

RECEIVED

FEB 14 2018

**APPLICATION FOR SPECIAL EXCEPTION**


Request to 280' Radio Tower

<b>Name and Address of Applicant:</b> SSR Communications, Inc. WYAB 103.9 FM 740 Hwy 49 North - Suite R Flora, MS 39071	<b>Street Address of Property (if different address):</b> Same North Livingston & Lake Cavalier Rd. Ridgeland, MS 39157
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APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
Feb 14, 2018	R1 ? R2	See (Exhibit A)	071E-61-001/03	X	See (Exhibit B)

**Other Comments:** As per Article 2605 of the Madison County Zoning Ordinance.

Comments Please see attached documentation

Respectfully Submitted  
 - Matthew R. Wesolowski - 601-201-2789 - matt@wyab.com

Petition submitted to Madison County Planning and Development Commission on \_\_\_\_\_

Recommendation of Madison County Planning and Development Commission on Petition \_\_\_\_\_

Public Hearing date as established by the Madison County Board of Supervisors \_\_\_\_\_

Final disposition of Petition \_\_\_\_\_

**WYAB Radio – Request for 280' Tower near Lake Cavalier and N Livingston Rd**

(Proposed tower property is at: 071E-16-001/03.00)

Prepared by Matthew Wesolowski for WYAB 103.9 FM on February 13, 2018

740 Highway 49, Suite R / Flora, MS 39071

601-201-2789 \* matt@wyab.com

**APPLICANT'S RESPONSES TO RELEVANT SECTIONS**

**SECTION 2609 – SPECIFICATIONS FOR ALL REQUIRED SITE PLANS AND ELEVATIONS**

**SECTION 2609.01 – SITE PLAN SPECIFICATIONS**

**1) Lot Lines (property lines):**

*Note: a Certificate of Survey with this information is attached hereto.*

**LEGAL DESCRIPTION**

A certain parcel of land being situated in the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 16, T7N-R1E, Madison County, Mississippi, and being more particularly described as follows:

Commence at an existing  $\frac{1}{2}$ " iron pin marking the Southeast corner of the aforesaid Section 16, T7N-R1E and run thence North 82 degrees 38 minutes 21 seconds West for a distance of 2,968.30 feet to a set  $\frac{1}{2}$ " iron pin marking the POINT OF BEGINNING of the parcel of land herein described; from said POINT OF BEGINNING, run thence West for a distance of 360.00 feet to a set  $\frac{1}{2}$ " iron pin; run thence North for a distance of 330.00 feet to a set  $\frac{1}{2}$ " iron pin; run thence East for a distance of 360.00 feet to a set  $\frac{1}{2}$ " iron pin; run thence South for a distance of 330.00 feet to the POINT OF BEGINNING, containing 2.73 acres, more or less.

And Also: A fifteen foot (15') wide easement for the purpose of ingress and egress being situated in the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 16, T7N-R1E, Madison County, Mississippi; said fifteen foot (15') wide easement being seven and one-half feet left and right of the centerline thereof, and said centerline being more particularly described as follows:

Commence at an existing  $\frac{1}{2}$ " iron pin marking the Southeast corner of the aforesaid Section 16, T7N-R1E and run thence North 85 degrees 40 minutes 23 seconds West for a distance of 2,685.40 feet to a set  $\frac{1}{2}$ " iron pin in the centerline of an existing ten foot (10') wide gravel drive on the West right-of-way line of Lake Cavalier Road marking the POINT OF BEGINNING of the herein described centerline of a fifteen foot (15') wide easement for ingress and egress; from said POINT OF BEGINNING and leaving said West right-of-way line of Lake Cavalier Road, run thence along said centerline the following bearings and distances: North 81 degrees 06 minutes 24 seconds West for a distance of 17.82 feet to a set  $\frac{1}{2}$ " iron pin; North 69 degree 29 minutes 24 seconds West

for a distance of 123.49 feet to a set ½” iron pin; North 63 degrees 48 minutes 11 seconds West for a distance of 298.26 feet to a set ½” iron pin marking the Point of Terminus of the herein described centerline of said fifteen foot (15’) wide easement for ingress and egress, containing 0.15 acres, more or less.

