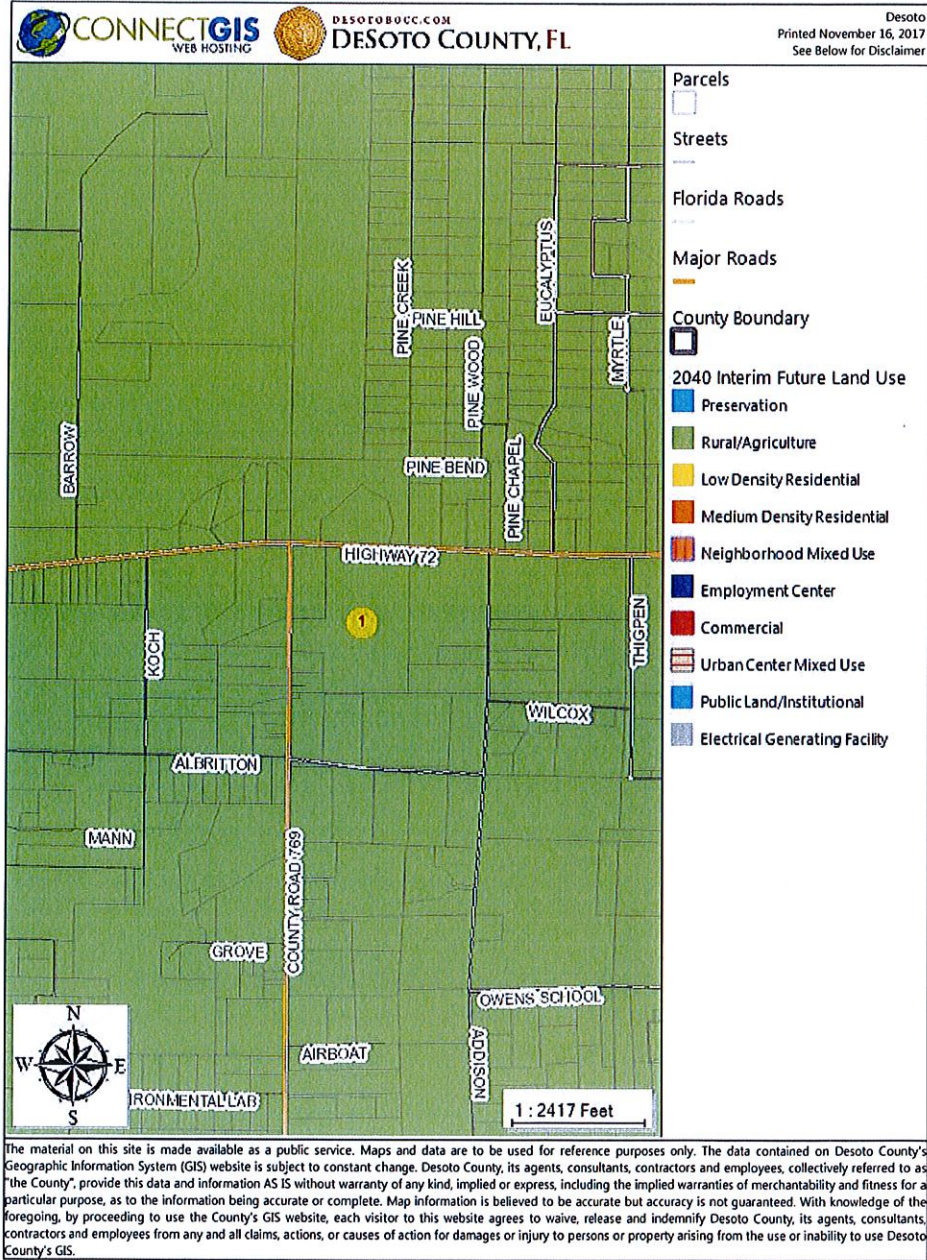


# ATTACHMENT A

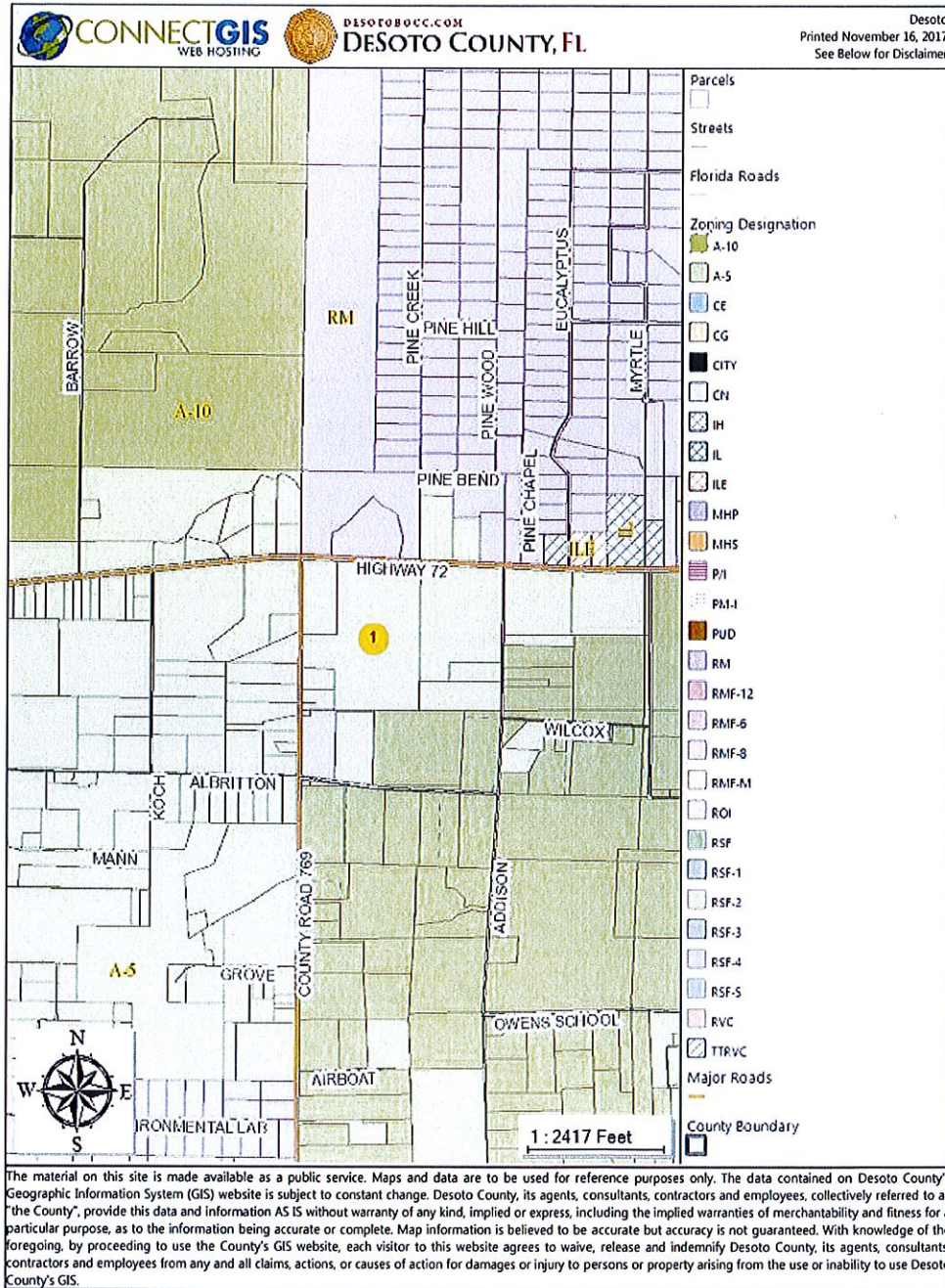
## OFFICIAL ZONING DISTRICT ATLAS, EXCERPT





# ATTACHMENT B

## OFFICIAL ZONING DISTRICT ATLAS, EXCERPT



# ATTACHMENT C

## SPECIAL EXCEPTION USE APPLICATION



DESOTO COUNTY, FLORIDA

### GENERAL DEVELOPMENT ORDER APPLICATION FORM

#### SPECIFIC DEVELOPMENT ORDER

- |   |   |
|---|---|
| <input type="checkbox"/> Development Plan                         | <input type="checkbox"/> Improvement Plan                   |
| <input type="checkbox"/> Zoning Verification Cert.: _____         | <input type="checkbox"/> Vested Rights Determination Letter |
| <input checked="" type="checkbox"/> Special Exception Use         | <input type="checkbox"/> Variance                           |
| <input type="checkbox"/> Official Zoning District Atlas amendment | <input type="checkbox"/> Future Land Use Map Amendment      |
| <input type="checkbox"/> Land Development Regulations amendment   | <input type="checkbox"/> Comprehensive Plan amendment       |
| <input type="checkbox"/> Plat: _____                              | <input type="checkbox"/> Vacation: _____                    |
| <input type="checkbox"/> Special Permit: _____                    | <input type="checkbox"/> Appeals: _____                     |
| <input type="checkbox"/> Sign (Types): _____                      | <input type="checkbox"/> Other: _____                       |

