

DATE OF PUBLIC MEETING: MAY 9, 2024

ADDRESS: 7219 HIGHWAY 279 S

Type of Tower:	Monopole	Height of Tower:	190' plus a 5' Lightning Rod			
Property Zoned:	A-R Rural Agriculture	Adjoining Property:	N: A-R	S: A-R	E: A-R	W: A-R
Applicant:	New Cingular Wireless PCS, LLC a Delaware LLC, d/b/a AT&T Mobility					

The applicant is seeking to construct a monopole tower at the address indicated above in accordance with Article 20 of the Owensboro Metropolitan Zoning Ordinance. The proposed tower is to be located on a 0.3+/- acre parcel owned by Lee Allen Mitchell and Teresa K. Mitchell in unincorporated Daviess County on Highway 279 South between Myles Schools Road and Highway 815. The subject property is vacant farmland. The applicant states in the uniform application materials that there are no other suitable locations in the vicinity that allow for co-location and that the new tower is needed to provide service to the community.

The tower is a 190' monopole structure with a 5' lightning rod. The applicant proposes to install a 6' tall chain link fence around the lease area. The applicant acknowledges and agrees to install the 10' landscape buffer and a double row of 6' tall pines as shown on the submitted site plan. The application meets all requirements related to staffing, signs and illumination. The site is designed to allow three service providers to be located on the tower.

APPLICATION

All materials for a complete application have been submitted in accordance with Owensboro Metropolitan Zoning Ordinance Section 20-4(b).

DESIGN STANDARDS

RESIDENTIAL STRUCTURES - Monopole cellular towers are not required to meet a minimum distance from residential structures. However, the nearest residential structure is approximately 1,271' from the proposed tower.

SETBACKS – Section 20-5(c) of the zoning ordinance requires that all structures constructed in connection with a monopole tower comply with the applicable setback requirements established for other structures within the applicable zoning district. In this case, the tower is proposed to be located within an A-R Rural Agriculture zoning classification, which requires a 25' front building setback, 10' side yard building setbacks, and a 20' rear yard building setback. The monopole cellular tower and related structures appear to meet the required setbacks as shown on the submitted site plan.

HEIGHT - At 190' with a 5' lightning rod, the proposed tower is in compliance with the 200' maximum allowed by ordinance. Additionally, the applicant has provided email from the FAA and the KAZC that the tower does not require permits.

SCREENING – Section 20-5(i) of the zoning ordinance requires staggered rows of 6' tall evergreen trees spaced every 15' within 10' of the property line and a maximum 8' tall chain link fence. The site plan submitted shows a 6' tall chain link fence around the lease area and a double row of stagger pines around 3 sides of the lease area. The staggered pines are not shown along the "front" of the lease area where the gate is located.

SIGNS - No signs are proposed on the site except those displaying emergency, safety and warning information.

CO-LOCATION - The site can accommodate four total service providers.

WAIVERS

Eliminate the required 6' tall staggered pines along the "front" of the lease area where the gate is located.

FINDINGS

1. The application is complete with all materials in accordance with the Owensboro Metropolitan Zoning Ordinance;
2. The site is in compliance with all design criteria of the Owensboro Metropolitan Zoning Ordinance;
3. The permanent tower will improve service for users within the community; and,
4. By providing the opportunity for multiple service providers on this tower, we are promoting the goal of the Comprehensive Plan to encourage collocation in order to minimize the number of telecommunication towers.