

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: 1680 McCulloch Road – TBCOM Properties, LLC, applicant; Request for a special exception for a 130 foot communication tower in PUD (Planned Unit Development).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Kathy Fall **EXT:** 7389

Agenda Date 12-03-07 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **Approve** the request for a special exception for a 130 foot communication tower in PUD (Planned Unit Development); or
2. **Deny** the request for a special exception for a 130 foot communication tower in PUD (Planned Unit Development).; or
3. **Continue** The request to a time and date certain.

GENERAL INFORMATION	<p>Applicant: Tim O'Shaughnessy/TBCOM Properties LLC</p> <p>Owner: AHG Group LLC</p> <p>Location: 1680 McCulloch Road</p> <p>Zoning: PUD (Planned Unit Development)</p>
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a 130 feet communication tower that is flagpole in design. • The subject property is located in the Carillon PUD. It is Parcel 202, which permits C-1 (Retail Commercial) district uses. The property was previously used as a Winn-Dixie grocery store, however the store is closed and the building is vacant. • The area proposed for the communication tower is on the southeast side of the Parcel 202, adjacent to a large conservation area.

**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 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 Planning Manager made the following findings when the applicant previously requested a determination that the tower, at 120', was a camouflage communication tower:

1. The proposed location is adjacent to a wetland conservation area. A 120-foot flagpole would not blend in with, and would not be in character with a wetland conservation area;
2. Flagpoles are usually located in close association with the front of a building (school, Post Office, church, etc.), so that they appear to be integrated into and a part of the site. The proposed tower is located on the outskirts of the parking area, approximately 300' from the building, next to a conservation area. A 120-foot flagpole in this location would not blend in with the existing surroundings;
3. This use would appear to be unusual and out of place on a grocery store property because there is no contextual relationship between any type of retail use and a flag pole;
4. The height and design of the proposed tower and its incompatibility with the proposed location would also make it appear so out of place that it may result in the proposed tower being perceived by a reasonable person as a tower, and not as a flagpole.

The Board of County Commissioners reversed the Board of Adjustment's decision to overturn the Planning Manager's decision in determining the proposed tower was not camouflage.

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

The proposed communication tower will be an un-manned facility and will have no impacts on the existing traffic patterns, movements and volumes.

	<p><u>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:</u></p> <p>The Seminole County Vision 2020 Comprehensive Plan describes the Planned Development (PD) future land use as a transitional land use between urban and general rural uses. The approved uses listed in the PD land use include utility structures such as communication towers.</p> <p><u>MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:</u></p> <p>Based on the submitted site plan, the proposed use and tower meet the minimum area and dimensional requirements of the PUD.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>The request was reviewed by Seminole County's Business Innovation and Technology Services Department/Operation's division. Their analysis of the proposed communication tower found that the proposed proximity to Seminole County Fire Station 65, output power, lack of IM studies and proposed radio spectrum that will be used to propagate radio signals from this communication tower appears it will severely affect First Responder radio communications for Seminole County Government and recommendation for erection of this communication tower should not be granted.</p>
<p>STAFF RECOMMENDATION</p>	<p>Based upon the stated findings, staff recommends the Board deny the request for a 130' communication tower.</p>



To: Patricia Johnson, Planning and Development, SCBCC
From: Tommy Oliveras, Program Manager, B.I.T.S./Operations Division
Cc: Kathy Fall, Planning and Development, Principal Coordinator,
Arnold Schneider, Assistant County Attorney, SCBCC
John Taylor, Operations Manager, B.I.T.S.
Date: Tuesday, November 20, 2007

Subject: Review of Special Exception for Proposed Tower Erection at McCulloch Road

I recently received a Special Exception Application Package for a proposed Non-Public Safety Tower to be erected within Seminole County. The proposed tower, which is to be camouflaged to look more like a flagpole than a communications tower @ Parcel ID # 35-21-31-512-0000-0020.

During my review of the package and it's supplied technical information and background it was found to lack the required Intermodulation Studies (IM) that are required to prove that the vendor or vendors that will be operating RF equipment in the proposed area will not adversely interfere with Seminole County Government First Responder Radio Communications.

Based on the information supplied within the Special Exception Application Package and the proposed close proximity to Seminole County Government Fire Station 65, output power, lack of IM studies and proposed radio spectrum that will be used to propagated radio signals from this communications tower it appears that this site will severely affect First Responder radio communications for Seminole County Government and recommendation for erection of this communication tower should not be granted.

Regards

Tommy Oliveras, CPM
Business Innovation and Technology Services, Program Manager
Seminole County Government, BCC



November 14, 2007

Tommy Oliveras, CPM
Program Manager,
Business Innovation & Technology Services
Seminole County Government

Dear Mr. Oliveras:

As you have requested, we have reviewed the information you sent us related to the proposed tower construction on Mccullogh Road, Oviedo, Seminole County. Our analysis was limited to the potential intermodulation interference.

The *Notice of Proposed Construction or Alteration* lists the following frequency bands as potential co-located operations at the tower:

806-824 MHz; 824-849 MHz, 851-866 MHz; 869-894 MHz; 896-901 MHz; 901-902 MHz; 930-931 MHz; 931-932 MHz; 932-932.5 MHz; 935-940 MHz; 940-941 MHz; 1850-1910 MHz; 1930-1990 MHz; 2305-2310 MHz; 2345-2360 MHz.

Seminole County Public Safety Communications operate at frequencies in 851-854 MHz, 854-862 MHz, and 866-869 MHz bands. After the rebanding, the County will operate in 851-854 MHz and 854-860 MHz bands.

Due to the broad range and the large number of potentially involved frequencies and insufficient detail about each of the co-located operations provided by TBCOM Properties, only a sample intermodulation study could be conducted.

The analysis shows that even with the sample of frequencies included, tens of thousands third order IM products could be created that would fall in the receivers' bandwidth of Public Safety radios. It should be noted that there is a Fire House located in the immediate vicinity of the tower, thus increasing the number of radios potentially affected by interference.

The aforementioned calculations demonstrate a mathematical possibility of an interference problem only. The severity of a problem would depend on the transmit power, distance between affected facilities, and quality of the equipment.



Intermodulation interference can contribute to the conditions that create severe degradation in communications environment. This would interfere with Public Safety life saving operations and endanger the public and put the lives of the first responders at risk. Our goal is to be proactive and ensure the new tower construction would not adversely affect Public Safety Communications.

Thus we recommend requesting from the potential co-located operations a detailed Intermodulation Analysis Study that would incorporate the specifics, such as frequencies, technology, transmit power, etc., to demonstrate that no harmful intermodulation interference will be present.

If you have any questions or require addition information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, which appears to read "Natalie I. Zelkin".

Natalie I. Zelkin
Senior Consultant
Televate LLC

Fee: \$370.00

Application # BS 2007-20
Meeting Date 12-3-07

COPY



SPECIAL EXCEPTION APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: TBCOM PROPERTIES, LLC
Address: 1133 LOUISIANA AVE Ste 114 City: Winter Park Zip code: 32789
Project Address: 1680 McCulloch RD City: OVIEDO Zip code: 32765
Phone number(s): _____
Email address: TOSHAUGHNESSY@COM50EAST.COM

What is this request for?

- Church
- Daycare
- School
- Group Home
- Assisted Living Facility (ALF)
- Kennel
- Riding Stable
- Alcoholic Beverage Establishment
- Communication Tower
- Other: _____

RECEIVED SEP 20 2007

RECEIVED SEP 20 2007

Is the property available for inspection without an appointment? Yes No

What is the current use of the property? C-1 RETAIL

NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless the required pre-application conference has been held and all of the required information in the Special Exception application and submittal checklist is provided to the Planning Division.

Signed: L. O'Neil

FOR OFFICE USE ONLY

Date Submitted: 9-20-07 Reviewed By: P. Johnson
 Tax parcel number: 35-21-31-512-0000-0020 Zoning/FLU PUD/ PD
 Legally created parcel (1971 tax roll, 5-acre dev, lot split) Platted Lot (check easements on lots / in dedication)
 Lot size _____ Meets minimum size and width
 Past approval # _____ Application and checklist complete
 Notes: _____

TBCOM

TBCOM Properties, LLC

RECEIVED SEP 20 2007

1133 Louisiana Avenue • Suite 114 • Winter Park, FL 32789 • (407) 622-1077 Office • (407) 622-2181 Fax

Seminole County Planning Division
Planning Manager
1101 East First Street
Sanford, Florida 32771

RECEIVED SEP 20 2007

The submission is for a special exception and for the Board Of Adjustments to approve a 130 ft camouflage Flagpole to be located at 1680 McCulloch Rd. Oviedo, Florida. The Camouflage Flagpole would be placed in a C-1 RETAIL COMMERCIAL DISTRICT.

The Pole sits at the entrance of the C-1 property and lies next to conservation area to the East. By placing the Flagpole at the entrance of the property the Flagpole stays in character with the general area and appears natural to the C-1 property. The Flagpole will not have a negative impact on the general area. The Flagpole meets the required set backs of 300% Ht of tower to nearest residential line and the property itself is heavily covered with a conservation easement which screens the Flagpole to all surrounding residential property. The conservation landscaping creates a natural buffer, which provides a shield from all residential areas.

The closes residential property from the Flagpole is 660 ft to the East and 920 ft to the North East. *See Arial overall site Plan*

How we came to this location and what other options were explored.

In 2001 a represented a carrier to find a location to cover the Carillon PD, McCulloch Rd and Old Lockwood Road. My search ring was about a ½ mile radius. After determining that no towers were available in the ½ mile we then went out a mile radius to find a tower. We then determine that there were no towers within that mile radius. We then had to look at other options.

We first went down the path with Progress Energy to use the sub-station located on McCulloch Rd. located on UCF property. The reason we could not finalize this deal is because UCF controlled the ground rights and would not give Progress energy permission for Progress to build a communication tower. We then moved over to the Orange/Seminole County Fire Department to see if we could build a tower on the property. We again ran into the problem of UCF controlling the ground (land). Again UCF denied us using the property. We then approached FP&L about going on the power lines running across McCulloch Rd and the back side of Carillon PD. FP&L said they would not lease space on a main transport line. The only two properties that meet Seminole County set backs are the Church University Carrillon and the Win Dixie property. We approached the Church and work with them for a few months and in the end they had no interest. We approached the Win Dixie folks and they turned us down.

TBCOM

TBCOM Properties, LLC

1133 Louisiana Avenue • Suite 114 • Winter Park, FL 32789 • (407) 622-1077 Office • (407) 622-2181 Fax

We also went back to UCF to see if they would allow us to build a tower on there property and they turned us down.

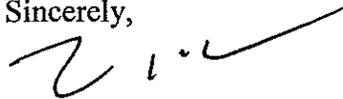
During this time all the carriers were looking to find a location. We began working together to solve the problem. In the end no one could find a location. My firm continued to go back to the same folks over and over to come up with a solution. Around 2005-2006 Win Dixie sold it's property to AHG. Group. My firm approached the AHG Group about doing a Flag Pole on the property. The AHG Group had no problem with it and entered into a 25 year lease. I then contacted all the carriers who were out looking for a location. 5 carriers then sent me back a letter of interest.

