

DESOTO COUNTY, FLORIDA

RESOLUTION NO. 2026 - ____

A RESOLUTION OF THE DESOTO COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING WITH CONDITIONS A SPECIAL EXCEPTION USE (USE-0215-2025) FOR A COMMUNICATIONS TOWER AND ACCESSORY EQUIPMENT ON A +/-8.28- ACRE PARCEL ZONED AGRICULTURAL – 10 (A-10) AND LOCATED BETWEEN CUBITIS AVENUE AND NE HIGHWAY 17, APPROXIMATELY 800-FEET NORTH OF NE BROWNVILLE STREET, THE PARCEL IDENTIFICATION NUMBER BEING 33-36-25-0000-0226-0000; INCORPORATING THE WHEREAS CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 17, 2025, a Special Exception Use application was submitted to the Development Department (USE-0215-2025) with the required fee to develop a communications tower on a +/- 8.28-acre property located on NE Highway 17 which is owned by Craig's RV Park, Inc. (Exhibit A: Location Map)(the "Property"); and

WHEREAS, the 2040 Future Land Use Map shows the Property is located in the Rural/Agricultural Future Land Use Category, and the Official Zoning District Atlas shows the Property is located in the Agricultural-10 (A-10) zoning district; and

WHEREAS, Land Development Regulations (LDR) Section 20-126(1)(c)(3) provides for "Communication transmitting and receiving facilities, non-occupied" as a special exception use in A-10 provided the criteria for special exception uses in LDR Article XI, Division 5, of the chapter are met; and

WHEREAS, Section 365.172(13)(b) of the Florida Statutes generally limits the local government review of wireless communications towers to land development or zoning issues, such as aesthetics, landscaping, land use-based location priorities, structural design, and setbacks; and

WHEREAS, the Development Department has reviewed the Special Exception application and concludes the application can be found to be in conformance with the LDR, provided conditions are imposed; and

WHEREAS, on June 2, 2026, the Planning Commission held a duly noticed public hearing on the application and entered into the record the Development Review Report and all other competent substantial evidence presented at the hearing, and forwarded the record to the Board of County Commissioners ("Board") with the recommendation that the Board adopt the proposed Resolution; and

WHEREAS, the Planning Commission found that the granting of the Special Exception Use would not adversely affect the public interest, that the specific requirements governing the individual Special Exception Use, have been met by the applicant, and that satisfactory provisions and arrangements have been made concerning twelve (12) matters set forth in Sec.

20-1433 of the LDR, where applicable; and

WHEREAS, on June 23, 2026, the Board of County Commissioners held a duly noticed public hearing on the application and entered into the record the Development Review Report and all other competent substantial evidence presented at the Planning Commission and Board hearings; and

WHEREAS, the Board concludes that the Special Exception use application, established through competent substantial evidence, is in harmony with the LDRs general intent and purpose, is not injurious to the neighborhood or to adjoining properties or otherwise detrimental to the public welfare based on the findings herein and conditions of approval.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, AS FOLLOWS:

Section 1. *Whereas clauses incorporated.* The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are hereby incorporated by reference as part of this Resolution.

Section 2. *Property description.* The +/- 8.28-acre parcel is located on NE Highway 17, the Property Identification Number being 33-36-25-0000-0226-0000.

Section 3. *Findings and conclusions.* The Development Review Report, incorporated herein by reference, represents the written findings of fact and conclusions to support granting a Special Exception use development order to allow within the Agricultural- 10 (A-10) zoning district, a communications tower on a +/- 8.28-acre property located on NE Highway 17 as shown on the concept plan (Exhibit B: Concept Plan), in accordance with the Land Development Regulations subject to the following conditions:

1. Repeal by the Board of Adjustments (BOA) of Resolution 2023-01 is required prior to issuance of a Notice to Proceed.
2. The Special Exception approval is limited to one monopole communications tower and accessory equipment related to the proposed communications tower, which shall be approved with the Improvement Plan. No other improvements are authorized with this approval.
3. A minimum 20-foot-wide shell driveway from NE Cubitis Avenue to the lease parcel with a *20' x 120' turnaround area to support fire apparatus* shall be shown on the Improvement Plan and approved by the Public Safety Department and County Engineer. If gated, access shall meet all public safety requirements, as determined by the Public Safety Department prior to Improvement Plan approval.
4. Recorded copies of the 20' wide access & utility easement and the 5' wide utility easement shall be submitted with the Improvement Plan and graphically depicted on Improvement Plan.
5. A photometric plan showing all site lighting shall be approved by the Planning Department with the Improvement Plan.
6. If solid waste service is required for the use, it will be the applicant's responsibility to engage in a solid waste contract with the county's provider and have waste receptacles approved by the county engineer with the Improvement Plan.

7. An Improvement Plan and Notice to Proceed shall be authorized by the Development Department prior to any development on site.

