



*DESOTO COUNTY DEVELOPMENT DEPARTMENT
STAFF REPORT*

CASE #: USE-0215-2025

REQUEST: Special Exception: Telecommunications Tower

PROPERTY OWNER: Craig's RV Park Inc
7895 NE Highway 17
Arcadia, Florida 34266

APPLICANT: Hahn Towers Inc
1199 S Federal Hwy, Suite 249
Boca Raton, Florida 33432

PROPERTY ID: 33-36-25-0000-0226-0000

PROPERTY ADDRESS: NE Highway 17, Arcadia, FL 34266

TOTAL PARCEL SIZE: +/- 8.28-acres

ZONING DISTRICT: A-10 (Agricultural- 10)

FUTURE LAND USE DESIGNATION: Rural/Agricultural

OVERLAY DISTRICTS: Conservation Overlay District

DEVELOPMENT REVIEW REPORT
(GREEN STREET/M.SERVIA)

The applicant has applied for a Special Exception use application (USE-0215-2025) to construct a 195' monopole communications tower and corresponding 3,000 sq ft fenced compound on a vacant +/- 8.28-acre parcel, located between NE Cubitis Ave and NE Highway 17 with frontage on both roads. The property is zoned Agricultural - 10 (A-10) and located in the Rural/Agricultural Future Land Use Category.

LDR Article XI, Division 5 requires the Planning Commission/Local Planning Agency to hold at least one public hearing with due public notice on the Special Exception use application and to provide a recommendation on the application to the Board of County Commissioners.

OVERVIEW OF REQUEST

The subject parcel is located on NE Highway 17 (See Exhibit A) and is owned by Craig's RV Park Inc. The applicant is requesting a Special Exception to allow a communications tower on site. The property is currently vacant.

The 2040 Future Land Use Map shows the property is located within the Rural/Agricultural Future Land Use Category (See Exhibit B) and the Official Zoning District Atlas shows the property is zoned Agricultural - 10 (A-10) (See Exhibit C). The subject parcel is non-conforming at +/- 8.28-acres as it does not meet the required minimum lot size of 10 acres in the A-10 zoning district; however, it is a Lot of Record (see Exhibit F).

The LDR defines the proposed use as a "communications tower" and the use is referred to as a "communication transmitting and receiving facilities, non-occupied" in the A-10 zoning district.

Craig's RV Park, Inc. received approval of a variance (Resolution 2023-01) on November 7, 2023, by the Board of Adjustments to allow a single-family residence with a barn for livestock on an 8.28-acre parcel. The corresponding staff report stated that some of the original site acreage was taken by FDOT for US 17 improvements, which may have been the reason for the non-conforming lot size, but the case file lacked any documentation confirming this assumption. The variance was approved to allow a single-family residence with a barn for livestock. No building permits or construction occurred since approval of this variance and staff recommends a condition revoking the variance so that the Special Exception for the communications tower can be approved, and that a resolution be adopted repealing Resolution 2023-01.

In conformance with LDR Section 20-762, which governs lots, parcels, or structures that become nonconforming as a result of eminent domain, the Planning Director may grant a waiver to Section 20-126(2) (i.e., development standards for A-10 zoning district related to minimum lot area), and recognizing the existing 8.28-acre site for the proposed communications tower as appropriately sized and complying with the following criteria (Exhibit G):

- a. Determine that the requested waiver will not adversely affect visual, safety, aesthetic or environmental concerns of neighboring properties;
- b. Determine that the requested waiver does not adversely affect the safety of pedestrians or operators and passengers of motor vehicles; and
- c. Preserve required off-street parking requirements to the greatest extent

practicable. The reconfiguration, reduction, or removal of landscape or open space requirements may be considered to preserve off-street parking.

Approximately 1/3 of the site is located within the Conservation Overlay District (COD). The areas in the COD lie in the northern portion of the parcel and along the eastern boundary, contiguous to Highway 17. The lease area for the proposed communications tower is shown outside the COD limits. An Environmental Site Report is required to be submitted with the Improvement Plan, which will include specific information for the onsite resources and their relationship to planned improvements.