The Need:

I've supplied letters from five wireless communication companies for this Flagpole. All the carriers have had problems covering the residential community and traffic patterns in the area for years. **I've supplied propagation maps for lack of coverage and letters stating the problems.** The letters also state that the need for this Flagpole and the benefits the Flagpole will provide. One carrier, T-Mobile actually tried using three power poles to supply its service and found that T-Mobile experiences high drop calls in the area. **(See Average Daily Dropped Call Footprint).** The power poles were of no help. The other carriers will not use power poles because the poles provide no improvement and will find out like T-Mobile did that the power poles are a waste of millions of dollars. Sprint believes it network is substandard and this Flagpole would increase its network by over 30%. * See Sprint letter*

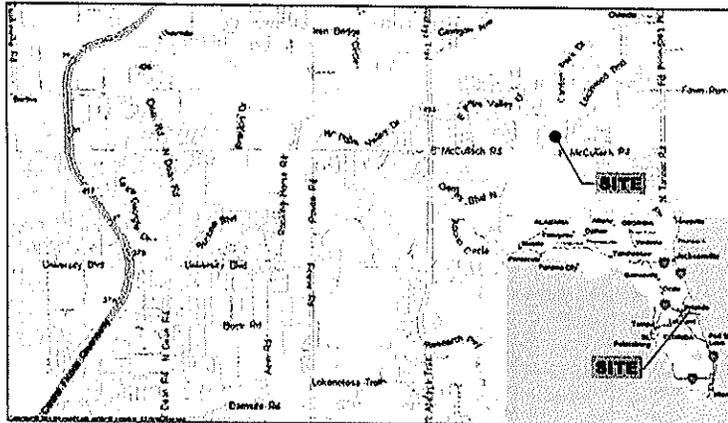
We believe I have shown the problem and a solution with out impacting the surrounding area. We believe a Flag Pole would fit in well with the Character of the C-1 property.

Sincerely,

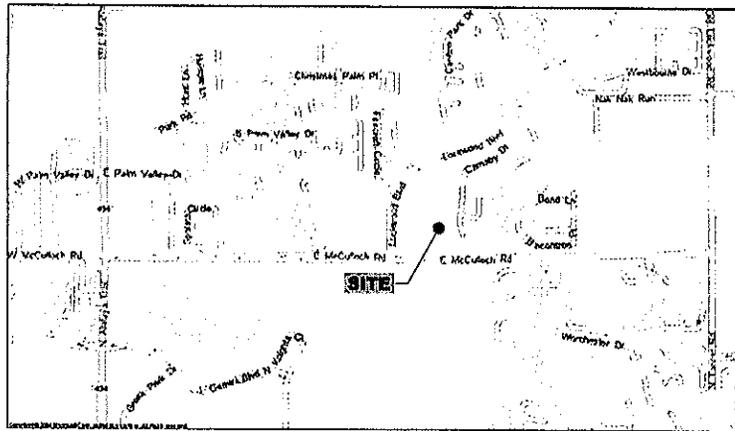


Tim O'Shaughnessy

PARCEL NO.: 35-21-31-512-0000-0020



MAP
NORTH



VICINITY MAP
NORTH

DRIVING DIRECTIONS

- SR-417 TO UNIVERSITY BLVD (EAST)
- ON UNIVERSITY BLVD (EAST) TAKE A LEFT ON SR-434
- SR-434 (NORTH) TAKE A RIGHT ON MCCULLOCH RD
- ON E MCCULLOCH RD TAKE A LEFT ON LOCKWOOD BLVD
- SITE IS ON RIGHT HAND SIDE

TBCOM IS PROPOSING TO CONSTRUCT A NEW TOWER SITE ON A RAWLAND PARCEL, CONSISTING OF A 130' MONOPOLE AND PROPOSED FUTURE CARRIER AREAS.

PROJECT SUMMARY

***** CAUTION *****

THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY. NEAR BY OTHER UTILITIES MAY EXIST AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, DEPTH AND CONDITION OF UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, DEPTH AND CONDITION OF UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, DEPTH AND CONDITION OF UTILITIES.



IF YOU DIG FLORIDA, CALL US FIRST! 1-800-434-4770

MUNICIPALITY
SEMINOLE COUNTY

CONTACTS

TBCOM PROPERTIES, LLC

TBCOM SITE NAME / NUMBER
UCF/ TB-172

ROYAL STREET COMMUNICATIONS, LLC
ROYAL STREET COMMUNICATIONS SITE NAME/NUMBER
UCF- #ORD090

.. T .. Mobile ..

T-MOBILE SITE NUMBER
MCCULLOCH # A2E658D

POWER
PROGRESS ENERGY
TEL: (800) 700-8744

TELEPHONE
BELL SOUTH
TEL: (800) 753-2909

UTILITIES

DEVELOPER/TOWER OWNER
TBCOM PROPERTIES, LLC
1133 LOUISIANA AVE. STE 114
WINTER PARK, FL 32789
TEL: (407) 822-1377
CONTACT: TIM O'SHAUGHNESSY

PROPERTY ADDRESS
1680 MCCULLOCH RD
OWIEDO, FLORIDA 32765
SEMINOLE COUNTY

PROPERTY OWNER (PARENT PARCEL)
ANG GROUP LLC
PARCEL NO.: 35-21-31-512-0000-0020
ZONING: PUB

CONSULTANT
FORESITE GROUP, INC.
231 N. KENTUCKY AVE., SUITE 2
LAKELAND, FL 33801
TEL: (863) 603-4044
FAX: (863) 603-4645
CONTACT: ADRIAN ROZEN

SHEET	DESCRIPTION	REV
T-1	COVER SHEET	0
	SURVEY (BY WSP CONSULTANTS)	0
Z-1	OVERALL SITE PLAN	0
Z-2	ENLARGED SITE PLAN & TOWER ELEVATION	0
Z-3	LANDSCAPING & FENCE DETAILS	0
	SHEET INDEX	

SITE DATA:
LATITUDE: 28° 38' 48.76" NORTH
LONGITUDE: 81° 11' 25.79" WEST
GROUND ELEVATION= 48.0 FT (AMSL)

PROPOSED TOWER = 130' FLAGPOLE

DESIGN DATA:
DESIGN CODE : FLORIDA BLDG. CODE-2004 & TIA/EIA 222-G
BASIC WIND SPEED : 110 MPH (3 SECOND GUST)
WIND IMPORTANCE FACTOR : 1.0
EXPOSURE CATEGORY : B
INTERNAL PRESSURE COEF. : N/A
COMPONENT & CLADDING : N/A
WIND PRESSURES

PROJECT DATA



Foresite Group, Inc.
231 N. Kentucky Ave.
Suite 2
Lakeland, FL 33801

o 1 863.603.4044
f 1 863.603.4645

www.foresitegroupinc.com
FL CA 26115

ADRIAN D. ROZEN
FLORIDA LICENSED PROFESSIONAL ENGINEER
No. 57909

I HEREBY CERTIFY THAT THIS DRAWING WAS PREPARED UNDER MY DIRECTION ON THE DATE SHOWN BASED ON THE INFORMATION FURNISHED TO ME AS NOTED AND CONFORMS TO ACCEPTED ENGINEERING PRACTICES IN THE STATE OF FLORIDA PURSUANT TO SECTION 471, FLORIDA STATUTES. IN ADDITION, TO THE BEST OF THIS ENGINEER'S KNOWLEDGE, THE PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM HOLDING CODES.

REVISIONS		
NO.	DATE	DESCRIPTION

PREPARED FOR:
TBCOM Properties, LLC

FORESITE JOB NUMBER
067.019

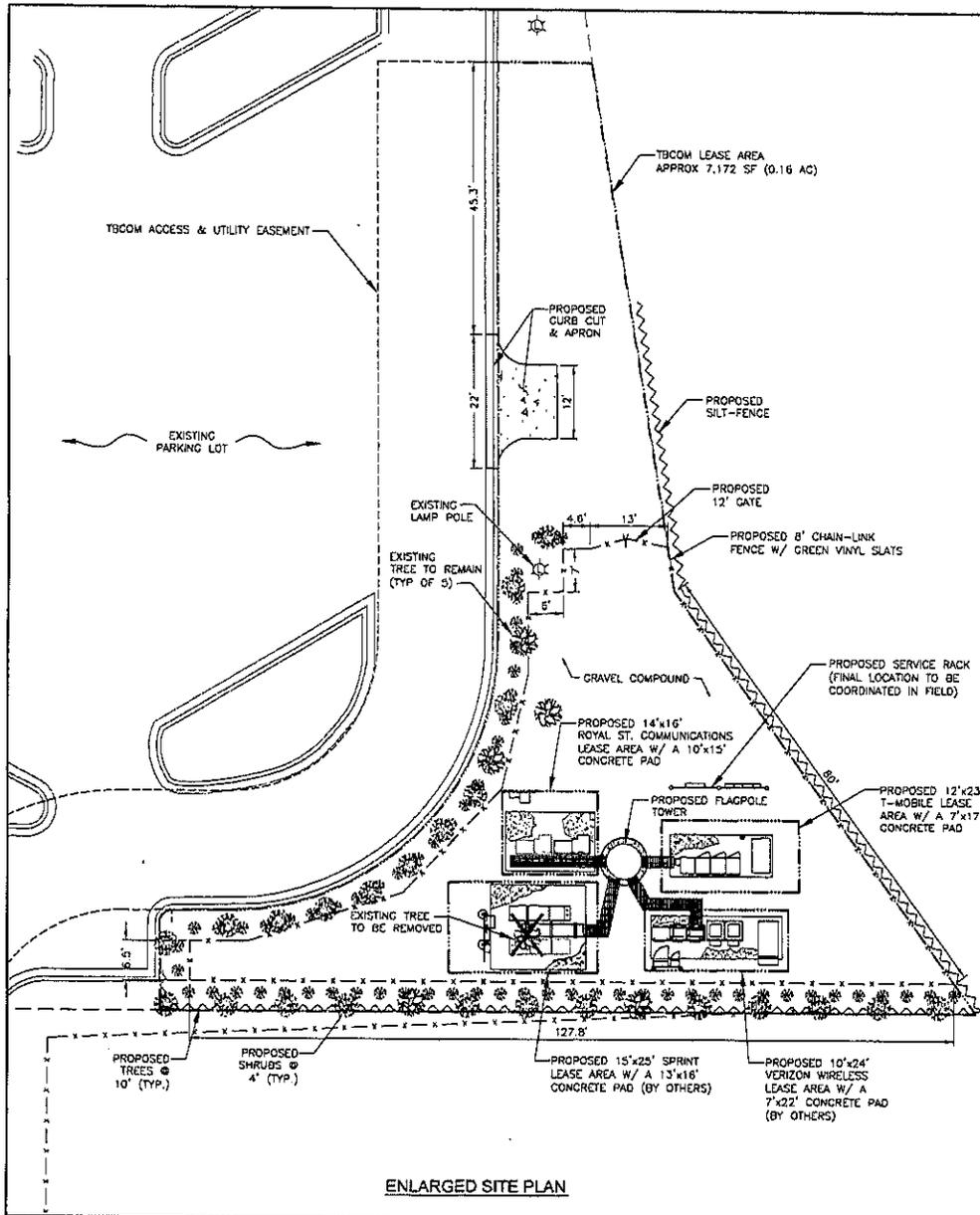
ISSUED FOR: SITE PLAN REVIEW
DESIGNED BY: ADR
DRAWN BY: HHR
APPROVED BY: ADR
DATE: AUGUST 2006