#### PROPERTY INFORMATION

Street address: SW Hwy 72

Nearest major roadway cross-sections: SW Hwy 72 and CR769

Size in hundredths of an acre: 97.05 Size in square feet: 4,227,498

Parcel Identification No: 06-38-24-0000-0020-0000

Legal description attached? Yes  No

Recent survey or sketch attached? Yes  No

Existing improvements: None

# ATTACHMENT C

## SPECIAL EXCEPTION USE APPLICATION



DESOTO COUNTY, FLORIDA

Existing natural resources: N/A

Proposed Improvements: 250ft Self Support Communications Tower

### REGULATORY INFORMATION

Future Land Use Map designation is: CN 120072/PN 0154/Suffix C/Firm Zone X

Official Zoning District Atlas classification is: Existing A-5

### GENERAL INFORMATION

Owner name: Sigfrido Cisneros & Louis Cisneros

Owner mailing address: 3501 NW Washington St., Arcadia, FL 34266

Owner Telephone No: 863 990-1018 Owner Fax No: N/A

Owner Mobile No: SAME Owner E-mail: fciseros@mitymole.com

Applicant name, if different from Owner: Gary Brundage

Applicant firm name: North American Towers

Applicant mailing address: 1123 Solana Ave, Winter Park, FL 32789

Applicant Telephone No: 727 504-3520 Attorney E-mail: msolik@dotysoliklaw.com



# ATTACHMENT C

## SPECIAL EXCEPTION USE APPLICATION



DE SOTO COUNTY, FLORIDA

### OPTIONAL INFORMATION

Attorney name: Mary Solik

Attorney firm name: Doty Solik Law

Attorney mailing address: 121 S Orange Ave, Suite 1500, Orlando, FL 32801

Attorney Telephone No: 407 367-7868 Attorney E-mail: msolik@dotysoliklaw.com

Engineer name: N/A TBD

Engineer firm name: \_\_\_\_\_

Engineer mailing address: \_\_\_\_\_

Engineer Telephone No: \_\_\_\_\_ Engineer Fax No: \_\_\_\_\_

Engineer Mobile No: \_\_\_\_\_ Engineer E-mail: \_\_\_\_\_

### FINDING OF COMPLETENESS

The above-described information is required in order for staff to make a finding that the application is technically complete. A technically incomplete application will be returned with a Notice of Incompleteness (NOI) letter and may result in a delay in processing your application. If any items are not applicable, please enter N/A on the application form.

### CERTIFICATION

I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. If the applicant is someone other than the property owner, a power of attorney signed by the property owner, which authorizes the applicant to apply for this specific purpose at this specific location, must be attached to the application.

- I am the owner of record for the property described herein.
- I am the Authorized agent for the property described herein

# ATTACHMENT C

## SPECIAL EXCEPTION USE APPLICATION

  
DEPARTMENT OF  
DESOTO COUNTY, FLORIDA  
Mary D Solik  
AUTHORIZED SIGNATURE

9/7/17  
DATE

MARY D SOLIK, ESQ  
Name and Title (printed or typed)

\_\_\_\_\_  
AUTHORIZED SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Name and Title (printed or typed)

### FOR OFFICE USE ONLY

Administrative requirements Received by: \_\_\_\_\_

Application filing date: \_\_\_\_\_

Special development order application attached?  Yes  No

Type of development order application filed? \_\_\_\_\_

Application fee filed?  Yes  No

Are applications complete?  Yes  No

\* If yes

o Application completeness date: \_\_\_\_\_

o Application DRC forwarding date: \_\_\_\_\_

o Application site inspector name: \_\_\_\_\_

o Application inspection date: \_\_\_\_\_

\* If no, dates incompleteness letter send: \_\_\_\_\_

Application hearing date 1: \_\_\_\_\_

Application hearing date 2: \_\_\_\_\_

Application hearing date 3: \_\_\_\_\_



# ATTACHMENT C SPECIAL EXCEPTION USE APPLICATION

## OWNER AFFIDAVIT

I, Sigfrido Cisneros, being first duly sworn, depose and say that I am the owner of the property which is the subject matter of this application; that I am authorized to submit this application; that all the answers to the questions in this application, and all sketches, data, and other supplementary matter attached to and made part of this application, are complete, honest, and true to the best of my knowledge and belief. I understand this application must be complete and accurate before a hearing can be advertised. I further designate the agent identified below to act as my representative in any matter regarding this petition. I authorize County staff to visit the site as necessary for proper review of this petition. If there are any special conditions limiting staff access such as guard dogs, locked gates, restricted hours, etc., I have provided the name and phone number of someone who can allow entry.

### AGENT:

NAME North American Towers, LLC, agents and Staff

ADDRESS 3200 S. Hiwassee Rd, Suite 205

CITY Orlando STATE FL ZIP 32835

PHONE/FAX 727 504-3520

EMAIL gtb1st@gmail.com

### OWNER:

SIGNATURE [Signature]

NAME Sigfrido Cisneros

ADDRESS 3501 NW Washington Street

CITY Arcadia STATE FL ZIP 34266

PHONE/FAX \_\_\_\_\_

EMAIL \_\_\_\_\_

[Signature]  
w/r E. Cisneros  
3501 NW Washington St  
Arcadia, FL 34266

STATE OF FL COUNTY OF Desoto

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS

6 DAY OF June

BY Sigfrido Cisneros  
(PERSON MAKING STATEMENT)

PERSONALLY KNOWN:  PRODUCED IDENTIFICATION: \_\_\_\_\_

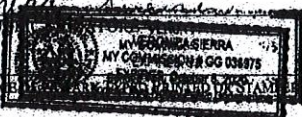
IDENTIFICATION PRODUCED: \_\_\_\_\_

NOTARY PUBLIC [Signature]

(SEAL) \_\_\_\_\_

(NAME) \_\_\_\_\_

Rev 20130820



# ATTACHMENT C

## SPECIAL EXCEPTION USE APPLICATION

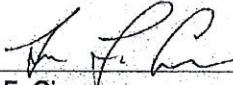
### OWNER AFFIDAVIT

I, Luis F. Cisneros, being first duly sworn, deposed and say that I am the owner of the property which is the subject matter of this application; that I am authorized to submit this application; that all the answers to the questions in this application, and all sketches, data, and other supplementary matter attached to and made part of this application, are complete, honest, and true to the best of my knowledge and belief. I understand this application must be complete and accurate before a hearing can be advertised. I further designate the agent identified below to act as my representative in any matter regarding this petition. I authorize County staff to visit the site as necessary for proper review of this petition. If there are any special conditions limiting staff access such as guard dogs, locked gates, restricted hours, etc., I have provided the name and phone number of someone who can allow entry.

**AGENT:**

NAME North American Towers, LLC, agents and Staff  
ADDRESS 3200 S. Hiwassee Rd, Suite 205  
CITY Orlando STATE FL ZIP 32835  
PHONE/FAX 727 504-3520  
EMAIL gtb1st@gmail.com

**OWNER:**

SIGNATURE   
NAME Luis F. Cisneros ~~Luis F. Cisneros~~  
ADDRESS: 3501 NW Washington Street  
CITY Arcadia STATE FL ZIP 34266  
PHONE/FAX \_\_\_\_\_  
EMAIL \_\_\_\_\_

STATE OF FL COUNTY OF Desoto

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS


6 DAY OF June

BY Luis F. Cisneros  
(PERSON MAKING STATEMENT)

