



**Marion County
Board of County Commissioners**

Growth Services ♦ Planning & Zoning

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2600
Fax: 352-438-2601

SPECIAL USE PERMIT APPLICATION - REGULAR - \$1,000

The undersigned hereby requests a Special Use Permit in accordance with Marion County Land Development Code, Articles 2 and 4, for the purpose of:

Construct a 250' Agl Comm tower and equipment compound.

Legal Description: (Please attach a copy of the deed and location map.) **Parcel Zoning:** R-1

Parcel account number(s): 8009-0000-60

Property dimensions: 780' x 856' **Total acreage:** 15.34

Directions: Please see enclosed.

Each property owner(s) MUST sign this application or provide written authorization naming an applicant or agent to act on his behalf. **Please print all information, except for the Owner and Applicant/Agent signature.**

Property Owner name (please print)

Marion County

Mailing Address

935 Main St., C4

City, State, Zip code

Safety Harbor, FL 34695

Phone number (include area code)

727-773-2221

E-mail address

mjakm@thelawympanereb.com

Signature

Mark S. Jom

Applicant or agent name (please print)

Marion County Public Safety

Mailing Address

935 Main Street, C4

City, State, Zip code

Safety Harbor FL 34695

Phone number (include area code)

727-773-2221

E-mail address

6062@thelawympanereb.com

Signature

Mark S. Jom

PLEASE NOTE: A representative is strongly encouraged to attend the public hearings when this application will be discussed. If no representative is present, the request may be postponed or **denied**. Hearing notices will be mailed to the address(es) listed above. All information submitted must be correct and legible to process the Application. Contact Growth Services Planning & Zoning at (352) 438-2675 for more information.

STAFF/OFFICE USE ONLY

Project No.:	Code Case No.:	Application No.:
Rcvd by:	Rcvd Date: / /	FLUM: <input type="checkbox"/>
		Zoning Map No.:
		Rev: 07/1/2019 <input type="checkbox"/>

A 1



**Marion County
Board of County Commissioners**

Fire Rescue ▪ Radio

2631 SE Third St.
Ocala, FL 34471
Phone: 352-291-8000
Fax: 352-291-8098



Date: December 14, 2023

To: Director, Marion County Planning and Zoning

From: Kyle W. Drummer, Director - Marion County Public Safety Communications

RE: Marion Oaks Recycling Center Public Safety Tower Special Use Permit Request

Marion County Public Safety is seeking a Special Use Permit to construct a 250' Self-supporting tower in the area of Marion Oaks (Parcel # 8009-0000-60).

This tower is urgently needed and will significantly improve radio coverage in the area for all Marion County first responders.

Please let me know what we can do to help facilitate this process.

Sincerely,

Kyle W. Drummer
Director, Public Safety Communications
Marion County Board of County Commissioners



Jimmy H. Cowan, Jr., CFA
Marion County Property Appraiser

2022 Certified Assessment Roll
Real Estate

8009-0000-60

[GOOGLE Street View](#)

Prime Key: 1330513

[Beta MAP IT+](#)

[Property Information](#)

MARION COUNTY
412 SE 25TH AVE
OCALA FL 34471-2687

[Taxes / Assessments:](#) \$0.00

Map ID: 152

[Millage:](#) 8002 - UNINCORPORATED

[M.S.T.U.](#)

PC: 86

Acres: 15.34

[More Situs](#)

Situs: 5950 SW 150TH LN ALL UNITS
OCALA

[Current Value](#)

Land Just Value	\$237,770		
Buildings	\$52,891		
Miscellaneous	\$24,757		
Total Just Value	\$315,418	Impact	
Total Assessed Value	\$193,821	Ex Codes: 14	(\$121,597)
Exemptions	(\$193,821)		
Total Taxable	\$0		

[History of Assessed Values](#)

Year	Land Just	Building	Misc Value	Mkt/Just	Assessed Val	Exemptions	Taxable Val
2023	\$354,354	\$59,625	\$24,757	\$438,736	\$213,203	\$213,203	\$0
2022	\$237,770	\$52,891	\$24,757	\$315,418	\$193,821	\$193,821	\$0
2021	\$108,914	\$45,944	\$24,757	\$179,615	\$176,201	\$176,201	\$0

[Property Transfer History](#)

Book/Page	Date	Instrument	Code	Q/U	V/I	Price
5101/0153	09/2008	09 EASEMNT	0	U	V	\$100
4239/0294	11/2005	61 FJDGMNT	0	U	V	\$100
3490/0916	08/2003	60 CRT ORD	0	U	V	\$100
2327/1783	12/1996	70 OTHER	0	U	V	\$100
1614/0557	11/1989	07 WARRANTY	0	U	V	\$100

[Property Description](#)

