

RECEIVED

APPLICATION FOR SPECIAL EXCEPTION

Request to 280' Radio Tower

FEB 14 2018

Name and Address of Applicant: SSR Communications, Inc. WYAB 103.9 FM 740 Hwy 49 North - Suite R Flora, MS 39071	Street Address of Property (if different address): Same North Livingston & Lake Cavalier Rd. Ridgeland, MS 39157
--	--

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
Matt K. - Matthew K. Wesolowski - 601-201-2789 - matt@wyab.com



Petition submitted to Madison County Planning and Development Commission on 4-6-2018 for the 4-12-2018 meeting

Recommendation of Madison County Planning and Development Commission on Petition 4-12-2018 Approved

Public Hearing date as established by the Madison County Board of Supervisors 5-7-2018 Tabled till 6-4-2018

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 1/2" iron pin; North 63 degrees 48 minutes 11 seconds West for a distance of 298.26 feet to a set 1/2" 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

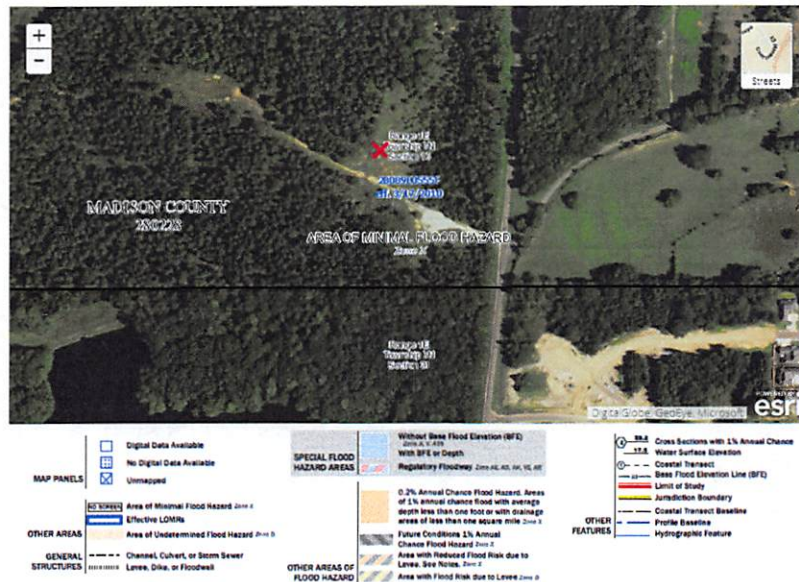
4) Right of Way, 5) Access ways, curbs, parking, and 6) Easements:

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

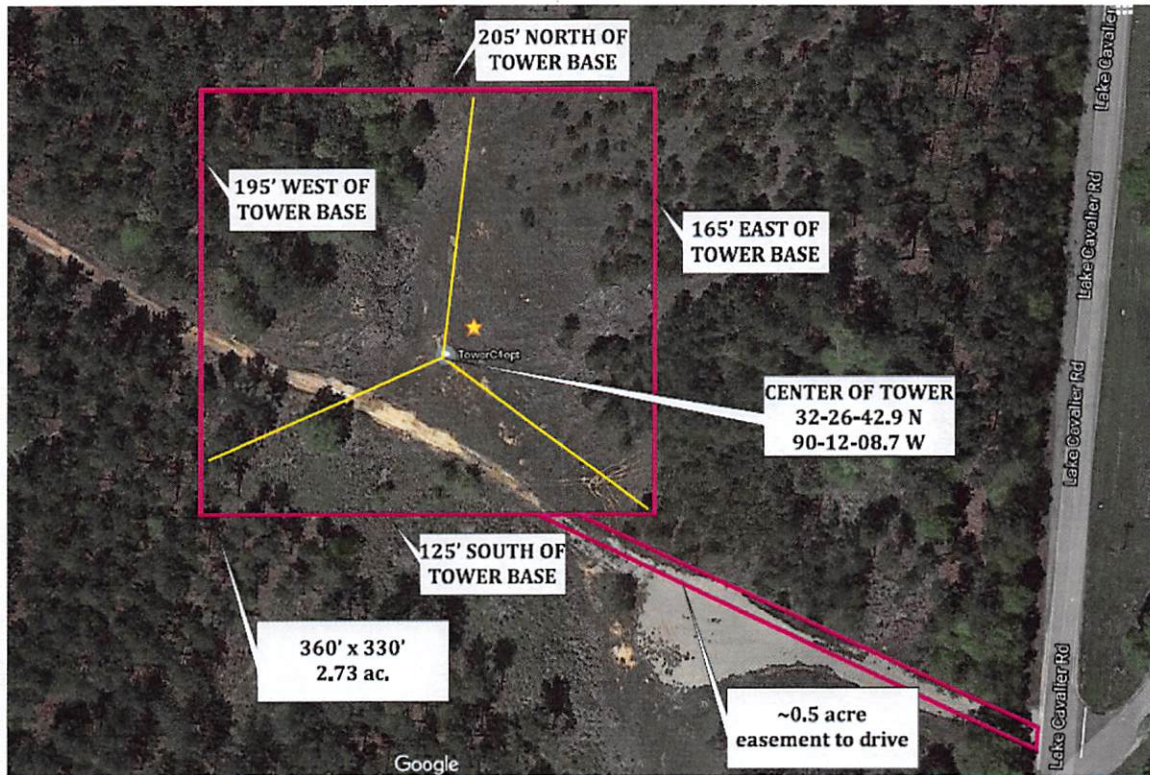


As depicted above, FEMA designates the entire parcel as “Area of Minimal Flood Hazard.”

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

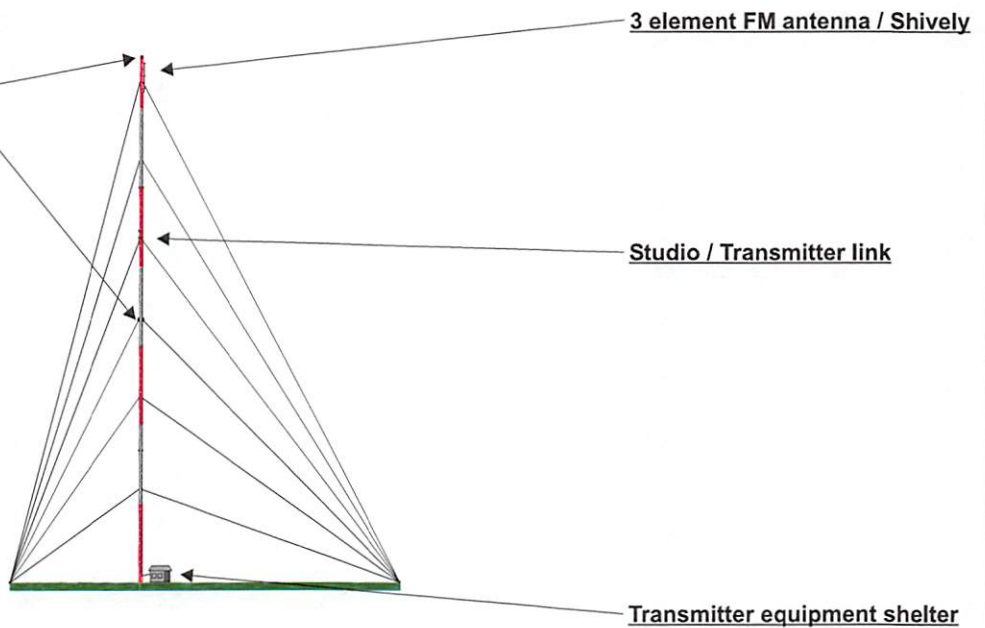
601-201-2789
matt@wyab.com

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.

