



P-12-05
Zoning
 199' Communications Tower
 Varina District
 1000 Feet
 PS October 2005 Ref: 847-703-4371



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

January 31, 2006

Nextel Communications of the MidAtlantic, Inc.
c/o Mr. John Steele
7055 Samuel Morse Drive, Suite 100
Columbia, Maryland 21046

Re: Provisional Use Permit P-12-05

Dear Mr. Steele:

The Board of Supervisors at its meeting on January 24, 2006, granted your request for a Provisional Use Permit in order to construct and operate a telecommunications tower up to 199 feet in height and related equipment, on part of Parcel 847-703-4371, 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 90 days. Within 15 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. 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.
6. If ownership of the lease is transferred to another provider, the applicant will need to submit a Transfer of Provisional Use Permit.
7. The height of the tower shall not exceed 199'.
8. This permit applies only to the existing 2,500 square foot leased area on the property.
9. Improvements shall comply with the "Declaration of Covenants, Restrictions and Easements for White Oak Technology Park" dated September 26, 1996 and shall also comply with "Development Guidelines White Oak Technology Park Exhibit B" dated September 1996 (see case file).

The Planning Department 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: Edward B. Kidd
Director, Real Estate Assessment
Provisional Use Permit Index