

APPLICATION FOR WAIVER OF MINIMUM REQUIRED SETBACKS/SEPARATION

This application must be **typed or printed in black ink** and submitted with **four (4) copies**, with all required attachments, to:

**Planning and Development Department
Wireless Communications Coordinator
Florida Theatre Building, 7th Floor
128 East Forsyth Street
Jacksonville, Florida 32202**

Application No. **WMS-**

Camouflaged ____ OR Stealth ____

Date to be heard by Coordinator:

FOR INFORMATION REGARDING THIS FORM, CALL: **(904) 630-1900**

FOR OFFICIAL USE ONLY

| | | | |
|--|--------------------------------|---|--|
| 1. Date Submitted: | 2. Current Zoning District(s): | 3. Future Land Use Map Category (FLUMs) | 4. Applicable Section of Ordinance Code: Section 656.1509 |
| Amount of Fee <u>\$250.00</u> Council District _____ | | Planning District _____ Zoning Panel No. _____ | |
| Number of Signs Posted _____ | | Neighborhood Association _____ | |

TO BE COMPLETED BY APPLICANT

| | |
|---|--|
| 5. Complete Property Address: _____ _____ Real Estate Number: _____ | 6. Between Streets _____ And _____ Lat / Long: _____ |
| 7. Current Property Use: | |
| 8. Property Owner: | |
| 9. Tower Owner: | |
| In whose name will the application be granted? _____ | |
| 11. Waiver Being Sought: | |
| Reduce required setbacks / separation from _____ feet to _____ feet. | |

NOTICE TO OWNER/AGENT

Section 656.1509: The TRC may grant a waiver from the minimum setback and separation requirements of this Subpart A, a variance from the maximum height requirement for Low Impact / Stealth Towers, a variance from the maximum height and projection requirements for side mount and rooftop antennas, or a variance from the other maximum height requirements in this Subpart A, only upon proof that there is no less intrusive means for siting the tower or antenna to meet the coverage needs of a Wireless Communication Service Provider. This burden may only be met where the applicant proves by a preponderance of the evidence, that the request meets the following standards and criteria, to the extent applicable:

1. Does the location of existing uses, structures or other features on or adjacent to the property create a need for the waiver or variance?
2. Is the request not based exclusively upon the desire to reduce the cost of developing the site or to circumvent the requirements of Chapter 656, Subpart A (Wireless Communication Facilities)?
3. Is the proposed waiver or variance the minimum necessary to address the need for the request?
4. Will the proposed waiver or variance reflect to the greatest extent reasonably practicable, the physical character, massing, scale and architecture of the surrounding land uses?
5. Will the proposed waiver or variance not have a significant detrimental impact on adjacent property values?
6. Will the proposed waiver or variance be compatible with the existing contiguous uses or zoning, as well as the general character and aesthetics of the neighborhood or area, considering the design and height of the tower or antenna, the mitigating effect of any existing or proposed landscaping, fencing or other structures in the area, and for towers, the proximity of the tower to existing or proposed buildings or other structures, and similar factors?
7. Would the strict application of the requirements of this section constitute a substantial hardship to the applicant, which hardship is not self-created or self-imposed?

Please review your application. All spaces noted as "TO BE COMPLETED BY APPLICANT" must be filled in for the application to be accepted.

No application will be accepted as "Complete and filed" until all the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the Land Development Committee of the Planning Commission. **You (or your agent) must be present** at the hearing.

The required signs **must be posted** on the property within five (5) working days after the filing of this application. The sign(s) must remain posted and maintained until a final determination has been made on the application.

Also, an agent's letter of authorization must be attached if the application is not signed by the owner of record and also if someone attends the meeting on the applicant's behalf without prior authorization.

NOTE: There is a 14 day appeal period after a waiver is granted before the final order can be issued.