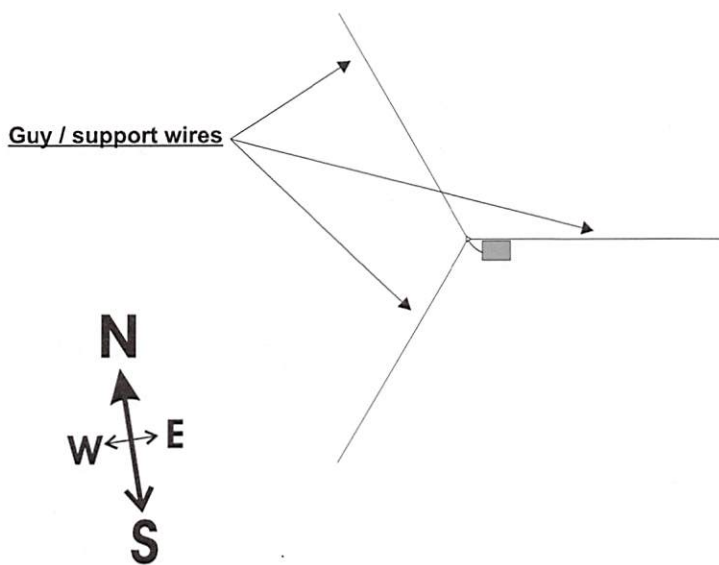


3 element FM antenna / Shively

Studio / Transmitter link

Transmitter equipment shelter

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:

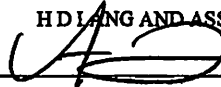
Commence at an existing ½" iron pin marking the Southeast corner of the aforesaid Section 16, T7N-R1E and run thence North 85

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.

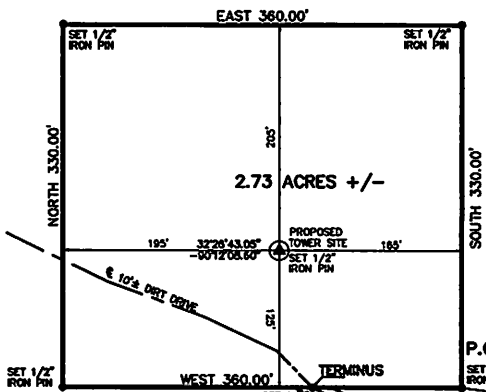
H D LANG AND ASSOCIATES, INC.



By: Don F. Garner, PS

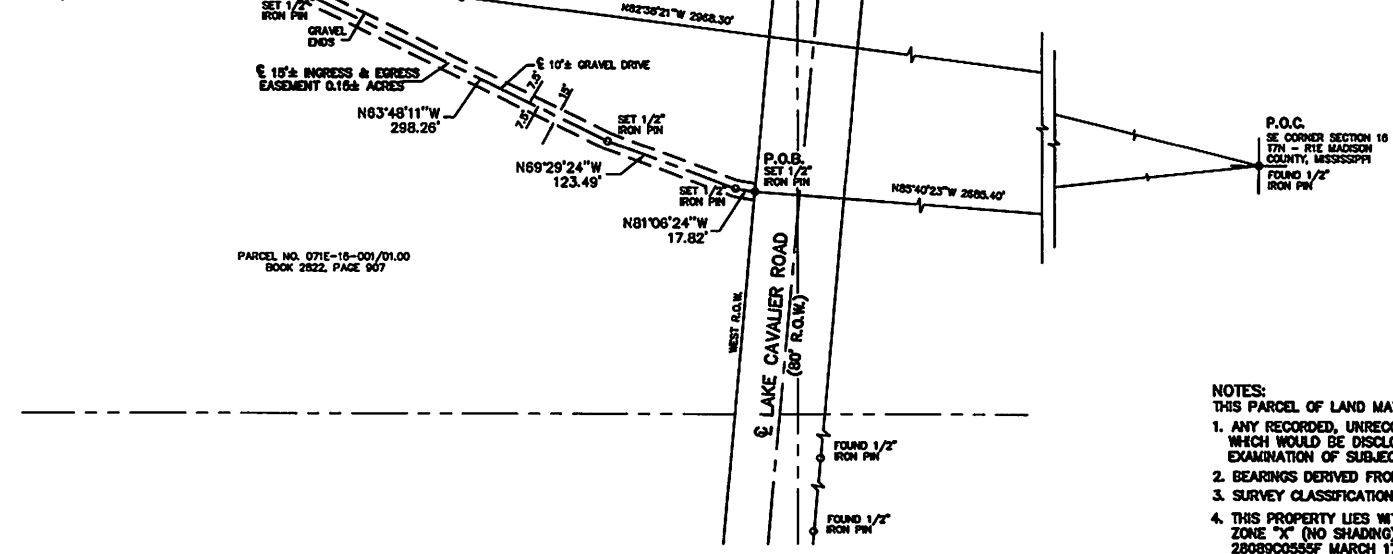
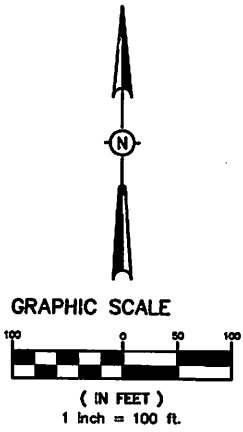