Land Development Regulations (LDR) Section 20-126(1)(c)(3) provides for "Communication transmitting and receiving facilities, non-occupied" as a special exception use provided the criteria for special exception uses in LDR Article XI, Division 5, of this chapter are met. Chapter 365.172(13)(b)1 of the Florida Statutes generally limits local government review to aesthetics, landscaping, land use-based location priorities, structural design, and setbacks.

An application for the Special Exception was received in the Development Department on June 17, 2025.

PROPOSED RESOLUTION

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.

DATA & ANALYSIS

In all quasi-judicial proceedings, the applicant shall bear the burden of demonstrating with competent and substantial evidence that the application satisfies the applicable requirements of the LDR and Comprehensive Plan.

A. **Application requirements.** LDR Section 20-1431 requires that a Special Exception Use Application be submitted indicating the LDR basis in which the Special Exception use is sought and stating the grounds upon which it is requested, with particular reference to the types of findings which the Planning Commission must make, as described below. The application must demonstrate that approval of the Special Exception will be in harmony with the LDRs general intent and purpose, not be injurious to the neighborhood or to adjoining properties, or otherwise detrimental to the public's welfare. Evidence to support such includes, but is not limited to the following, where applicable:

1. Plans at an appropriate scale showing proposed placement of structures on the property, provisions for ingress and egress, off-street parking, and off-street loading areas, refuse and services areas, and required yards and other open spaces.
 - a. Placement of structures. *The request is for an unmanned, 195' communications tower to be placed within a 3,000 SF fenced lease area on vacant property zoned Agricultural - 10. The applicant has submitted a site plan showing the proposed 50' x 60' lease area, with the proposed 195' monopole tower (200' highest appurtenance). The communications tower is shown in the center of the lease area, with an 8' opaque white PVC fence containing three strands of barbed wire around the exterior of the lease area.*

The A-10 zoning district allows unoccupied communication transmitting and receiving facilities with approval of a Special Exception. The LDR requires a minimum setback from any property boundary line equal to 100 percent of proposed tower height. The concept plan shows that the distance from property lines to the communications tower exceeds the minimum required setbacks with 600' from the north, 203' from the east, 206' from the south, and 204 feet from the west.

The site is in the Rural/Agricultural Future Land Use Category. Parcels to the north, east, and west are vacant, with a church located on the adjacent property to the south.

*No additional structures or commercial activities are proposed, and staff recommends a condition clarifying that the project is for one monopole tower and accessory equipment. The future lease areas shown on the concept plan are not authorized for any improvements beyond the conditioned approval. Based upon the above, the application can be found in **conformance** with this factor.*

- b. Provisions for ingress and egress. The proposed use is an unoccupied communications tower. An existing cement access drive is located on NE Cubitis Avenue. The applicant proposes a 20' wide ingress/egress and utility easement from the existing driveway on NE Cubitis Avenue to the proposed lease parcel (50' x 60' fenced compound). Within the proposed ingress/egress easement, a 20' wide shell access drive with a 20' x 120' turnaround area to support fire apparatus is shown on the concept plan and conditioned to be approved by the Public Safety Department and the County Engineer with the Improvement Plan. . If gated, all details of the gate will be approved by the Public Safety Department with the Improvement Plan. Based upon the above, the application can be found in **conformance** with this factor.*
- c. Off-street parking. The proposed use is an unoccupied telecommunications tower. The LDR does not have specific requirements for parking for this type of utility use. It will occasionally have a service vehicle visiting the site for maintenance and is considered like a utility sewer lift station in terms of visitors/parking. The site plan does show a 20' x 120' turnaround area at the entrance of the fenced compound, which should adequately accommodate the parking needs of the site. The narrative indicates that one parking space for a technician is needed. Based upon the above, the application can be found in **conformance** with this factor.*
- d. Off-street loading. The proposed use is an unoccupied telecommunications tower. Loading is not required for this use, and therefore, this factor is not applicable.*
- e. Refuse and service areas. The proposed use is an unoccupied telecommunications tower. A solid waste collection plan has not been shown on the concept plan. 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, as conditioned in*