Section 4. *Effective date.* This Resolution shall take effect immediately upon its adoption.
PASSED AND ADOPTED this 23rd day of June 2026.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF DESOTO COUNTY, FLORIDA**

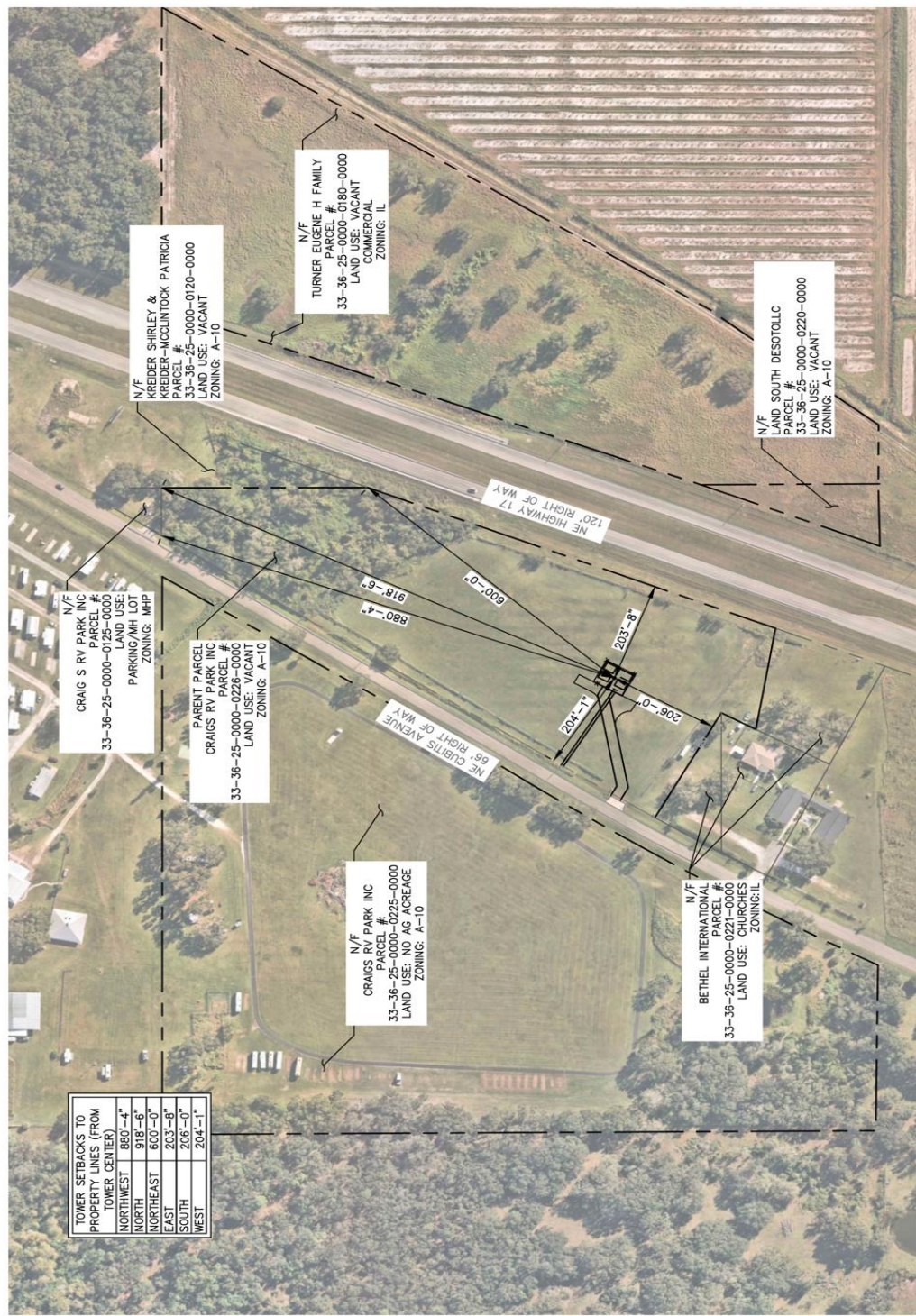
By: _____
Mandy Hines
County Administrator

By: _____
Steve Hickox, Chairman
Board of County Commissioners

APPROVED AS TO LEGAL FORM

By: _____
Valerie Vicente
County Attorney

Exhibit A Location



HAHN TOWERS
15000 HAHN TOWER RD.
DALLAS, TEXAS 75244

PROJECT INFORMATION

SITE NAME: HAHN TOWERS
LOCATION: 15000 HAHN TOWER RD., DALLAS, TEXAS 75244
OWNER: HAHN TOWERS
DESIGNER: KIMLEY-HORN & ASSOCIATES, INC.
DATE: 11/27/2023

PROJECT INFORMATION

PROJECT NAME: HAHN TOWERS
PROJECT NUMBER: 23-001
DATE: 11/27/2023

OVERALL SITE PLAN

SCALE: 1" = 40'

1 OVERALL SITE PLAN

11/27/2023

REVISIONS:

1. STUDY SHALL CORRELATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPOSED EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND. PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY LAMBERG SURVEYING DATED 12/20/2024 AND SET OUT 11/27/2023.