degrees 40 minutes 23 seconds West for a distance of 2,685.40 feet to a set ½" iron pin in the centerline of an existing ten foot (10') wide gravel drive on the West right-of-way line of Lake Cavalier Road marking the POINT OF BEGINNING of the herein described centerline of a fifteen foot (15') wide 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.



PARCEL NO. 071E-18-001/01.00
BOOK 2822, PAGE 907

2.73 ACRES +/-



PARCEL NO. 071E-18-001/01.00
BOOK 2822, PAGE 907

- NOTES:
THIS PARCEL OF LAND MAY BE SUBJECT TO THE FOLLOWING:
1. ANY RECORDED, UNRECORDED, OR MISINDEXED INSTRUMENTS WHICH WOULD BE DISCLOSED BY A COMPETENT 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 "X" (NO SHADING) ACCORDING TO FRM MAP NUMBER 28089C0555F MARCH 17, 2010.

H D LANG AND ASSOCIATES, INC.
POST OFFICE BOX 16085 JACKSON, MISSISSIPPI 39236
601-362-4886

CLIENT
SSR COMMUNICATIONS, INC.

LOCATION
2.73± ACRES AND 15" INGRESS & EGRESS EASEMENT SITUATED IN THE SE 1/4 OF THE SW 1/4 SECTION 18, TOWNSHIP 7 NORTH, RANGE 1 EAST MADISON COUNTY, MISSISSIPPI

DATE	REVISION	BY	DRAWN BY: D.F.G.	SHEET
			DATE: 09-14-17	
			SCALE: 1" = 100'	
			PROJECT NO: 17-072	

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 16th 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

16th SECTION PUBLIC SCHOOL TRUST LANDS
RADIO TOWER COMMERCIAL LEASE CONTRACT

STATE OF MISSISSIPPI
COUNTY OF MADISON

**THIS 16TH 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 16th 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]

lower/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. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-ASO-17392-OE.

Signature Control No: 341798195-343750582

Chris Smith
Technician

(DNE)

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.