SEC 21 TWP 17 RGE 21
PLAT BOOK O PAGE 164

MARION OAKS UNIT 9
TRACT T-60

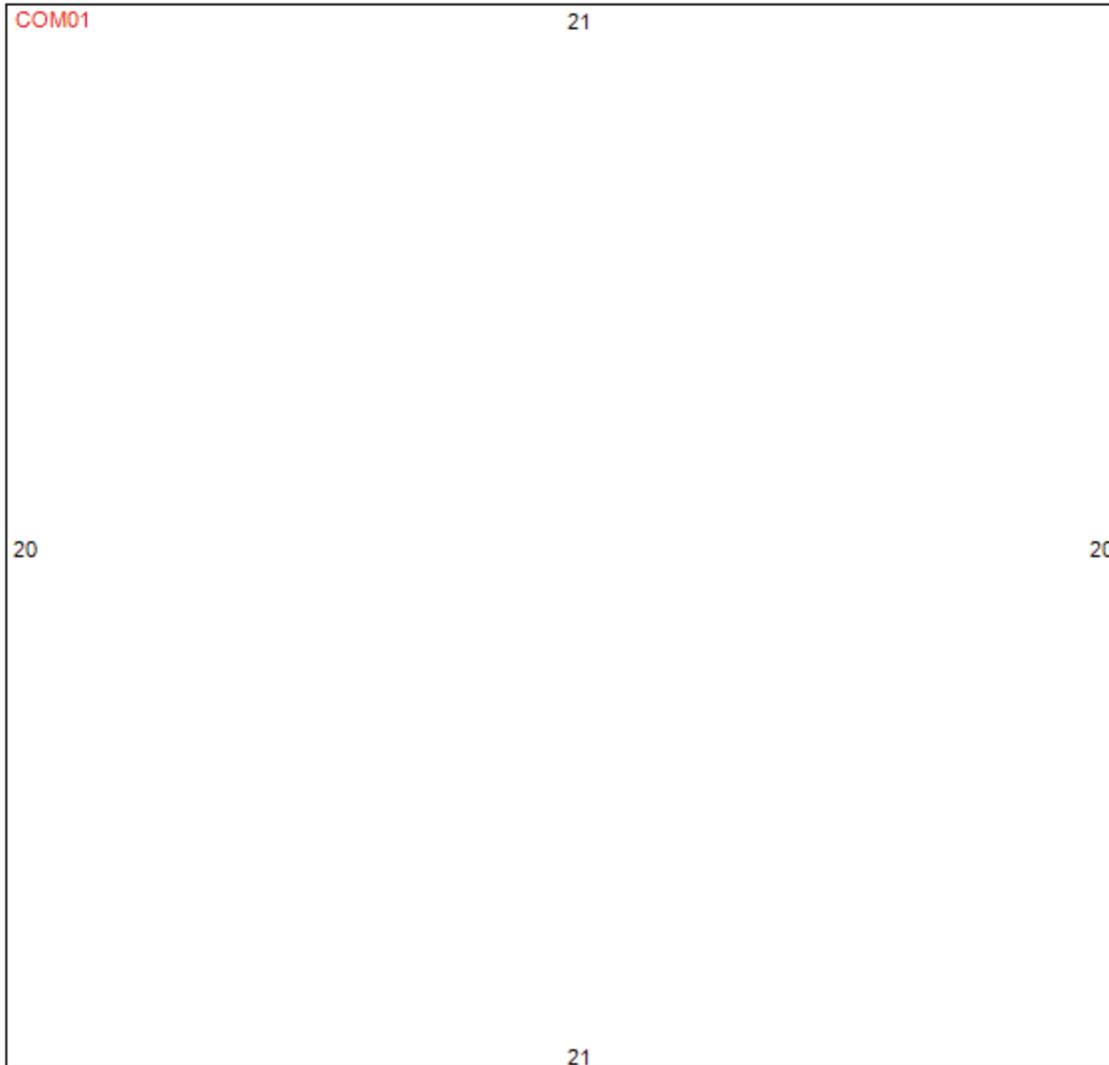
Land Data - Warning: Verify Zoning

Use	CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	Class Value	Just Value
9160		777.0	860.0	R1	15.34	AC	15,500.0000	1.00	1.00	1.00	237,770	237,770
Neighborhood 9010 - MARION OAKS											Total Land - Class \$237,770	
Mkt: 9 70											Total Land - Just \$237,770	

Traverse

Building 1 of 2

COM01=U20R21D20L21.



Building Characteristics

Structure	4 - MASONRY NO PILAST	A 4	Year Built 1990
Effective Age	4 - 15-19 YRS		Physical Deterioration 0%
Condition	3		Obsolescence: Functional 0%

Quality Grade 400 - FAIR
Inspected on 6/29/2016 by 197

Obsolescence: Locational 0%
Base Perimeter 82

Exterior Wall 24 CONC BLK-PAINT

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish	Sprinkler	A/C
1	8.0	1.00	1990	0	420	M00 MINIMUM FINISH	100 %	N N

Section: 1

Elevator Shafts: 0 **Aprtments:** 0 **Kitchens:** 0 **4 Fixture Baths:** 0 **2 Fixture Baths:** 0
Elevator Landings: 0 **Escalators:** 0 **Fireplaces:** 0 **3 Fixture Baths:** 0 **Extra Fixtures:** 0

[Traverse](#)

Building 2 of 2

COM01=L17U17R17D17.
 UCN02=U17R45D26L45U9.R45
 COM03=U17R13D25L13U8.



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[Building Characteristics](#)

Structure	4 - MASONRY NO PILAST	Year Built 2008
Effective Age	3 - 10-14 YRS	Physical Deterioration 0%
Condition	4	Obsolescence: Functional 0%
Quality Grade	300 - LOW	Obsolescence: Locational 0%
Inspected on	6/29/2016 by 197	Base Perimeter 144

Exterior Wall 40 PRECAST PANEL

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish	Sprinkler	A/C
1	12.0	1.00	2008	0	289	M00 MINIMUM FINISH	100 %	N N
2	15.0	1.00	2008	0	1,170	UCN CANOPY UNFIN	100 %	N N
3	12.0	1.00	2008	0	325	M00 MINIMUM FINISH	100 %	N Y

Section: 1

Elevator Shafts: 0	Aprtments: 0	Kitchens: 0	4 Fixture Baths: 0	2 Fixture Baths: 0
Elevator Landings: 0	Escalators: 0	Fireplaces: 0	3 Fixture Baths: 0	Extra Fixtures: 0

Miscellaneous Improvements

Type	Nbr Units	Type	Life	Year In	Grade	Length	Width	
105 FENCE CHAIN LK	2,000.00	LF	20	2008	4	0.0	0.0	
144 PAVING ASPHALT	1,778.00	SF	5	1990	3	0.0	0.0	
262 WELL 14-24IN	1.00	UT	99	1990	5	0.0	0.0	
144 PAVING ASPHALT	8,602.00	SF	5	2008	3	0.0	0.0	
262 WELL 14-24IN	1.00	UT	99	2008	5	0.0	0.0	
Total Value - \$24,757								

Appraiser Notes

TRACT T60 - UTILITY SITE
 PUMP HOUSE
 1,000,000 FRESH WATER STORAGE TANK AND
 WATER TRANSFER STATATION
 EST ALL GATE LOCK

Planning and Building

**** Permit Search ****

Permit Number	Issued Date	Complete Date	Description
M010293	1/1/2008	12/1/2008	TRANSFER STATION
MA28255	11/1/1989	-	WELL HOUSE

Cost/Market Summary

Buildings R.C.N.	\$67,841	3/12/2011				
Total Depreciation	(\$14,950)					
Bldg - Just Value	\$52,891		Bldg Nbr	RCN	Depreciation	Depreciated
Misc - Just Value	\$24,757	3/12/2011	1	\$18,727	(\$5,618)	\$13,109
Land - Just Value	\$237,770	1/25/2022	2	\$49,114	(\$9,332)	\$39,782
Total Just Value	\$315,418	.				



935 Main Street, Suite C4
 Safety Harbor, FL 34695
 Telephone: (727) 773-2221
 Facsimile: (727) 773-2616

SENT VIA ELECTRONIC MAIL ONLY

December 22, 2023

Marion County Growth Services
 Kenneth Weyrauch
 2710 E. Silver Springs Blvd.
 Ocala, FL 34470
 zoning@marionfl.org

**RE: Marion County Public Safety Communications
 Parcel #8009-0000-60
 Special Use Permit Request for 250' AGL Lattice Telecommunication Tower**

Dear Mr. Weyrauch:

On behalf of my client, Marion County Public Safety Communications, (Public Safety) please find the included Special Use Permit application to allow a 250' AGL lattice style telecommunication tower and support facility on parcel #8009-0000-60 along with supporting documentation:

- Special Use Permit Application (\$2,000.00 sent under separate cover)
 - Directions to Tower Site
- Property Card
- Property Appraiser Aerial
- Public Safety Statement of Need.
- FAA Determination of No Hazard to Air Navigation
- Stipulated Order of Taking
- Residential Separation Aerial
- SHPO Timeout Letter
- Geotechnical Report – Electronically Signed and Sealed on 8.5 x 11
- Equipment Shelter Cutsheet
- Site Plan Set with Survey and Topo bound in – Electronically sealed at 11 x 17

Summary of Request

Public Safety respectfully requests a Special Use Permit approval on parcel #8009-0000-60, to allow the construction of a 250' AGL lattice style telecommunication tower (Lattice) and support facility to support equipment for Public Safety's proprietary communications system. The 15.34 Acre parcel currently hosts a water treatment plan. The Lattice will be located on the South end

of the parent parcel. Mature canopy exists on the parent parcel around the Lattice. The Lattice's equipment area consists of 6,400 square feet. The parent parcel currently carries a Public Future Land Use designation and a R-1 zoning designation.

Applicable Land Development Code

Sec. 4.3.25. - Telecommunications towers and antennas.

A. Purpose and intent. ...

B. Location priority:

- (1) It is recognized that different wireless telecommunication services and providers have distinct geographical areas in which they must be located to provide their service, but it is also recognized that there is usually some flexibility in the type of antenna and type of support structure on which the antenna is to be located. Therefore, all antennas and towers subject to this section shall to the extent possible be located in accordance with the following prioritization of types of facilities and sites:
 - (a) Antennas on existing towers.
 - (b) Antennas on existing antenna support structures.
 - (c) Antennas on modified or reconstructed towers designed to accommodate the collocation of additional carriers as set forth in Section 4.3.25.G(4) and (5).
 - (d) Towers and antennas on limited replacement/modified light standards, power poles, or other such Antenna Support Structures in a non-residential zoning district (zoning districts other than R-1, R-2, R-3, R-4, RE and Residential PUD).
 - (e) Towers on property controlled and used by a governmental or quasi-governmental entity.
 - (f) New construction

Public Safety respectfully requests to construct a 250' AGL lattice style tower property zoned R-1, which, while it is a residential zoning district, is owned by the County. There are no existing towers or tall structures in the area that Public Safety can collocate upon. Please see Sheets 1 of 1 and C-1 as well as the enclosed Statement of Need.

