDE ADDITIONAL IDENTIFICATION RF TAGS MADE OF STAINLESS STEEL OR BRASS AND STAMPED WITH THE SECTOR, ANTENNA LOCATION AND CABLE NUMBER. THE MARKING LOCATIONS SHOULD BE AS SHOWN IN THE MARKING LOCATIONS TABLE. THE TAG SHOULD BE PLACED AT THE POINT WHERE THE CABLE ENDS AROUND THE CABLE. THE TAG SHOULD BE LABELED AS SHOWN ON THE "GSM LINE TAG" DETAIL.

CABLE MARKING TAGS



ANTENNA SECTOR AND CABLE DEFINITION



CABLE MARKING LOCATIONS TABLE

NO.	TAPE TAG	LOCATIONS
1.	X	EACH TOP-JUMPER SHALL BE COLOR CODED WITH (1) SET OF 3" WIDE BANDS.
2.	X	EVEN MAIN COAX SHALL BE COLOR CODED WITH (1) SET OF 3" WIDE BANDS NEAR THE TOP-JUMPER CONNECTION AND WITH (1) SET ENTERING THE BTS OR TRANSMITTER BUILDING.
3.	X	CABLE ENTRY PORT ON THE INTERIOR OF THE SHELTER.
4.	X	ALL BOTTOM JUMPERS SHALL BE COLOR CODED ON EACH END OF THE BOTTOM JUMPER.
5.	*	ALL BOTTOM JUMPERS SHALL BE COLOR CODED WITH (1) SET OF 3" WIDE BANDS ON EACH END OF THE BOTTOM JUMPER.

1" W - DENOTES TAG OR TAPE. 1
ALL RF CABLE SHALL BE MARKED AS PER CABLE MARKING LOCATIONS TABLE ABOVE:

TOWER PLAN VIEW

NOTES:
A. CONTRACTOR SHALL FILL OUT THE CABLE PORT DIAGRAM UPON COAX INSTALLATION. CABLE PORT DIAGRAM WILL BE AFFIXED TO THE INTERIOR SHELTER WALL NEAR THE CABLE ENTRY PORT TO AID IN CABLE IDENTIFICATION. THE CHART IS INTENDED TO BE USED IN THE TOWER AT THE TIME OF INSTALLATION. ANTENNA POSITION ON THE TOWER AT THE TIME OF INSTALLATION.
B. ONE COMPLETED COPY PLUS TWO BLANK COPIES OF THE CHART SHOULD BE POSTED IN THE SHELTER IN A PROTECTIVE PLASTIC SLEEVE.

RF SYSTEM DESIGN PLAN:

ITEM NO.	ITEM DESCRIPTION	SECTOR A AZIMUTH 0°	SECTOR B AZIMUTH 120°	SECTOR C AZIMUTH 240°	TOTAL	SUPPLIED BY
1.	ANTENNAS	85406890VYESX-(1)	85406890VYESX-(2)	85406890VYESX-(2)	6	BECTEL
2.	ANTENNA MOUNT KIT	*	*	*	6	BECTEL
3.	MECHANICAL TILT	0	0	0	0	BECTEL
4.	RADIATION HEIGHT FROM GROUND	150	150	150	150	BECTEL
5.	TRX TYPE	EDGE	EDGE	EDGE	EDGE	BECTEL
6.	ANTENNA JUMPER (LENGTH)	LDF4-50A (2)	LDF4-50A (2)	LDF4-50A (2)	6	BECTEL
7.	DIN CONNECTOR (LAUREN)	L4PDW-RC (2)	L4PDW-RC (2)	L4PDW-RC (2)	6	BECTEL
8.	DIN CONNECTOR (LAUREN)	F4PDW2-C (2)	F4PDW2-C (2)	F4PDW2-C (2)	6	BECTEL
9.	BOTTOM JUMPER (LENGTH)	TBD IN FIELD (2)	TBD IN FIELD (2)	TBD IN FIELD (2)	6	BECTEL
10.	DIN CONNECTOR (LAUREN)	L7PDF-RPC	L7PDF-RPC	L7PDF-RPC	---	BECTEL
11.	POLYPHASE SURGE ARRESTOR (LAUREN)	AFTDC-0FDM-WB (2)	AFTDC-0FDM-WB (2)	AFTDC-0FDM-WB (2)	6	BECTEL
12.	B1AS-T	---	---	---	---	CINGULAR
13.	DUPLEXER	---	---	---	---	BECTEL
14.	TWA	LGP17401	LGP17401	LGP17401	6	CINGULAR
15.	FEEDER DIAMETER	1 5/8" LDF7-50A	1 5/8" LDF7-50A	1 5/8" LDF7-50A	---	BECTEL
16.	FEEDER LENGTH	150 FT. (4)	150 FT. (4)	150 FT. (4)	2040 FT. +10%	BECTEL
17.	COAX CABLE GROUNDING KIT	SGL7-1584 (8)	SGL7-1584 (8)	SGL7-1584 (8)	---	BECTEL
18.	WEATHER PROOF KIT	MT-C8718	MT-C8718	MT-C8718	---	GC
19.	PIN OUT CONNECTOR (RA-45)	221213 (ANDREWS)	221213 (ANDREWS)	221213 (ANDREWS)	(6)	GC
20.	COAX CONNECTOR	ATB4BSC-2224 (SUPERIOR ESX1)	ATB4BSC-2224 (SUPERIOR ESX1)	ATB4BSC-2224 (SUPERIOR ESX1)	(13)	BECTEL
21.	OSPF CAT-5e	24-04PE54-50P (SUPERIOR ESX1)	24-04PE54-50P (SUPERIOR ESX1)	24-04PE54-50P (SUPERIOR ESX1)	---	BECTEL
22.	SHIELD GROUND CONNECTOR KIT	53490-1 (AMP, INC.)	53490-1 (AMP, INC.)	53490-1 (AMP, INC.)	---	BECTEL
23.	COLOR CODE	SEE LATEST CINGULAR CABLE MARKING GUIDELINES DETAIL 1504/05	SEE LATEST CINGULAR CABLE MARKING GUIDELINES DETAIL 1504/05	SEE LATEST CINGULAR CABLE MARKING GUIDELINES DETAIL 1504/05	---	BECTEL

PER RFDS REV. 1.0 DATED 01-26-04
SPECIAL PROVISIONS FOR INFORMATION ONLY CONTRACTOR SHALL TAKE-OFF ITEM INDIVIDUALLY TO VERIFY QUANTITIES

CONTRACTOR TO VERIFY W/ CONTRACTOR LATEST REVISION TO RF DESIGN DATA

* COORDINATE WITH TOWER MANUFACTURER

cingular
WIRELESS

NFB-WEST HEATHROW
5210 MARKHAM WOODS ROAD
LAKE MARY, FLORIDA 32746

KCI Technologies, Inc.
1000 HICKORY HOLLOW DRIVE, SUITE 120
PUNTA GORDA, FLORIDA 34958
PHONE: 888-888-8888

KCI TECHNOLOGIES
RF CONTRACTORS
PLANTERS

CDX COLOR CODING & IDENTIFICATION DETAIL
REVISION NO. 24782-350
DATE 05/24/04
ISSUED FOR ZONING
BY ECH APP-D
SCALE: AS SHOWN

DESIGNED: DARVA RIBEZ
DRAWN: M. BURNS
REVISIONS
DATE
BY ECH APP-D
SCALE: AS SHOWN

CDX COLOR CODING & IDENTIFICATION DETAIL
REVISION NO. 24782-350
DATE 05/24/04
ISSUED FOR ZONING
BY ECH APP-D
SCALE: AS SHOWN

NFB-WEST HEATHROW SEMINOLE COUNTY



PHOTOGRAPHIC SIMULATIONS JUNE 2004

Prepared for:
BECHTEL Inc.



