





COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

June 17, 2008

New Cingular Wireless PCS, LLC
C/O John Miller
SAI Communications
4801 Cox Road, Suite 105
Glen Allen, VA 23060

Re: Provisional Use Permit P-9-08

Dear Mr. Miller:

The Board of Supervisors at its meeting on June 10, 2008, granted your request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to construct a 199' high monopole telecommunications tower and related equipment, on part of Parcel 858-699-7164, 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 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 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. Any proposed changes to the original galvanized finish of the tower shall be submitted to the Director of Planning for approval.
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 two (2) 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 to provide visual and sound buffering (including tree save areas and supplemental plantings) 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.
7. If ownership of the lease is transferred to another provider, the applicant shall submit a Transfer of Provisional Use Permit.
8. The height of the tower shall not exceed 199 feet.
9. This permit applies only to the existing 5,346 square foot lease area on the property.
10. Unless dead or diseased, or necessary for substation operations, the existing tree buffers along all property lines shall be preserved and shall not be pruned to reduce their height.
11. Prior to the co-location of any carrier's antennas or addition of equipment lease space, a revised site plan and equipment placement details shall be submitted to the Planning Department for approval.

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: Bethann and Edward Canada, Jr.
Gloria L. Freye, Esquire
Director, Real Estate Assessment
Provisional Use Permit Index