*this report. Based upon the above, the application can be found in **conformance** with this factor with **conditions**.*

- f. Required yards and open space. *LDR 20-126(2)(c) requires a minimum front yard setback of 50', a minimum side yard setback of 30', and a minimum rear yard setback of 50' in the A-10 zoning district for structures, and LDR 20-126(1)(c)3 requires a minimum setback from any property boundary line equal to 100 percent of proposed communications tower height. The plan shows that the minimum required tower setbacks will be met, as the distance from property lines ranges between 203'-600'. The A-10 zoning district does not limit the amount of impervious lot coverage. Based upon the above, the application can be found in **conformance** with this factor.*

2. Plans showing proposed locations for utilities hook-up.

*Consistency analysis: The proposed use is an unoccupied telecommunications tower. The site plan does not show any plans for water and sewer. The site is not located in Desoto County Utility service area. Electric service and fiber optics will be coordinated by local utility providers. No additional utilities are proposed. Based upon the above, the application can be found in **conformance** with this factor.*

3. Plans for screening and buffering with reference as to type, dimensions and characters.

*Consistency analysis: The proposed use is an unoccupied communications tower as a Special Exception use on private property zoned Agricultural – 10 (A-10). The buffer matrix in DR Section 20-600 does not expressly require a buffer for telecommunication towers. Since there are no irrigation systems or water supply in the vicinity, the applicant has proposed an 8' decorative white PVC fence around the 3,000 SF compound to screen the equipment cabinets from view. Based upon the above, the application can be found in **conformance** with this factor.*

4. Plans for proposed landscaping and provisions for trees.

Consistency analysis: As stated above, the buffer matrix in Section 20-600 does not expressly require a buffer for communication towers, and therefore trees and landscaping are not proposed.

*Based upon the above, the application can be found in **conformance** with this factor.*

5. Plans for proposed signs and lighting, including type, dimensions and character. All signs and lighting must be in compliance with the DeSoto County Land Development Regulations.

*Consistency analysis: No information was provided regarding signs or lighting. To meet FAA requirements, the tower is proposed to have a medium-intensity, white flashing beacon light to be used during the daytime and twilight hours. During the night, the light will change to a red flashing beacon per FAA requirements. The ground equipment area will have standard security lighting, which will be approved with the Improvement Plan. Based upon the above, the application can be found in **conformance** with this factor.*

The Special Exception application and proposed site plan were considered in applying the standards for the proposed communications tower.

Based upon the findings and conclusions above, with conditions, it can be concluded that the applicant has demonstrated that approval of the Special Exception will be in harmony with the LDRs general intent and purpose, not be injurious to the neighborhood or to adjoining properties, or otherwise detrimental to the public welfare, if approved with the recommended conditions.

B. Staff review. LDR Section 20-1432 addresses staff review.

- Section 20-1432(a) provides that upon receipt of an application for Special Exception; the Development Director shall determine whether the application is complete. The Development Director may waive some or all of the plans required by Section 20-1431(1) if the Special Exception includes only a change/addition in use without any new construction. If the application is complete, it will be accepted for review. If the application is incomplete, the Development Director shall specify in writing the additional information required for the application to be processed. No further action shall be taken on the application until the additional information is submitted and determined to be complete.

Consistency analysis: On June 17, 2025, the applicant filed a Special Exception use application for a proposed 195' telecommunications tower on the subject property. The Development Director

subsequently determined the application was complete.

- Section 20-1432(b) states that after receipt of a complete application, the Development Director shall distribute the application for review by County staff and/or the Development Review Committee.

Consistency analysis: The Development Director distributed the application to the Development Review Committee members.

- *Section 20-1432(c) provides that upon completion of review; the Development Department shall prepare a staff report and schedule review of the application by the Planning Commission.*

Consistency analysis: The application is scheduled for the June 2, 2026, Planning Commission meeting. The application is also scheduled for the June 23, 2026, Board of County Commissioners public hearing.