Prepared by:
Mike Murphy
KCI Technologies, Inc.
813-740-2300



**Aerial Map of West Heathrow Site
Indicating Positions of
Observational Views**



VIEW 1
NORTHWEST OF SITE
ON FOUNTAINHEAD DRIVE



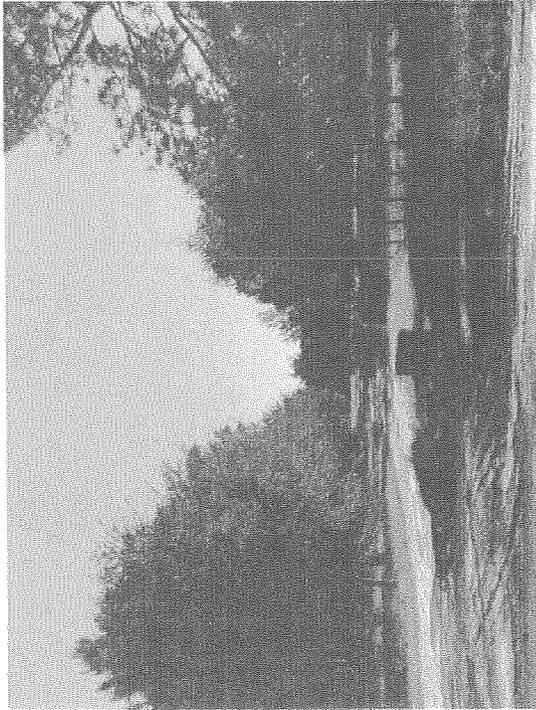
EXISTING SITE WITH PHOTOGRAPHIC SIMULATION OF
PROPOSED 150' ECCLESIASTICAL MONOPOLE
CAN NOT BE SEEN FROM THIS LOCATION

EXISTING SITE



LINE OF SIGHT TO PROPOSED TOWER FROM
VIEW 1

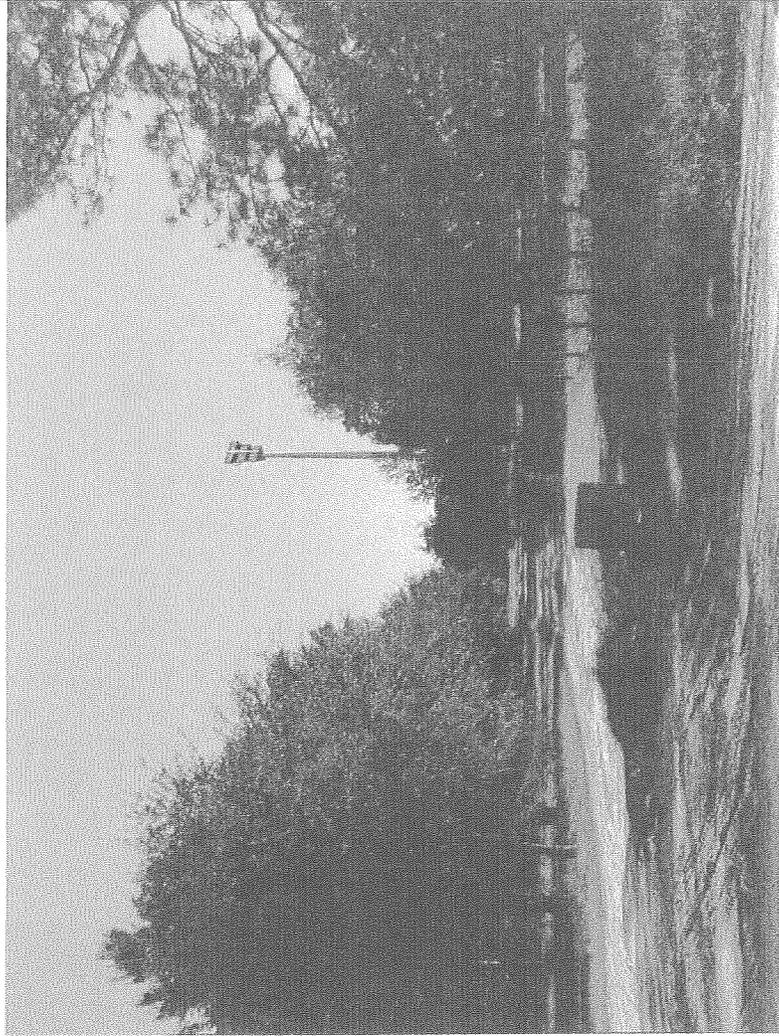
VIEW 2
WEST OF SITE
ON CARTER ROAD



EXISTING SITE

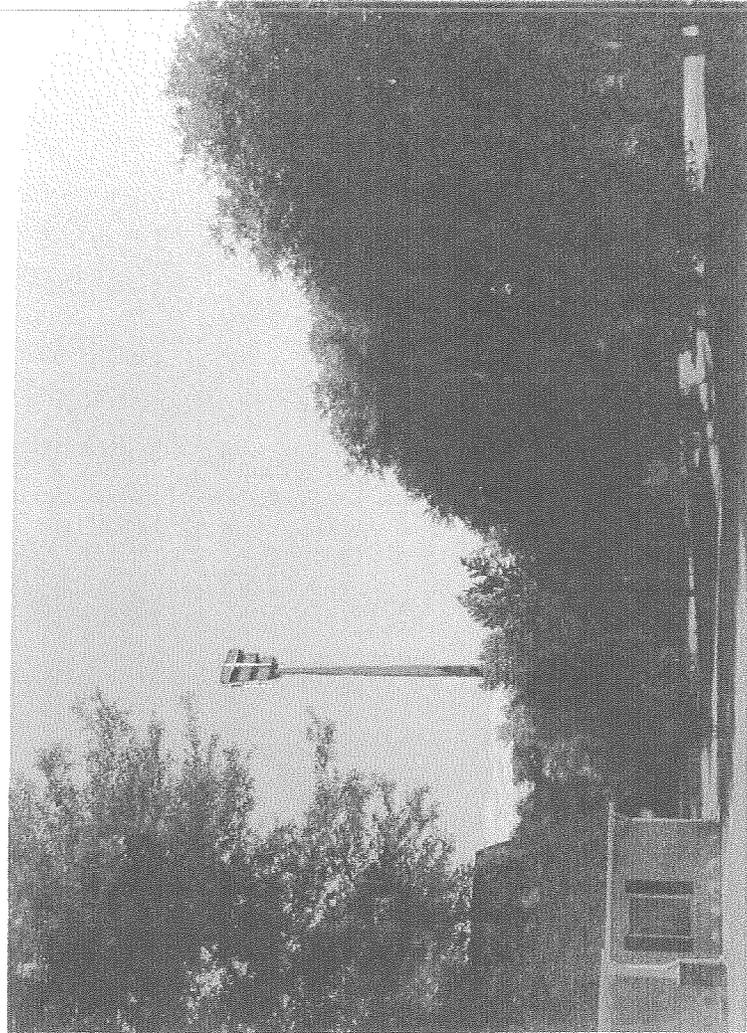
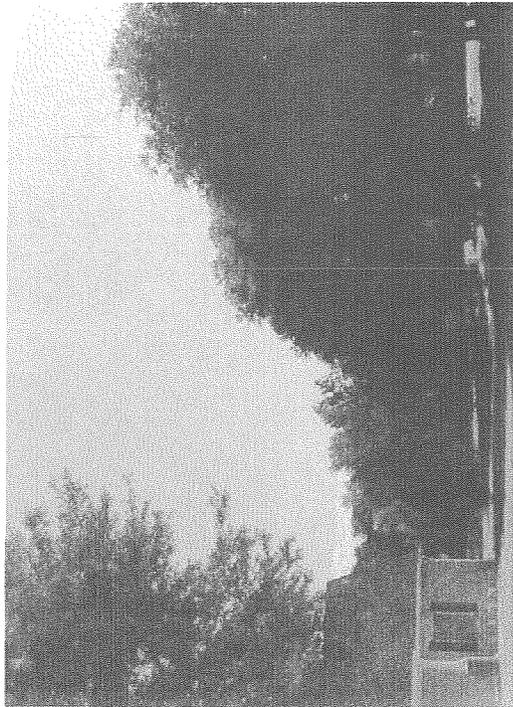