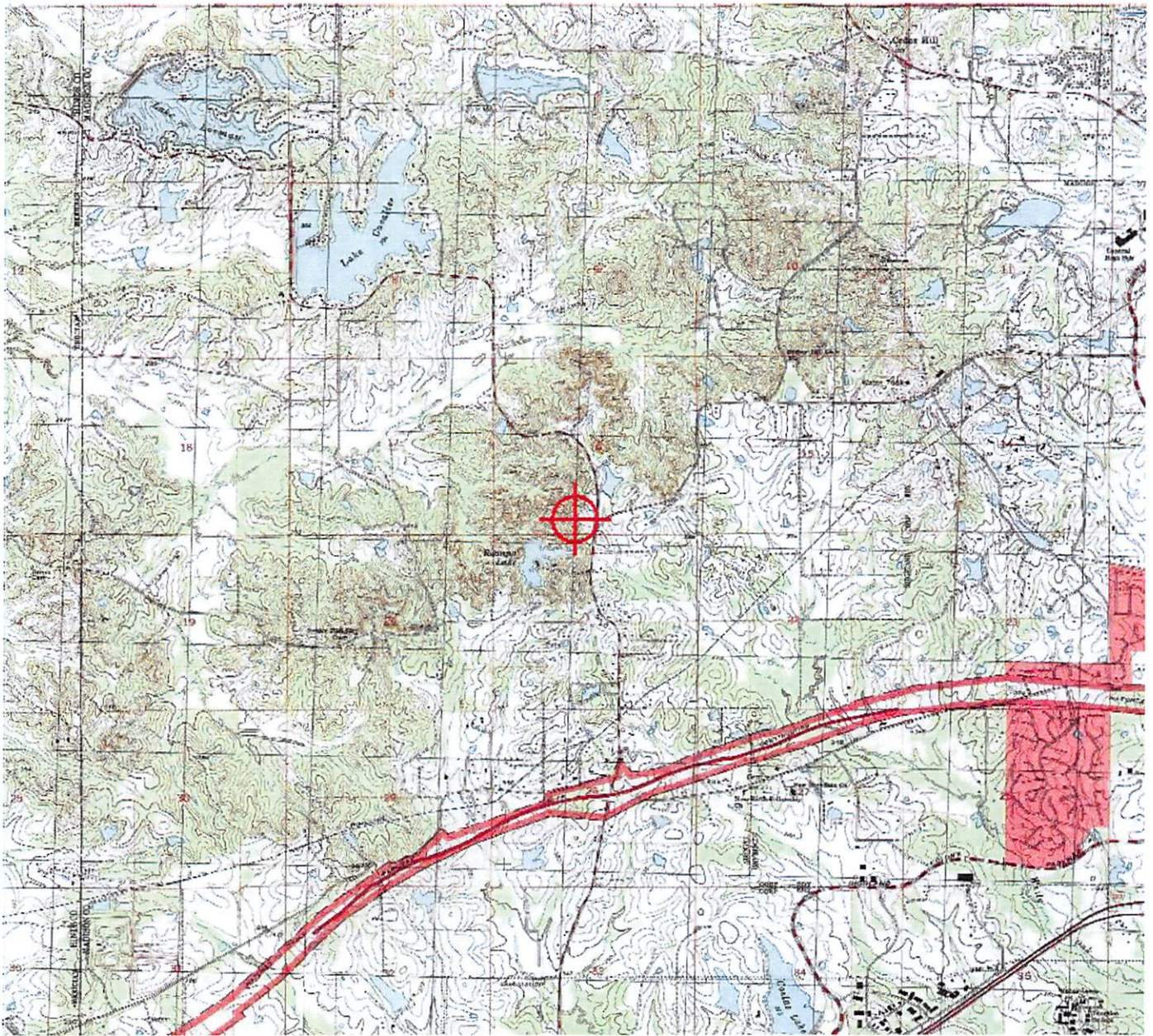
Case Description for ASN 2017-ASO-17392-OE

Communications Tower

Frequency Data for ASN 2017-ASO-17392-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
103.8	104	MHz	12000	W

