

# **EXTENSION**

APPLICATION NUMBER

**5067**

A REQUEST FOR

**HEIGHT, SETBACK AND SEPARATION VARIANCES TO ALLOW THE CONSTRUCTION OF A 150' MONOPOLE TELECOMMUNICATIONS TOWER, THE MAXIMUM ALLOWABLE HEIGHT IS 45' IN A B-2, NEIGHBORHOOD BUSINESS DISTRICT; TO ALLOW THE CONSTRUCTION OF SAID TOWER TO WITHIN 60' OF A LEASE PARCEL LINE, A 150' TOWER MUST BE SETBACK AT LEAST 250' FROM A LEASE PARCEL LINE; AND TO ALLOW A 150' TOWER TO BE LOCATED WITHIN 60' OF RESIDENTIAL ZONED PROPERTY, A MINIMUM SEPARATION OF 225' (150% OF THE HEIGHT OF THE TOWER) IS REQUIRED.**

LOCATED AT

**3256 DAUPHIN ISLAND PARKWAY**  
(West side of Dauphin Island Parkway, 60' ± North of Gill Road)

APPLICANT

**LOUISIANA UNWIRED, LLC**

OWNER

**GEORGE RICHARD CLAXTON, SR.**

**BOARD OF ZONING ADJUSTMENT**  
SEPTEMBER/2001

The applicant is requesting Height, Setback and Separation Buffer Variances to allow construction of a 150' Monopole Telecommunications Tower, the maximum allowable height is 45' in a B-2, Neighborhood Business District; to allow the construction of said tower to within 60' of a lease parcel line. A 150' tower must be setback at least 150' from a lease parcel line; and to allow a 150' tower to be located within 60' of residential zoned property. a minimum separation of 225' (150% of the height of the tower) is required.

The applicant states that the size of the lot is insufficient to meet the minimum requirements of the tower ordinance and that the maximum height allowed is 45'

The site was previously approved in February 1998 to allow a 100' Monopole Tower. However, the applicant did not get Planning Approval and the variance expired.

Upon further investigation, there is tower to the North of the site that is within a half-mile radius of the proposed tower site. The applicant has not submitted all of the required documentation as required in Section 1.4.6 (d) of the Telecommunications Ordinance. The applicant needs to submit written documentation that they have (1) made diligent, but unsuccessful efforts for a minimum of forty-five (45) days prior to the submission of the application to install or collocate the applicants Telecommunications Facilities on Towers or usable Antenna Support Structures owned by the City and other persons located within one-half mile radius of the proposed tower site; or (2) written, technical evidence from an engineer that the proposed Tower or Telecommunications Facilities cannot be installed or collocated on another Person's Tower or usable Antennae Support Structure located within one-half mile radius of the proposed Tower site, and must be located at the proposed site in order to meet the coverage requirements of the Applicants wireless communications system.

The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application; and, unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement of the Ordinance will result in an unnecessary hardship. The Ordinance also states that a variance should not be approved unless the spirit and intent of the Ordinance is observed and substantial justice done to the applicant and the surrounding neighborhood.

The intent of the Telecommunications Ordinance is to regulate the construction of towers, such that adequate coverage is available to service providers while maintaining the character of an area and protecting nearby residential properties, as well as encouraging collocation on existing antennae support structures, and manage the number of towers to avoid a proliferation of towers on the landscape.