**LINE OF SIGHT TO PROPOSED TOWER FROM
VIEW 2**



**EXISTING SITE WITH PHOTOGRAPHIC SIMULATION OF
PROPOSED 150' ECCLESIASTICAL MONOPOLE**

VIEW 3
SOUTHWEST OF SITE
ON ACRE COURT



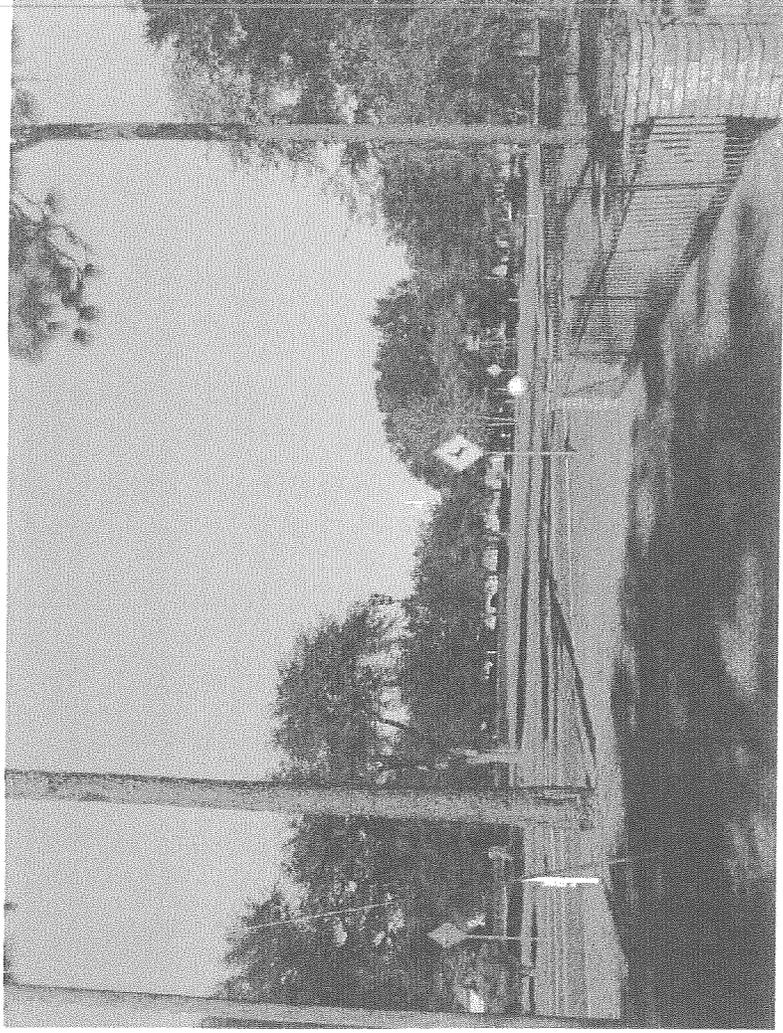
**EXISTING SITE WITH PHOTOGRAPHIC SIMULATION OF
PROPOSED 150' ECCLESIASTICAL MONOPOLE**

