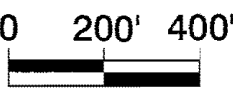


COMMUNICATION TOWER

P-12-00



PT. of 49-9-A-3B
 THREE CHOPT DISTRICT
 HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

March 20, 2001

Re: Provisional Use Permit P-12-00

Sprint PCS
1357 Hembree Road, Ste 100
Roswell, GA 30076

Gentlemen:

The Board of Supervisors at its meeting on March 13, 2001, granted your request for a revocable Provisional Use Permit to construct and operate a 120-foot cellular communications tower and antenna, on part of Parcel 49-9-A-3B (North Carolina Furniture Company), subject to the following conditions:

1. If the use of the tower for communication purposes is discontinued for 180 days, the tower and all related structures shall be removed from the site within ninety (90) days. Within ten (10) business days after written request by the County, the owner of the tower shall provide the County with written confirmation of the status of the tower, the number and identity of users on the tower, available co-location space on the tower and such additional information as may be reasonably requested.
2. 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.
3. The applicant shall obtain approval from the Henrico County Planning Commission should the FAA require the addition of standard obstruction marking and lighting (i.e. red lighting and orange and white striping) to the tower. The applicant shall notify the Henrico County Planning Director prior to making any changes to the original galvanized finish of the tower.
4. When site construction will be initiated as a result of this Provisional Use Permit, 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 shall be submitted to the Department of Public Works for approval.

5. The applicant shall allow the co-location of additional users if technically possible. Any future antennas shall be stealth mounted and incorporated into the pole and should not change the appearance of the flagpole.
6. A landscaping plan for the purpose of screening the base of the tower or equipment areas from view 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.
7. If ownership of the lease is transferred to another provider, the applicant will need a Transfer of Provisional Use Permit.
8. Unless otherwise notified by the Director of Planning, the owners shall fly an American flag no larger than 20' by 30'. The flag shall be properly lit during nighttime hours and shall comply with other flag etiquette of the Federal Government.
9. If the tower location obstructs the sidewalk, handicapped ramps will be required to meet ADA requirements.
10. The site must continue to meet all parking requirements for the proposed use.

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,



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

cc: Director, Real Estate Assessment
Provisional Use Permit Index
West Broad Street Properties, LLC
Mr. Christopher King, Esquire
Ms. Lisa M. Mahoney, Esquire