**2) Zoning and 3) Names and owners of adjacent lots:**

The parcel is bounded on all sides by 071E-16-001/01.00, part of which is zoned Residential Estate (R1), the other part zoned Moderate Density Residential (R2):

Robert W. Tyson  
 675 North Livingston Road  
 Ridgeland, MS 39157

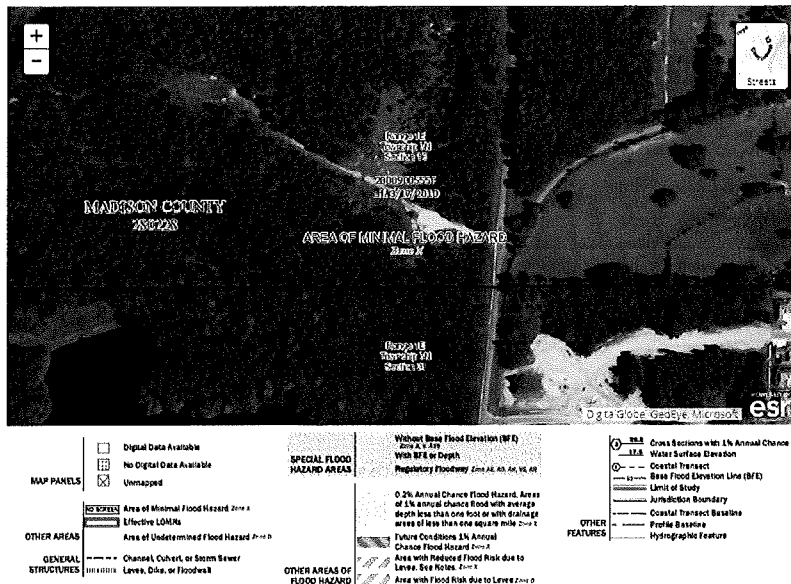
**4) Right of Way, 5) Access ways, curbs, parking, and 6) Easements:**

The proposed tower would not require any additional construction of curb cuts, driveways, or other access ways. There is existing access to the proposed tower site. A gated access driveway with existing easement is already at the site, as depicted in the attached plat survey. There will be no additional constructed parking spaces or loading areas.

**7) Proposed Water Lines, 8) Storm Drainage, 9) Contours:**

These items are not applicable in this application.

**10) Floodplain Information**

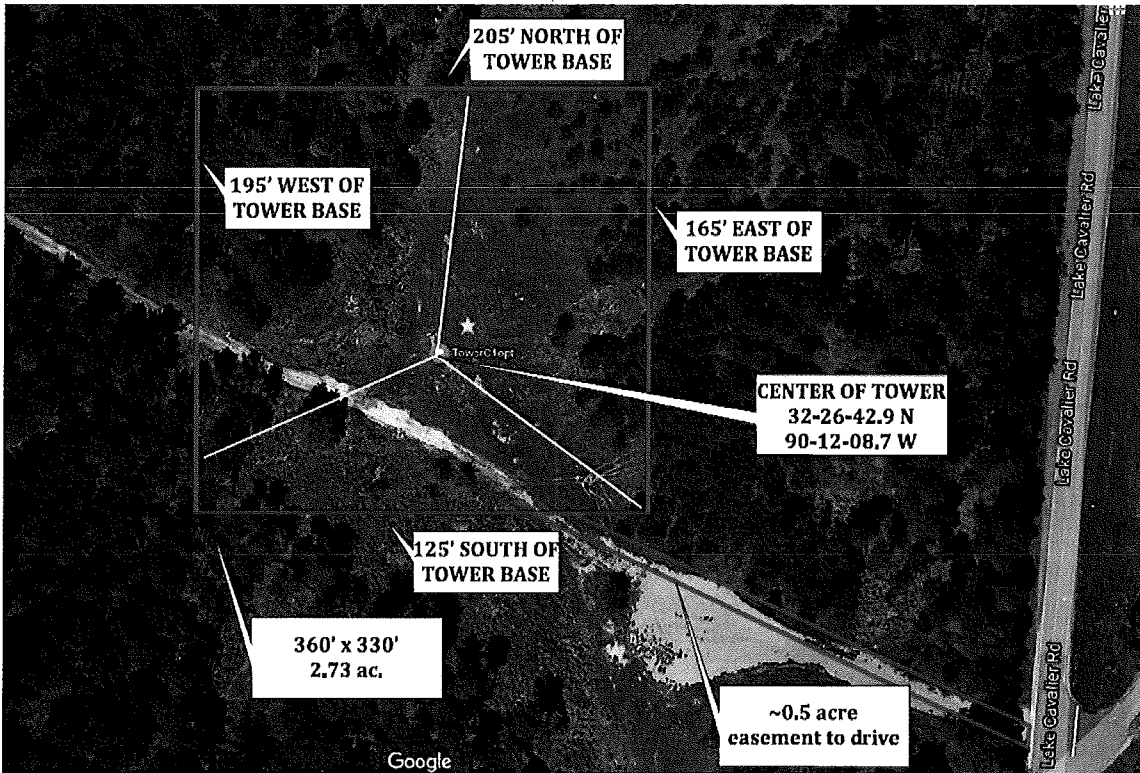


As depicted above, FEMA designates the entire parcel as “Area of Minimal Flood Hazard.”

**11) Landscaped Areas and Planting Screens**

An existing foliage screen exists between North Livingston Road and the proposed tower site, which will shield visibility of the structure. No additional planting screens or landscaping is proposed herein.