**RECOMMENDATION 5067**

**Date: September 10, 2001**

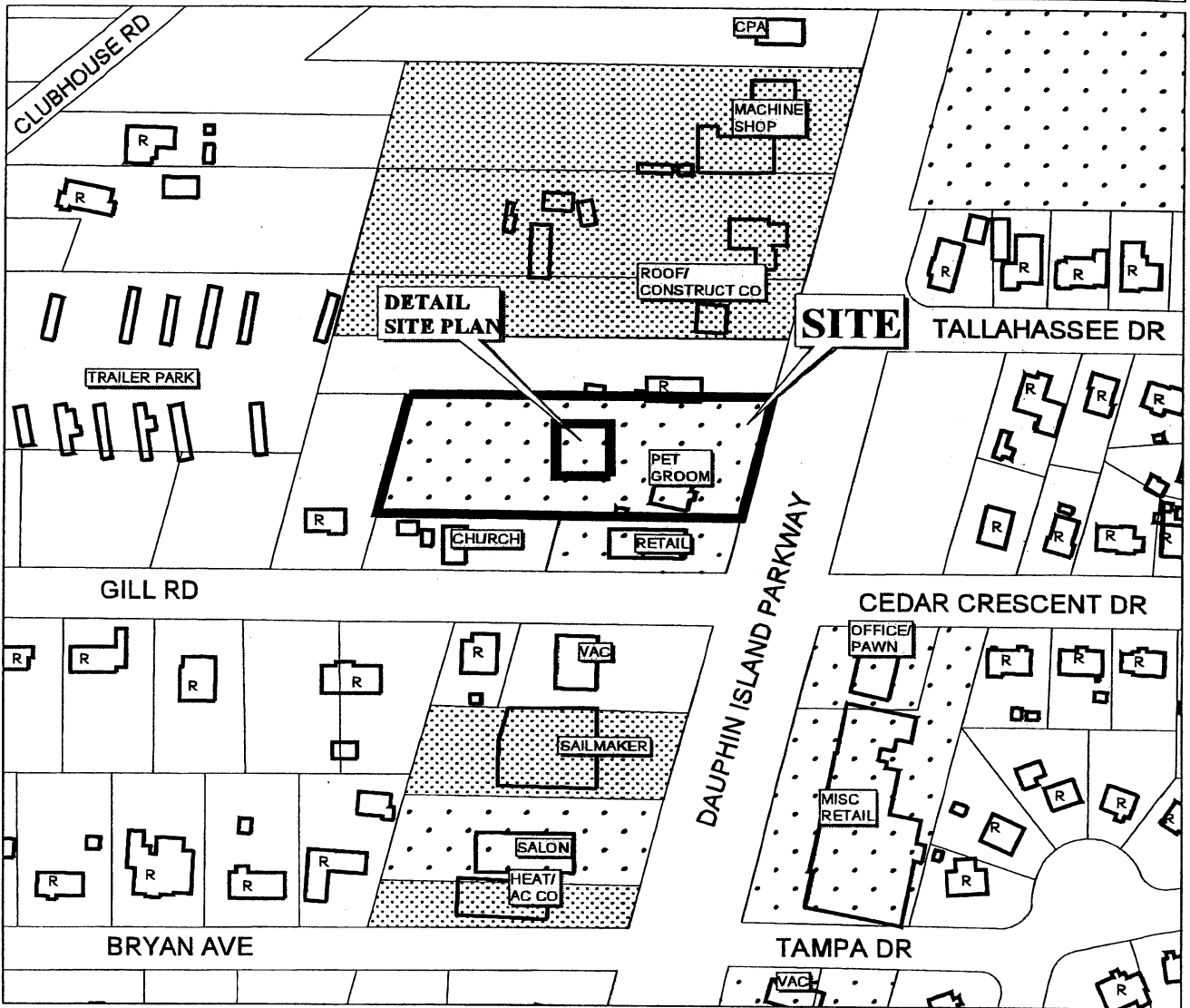
Based upon the preceding, this application is recommended to be heldover to the October 1st meeting to allow the applicant sufficient time to address these concerns.

*No additional information has been submitted at the time of mailout.*

*This application is recommended for denial because the applicant failed to submit the required information for review.*

*The applicant is requesting an extension due to an appeal to the City Council of the Planning Commissions denial of their Planning Approval application.*

# BOARD OF ZONING ADJUSTMENT VICINITY MAP - EXISTING ZONING



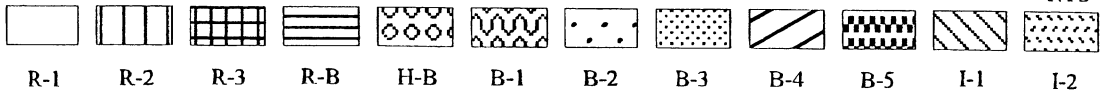
Located to the North of the site is a single family residential dwelling and construction company; to the East are single family residential dwellings. Located to the South of the site is an office and church, to the West is a trailer park.