PROJECT NAME
UCF
TB-172

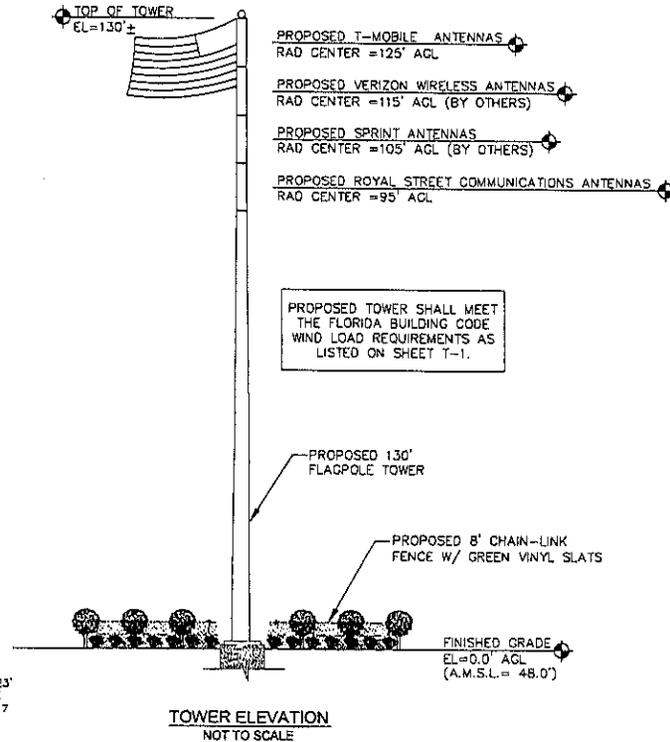
SHEET TITLE
COVER SHEET

DRAWING NUMBER
T-1

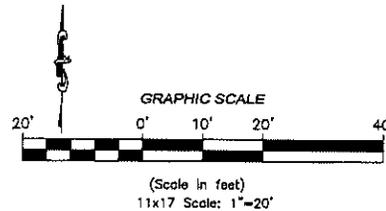
FOR EMERGENCIES CALL: 911



ENLARGED SITE PLAN



TOWER ELEVATION
NOT TO SCALE



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o 1 863.603.4044
f 1 863.603.4645

www.foresitegroupinc.com
FL CA 28115

ADRIAN D. ROZEN

FLORIDA LICENSED PROFESSIONAL ENGINEER
No. 57605

I HEREBY CERTIFY THAT THIS DRAWING WAS PREPARED UNDER MY SUPERVISION ON THE DATE SHOWN BASED ON THE INFORMATION FURNISHED TO ME AS NOTED AND CONFORMS TO ACCEPTED ENGINEERING PRACTICES IN THE STATE OF FLORIDA PURSUANT TO SECTION 471, FLORIDA STATUTES. IN ADDITION, TO THE BEST OF THIS ENGINEER'S KNOWLEDGE, THE PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES.

REVISIONS		
NO.	DATE	DESCRIPTION

PREPARED FOR:
TBCOM Properties, LLC

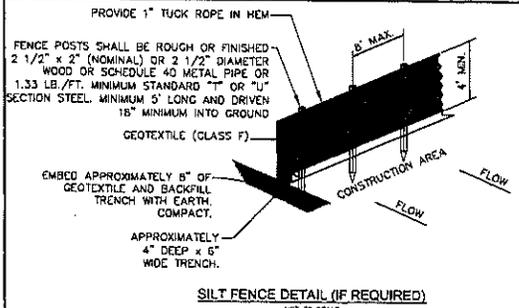
FORESITE JOB NUMBER
067.019

ISSUED FOR: SITE PLAN REVIEW
DESIGNED BY: ADR
DRAWN BY: HMR
APPROVED BY: ADR
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**UCF
TB-172**

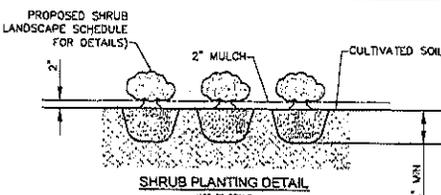
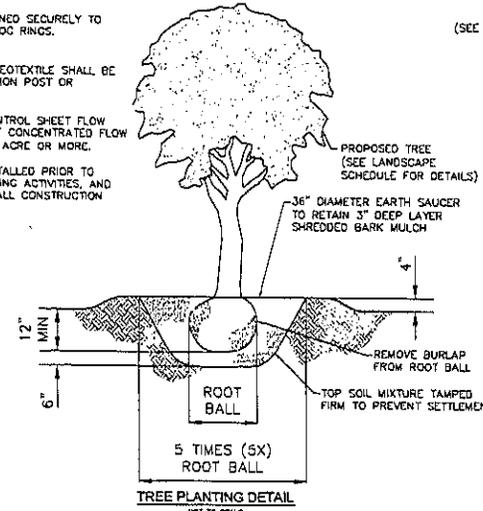
SHEET TITLE
**ENLARGED SITE PLAN
AND TOWER ELEVATION**

DRAWING NUMBER
Z-2



- SILT FENCE NOTES:**
- 1) GEOTEXTILE FABRIC TO BE FASTENED SECURELY TO FENCE POST BY WIRE TIES OR HOE RINGS. (3 FASTENERS PER POST.)
 - 2) ENDS OF INDIVIDUAL ROLLS OF GEOTEXTILE SHALL BE SECURELY FASTENED TO A COMMON POST OR OVERLAPPED 3' MINIMUM.
 - 3) THIS DEVICE IS INTENDED TO CONTROL SHEET FLOW ONLY. DO NOT USE IN AREAS OF CONCENTRATED FLOW WITH A DRAINAGE AREA OF 1/2 ACRE OR MORE.
 - 4) ALL SILT FENCING SHALL BE INSTALLED PRIOR TO COMMENCING ANY LAND DISTURBING ACTIVITIES, AND SHALL REMAIN IN PLACE UNTIL ALL CONSTRUCTION ACTIVITIES ARE COMPLETED.

- FENCE NOTES:**
- 1) FINISH POSTS SHALL CONFORM TO ASTM-F1083
 - 2) FINISH FABRIC SHALL CONFORM TO ASTM-A392
 - 3) INSTALL FENCING PER ASTM F-587
 - 4) INSTALL SWING GATES PER ASTM F-900
 - 5) LOCAL ORDINANCE OF BARBED WIRE PERMIT REQUIREMENT SHALL BE COMPLIED IF REQUIRED.
 - 6) POSTS & GATE PIPE SIZES ARE INDUSTRY STANDARDS. ALL PIPES TO BE S1 HOT DIP, ASTM A120 GRADE "A" STEEL. ALL GATE FRAMES SHALL BE WELDED. ALL WELDING SHALL BE COATED WITH (3) COATS OF COLD GALV. (OR EQUAL).
 - 7) ALL OPEN POSTS SHALL HAVE END-CAPS.
 - 8) USE GALVANIZED HOE-RING WIRE TO MOUNT ALL SIGNS.
 - 9) ALL SIGNS SHALL BE MOUNTED ON INSIDE OF FENCE FABRIC.
 - 10) THE WIRE SHALL BE MINIMUM 11 GA GALVANIZED STEEL AT POSTS AND RAILS.
 - 11) TENSION WIRE SHALL BE 9 GA GALVANIZED STEEL.
 - 12) BARBED WIRE, IF REQUIRED, SHALL BE DOUBLE STRAND TWISTED WIRE TO MATCH WITH FABRIC 14 GA, 4 PT. BARBS SPACED ON APPROXIMATELY 5" CENTERS.
 - 13) FINISH GRADE SHALL BE UNIFORM AND LEVEL.
 - 14) CONCRETE FOUNDATIONS SHALL CONSIST OF 2000 PSI CONCRETE.

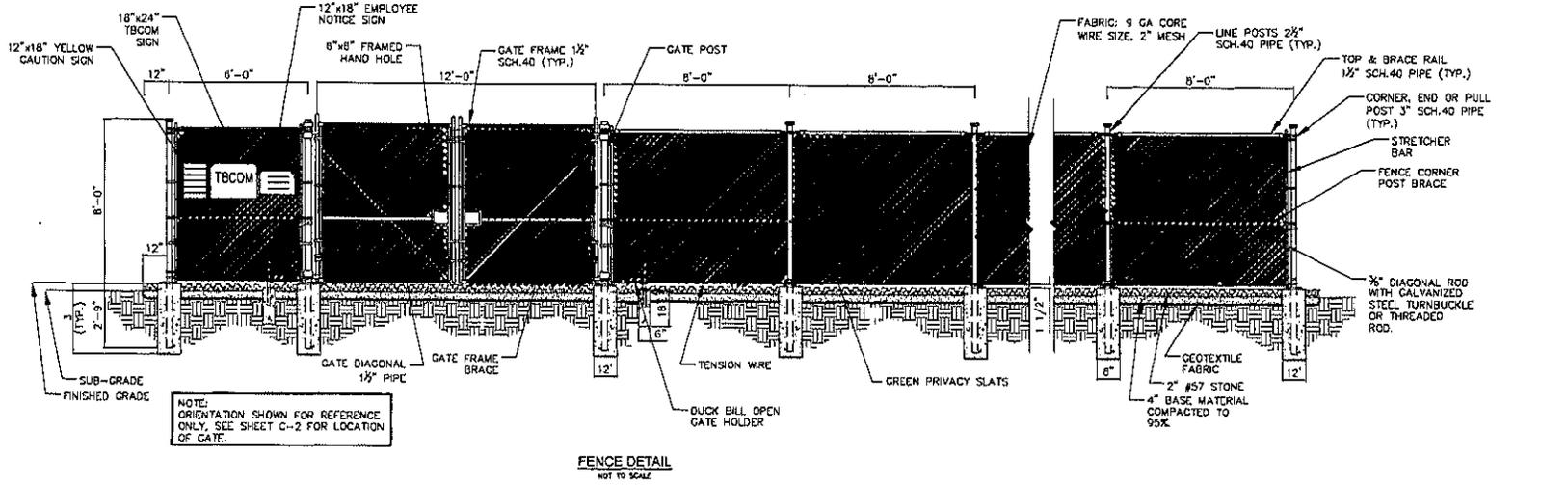


- PLANTING PROCEDURES:**
1. LAY OUT BED.
 2. ROTOTILL BED TO 12" DEPTH.
 3. INSTALL PLANTS AND MULCH.
 4. WATER THOROUGHLY.
 5. IF UNABLE TO ROTOTILL DUE TO TREE ROOTS, HAND DIG HOLE (FOR EACH PLANT) 12" WIDE AND 6" DEEPER THAN CONTAINER.

- LANDSCAPING NOTES:**
1. ALL TREES AND SHRUBS TO BE XERISCAPE SPECIES INDICATED ON PLANS. LANDSCAPING INTENDED TO SURVIVE ON NORMAL RAINFALL.
 2. CONTRACTOR SHALL WARRANTY ALL PLANTINGS FOR ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE. CONTRACTOR SHALL REPLACE ANY DEAD OR DISCOLORED TREES/SHRUBS WITHIN THE WARRANTY PERIOD.