**12) Building lines and the location of all structures, existing and proposed:**



The center of the tower would be at approximately 32-26-43 N, 90-12-09 W (NAD 27), with the guy wires shown above to scale.

**13) Proposed uses of the land and buildings:**

The proposed site will be used for broadcast transmission of WYAB 103.9 FM's radio signal to Madison County and the surrounding areas. There will be absolutely no other uses for the tower site (such as cellular, pager, et cetera). A 10' x 10' equipment shed at the base of the tower will only house WYAB's radio equipment, transmitter, computers, and other various items in the WYAB audio broadcast chain.

**14) Open Spaces and Recreation Areas**

This section is not applicable to the Applicant's proposal.

**15) Area of parcel**

The area bounded by the proposed tower, guy wires, and equipment shed is 2.73 acres, or 118,800 square feet, located entirely within a rectangular shaped parcel measuring 360 by 330 feet.

(all other sections and inapplicable to this request)

**SECTION 2609.02 – ELEVATIONS AND ASSOCIATED DATA REQUIRED**

**1) Proposed elevations indicating general design, style, and architecture:**

A profile view of the proposed tower is attached hereto.

The proposed tower will be comprised of 24-inch face standard steel tubular sections, each measuring approximately 20 feet. The equipment shed will be comprised of standard wooden construction, measuring approximately 10 feet by 10 feet.

**2) Proposed materials and color schemes:**

The proposed tower will be made of galvanized steel tubular sections, with the equipment shed being comprised of traditional wooden construction. The color of the tower will be red and white painted galvanized steel, and the color scheme of the equipment shed will be beige siding with white trim.

**3) Number of stories and total square feet:**

The proposed equipment shed will be no more than one storey and will be no more than 100 square feet in dimension.

**4) Proposed height in feet:**

The proposed tower will be 280 feet above the ground, while the equipment shed will be no more than 12 feet in height.

**SECTION 2609.03 – OTHER EXHIBITS**

**NOTE 1**

The Federal Aviation Administration has issued a determination of “No Hazard to Aircraft” to WYAB radio for the construction of this tower. Please see attachment hereto.

**MISCELLANEOUS**

If any additional details or exhibits are required of the Board, then please feel free to contact me below:

Matthew Wesolowski  
WYAB 103.9 FM  
740 Highway 49 / Suite R  
Flora, MS 39071

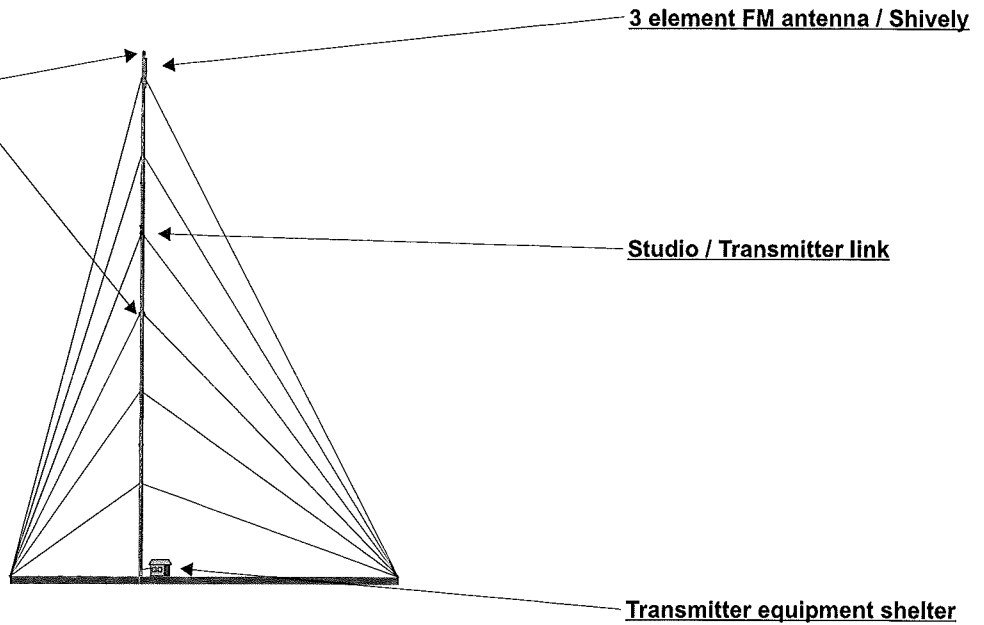
601-201-2789  
matt@wyab.com

# PROPOSED 280' COMMUNICATIONS TOWER / WYAB 103.9 FM

## PROFILE VIEW

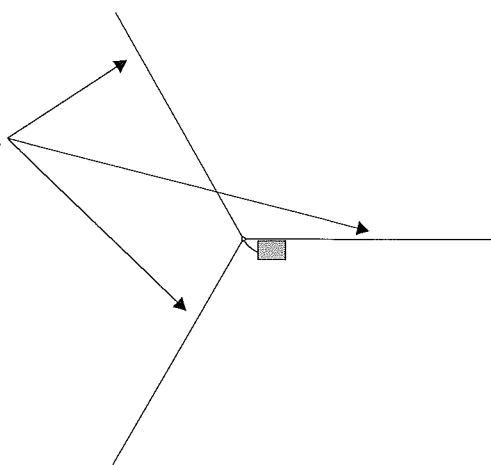
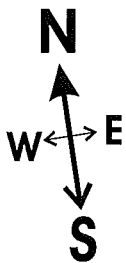
Tower lighting beacons / 600W

600W red light beacons are located at 140' and 280' agl.



