

***DRAFT APPROVAL***

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

**RESOLUTION NO. 2017-**

**SUP16-0013 Milestone Communications, Inc. Telecommunication Tower**

**WHEREAS**, Milestone Communications, Inc., requests a 150 foot tall monopole communication tower with a 6 foot lightning rod at 11100 Gordon Road on property owned by the Virginia Electric and Power Company and south of its Chancellor Substation. The property is located approximately 1700 feet west and behind the Salem Fields Community Church located at the southwest corner of the intersection of Gordon Road and Salem Fields Boulevard. The proposed tower will be within a 2,590 sq. ft. equipment area which is proposed on the same 13.62 acre parcel. The parcel is zoned Rural (RU). The Comprehensive Plan identifies the property as outside of the Primary Development Boundary and the Future Land Use Map identifies this area for Institutional Land Uses. Tax Parcels 21-A-93A; and

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

**WHEREAS**, the Spotsylvania County Planning Commission held a public hearing on September 20, 2017, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

**WHEREAS**, the Spotsylvania County Planning Commission recommended approval of the project with a vote of 5-1 with conditions, adding a condition requiring the tower be designed to fall away from onsite power lines; and

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

**WHEREAS**, the Spotsylvania County Board of Supervisors considered the Special Use Permit request in accordance with Sec. 23-4.5.7, Standards of Review, and finds that the application with the recommended conditions satisfy the following standards:

1. That the proposed use is in accord with the Comprehensive Plan and other official plans adopted by the County;
2. That the proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area or neighborhood in which it is located;

3. That the proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
4. That the proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;
5. That the proposed use will not be detrimental to the public welfare or injurious to property or improvements within the neighborhood;
6. That the proposed use is appropriately located with respect to transportation facilities, water supply, wastewater treatment, fire and police protection, waste disposal, and similar facilities;
7. That the proposed use will not cause undue traffic congestion or create a traffic hazard; and
8. That the proposed use will have no unduly adverse impact on environmental or natural resources.

**WHEREAS**, the general welfare and good zoning practice are served by approval of the application.

**NOW, THEREFORE, BE IT RESOLVED** that the Spotsylvania County Board of Supervisors does hereby approve SUP16-0013 with the conditions listed below:

1. The telecommunications tower and compound shall be developed in conformance with the Generalized Development Plan titled “Special Use Permit, TAX MAP 21-A-93A, DVP CHANCELLOR SUBSTATION, 11100 GORDON ROAD, FREDERICKSBURG, VA 22407” dated November 21, 2016 and last revised August 15, 2017.
2. New evergreen trees planted south of the existing substation shall be installed at a minimum height of 4 feet.
3. The final site design and operation of the facility must be in compliance with all other standards outlined in Sec. 23-7A.4.1 of the Code, except for Sec. 23-7A.4.1.10 as modified as a condition of this permit, 23-7A.4.1.6, and 23-7A.4.1.2.
4. If the operation of this site causes any interference to surrounding broadcast television receivers, amateur radio operations, or County radio system operations, the applicant shall investigate the complaint within thirty (30) days of notice and work with the Spotsylvania County Cable TV and Telecommunications Commission to determine remediation to correct the problem, if it is found to be the fault of the one of the tower vendors.
5. The tower’s breakpoint shall be designed to have the tower bend in a southwesterly direction away from existing powerlines in the event of failure.

**BE IT FINALLY RESOLVED** that the Spotsylvania County Board of Supervisors' approval and adoption of any conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

(SEAL)

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

Aimee Mann

Deputy Clerk to the Board of Supervisors