

COMMUNICATION TOWER & EQUIPMENT. PT. OF 73-A-9
FAIRFIELD DISTRICT

P-9-98





COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

April 14, 1998

Virgil R. Hazelett, P.E.
County Manager

Re: Provisional Use Permit P-9-98

Mr. Henry Waller, Property Manager
Sprint PCS
4101 Cox Road, Suite 301
Glen Allen, VA 23060

Dear Mr. Waller:

The Board of Supervisors at its meeting on April 8, 1998 granted your request for a revocable Provisional Use Permit in order to construct and operate a communications tower up to 160' high and related equipment and improvements on part of Parcel 73-A-9 (1207 Hilliard Road), subject to the following conditions:

1. This permitted tower may be constructed if and when either:
 - a. The adjacent R-5 area is rezoned to other than an "R" district; or,
 - b. Relief from the requirement for setback from an "R" district for a 199' tower is obtained.
2. The proposed tower and foundation shall be designed and constructed to permit the extension of the tower up to approximately 199 feet. A provisional use permit shall be required to construct the tower more than 160 feet high.
3. If the use of the tower for communication purposes is discontinued, the tower and all related structures shall be removed from the site within ninety (90) days.
4. Application for a building permit to install the tower must be made within one year after the Provisional Use Permit is granted by the Board of Supervisors, unless an extension of time is granted by the Director of Planning upon written request by the applicant.
5. The applicant shall obtain approval from the Henrico County Planning Commission should the FAA require the addition of standard obstruction marking and lighting to the tower (i.e., red lighting, and orange and white striping). The applicant shall notify the Henrico County Planning Director prior to making any changes to the original galvanized finish of the tower.
6. When site construction is initiated, the applicant shall complete requirements prescribed by Chapter 10 of the Henrico County Code. In particular, land disturbance of more than 2,500 square feet will require that construction plans include a detailed drainage and erosion control plan prepared by a professional engineer certified in the State of Virginia. Ten (10) sets of the construction plans

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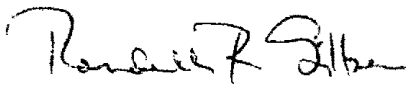
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shall be submitted to the Department of Public Works for approval.

7. A landscaping plan for the purpose of screening the base of the tower from view of public streets, shall be submitted to the Planning Office for approval prior to the issuance of a building permit for the tower. The Director of Planning may waive the enforcement of this condition if it is deemed unnecessary.
8. The applicant shall allow the collocation of at least 3 or as many additional users as technically possible at this site in accordance with the provisions of the Letter of Intent to Permit Collocation on Communications Tower filed by the applicant with this request.

The Planning Office has been advised of the action of the Board of Supervisors and requested to revise its records and to place a copy of this notification in the Provisional Use Permit Index.

Sincerely,


for Virgil R. Hazelett, P.E.,
County Manager

cc: Director, Real Estate Assessment
Provisional Use Permit Index
Messrs. Charles H. Rothenberg and James W. Theobald, Esquires
Moose Loyal Order of Richmond