PERSONALLY KNOWN:  PRODUCED IDENTIFICATION: \_\_\_\_\_

IDENTIFICATION PRODUCED: \_\_\_\_\_

NOTARY PUBLIC Veronica Sierra

(SEAL)   
(NAME) \_\_\_\_\_

Rev 20130820

Page 7 of 9



# ATTACHMENT C

## SPECIAL EXCEPTION USE APPLICATION

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### SPECIAL EXCEPTION USE DEVELOPMENT ORDER APPLICATION FORM

1. Identify the special exception use(s) being requested: \_\_\_\_\_  
Application to Construct a 250ft Self Support Communication Tower
2. Identify the proposed special exception use(s) days and hours of operation:  
Sunday N/A to \_\_\_\_\_  
Monday \_\_\_\_\_ to \_\_\_\_\_  
Tuesday \_\_\_\_\_ to \_\_\_\_\_  
Wednesday \_\_\_\_\_ to \_\_\_\_\_  
Thursday \_\_\_\_\_ to \_\_\_\_\_  
Friday \_\_\_\_\_ to \_\_\_\_\_  
Saturday \_\_\_\_\_ to \_\_\_\_\_  
Sunday \_\_\_\_\_ to \_\_\_\_\_
3. Attached a survey or sketch showing: a) an arrow pointing North; b) the property boundaries and dimensions in lineal feet and size in square feet; c) the abutting roadways and name; d) the location of the accessways (the ingress and egress areas) to the property as measured from the property line to the accessway centerline and the accessway width; e) the location of the off-street parking areas as measured from the property lines and the dimensions in lineal feet and size in square feet of the parking areas; f) the location of any off-street loading areas as measured from the property lines to the loading area and the dimensions in lineal feet and size in square feet of the loading areas; g) the location of the all existing structures in relationship to the property lines as measured in lineal feet and the dimensions in lineal feet and size in square feet

**Please see attached Site Plan**

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# ATTACHMENT C

## SPECIAL EXCEPTION USE APPLICATION

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DESOTO COUNTY, FLORIDA

of each structure; h) the location of all existing structures as it relates to the nearest other structure on the property in lineal feet. If the special exception use requires the addition of structures show: i) the location of each structure in relation to the property lines as measured in lineal feet and the dimensions in lineal feet and size in square feet; j) and the location of each new structure in relationship to the nearest other structure.

4. Describe any fire hazards associated with your special exception use and what steps are proposed to mitigate any potential hazards: Tower is designed with a Lighting Rod with a ground ring at the base of the tower. All future equipment is installed on concrete slabs and designed with a ground fault.
5. Describe any chemicals, fluids, gases or potentially hazardous substances that your business will use or store on-site and what efforts are proposed to mitigate adverse impacts associated with those hazardous substances: Future carriers may install diesel/propane generators which installation involves a separate permitting process.
6. Identify which Comprehensive Plan Goals, Objectives, and Policies (GOPs) the proposed special exception use furthers and explain how it furthers such GOPs: Objective 1.3, expanded wireless services will enhance public safety within the agricultural and residential development permitted in the Rural/Agricultural FLU.

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# ATTACHMENT C

## SPECIAL EXCEPTION USE APPLICATION

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7. Describe how the location of the accessways (ingress/egress area) facilitates on-site vehicular and pedestrian circulation, safety in case of fire or catastrophe, convenience, and whether off-site improvements are needed to facilitate traffic flow and control: Site will not be accessed by the public.  
Traffic to the site after initial construction consists of  
approximately 1 vehicle trip per month.
8. Identify the economic, noise, vibration, dust, glare or odor effects of the proposed special exception use on adjoining properties and properties generally in the district: Lighting is designed in accordance with FAA requirements.  
The proposed tower does not generate any noise, vibration,  
dust, glare or odor.
9. Identify the locations, availability and compatibility of all Utilities: Utilities will be installed underground.
10. Identify the type, dimensions and character of all proposed screening and buffering: A 6ft opaque fence is installed at the base of the tower  
which screens the ground equipment from view.
11. Identify the location and type of proposed signs, if any, and its impact with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district: "High Voltage -Danger Sign installed on the gate

# ATTACHMENT C

## SPECIAL EXCEPTION USE APPLICATION

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Sign shall not exceed 1 SF in Area. FCC requires signs to be provided and installed as necessary. (Sample on Site Plan)

12. Identify the location and type of proposed exterior lighting and its impact with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district: 250ft Tower with lighting designed to meet FAA standards.
13. Identified the required yards and other open space: No additional yard or open space is required.
14. Identify any special requirements set out in the zoning district regulations for the particular use involved: None
15. 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 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 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

# ATTACHMENT C

## SPECIAL EXCEPTION USE APPLICATION



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DESOTO COUNTY, FLORIDA

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. Identify what conditions are proposed in the form of screening, landscaping, or other site development restrictions to protect the health, safety and welfare of the public or surrounding property owners: \_\_\_\_\_

Opaque fencing installed around the compound will screen the equipment from view.

16. Explain why the proposed use will not act as a detrimental intrusion into the surrounding area: The tower will enhance public safety and provide expanded wireless services to the community.

17. Explain how the proposed use shall meet the performance standards of the district in which the proposed use is permitted: \_\_\_\_\_  
All performance criteria have been met

### FINDING OF COMPLETENESS

In addition to the information required by this specific development order application, in order for staff to make a finding that the application is technically complete, the general development order application must be fully completed and attached. Attach other sheets to this application if you are unable to provide a complete response in the space provided. A technically incomplete application will be returned with a Notice of Incompleteness (NOI) letter and a re-filing penalty of fifty dollars (\$50.00) will be required with along with the re-filed application. If any items are not applicable, appropriate reasoning must be given on the general or specific development order application form.



# ATTACHMENT E

## LDR SECTION 20-127 AGRICULTURAL 5 (A-5) DISTRICT

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Sec. 20-127. - Agricultural 5 District (A-5).

The intent of the Agricultural 5 District (A-5) is primarily agricultural, pastoral, the extraction and processing of non-phosphate minerals and low-density residential development. This district is designed to accommodate traditional agricultural uses and conservatory measures, where appropriate, while protecting the rural areas of the County. The regulations in this district are intended to permit a reasonable use of the property, at a gross density of one unit per five acres. At the same time, the intent is to prevent the creation of conditions which would endanger, damage, or destroy the agricultural base of the County, the environmental resources of the County, the potable water supply and the wild life resources. The first priority of this district is agricultural uses.

- (1) *Uses and structures.* No building or structure, or part thereof, shall be erected, altered or used, or land used, in whole or in part, for other than the following:
  - a. *Permitted uses and structures (allowable without the need for any other use or structure).*
    1. One single-family dwelling or residentially designed manufactured home per parcel; family day care home.
    2. Agricultural uses and related uses, such as, but not limited to, animal breeding, training, stabling; beekeeping; livestock grazing; field crops; fruit and nut production; forestry; gardening; aquaculture and commercial fisheries; aviary; egg and milk production; poultry production.
    3. Wildlife management areas, plant and wildlife conservancies, refuges and sanctuaries for domestic or non-exotic animals; botanical gardens.
    4. Wholesale plant nurseries, greenhouses, and accessory of garden supplies.
    5. Sale of agricultural products, roadside produce stands.
    6. Utility grade solar power plant.
    7. Agricultural buildings, such as, but not limited to: barns, feed storage sheds, animal storage buildings, and agricultural equipment storage buildings.
    8. Agricultural support mobile home (one only) on a parcel of land no smaller than 40 acres, having an agricultural classification for ad valorem tax purposes, and will be occupied by a family supporting the agricultural operation.
    9. Bed and breakfast, agri-tourism related development.
    10. Veterinary hospital and clinic.
    11. Wholesale agricultural produce transfer station (temporary use or permanent).
    12. Hunting cabin on a parcel of land no smaller than 40 acres.
    13. Private docks.
    14. Primitive tent camping for recreational, noncommercial purposes, that:
      - (i) Is provided to the general public without a fee;
      - (ii) Is provided to the general public without any associated water and/or sanitary facilities or improvements;
      - (iii) Has a maximum of two primitive camping sites per acre; and
      - (iv) Is limited to no more than seven days per calendar month per campsite.

# ATTACHMENT E

## LDR SECTION 20-127 AGRICULTURAL 5 (A-5) DISTRICT

---

15. The parking or storage of agricultural equipment and vehicles used for bona fide agricultural purposes by the property owner or lessee.
- b. *Accessory uses and structures.*
    1. Accessory uses and structures which are incidental to and customarily associated with the uses permitted in the district.
    2. Home occupations (see Section 20-662).
    3. Country clubs, tennis courts.
    4. Temporary occupancy of mobile home, RV, or accessory structure (see Section 20-728(c)).
    5. Guest house (Section 20-660).
    6. Medical hardship mobile home (Section 20-728(e)).
    7. Cemeteries, as an accessory use to a place of worship (see Section 20-689).
  - c. *Special exception uses and structures.*
    1. Agriculturally related processing, canning or packing plant; wineries that sell wine that is fermented on site; slaughterhouses; citrus packing; feed lots; sawmills; headquarters for off-site agricultural operations; livestock sales facilities; agricultural support housing (see Section 20-664).
    2. Aviation facilities.
    3. Communication transmitting and receiving facilities, non-occupied; minimum setback from any property boundary line equal to 100 percent of proposed tower height.
    4. Drag strips and race tracks.
    5. Oil and gas exploration, extraction, production and processing; sanitary landfills; earthmoving.
    6. Firing range (indoor or outdoor).
    7. Kenneling.
    8. Place of worship.
    9. Recreation and leisure uses, such as, but not limited to: parks and playgrounds; sports arenas; community and recreation centers; libraries; museums; marinas and/or boat rental facilities; zoo, sale of alcoholic beverages in connection with a restaurant in a golf course clubhouse.
    10. Accessory apartment.
    11. Golf course.
    12. Excavation (other than phosphate) and related processes; earthmoving.
    13. Other similar uses which are comparable in nature with the foregoing.
  - d. *Prohibited uses and structures.* Any use or structure not specifically or by reasonable implication allowed herein.
- (2) *Development standards.*
- a. Minimum lot areas: five acres unless otherwise specified.
  - b. Minimum lot width: 165 feet