- C. **Planning Commission findings.** LDR Section 20-1433 provides that before any Special Exception use shall be recommended for approval to the Board of County Commissioners, the Planning Commission shall make a written finding that the granting of the Special Exception Use will not adversely affect the public interest, that the specific requirements governing the individual Special Exception Use, if any, have been met by the applicant, and that satisfactory provisions and arrangements have been made concerning twelve (12) matters, where applicable. These 12 matters and staff's evaluation of conformance with these matters is addressed below.

1. Compliance with all elements of the Comprehensive Plan.

*Consistency analysis: The 2040 Future Land Use Map shows the subject property is located within the Rural/Agricultural Future Land Use. The intent of the Rural/Agricultural Future Land Use category is primarily agricultural, pastoral, and rural residential development. A portion of the property is within the Conservation Overlay District, but no development is proposed in that area. A condition is recommended that an Environmental Site Study shall be submitted by the applicant with the Improvement Plan, as required by the Comprehensive Plan. A clean Phase I Environmental Report and NEPA report were submitted with the application. The applicant has also provided a letter from SWFWMD exempting the project from an Environmental Resource Permit (ERP). This application can be found to be in **conformance** with all applicable elements of the Comprehensive Plan.*

2. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe.

- a. Automotive safety and convenience.

*Consistency analysis: The proposed Special Exception is a request to allow a 195' communications tower on private property zoned A-10. The proposed use is an unmanned communications tower. An existing cement access drive from NE Cubitis Avenue is in place. The applicant proposes a 20' wide ingress/egress and utility easement from the existing driveway on NE Cubitis Avenue to the proposed 50' x 60' fenced compound. Within the proposed ingress/egress easement, a 20' wide shell access drive with a 20' x 120' turnaround area to support fire apparatus is proposed. A 12' wide double swing access gate is proposed at the entrance to the fenced compound. The Public Safety Department and County Engineer will review the details of these items with the Improvement Plan to ensure compliance with the county standards. The use does not have regular visitors via automobile, just occasional maintenance vehicles. Based upon the above, it is concluded that the application can be found to be in **conformance** with the applicable standards.*

- b. Pedestrian safety and convenience.

*Consistency analysis: No pedestrian facilities are proposed nor required. Based upon the above, it is concluded that the application can be found to be in **conformance** the applicable standards.*

- c. Traffic flow and control.

*Consistency analysis: As previously mentioned, there is very little traffic that will be generated by this unmanned utility use and traffic flow and control will not be an issue if this project is approved. Based upon the above, it is concluded that the application can be found to be in **conformance**.*

d. Access in case of fire or catastrophe.

Consistency analysis: As previously mentioned, the concept plan shows a 20' wide shell access drive with a 20' x 120' turnaround area to support fire apparatus is proposed. A 12' wide double swing access gate is proposed at the entrance to the fenced compound. Wireless carriers will also install emergency backup generators and use constant electronic monitoring of their equipment. Any malfunction will sound an alarm at the National Operations Center (NOC) so the fire department can then be notified.

*Further review of the proposed access will be conducted with the Improvement Plan to ensure compliance with all fire standards.. Based upon the above, it is concluded that the application can be found to be in **conformance**.*

3. Off-street parking and loading areas, where required, and economic, noise, vibration, dust, glare or odor effects of the Special Exception on adjoining properties and properties generally in the district. Issues generally related to off-street parking and loading have been addressed elsewhere in this report.

a. Economic impacts.

*Consistency analysis: The application states that the proposed use will provide critical communication services for the surrounding residents as well as to the motorists traveling along US 17. The communications tower will be designed to withstand hurricane force winds in order to provide critical communication services during emergencies and natural disasters. The applicant has indicated that the surrounding area lacks adequate wireless coverage for reliable calls, high-speed data, and E911 emergency services as the closest communications towers are 2.9 miles to the north and 3.4 miles to the south. Based on the above, it is concluded the application can be found to be in **conformance** with this factor.*

b. Noise impacts.

*Consistency analysis: The Special Exception application states that the proposed telecommunications tower will not emit any noise or contribute to noise pollution in the area. Based on the above, it is concluded the application can be found to be in **conformance** with this factor.*

c. Vibration impacts.