C. Permitted use....

D. Special Use Permit (SUP). No person shall erect or modify an antenna or an antenna support structure, construct a new tower, or modify an existing tower without first obtaining a SUP pursuant to this section, or an administrative permit as set forth herein. The Board is under no obligation to approve a SUP application unless and until the applicant meets their burden of demonstrating that the proposed use will not adversely affect the public interest, the proposed use is consistent with the Comprehensive Plan and the proposed use is compatible with land uses in the surrounding area. The Board's determination shall be based on substantial and competent evidence, documentation and testimony received at the public hearing including but not limited to the ~~re~~commendation of the County Growth Services staff, the recommendation of the Planning and Zoning Commission, information and

recommendation of County engineering consultants, information from the applicant and any party in support or opposition, or their respective representatives. In addition, the Board shall consider the following factors in determining whether to issue a SUP for a new tower, although the Board may waive or reduce the burden on the applicant of one or more of these criteria if the Board concludes that the goals of this section are better served thereby.

- (1) Height of the proposed tower; surrounding topography; surrounding tree coverage and foliage; nature of uses on adjacent and nearby properties; proposed ingress and egress; and availability of suitable existing towers and other structures as set forth in this section.

The Lattice's design, with dull gray iron works but no guy wires extending out from it, will minimize the structure's visibility during the day while providing the height necessary to meet Public Safety's RF Objectives. The Lattice will be lit under FAA safety regulations, but will only be lighted to the minimum amount necessary under federal law. The Lattice will be 250' AGL, which is the minimum height Public Safety needs in order to meet its RF objectives. The Lattice's siting, in a stand of trees, maximizes the Lattice's buffering from neighboring uses, which exist primarily to the South, East, and West. The siting also places mature trees on the parent parcel between the Lattice and surrounding, which will help extensively buffer it from both the road and neighboring uses. Mature hardwood canopy exists throughout the area, both on parcels and at property lines, which helps breaks up the area's viewsheds and helps further buffer the Monopole from neighboring uses. Please see the enclosed site plan set and Property Appraiser Aerial.

- (2) Proximity of the tower to residential structures and residential subdivision boundaries, including the amount of the tower that can be viewed from surrounding residential zones in conjunction with its proximity (distance) to the residential zone, mitigation landscaping, existing character of surrounding area, or other visual options proposed by the applicant;

The Lattice's siting, near mature trees on the parent parcel, maximizes the Lattice's buffering from neighboring uses. Mature hardwood canopy exists scattered throughout the area, both on parcels and at property lines, which helps breaks up the area's viewsheds and helps further buffer the Monopole from neighboring uses. Please see the enclosed site plan set and Property Appraiser Aerial.

- (3) Proximity of the tower to public and private airports, including but not limited to the effect on the airport traffic pattern and visual and instrument approaches, orientation to the runway heading and type and volume of aircraft traffic operating at the airport.

The nearest airport is McGinley field, which is private and located to the North. The FAA has determined that the Lattice will not be a hazard to any aircraft navigation in the area. Please see the enclosed FAA Determination of No Hazard to Air Navigation.

- (4) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness, including the extent to which the tower is designed and located to be compatible with the nature and character of other

land uses and/or with the environment within which the tower proposes to locate, the tower may be placed, designed or camouflaged to assist with mitigating the overall aesthetic impact of a tower.

The Lattice's design, with dull gray iron works but no guy wires extending out from it, will minimize the structure's visibility during the day while providing the height necessary to meet Public Safety's RF Objectives. The Lattice will be lit under FAA safety regulations, but will only be lighted to the minimum amount necessary under federal law. Finally, the Lattice will be the minimum height necessary to meet Public Safety's RF Objectives. Please see the enclosed statement of need and FAA Determination of No Hazard to Air Navigation.

- (5) No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Board that no existing tower or antenna support structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or antenna support structure can accommodate the applicant's proposed antenna must be submitted with the application and may consist of any of the following:
- (a) No existing towers or antenna support structures are located within the geographic area required to meet applicant's engineering requirements.
 - (b) Existing towers or antenna support structures are not of sufficient height to meet applicant's engineering requirements.
 - (c) Existing towers or antenna support structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
 - (d) The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or antenna support structure, or the antenna on the existing towers or antenna support structures would cause interference with the applicant's proposed antenna.
 - (e) The fees, costs, or contractual provisions required by the owner in order to share an existing tower or antenna support structure or to adapt an existing tower or antenna support structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
 - (f) The applicant demonstrates that there are other limiting factors that render existing towers and antenna support structures unsuitable.

Public Safety needs a 250' tall tower to achieve the height necessary to meet its RF objectives. The tower must be under the control of Public Safety for security of its proprietary network. Please see the enclosed Statement of Need.

- E. Development standards. The following development standards shall govern the application, consideration and issuance of administrative and SUPs. The applicant shall comply with the following conditions, unless the applicant can demonstrate that the goals of this section are better served by the waiver of these requirements.

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- (1) **Setbacks and Locational Requirements.** The following requirements shall apply to all towers including towers allowed as a permitted use under Section 4.3.25.C; provided, however, that the Board may reduce the requirements if the goals of this section would be better served thereby.
 - (a) **Setbacks from Parent Property Lines.** Tower setbacks shall be measured from the base of the tower to the property lines of the parent parcel. The tower owner shall provide a lease or deed or recorded fall zone easement covering the certified fall radius, and all towers shall be located on a parcel in such a manner that in the event of collapse, the tower structure and its supporting devices shall be contained within the confines of the property lines of the parent parcel. The fall radius of the tower shall be determined and certified by a Florida Licensed Engineer. Structural Support devices such as peripheral anchors, guy wires or other supporting devices shall be located no closer than 25 feet from any property line of the parent parcel.

The Lattice will comply with R-1 setback requirements and will be located at least 100% tower height away from the nearest public road. Please see Survey Sheet 1 of 1.

- (b) **Locational Requirements Relative to Off-Site Uses and Zoning.** Towers shall meet the locational requirements set forth in the table below from adjacent and surrounding properties of the parent tract.
- (c) If the owner of the property where the tower is to be located owns residential units thereon or on surrounding properties (or if such properties are owned by his or her parents or children and they have consented in writing), those units shall not be taken into consideration when calculating the setback and locational requirements in this section.

Table 4.3-2 Tower Locational Requirements

Separation From	Distance
Any adjacent or surrounding residential dwelling	150% of tower height
Any adjacent or surrounding residentially zoned land	100% of tower height
Any off-site agriculturally zoned land	100% of tower height
Public road rights-of-way	100% of tower height
Designated scenic roadways	100% of tower height

the Lattice will meet the required 100% tower height setback to all property lines with parcels that are not owned by the County. Based upon the Lattice’s height the required separation is 375’ to offsite residential units. The nearest offsite residence is approximately 710’ to the Southwest. Therefore, the Lattice will exceed the Code required separation. Please see the enclosed Residential Separation Aerial.

- (2) **Collocation.** All new towers shall be designed and constructed to allow collocation of a minimum of two antennas for monopoles and four antennas for other towers. The tower owner/operator shall submit executed ^{A 11} collocation agreements or binding letters of

intent for each collocation as support for granting the permit to locate the tower, if any. Collocation agreements or binding letters of intent shall be in a form acceptable to the Growth Services Director that shall provide that each of the additional users will be utilizing the tower upon its completion.

The Lattice will be designed to collocate qualified commercial users as Public Safety deems fit given the sensitive nature of its communications network.