# ATTACHMENT E

## LDR SECTION 20-127 AGRICULTURAL 5 (A-5) DISTRICT

---

- c. Minimum yard requirements:
  - 1. Front yard: 50 feet.
  - 2. Side yard: 30 feet.
  - 3. Rear yard: 50 feet.
- d. Accessory structure setback requirements:
  - 1. Side yard: five feet.
  - 2. Rear yard: five feet.
  - 3. Front yard: Accessory structures are not permitted in the front yard.
- e. Maximum density: one dwelling unit per five acres.
- f. Maximum impervious lot coverage: unrestricted.

(LDR, § 2305; Ord. No. 2012-01, § 2305, 5-22-2012; Ord. No. 2014-05, att. A, § 35, 10-28-2014; Ord. No. 2014-06, § 10, 10-28-2014)



**ATTACHMENT F**  
**PROPOSED NORTH AMERICAN TOWERS, LLC RESOLUTION**

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**DESOTO COUNTY, FLORIDA**  
**RESOLUTION NO. 2017- \_\_\_\_**

**A RESOLUTION OF THE DESOTO COUNTY BOARD OF COUNTY COMMISSIONERS GRANTING TO NORTH AMERICAN TOWERS, LLC. A SPECIAL EXCEPTION USE DEVELOPMENT ORDER WITH CONDITIONS TO ALLOW WITHIN THE AGRICULTURAL (5) ZONING DISTRICT COMMUNICATION TRANSMITTING AND RECEIVING FACILITIES ON AN 8,000 SQUARE FOOT LEASED PARCEL LOCATED ON A 97.05-ACRE TRACT NEAR THE SOUTHWEST CORNER OF THE INTERSECTION OF SW HIGHWAY 72 AND SW CR 769, ARCADIA, FLORIDA, THE PROPERTY IDENTIFICATION NUMBER BEING 06-38-24-0000-0020-0000, THE SKETCH AND LEGAL DESCRIPTION OF THE PARENT TRACT AND THE LEASED PARCEL BEING DESCRIBED IN EXHIBIT 1; INCORPORATING THE WHEREAS CLAUSES; INCORPORATING THE DEVELOPMENT DEPARTMENT REPORT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Sigfriedo and Luis F. Cisneros are the joint owners of a 97+ acre site located near the southeast corner of SW Highway 72 and SW CR 769; and

**WHEREAS**, North American Towers, LLC (NTA) has executed a lease agreement with the owners for access to an 8,000 square feet parcel and proposed to develop the leased area with a 250' high tower, five antenna array, and five ground equipment spaces within a 6,400 square foot fence enclosed array; and

**WHEREAS**, the Interim 2040 Future Land Use Map shows the property is designated Rural/Agricultural (R/A) and the Official Zoning District Map shows the property is within the Agricultural 5 (A-5) zoning district, which allows as a special exception use unmanned communication transmitting and receiving facilities.

**WHEREAS**, NTA and has filed with the Development Department a special exception use application (SE 2017-07) to construct unmanned communication transmitting and receiving facilities on the leased parcel; and.

# **ATTACHMENT F**

## **PROPOSED NORTH AMERICAN TOWERS, LLC RESOLUTION**

---

**WHEREAS**, the Development Director determined the application was complete and caused the application to be distributed to the Development Review Committee for review and comments; and

**WHEREAS**, a Development Department Report was prepared and the report concluded the special exception use application established through substantial competent evidence the application was in harmony with the LDRs general intent and purpose, is not injurious to the neighborhood or to adjoining properties, or is otherwise detrimental to the public welfare provided appropriate conditions are imposed; and

**WHEREAS**, on December 5<sup>th</sup>, 2017, the Planning Commission held a duly noticed public hearing on the application and entered into the record the Development Department Report and all other substantial competent evidence presented at the hearing, and forward the record to the Board of County Commissioners (Board) with the recommendation that the Board adopt the proposed Resolution; and

**WHEREAS**, on December 12<sup>th</sup>, 2017 the Board of County Commissioners (Board) held a duly noticed public hearing on the application and entered into the record the Development Department Report and all other substantial competent evidence presented at the Planning Commission and Board hearings; and

**WHEREAS**, the Board concluded the special exception use application established through substantial competent evidence the application was in harmony with the LDRs general intent and purpose, is not injurious to the neighborhood or to adjoining properties, or is otherwise detrimental to the public welfare based on the findings herein and conditions of approval.

**NOW, THEREFORE BE IT RESOLVED BY THE DESOTO COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:**

**Section 1.** The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are hereby incorporated by reference as part of this Resolution.



# ATTACHMENT F

## PROPOSED NORTH AMERICAN TOWERS, LLC RESOLUTION

---

**Section 2.** The Development Review Report, incorporated herein by reference, represents the written findings of fact and conclusions of law to support granting to North American Towers, LLC a special exception use for communication transmitting and receiving facilities, and more specifically, a 250' high tower, five antenna array, and five ground equipment spaces within a 6,400 square foot fence enclosed array, subject to the following conditions:

1. If the Board approves this special exception use application, an Improvement Plan must be submitted and approved by the Development Department and access to the leased parcel shall be as required by the Florida Department of Transportation. In addition, a legal description and sketch for a 25-foot wide ingress and egress easement shall be recorded in the public records of DeSoto County, Florida and a copy of the recorded easement shall be provided to the Development Department within 60 days of Improvement Plan approval.

2. Any site lessee shall remove from the premises and dispose in an applicable sanitary landfill any unwanted or unused structure, equipment, materials, or other waste.

3. North American Towers, LLC (NTA) or its assigns shall be responsible for designing and continuously maintaining an opaque chain link fence or its equivalent sufficiently tall enough to screen or buffer the ground equipment.

4. An Improvement Plan shall be submitted showing the easement provides for a minimum 20' wide stabilized surface that such surface meets the minimum pavement standards specified in the LDR Engineering Standard Details Manual.

5. NTA shall provide in a reasonable surety to ensure the removal of communications transmitting and receiving facilities that have not been in operation for 180 consecutive days.

6. The Improvement Plan shall demonstrate that any ground equipment meets federal and state requirements for surface and groundwater protection.



**ATTACHMENT F**  
**PROPOSED NORTH AMERICAN TOWERS, LLC RESOLUTION**

---

**Section 3.** This Resolution shall take effect immediately upon its adoption.

**PASSED AND DULY ADOPTED** in DeSoto County, Florida, this 12<sup>th</sup> day of December, 2017.

ATTEST:

DESOTO COUNTY BOARD OF  
COUNTY COMMISSIONERS

\_\_\_\_\_  
Mandy Hines  
County Administrator

By: \_\_\_\_\_  
James F. Selph  
Chairman

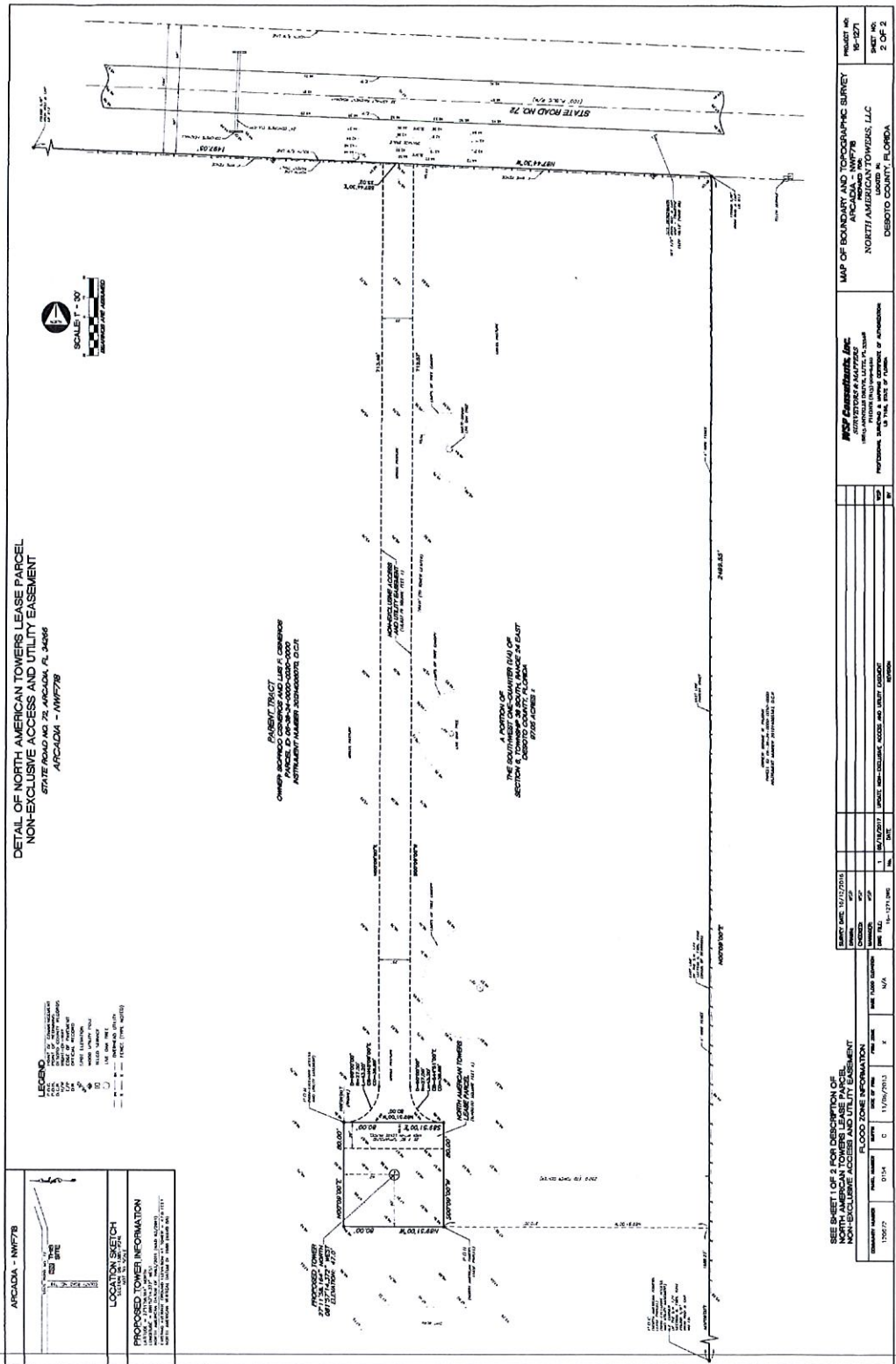
Approved as to form and legal sufficiency:

\_\_\_\_\_  
Donald D. Conn  
County Attorney



# ATTACHMENT F

## PROPOSED NORTH AMERICAN TOWERS, LLC RESOLUTION





**ATTACHMENT F**  
**PROPOSED NORTH AMERICAN TOWERS, LLC RESOLUTION**

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**NWF718 – ARCADIA**

**PARENT TRACT**

(PER INSTRUMENT NUMBER 201214006070 OF THE PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA)

A PORTION OF SECTION 6, TOWNSHIP 38 SOUTH, RANGE 24 EAST, DESOTO COUNTY, FLORIDA, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SAID SECTION 6;

THENCE N00°38'58"E ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 721.22 FEET;

THENCE S86°51'53"E, A DISTANCE OF 40.04 FEET TO THE EAST RIGHT-OF-WAY OF COUNTY ROAD #769 (A.K.A. KINGS HIGHWAY) AND THE POINT OF BEGINNING;

THENCE CONTINUE S86°51'53"E, A DISTANCE OF 579.94 FEET;

THENCE S00°08'26"E, A DISTANCE OF 684.06 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 6;

THENCE N89°42'26"E ALONG THE SOUTH LINE OF SAID SECTION 6, A DISTANCE OF 1547.72 FEET TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 2 IN THE SOUTHWEST 1/4 OF SAID SECTION 6;

THENCE N00°09'00"E ALONG THE EAST LINE OF GOVERNMENT LOT 2 IN THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 2499.55 FEET TO THE SOUTH RIGHT-OF-WAY OF STATE ROAD #72 (100' WIDE);

THENCE N87°44'30"W ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 1497.05 FEET;

THENCE S00°39'52"W, A DISTANCE OF 1242.26 FEET;

THENCE S89°52'31"W, A DISTANCE OF 617.82 FEET TO THE EAST RIGHT-OF-WAY OF COUNTY ROAD #769;

THENCE S00°38'58"W ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 607.18 FEET TO THE POINT OF BEGINNING.

# ATTACHMENT F

## PROPOSED NORTH AMERICAN TOWERS, LLC RESOLUTION

---

### NORTH AMERICAN TOWERS LEASE PARCEL

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST ONE-QUARTER (1/4) OF SECTION 6, TOWNSHIP 38 SOUTH, RANGE 24 EAST, DESOTO COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER (1/4) OF SAID SECTION 6 (FOUND 5/8" IRON ROD & CAP - NO I.D.);

THENCE ON AN ASSUMED BEARING OF N00°09'00"E ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER (1/4) OF SAID SECTION 6, A DISTANCE OF 1688.23 FEET (SAID LINE REFERENCED BY A FOUND 5/8" IRON ROD & CAP - LB 613 AT THE INTERSECTION OF THE EAST LINE OF THE SOUTHWEST ONE-QUARTER (1/4) OF SAID SECTION 6 AND THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 72, AT A BEARING OF N00°09'00"E AND DISTANCE OF 2499.55 FEET);

THENCE N89°51'00"W A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE N89°51'00"W A DISTANCE OF 80.00 FEET;

THENCE N00°09'00"E A DISTANCE OF 80.00 FEET;

THENCE S89°51'00"E A DISTANCE OF 80.00 FEET;

THENCE S00°09'00"W A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL OF LAND SITUATE WITHIN DESOTO COUNTY, FLORIDA, CONTAINING 6,400.00 SQUARE FEET, MORE OR LESS.

### NON-EXCLUSIVE ACCESS AND UTILITY EASEMENT

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST ONE-QUARTER (1/4) OF SECTION 6, TOWNSHIP 38 SOUTH, RANGE 24 EAST, DESOTO COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER (1/4) OF SAID SECTION 6 (FOUND 5/8" IRON ROD & CAP - NO I.D.);

THENCE ON AN ASSUMED BEARING OF N00°09'00"E ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER (1/4) OF SAID SECTION 6, A DISTANCE OF 1688.23 FEET (SAID LINE REFERENCED BY A FOUND 5/8" IRON ROD & CAP - LB 613 AT THE INTERSECTION OF THE EAST LINE OF THE SOUTHWEST ONE-QUARTER (1/4) OF SAID SECTION 6 AND THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 72, AT A BEARING OF N00°09'00"E AND DISTANCE OF 2499.55 FEET);

THENCE N89°51'00"W A DISTANCE OF 210.00 FEET;

THENCE CONTINUE N89°51'00"W A DISTANCE OF 80.00 FEET;

# ATTACHMENT F

## PROPOSED NORTH AMERICAN TOWERS, LLC RESOLUTION

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THENCE N00°09'00"E A DISTANCE OF 80.00 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF N00°09'00"E, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 90°00'00" AND A RADIUS OF 27.50 FEET FOR AN ARC DISTANCE OF 43.20 FEET (CHORD BEARING = N45°09'00"E AND CHORD DISTANCE = 38.89 FEET) TO A POINT OF TANGENCY;

THENCE N00°09'00"E A DISTANCE OF 713.49 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 72 (100 FOOT PUBLIC RIGHT-OF-WAY);

THENCE S87°44'30"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 25.02 FEET;

THENCE S00°09'00"W A DISTANCE OF 712.57 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHEAST;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 90°00'00" AND A RADIUS OF 27.50 FEET FOR AN ARC DISTANCE OF 43.20 FEET (CHORD BEARING = S44°51'00"E AND CHORD DISTANCE = 38.89 FEET) TO A POINT OF CUSP;

THENCE N89°51'00"W A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL OF LAND SITUATE WITHIN DESOTO COUNTY, FLORIDA, CONTAINING 18,837.79 SQUARE FEET, MORE OR LESS.



# ATTACHMENT G

## DEVELOPMENT REVIEW COMMITTEE COMMENTS

### Stevee McEwen

---

**From:** Barrie Buenaventura <barrie@cbflalaw.com>  
**Sent:** Tuesday, October 03, 2017 4:44 PM  
**To:** Stevee McEwen  
**Cc:** Don Conn  
**Subject:** Re: SE 2017-07

I reviewed this application and note that the site plan shows that the tower setbacks are measured to the center of the tower rather than to the outermost edge of the tower. Is this an industry standard? I defer to Earl, but I believe the county typically measures setbacks from the outermost edge of a structure to the lot line.