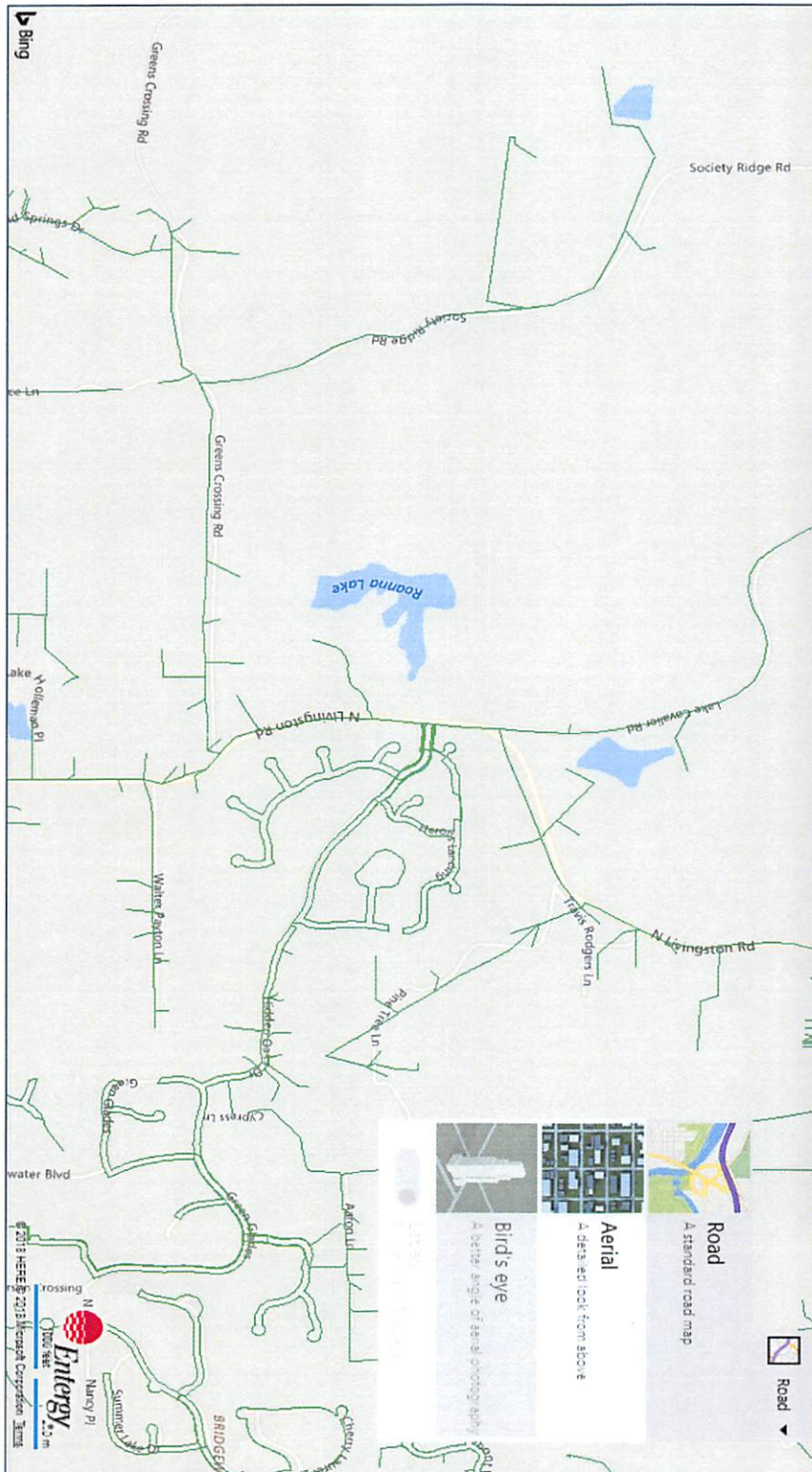
TOPO Map for ASN 2017-ASO-17392-OE





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.

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 12th DAY OF APRIL, 2018 AT 9:00 A.M. AT THE
MADISON COUNTY COMPLEX BUILDING**

BE IT REMEMBERED that a meeting of the Madison County Planning and Zoning Commission was duly called, held and conducted on Thursday, the 12th day of April, 2018 at 9:00 a.m. in the Board Room of the Madison County Chancery and Administrative Building.

Present: Larry Miller
 Bill Billingsley
 Walter McKay
 Dr. Bill Howard

Scott Weeks, Planning and Zoning Administrator

Absent: Rev. Henry Brown

The meeting was opened with prayer by Commissioner Miller, and those present participated in pledging allegiance to our flag.

There first came on for consideration the minutes of the March 8, 2018 meeting of the Commission. Upon motion by Commissioner McKay to approve the minutes with revisions to the Capitol Body Shop flag variance, seconded by Commissioner Howard, with all voting "aye," the motion to approve the March 8, 2018 minutes passed.

There next came on for consideration to open the public hearing for various matters. Upon motion by Commissioner McKay to open the public hearing, seconded by Commissioner Billingsley, with all voting "aye," the motion to open the public hearing passed.

There next came on for public hearing the petition of Carlisle 536 LLC to rezone C-1 Commercial to C-2 Commercial. This land is located at Weisenberger Rd and Gluckstadt Rd. Don Nichols appeared on behalf of the petition. This is a small piece of land that was an easement from the bank and will now be used as part of Wendy's currently under development. There were no questions from the Commissioners or those in attendance. Upon motion by Commissioner Billingsley to approve the petition for rezoning, seconded by Commissioner Miller, with all voting "aye," the motion to approve the rezoning passed.

There next came on for public hearing the petition of Madison Lanscape to rezoning A-1 Agricultural to C-2 Commercial. The land is located at Old Jackson Rd. James Peden appeared on behalf of the petitioner and the owner Phillip Robinson was also present. He stated that they were negotiating with the neighboring property owner and requested a continuance to the next meeting in May. Upon Motion by Commissioner McKay to continue the petition to the May meeting, seconded by Commissioner Howard, with all voting "aye," the motion to continue the petition

passed.