APPLICATION NUMBER 5067/Extension DATE April 1, 2002

APPLICANT Louisiana Unwired, LLC (George Richard Claxton, Sr., Owner)

REQUEST Height, Setback, Separation Buffer Variances

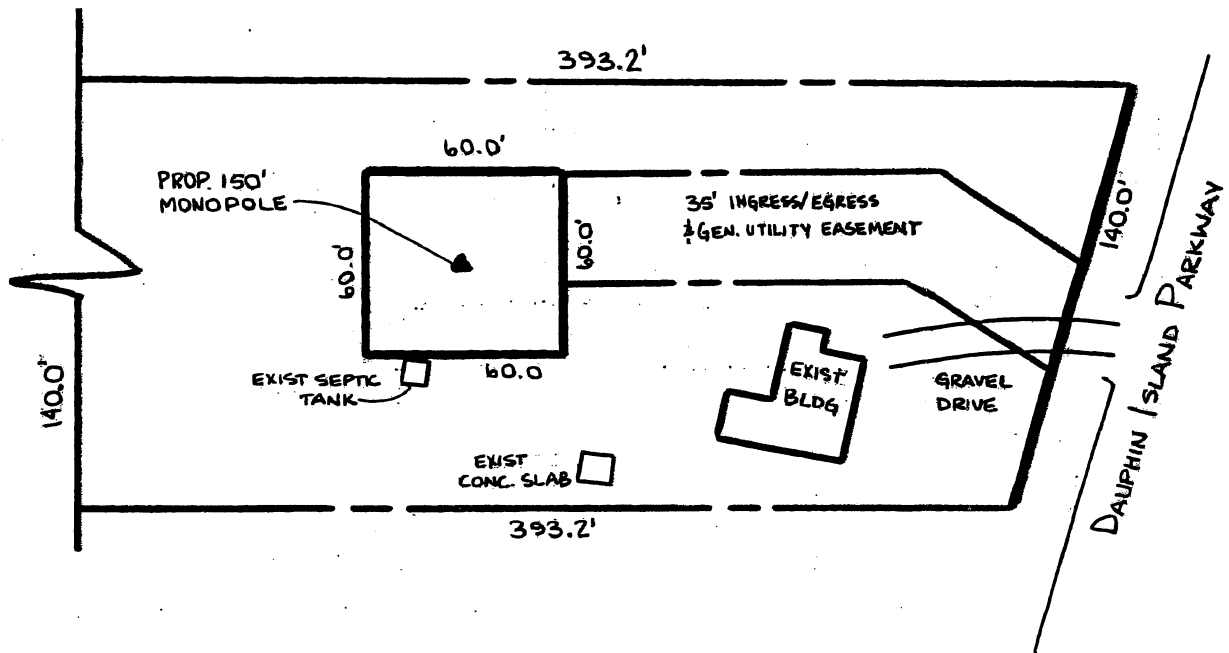
LEGEND



NTS



# SITE PLAN

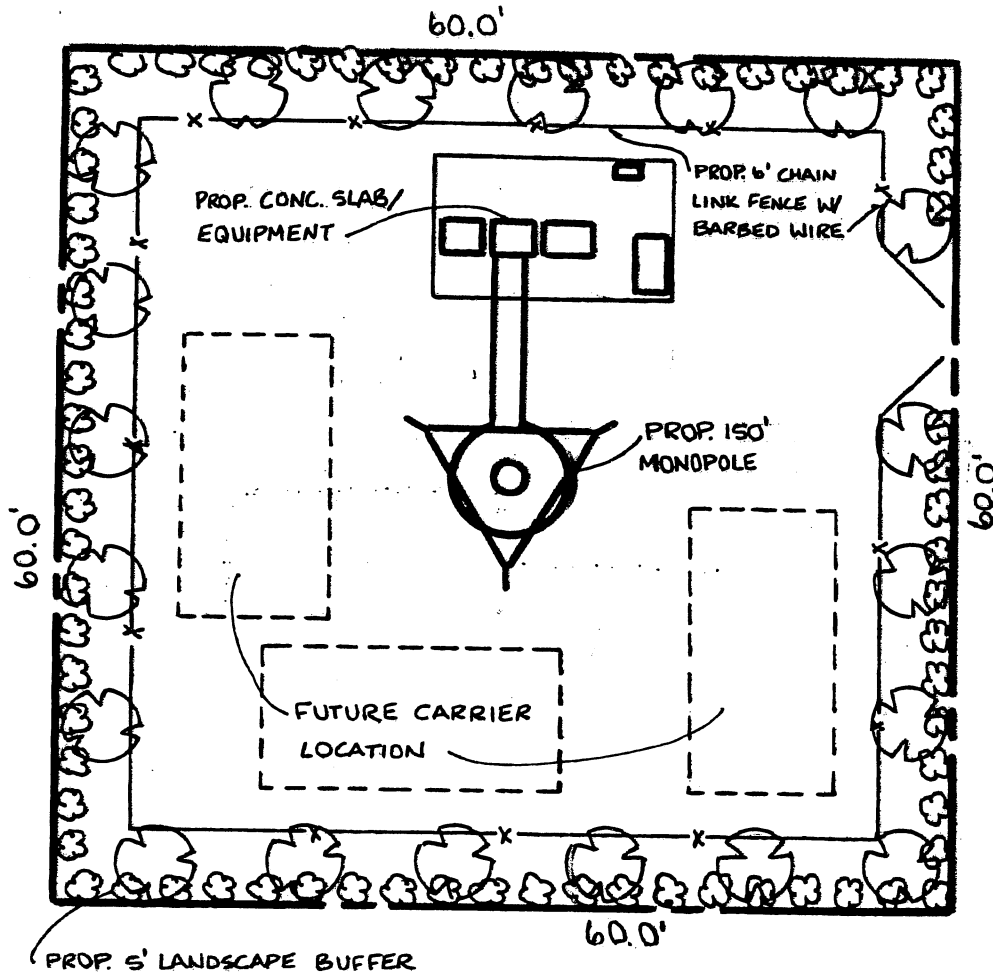


The site is located on the West side of Dauphin Island Parkway, 60' North of Gill Road. The plan illustrates the existing building along with the proposed 150' tower location.

