

## **RESOLUTION Z-25-4**

*A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA FOR A SPECIAL USE PERMIT TO ALLOW A 199 FOOT PERSONAL WIRELESS SERVICE FACILITY IN AN "A" (AGRICULTURE) DISTRICT WITH A FUTURE LAND USE DESIGNATION OF RURAL CLUSTER ON APPROXIMATELY 0.15 ACRES LOCATED AT 12102 SE 8<sup>TH</sup> AVE., ON A PORTION OF TAX PARCEL NUMBER 17818-003-001, AS SUMMARIZED IN EXHIBIT A*

WHEREAS, Zoning Application Z25-000011 has been duly filed and was considered by the Alachua County Planning Commission at its regular meeting of June 18, 2025, and,

WHEREAS, Zoning Application Z25-000011 has been duly filed and was considered by the Alachua County Board of County Commissioners at its regular meeting of August 12, 2025;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Zoning Application Z25-000011, a request by NexTower Development Group II, LLC and Holtzman Vogel Baran Torchinsky & Josefiak PLLC, agents and T-Mobile South, LLC, applicant for James Ira Wilkinson, owner, for a special use permit to allow a personal wireless service facility up to 199 feet in height in an 'A' (Agriculture) zoning district with a future land use designation of Rural Cluster on approximately 0.15 acre portion of parcel 17818-003-001, located at 12102 SE 8th Ave., as summarized in Exhibit A in this resolution, is hereby approved with the following conditions and bases:

## Conditions

1. This Special Use Permit is issued to allow construction and operation of a personal wireless service facility (PWSF) up to 199 feet in height within a portion of parcel number 17818-003-001 (as described in the attached legal description) on approximately 0.15 acres at 12102 SE 8<sup>th</sup> Ave. The limit on 199 feet shall not preclude any height modifications that are not deemed to be a “substantial change” as interpreted by the Federal Communications Commission (FCC).
2. The PWSF shall have a monopole design.
3. Landscaping buffering of the site shall meet the requirements of Sec. 404.54(d)(5) of the ULDC.
4. The applicant shall restore SE 8th Avenue to pre-construction conditions.
5. The applicant shall comply with all federal, state, and local laws, rules, regulations, and ordinances, including Chapter 404, Article 12 of the Alachua County Unified Land Development Regulations, now and hereafter in force, which may be applicable to the use of the site. Any violation of the above conditions shall be grounds for suspension or revocation of this Special Use Permit by the Alachua County Board of County Commissioners.
6. The owner or operator of this tower shall provide for and conduct an inspection of the tower at least once every five (5) years. A statement shall be provided to the Alachua County Office of Code Administration verifying structural integrity and tenants on the tower.
7. In the event that this PWSF is not operated for a continuous period of eighteen

(18) months it shall be considered abandoned, and the owner shall remove it within ninety (90) days of notice to the Alachua County Office of Code Administration that the PWSF is abandoned. If such PWSF is not removed within said ninety (90) days, the County may have the PWSF removed at the PWSF owner's expense.

## **Bases**

1. Policy 5.2.1 of the Future Land Use Element lists criteria that shall be used to determine the appropriateness of potential locations for institutional uses including compatibility of the scale and intensity of the use in relationship to surrounding uses, taking into account impacts such as, noise, lighting, visual effect, traffic generation, and odors. The Personal Wireless Service Facility (PWSF) ordinance implementing the Comprehensive Plan requires that the applicant submit information on proposed or built adjacent cell sites in order to analyze the necessary height of the proposed antenna. This information has been submitted and analyzed. The RF review shows that the proposed height of the PSWF is justified and will give the carrier (T-Mobile) the ability to greatly reduce the service coverage gap in this area of the county. The height of the PSWF at 199 total feet will not be required to be lit. There will be no noise, traffic or odors generated from this site.

2. Objective 5.5 of the Future Land Use Element requires designing and locating personal wireless service facilities, among other institutional uses, to eliminate or minimize adverse visual impacts. This tower is proposed to be located in a rural setting with existing vegetation obscuring the tower (as seen in the photo simulations provided with the application). The tower has been designed and located to minimize adverse visual impacts (monopole design; no requirement for lighting or guy wires) and greatly reduce the service coverage gap that exists in this area of the county.
  