## OVERHEAD VIEW

Guy / support wires



**BROADCAST COMMUNICATIONS TOWER / SSR COMMUNICATIONS, INC.**  
 Federal Communications Commission  
 Antenna Structure Registration Number  
 1303916

FM Antenna Information

Model: Shively 6810-3 ND, Side-mounted 3 bays  
 ERP: 12,000 Watts / Transmitter Output: 8,600 Watts  
 Frequency Range: 103.9 MHz - 103.9 Mhz

FCC CDBS Application ID No(s): pending  
 Facility ID #77646

Additional Site Information

Location: 32 deg, 26 min, 42 sec North Latitude  
 90 deg, 12 min, 08 sec West Longitude (NAD 27)

Site elevation above mean sea level: 426' (USGS)

Zoning: R1/R2

Broadcast Communications Tower Plot  
 SSR Communications / WYAB 103.9 FM  
 Lake Cavalier and North Livingston Road  
 Plots generated February 13, 2018  
 Scale: 1" equals 100'

SCALE IN FEET - 1" = 100'



REF NO: 2018021877646SSR

STATE OF MISSISSIPPI  
COUNTY OF HINDS  
CITY OF JACKSON

**CERTIFICATE OF SURVEY**

THIS IS TO CERTIFY THAT, H D Lang and Associates, Inc. of the City of Jackson, Mississippi, has this day completed a survey standing in the name of SSR Communications, Inc. located at Lake Cavalier Road via 15' ingress/egress easement, in the County of Madison aforesaid, being further described as follows, to-wit:

A certain parcel of land being situated in the Southeast ¼ of the Southwest ¼ of Section 16, T7N-R1E, Madison County, Mississippi, and being more particularly described as follows:

Commence at an existing ½" iron pin marking the Southeast corner of the aforesaid Section 16, T7N-R1E and run thence North 82 degrees 38 minutes 21 seconds West for a distance of 2,968.30 feet to a set ½" iron pin marking the POINT OF BEGINNING of the parcel of land herein described; from said POINT OF BEGINNING, run thence West for a distance of 360.00 feet to a set ½" iron pin; run thence North for a distance of 330.00 feet to a set ½" iron pin; run thence East for a distance of 360.00 feet to a set ½" iron pin; run thence South for a distance of 330.00 feet to the POINT OF BEGINNING, containing 2.73 acres, more or less.

And Also: A fifteen foot (15') wide easement for the purpose of ingress and egress being situated in the Southeast ¼ of the Southwest ¼ of Section 16, T7N-R1E, Madison County, Mississippi; said fifteen foot (15') wide easement being seven and one-half feet left and right of the centerline thereof, and said centerline being more particularly described as follows:

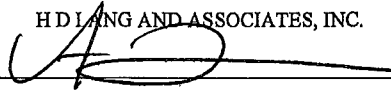
Commence at an existing ½" iron pin marking the Southeast corner of the aforesaid Section 16, T7N-R1E and run thence North 85

AND I ALSO CERTIFY, that there are no visible encroachments by the buildings of the adjacent property owners upon the surveyed premises.

AND I FURTHER CERTIFY that all the buildings and visible improvements located on the above described property are within the boundaries of said property, subject to the exceptions shown below, if any, and that the plat hereto attached is a correct representation of the conditions as they exist on this date.

Witness my signature this the 14th day of August, 2017.

H D LANG AND ASSOCIATES, INC.



By: Don F. Garner, PS





degrees 40 minutes 23 seconds West for a distance of 2,685.40 feet to a set ½" iron pin in the centerline of an existing ten foot (10') wide gravel drive on the West right-of-way line of Lake Cavalier Road marking the POINT OF BEGINNING of the herein described centerline of a fifteen foot (15') wide easement for ingress and egress; from said POINT OF BEGINNING and leaving said West right-of-way line of Lake Cavalier Road, run thence along said centerline the following bearings and distances: North 81 degrees 06 minutes 24 seconds West for a distance of 17.82 feet to a set ½" iron pin; North 69 degree 29 minutes 24 seconds West for a distance of 123.49 feet to a set ½" iron pin; North 63 degrees 48 minutes 11 seconds West for a distance of 298.26 feet to a set ½" iron pin marking the Point of Terminus of the herein described centerline of said fifteen foot (15') wide easement for ingress and egress, containing 0.15 acres, more or less.

