



**DRO OVERSIGHT COMMITTEE (DROOC-Brown Bag)  
FRIDAY, AUGUST 24, 2012, 11:00 A.M. - 12 P.M.  
PZ&B – VISTA CENTER  
2300 NORTH JOG RD., WEST PALM BEACH, FL 33411  
HEARING ROOM-CHAMBER (VC-1W-47)**

**TOPICS OF DISCUSSION**

- A. OPENING COMMENTS**
- B. REVIEW OF THE MAY 11, 2012 MINUTES – (EXHIBIT A)**
- C. RECAP OF 2011-12 ACCOMPLISHMENTS & 2012 CURRENT LIST OF TASKS**
- D. PUBLIC HEARING STAFF REPORT CHANGES (WENDY/AUTUMN) (EXHIBIT B)**
- E. PBC RECEIVES SILVER LEVEL FROM FGBC GREEN GOVERNMENT (JON/MARYANN)**
- F. CODE REVISION UPDATES (BILL/MONICA)**
  - 1) Round 2012-01 Update**
  - 2) Round 2012-02 List of Priorities**
  - 3) Use Regulation Project**
  - 4) Landscaping Subcommittee**
- G. UPDATE OF TECHNICAL MANUAL (MARYANN/WENDY)**
- H. OPEN DISCUSSION**
- I. ADJOURNMENT**



**DEVELOPMENT REVIEW OFFICER OVERSIGHT COMMITTEE (DROOC)**  
**MINUTES OF THE MAY 11, 2012 MEETING**  
**Place: 2300 N. Jog Road, Vista Center**  
**Conference Room (VC-2E-12)**  
**Time: 2:00 to 4:00 p.m.**

**PREPARED BY ZONING DIVISION STAFF**

**1. CALL TO ORDER**

Chairman Jeff Brophy called the meeting to order at 2:00 p.m.

Jeff noted that Chris Roog has resigned from the DROOC Committee and that Jennifer Morton is the new Florida Atlantic Builders' Association Representative. She attended today's meeting to give input on the new Fees.

**Members Present – 8**

Jeff Brophy – LDS – Chairman  
Gladys DiGirolamo – GL Homes  
Pat Lentini – Gentile, Glas, O'Mahoney & Associates  
Bradley Miller – Miller Planning  
Jan Polson – Cotleur & Hearing  
Collene Walter – UDKS  
Kevin McGinley – Land Research Management, Inc.  
Jennifer Morton – LDS

**Members Absent – 5**

Scott Mosolf – UDKS – Vice Chair  
Chris Barry – Jon Schmidt & Assoc.  
Chris Roog – GCBA-resigned  
Jon Schmidt – Jon Schmidt & Assoc.  
Bill Whiteford – Team Plan

**Interested Parties – 3**

Kevin Ratterree – GL Homes  
Jennifer Morton – LD South  
Dodi Glas – Gentile/Holloway

**Zoning Staff Present – 14**

Rebecca Caldwell, Executive Director  
Jon MacGillis, Zoning Director  
Joanne Koerner, Land Development Director  
Maryann Kwok, Chief Planner  
Wendy Hernandez, Zoning Manager  
William Cross, Principal Site Planner – Code Section  
Barbara P. Nau, Principal Site Planner  
Carrie Rechenmacher, Senior Site Planner  
Lisa Amara, Senior Planner

Autumn Sorrow, Senior Site Planner  
Douglas Robinson, Site Planner I  
Donna Adelsperger, Site Planner I  
Carol Glasser, Site Planner II  
Inna Stafeychuk-Zoning Technician

**A. REVIEW OF FEBRUARY 10, 2012 MINUTES – (EXHIBIT - A)**

Jeff Brophy asked if anyone had any amendments on the last DROOC meeting minutes. There were no comments/changes to the minutes.