3. Policy 5.8.1 of the Future Land Use Element states that “the County shall facilitate the deployment of personal wireless services and facilities (PWSFs) in a manner that balances needs for economic development, environmental protection, and minimization of adverse visual impacts in Alachua County. PWSFs should: ...use the least obtrusive mount for deploying service, including minimizing the height and silhouette to have the minimum visual impact possible.” The proposed tower height of 199’ uses a monopole design which is recognized in the Unified Land Development Code as a preferred design. The deployment of this tower balances the needs for economic development, environmental protection and minimization of adverse visual impacts in Alachua County. The tower site is not located in any environmentally sensitive areas. The RF review concludes that the requested height of 199 feet is justified to give the applicant the stated need in coverage.

4. Policy 7.1.2 of the Future Land Use Element states that proposed changes to the zoning map shall consider consistency with the Comprehensive Plan, availability and capacity of public facilities, the relationship of the proposed development to existing development in the vicinity and environmental justice issues. There are adequate public facilities to serve the proposed PWSF. There are no environmental justice issues associated with this special use permit request. The Comprehensive Plan requires designing and locating personal wireless service facilities in the least visually intrusive manner and to minimize or eliminate adverse visual impact. The applicant has justified the proposed height of the tower with their RF information according to the County's independent RF consultant's review.
5. Policies 1.2.4 and 1.2.5 of the Capital Improvements Element require public facilities to be available concurrent with new development. There are adequate public facilities to serve the proposed PWSF. The proposed tower is expected to have only a couple of trips a month for maintenance, which is considered to be a *de minimus* traffic impact (fewer than 10 average annual daily trips). The cell tower has no impact on schools, water and sewer, and will not cause the LOS for Emergency Services to be exceeded.
6. Section 404.54 (c) of the Unified Land Development Code states that "proposed PWSFs shall be located in an area where the adverse visual impact on the community is minimized, as demonstrated by the Visual Impact Analysis Report

described in §404.57(c).” The applicant’s Visual Impact Analysis and photo simulations demonstrate that the tower will not be visible from most of the surrounding areas. The site is obscured by existing vegetation and set back from the nearest road by 100 feet. The nearest residential structure is located over ¼ mile distant from the proposed tower location. The tower and equipment compound will not be easily visible from County Rd. 234, the main road passing through the Windsor rural cluster. In addition, the applicant has submitted RF information that demonstrates that this height is necessary for service. This request is consistent with Section 404.54(c).

7. Section 404.54(c) of the Unified Land Development Code (ULDC) states that “all PWSFs should be designed in such a way to minimize the adverse visual impact on the community. This may include reducing the height and silhouette in order to create the least adverse visual impact. The minimum height necessary to provide the applicant carrier’s designed service to the area should be utilized, as verified by an independent radio frequency (RF) analysis. In general, a monopole tower or concealed tower is considered to have less visual impact than alternative tower designs.” The applicant has proposed monopole design that the ULDC recognizes as having less of a visual impact. The photo simulations demonstrate that the tower will not be visible from most views in the photo simulations. The RF review has confirmed that the requested tower height of 199 feet is justified.

8. Section 402.124 of the ULDC describes the criteria for review of special use permits. The Board of County Commissioners shall, as part of a decision to approve an application for a special use permit, make a finding that the proposed use is consistent with the Comprehensive Plan and Unified Land Development Code (ULDC) and is compatible with the existing and future land use pattern, and that the use will not adversely affect the health, safety, and welfare of the public. As shown in the above bases, the application is consistent with both the Comprehensive Plan and the ULDC. The tower, with staff's proposed conditions, is compatible with the surrounding land uses and the use will not adversely affect the health, safety, or welfare of the public.

DULY ADOPTED in regular session this 12<sup>th</sup> day in August, A.D., 2025.

BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA

By: \_\_\_\_\_

Charles S. Chestnut, IV, Chair

ATTEST:

\_\_\_\_\_

Jesse K. Irby, II, Clerk

APPROVED AS TO FORM

\_\_\_\_\_

Alachua County Attorney

(SEAL)

DEPARTMENT APPROVAL

AS TO CORRECTNESS

\_\_\_\_\_

Department of Growth Management

Authorized Designee



## EXHIBIT A

### Legal Description of Site

#### ***STONECYPHER SURVEYING INC.***

1225 NW 16<sup>TH</sup> AVENUE, GAINESVILLE, FLORIDA 32601

PHONE: 352-379-0948

#### **NEXTOWER DEVELOPMENT GROUP II, LLC** **WINDSOR NXFL-378**

##### **PARENT TRACT DESCRIPTION**

LOTS 5 AND 7 IN THE TOWN OF WINDSOR, SAME BEING IN THE AREA WEST OF GREEN STREET, AND LYING BETWEEN WARREN STREET ON THE NORTH AND LEWIS STREET ON THE SOUTH, AND BETWEEN 2ND STREET ON THE EAST AND 3RD STREET ON THE WEST, AS PER PLAT RECORDED IN DEED BOOK T, PAGE 426, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA. ALL BEING IN SECTION 3, TOWNSHIP 10 SOUTH, RANGE 21 EAST.

