

DATE OF PUBLIC MEETING: MARCH 13, 2025

ADDRESS: 7736 HORRELL RD

Type of Tower: Lattice	Height of Tower: 255' plus a 10' Lightning Rod				
Property Zoned: A-U Urban Agriculture	Adjoining Property:	N: A-RU	S: R-1A & A-U	E: A-U	W: R-1A & A-U
Applicant: The Towers, LLC and Version Americas, LLC (Version Wireless)					

The applicant is seeking to construct a lattice 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 0.23+/- acre parcel owned by Stephen B. & Alice M. Simmons in unincorporated Daviess County on Horrell Road between Highway 56 and Bickett Road. The subject property is a 98+/- acre farm containing a residence and several agricultural structures. 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 255' lattice structure with a 10' lightning rod. The applicant proposes to install a 6' tall chain link fence around the lease area with 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 and signs. The tower shall be illuminated in accordance with the approved KAZC permit and FAA determination. The site is designed to allow four total 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 – Lattice cellular towers are required to be 250' from residential structures; the tower is 338.71' from the residential structure located on the site and 561.67' from the nearest residence located off site, according to the applicant.

SETBACKS – Section 20-5(c) of the zoning ordinance requires a setback from the property lines equal to ½ the height of the tower. In this case the tower is proposed to be 265' tall therefore the required setback from the property lines is 132.5'. The entire lease area is only 100' wide so it would be impossible to comply with this requirement; however, the tower will be 292.7' from the nearest property line of the parent parcel and 604' from Horrell Road.

HEIGHT - At 255' with a 10' lightning rod, the proposed tower is not in compliance with the 200' maximum allowed by ordinance; however, the applicant is asking for a waiver of this requirement. The applicant has received approval from the KAZC and FAA to construct the tower as proposed. The FAA determination requires the tower to be marked/lighted.

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 10' buffer with a double row of staggered pines around the lease area.

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

1. Section 20-5(c) Setbacks – The required setback for the tower is 132.5' from the property lines. The proposed tower will be less than 132.5' from the nearest property line.
2. Section 20-5(d) Height – The zoning ordinance allows a maximum height of 200' for a tower, however, the applicant has provided approval of the tower height and location from the FAA and KAZC.

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 except for lighting; however, lighting is required by the KAZC and FAA permits because of the towers height;
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 co-location in order to minimize the number of telecommunication towers.