EXISTING SITE

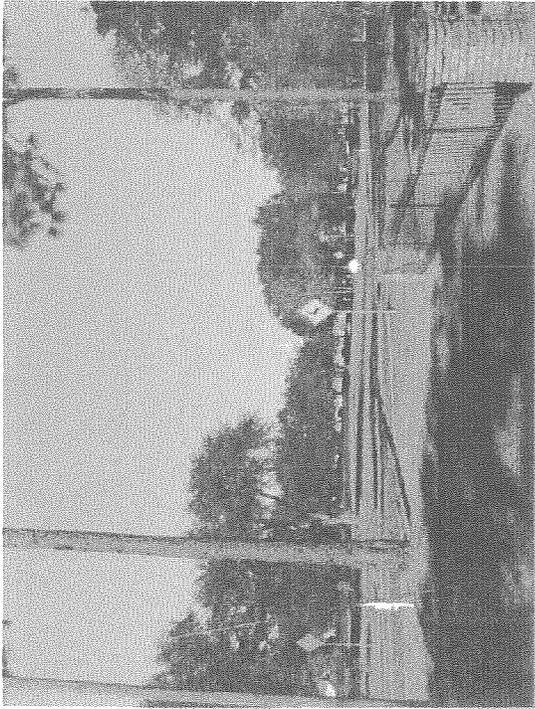


**LINE OF SIGHT TO PROPOSED TOWER FROM
VIEW 3**

VIEW 4
SOUTHEAST OF SITE
ON DAWN COURT



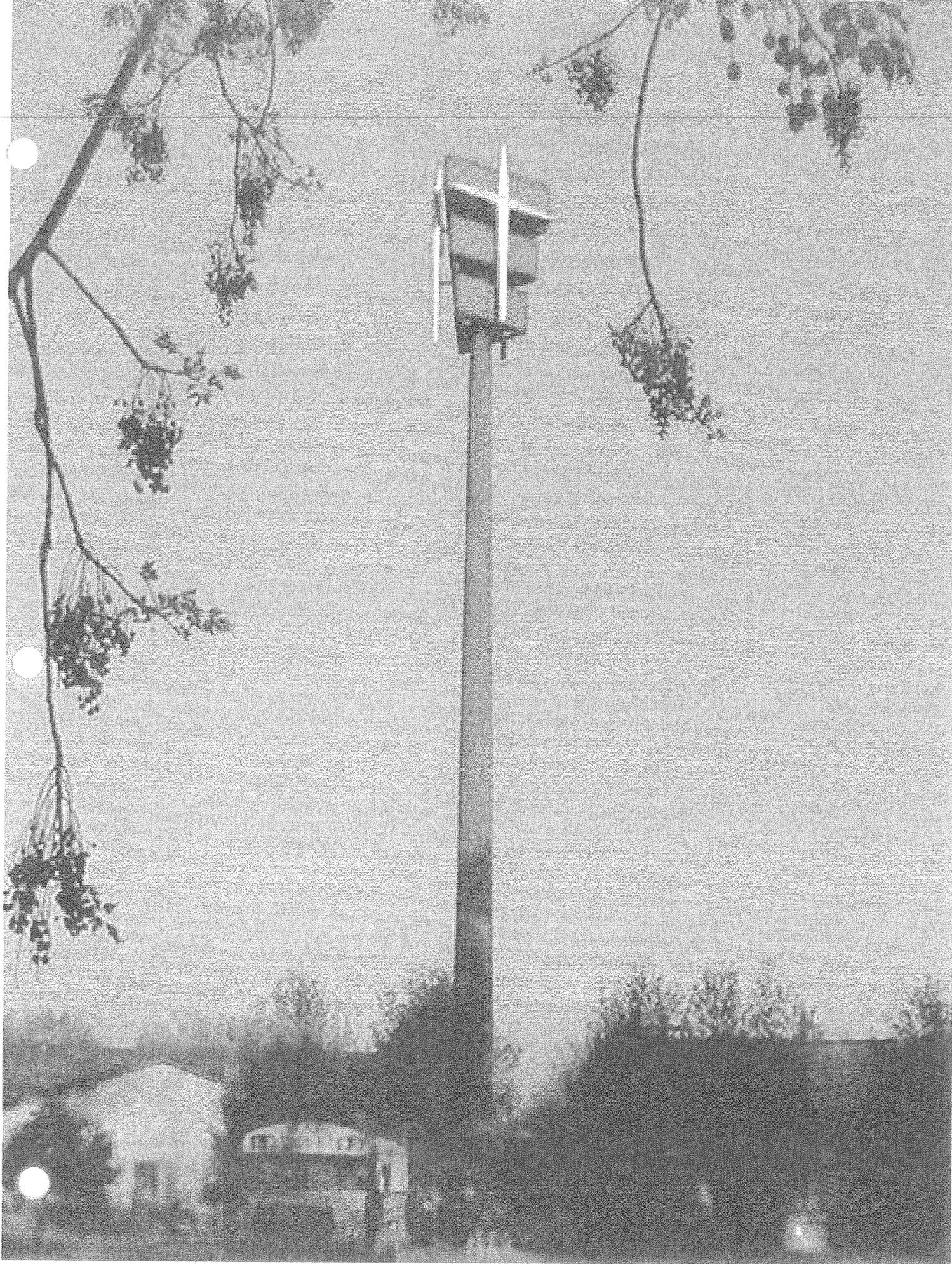
EXISTING SITE WITH PHOTOGRAPHIC SIMULATION OF
PROPOSED 150' ECCLESIASTICAL MONOPOLE



EXISTING SITE

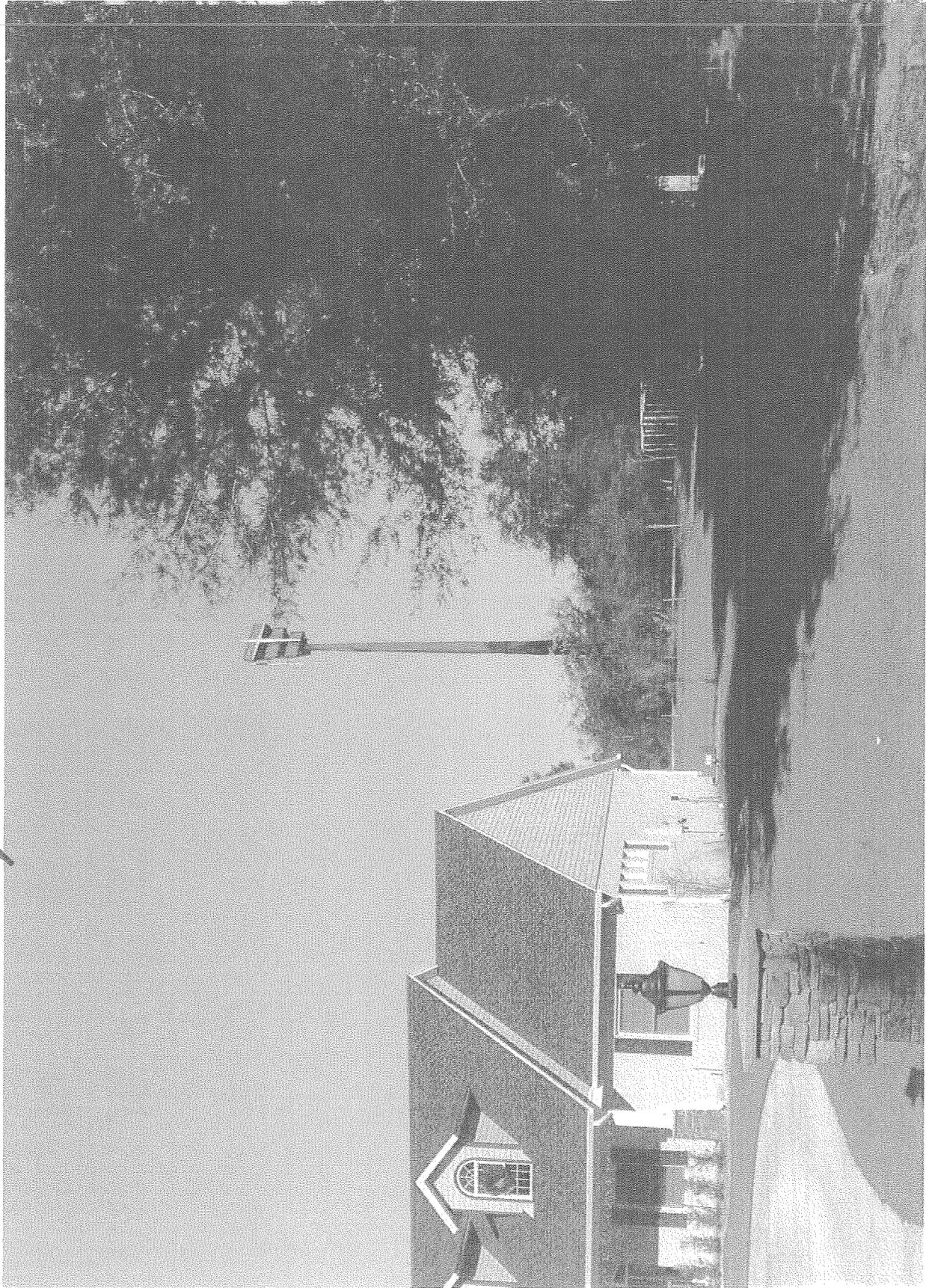


LINE OF SIGHT TO PROPOSED TOWER FROM
VIEW 4



SAMPLE PHOTO - SIM

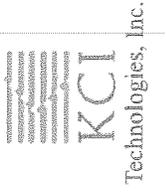
Sample Only



For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.