LANDSCAPE SCHEDULE						
	SPECIES	HEIGHT (MIN.)	QUANTITY	SIZE	SPACING (MAX.)	COMMENTS
TREES	LIVE OAK	8'	23	2 1/2" DBH	10'	XERISCAPE TOLERANT
SHRUBS	VIORNUM	24" TALL (MIN) AT PLANTING	63	-	4'	XERISCAPE TOLERANT, CAPABLE OF REACHING 36" WITHIN 12 MONTHS

- IRRIGATION NOTES:**
- THE LANDSCAPE CONTRACTOR IS EXPECTED TO MAINTAIN ALL LANDSCAPE MATERIAL FOR A PERIOD OF NINETY (90) DAYS FROM DATE OF INSTALLATION. WATERING PROGRAM SHALL ADJUST ACCORDINGLY BASED ON RAIN DAYS PROVIDING SUFFICIENT WATERING.
- RECONFIGURE EXISTING IRRIGATION AS REQUIRED TO MAINTAIN PROPER WATERING OF EXISTING AND PROPOSED LANDSCAPING.



foreSITE group

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231 N. Kentucky Ave.
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Lakeland, FL 33801

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f 1 863.603.4645

www.foresitegroupinc.com
FL CA 25115

ADRIAN D. ROZEN
FLORIDA LICENSED PROFESSIONAL ENGINEER
No. 57805

I HEREBY CERTIFY THAT THIS DRAWING WAS PREPARED UNDER MY DIRECTION ON THE DATE SHOWN (BASED ON THE INFORMATION FURNISHED TO ME AS NOTED AND CONFORMS TO ACCEPTED ENGINEERING PRACTICES IN THE STATE OF FLORIDA PURSUANT TO SECTION 471, FLORIDA STATUTES. IN ADDITION, TO THE BEST OF THIS ENGINEER'S KNOWLEDGE, THE PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES.

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NO.	DATE	DESCRIPTION

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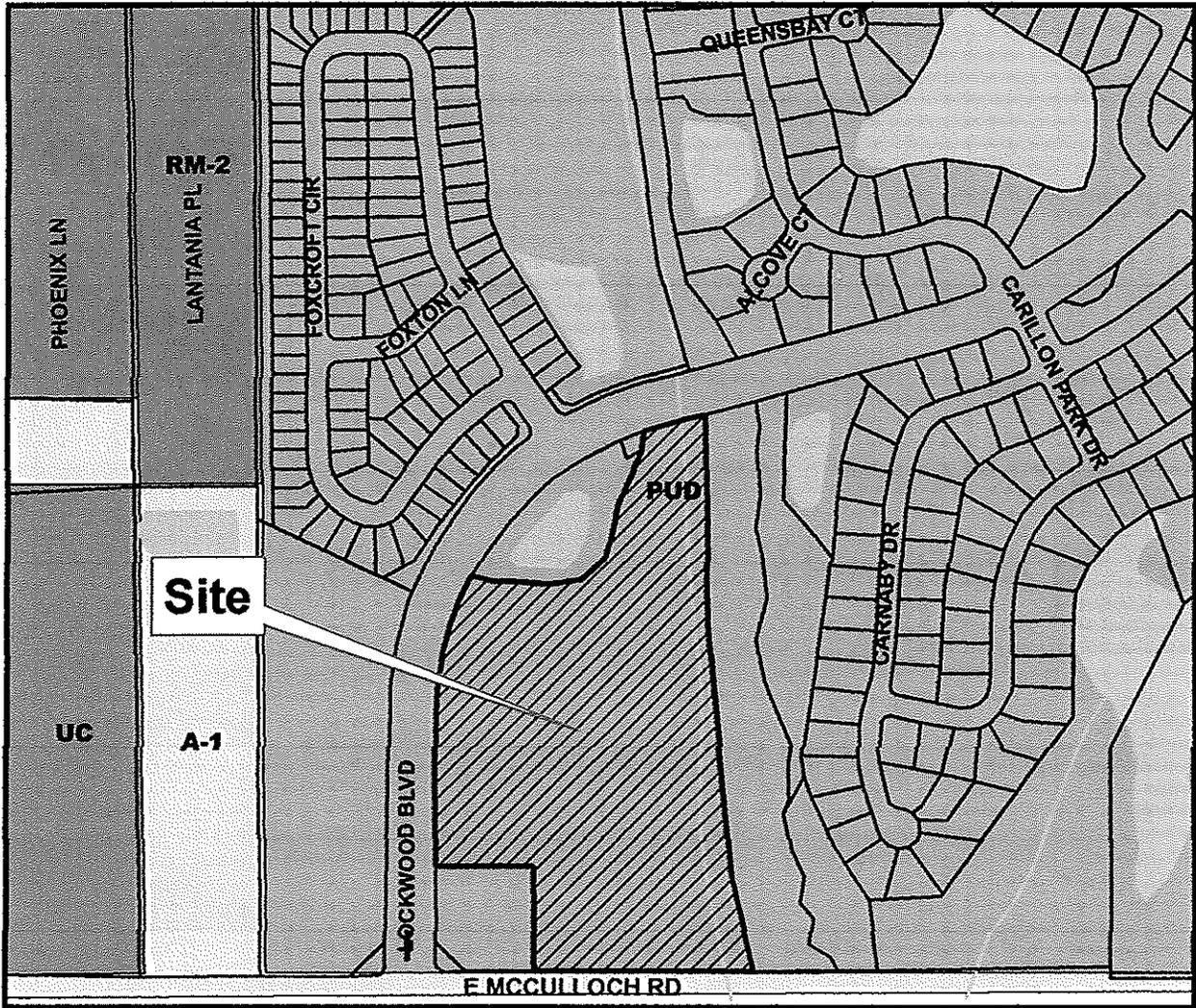
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SHEET TITLE
LANDSCAPING DETAILS

DRAWING NUMBER
Z-3

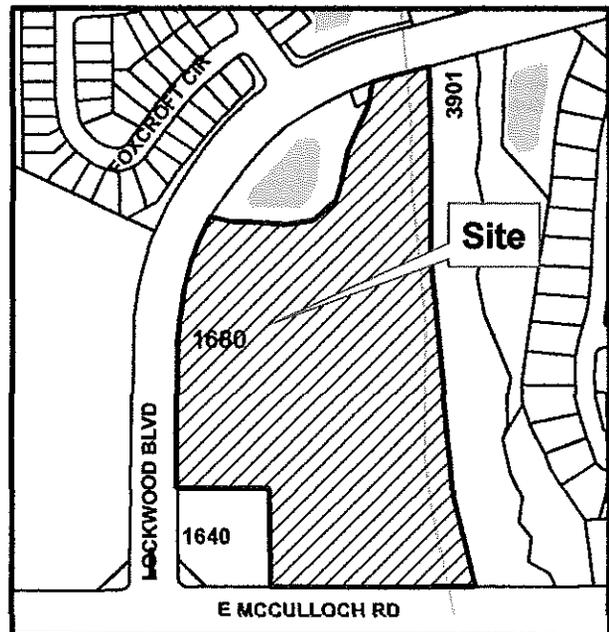


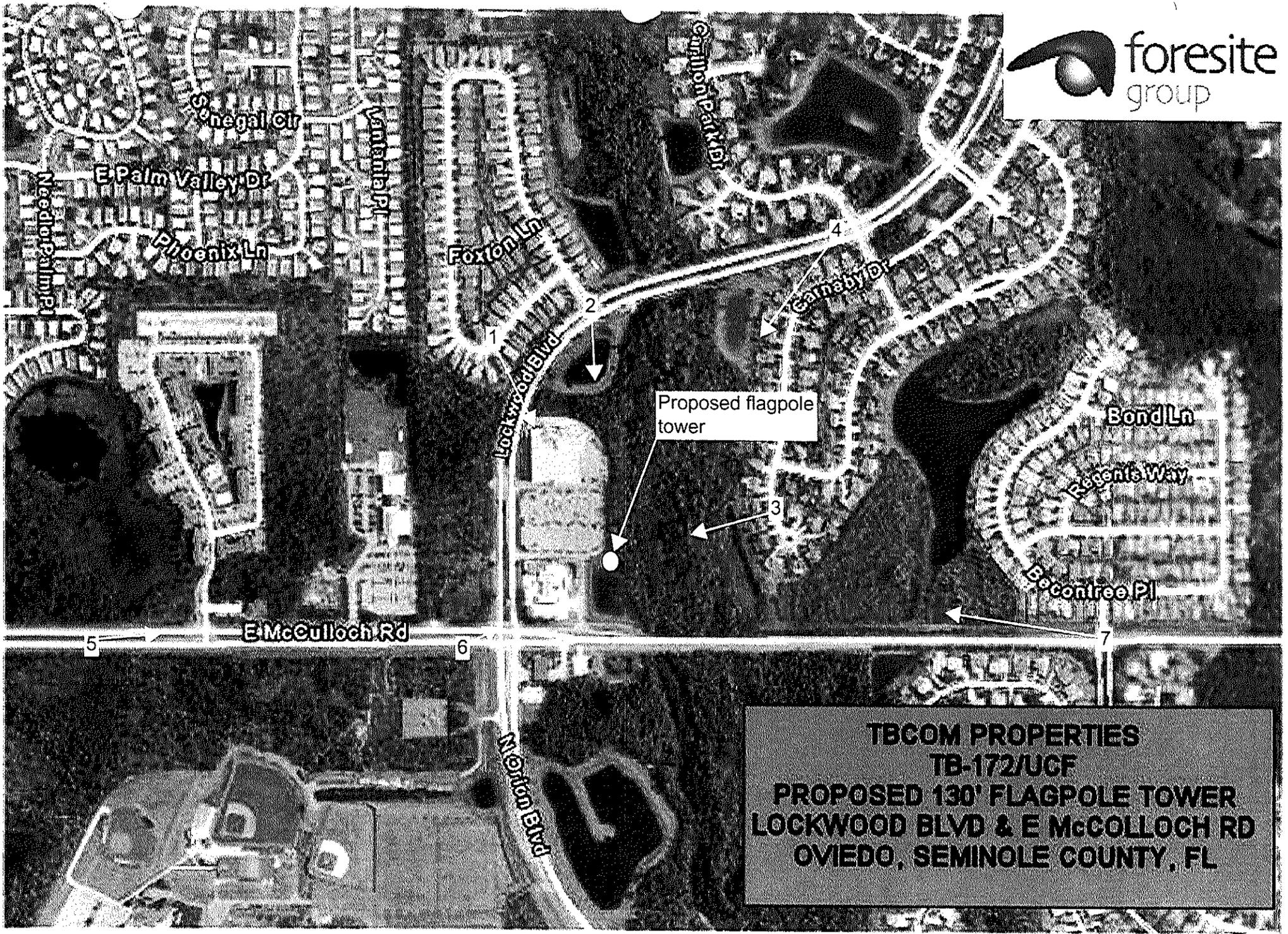
Seminole County Board of Adjustment
December 3, 2007
Case: BS2007-20 (Map 3213, Grid C7)
Parcel No: 35-21-31-512-0000-0020