DRAWING NO.

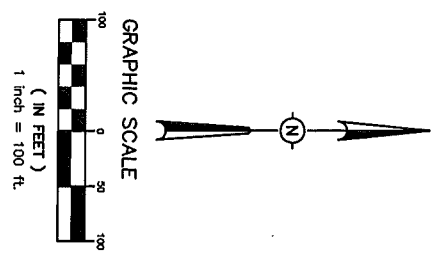
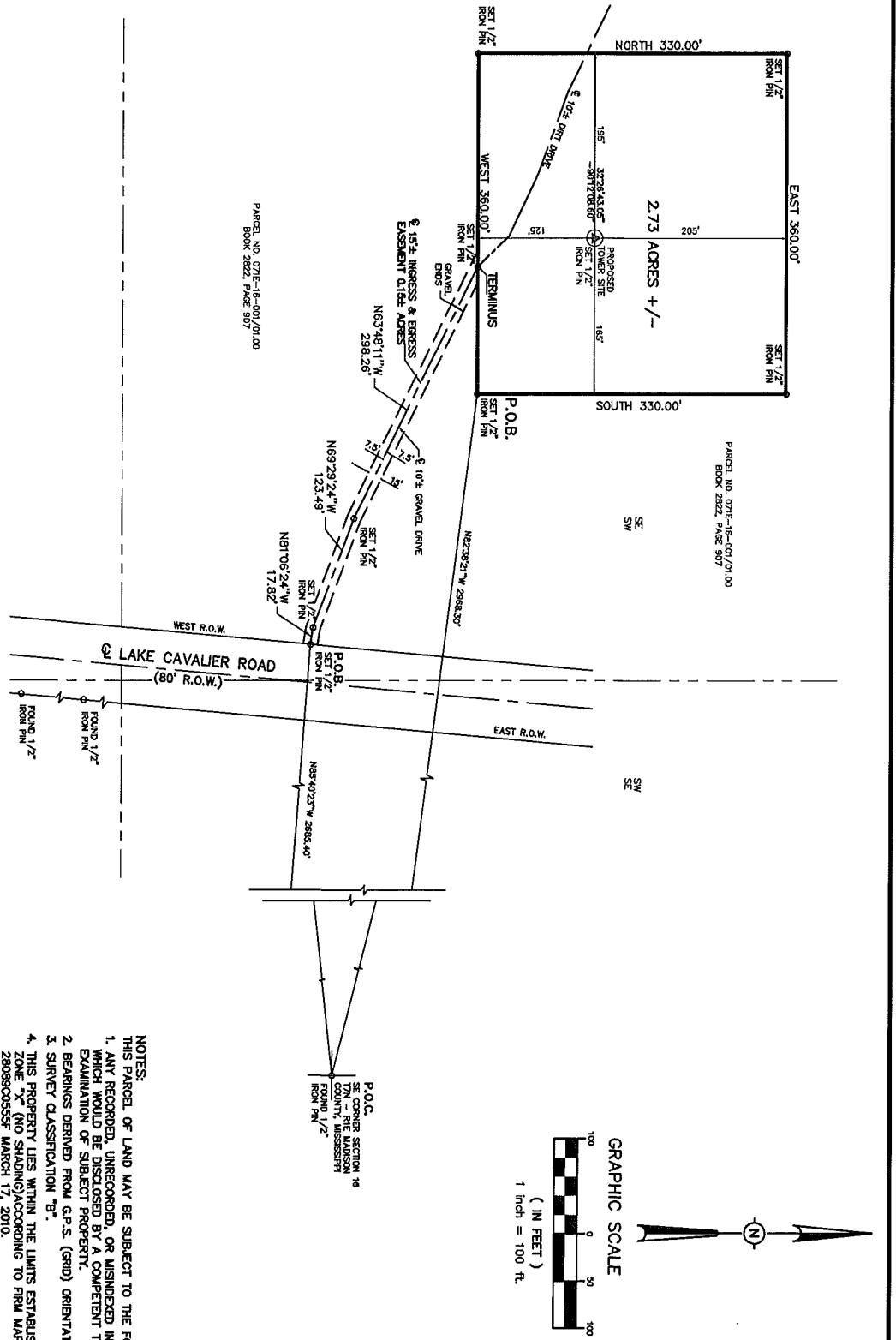
**H D LANG AND ASSOCIATES, INC.**  
 POST OFFICE BOX 16685  
 JACKSON, MISSISSIPPI 39238  
 601-382-4886

**CLIENT**  
**PLAT OF SURVEY FOR**  
**SSR COMMUNICATIONS, INC.**

**LOCATION**  
 2.73± ACRES AND 15'  
 INGRESS & EGRESS EASEMENT  
 SITUATED IN THE SE 1/4 OF THE SW 1/4  
 SECTION 16, TOWNSHIP 7 NORTH, RANGE 1 EAST  
 MADISON COUNTY, MISSISSIPPI