**Barrie S. Buenaventura**  
Board Certified in City, County  
and Local Government Law  
**Conn & Buenaventura, P.A.**  
4830 W Kennedy Blvd Suite 600  
Tampa, FL 33609  
[barrie@cbflalaw.com](mailto:barrie@cbflalaw.com)  
Office: 813.509.2544  
Cell: 813.471.7427  
[www.cbflalaw.com](http://www.cbflalaw.com)

*Emailed.  
I will get  
w/ EARL.*

---

**From:** Stevee McEwen <[s.mcewen@desotobocc.com](mailto:s.mcewen@desotobocc.com)>  
**Date:** Tuesday, October 3, 2017 at 2:18 PM  
**To:** Barrie Buenaventura <[barrie@cbflalaw.com](mailto:barrie@cbflalaw.com)>, "Carver, Donna" <[Donna.Carver@dot.state.fl.us](mailto:Donna.Carver@dot.state.fl.us)>, Don Conn <[don@cbflalaw.com](mailto:don@cbflalaw.com)>, Donna Smith <[d.smith@desotobocc.com](mailto:d.smith@desotobocc.com)>, Earl Hahn <[e.hahn@desotobocc.com](mailto:e.hahn@desotobocc.com)>, Eddie Miller <[e.miller@desotobocc.com](mailto:e.miller@desotobocc.com)>, Jorge Hernandez <[j.hernandez@desotobocc.com](mailto:j.hernandez@desotobocc.com)>, Kathy Heitman <[k.heitman@desotobocc.com](mailto:k.heitman@desotobocc.com)>, "Keith Keene@doh.state.fl.us" <[Keith\\_Keene@doh.state.fl.us](mailto:Keith_Keene@doh.state.fl.us)>, "Kevin Durrance (William.Durrance@flhealth.gov)" <[William.Durrance@flhealth.gov](mailto:William.Durrance@flhealth.gov)>, Lauri Benson <[l.benson@desotobocc.com](mailto:l.benson@desotobocc.com)>, "Leslie L. Johnson" <[l.johnson@desotobocc.com](mailto:l.johnson@desotobocc.com)>, Lester Hornbake <[l.hornbake@desotobocc.com](mailto:l.hornbake@desotobocc.com)>, Mandy Hines <[m.hines@desotobocc.com](mailto:m.hines@desotobocc.com)>, Mario Mendez <[mario\\_mendez@doh.state.fl.us](mailto:mario_mendez@doh.state.fl.us)>, Michael Clover <[m.clover@desotobocc.com](mailto:m.clover@desotobocc.com)>, Michael Giardullo <[m.giardullo@desotobocc.com](mailto:m.giardullo@desotobocc.com)>, Robert Hamrick <[r.hamrick@desotobocc.com](mailto:r.hamrick@desotobocc.com)>, "Robert Womack Jr. ([rwomackjr@womacksanitation.com](mailto:rwomackjr@womacksanitation.com))" <[rwomackjr@womacksanitation.com](mailto:rwomackjr@womacksanitation.com)>, Stevee McEwen <[s.mcewen@desotobocc.com](mailto:s.mcewen@desotobocc.com)>, Tyler Balcom <[t.balcom@desotobocc.com](mailto:t.balcom@desotobocc.com)>  
**Subject:** FW: SE 2017-07

Please review Se 2017-07 application. Please have any comments back by 10/20/2017. (SE 2017-07 Cisneros-North American Towers), 250ft Self Support Communication Tower, located on HWY 72, 97 acres. The application was turned in with an outdated General Development form. I emailed the applicant with the updated form. The Updated form was sent back and a completeness letter was sent out 9/25/2017. Thank you

---

**From:** Stevee McEwen  
**Sent:** Monday, September 25, 2017 10:42 AM  
**To:** Earl Hahn  
**Cc:** Kathy Heitman  
**Subject:** SE 2017-07

# ATTACHMENT G

## DEVELOPMENT REVIEW COMMITTEE COMMENTS

---

### Stevee McEwen

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**From:** Michael Giardullo  
**Sent:** Friday, October 20, 2017 2:44 PM  
**To:** Stevee McEwen  
**Cc:** Earl Hahn; Clay Gates; Tyler Balcom  
**Subject:** RE: SE 2017-07

Stevee,

The access to this tower location is off of S.R. 72. The applicant must coordinate with the FDOT regarding site access authorization.

The tower height exceeds the offset from the property line. Is it a requirement that the tower be set back from the property line at a distance equivalent or greater than the tower height.

Will we require them to provide the survey sketch and description of the non-exclusive 25' access and utility easement for County Surveyor review?

Will the fire department require the 20' stabilized rock entrance drive to meet load requirements for emergency vehicles? If so, we will require a section meeting or exceeding the requirements of the DeSoto County Engineering Division Standard Details for a gravel drive.

Mike Giardullo, P.E.,  
DeSoto County Engineer  
Weiler Engineering  
941-916-8073

---

**From:** Stevee McEwen  
**Sent:** Tuesday, October 03, 2017 2:18 PM  
**To:** BARRIE BUENAVENTURA ([barrie@cblalaw.com](mailto:barrie@cblalaw.com)); Carver, Donna; Don Conn; Donna Smith; Earl Hahn; Eddie Miller; Jorge Hernandez; Kathy Heitman; [Keith\\_Keene@doh.state.fl.us](mailto:Keith_Keene@doh.state.fl.us); Kevin Durrance ([William.Durrance@flhealth.gov](mailto:William.Durrance@flhealth.gov)); Lauri Benson; Leslie L. Johnson; Lester Hornbake; Mandy Hines; Mario Mendez; Michael Clover; Michael Giardullo; Robert Hamrick; Robert Womack Jr. ([rwomackjr@womacksanitation.com](mailto:rwomackjr@womacksanitation.com)); Stevee McEwen; Tyler Balcom  
**Subject:** FW: SE 2017-07

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**From:** Stevee McEwen  
**Sent:** Monday, September 25, 2017 10:42 AM  
**To:** Earl Hahn  
**Cc:** Kathy Heitman  
**Subject:** SE 2017-07

Please see attached for a special exception application (SE 2017-07 Cisneros-North American Towers), 250ft Self Support Communication Tower, located on HWY 72. The application was turned in with an outdated General Development form. I emailed the applicant with the updated form. The updated form was sent back and a completeness letter was sent out today, 9/25/2017.



# ATTACHMENT G

## DEVELOPMENT REVIEW COMMITTEE COMMENTS

---

### Stevee McEwen

---

**From:** Carver, Donna <Donna.Carver@dot.state.fl.us>  
**Sent:** Thursday, October 05, 2017 9:45 AM  
**To:** Stevee McEwen  
**Subject:** RE: SE 2017-07

Stevee,

Access for the tower site is to be from the existing driveway for the property.

Thanks

Donna S. Carver  
Permit Coordinator  
Heartland Operations – Arcadia  
(863) 491-1806

**From:** Stevee McEwen [<mailto:s.mcewen@desotobocc.com>]  
**Sent:** Tuesday, October 3, 2017 2:19 PM  
**To:** BARRIE BUENAVENTURA ([barrie@cbflalaw.com](mailto:barrie@cbflalaw.com)) <[barrie@cbflalaw.com](mailto:barrie@cbflalaw.com)>; Carver, Donna <[Donna.Carver@dot.state.fl.us](mailto:Donna.Carver@dot.state.fl.us)>; Don Conn <[don@cbflalaw.com](mailto:don@cbflalaw.com)>; Donna Smith <[d.smith@desotobocc.com](mailto:d.smith@desotobocc.com)>; Earl Hahn <[e.hahn@desotobocc.com](mailto:e.hahn@desotobocc.com)>; Eddie Miller <[e.miller@desotobocc.com](mailto:e.miller@desotobocc.com)>; Jorge Hernandez <[j.hernandez@desotobocc.com](mailto:j.hernandez@desotobocc.com)>; Kathy Heitman <[k.heitman@desotobocc.com](mailto:k.heitman@desotobocc.com)>; Keith Keene <[keith.keene@doh.state.fl.us](mailto:keith.keene@doh.state.fl.us)>; Kevin Durrance ([William.Durrance@flhealth.gov](mailto:William.Durrance@flhealth.gov)) <[William.Durrance@flhealth.gov](mailto:William.Durrance@flhealth.gov)>; Lauri Benson <[l.benson@desotobocc.com](mailto:l.benson@desotobocc.com)>; Leslie L. Johnson <[l.johnson@desotobocc.com](mailto:l.johnson@desotobocc.com)>; Lester Hornbake <[l.hornbake@desotobocc.com](mailto:l.hornbake@desotobocc.com)>; Mandy Hines <[m.hines@desotobocc.com](mailto:m.hines@desotobocc.com)>; Mario Mendez <[mario\\_mendez@doh.state.fl.us](mailto:mario_mendez@doh.state.fl.us)>; Michael Clover <[m.clover@desotobocc.com](mailto:m.clover@desotobocc.com)>; Michael Giardullo <[m.giardullo@desotobocc.com](mailto:m.giardullo@desotobocc.com)>; Robert Hamrick <[r.hamrick@desotobocc.com](mailto:r.hamrick@desotobocc.com)>; Robert Womack Jr. ([rwomackjr@womacksanitation.com](mailto:rwomackjr@womacksanitation.com)) <[rwomackjr@womacksanitation.com](mailto:rwomackjr@womacksanitation.com)>; Stevee McEwen <[s.mcewen@desotobocc.com](mailto:s.mcewen@desotobocc.com)>; Tyler Balcom <[t.balcom@desotobocc.com](mailto:t.balcom@desotobocc.com)>  
**Subject:** FW: SE 2017-07