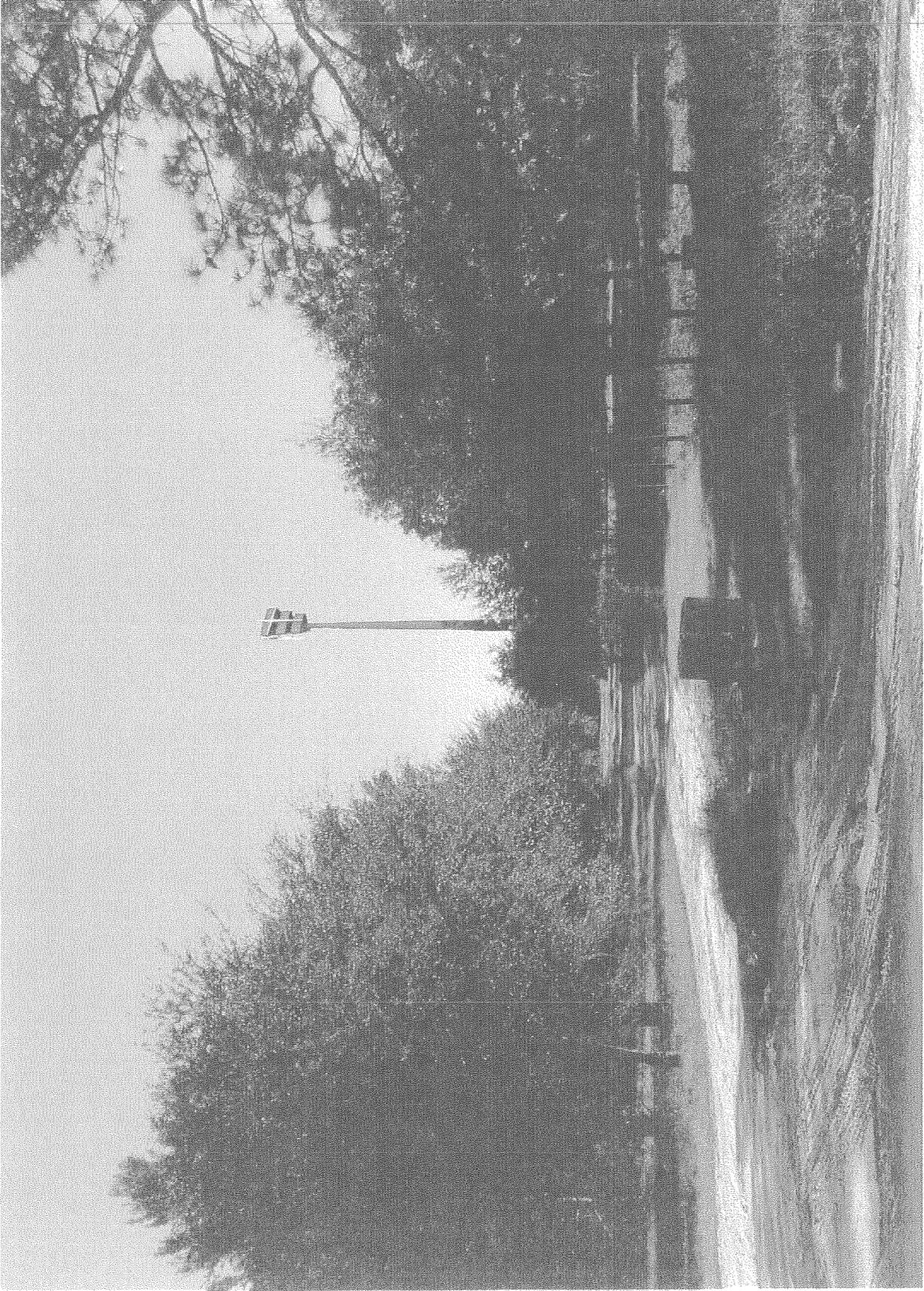
**WEST HEATHROW
NFLNB-CINGULAR**

Created By: Mike Murphy



Technologies, Inc.

Sample only



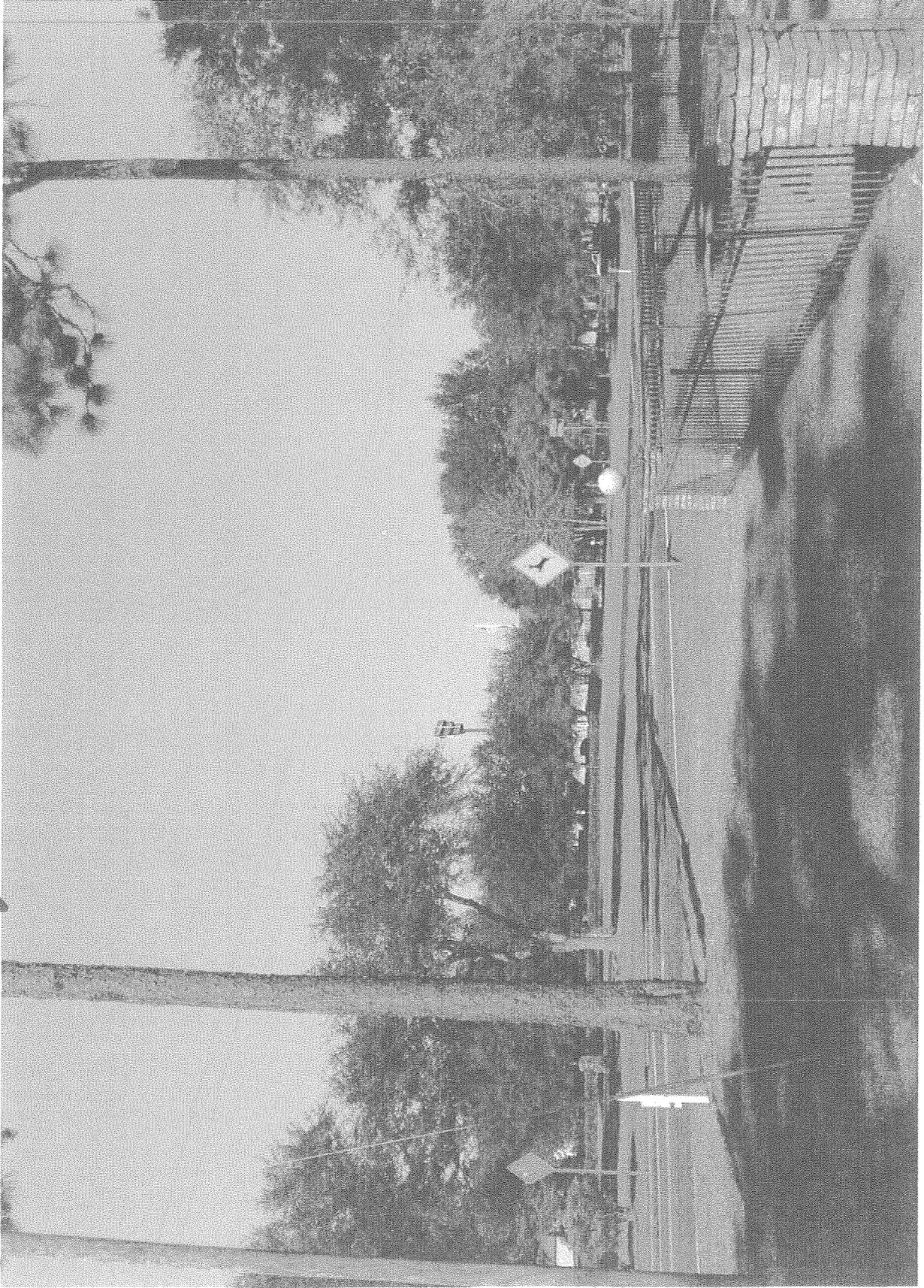
For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.

**WEST HEATHROW
NFLNB-CINGULAR**

Created By: Mike Murphy

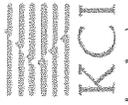

KCI
Technologies, Inc.

Sample Only



For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.

**WEST HEATHROW
NFLNB-CINGULAR**



Technologies, Inc.