- (3) Tower Clustering. Application for tower clustering shall be filed with the Growth Services Department and shall include a site plan showing the location and fall zone radius of each tower. The Growth Services Department shall prepare and forward a recommendation and supporting documents to the Board. The Board may approve or deny such site for tower clustering by adoption of a resolution, provided however, if one or more of the towers require a SUP, the resolution of approval shall be subject to issuance of the necessary SUP. Unless otherwise approved by the Board, towers shall be separated from each other a minimum distance equal to the certified fall radius.

The Lattice will be designed to collocate qualified commercial users as Public Safety deems fit given the sensitive nature of its communications network. Collocation on the lattice will avoid tower clustering.

- (4) Landscaping and buffers. Landscaping of tower electrical control equipment facilities shall apply to those sites which are adjacent to or within 330 feet (straight line distance) of a residence or development. A planting area a minimum of four feet wide, around the outside perimeter of the fence around the tower compound shall be established. The area shall be planted with a hedge of native or ornamental evergreen shrubs at least 30 inches in height at planting and capable of growing to at least 40 inches in height within the first growing season. Plants shall be mulched using two inches of material. A drip or low volume/pressure irrigation system or other alternative means of insuring hearty growth of vegetation shall be utilized. These plant materials shall be designed and placed to effectively screen the view of the tower compound from adjacent property. Ornamental trees may be included in the design to achieve this goal. Landscape buffering on the parent parcel shall be installed along the portion of the parent parcel boundaries between the tower and off-site residentially zoned property as necessary to buffer residential property when vegetative buffers are non-existent or provide insufficient screening. Plant materials shall be designed and placed to screen the view of the tower compound. Ornamental trees may be included in the design to achieve this goal. Existing mature tree growth and natural land forms on the property shall be protected and preserved to the maximum extent possible. New trees shall be a minimum of two inches DBH and shall be container grown. Shrubs shall be a minimum of 18—24 inches in height. Plants shall be mulched using two inches of material. All plant material shall be maintained in perpetuity following final inspection and approval. Replacements shall be made annually and coordinated with the Growth Services Director or his designee.

The Board may require a greater buffer where appropriate or waive or modify any or all of these requirements if the goals of this section would be better served thereby.

Public Safety respectfully requests the landscape buffer be waived in this instance in order to enact Crime Prevention Through Environmental Design (CPTED) principals on this secure site.

- (5) Lighting. Towers shall not be artificially lighted except as required by the Federal Aviation Administration (FAA) or other applicable authority. If lighting is required, the County shall review the available lighting alternatives and approve the design that will cause the least disturbance to the surrounding views, including but not limited to installation of bottom shielding on all lights.

The Lattice will be lit under FAA safety regulations, but will only be lighted to the minimum amount necessary under federal law. Please see the enclosed FAA Determination of No Hazard to Air Navigation.

- (6) Color. Towers shall either maintain a galvanized steel finish, or concrete, or be painted a color so as to reduce visual obtrusiveness, subject to any applicable standards of the FAA, except for camouflage towers. The wiring conduit and coaxial cable shall be designed or painted to reduce visual obtrusiveness.

The Lattice will have a galvanized grey finish, which will allow it to better blend with the background sky.

- (7) Buildings. At the tower site, the design of the building and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment. Outdoor storage is not permitted at a tower site.

The Lattice's design, with dull gray iron works but no guy wires extending out from it, will minimize the structure's visibility during the day while providing the height necessary to meet Public Safety's RF Objectives. The Lattice will be lit under FAA safety regulations, but will only be lighted to the minimum amount necessary under federal law. The Lattice will be 250' AGL, which is the minimum height Public Safety needs in order to Meet its RF objectives. The Lattice's compound will be enclosed by an 8' tall chain link fence and will be occupied by an equipment shelter. Public Safety will not use the compound for outdoor storage. Please see Sheets C-1 through E-2, as well as the enclosed Statement of Need and FAA Determination of No Hazard to Air Navigation.

- (8) Antenna. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

N/A. Public Safety is proposing a lattice style telecommunication tower.

- (9) Signage. No signage shall be allowed on any tower, except as required for public safety purposes, or by the Federal Communication Commission (FCC).

The only signage will be No Trespassing, Site Identification, and FCC Safety Placarding.

- (10) Security fencing. Towers shall be enclosed by security fencing not less than six feet in height and shall also be equipped with an appropriate anti-climbing device; provided, however, that the Board may waive such requirements, as it deems appropriate.

Public Safety respectfully proposes to enclose the Lattice's compound with an 8' chain link fence, which will both secure the compound. Public Safety respectfully requests that the landscape buffer be waived in this instance due to CPTED principles. Please see Sheets C6 and C-7.

- (11) Inventory of existing sites. In order to encourage collocation of facilities, the Growth Services Department shall maintain a current map of all existing towers and all antenna support structures on which an antenna has been located. To prepare and maintain such a map, at the time of its first application after the effective date of this ordinance, each applicant for an antenna and or new tower shall provide to the Growth Services Department an update of the inventory of the communications company's existing towers and antennas and approved towers that are either within Marion County or within one-quarter mile of the border thereof including municipal boundaries, including specific information about the location (including longitude, latitude, and State Plane Coordinates), height, and design of each tower. The Growth Services Department may share such information with other applicants applying for administrative approvals or SUPs under this ordinance or other organizations seeking to locate towers or antennas within the jurisdiction of the Board, provided, however, that the Growth Services Department is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

Please see the enclosed Statement of Need.

- (12) Federal requirements. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If, upon inspection, the Board concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance with such standards. If the owner fails to bring such tower into compliance within said 30 days, the Board may remove such tower at the expense of the owner and/or landowner.

The Lattice will comply with applicable Federal requirements. Please see the enclosed FAA Determination of No Hazard to Air Navigation.

- (13) Building Codes; Safety Standards. To ensure the structural integrity of towers, the owner of a tower constructed after April 28, 1998 shall ensure that it is constructed and maintained in compliance with EIA/TIA 222-E Standard, as published by the Electronic Industries Association, which may be amended from time to time, and all standards contained in the County building code and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the Board concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance with such standards. If the owner fails to bring such tower into compliance within said 30 days, the Board may remove such tower at the expense of the owner and/or landowner.

Please see Sheet T2.

- (14) Public notice. For purposes of this section, any SUP for a tower shall require public notice to all abutting property owners and all owners of property that are located within 500 feet of the perimeter of the parent parcel upon which the proposed communication tower is located, including municipalities within one mile of the proposed site and notice to owners of private and public airports within a two-mile radius of the proposed site. Failure of a municipality to respond within 30 days after notification shall be interpreted as no objection.

Noted.

- F. Permit application. An applicant requesting a new tower permit, a permit to modify an existing tower, or a permit for a new antenna on an antenna support structure or a tower shall include the following:
- (1) Information Required. Each applicant requesting a SUP shall submit a complete application as set forth herein, including a scaled site plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing the location (including longitude, latitude and State Plane Coordinates) and dimensions of all improvements, including information concerning topography, radio frequency coverage, geographical area required to meet applicant's engineering requirements (applicant's search ring), tower height requirements, setbacks, drives, parking, fencing, landscaping, adjacent uses, and other information deemed by the Board to be necessary to assess compliance with this section. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical shall be certified by a licensed professional engineer. For new towers only, a site plan (20 copies) drawn to scale. The Growth Services Director shall provide a checklist of items required for the site plan. The site plan shall also include the criteria pursuant to this section.

Please see the enclosed Application Packet.

- (2) The height of the proposed or modified tower or antenna support structure (including the antenna);

Please see Sheet C1.

- (3) For new towers only, the location of the proposed new tower, antenna support structure or modified tower, placed upon an aerial photograph possessing a scale of not more than one inch equals 660 feet (1" = 660'), indicating all adjacent land uses within a radius of 3,000 feet from all property lines of the proposed tower location site. For a permit to modify an existing tower, written documentation that the modified tower can accommodate collocation and will not exceed 40 feet over the tower's existing height. For a new antenna on an antenna support structure or tower, a description of the antenna and antenna support structure with technical reasons concerning its design.