*Consistency analysis: The Special Exception application states that the proposed telecommunications tower will not produce any vibration effects on the adjoining properties or properties in the district. Based on the above, it is concluded the application can be found to be in **conformance** with this factor.*

d. Dust impacts.

*Consistency analysis: The Special Exception application states that the proposed telecommunications tower will not produce any dust effects on the adjoining properties or properties in the district. Based on the above, it is concluded the application can be found to be in **conformance** with this factor.*

e. Glare impacts.

*Consistency analysis: The narrative states that the proposed telecommunications tower will be constructed of a no-glare matte galvanized steel and will not have a glare effect on adjoining properties or properties in the district. Based on the above, it is concluded the application can be found to be in **conformance** with this factor.*

f. Odor impacts.

*Consistency analysis: The Special Exception application states that the proposed telecommunications tower will not emit any odors that will affect the adjoining properties or properties in the district. Based on the above, it is concluded the application can be found in **conformance** with this factor.*

4. Utilities, with reference to locations, availability and compatibility.

Consistency analysis: Utilities were addressed elsewhere in this report.

5. Screening and buffering with reference to type, dimensions and character.

Consistency analysis: Screening and buffering were addressed elsewhere in this report.

6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.

Consistency analysis: Signs and lighting were addressed elsewhere in this report.

7. Required yards and other open space.

Consistency analysis: Required yards and other open space were addressed elsewhere in this report.

8. General compatibility with adjacent properties and other properties in the district.

Consistency analysis: Table 1, below shows the subject property is located within an Agricultural - 10 (A-10) zoning district and the zoning of adjacent properties. The proposed communications tower can be found to be generally compatible with the adjacent properties and other property in the district.

**TABLE 1
LAND USE AND ZONING**

DIRECTION	EXISTING USE	LAND USE	ZONING
SITE	VACANT	RURAL/AGRICULTURAL	A-10
NORTH (OWNED BY CRAIG'S RV PARK)	VACANT	RURAL/AGRICULTURAL	MHP
SOUTH	CHURCH	RURAL/AGRICULTURAL	IL
EAST	VACANT	RURAL/AGRICULTURAL	A-10, IL
WEST (OWNED BY CRAIG'S RV PARK)	NO AG ACREAGE	RURAL/AGRICULTURAL	A-10

*The subject property is located in an area of primarily vacant land to the north, east, and west, with a church located to the south. The property is bordered by NE Cubitis Avenue to the west and Highway 17 to the east. The buffer matrix in Section 20-600 does not expressly require a buffer for telecommunication towers. Since there are no irrigation systems or water supply in the vicinity, the applicant has proposed an 8' decorative white PVC fence around the 3,000 SF compound to shield the equipment cabinets from view. Based on the above, it is concluded the application can be found to be in **conformance** with this factor.*

9. Any special requirements set out in the zoning district regulations for the particular use involved.

*Consistency analysis: The A-10 zoning district has standards regarding telecommunication towers, in addition to the Special Exception criteria. LDR 20-126(1)(c)3 requires a minimum setback from any property boundary line equal to 100 percent of proposed tower height and the concept plan shows that the minimum required setbacks will be met, as the distance from property lines ranges from 203'-600'. Based on the above, it is concluded the application can be found to be in **conformance** with this factor.*

10. Public and private utilities, structures, or uses required for public or private utilities, including but not limited to wastewater, gas, electric, and telephone utilities, sanitary landfills, and radio and television stations and towers may be permitted only as a Special Exception use unless determined by the Board to be essential service. In addition to items 1 through 9 above, the review of the request for a Special Exception Use shall include consideration of a plan showing all improvements or alterations that are proposed for the utilities or facilities. The proposed location of such utilities or facilities shall be such as not to be injurious to the health, safety, and welfare of the public or surrounding property owners, and shall protect the character of the surrounding property and maintain the stability of residential, commercial, manufacturing, agricultural, educational, cultural, and recreational areas within the County. The public benefit to be derived, the need for the proposed facilities, the existence of suitable alternative locations, potential impacts to surface or ground water drinking supplies, and whether the facility can properly be located on the site and in the development which it is to service shall also be taken into consideration where appropriate. Conditions in the form of screening, landscaping, or other site development restrictions may be imposed to protect the health, safety and welfare of the public or surrounding property owners.