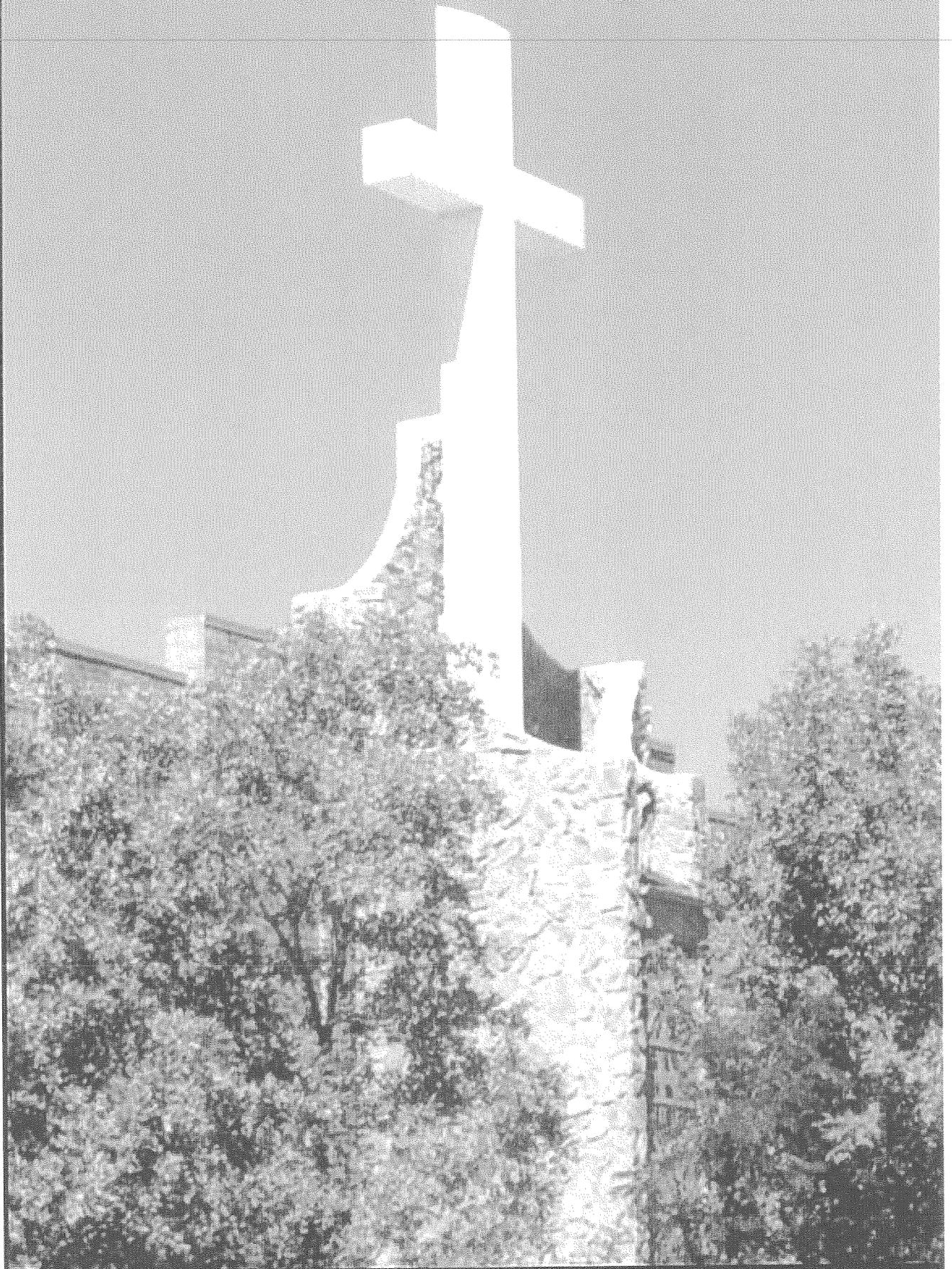
Created By: Mike Murphy



ROOF TOP WITH RE FRIENDLY SPANISH TILES



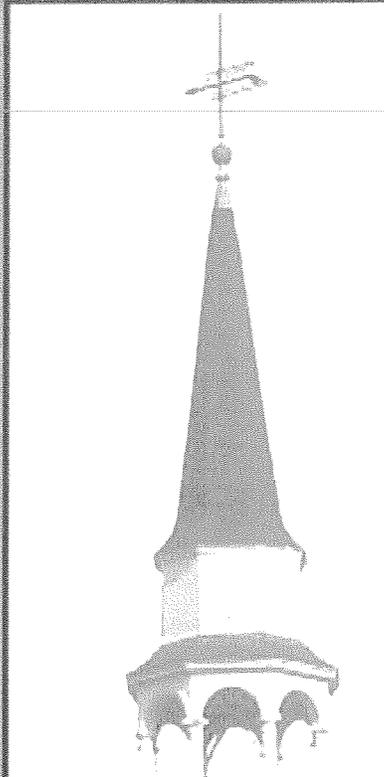
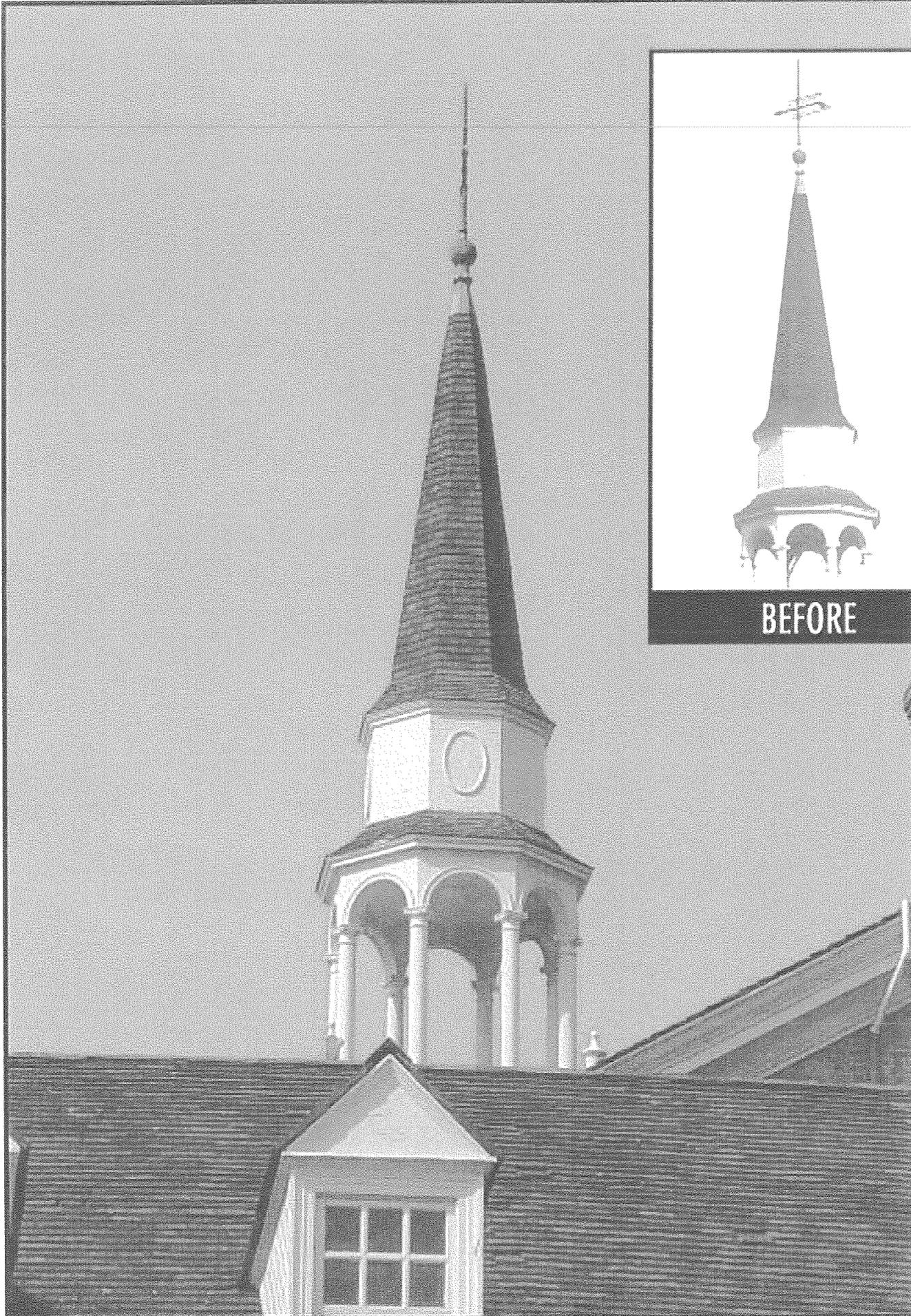
FILM WRAP OVER ANTENNAS