DATE	REVISION	BY	DRAWN BY	DATE
				06-14-17
				SCALE 1" = 100'
				PROJECT NO. 17-072

SHEET



- NOTES:**
1. ANY RECORDED, UNRECORDED, OR MISINDEXED INSTRUMENTS WHICH WOULD BE DISCLOSED BY A COMPLETE TITLE EXAMINATION OF SUBJECT PROPERTY.
  2. BEARINGS DERIVED FROM G.P.S. (GRD) ORIENTATION.
  3. SURVEY CLASSIFICATION "B".
  4. THIS PROPERTY LIES WITHIN THE LIMITS ESTABLISHED FOR ZONE "2" (NO SHADING) ACCORDING TO FRM MAP NUMBER 2808960355F MARCH 17, 2010.

PARCEL NO. 071E-16-00/01.00  
 BOOK 2822, PAGE 907

PARCEL NO. 071E-16-00/01.00  
 BOOK 2822, PAGE 907

16th Section Site Lease

**INDEXING: 2.73± acres, with non-exclusive access easement, in the SE1/4 SW1/4 of Section 16, Township 7 North, Range 1 East, Madison County, Mississippi (#071E-16-001/03.00)**

**LESSOR:**

Madison County, Mississippi Board  
of Education Trustees of The Madison  
County School District 16<sup>th</sup> Section  
School Lands Trust  
476 Highland Colony Parkway  
Ridgeland, MS 39157  
Telephone: 601-499-0800

**LESSEE:**

SSR Communications, Inc.  
ATTN: Matthew Wesolowski  
740 Highway 49 North, Ste R  
Flora, MS 39071  
Telephone: 601-879-0093

**PREPARED BY:**

Madison County School District  
476 Highland Colony Parkway  
Ridgeland, MS 39157  
Telephone: 601-499-0800

**16<sup>th</sup> SECTION PUBLIC SCHOOL TRUST LANDS**  
**RADIO TOWER COMMERCIAL LEASE CONTRACT**

STATE OF MISSISSIPPI  
COUNTY OF MADISON

THIS 16<sup>TH</sup> SECTION PUBLIC SCHOOL TRUST LANDS COMMERCIAL  
CELLULAR TOWER LEASE CONTRACT, (hereafter "Lease Contract"), made and

IN WITNESS WHEREOF, this Lease is executed by LESSOR pursuant to the Order duly entered upon its Minutes.

LESSOR:

**Madison County, Mississippi Board  
of Education Trustees of the Madison  
County School District 16<sup>th</sup> Section  
School Lands Trust**

By: \_\_\_\_\_  
**William R. Grissett, Jr., President**

ATTEST:

\_\_\_\_\_  
**Ronnie L. McGehee, Madison County  
Superintendent of Education**

LESSEE:

**SSR Communications, Inc., a Georgia  
Corporation Licensed and Doing Business  
in The State of Mississippi**

By: \_\_\_\_\_  
**Matthew Wesolowski, Director**

APPROVED:

\_\_\_\_\_  
**C. Delbert Hosemann, Jr.,  
Secretary of State**

Reviewed and approved by the Madison County Board of Supervisors, this the  
\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Trey Baxter, President

ATTEST:

\_\_\_\_\_  
Ronny Lott, Clerk

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this \_\_\_ day of \_\_\_\_\_, 2017, within my jurisdiction, the within named **Trey Baxter**, who acknowledged to me that he is President of the **Madison County Board of Supervisors**, and that for and on behalf of the said Madison County Board of Supervisors, and as its act and deed, he executed the above and foregoing instrument, after first having been duly authorized so to do.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

\_\_\_\_\_  
[SEAL]

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this \_\_\_\_ day of \_\_\_\_\_, 2017, within my jurisdiction, the within named **William R. Grissett, Jr. and Ronnie L. McGehee**, who acknowledged to me that they are President and Superintendent, respectively, of the **Madison County Board of Education**, and that for and on behalf of the said Madison County Board of Education, and as its act and deed, they executed the above and foregoing instrument, after first having been duly authorized so to do.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

\_\_\_\_\_  
[SEAL]

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this \_\_\_\_ day of \_\_\_\_\_, 2017, within my jurisdiction, the within named **Matthew Wesolowski**, who acknowledged to me that he is a Director of **SSR Communications, Inc., a Georgia Corporation licensed and doing business in the State of Mississippi**, and that for and on behalf of the said corporation, and as its act and deed, he executed the above and foregoing instrument, after first having been duly authorized so to do.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

\_\_\_\_\_  
[SEAL]

tower/2017/#1486 SSR Communications, Inc. in S16-7N-1E



Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 10101 Hillwood Parkway  
 Fort Worth, TX 76177

Aeronautical Study No.  
 2017-ASO-17392-OE

Issued Date: 09/14/2017

Matthew Wesolowski  
 SSR Communications, Inc.  
 5270 West Jones Bridge Road  
 Norcross, GA 30092-1628

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Tower WYAB Ridgeland MS Tower  
 Location: Ridgeland, MS  
 Latitude: 32-26-43.00N NAD 83  
 Longitude: 90-12-09.00W  
 Heights: 426 feet site elevation (SE)  
 280 feet above ground level (AGL)  
 706 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 1, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),&12.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

**See attachment for additional condition(s) or information.**

This determination expires on 03/14/2019 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 222-5928, or [chris.smith@faa.gov](mailto:chris.smith@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-ASO-17392-OE.

