

***DRAFT DENIAL***

At a meeting of the Spotsylvania County Board of Supervisors held May 9, 2017, and continued to May 23, 2017, on a motion by \_\_\_\_\_, seconded by \_\_\_\_\_ and passed \_\_\_\_\_, the Board adopted the following resolution:

**RESOLUTION NO. 2017-**

Denial – Special Use Permit SUP16-0011 Eco-Site (T-Mobile Telecommunication Tower)

**WHEREAS**, Eco-site (“Applicant”) requests a Special Use Permit to place a 150-foot tall monopole communication tower with a 10-foot lightning rod (160 feet total height) within a 2,520 sq. ft., fenced equipment area on the 1.4 acre parcel, which is setback approximately 560 feet south of Plank Road at an unaddressed property within the Central Crescent Subdivision. The property is located approximately 400 feet south and behind Loanmax Title Loans, which is located at 3914 Plank Rd, and is currently a disused parking lot. The property is zoned Commercial 2 (C-2) and has a Future Land Use designation of Commercial per the Comprehensive Plan. Tax map parcel 23-22-2. Courtland voting district; and

**WHEREAS**, staff has reviewed the subject application and recommends approval as stated in the staff report and the executive summary; and

**WHEREAS**, the Spotsylvania County Planning Commission held a public hearing on March 1, 2017, duly advertised in a local newspaper for a period of two weeks, and interested citizens were heard;

**WHEREAS**, the Planning Commission, by a vote of 6-0, recommended denial of the Special Use Permit, noting: 1) lack of information on current coverage and capacity and whether applicant was attempting to resolve coverage or capacity issues and 2) there appeared to be available alternative facilities which might be upgraded or have antennas installed upon them instead; and

**WHEREAS**, the Spotsylvania County Board of Supervisors held a public hearing, duly advertised in a local newspaper for a period of two weeks, on May 9, 2017, and interested citizens were given an opportunity to be heard; and

**WHEREAS**, the Board continued the matter at the Applicant’s request to allow the Applicant time to provide more information to the Board; and

**WHEREAS**, the Board has determined that: 1) the Applicant confirmed that the tower is desired to predominantly address capacity issues, and the Applicant has not demonstrated there is a significant coverage gap; 2) approximately 52 people who live near the proposed tower site have signed a petition disfavoring the tower based upon its negative aesthetic and property value impact on their properties due to the tower’s proposed height and proximal location, and 3) negative impacts on aesthetics and property values are violative of portions of the County Code, Section 23-4.5.7 related to standards of review for special use permits; and

**WHEREAS**, the County Code, the general welfare, and good zoning practices support denial of the application.

**NOW, THEREFORE, BE IT RESOLVED** that the Spotsylvania County Board of Supervisors does hereby deny Special Use Permit SUP16-0011 Eco-Site (T-Mobile Telecommunication Tower).

(SEAL)

A COPY TESTE: \_\_\_\_\_

Aimee Mann

Deputy Clerk to the Board of Supervisors