Please see the enclosed residential separation aerial.

- (4) For new towers only, the names, addresses and telephone numbers of all owners of the proposed tower and the location of other towers or usable antenna support structures within a one-half mile radius of the proposed new tower site, and within the geographic area required to meet applicant's engineering requirements (applicant's search ring), including property zoned GU and property that is owned by a government entity within one mile radius of the proposed site, which meets the requirements of Section 4.3.25.C.

There are no towers or tall structures in the area that Public Safety could use for its proprietary network.

- (5) For new towers only, written approval or a statement of no objection from the FCC, FAA and other state and federal government agencies that regulate towers. In addition, all applications for new towers within a two mile radius of a public or private airport shall demonstrate that the tower location will not interfere with or obstruct the flight path of the airport.

Please see the FAA Determination of No Hazard to Air Navigation.

- (6) For new towers only, written documentation demonstrating that the applicant made diligent efforts for permission to collocate on towers, or usable antenna support structures or locate on County owned property located within the applicant's search ring and within a one mile radius of the proposed site, which meets the requirements of Section 4.3.25.C.

The Lattice will be designed to collocate qualified commercial users as Public Safety deems fit given the sensitive nature of its communications network.

- (7) A description of the tower, or antenna and antenna support structure with technical reasons concerning its design.

Please see the enclosed Site Plan Set.

- (8) For new and replacement towers only, written documentation from a qualified radio frequency engineer that the construction and placement of the tower will not interfere with public safety communication and the usual and customary transmission or reception of radio, television, or other communication service.

Please see the enclosed Statement of Need.

- (9) Written, technical evidence from an engineer(s) that the proposed antenna tower or structure meets the structural requirements standards as defined in this section. The applicant is required to submit the necessary building plans to the building department.

Please see sheet T2.

- (10) For new towers only, if volatile, flammable, explosive or hazardous material (such as LP gas, propane, gasoline, natural gas, corrosive or other dangerous chemicals) except standard battery backup systems typically used in the telecommunication industry, are present on the site or in proximity thereto, written technical evidence from a qualified engineer(s) acceptable to the fire marshal and the building official that such material is properly stored consistent with applicable Codes and does not pose an unreasonable risk of explosion, fire or other danger to life or property.

These materials will be provide at building permit review.

- (11) For new towers only, 20 copies of the final written report of all experts which the applicant will rely upon to support its application. The applicant may supplement such reports during the public hearing process to address additional issues raised at the public hearings.

Noted.

- (12) Payment of all permit fees, as well as other fees and charges assessed by the County (e.g. fees for building permits, site plan review, etc.). The applicant shall pay any reasonable additional costs incurred by the County in processing the application including, without limitation, compensation for engineers (including radio frequency engineers) or other technical consultants retained by the County.

Noted.

G. Administrative permit. ...

H. Abandonment of communication towers:

- (1) Compelling public interest. The Board finds and declares that, because of the national public policy of ensuring that the wireless communications industry and its evolving new technologies are accommodated notwithstanding the undesirable effects that

communication towers may have on the aesthetics of communities and neighborhoods, there is a compelling public interest in ensuring that communication towers are promptly disassembled, dismantled, and removed once they are no longer being used. Further, the Board finds that there is substantial risk that towers may cease being used in large numbers if there is a concentration or consolidation of competitors within the industry or if even newer technologies arise, obviating the need for towers.

- (2) Abandonment. In the event the use of any communication tower has been discontinued for a period of 180 consecutive days, the tower shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the Growth Services Director, who shall have the right to request documentation and/or affidavits from the communication tower owner/operator regarding the issue of tower usage. Failure or refusal for any reason by the owner/operator to respond within 20 days to such a request shall constitute prima facie evidence that the communication tower has been abandoned. Upon a determination of abandonment and notice thereof to the owner/operator, the owner/operator of the tower shall have an additional 180 days within which to:
- (a) Reactivate the use of the tower or transfer the tower to another owner/operator who makes actual use of the tower within the 180-day period, or
 - (b) Dismantle and remove the tower. At the earlier of 181 days from the date of abandonment without reactivation or upon completion of dismantling and removal, any approval for the tower shall automatically expire.
- (3) Duty to Remove Abandoned Towers. Notwithstanding the provisions of Section 4.3.25.H(2), upon abandonment of a communication tower as determined under Section 4.3.25.H(2) by the Growth Services Director and the failure or refusal by the owner/operator of the tower to either reactivate the tower or dismantle and remove it within 180 days as required by Section 4.3.25.H(2), the following persons or entities (the "responsible parties") shall have the duty jointly and severally to remove the abandoned tower.
- (a) The owner of the abandoned tower (and, if different, the operator of the abandoned tower);
 - (b) The owner of the land upon which the abandoned tower is located;
 - (c) The lessee, if any, of the land upon which the tower is located;
 - (d) The sublessee or sublessees; if any, of the land upon which the tower is located;
 - (e) Any communication service provider who or which by ceasing to utilize the tower or otherwise failing to operate any of its transmitters or antennas on the tower for which it leased space or purchased the right to space on the tower for its transmitters or antennas and such ceasing or failure to utilize the tower in fact caused the tower to become abandoned;
 - (f) Any persons to whom or entity to which there has been transferred or assigned any license issued by the Federal Communications Commission and under which the tower owner/operator operated the tower.

- (g) Any person or entity which has purchased all or a substantial portion of the assets of the tower owner or operator;
- (h) Any entity which has merged with, or which has arisen or resulted from a merger with, the tower owner or operator;
- (i) Any person or entity which has acquired the owner or the operator of the abandoned tower;
- (j) Any parent or subsidiary of any of the foregoing which happens to be a corporation;
- (k) Any managing partner of any of the foregoing which happens to be a limited partnership; and
- (l) Any partner of any of the foregoing which happens to be a general partnership. The abandoned tower shall be removed on or before the ninetieth day after receipt by the responsible party or parties of a notice from the Growth Services Director ordering its removal. The duty imposed by this paragraph shall supersede and otherwise override any conflicting provision of any contract, agreement, lease, sublease, license, franchise or other instrument entered into or issued on and after May 3, 1998.

Noted.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017)

DIVISION 8. - SPECIAL USE PERMIT

...

Sec. 2.8.2. - Submittal requirements.

....

E. Applications for Telecommunication Towers shall include a description of the following findings. The P&Z may make further written findings that the specific requirements contained in Section 4.3.25 governing a SUP for telecommunication towers has been made concerning the following matters, where applicable:

- (1) Setbacks from Parent Property Lines

Please see Survey Sheet 1.

- (2) Certified fall radius

N/A – the Lattice will be 250’ from any public roads or privately owned lands.

- (3) Locational Requirements Relative to Offsite Uses and Zoning

Please see the enclosed residential separation aerial.

- (4) Provisions for Collocation

The Lattice will be designed to collocate qualified commercial users as Public Safety deems fit given the sensitive nature of its communications network.

- (5) Tower Clustering

N/A. The Lattice will be designed to collocate qualified commercial users as Public Safety deems fit given the sensitive nature of its communications network. Collocating qualified commercial users upon the Lattice will help avoid tower clustering.

- (6) Landscaping, Screening and Buffers

Public Safety respectfully requests the landscape buffering be waived in this instance in order to implement CPTED Principles.

- (7) Lighting of Tower

The Lattice will be lit under FAA safety regulations, but will only be lighted to the minimum amount necessary under federal law.

- (8) Color of Tower

The Lattice will be Galvanized Gray.