**B. UPDATE ON DROOC 2011 TASKS (EXHIBIT B) – WENDY**

Wendy explained there were no open tasks from the last DROOC Meeting. Jeff added the following new items to the list for staff follow-up for the August Brown Bag as follows:

- TYPE II VARIANCE SUBMITTAL AND REVIEW PROCESS-COLLENE
- CONDITION COMPLETE-TIED TO EPZB AND STAFF INPUT-COLLENE
- RESUBMITTAL FEE-CHARGING ERM AND PALM TRAN WHEN NOT APPLICABLE-COLLENE
- CONCURRENCY SCHOOL BOARD-KEVIN R
- MASTER PLAN VS. SITE PLAN INFORMATION-TOO MUCH DETAIL ON MASTER PLAN-GLADYS

**C. ULDC AMENDMENTS – BILL CROSS**

Bill Cross provided an update on the 2012 Code Amendment Process. He explained that the 2012—01 Round is almost complete. This month will be the last LDRAB Meeting for the 2012-01 Round with Permission to Advertise in June, 1<sup>st</sup> Reading in July and Adoption in August. He also explained staff is working on the 2012 ULDC Use Task. He provided members with a copy of a memo that Mr. MacGillis sent and discussed with the Board of County Commissioners in March and April. Staff has a Zoning Code Web Page that will keep users informed of the status of the 2012 ULDC Use Task and there is a survey out on the page that staff encourages everyone to fill in on the IL-Uses.

**D. FEE RESOLUTION FOR INDUSTRY INITIATED ULDC AMENDMENTS & AMENDMENT TO THE COMP PLAN-JUNE 28 BCC ZONING HEARING- (EXHIBIT C) – MARYANN**

Maryann provided background information on why PZB Planning and Zoning were introducing new fees for industry initiated Text Amendment to the Plan and ULDC. She provided a copy of the Fee Resolution that will be going to the June Zoning BCC Hearing. Lisa Amara, Senior Planner from Planning explained the new Planning Division process for a private initiated amendment to the text of the Comp Plan. She explained the amendment would be tied to a Land Use Amendment (LUA). Kevin McGinley asked for clarification on two broader types of amendments and whether or not they would qualify: Uses west of 441 and Costal High Hazard Area. Collene Walter asked for further clarification between public vs. private initiated amendments. Lisa explained further there could be a request to amend “shall not” provisions in the plan and it could apply to only one parcel such as the big box store on Commercial Low (CL) or could be general applicability, it depends on how the text is worded and how BCC wants to go. Kevin Ratterree stated this seems to go against the policy of growth management and sends the wrong signal. Lisa said staff was following BCC direction.

Maryann and Bill Cross explained the new ULDC private initiated amendment process. Maryann provided the committee members with a copy of the memo from the Zoning Director to the BCC in March and the BCC direction to staff to proceed. Maryann explained that there are 3 fees. The first fee pertains to a pre-application to seek for BCC’s direction whether a code amendment could proceed. The 2<sup>nd</sup> and 3<sup>rd</sup> fees are application fees, and relate to the level of complexity of the amendments. Bill explained the process is already in place. Bill stated this process will typically be used when the applicant does not agree with the timing of the amendment or the substance that staff cannot support. Jeff Brophy asked if everything is setup to use this process and staff explained yes. Kevin Ratterree asked if ULDC amendments had to be associated with a Zoning application and staff said no.

The discussion ended with no clear objections to the new fees.

**E. TYPE II STAND ALONE VARIANCE APPLICATION – (EXHIBIT D) – COLLENE**

Collene explained she added this item to the agenda to get clarification on the new resubmittal date she recently saw added to the Zoning Calendar. She asked if comments and responses are in ePZB for Type II Variances and Wendy said yes. Wendy explained this resubmittal date was added to ensure adequate time to turn around these variances. Wendy explained the variances are on the DRO Agenda for staff review. She said only certain agencies comment on the variances such as Surveying, Land Development, County Attorney and others depending on the request. They get the necessary exhibits to review the request. Collene requested if staff could look at pushing the date two days later to give Agents more time to respond to comments so they could meet the resubmittal date. She also asked if there could be a drop date for Agencies to add comments in ePZB? Wendy said she could look at the requests but everyone needs to realize staff has very little time to work on any adjustments to the calendar based on all the key dates on the calendar for all the processes. Gladys asked if the application goes to all agencies and Wendy clarified it goes to only certain agencies based on request. Bradley asked for staff to confirm that these agencies are clear this is a variance and to limit comments relative to variance. Wendy responded that the Variance applications have the ZV acronym; agents get all of the application requests and justifications. Collene asked for staff to confirm dates and ensure agencies are alerted to turnaround dates and comments. Collene also said if the process is broken lets try to fix it.