Zoning

-  BS2007-20
-  A-1
-  RM-2
-  PUD
-  UC







**TBCOM PROPERTIES
TB-172/UCF
PROPOSED 130' FLAGPOLE TOWER
LOCKWOOD BLVD & E McCOLLOCH RD
OVIEDO, SEMINOLE COUNTY, FL**

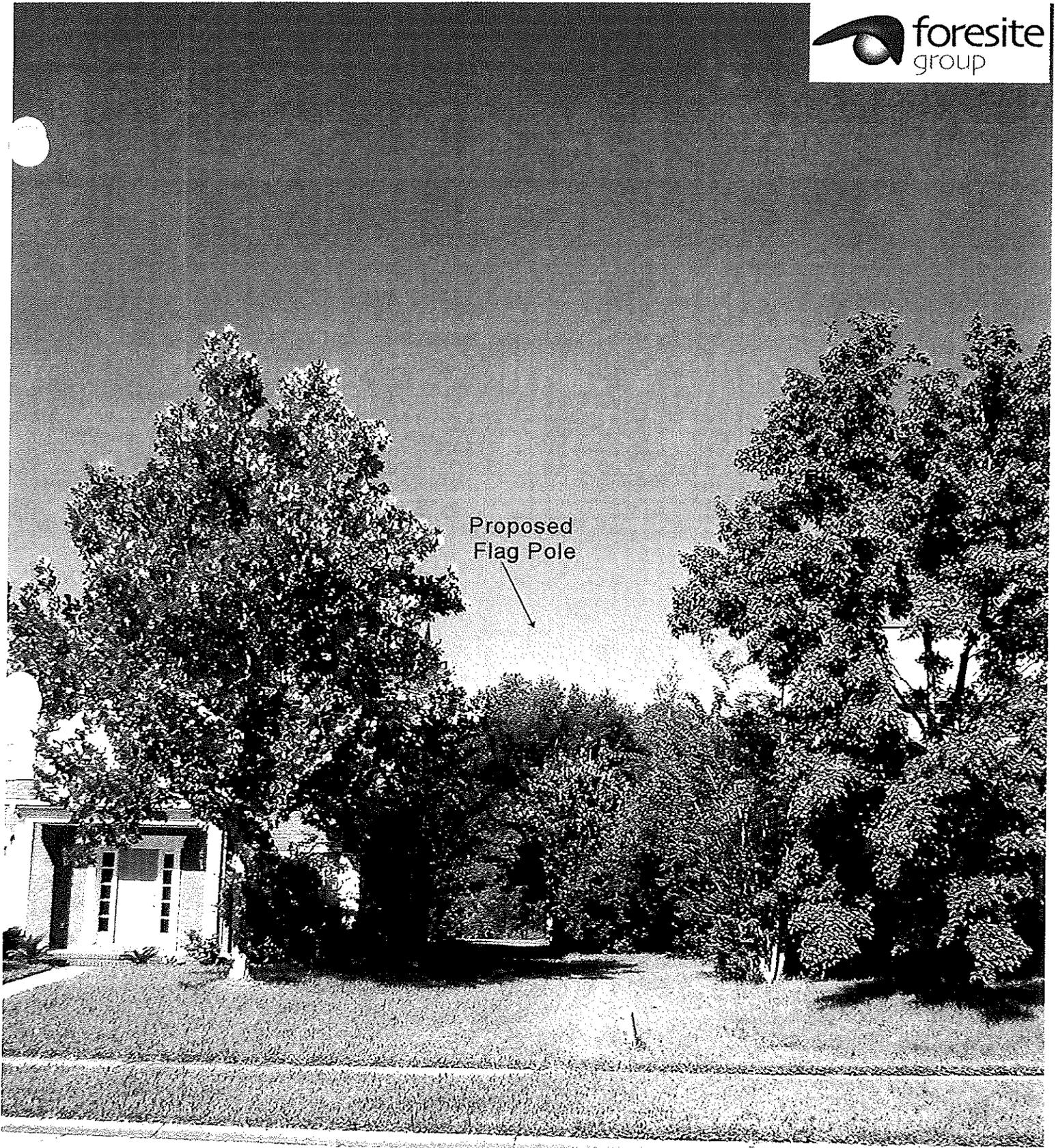
Proposed
Flag Pole



TBCom Properties
TB-172/UCF
View 1
From North

Balloon not visible

TBCom Properties
TB-172/UCF
View 2
From North



Proposed
Flag Pole



TBCom Properties
TB-172/UCF
View 3
From Northeast

Proposed
Flag Pole



TBCom Properties
TB-172/UCF
View 4
Facing Southwest

Proposed Flag Pole



TBCom Properties
TB-172/UCF
View 5
Facing Northwest

Proposed
Flag Pole



TBCom Properties
TB-172/UCF
View 6
From Southwest

Proposed
Flag Pole



TBCom Properties
TB-172/UCF
View 7
From East



Sprint Nextel
851 Trafalgar Court
Maitland, FL 32751
(407)230-9743

David Coniglio
RF Engineer
Orlando RF Engineering

November 6, 2006

Re: Sprint PCS Confirmation of Co-Location Interest

Proposed Communication Facility:

OR70XC005-EKANA
1680 McCulloch Rd.
Oviedo, Fl. 32765

TO:

TBCOM Properties, LLC
Tim O'Shaughnessy
1133 Louisiana Ave Ste 114
Winter Park, Fl. 32789

Please be advised that Sprint has expressed an interest in locating antennas and equipment on the proposed site, identified above.

The Orlando RF Design team has identified the above mentioned area for enhanced coverage by our Wireless telephone network. The placement of equipment at this tower would enhance our in-building coverage and provide additional capacity for the Ekana-Lockwood area.

During our budgeting process we determined that a tower at this location would provide voice and data to approximately 7200 Residents. This finding is based on our computer modeled propagation and US Census maps.

Our network experiences an extremely high rate of usage in the residential areas along McCulloch Road and Lockwood Blvd. Currently, we average over 85,000 daily minutes of Voice and data use in this area. This is at a service level that we consider substandard. We believe that the traffic will increase by over 30% with the in-building coverage that the new tower would provide.

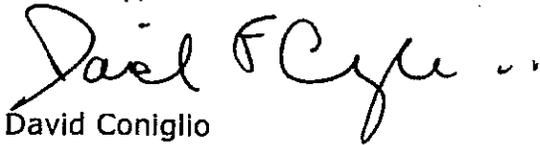
Page 2
Date
Subject:

Our new wireless data products offer customers an alternative to wireline DSL and Cable services. The data rates that we can offer are determined in large part by signal strength in the customers home. This tower would allow us to offer competitive data rates to the consumers in this area.

We believe it would be beneficial to both Sprint and our customers to locate a tower at this location.

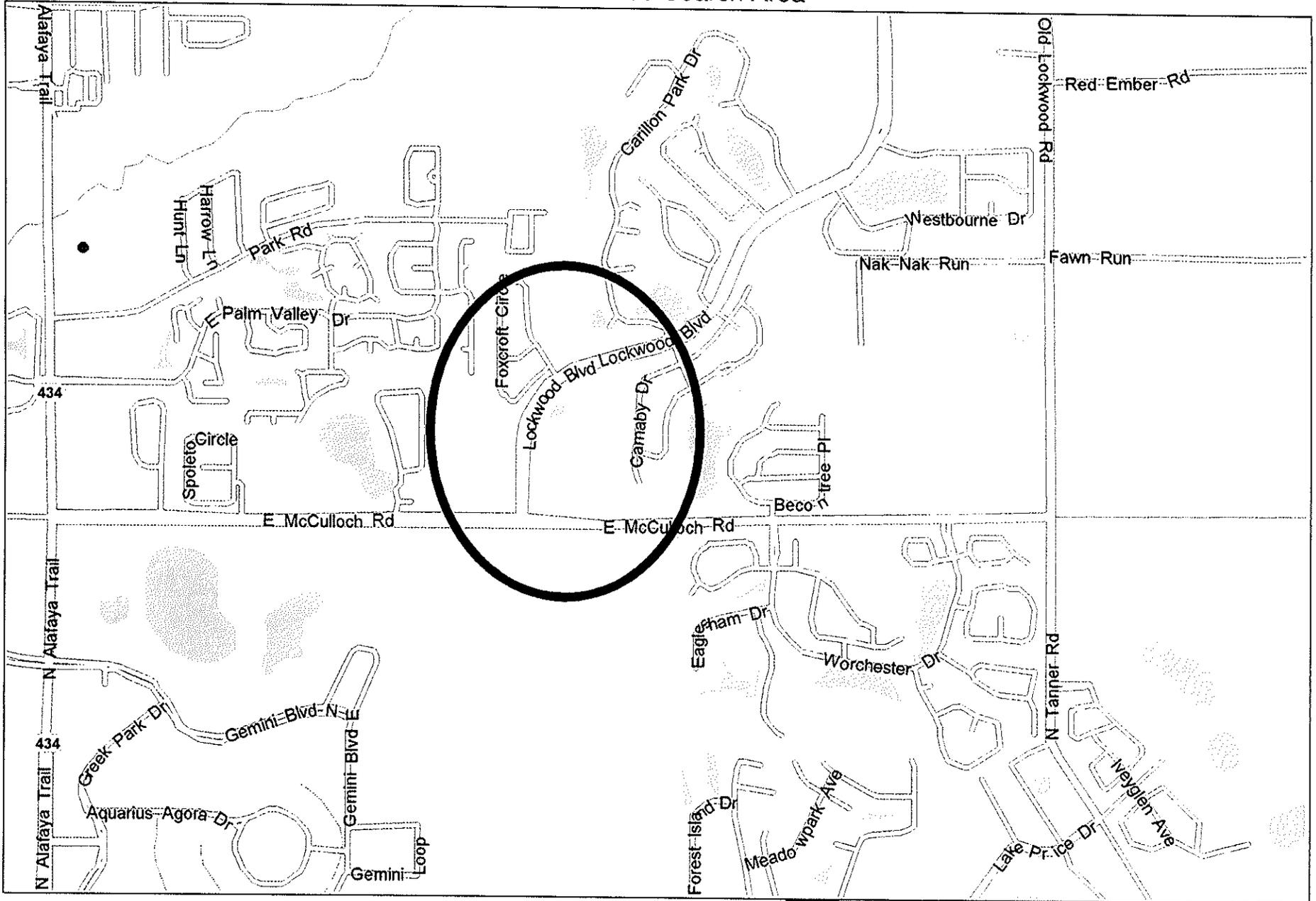
If I can be of any assistance, please contact me at (407)230-9743.

Sincerely,

A handwritten signature in black ink that reads "David Coniglio". The signature is written in a cursive style with a large, stylized "D" and "C".