FILING FEES

| | |
|---|----------|
| All Districts Base Fee: | \$250.00 |
| Notification Costs Per Addressee _____ Notifications @ \$7.00 each: | _____ |
| Total Cost: | _____ |
| Advertising Costs to be Billed to Owner / Agent | |
| When your completed application is submitted to the Wireless Communication Coordinator, a list of property owners (addressee) within 350 feet radius of the property will be prepared by the Department. | |

I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

PLEASE PRINT:

| | |
|-------------------------------------|---|
| Name and address of Owner(s) | Name and address of Authorized Agent(s) |
| Name: _____ | Name: _____ |
| Address: _____ _____ | Address: _____ _____ |
| City: _____ State: _____ Zip: _____ | City: _____ State: _____ Zip: _____ |
| Daytime Telephone _____ | Daytime Telephone _____ |
| Fax Number _____ | Fax Number _____ |

SIGNATURE OF OWNER(S)

SIGNATURE OF AUTHORIZED AGENT(S)

The Agent's letter of authorization must be attached if application is not signed by the owner of record.

INSTRUCTIONS

Submittal Information: Applications for Variance of Height for a Wireless Communication Tower shall contain the following information:

1. The identity of the owner(s) of the land; the tower and the antenna (if co-location) ;
2. The location of the proposed tower, including street address and parcel real estate number, as well as longitude and latitude coordinates;
3. A current zoning map showing the location of the proposed tower;
4. A legal description of the parent tract and Tower Site (if applicable);
5. A description of the communications service(s) provided by any Wireless Communication Service Providers identified as actual or potential users of the proposed tower;
6. A scaled site plan clearly indicating the tower size, type and height, the location of any accessory buildings, on-site land uses and zoning, adjacent land uses and zoning, adjacent roadways, proposed means of access, distances from property lines, elevation drawings of the proposed tower, and any other proposed structures;
7. Distance between the proposed tower and the nearest residentially zoned lands;
8. Distance between the proposed tower and the nearest boundary of any public park or Environmentally Sensitive Lands located within two miles of the proposed tower;
9. A landscape plan showing specific landscape materials;
10. The method of fencing, finished color and, if applicable, the method of aesthetic mitigation and illumination;
11. A map depicting (a) all existing Wireless Communication Towers within a one-half mile radius of the proposed tower, (b) all proposed Wireless Communication Towers within a one-half mile radius of the proposed tower that are currently in the permitting process, and (c) all structures in excess of eighty feet that could reasonably support a wireless communication antenna and are located within the search ring of the proposed tower;
12. If the applicant is not co-locating on the proposed communication tower of another Wireless Communication Service Provider or other structure, written evidence that there is no technologically and structurally suitable space available on commercially reasonable terms on an existing or proposed tower or structure within the Search Ring;
13. Details of all proposed antennas and mounting equipment, including size and color;
14. A design drawing including cross section and elevation of the proposed tower. A description of the tower's capacity, including the number and type of antennas it can accommodate as well as the proposed location of all mounting positions for co-located antennas and the minimum separation distances between antennas;
15. Certified statement from a licensed professional engineer attesting to the structural integrity of the tower and its ability to accommodate additional antennas;
16. A propagation map depicting both the extent of the communication provider's existing coverage within the subject area and the service area of the proposed tower;

17. A photographic simulation of the proposed tower site in order to help the approving authority ascertain the visual impacts associated with such proposal. Where the tower does not meet the minimum setback limitations set forth in this Subpart A, the applicant shall provide a view-shed analysis showing various angles from which the tower would be visible from the nearest boundary of said lands;
18. A Wireless Communication Network Plan for each service provider committed to locating on the tower, which plan shall include:
 - (i) The locations of all the provider's existing Wireless Communication Towers within the City of Jacksonville that have not previously been filed with the Coordinator, including the tower type and height, the number of co-location positions designated, occupied or vacant (along with the identity of the Wireless Communication Service Provider(s) and the respective heights of the co-location sites), the longitude and latitude coordinates of each Tower Site and real estate number prescribed by the Property Appraiser for the land on which the towers are located. Where the tower applicant is not a licensed Wireless Communication Service Provider, the applicant shall identify the locations of all other towers that it owns within the City, along with the site-specific information set forth above;
 - (ii) The locations of all the provider's existing wireless communication antennas within the City of Jacksonville that have not been previously filed with the Coordinator (other than those located on towers owned by the provider), including a description of the type of structure on which the antennas are located, the height at which the antennas are located, the identity of the owner of the structure and the real estate parcel number of the land on which the structure is located;
 - (iii) The structural ability of the provider's Wireless Communication Towers, or those on which the provider has either existing antennas or proposed antennas in the permitting process, to support additional antennas.
19. Any additional information deemed necessary by the Department to complete its review of the application.