There next came on for consideration the petition for a conditional use of SSR Communications for a 280 foot communication tower. The property is located at North Livingston Rd. and Lake Cavalier Rd. Matthew Wesolowski appeared on behalf of the petitioner. A discussion was held regarding a portion of the property being on 16th section land and he acknowledged the school board had given them permission. There was no opposition present in attendance. It was also discussed that the neighbor had spoken with Zoning Administrator Weeks and he was ok with the request. Upon Motion by Commissioner Billingsley to approve the conditional use, seconded by Commissioner Miller, with all voting "aye," the motion to approve the conditional use passed.

There next came on for consideration the zoning ordinance amendments. Such proposed amendments were properly published and available in the zoning office for review. A discussion was held regarding the proposed amendments and revisions to same. A change was made to Section 2301.02 to state as follows: Change the minimum size space to 180 SF (9.5 ft min. width) to match the definition of a parking space as re-defined in Definitions Sect. 201. A copy of the proposed amendments as revised are attached as Exhibit "A." There were no questions from those in attendance. Upon Motion by Commissioner McKay to approve the zoning ordinance amendments with the change to Section 2301.02, seconded by Commissioner Howard, with all voting "aye," the motion to approve the amendments passed.

There next came on for consideration to close the public hearing. Upon Motion by Commissioner McKay to close the public hearing, seconded by Commissioner Billingsley, with all voting "aye," the motion to close the public hearing passed.

There next came on for consideration the site plan amendment of CIA Autoplex located at 380 Distribution Dr. Lee Sahler appeared on behalf of the site plan. The amendments to the site plan were discussed regarding Building B which was a lot larger in size. Building A was also discussed which was now two-story but the same height and size overall as originally proposed. Mr. Sahler explained there had been a change in ownership and they had decided to expand the size. Upon Motion by Commissioner Billingsley to approve the site plan, seconded by Commissioner Miller, with all voting "aye," the motion to approve the site plan passed.

There next came on for consideration the site plan of Quality Glass for an addition to the business located at 109 Westfalen Dr. Nick Thomas appeared on behalf of the site plan. Upon Motion by Commissioner Miller to approve the site plan, seconded by Commissioner Billingsley, with all voting "aye," the motion to approve the site plan passed.

There next came on for consideration the site plan of Atlas Greek Cuisine for a new business located on Calhoun Station Parkway. Daniel Wooldridge appeared on behalf of the site plan. He explained that this was South of Capitol Body Shop. The proposed business will have 10 foot parking spaces and the exterior cooler will be painted the same color of the building exterior and landscaped. Upon Motion by Commissioner Billingsley to approve the site plan, seconded by Commissioner Miller, with all voting "aye," the motion to approve the site plan passed.

There next came on for consideration the site plan of Luckytown Square for a new business located on Gluckstadt Rd. and Distribution Dr. Alton Clingan appeared on behalf of the site plan. There was a discussion regarding there not being any set tenants for the development yet so they don't know how many parking spaces and they don't have a sign package. Upon Motion by Commissioner Billingsley to approve the site plan, seconded by Commissioner Howard, with all voting "aye," the motion to approve the site plan passed.

There next came on for consideration the site plan for a new business of Calhoun Station located at Church Rd. and Calhoun Station Pkwy. Commissioner McKay inquired regarding the entrance off Church Rd. because of the safety hazard it poses being in a high traffic area with a right turn lane right there. A discussion was held regarding this issue and Commissioner McKay stated that he would like Dan Gaillet, County Engineer to review the Church Rd. entrance. Upon Motion by Commissioner Billingsley to approve the site plan conditional on the Church Rd. entrance being reviewed and approved by Dan Gaillet, seconded by Commissioner Miller, with all voting "aye," the motion to approve the site plan with the condition passed.

There next came on for consideration to open the public hearing. Upon motion by Commissioner McKay to open the public hearing, seconded by Commissioner Howard, with all voting "aye," the motion to open the public hearing passed.

There next came on for consideration the rezoning of land from R-2 to R-5 Residential located on Catlett Rd. Brian Sartain appeared on behalf of the petition. He explained that this would be 1,800 square foot minimum homes with a 2-car garage. Don McGivens appeared next in opposition to the request. He stated that he lives directly across the street from this and traffic is already a large issue and this increase in homes would negatively affect the condition. Earl Hill also appeared and stated that he lives at 301 Catlett Rd. near this area and he was opposed to the development because there had been too much growth already and he was against another large development. Richard Young also addressed the Commission. He was the spokesperson for the Quail Ridge neighborhood association. He explained that this would be out of character with the area and also a traffic hazard when there was already a safety issue since homes of this size were being marketed to elderly, retired individuals/couples. Martha Ann Smith who lives on Dewees Rd. also spoke and inquired how this might affect the Catlett Rd. expansions and a discussion was had regarding that issue.