CHURCH CROSS



3 30' CROSSES WITH ANTENNAS IN THE TOPS



BEFORE

CHURCH STEEPLE WITH RF FRIENDLY TILES



CHURCH STEEPLE ANTENNAS IN THE LEGS



45' FLAG POLE 14" DIAMETER



3 FLAG POLES 25" DIAMETER 85' TALL



97' LIGHT POLE WITH 2 CARRIERS FLUSH ON OUTSIDE AND 2 INSIDE R



30' LIGHT POLE WITH RADOME AND LIGHT ABOVE



wp.fowler@att.net
07/12/2004 09:45 AM

To emcdonald@co.seminole.fl.us,
sshernan@seminolecountyfl.gov
cc dmerkt@seminolecountyfl.gov
bcc
Subject 150ft celltower on Markham Woods Road

I would like to add a few comments for your consideration regarding the pre-application meeting I attended a couple of weeks ago regarding the 150 ft. Cingular celltower at the Presbyterian church on Markham Woods Road. I'll list them :

- during the meeting several reasons were cited for the prior failed attempts by Cingular and the church before the BOA and the county commissioners. One that was not mentioned was the breaking of variances. A couple of BOA members and even more county commissioners pointed at this in their questioning and obviously felt uncomfortable with the close proximity of this tower to residences. I hope those concerns will come into play regarding your recommendation because this has been proven to be a huge point of concern.

- Cingular is suppose to exhaust their search for nearby locations that do not break variances. The church about 0.2 miles to the north has not heard from Cingular. They have 20+ acres of land, taller trees on the north side of the property, is willing to talk to Cingular regarding a tower, and the vast majority of their site will NOT break any variances if a tower is placed there.

- During the commissioner meeting a couple of residents brought up the fact that Cingular has bought AT&T Wireless and there is a big AT&T cell currently on the west side of International Parkway. Cingular never answered what they are going to do with those new celltowers. I would think reuse of towers would be a very high priority.

- Part of their presentation before the commissioners was a slide showing their current celltowers in the Heathrow/Lake Mary/Sanford area. I did not see this as part of their submitted documentation, maybe I missed it. Anyway, this slide looked more convincing for their NOT to be a need because of the proximity of their towers. I hope you'll get this slide and look at the proximity of the current towers. It looks very sufficient to me.

- Please keep in mind that the Cingular proposal is for two collocation locations on this celltower. Since this will be the largest tower in the area by far I'm sure they'll have no problem leasing that space to other companies. Remember that roaming revenues can be huge for collocation leasing. Rather than improving their own network I'm sure this opportunity for roaming revenue is a big part of their reasoning for the tower at this location.

- the King residential development is proposed against the north property line of the Prebyterian church. I understand it is not part of your consideration at this time but if the celltower goes in as well as this King residential community you'll have about a 330ft wide parcel of property with a 150ft cellsite stuck between residences on the north and south side of the property. Do you think

this is wise to allow? Also keep in mind that the new proposed location of the celltower is much closer to Markham Woods Road. That will look even worse.

- if they come back with a proposal for a flagpole that would go against what they have already stated in the earlier meetings. They said they'd need an external antenna structure, unlike other cell companies. If they come back with a shorter monopine why not collocate at a tower to the north?

Any of these concerns is grounds to not recommend this proposal but I would think that the multitude of reasons stated by citizens in close proximity to this proposal is sufficient reason to not give this your endorsement.

There are many people quite upset over this so please let me know when county staff has made a decision so I can let everyone know.

I thank you for your time and God Bless.

paul fowler & family
3524 acre ct



Diane Merkt/Seminole
07/16/2004 11:50 AM

To Earnest McDonald/Seminole@Seminole
cc
bcc
Subject Fw: Seminole County Communication Tower Plan

Diane Merkt, Executive Assistant
Commissioner Daryl G. McLain
Chairman and District 5
Seminole County Board of Commissioners
407-665-7209 ph
407-665-7958 fax

----- Forwarded by Diane Merkt/Seminole on 07/16/2004 11:55 AM -----



"Quentin R. Beitel"
<qbobbe4@att.net>
07/16/2004 10:18 AM

<kgrace@co.seminole.fl.us>,
<dmclain@seminolecountyfl.gov>, "Dick Van Der Weide"
To <lstabler@co.seminole.fl.us>, "Brenda Carey"
<bkcarey@cfl.rr.com>, <win2004@bellsouth.net>
cc
Subject Seminole County Communication Tower Plan

Seminole County needs a plan to deal with Communications Towers. In individual face to face discussions we have the Markham Woods Association has identified this need. Those of use on Markham Woods Road are again faced with the request by Cingular to erect a Cell Tower. We do not want nor is there a need for this cell tower. Enclosed for your review are some concerns from the Cingular Pre-Application Hearing. This information was emailed to E. McDonald, Planning Department.

Quentin (Bob) Beitel
President
Markham Woods Association
407-333-1436

-----Original Message-----

We would like to add a few comments for your consideration regarding the pre-application meeting we attended a couple of weeks ago regarding the 150 ft. Cingular celltower at the Presbyterian church on Markham Woods Road. They are:

- during the meeting several reasons were cited for the prior failed attempts by Cingular and the church before the BOA and the county commissioners. One that was not mentioned was the breaking of variances. A couple of BOA members and even more county commissioners pointed at this in their questioning and obviously felt uncomfortable with the close proximity of this tower to residences. We hope those concerns will come into play regarding your recommendation because this has been proven to be a huge point of concern.

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There are many people quite upset over this so please let me know when county staff has made a decision so we can let everyone know.



DebbieYero@aol.com

07/26/2004 05:50 PM

To plandesk@seminolecountyfl.gov

cc

bcc

Subject 5210 Markham Woods Road

COPY

I would like to express my opposition to the installment of the cellular tower behind the Presbyterian church on Markham Woods Rd. I feel that to build such an obtrusive and commercial structure in the middle of a completely residential area is unnecessary and should be avoided at all costs. Living very close by, such a structure would directly affect me, and I am sure that the many others living in the surrounding area feel the same way. I hope that you will take into consideration the feelings of those who live here now and will most likely still be living here years from now. Thankyou.

Debbie Yero
3431 Dawn Court
Lake Mary, FL 32746

COPY



"Steven Smith "
<ssmith412@cfl.rr.com>
07/26/2004 02:14 PM

To <plandesk@seminolecountyfl.gov>

cc <paul.fowler@convergys.com>

bcc

Subject against proposed cell phone tower @ 5210 markham woods rd.