**Signature Control No: 341798195-343750582**

( DNE )

Chris Smith  
Technician

Attachment(s)  
Additional Information  
Case Description  
Frequency Data  
Map(s)

cc: FCC



**Additional information for ASN 2017-ASO-17392-OE**

No objection providing that your spurious emissions are less than the FCC minimum requirement of -80dbc by -0.66 db (exceeds in band) which equals -80.66 dbc.

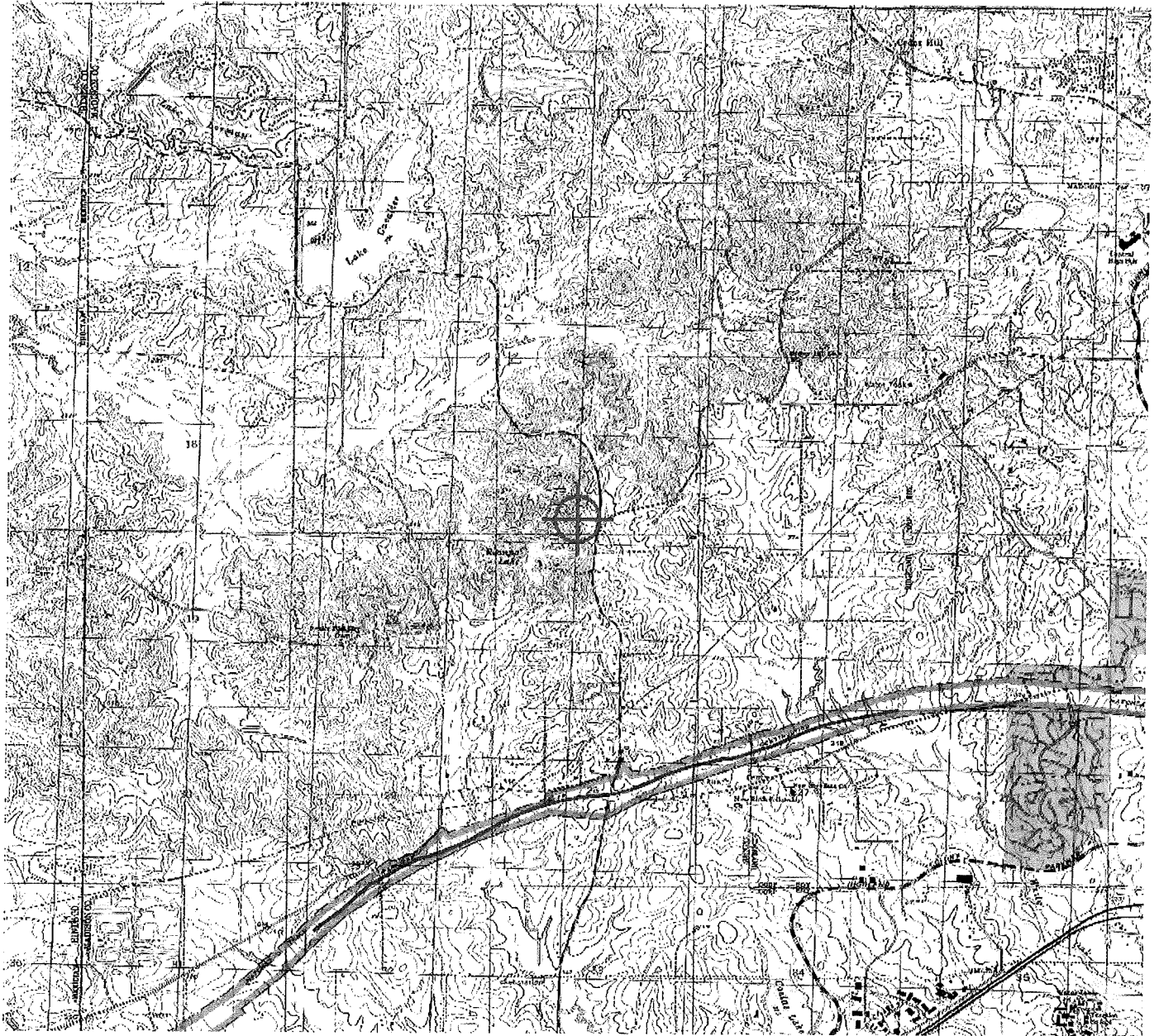
**Case Description for ASN 2017-ASO-17392-OE**