Consistency analysis: The application included a concept plan that showed the proposed improvements. A more detailed review of the proposed site improvements will take place with the Improvement Plan application. The communications tower will not detrimentally impact the character of the surrounding property and will maintain the stability of residential, commercial, manufacturing, agricultural, educational, cultural, and recreational areas within the County.

The proposed telecommunications tower is located approximately 9 miles north of the City of Arcadia Airport. The applicant provided a letter from the FAA, issued October 23, 2024, noting a determination of no hazard to air navigation after conducting an aeronautical study for the proposed 195' telecommunications tower (200' highest appurtenance). Lighting of the tower is to be in accordance with the FAA.

DeSoto County Engineering stated that at the Improvement Plan stage, the applicant will have to demonstrate that the configuration of the turnaround must be sufficient for the types of emergency vehicles required by the Fire Department. The applicant shall also demonstrate that the stabilized surface can support the weight of emergency vehicles.

*All other items mentioned in #10 above were previously addressed in this report. Based on the above, it is concluded the application can be found to be in **conformance** with this factor **with conditions**.*

11. The proposed use shall not act as a detrimental intrusion into the surrounding area.

*Consistency analysis: The proposed communications tower will meet the minimum zoning requirements and is listed as a permitted use by special exception in the A-10 zoning district and is not expected to act as a detrimental intrusion into the surrounding area. Chapter 365.172(13)(b)1 of the Florida Statutes generally limits local government review to aesthetics, landscaping, land use-based location priorities, structural design, and setbacks. Based on the above, it is concluded the application can be found to be in **conformance** with this factor.*

12. The proposed use shall meet the performance standards of the district in which the proposed use is permitted.

Consistency analysis: The project is in the A-10 zoning district and can be authorized with approval of a special exception. Unoccupied

*communication transmitting and receiving facilities with a minimum setback from any property boundary line equal to 100 percent of the proposed tower height is required and the subject communication tower complies with this standard. The site plan shows the distance from the monopole tower to property lines range from 203'-600'. Based on the above, it is concluded the application can be found to be in **conformance** with this factor.*

In conclusion, based upon the analysis above, the applicant has demonstrated, with competent and substantial evidence, that granting of the Special Exception use will not adversely affect the public's interest, that the specific requirements governing the individual Special Exception use application have been met by the applicant, and that satisfactory provisions, arrangements or conditions have been made concerning the above factors.

D. **Public notice requirements.** LDR Section 20-1439(c) requires notice of the date, time and place of the public hearings by the Planning Commission and Board of County Commissioners shall:

1. Be sent at least 10 days in advance of the hearings by mail to ten surrounding property owners or all owners of property within 1,000 feet of the property line of the land subject to the Special Exception use application; and
2. Have at least one sign posted on each road frontage; and
3. Be advertised in a newspaper of general circulation in DeSoto County at least 10 days prior to each public hearing.

The Development Department staff has provided written notice of the hearings which were mailed to the nearby property owners, per the LDR requirements, and such notice is on file with the Development Department and incorporated herein by reference.

ATTACHMENTS

Exhibit A: General Location Map

Exhibit B: Interim 2040 Future Land Use Map, Excerpt

Exhibit C: Official Zoning District Atlas Map, Excerpt

- Exhibit D: Concept Plan
- Exhibit E BOA Resolution No. 2023—01
- Exhibit F Lot of Record Map
- Exhibit G Planning Director Waiver to LDR Section 20-126(2)

ALTERNATIVE ACTIONS FOR THE PLANNING COMMISSION

- A. Enter into the record the Development Review Report, and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Board of County Commissioners to adopt the proposed Resolution.
- B. Enter into the record the Development Review Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein and make a recommendation to the Board of County Commissioners to deny the proposed Resolution.

RECOMMENDED 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.

A. Planning Commission: Scheduled for June 2, 2026

B. Board action. Scheduled for June 23, 2026