- (9) Building design and blending of tower facilities to the natural setting and built environment

The Lattice's design, with dull gray iron works but no guy wires extending out from it, will minimize the structure's visibility during the day. The Lattice will be lit under FAA safety regulations, but will only be lighted to the minimum amount necessary under federal law. The Lattice will be 250' AGL, which is the minimum height Public Safety needs in order to Meet its RF objectives. The Lattice's compound will be enclosed by an 8' tall chain link fence and will be occupied by an equipment shelter. Public Safety will not use the compound for outdoor storage. Please see Sheets C-1 through E-2, as well as the enclosed Statement of Need and FAA Determination of No Hazard to Air Navigation.

- (10) Antenna Compatibility

Please see the enclosed Statement of Need.

(11) Signage

The Lattice will only have no-trespassing signage and FCC required identification and safety placarding.

(12) Security Fencing

Please see Sheets C5 to C6.

(13) Inventory of Existing Sites

N/A – The location of Public Safety communication facilities are sensitive in nature.

(14) Compliance with current standards and regulations of the FAA, the FCC and any other Federal governmental agency with the authority to regulate towers and antennas

Please see the FAA Determination of No Hazard to Air Navigation.

(15) Building Codes and Standards

Please see Sheet T2.

(16) Provision of parking spaces and provisions for removal of refuse

The Lattice will be unstaffed and, therefore, will not require water, sewer, or garbage services. It will be serviced by one pickup truck sized vehicle per user per month, which will park in the access driveway. Please see Sheet C1.

(17) Provision for utilities

The Lattice will be unstaffed and only require power and telco connections. It will not require water, sewer, or garbage services. Please see Sheet C1.

(18) Provisions for general compatibility with adjacent properties and other property in the surrounding area

The Lattice's design, with dull gray iron works but no guy wires extending out from it, will minimize the structure's visibility during the day while providing the height necessary to meet Public Safety's RF Objectives. The Lattice will be lit under FAA safety regulations, but will only be lighted to the minimum amount necessary under federal law. The Lattice will be 250' AGL, which is the minimum height Public Safety needs in order to Meet its RF objectives. The Lattice's compound will be enclosed by an 8' tall chain link fence and will be occupied by an equipment shelter. Public Safety will not use the compound for outdoor storage. Please see Sheets C-1 through E-2, as well as the enclosed Statement of Need and FAA Determination of No Hazard to Air Navigation.

The Lattice's siting, in a stand of trees, maximizes the Lattice's buffering from neighboring uses, which exist primarily to the South, East, and West. The siting also places mature trees on the parent parcel between the Lattice and surrounding properties and roads, which will help extensively buffer it from both the road and neighboring uses. Mature hardwood canopy exists throughout the area, both on parcels and at property lines, which helps breaks up the area's viewsheds and helps further buffer the Monopole from neighboring uses. Please see the enclosed site plan set and Property Appraiser Aerial.

Thank you in advance for your assistance in this matter. Please do not hesitate to contact me if I am able to provide you with additional information.

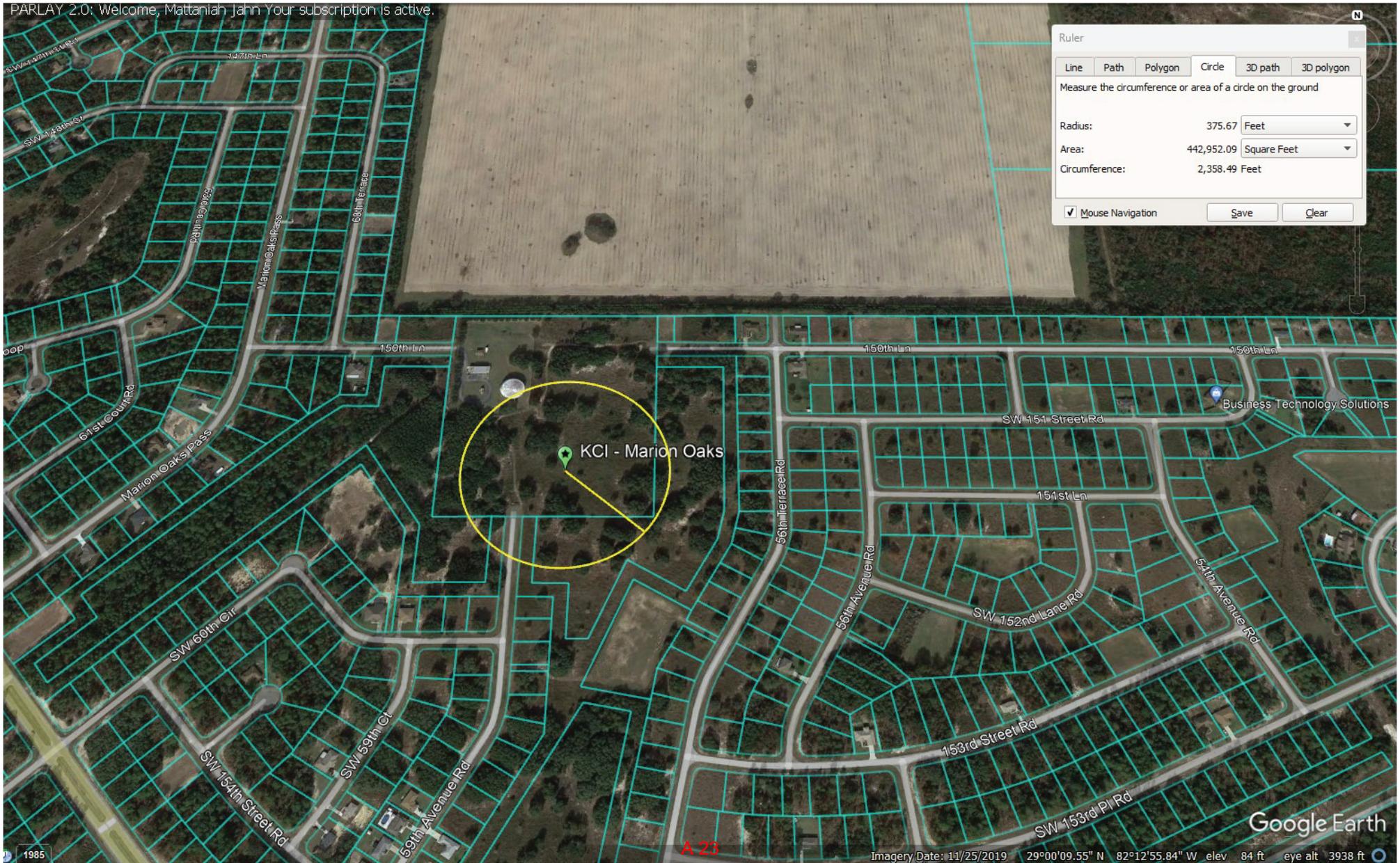
Sincerely,



Mattaniah S. Jahn, Esq.

enclosures

PARLAY 2.0: Welcome, Mattaniah Jahn Your subscription is active.





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2023-ASO-15372-OE

Issued Date: 07/18/2023

Kyle Drummer
Marion County BOCC
2631 SE Third Street
Ocala, FL 34471

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower Marion Oaks
Location: Ocala, FL
Latitude: 29-00-07.71N NAD 83
Longitude: 82-13-01.10W
Heights: 82 feet site elevation (SE)
270 feet above ground level (AGL)
352 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, a med-dual system-Chapters 4,8(M-Dual),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 01/18/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the ~~issu~~ing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (404) 305-6462, or mike.blaich@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-ASO-15372-OE.