Communications Tower

Frequency Data for ASN 2017-ASO-17392-OE

<b>LOW FREQUENCY</b>	<b>HIGH FREQUENCY</b>	<b>FREQUENCY UNIT</b>	<b>ERP</b>	<b>ERP UNIT</b>
103.8	104	MHz	12000	W

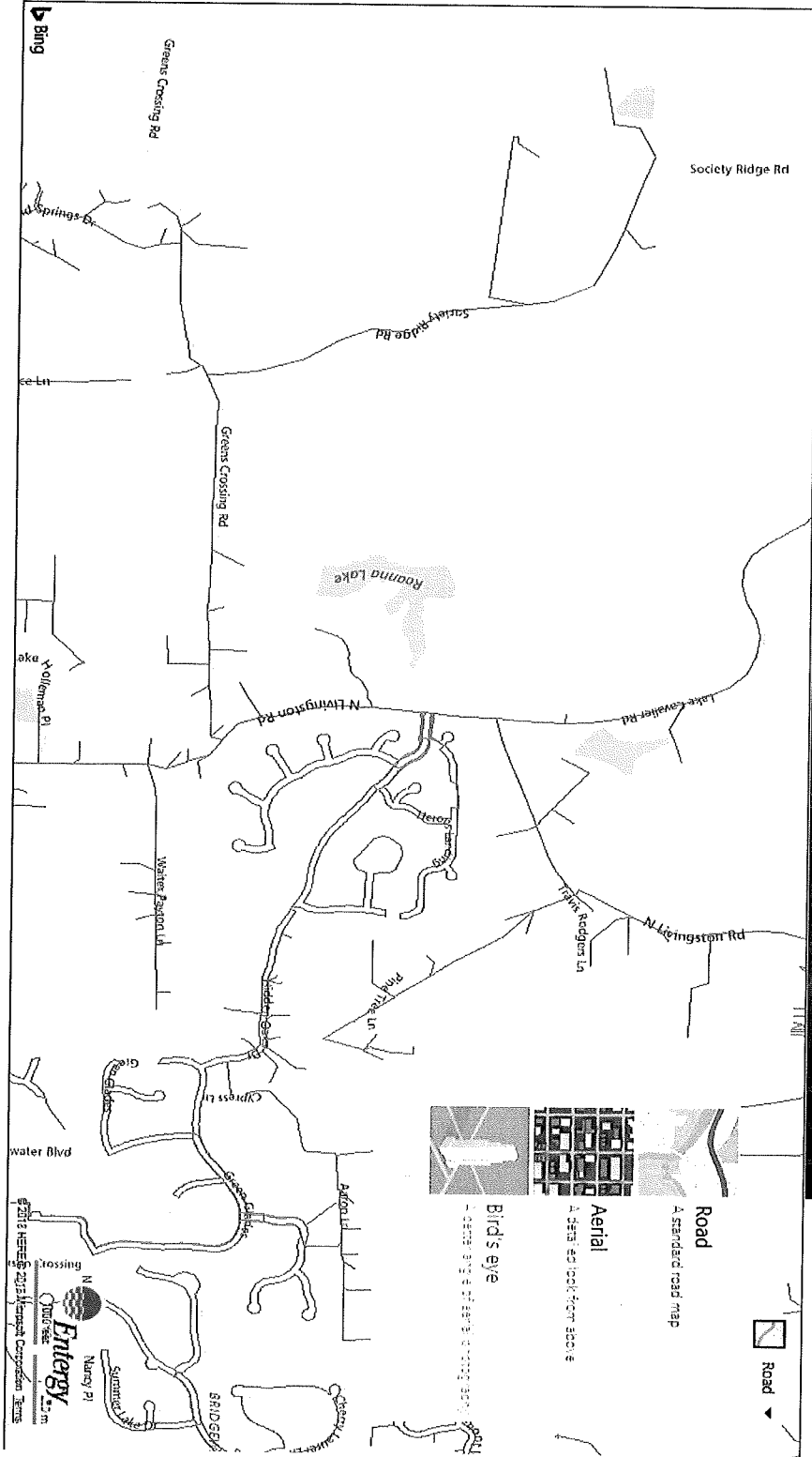
TOPO Map for ASN 2017-ASO-17392-OE





ENTERGY MISSISSIPPI, INC.

Stay informed during the storm.  
**CLICK TO REGISTER** for outage text alerts.



Verification of Utilities: Entergy runs three-phase power to the site. No other utilities will be required in relation to this proposal.



Madison County Web Map

- Roads**
- Public
  - PRIVATE

Madison  
County  
GIS

0 0.05 0.1 0.2 mi

1:9,028

Madison County