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**From:** Stevee McEwen  
**Sent:** Monday, September 25, 2017 10:42 AM  
**To:** Earl Hahn  
**Cc:** Kathy Heitman  
**Subject:** SE 2017-07

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# ATTACHMENT G

## DEVELOPMENT REVIEW COMMITTEE COMMENTS

---

**Stevee McEwen**

---

**From:** Eddie Miller  
**Sent:** Tuesday, October 03, 2017 2:32 PM  
**To:** Stevee McEwen  
**Subject:** RE: SE 2017-07

Stevee

Utilities has not comment at this time

*Eddie*

Eddie Miller  
Utility Director  
DeSoto County

Off: (863) 491-7500  
Fax: (863) 491-7506  
Cell: (863) 444-1997

Quote: **TEAM WORK: Come Together. Work Together. Succeed Together**

**From:** Stevee McEwen  
**Sent:** Tuesday, October 03, 2017 2:19 PM  
**To:** BARRIE BUENAVENTURA ([barrie@cbflalaw.com](mailto:barrie@cbflalaw.com)); Carver, Donna; Don Conn; Donna Smith; Earl Hahn; Eddie Miller; Jorge Hernandez; Kathy Heitman; [Keith\\_Keene@doh.state.fl.us](mailto:Keith_Keene@doh.state.fl.us); Kevin Durrance ([William.Durrance@flhealth.gov](mailto:William.Durrance@flhealth.gov)); Lauri Benson; Leslie L. Johnson; Lester Hornbake; Mandy Hines; Mario Mendez; Michael Clover; Michael Giardullo; Robert Hamrick; Robert Womack Jr. ([rwomackjr@womacksanitation.com](mailto:rwomackjr@womacksanitation.com)); Stevee McEwen; Tyler Bakom  
**Subject:** FW: SE 2017-07

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**From:** Stevee McEwen  
**Sent:** Monday, September 25, 2017 10:42 AM  
**To:** Earl Hahn  
**Cc:** Kathy Heitman  
**Subject:** SE 2017-07

Please see attached for a special exception application (SE 2017-07 Cisneros-North American Towers), 250ft Self Support Communication Tower, located on HWY 72. The application was turned in with an outdated General Development form. I emailed the applicant with the updated form. The Updated form was sent back and a completeness letter was sent out today, 9/25/2017.

# ATTACHMENT G

## DEVELOPMENT REVIEW COMMITTEE COMMENTS

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### Stevee McEwen

---

**From:** Keene, Keith K <Keith.Keene@flhealth.gov>  
**Sent:** Wednesday, October 04, 2017 2:39 PM  
**To:** Stevee McEwen; BARRIE BUENAVENTURA (barrie@cbflalaw.com); Carver, Donna; Don Conn; Donna Smith; Earl Hahn; Eddie Miller; Jorge Hernandez; Kathy Heitman; Durrance, William K; Lauri Benson; Leslie L. Johnson; Lester Hornbake; Mandy Hines; Mendez, Mario A; Michael Clover; Michael Giardullo; Robert Hamrick; Robert Womack Jr. (rwomackjr@womacksanitation.com); Tyler Balcom  
**Subject:** RE: SE 2017-07

The Florida Department of Health in DeSoto County has no comment.

Best regards,

Keith Keene  
Environmental Administrator

Florida Department of Health - DeSoto County  
34 South Baldwin Avenue  
Arcadia, FL 34266  
863.993.4604 ext 109  
863.993.4574 (fax)  
<http://desoto.floridahealth.gov/>

Florida Department of Health - Highlands County  
7205 South George Blvd  
Sebring, FL 33875  
863.382.7222  
863.382.0476 (fax)  
<http://highlands.floridahealth.gov/>

*Please Note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your email communication may therefore be subject to public disclosure.*

**The Florida Department of Health Mission:** To protect, promote & improve the health of all people in Florida through integrated state, county, & community efforts.

**Vision:** To Be the Healthiest State in the Nation

**Values:**

**I**nnovation: We search for creative solutions and manage resources wisely.

**C**ollaboration: We use teamwork to achieve common goals & solve problems.

**A**ccountability: We perform with integrity & respect.

**R**esponsiveness: We achieve our mission by serving our customers & engaging our partners.

**E**xcellence: We promote quality outcomes through learning & continuous performance improvement

**From:** Stevee McEwen [mailto:s.mcewen@desotobocc.com]

**Sent:** Tuesday, October 3, 2017 2:19 PM

**To:** BARRIE BUENAVENTURA (barrie@cbflalaw.com) <barrie@cbflalaw.com>; Carver, Donna <Donna.Carver@dot.state.fl.us>; Don Conn <don@cbflalaw.com>; Donna Smith <d.smith@desotobocc.com>; Earl Hahn <e.hahn@desotobocc.com>; Eddie Miller <e.miller@desotobocc.com>; Jorge Hernandez <j.hernandez@desotobocc.com>; Kathy Heitman <k.heitman@desotobocc.com>; Keene, Keith K

# ATTACHMENT H

## FUTURE LAND USE ELEMENT, EXCERPT

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**Objective 1.3: Rural/Agricultural Land Use Category Defined.** The intent of the Rural Land Use Category is primarily agricultural, pastoral, and rural residential development. This district is designed to accommodate traditional agricultural uses and conservatory measures, where appropriate, while protecting the rural areas of the County. The intent of this category is to permit a reasonable use of the property, at a gross density of no more than one dwelling per ten (10) acres. At the same time, the intent is to prevent the creation of conditions, which would endanger, damage, or destroy the agricultural base of the County, the environmental resources of the County, the potable water supply and the wild life resources. The first priority of this category is agricultural use.

**MEASURABLE TARGET:** *Total acres taken out of Rural/Agricultural Land Use category.*

**Policy 1.3.1:** The primary use and function of the Rural/Agricultural areas, as designate on the Future Land Use Map, shall be to protect and encourage agricultural activities and to protect unique native habitats and maintain open space, while providing for rural residential uses.

**Policy 1.3.2:** Agricultural uses, as defined by F.S. 193.461, are permitted within the Rural/Agricultural category. Additional setbacks are required for intense uses when adjacent to non-agricultural future land use categories and zoning districts.

**Policy 1.3.3:** Residential development in a Rural/Agricultural area shall not exceed a maximum density of one dwelling unit per 10 gross acres, unless otherwise provided herein.