Signature Control No: 583170784-593762068

(DNE)

Michael Blaich
Specialist

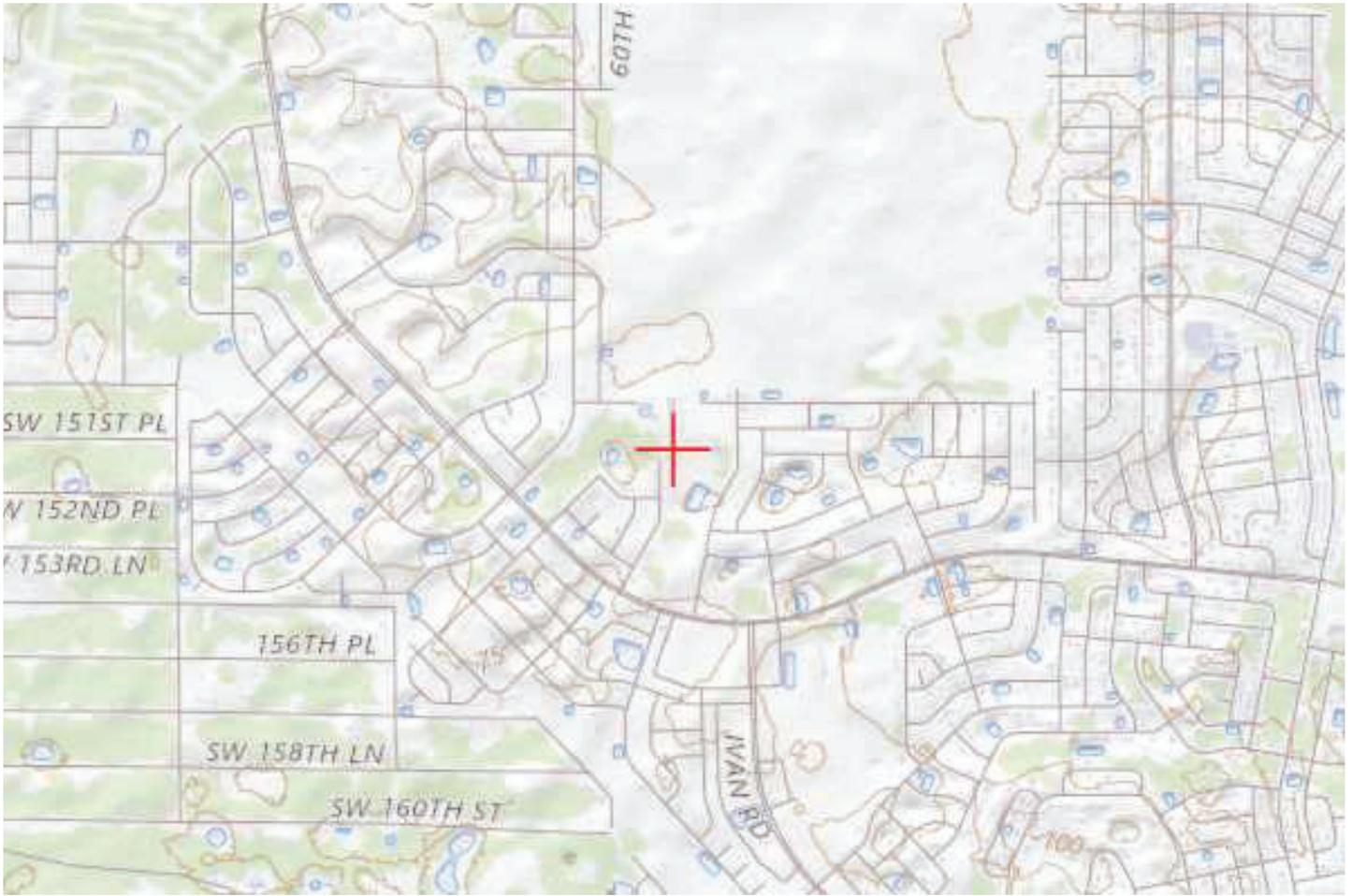
Attachment(s)
Frequency Data
Map(s)

cc: FCC

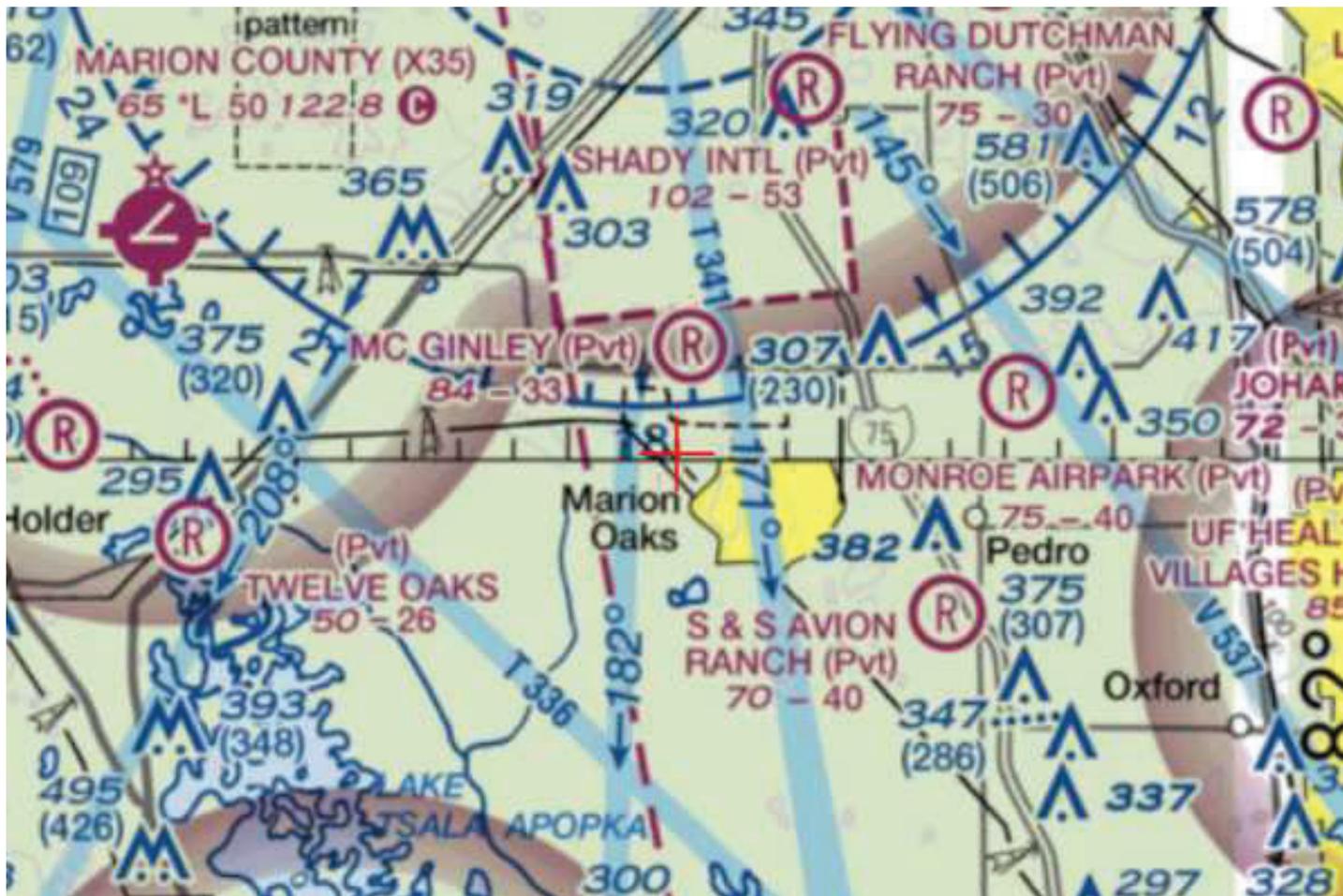
Frequency Data for ASN 2023-ASO-15372-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
806	901	MHz	500	W

Attachment A
TOPO Map for ASN 2023-ASO-15372-OE



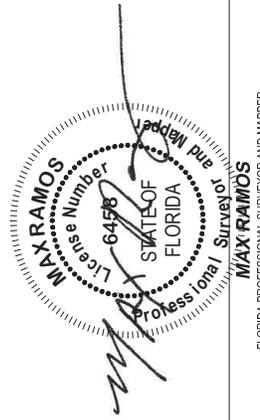
A 27



SURVEYOR'S NOTES

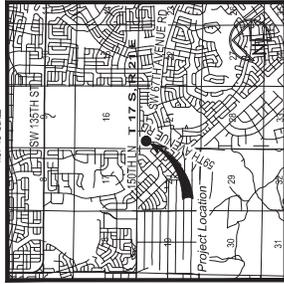
This map of survey is not valid without the signature and the original raised seal of the signing Florida licensed surveyor and mapper. The seal appearing on this document was authorized by Max Ramos, Florida PSM No. 6458 on July 14, 2023. The electronic seal is in conformance with FAC 5J-17.062(3).

- This map of survey identifies the features within the survey limits shown hereon, as specified by the client.
- This is not a Boundary Survey. The lands shown hereon were not abstracted by this firm for matters of record, such as easements, right of way, ownership or other instruments of record. The approximate boundary lines shown hereon are based upon information provided by the county property appraiser's office. A title insurance commitment or title information has not been provided by client.
- Bearings, coordinates and elevations shown hereon are relative to the Florida State Plane Coordinate System, West Zone (0902), North American Datum of 1983, 2011 adjustment and; the North American Vertical Datum of 1988 (NAVD 88) based on Global Positioning System (GPS) measurements to National Geodetic Survey (NGS) Continuously Operating Reference Stations (CORS) network.
- Dimensions shown hereon contain horizontal grid distances and are based upon field measurements utilizing the United States Survey Foot, unless indicated otherwise.
- According to Federal Emergency Management Agency Flood Insurance Rate Map, Marion County Florida, Map Number 12083 C 0715 D; Effective date: 08/28/2008, the property described hereon is located in Zone X.
- The initial field data acquisition phase of this survey was completed on March 28, 2023, as documented in WSP field book 726, Page 41-47.
- For purposes of clarity, some spot elevations and other related topographic data may not be depicted hereon. This data is available in electronic format in WSP file '6166232372_130.Marion Oaks.dwg' and has been furnished to the client.
- Certified to and for the exclusive use of MOTOROLA



FLORIDA PROFESSIONAL SURVEYOR AND MAPPER
 LICENSE NO. LS 6458

LOCATION MAP

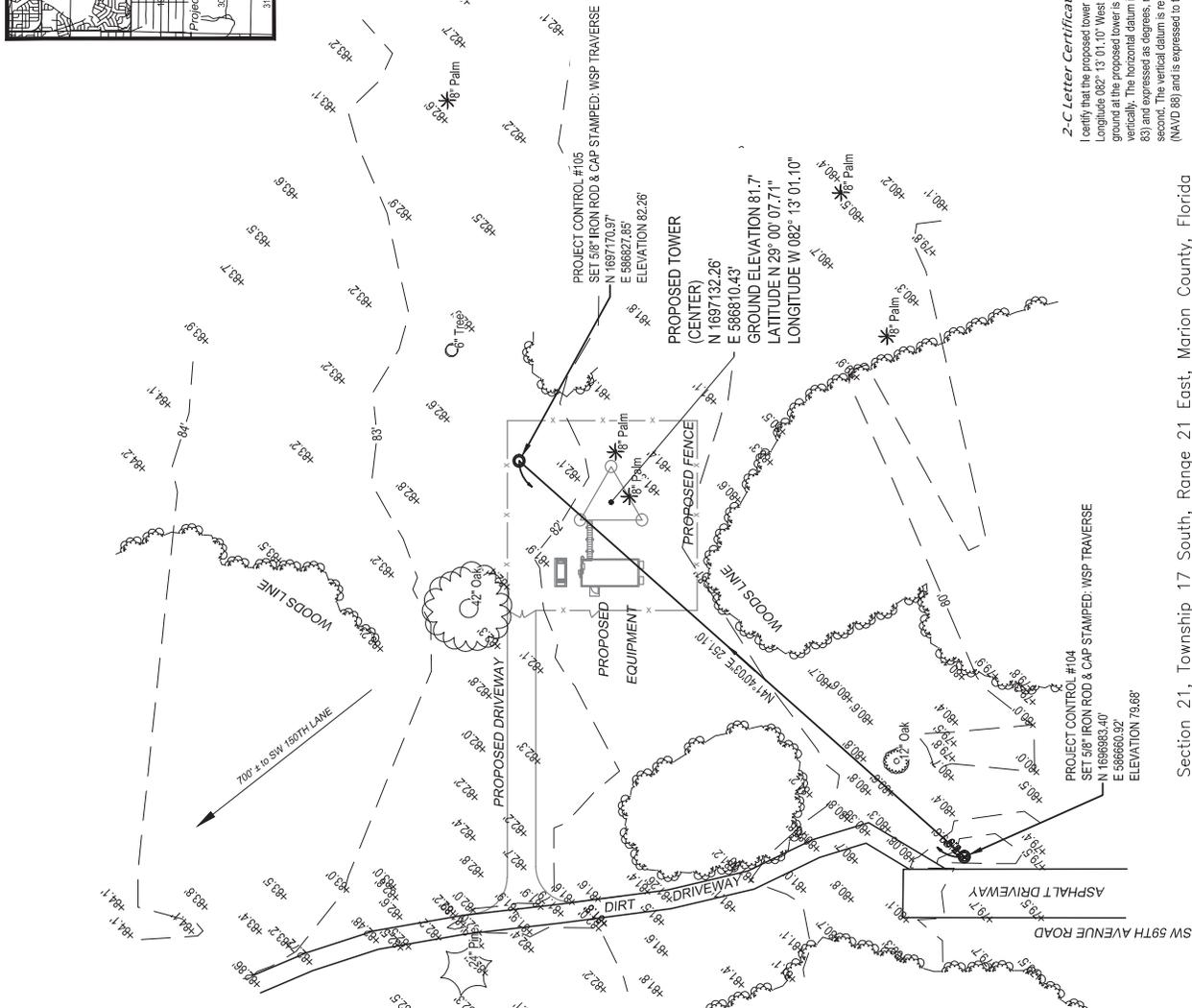


- Legend**
- Break Line (Not to Scale)
 - Chain Link Fences with or without barbed wire
 - Contour Line
 - Existing
 - Electrical Meter
 - Gate
 - Light Pole
 - Nothing
 - Over Head Utility Line
 - Sign
 - Spot Elevation
 - Telephone Pedestal or Box
 - Utility Pole
 - Valve

GRAPHIC SCALE

0 25 50
 (IN FEET)
 1 inch = 50 feet

NORTH



2-C Letter Certification

I certify that the proposed tower position of Latitude 29° 00' 07.71" North, Longitude 082° 13' 01.10" West is accurate to within 50+ feet horizontally and, that the ground at the proposed tower is at elevation 82 feet and is accurate to within 20+ feet vertically. The horizontal datum is relative to the North American Datum of 1983 (NAD 83) and expressed as degrees, minutes and seconds; to the nearest hundredth of a second. The vertical datum is relative to the North American Vertical Datum of 1988 (NAVD 88) and is expressed to the nearest one foot.

Section 21, Township 17 South, Range 21 East, Marion County, Florida

MOTOROLA SOLUTIONS
 8000 W. SUNRISE BLVD
 PLANTATION, FL 33322
 PHONE: (954) 723-0000

MARION COUNTY
 MARION OAKS
 150TH LANE
 OCALA, FL 34473

wsp
 550 Northlake Boulevard, Suite 1000
 Altamonte Springs, FL 32714
 Phone: (407) 522-2170
 Fax: (407) 522-2170
 Certificate of Authorization Number: LB-0007002

PROJECT NO. & NAME: _____

DATE: _____

REVISION: _____

