

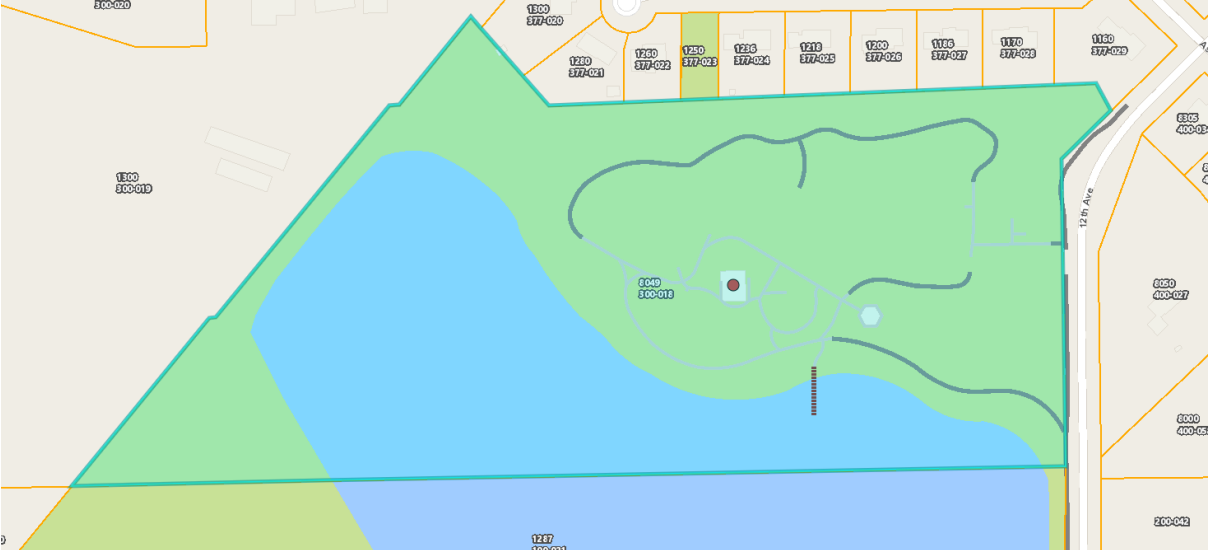
(SUP2101) Kathie Hayes, Representative for AT&T, 6100 110th Street W, Bloomington, MN 55425, is requesting to have a Special Land Use permit to extend the height of an existing 120' cell tower to 180' with supporting ground equipment within a fenced area, under Sec. 8.3(O), on a parcel of land described as P.P. # 70-14-11-300-018, located at 8049 12th Ave, in a Low Density Residential (LDR) district, Georgetown Township, Ottawa County, MI.

REQUEST

The request is for **Special Land Use approval to extend the height of an existing 120' monopole tower by 55' plus a 5' lightning rod to a new height of 180'**, in a Low Density Residential (LDR) district. Sec. 8.3(O) of the Zoning Ordinance requires Special Land Use approval for commercial wireless communication towers in the LDR district.

The land the existing tower is located on is owned by Georgetown Charter Township. The tower itself is classified as a commercial building on leased land parcel described as P.P. # 70-14-11-300-903 with the address of 8049 Ash Dr., Georgetown Township, Ottawa County, MI.

MAPS OF THE SITE



DISCUSSION

Chapter 8 of the Zoning Ordinance outlines uses permitted by right in the LDR district. Sec. 8.3 lists uses that may be permitted by obtaining Special Land Use approval when all applicable standards as cited in Chapter 20 are met. Of the uses permitted by obtaining Special Land Use approval, **commercial wireless communication towers** is listed under Sec. 8.3(O).

This process includes site plan approval. Site plans shall contain all items listed under Sec. 19.4, **unless specifically waived by the Planning Commission**. Staff believes a review and decision can be made on the site plan based on the information provided because the cell tower already exists and no other alteration to the site is proposed other than adding supporting ground equipment within the fenced area as shown on sheets C-2 and T-1. Does the Planning Commission deem items provided on the site plan sufficient for the review?



