

3. On July 16, 2008, Alltel, pursuant to the Land Development Code, Section 616.10, notified property owners within 500 feet of the subject parcel of its intent to erect a 120-foot, camouflaged Personal Wireless Service Facility. Any opposition to this request was required to file a written objection within 15 days of the said notice. Alltel exceeded the Land Development Code notification requirements by notifying property owners within 1,000 feet of the subject parcel.
4. On July 24, 2008, in accordance with Section 616.10(B), the Zoning/Code Compliance Department received a timely letter of objection to the proposed 120-foot, flagpole, camouflaged Personal Wireless Service Facility from Nicholas L. Meyers, property owner, located 700 feet northwest of the subject parcel. The letter provides the following reasons for objection:

From an aesthetic, health standpoint, and overall quality of life, I am strongly opposed to this.

5. On August 4, 2008, Alltel submitted a Tier Two Building Permit application for a 120-foot, flagpole, camouflaged Personal Wireless Service Facility.
6. The provisions set forth in Section 616.10(B) provide that the sole issue to be considered by the Development Review Committee is whether the Tier Two application, which is the subject of the written objection, meets the standards of the Land Development Code, Section 616.6(B).
7. If a Tier Two application meets the standards of Section 616.6(B), the application can be granted by the County Administrator or his designee upon finding that the mitigated Personal Wireless Service Facility (PWSF) is consistent with the purpose and intent of the ordinance pursuant to Section 616.3(A).
8. The intent and purpose of the ordinance is set forth in Section 616.3(A) and provides the following:

- a. Purpose and intent. The purpose and intent of this section is to establish standards for the location, siting, and design of PWSFs, and the goals of this section are to:

- (1) Allow for alternative types of PWSFs in any location pursuant to standards contained in this section.

Alltel is proposing a 120-foot camouflaged, flagpole tower. The flagpole has a more narrow profile and is designed to minimize adverse visual impacts to the surrounding area. All antennas and cables shall be located inside the pole.

- (2) Encourage the use of existing structures including, but not limited to, rooftops, utility poles, and church steeples for deploying PWSFs.

There are no existing structures in Alltel's search area on which it may collocate its antennas.

- (3) Discourage new telecommunications towers.

The Alltel proposed flagpole will be able to support the antennas of five carriers.

- (4) Expedite the review process for those applications choosing the least intrusive alternative of deploying PWSFs.

The camouflaged design of the Alltel request is the least intrusive alternative to deploying its network.

- (5) Encourage users of mounts to locate, site, and design them in a way that minimizes the adverse visual impact of the mounts and associated equipment.

The tower is designed to resemble a flagpole and will fly an American flag in compliance with the United States Code. It is located approximately 920 feet from the Trinity College front property line, being placed between two wetland areas, thereby minimizing any visual impacts of the equipment area.

- (6) Enhance the ability of the providers of personal wireless services to provide such services to the community quickly, effectively, and efficiently.

The flagpole is capable of supporting the antennas of five carriers. These carriers, in most instances, provide Enhanced 9-1-1 which allows for emergency services to locate a caller in need.

- (7) To promote compatibility of PWSFs with surrounding land uses, and protect the attractiveness, health, safety, general welfare, and property values of the community.

The tower is designed to resemble a flagpole and will fly an American flag in compliance with the United States Code. It is sited on a college campus, adjacent to a Pasco County middle school, and YMCA, which would typically fly an American flag.

9. The Land Development Code, Section 616.6.B, Tier Two Standards, states as follows:

Section 616.6.B, Tier Two Standards:

The approval of Tier Two applications may be made by the County Administrator or his designee and shall be subject to the following mandatory standards.

1. Location standards.

- a. Opportunity sites. A PWSF shall be located at an opportunity site, which include the following:

- (1) Buildings other than single-family dwellings.
- (2) Water tanks.
- (3) Athletic field light poles and flag poles.
- (4) Wooded areas that satisfy Tier Two standards.
- (5) Utility substations.
- (6) Church steeples.
- (7) Utility structures, primary antenna support structures, Excluded Facilities, and PWSFs that satisfy Tier Two standards.
- (8) Other mitigated PWSFs as determined by the County Administrator or his designee consistent with the purpose and intent of Ordinance No. 03-34.

10. In accordance with Section 616.6.B.1.(8), Alltel has submitted a proposal for a mitigated Personal Wireless Service Facility. Mitigated is defined in the ordinance as the reduction or elimination of visual impacts by the use of one or more methods: conceal, camouflage, or disguise.

11. The Land Development Code, Section 616.6.B.3, provides for design standards for Tier Two PWSFs as follows:

- a. Color. All PWSFs shall be complementary with the surrounding environment.
- b. Size. The silhouette of the PWSF shall be reduced to the minimum visual impact.
- c. PWSFs visible from existing local residential roads or residential buildings shall:
 - (1) Provide underground vaults for equipment shelters; or
 - (2) Place equipment within shelters that are no larger than comparable electric equipment shelters/cabinets in the residential area from which the PWSF is visible; or

- (3) Place equipment shelters within structures, enclosures, or landscaping that conceal the equipment shelter; provided that all structures and enclosures are consistent with the materials, color, and architectural features of the residential area from which the PWSF is visible.
- d. Equipment. The following types of equipment shall not be permitted in Tier Two:
- (1) Ground-mounted lattice towers.
 - (2) Ground-mounted guyed towers.

ALTERNATIVES AND ANALYSIS:

1. The proposed camouflaged Personal Wireless Service Facility does meet the Tier Two standards and uphold staff determination.
2. The proposed camouflaged Personal Wireless Service Facility does not meet the Tier Two standards and reverse staff determination, thereby requiring a Tier Three application.
3. The proposed camouflaged Personal Wireless Service Facility would meet Tier Two standards based on certain conditions.

ATTACHMENTS:

1. Letter of Objection from Nicholas L. Meyers
2. Visuals

DMZ/DH/ecm/drc100908/aa0804

DEVELOPMENT REVIEW COMMITTEE ACTION: