

Approx. Location of Prop. Transmission Line Tower

P-3-07
Zoning
 Install Antenas & Microwave Dish
 on Existing Tower
 Brookland District
 400 Feet
 PS December 2006 Ref. 764-766-7863



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

March 20, 2007

Clearwire US LLC
5809 Lake Washington Boulevard
Kirkland, WA 98033

Re: Provisional Use Permit P-3-07

Dear Sir:

The Board of Supervisors at its meeting on March 13, 2007 granted your request for a Provisional Use Permit under Sections 24-95(a)(3) 24-120 and 24-122.1 of the County Code to permit the installation of a microwave dish, antennas and related equipment 113 feet above the base of an existing 113 foot high power transmission tower, on part of Parcel 764-766-7863, subject to the following conditions:

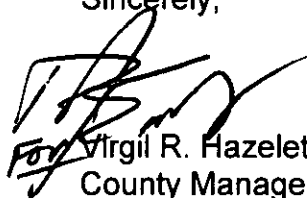
1. Within ten (10) business days after written request by the County, the owner of the communications equipment shall provide the County with written confirmation of the status of the equipment, the number of and identity of users, available collocation space, and such additional information as may be reasonably requested.
2. Application for a building permit to install communications equipment shall 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.
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 as many additional users as technically possible at this site.
6. A landscaping plan for the purpose of screening the base of the tower from view shall be submitted to the Planning Department 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 or is in conflict with easement restrictions.
7. If ownership of the lease is transferred to another provider, the owner of the communications equipment shall submit a Transfer of Provisional Use Permit.
8. The height of the communications equipment shall not exceed 113'.
9. This permit applies only to the existing 84 square foot lease area on the property.
10. Antennas shall be "flush mounted" or a similar style of equipment as approved by the Planning Director which reduces the visual profile of equipment installed on the tower.
11. Communications equipment shall not produce noise audible at the property lines.

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: Dominion Virginia Power
Ms. Hillorie S. Morrison
Director, Real Estate Assessment
Provisional Use Permit Index