The Commission discussed the requirements of R-2 which does not have a minimum square footage size required and does not require any green space. Commissioner Billingsley inquired regarding how many houses the request would add and Mr. Sartain explained that it would add five (5) rooftops to the development if the request was granted. Upon Motion by Commissioner Howard to deny the request because he did not feel like the petitioner had met the burden of proof for rezoning, seconded by Commissioner Miller, with Commissioners Howard, Miller and McKay voting "aye," and Commissioner Billingsley voting "nay," the Motion to deny the petition for rezoning passed. Zoning Administrator Weeks notified the petitioner of his fifteen (15) day appeal period.

There next came on for consideration to close the public hearing. Upon Motion by

Commissioner Billingsley to close the public hearing, seconded by Commissioner Miller, with all voting "aye," the motion to close the public hearing passed.

There next came on for discussion the setting of the May, 2018 meeting/public hearing. The second Thursday is Canton Flea Market so the meeting will need to be the third week of May to meet the publication requirements. Upon Motion by Commissioner McKay to set the meeting/hearing for May 17, 2018, seconded by Commissioner Miller, with all voting "aye," the motion to set the meeting date passed.

With there being no further business, the April 12, 2018 meeting was adjourned.

Date

(Chairman)

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said minutes were and are hereby acknowledged.

SO ORDERED this the 7th day of May, 2018.

In re: Approval of Additional Zoning Ordinance Changes

At the request and recommendation of Zoning Administrator Scott Weeks, Mr. Baxter did offer and Ms. Jones did second a motion to approve those certain additional zoning ordinance changes, attached as Exhibit DD, and authorize the Board President to execute same. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said zoning ordinance changes were and are hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 7th day of May, 2018.

In re: Approval of Rezoning Carlisle 536, LLC - Wendy's

At the request and recommendation of Zoning Administrator Scott Weeks and approved by Planning and Zoning Commission, Ms. Jones did offer and Mr. Baxter did second a motion to approve that certain rezoning of Carlisle 536, LLC - Wendy's to rezone from C1 Commercial to C2 Commercial at the intersection of Weisenberger Road and Gluckstadt Road for clarification of said property. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said rezoning was and is hereby approved.

SO ORDERED this the 7th day of May, 2018.

In re: Approval of Petition for Special Exception SSR Communications, Inc.

Following discussion, Mr. Bishop did offer and Mr. Steen did second a motion to table the Petition for Special Exception submitted by SSR Communications, Inc., for conditional use to install a radio tower at North Livingston Road and Lake Cavalier Road until the June 4, 2018 board meeting. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said petition was and is hereby tabled.

SO ORDERED this the 7th day of May, 2018.

Thereafter, Mr. Steen did offer and Mr. Griffin did second a motion to acknowledge that certain email from Laura Flint opposing the placement of said radio tower, attached as Exhibit EE. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said email was and is hereby acknowledged.

SO ORDERED this the 7th day of May, 2018.

***In re: Setting Date for Hearing on Appeal
Sartain & Assocaites***

At the request and recommendation of Zoning Administrator Scott Weeks, Mr. Baxter did offer and Mr. Griffin did second a motion to set said appeal for hearing for June 18, 2018 at 5:00 p.m. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said public hearing was and is hereby set for June 18, 2018 at 5:00 p.m.

SO ORDERED this the 7th day of May, 2018.

***In re: Approval of Amended Site Plan -
CIA Autoplex***

At the request of Zoning Administrator Scott Weeks and being approved by the Planning Commission, Mr. Baxter did offer and Mr. Bishop did second a motion to approve the amended site plan submitted by CIA Autoplex, found in the Miscellaneous Appendix to these Minutes, to increase the size of one structure located at 380 Distribution Drive. The vote on the matter being as follows:

President's Initials: _____
Date Signed: _____