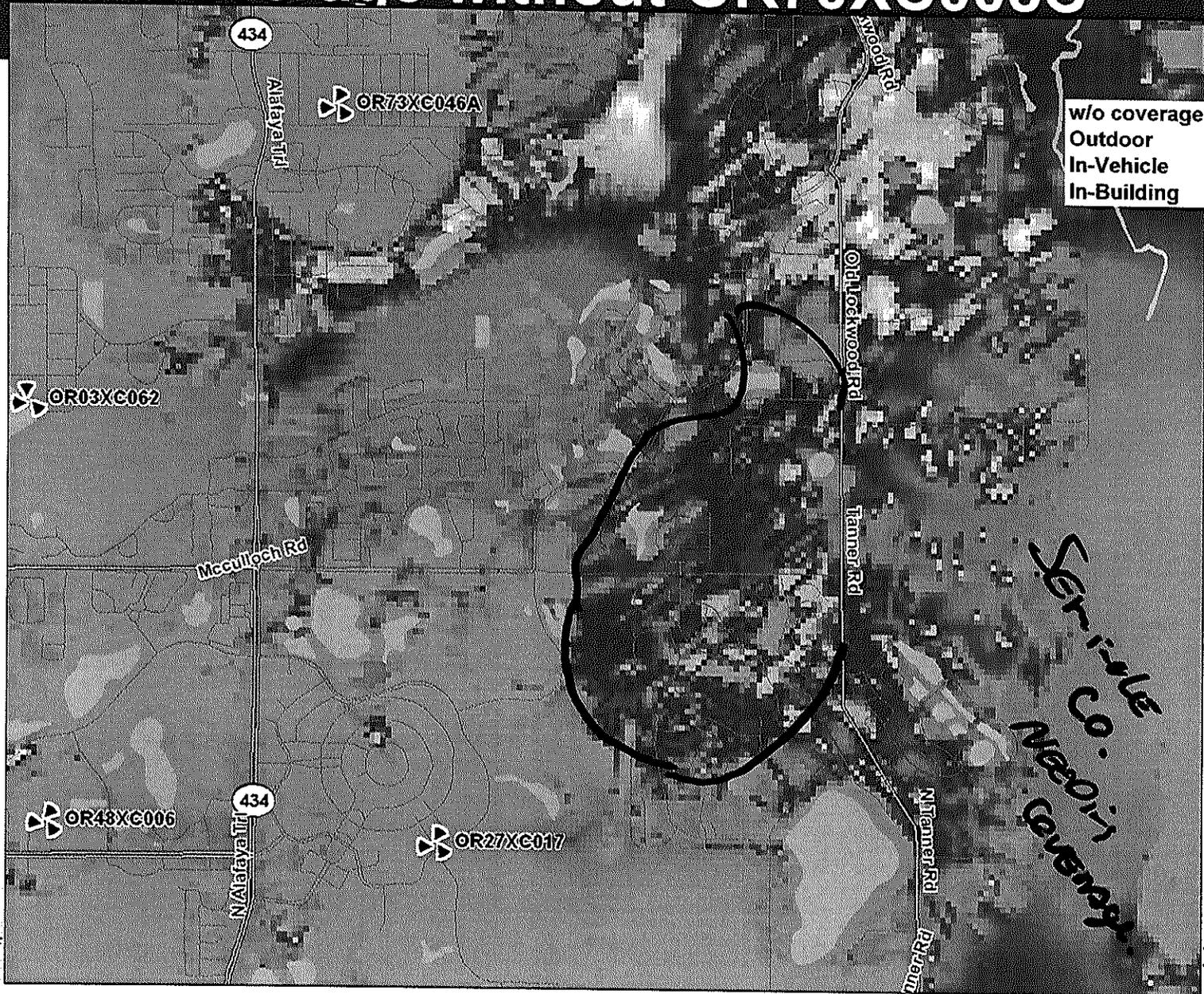
David Coniglio
RF Engineer-Sprint
Orlando, FL

OR70XC005 Search Area

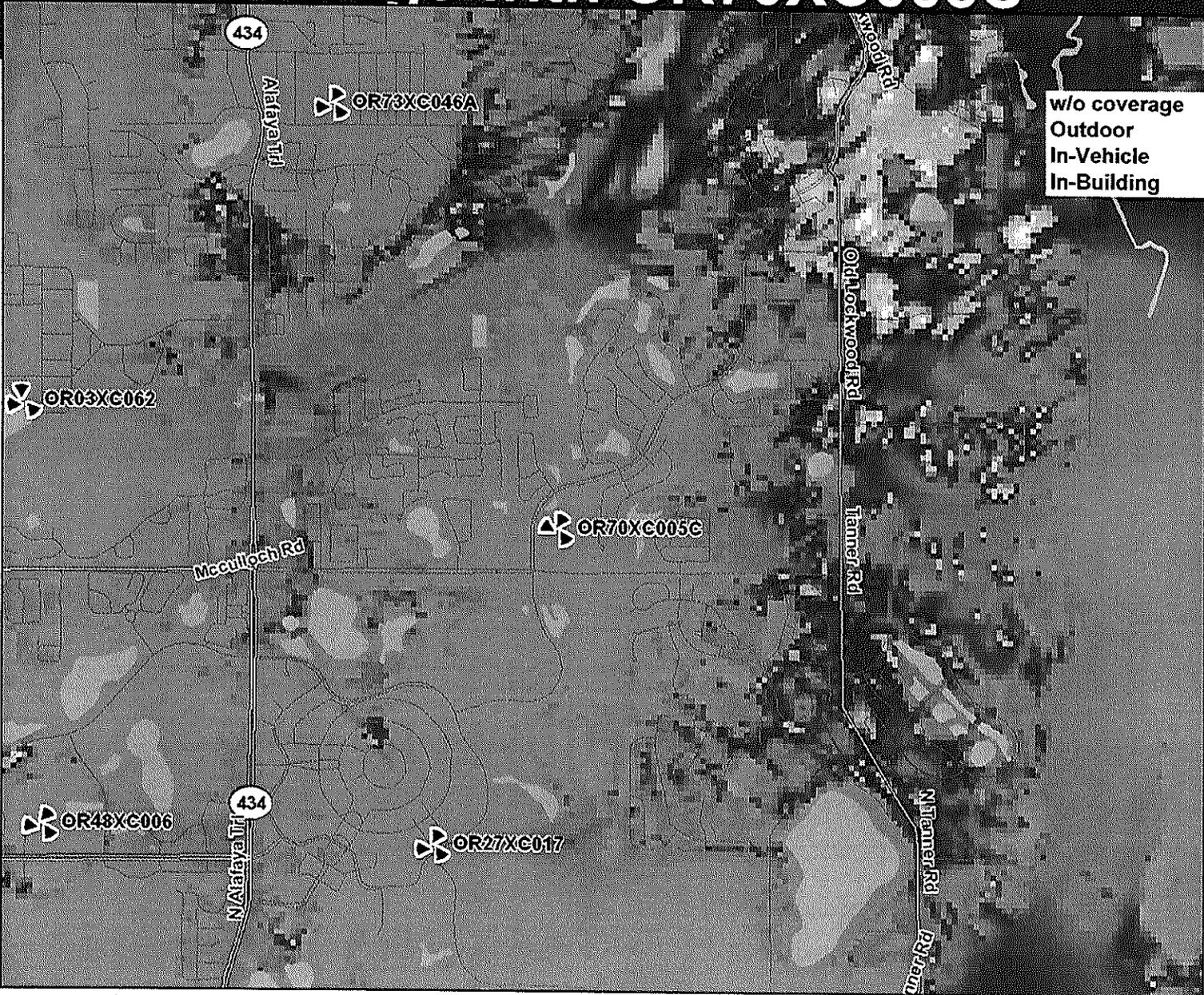


OR70XC005-C RF Design Justification

Coverage without OR70XC005C



Coverage with OR70XC005C



To Whom It May Concern:

I am the RF engineer for this area for MetroPCS Inc. We are currently in the process of building out a brand new network for the Orlando Metro area. As we evaluate and approve proposed locations of our new cell sites, we are using co-locations on virtually all of our choices. There are a few instances where there are no suitable towers in the area, and there is one being planned. The area of McCulloch Rd & Lockwood Blvd just north of UCF is one such area.

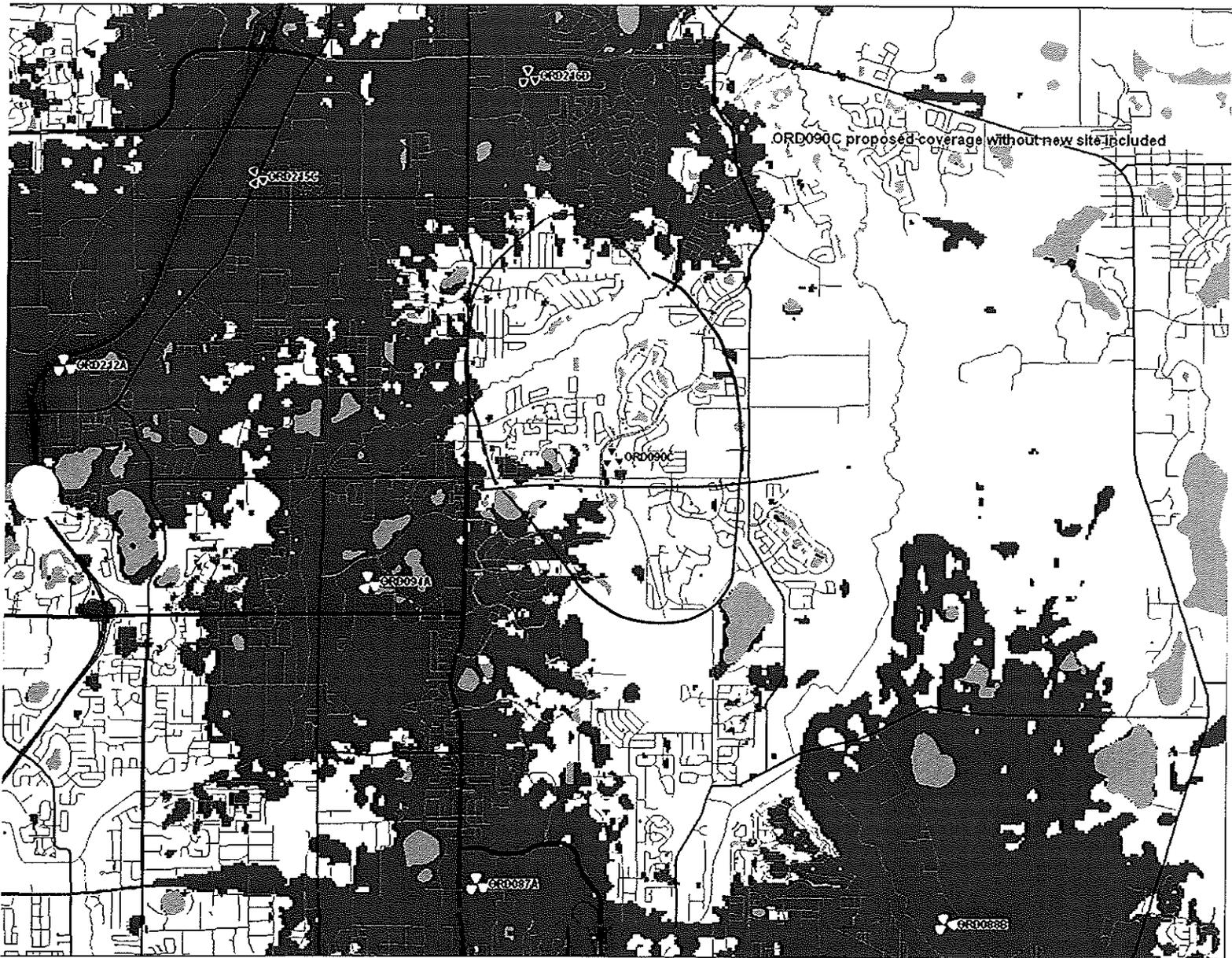
There is a need not just from MetroPCS, but other carriers as well, for cellular coverage in this area. Cell sites are limited by the number of simultaneous calls they can handle just as much as by coverage. MetroPCS needs this site to fulfill this requirement and other carriers will most likely need this site for the additional capacity it will allow. The attached plots show the before and after coverage for MetroPCS, clearly showing the need for coverage this site will provide. If several carriers can satisfy their coverage and/or capacity needs with just 1 more strategically placed cell site, rather than several around the area, this will better serve both the carrier's and the community at large. The strong demand for use of this tower by carriers other than MetroPCS only furthers the need for 1 well placed tower to benefit as many carriers and customers as possible.