**Policy 1.3.4:** The rezoning of lands to industrial may be allowed within the Rural/Agricultural category, only when permitted by the Board of County Commissioners in conjunction with approval for a Special Exception or Planned Unit Development. Any Industrial use shall be buffered and spaced appropriately to minimize potential impacts on adjacent agricultural and residential uses. The following minimum standards shall apply:

- (1) A minimum of 80 acres;
- (2) Shall be no less than 5 miles from another Industrial zoning district if non-contiguous;
- (3) Shall be appropriately buffered from agricultural and residential uses and zoning districts;
- (4) Maximum Floor Area Ratio of 0.7;
- (5) Shall submit and receive site plan or preliminary plat (PUD) approval in conjunction with such zoning request;
- (6) Exclude electrical generating facilities (power plants)



# ATTACHMENT H

## FUTURE LAND USE ELEMENT, EXCERPT

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**Policy 1.3.5:** Property rezoned to Industrial is intended for uses of a nature not permitted within an urban center, new community, or other non-industrial area. Those uses include:

- (1) Sales and service of trucks and heavy equipment;
- (2) Wholesale establishments, warehousing, bulk storage;
- (3) Asphalt and cement plants, saw mills;
- (4) Railroad siding;
- (5) Manufacturing, warehousing, storing, processing, canning, packing, slaughter houses, marinas, commercial boat houses, commercial boat storage, boat building, boat yards;
- (6) Storage of agricultural vehicles not used on subject property for agricultural purposes;
- (7) In and outdoor firing range
- (8) Sale and repair of new & used automobiles, motorcycles, trucks & tractors, mobile homes, boats, automotive vehicle parts & accessories, heavy machinery & equipment, farm equipment, retail establishments for sale of farm supplies;
- (9) Bulk storage yards, not including bulk storage of flammable liquids, subject to the provisions of the County or State Fire Codes;
- (10) And other similar uses

**Policy 1.3.6:** In a Rural/Agricultural Future Land Use category, the lowest order of commercial goods and services which serve the daily needs of nearby residents, may be permitted with direct access on an arterial roadway. Commercial areas in a Rural/Agricultural category shall:

- (1) Not exceed 3 acres in size;
- (2) Shall not exceed impervious surface ratio (lot coverage) of 70 percent;
- (3) Shall be no less than 10 miles from other commercial development in a Rural/Agricultural area or in other Future Land Use categories;
- (4) Shall be appropriately buffered from agricultural and residential uses and zoning districts;
- (5) Must submit and receive site plan or preliminary plat (PUD) approval in conjunction with such zoning request.

**Policy 1.3.7:** Based on the previous adopted Comprehensive Plan and negotiations with the Department of Community Affairs, a portion of the area west of the river previously designated with a future land use category of Rural Residential (one dwelling unit per five acres) shall be recognized within the West River Study Area designation. Land within the area may apply for zoning consistent with the previously designated Rural Residential. The intent of the Study Area is to cluster development around and in support of the nearby Urban Center. This area will be studied consistent

# ATTACHMENT H

## FUTURE LAND USE ELEMENT, EXCERPT

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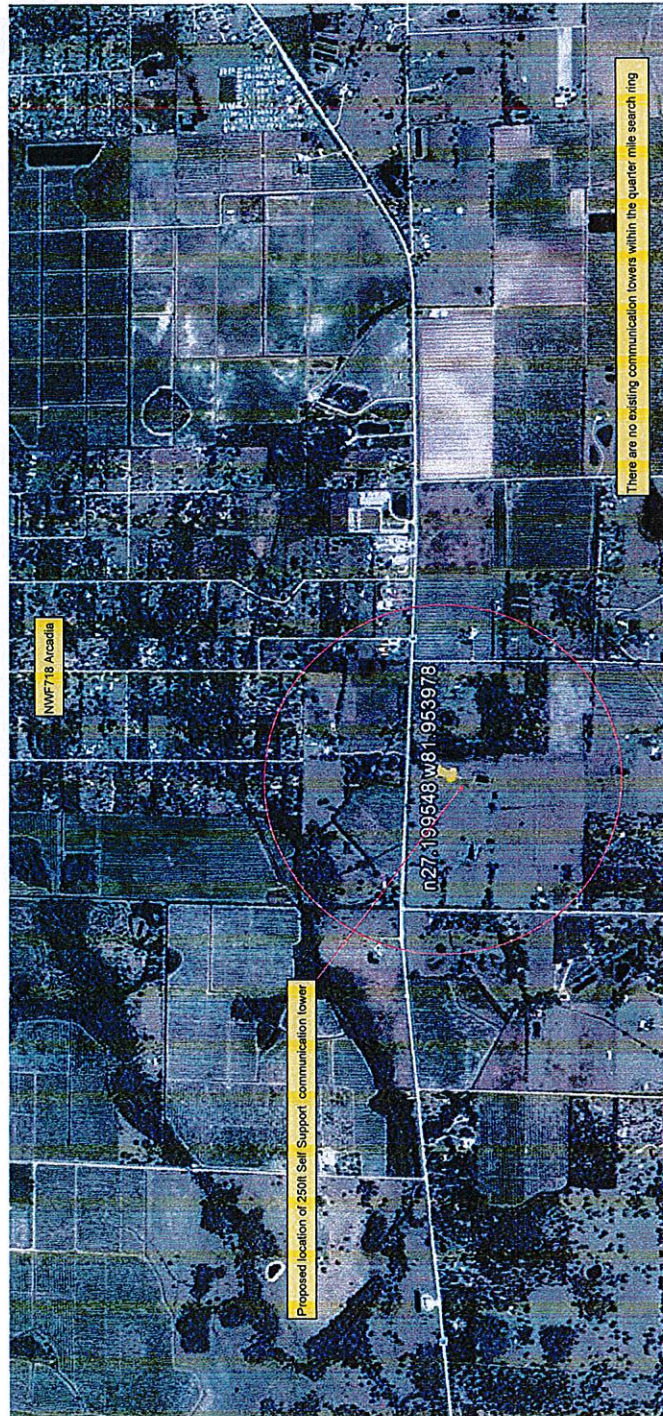
with other policies within this plan.

**Policy 1.3.8:** Phosphate mining/extraction and related land uses are allowed in the Rural/Agriculture land use category only when the area is included in the Generalized Phosphate Mining Overlay Designation and in accordance with the Generalized Phosphate Mining Overlay Designation objective and policies, as well as other policies within the Future Land Use Element and Conservation Element which apply to phosphate mining activity.



# ATTACHMENT I

## SEARCH RING AERIAL PHOTOGRAPH





# ATTACHMENT J

## EARTHCOM SERVICES, INC. LETTER

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1093 A1A Beach Blvd #442  
St. Augustine, FL 32080  
Phone: 904-342-0764  
[www.earthcomservice.com](http://www.earthcomservice.com)  
[earthcom77@earthcomservice.com](mailto:earthcom77@earthcomservice.com)

---

May 16, 2017

Mr. Earl R. Hahn  
Development Director  
Desoto County, Florida  
201 E Oak St., Suite 204  
Arcadia, FL 34266

RE: NWF718 Arcadia / SR 72, Arcadia, FL 34266 / Parcel ID: 06-38-24-0000-0020-0000  
Coordinates: N27 11 58.164 W81 57 14.372

Dear Mr. Hahn,

I respectfully submit this letter as an explanation of our need for a new telecommunication site located in Desoto County. As the system design engineer for EarthCom Services responsible for this area I have performed a thorough analysis of this area of Desoto County. My study included field visits and computer analysis with sophisticated RF Modeling that takes into account the following variables: (A) The physical characteristics of the frequencies allotted by the FCC to EarthCom Services; (B) The allowable power outputs of those frequencies; (C) The EarthCom services equipment specifications; (D) The topography and building density of the area; (D) The optimum coverage using the minimum use of new tower sites. There no existing structure within the 1/4 mile radius of the required search ring and EarthCom services is pursuing a raw land candidate proposed by North American Towers, LLC.

Any towers outside of the 1/4 mile search ring requirements for EarthCom Services would not meet the coverage objectives for this new site build. These factors were quantified and values extrapolated using RF modeling software to arrive at a design objective or search area.

Per Desoto County ordinance, there are no existing or approved towers within our search ring.

Sincerely,



Val Kazia  
RF Engineer & Performance Engineer  
EarthCom Services

# ATTACHMENT K FCC REGISTRATION



## Antenna Structure Registration

Logged in as: North American Towers, LLC  
FRN 0025179581 [Log Out](#)

### NE - Registration of a New Antenna Structure

[Reference Copy](#) [Help](#)

#### Confirmation

##### General Information

**File Number:**  
A1086297

**Registration Number:**

**Date Received:**  
08/04/2017

**Purpose:**  
Application for the registration of a new antenna structure

**Status:**  
Pending

**National Notice Date:**  
08/07/2017

##### Owner Information

**North American Towers, LLC**

Attn: Tim O'Shaughnessy  
1123 Solana Avenue  
Winter Park, FL 32789

**Phone:** (407) 435-0423

**E-mail:**

[toshaughnessy@comsoeast.com](mailto:toshaughnessy@comsoeast.com)

##### Antenna Structure

**Latitude:**  
27° 11' 58.2" N

**Longitude:**  
081° 57' 14.5" W

**Structure Location:**  
0.16 NM south of FL-72  
Arcadia, FL 34266

**Overall AGL Height:**  
76.2 m

**FAA Study Number:**  
2017-ASO-13933-OE

**Date Issued:**  
07/31/2017

#### Resources

[Tower Construction Notification System \(TCNS\)](#)

[E-106 System](#)

[File Pleadings](#)

[TOWAIR](#)

[FAA Notice Criteria Tool](#)

[Universal Licensing System](#)

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Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

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TTY: 1-888-835-5322  
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