

**RESOLUTION TO DENY
SP 2017-27 KESWICK – TIER III PERSONAL WIRELESS SERVICE FACILITY**

WHEREAS, Virginia Oil Company Incorporated is the owner of Tax Map and Parcel Number 09400-00-00-03900 (the “Property”);

WHEREAS, Edward Donohue (the “Applicant”), who is the authorized agent of the owner, filed an application for a special use permit to install a 150 foot tall steel monopole, five arrays of platform-mounted antennas, associated ground-equipment in a 10,000 square foot fenced compound, and an access road, and the application is identified as Special Use Permit 201700027 Keswick-Tier III Personal Wireless Service Facility (“SP 2017-27”); and

WHEREAS, on February 20, 2018, after a duly noticed public hearing, the Albemarle County Planning Commission recommended denial of SP 2017-27 by a vote of 7 to 0; and

WHEREAS, on April 4, 2018, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2017-27.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for SP 2017-27 and all of its attachments, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code §§ 18-10.2.2(48) and 18-33.8, the Albemarle County Board of Supervisors hereby denies SP 2017-27 for the following reasons:

1. The location, height and design of the monopole, and the method of antenna attachment, do not minimize visibility and defeat concealment techniques/elements established and relied upon by the County in siting PWSFs as provided for in section 5.1.40(b) of the Zoning Ordinance, the Comprehensive Plan, and the Personal Wireless Service Facilities Policy.
2. The proposal fails to meet section 5.1.40(b)(6) of the Zoning Ordinance because the facility is not adequately screened and sited to minimize its visibility from the entrance corridor and adjacent parcels.
3. The tower fails to meet section 5.1.40(b)(6) of the Zoning Ordinance because the facility would be visible from a resource identified in an open space easement.
4. The proposal fails to meet section 5.1.40(b)(2) of the Zoning Ordinance because the facility does not propose the flush mounted antennas.
5. The tower fails to meet section 5.1.40(b)(2) of the Zoning Ordinance because the facility proposes five arrays instead of a maximum of three.
6. The facility is inconsistent with the Comprehensive Plan.
7. Under FCC regulations if approved the monopole would be permitted to increase in height by 20 feet and install antenna extending up to 20 feet from the monopole which would further increase the visibility of the facility.

* * *

I, Claudette K. Borgerson, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of ____ to ____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	_____	_____
Mr. Gallaway	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____