

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDCU-2023-10 (Spirit Lake Road Monopole Tower)

Applicant: Jahn Mattaniah for T-Mobile

Property Owner: Edward H. Bolick Revocable Trust

Hearing Date: June 7, 2023

I. Request:

This is a request for a conditional use approval of a 155-foot-tall monopole communication tower in a Residential Low-3 district.

II. Findings:

The Planning Commission hereby adopts and incorporates herein the staff report and makes the following findings based upon the staff report, testimony and exhibits presented during the hearing:

1. Pursuant to section 906D.7 of the LDC, the Planning Commission shall, in the review of a Level 3 Review application, consider the following factors:
 - a. Whether the proposed development is consistent with all relevant requirements of this Code;
 - b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
 - c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
 - d. How the concurrency requirements will be met, if the development was built.
2. The Application is consistent with all relevant requirements of the LDC, including without limitation, Sections 906 and 303.
3. The Application is consistent with all applicable policies of the Comprehensive Plan.

4. The Application is compatible with surrounding uses and the general character of the area.
5. Concurrency requirements can be met if the development is built.

III. Planning Commission's Decision:

Based upon the evidence and testimony presented to the Planning Commission and the foregoing findings, the Application is APPROVED, subject to the conditions, if any, set forth in the staff report.

IV. Effective Date, Appeals:

This order shall be rendered to the Clerk and becomes effective on the date rendered. The Planning Commission's decision may be appealed to the Board of County Commissioners by filing an application with the Land Development Division within 7 calendar days after the Planning Commission hearing.

DONE AND ORDERED in Bartow, Polk County, Florida, in regular session this 7th day of June, 2023, by the Polk County Planning Commission.

Polk County Planning Commission

ATTEST:

By: _____
Rebecca Troutman, Chairman

By: _____
Angela Kaufman, Recording Secretary

Date rendered to the Clerk: _____

Exhibits to Planning Commission's Order

Exhibit A-Staff Report and Exhibits

cc: Land Development Division Official File
Erin Valle, Clerk of Court (under separate cover)