In conclusion, I am in support of the construction of this tower for the benefit of the immediate area to be used by several carriers in order to improve cellular coverage and capacity to the McCulloch Rd/ Lockwood area going North into Seminole County.

The maps provided shows a strong needs to be able to provide service to our client's and increase customer serviced of our product.

Sincerely,
Craig O'Neill
RF Engineer
MetroPCS Inc.
8256 Exchange Drive, Suite 210
Orlando, FL. 32809

Central Florida Region • 511 South U.S. Hwy 301, Tampa, FL 33619 • Tel: 813-830-5500 • Fax: 813-830-5501
www.metropcs.com



With OUT TOWER

T-Mobile

T-Mobile South LLC
3407 W. Dr. Martin Luther King Jr. Blvd.
Tampa, FL 33607

November 16, 2006

RE: Statement of Telecommunications Facility Requirement
A2E0658D – McCulloch Road

To Whom It May Concern:

T-Mobile is requesting use of a telecommunication facility located at 1680 McCulloch Road, Oviedo, FL 32765. The purpose of the site is to provide sufficient coverage needed to service the mobile phone call traffic in and along the Residential communities located near Lockwood Blvd North of McCulloch Road. T-Mobile's current Wireless network has insufficient coverage in this area and coverage improvement is needed.

The proposed site location would improve T-Mobile's coverage at level to provide Indoor Residential service for more than 7,000 residents (per Census data) as well as enhance the mobile coverage along Lockwood Blvd enough to improve call handovers to the existing T-Mobile sites in the Oviedo area. A few of these Residential communities are the Carillon and Little Creek. Also, included in this area are the Hagerty High and Carillon Elementary Schools.

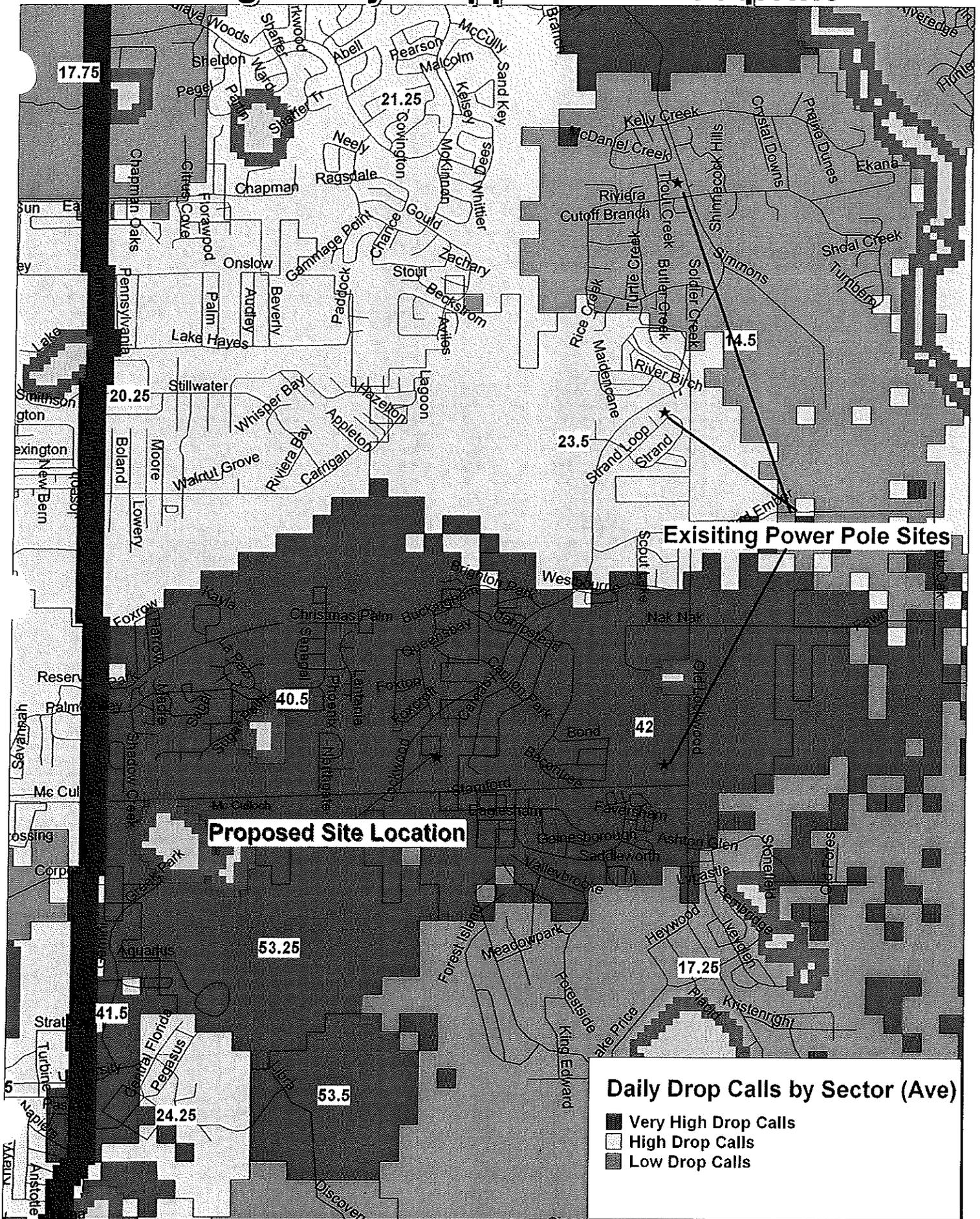
In addition to the basic wireless service coverage needs, this new proposed site will also provide E911 location services enhancement to the surrounding area. T-Mobile uses GSM technology, which is the most common digital technology used worldwide in wireless mobile telephone networks. GSM networks use a location technique known as hyperbolic triangulation of the mobile handset. The closer the surrounding cell sites are to the handset's location, the more accurate the measurement of the handset's location. The T-Mobile Orlando RF design team has determined the cell site density in this area to be insufficient to accurately pin point the handset's location for Phase 2 E911 location services.

Attached is computer modeled documentation showing T-Mobile's current wireless coverage, the improved coverage the new communication facility gives us and the drop call performance of our existing sites closest to the target location.

