

PROPOSED TOWER



ZONING
140' TELECOM TOWER

P-8-04
Varina District

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulations

Ref. 833-716-9203

0 500 Feet

May2004



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

November 16, 2004

Omnipoint Communications CAP Operations, LLC
5029 Corporate Woods Drive, Suite 225
Virginia Beach, VA 23462

Re: Provisional Use Permit P-8-04

Dear Sir:

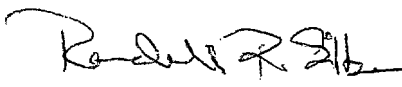
The Board of Supervisors at its meeting on November 9, 2004, granted your request for a Provisional Use Permit in order to construct a 140-foot wireless telecommunications tower, on part of Parcel 833-716-9203, subject to the following conditions:

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 of and identity of users on the tower, available collocation 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 a written request by the applicant.
3. The applicant shall obtain approval from the 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 Director of Planning prior to making any changes to the original galvanized finish of the tower.
4. When site construction is 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 collocation of at least 3, and as many additional users as technically possible at this site in accordance with the provisions of the Letter of Intent to Permit Co-Location on Communications Tower, filed by the applicant with this request.
 6. A landscaping plan for the purpose of screening the base of the tower 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 to submit a Transfer of Provisional Use Permit.
 8. The height of the tower shall not exceed 140'.
 9. The proffers approved with cases C-38C-89, C-45C-00, and C-31C-02 (see case files) shall be incorporated in this approval. Plan of Development conditions approved with POD-71-00 (Motley's Auto Group) (see case file) shall be incorporated in this approval.
 10. This permit applies only to the existing 2,500 square foot leased area on the property.
 11. The tower shall be constructed on the property at a location where the adjacent A-1 property would be outside the tower's 154' drop zone.

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

pc: MTM Seven Pines, LLC
Director, Real Estate Assessment
Provisional Use Permit Index