SUMMARY

1. The property is zoned LDR. The land of the parcel is owned by Georgetown Township. The existing cell tower was granted Special Land Use approval at the November 2, 2005 Planning Commission meeting. The cell tower is classified as commercial building on leased land which they have now purchased a lifetime lease.
2. **Applicable Chapter 24 LDR District Regulations:**
 - a. 11,475 sq. ft. minimum lot size: **Met** with 22.35 +/- acres.
 - b. 80' lot width: **Met** with 650' +/- lot width.
 - c. 40' Front Yard Setback: **Met** with 580' +/- from 12th Ave.
 - d. 10' Side Yard Setback: **Met** with 373' +/- from southern side lot line.
 - e. 10' Side Yard Setback: **Met** with 278' +/- from northern side lot line.
 - f. 40' Rear Yard Setback: **Met** with 818' +/- from rear lot line.
3. Per Sec. 8.3(O), the use of commercial wireless communication towers are permitted in the LDR district by obtaining Special Land Use approval when all applicable standards in Chapter 20 are met (see below).

REVIEW

Sec. 20.3(A), General Standards:

- (1) Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed. **Appears to be met.**
- (2) Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools. **Appears to be met.**
- (3) Not create excessive additional requirements at public cost for public facilities and services. **Appears to be met.**
- (4) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors. **Appears to be met.**

Sec. 20.4(AB), Specific Special Land Use Standards:

- (1) The minimum lot size shall be the same as that of the district in which the tower is located. **Met.**
- (2) The tower shall be set back from all lot lines a minimum distance equal to one-half (1/2) the height of the tower. All other buildings, structures, and guy wires shall meet the minimum setback requirements of the Zoning District. **Met.**
- (3) In Residential District, such towers shall not exceed one hundred (100) feet in height, unless located on publicly owned land. **Met.**
 - a. Existing commercial wireless communication towers established prior to the adoption of the Wireless Communication Tower Ordinance in November 1997, located in residentially zoned districts may be rebuilt to a height not to exceed 195 feet for the sole purpose of accommodating co-location. (revised 11-27-2000) **Not applicable.**

- (4) A security fence at least six (6) feet in height shall be constructed around the tower and supports. **Met (picture of existing fence shown below).**
- (5) Where possible, joint use of tower facilities shall be required for multiple users in order to minimize the number of separate towers and individual locations throughout the township. As a condition of approval, the applicant shall agree to permit future users to share the tower facility. **Will be a condition of approval.**
- (6) Unless located on the same site or tower with another user, no new tower shall be erected within a two (2) mile radius of an existing radio, television, or cellular communications tower. **Not applicable. This is not a new tower.**
- (7) Where the effect of any of the provisions of this ordinance would be to prevent or preclude the operation of amateur radio antennas, the Planning Commission may approve the use if the applicant demonstrates that the requirements would interfere with the reasonable accommodations of amateur radio communications. (Revised 11-97) **Not applicable.**



OPTION FOR MOTIONS – *If the Planning Commission accepts the plan and determines the proposal meets the special land use standards, the following motions are offered.*

Special Land Use Permit

Motion: To adopt the staff report as finding of fact and to approve Special Land Use permit (SUP2101) Kathie Hayes, Representative for AT&T, 6100 110th Street W, Bloomington, MN 55425, to have an extension of the height of an existing 120' cell tower by 60' to 180' with supporting ground equipment within a fenced area under Sec. 8.3(O), on a parcel of land described as P.P. # 70-14-11-300-018, located at 8049 12th Ave., in a Low Density Residential (LDR) district, Georgetown Township, Ottawa County, MI, based on the findings that all applicable standards of the ordinance have been met including the general Special Land Use standards in Sec. 20.3(A) and the specific standards in Sec. 20.4(AB); and to _____ (accept or not accept) the site plan as provided; and with the following conditions of approval:

1. The property and building shall be maintained in a safe manner.
2. The submission of a Building Zoning Compliance application and a Building Permit application shall be required prior to beginning the work of extending the existing tower or adding any supporting ground equipment within the fenced area.
3. The existing fence of six (6) feet in height shall remain, or if it is replaced in the future, shall be replaced with a fence in conformance with Sec. 20.4(AB) and all other applicable ordinance requirements.
4. The applicant and/or owner of the tower shall permit future users to share the newly extended tower facility.
5. The existing fenced area shall not be enlarged due to underground utility infrastructures abutting up to the fence line.

Site Plan

If the Planning Commission determines to accept the plan as submitted.

Motion: To adopt the staff report as finding of fact and to approve the drawing, as presented.