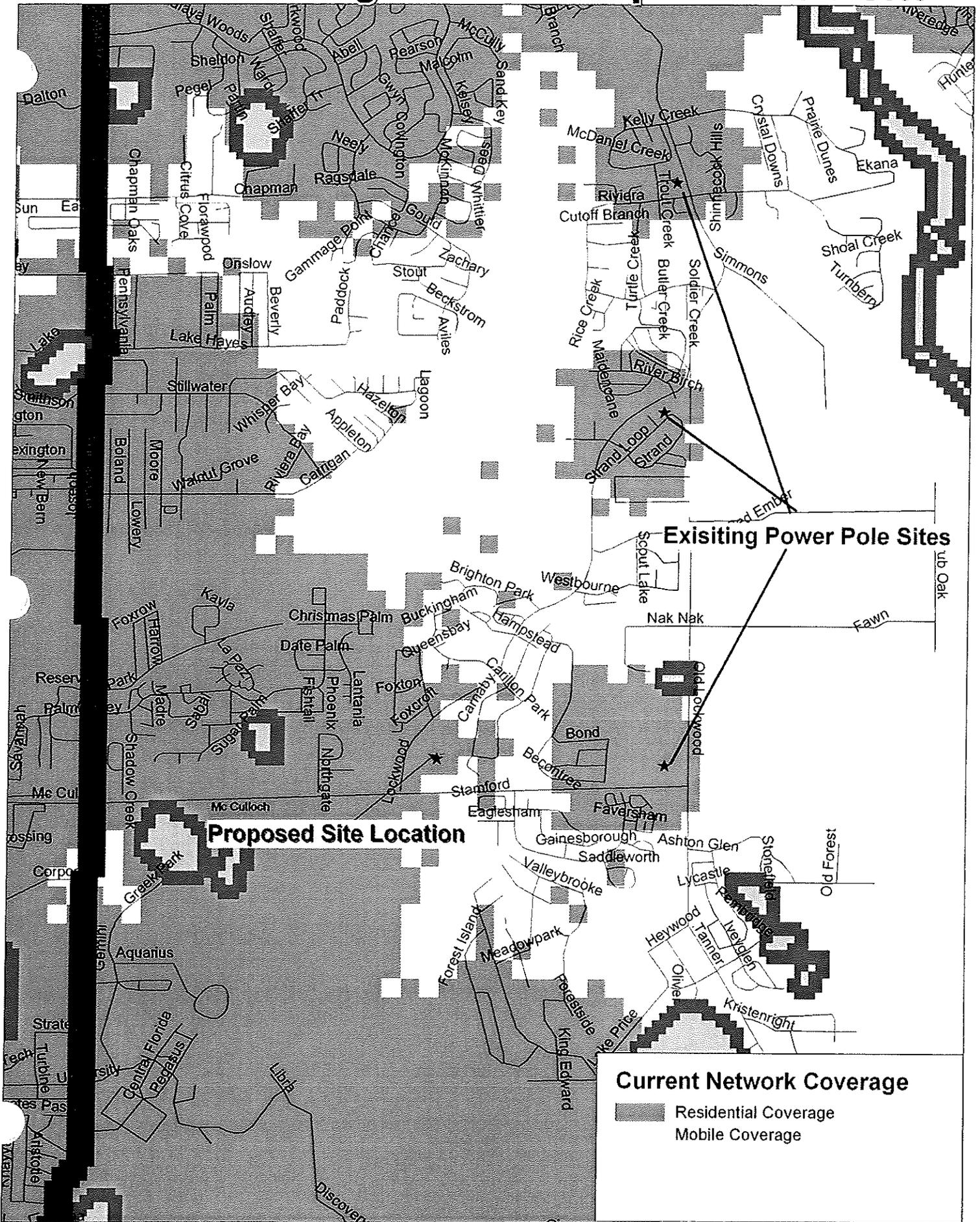
Respectfully submitted,

Dan Babilla
Senior RF Engineer
T-Mobile USA – Orlando, FL

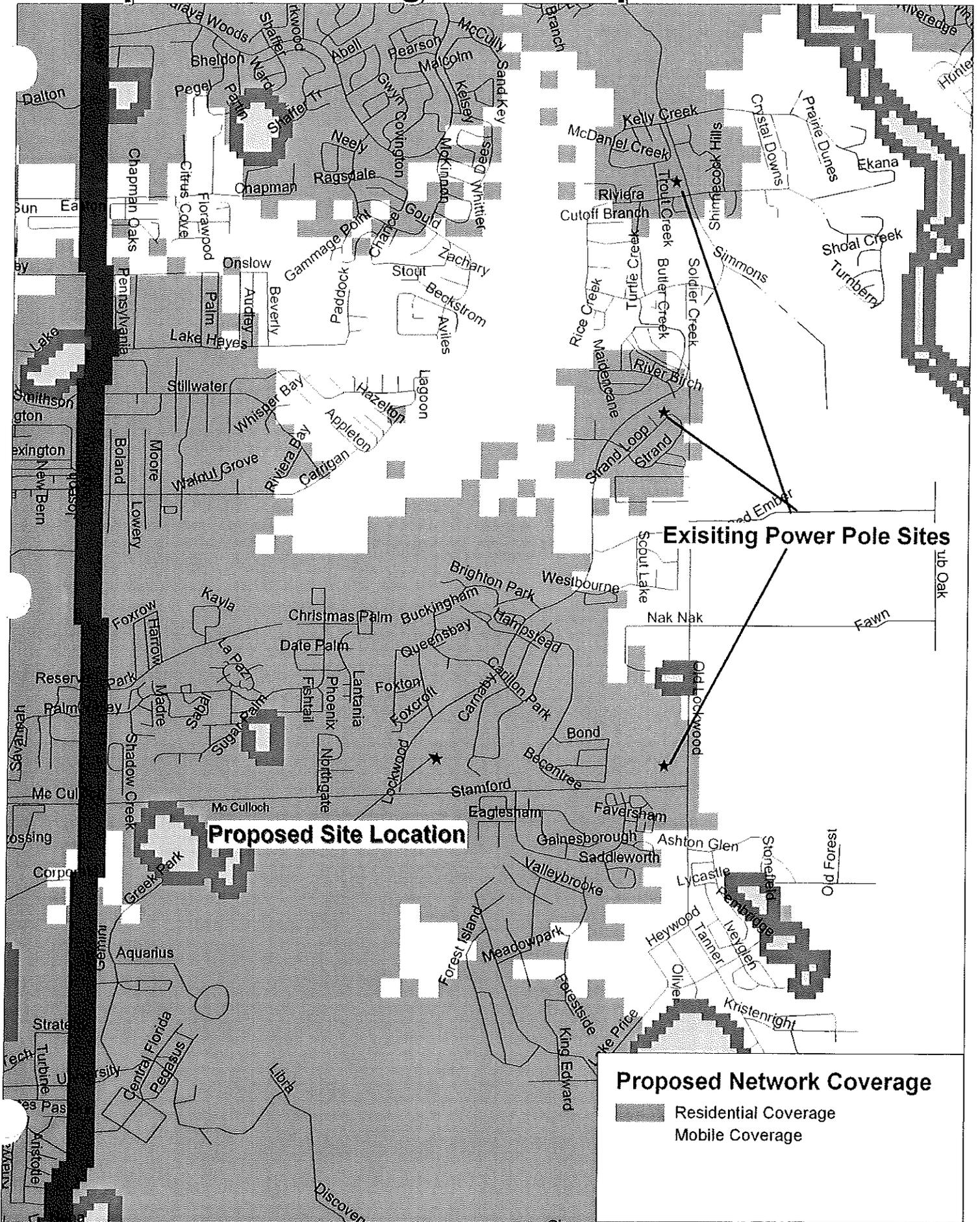
Average Daily Dropped Call Footprint



Current Coverage without Proposed New Site



Improved Coverage with Proposed New Site



clear

wireless broadband

Seminole County Zoning Department
Zoning Manger
April Boswell
1101 East First Street
Sanford, Florida 32771-1468

Re: TBCOM 120 ft Proposed Flag Pole

Ms. Boswell,

Clearwire LLC has been notified by TBCOM of its pending approval of a 120 ft Flag Pole located at 1680 McCulloch Rd. It is Clearwire's intent that if this tower is approved by zoning then Clearwire LLC would secure the 85 ft RAD center on the tower and work towards entering a lease with TBCOM.

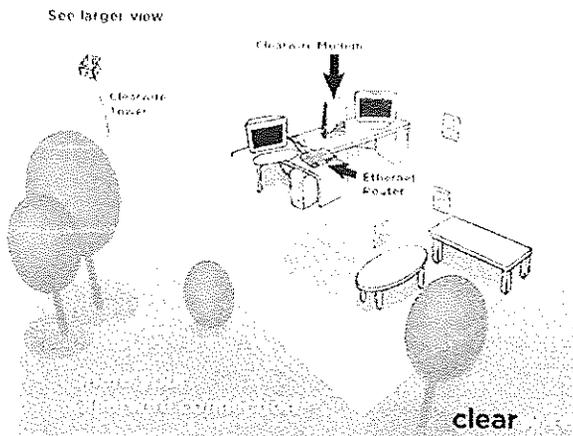
With this tower Clearwire would be able to provide service to approximately 2,010 homes in the Oviedo/Lockwood area.

Clearwire is the latest Broadband internet service to arrive in the US, using a stat of-the-art wireless modem that can be plugged into any desktop computer, laptop, or local network. Clearwire's technology works by transmitting signals to and from nearby cellular towers instead of using a traditional phone line or cable. That means you have the flexibility to set up the modem anywhere in your home or office.

Kind Regards,



Darryl M Hendrickson
Network Deployment Project Manager





Verizon Wireless
777 NW 51st ST
STE 600
Boca Raton, FL 33431

Phone 561 995-5500

February 19, 2007

To: TBCOM Properties LLC
Attn: Tim O'Shaughnessy
1133 Louisiana Avenue #114
Winter Park, FL 32789

Re: Proposed Tower Collocation at TBCOM UCF – 1021 Lockwood Blvd, Oviedo, FL 32765

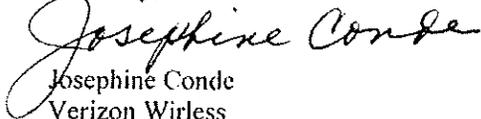
Dear Tim,

Thank you for informing Verizon Wireless of the proposed tower that TBCOM Properties, LLC, is planning to build at 1021 Lockwood Blvd, Oviedo, FL 32765. Verizon Wireless has determined that it has a need for additional coverage and/or capacity that could be served by a collocation on the proposed communications tower. I will be contacting you to discuss your proposed site in more detail and to obtain periodic updates as to your progress to obtain final zoning approval.

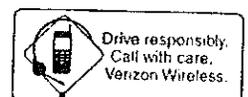
Verizon Wireless will consider entering into a collocation agreement with TBCOM Properties LLC. to collocate on the proposed tower to the extent that TBCOM Properties LLC. obtains all necessary governmental approvals, and assuming that the parties can come to terms on a collocation agreement with terms and conditions acceptable to Verizon Wireless.

This letter is not a commitment by Verizon Wireless to enter into a collocation agreement, and this letter should not be relied upon by TBCOM Properties LLC. in that regard. A binding agreement for the lease of any tower space from TBCOM Properties LLC shall not exist until a final, definitive, and fully negotiated collocation agreement has been fully executed and delivered. Further, it is understood by all parties that Verizon Wireless reserves the right to simultaneously negotiate with other landlords for sites in the immediate geographical area in which the above described proposed communications tower is to be located, and there is no assurance whatsoever that Verizon Wireless will conclude a deal for the above described proposed communications tower unless and until a collocation agreement is fully executed and delivered.

Cordially,



Josephine Conde
Verizon Wireless
Construction and Real Estate Manager – SE Region
777 Yamato Road, Suite 600
Boca Raton, FL 33431
561 995 5553



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																																																								
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 35-21-31-512-0000-0020</p> <p>Owner: AHG GROUP LLC</p> <p>Mailing Address: 1551 SANDSPUR RD</p> <p>City,State,ZipCode: MAITLAND FL 32751</p> <p>Property Address: 1680 MCCULLOCH RD</p> <p>Facility Name: WINN DIXIE CARILLON-LOCKWOOD RD</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p>Dor: 16-RETAIL CENTER-ANCHOR</p>		<p>2007 WORKING VALUE SUMMARY</p> <p>Value Method: Income</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$0</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$0</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$4,181,054 *</p> <p>Assessed Value (SOH): \$4,181,054 *</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$4,181,054</p> <p>Tax Estimator</p> <p><u>2007 Notice of Proposed Property Tax</u></p> <p>(* Income Approach used.)</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> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>SPECIAL WARRANTY DEED</td> <td>02/2006</td> <td>06155</td> <td>1167</td> <td>\$5,000,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>08/1999</td> <td>03717</td> <td>1475</td> <td>\$2,273,200</td> <td>Vacant</td> <td>Yes</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>08/1998</td> <td>03480</td> <td>0322</td> <td>\$1,328,200</td> <td>Vacant</td> <td>Yes</td> </tr> </tbody> </table> <p style="text-align: center;">Find Sales within this DOR Code</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	SPECIAL WARRANTY DEED	02/2006	06155	1167	\$5,000,000	Improved	Yes	SPECIAL WARRANTY DEED	08/1999	03717	1475	\$2,273,200	Vacant	Yes	SPECIAL WARRANTY DEED	08/1998	03480	0322	\$1,328,200	Vacant	Yes	<p style="text-align: center;">2006 VALUE SUMMARY</p> <p>2006 Tax Bill Amount: \$69,448</p> <p>2006 Taxable Value: \$4,309,492</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																										
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COMMERCIAL ASPHALT DR 2 IN	2000	157,601	\$118,319	\$143,417
COMMERCIAL CONCRETE DR 4 IN	2000	18,224	\$32,024	\$38,817
IRON FENCE	2000	595	\$2,454	\$2,975
BLOCK WALL	2000	2,380	\$5,891	\$7,140
POLE LIGHT STEEL 1 ARM	2000	9	\$8,676	\$8,676
POLE LIGHT STEEL 4 ARM	2000	15	\$84,495	\$84,495

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.



Office of Vice President

October 18, 2006

TBCOM Properties, LLC
Tim O'Shaughnessy
1133 Louisiana Ave Ste 114
Winter Park, Florida 32789

Mr. O'Shaughnessy,

At this time the University of Central Florida has no interest in putting a communication tower on the North East side of its campus property.

Sincerely,

A handwritten signature in cursive script, appearing to read 'William F. Merck II'.

William F. Merck II
Vice President

**SEMINOLE COUNTY APPLICANT AUTHORIZATION FORM
(ORIGINAL ONLY)**

An authorized applicant is defined as:

- The property owner of record; or
- An agent of said property owner (power of attorney to represent and bind the property owner must be submitted with the application); or
- Contract purchaser (a copy of a fully executed sales contract must be submitted with the application containing a clause or clauses allowing an application to be filed).

I, AHG Group, LLC the fee simple owner of the following

(Owner's Name)
described property (Provide Legal Description or Tax Parcel ID Number(s))
1680 Mc Cullough RD Wima Dixie CARILLON - Lockwood RD
PARCEL ID # 35-21-31-512-0000-0020

hereby petition Seminole County to amend the Comprehensive Plan, Future Land Use Map, Official Zoning Map
(circle one or more) from FR A SPECIAL EXEMPTION FOR A 120' ~~FR A~~ Flag Pole Telecommunications Tower and affirm that
TBCOM Properties, LLC is hereby designated to act as my / our authorized agent and to file the attached application for the stated amendment and make binding statements and commitments regarding the amendment request.

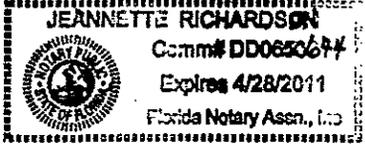
by: AHG Group, LLC
Owner's Signature

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of Seminole County, Florida and are not returnable.

SWORN TO AND SUBSCRIBED before me this 19th day of Sept 2007

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared [Signature] who is personally known to me or who has produced [Signature] has identification and who executed the foregoing instrument and sworn an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 19th day of September 2007
[Signature]
Notary Public in and for the County and State
Aforementioned



My Commission Expires: _____