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 USE/REQUEST Height, Setback, Separation Buffer Variances



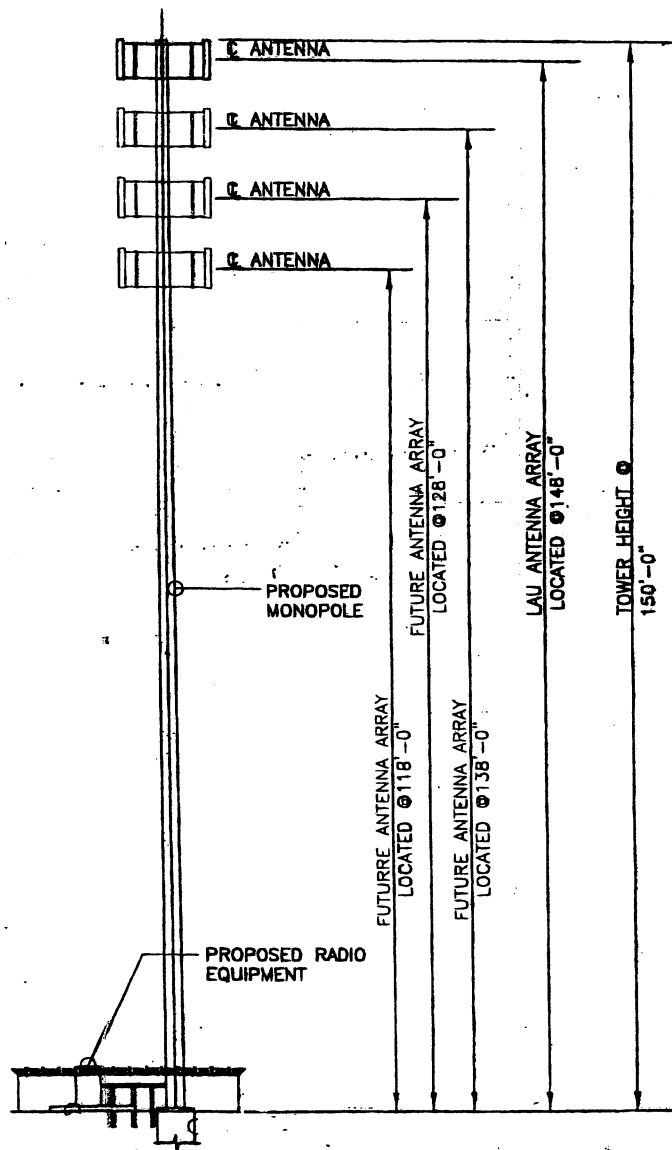
## DETAIL SITE PLAN



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USE/REQUEST Height, Setback, Separation Buffer Variances



# TOWER ELEVATION



APPLICATION NUMBER 5067/Extension DATE April 1, 2002  
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 USE/REQUEST Height, Setback, Separation Buffer Variances