To whom it may concern:

I spoke at the last meeting on this cell phone tower issue and am unable to attend tonight because of a sick child ;however, my husband and I live at 3700 Wimbledon Drive in Shannon Downs subdivision and we would be directly affected by this tower. We specifically chose to buy our house in this area because it was solely residential. This tower is too tall and an eyesore even as a cross or tree and will drop our property values. It will be seen from our backyard and my daughter will be forced to play underneath high frequency radiation 24 hours a day!

Cell phone towers belong in commercial areas where no one is living underneath it's exposure 24 hours a day. I know the board is not allowed to consider health affects of high frequency radiation but as I mentioned at the last meeting we don't always know the health risks of certain items in our environment early on. For instance my grandparents showed me ads from the 1920's where cigarette smoking was actually billed as good for you and we all know what happened with that.

As at the last Seminole county meeting on 2/24/04 the proposed cell phone tower should be defeated again. They do not belong so close to our hard earned and worked for houses.

Thank you,

Dr. and Mrs.. Steven J. and Chris A. Smith

COPY



Fayeglovermk@aol.com
07/26/2004 01:22 PM

To plandesk@seminolecountyfl.gov.
cc
bcc
Subject Cellular Site Proposal

I am not in favor of this cellular site proposal on 5210 Markhamwoods Rd. Based on the company using the cross that my Jesus shade his blood for our sins as a cover up. ABSOLUTELY NOT!!!!!!

Sincerely Yours,
Faye Glover
5348 Carter Rd
Lake Mary, FL 32746

Jackson wanted them to have the property and she wanted to give that property to them, but he told her he could pay her 500.00 for the property. He also stated that she is in her sound mind. He lastly stated that they went to the Mortgage Company and they have someone ready to build.

Attorney Glenn Vanderwater stated that he was representing Mr. Lafear and Mrs. Geneva Jackson. He stated that Mrs. Jackson is not competent to handle her affairs. He also stated that there is a dispute of Mrs. Jackson's competence. He also stated that her son Lafear Jackson name was on the deed and he did not sign the quick claim deed. He further stated that they are in the process of filing litigation in the matter of Mrs. Jackson competence. He also stated that the Hughley's are not the owners of the property and should not be making this request.

Mr. Hughley stated that Mrs. Jackson son is against them building a house on the lot his mother sold to them. He also stated that Mrs. Jackson has sold other land to people but they are the only one he is going against.

Mr. Bushrui made a motion to approve the request.

Mr. Bass seconded the motion.

The motion passed by unanimous consent (5-0).

SPECIAL EXCEPTIONS:

- 10. 5210 MARKHAM WOODS ROAD - Bob Chopra / Wireless Facilities / Cingular Wireless, LLC, applicants; Request for (1) special exception to establish a 150 foot tall "ecclesiastical" camouflage communication tower in the A-1 (Agriculture District); and (2) variances from 450 feet to 320 feet and 450 feet to 300 feet to reduce the minimum separation distances required between a proposed 150 foot tall "ecclesiastical" camouflage communication tower and properties with single-family residential dwellings; Located on the west side of Markham Woods Road, approximately 0.3 mile southeast of the intersection of Markham Woods Road and Carter Road; (BS2004-019) & (BV2004-108).
Earnest McDonald, Principal Coordinator**

Earnest McDonald introduced the location of the application and stated that staff recommended denial of the request for special exception to establish a 150 foot tall "ecclesiastical" camouflage communication tower. He also stated that staff would support the granting of a special exception to establish a 150 foot tall camouflage communication tower of an alternative design, he stated some examples as a rooftop design, rooftop church cross, freestanding church cross or a flagpole, and the request for associated variances from 450 feet 320 feet and 450 feet to 300 feet to reduce the minimum separation distances required between a proposed 150

foot tall communication tower and properties with single family dwellings. He further stated that staff recommendation is conditioned upon the applicant's ability to present a tower design that would be compatible with surrounding residential development and effectively blend into and conform in appearance with existing facilities on the church property.

Attorney Carl Sanders stated that he was representing Cingular Wireless and Markham Woods Presbyterian Church. He also stated that the church is located on the parcel the proposed communication tower would also be located on. He also stated that the Baptist Church property to the north has two flag pole towers on them and they never had to come to the Board of Adjustment or the Board of County Commissioners. He further stated that they are following the rules and asking the Board to allow Cingular the opportunity to compete with their competition. He further stated that staff is stating that the location is appropriate but the design is not, but they are not able to put a flag pole design at this location. He also stated that they were open to the Board recommendation on the style of the tower. He stated that from a legal stand point the Federal Teller Communication Act states that you can't approve one tower and deny another, and the carrier has to establish that there is a gap in coverage area and it is. He lastly stated that he would like the Board to approve this request.

Craig O'Neal, stated that he is a Engineer for Cingular and they considered a tower to the north that is owned by AT&T Wireless as a possible co-location but it is to far to the north. He further stated that the coverage hole they are experiencing is within a mile from the proposed location.

Frank Bell stated that he is a member of the Markham Woods Church and also on staff with the church. He stated that they are there to serve the community and there is a need for this service and he would like the Board to approve the request.

Paul Fowler stated that the structure would be closer to Markham Woods Road and more of an eyesore and a negative impact. He stated that on behalf of his family he hope the Board would deny the request.

Rex Crane owner of King Builders, stated that he would be putting in nine residential properties which would be within a few feet from the antenna. He also stated that if the applicant had waited a year like he should have, he would also have to request a setback variance from his properties. He further stated that if the applicant really wanted the tower they would make it blend with the community.

Michael Martinos stated that her concern beyond the health issue is the fact that the tower would decrease the property values in the neighborhoods. She also stated that the church should maintain an environment similar to those settings and not a business.

Peter Solukey stated that he is opposed to the tower being built.

Frank Martinos stated that the cell phone service is not bad in this area and there is no necessity for this tower. He further stated that this is about money, the money that the church would make by going into business with Cingular. He lastly stated that he would like the Board to listen to the testimony and do what the Board did before.

Quintin Beitel stated that he was the President of Markham Woods Homeowner's Association, and they are opposed to the design and the symbol of the tower. He stated that they would request the Board turn this request down.

Carl Sanders stated that they are not here to prove that cell towers decrease property values, he stated that he realize the community concerns and fears but what is needed is considerable evidence. He also stated that the issue is not weather this is a necessity to cingular but if there is a gap as a matter of law it must be allowed to be filled. He lastly stated that this tower is not going to fall and even if it did it is self collapsing.

Mr. Bushrui made a motion to deny the request.

Mrs. Buchanan seconded the motion.

The motion passed by a (3-2) consent. Mr. Bass and Mr. Goff were in opposition.

12. **1780 LAKE STREET** - Joseph H. Head, applicant; Request for side yard setback variance from 7.5 feet to 6 feet for an existing storage room in the R-1 (Single Family Dwelling District); Located on the north side of Lake Street, approximately 0.2 mile east of the intersection of Lake Street and Spring Avenue; (BV2004-117).
Kathy Fall, Senior Planner

Kathy Fall introduced the location of the application and stated that the request did not meet the Land Development Code criteria and that staff recommended denial of the request, unless the applicant could demonstrate a hardship. She also stated that the applicant received letters of support from both adjacent neighbors.

Joseph Head stated that he moved in the house in 1988 and they have used the existing room for storage. He also stated that they have made it to blend with the rest of the house. He further stated that if they were asked to tear it down it would be a hardship to find space to store the items in the room. He lastly stated that he would like the Board to approve his request.