##### **NEXTOWER LEASE PARCEL**

A PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 10 SOUTH, RANGE 21 EAST, ALACHUA COUNTY, FLORIDA, ALSO LYING IN LOT 7, WEST OF GREEN STREET AND LYING BETWEEN WARREN STREET ON THE NORTH AND LEWIS STREET ON THE SOUTH, IN THE TOWN OF WINDSOR, ACCORDING TO THE PLAT RECORDED IN DEED BOOK T, PAGE 426 OF THE PUBLIC RECORDS OF SAID COUNTY; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 21 EAST, ALACHUA COUNTY, FLORIDA; THENCE N02° 38' 36"W FOR 33.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SE 8TH AVENUE (A 33' RIGHT-OF-WAY ALSO KNOWN AS LEWIS STREET); THENCE S87° 31' 24"W, ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 119.29 FEET TO THE CENTERLINE OF 1ST STREET WEST; THENCE CONTINUE S87° 31' 24"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, FOR 306.78 FEET TO THE SOUTHWEST CORNER OF LOT 1, TOWN OF WINDSOR, AS RECORDED IN DEED BOOK T, PAGE 426, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE CONTINUE S87° 31' 24"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, FOR 699.49 FEET; THENCE N02° 28' 36"W FOR 60.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE S87° 31' 24"W FOR 80.00 FEET; THENCE N02° 28' 36"W FOR 80.00 FEET; THENCE N87° 31' 24"E FOR 80.00 FEET; THENCE S02° 28' 36"E FOR 80.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE, LYING AND BEING IN ALACHUA COUNTY, FLORIDA, CONTAINING 6,400 SQUARE FEET MORE OR LESS.

##### **NEXTOWER 30' WIDE INGRESS/EGRESS & UTILITY EASEMENT**

A 30-FOOT WIDE EASEMENT STRIP OF LAND FOR THE PURPOSES OF INGRESS/EGRESS AND UTILITIES LYING IN SECTION 3, TOWNSHIP 10 SOUTH, RANGE 21 EAST, ALACHUA COUNTY, FLORIDA, ALSO LYING IN LOT 7, WEST OF GREEN STREET AND LYING BETWEEN WARREN STREET ON THE NORTH AND LEWIS STREET ON THE SOUTH, IN THE TOWN OF WINDSOR, ACCORDING TO THE PLAT RECORDED IN DEED BOOK T, PAGE 426 OF THE PUBLIC RECORDS OF SAID COUNTY; SAID EASEMENT STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 2, TOWNSHIP 10 SOUTH, RANGE 21 EAST, ALACHUA COUNTY, FLORIDA; THENCE N02° 38' 36"W FOR 33.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SE 8TH AVENUE (A 33' RIGHT-OF-WAY ALSO KNOWN AS LEWIS STREET); THENCE S87° 31' 24"W, ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 119.29 FEET TO THE CENTERLINE OF 1ST STREET WEST; THENCE CONTINUE S87° 31' 24"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, FOR 306.78 FEET TO THE SOUTHWEST CORNER OF LOT 1, TOWN OF WINDSOR, AS RECORDED IN DEED BOOK T, PAGE 426, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE CONTINUE S87° 31' 24"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, FOR 699.49 FEET; THENCE N02° 28' 36"W FOR 60.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT STRIP OF LAND; THENCE CONTINUE N02° 28' 36"W FOR 80.00 FEET; THENCE N87° 31' 24"E FOR 30.00 FEET; THENCE S02° 28' 36"E FOR 140.00 FEET TO AN INTERSECTION OF THE AFORESAID NORTH RIGHT-OF-WAY LINE OF SE 8TH AVENUE; THENCE S87° 31' 24"W ALONG SAID RIGHT-OF-WAY LINE FOR 30.00 FEET; THENCE N02° 28' 36"W FOR 60.00 FEET TO THE POINT OF BEGINNING.



**Approximate location of tower site within parcel 17818-003-001**