Wendy concluded that she would consider all the suggestions and add an update to the August Brown Bag Agenda.

**F. MARKING CONDITIONS COMPLETE – (EXHIBIT D) – COLLENE/WENDY**

Collene said she added this to agenda for discussion since she has recently got calls from her clients stating that their building permit(s) were being held up because a BCC condition was not signed off. She asked if all agencies could put “complete” on conditions that are complete? Gladys also stated they she provides staff with a copy of the resolution and the status of each condition and was curious what does staff do with that document since she has never been asked to confirm the content is accurate. Wendy said staff does review that document and should be putting complete next to conditions that are satisfied. Rebecca Caldwell gave an update on the disconnect between the ePZB Monitoring and other ePZB Modules such as Zoning and Building. She indicated that ISS is working on an improvement to the ePZB condition screen to hopefully address this matter moving forward. She did state she was appreciative of industries input and willingness to help staff address this matter.

Staff agreed to keep the committee updated with improvements to ePZB in the near future and to give updates at the August Brown Bag.

**G. RESUBMITTAL FEES ASSOCIATED WITH OFF THE BOARD FINAL SITE PLAN APPROVAL PROCESS. (EXHIBIT D) – COLLENE/WENDY**

Collene requested clarification for why resubmittal fees include ERM and Palm Tran each time? She stated she has often called Robert Kraus to confirm the fee was not required and he would inform Wanda Sanders to remove it. But she explained it is often difficult to get through to Palm Tran to remove their fee when not required. Wendy said those fees come over automatically, but she would confirm with those two agencies if the fees are not required when addressing a Zoning Division issue that required a resubmittal.

Wendy will send a memo to these agencies and get confirmation the additional fees are not necessary for each resubmittal.

**H. MASTER PLANS VS. SITE PLAN – GLADYS**

Gladys asked if she could have staff look into why so much detail is being asked to be shown on Master Plan. She said the increase amount of detail is impacting the review of her MP applications. Jeff requested if each committee member could email him a list of their issues he would compile a list and send to staff to look into resolving matters.

**I. TRAINING SESSIONS-OPEN TO INDUSTRY – MARYANN**

Maryann stated in June 2012 there would be training session's setup to go over the Electronic Plan amendments and the Naming Conventions list so everyone is clear. Training dates will be sent to members.

**J. OPEN DISCUSSION-TOPICS FOR BROWN BAG MEETING-AUGUST 24, 2012**

- TYPE II VARIANCE SUBMITTAL AND REVIEW PROCESS-COLLENE
- CONDITION COMPLETE-TIED TO EPZB AND STAFF INPUT-COLLENE
- RESUBMITTAL FEE-CHARGING ERM AND PALM TRAN WHEN NOT APPLICABLE-COLLENE
- CONCURRENCY SCHOOL BOARD-KEVIN R
- MASTER PLAN VS. SITE PLAN INFORMATION-TOO MUCH DETAILS ON MASTER PLAN-GLADYS

**I. ADJOURNMENT AT 3:20 P.M**

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MEMORANDUM

**TO:** Robert Kraus, Senior Site Planner, Environmental Resources Management (ERM)  
 Gerald Gawaldo, Senior Transit Planner, Palm Tran

**FROM:** Wendy Hernandez, Zoning Manager

**DATE:** July 20, 2012

**RE:** New Procedures for Resubmitted Fees for Zoning Applications

At the May 11, 2012 Development Review Officer Oversight Committee (DROOC), the Committee raised questions, on the applicability of resubmittal fees for those applications where your Department reviews were not required. Zoning staff has been applying your fees when there are three or more resubmittals for an application. In order to address the DROOC's concerns on the additional fees, we are modifying the procedures so that you may inform the applicant and Zoning staff when your resubmittal fees should be applied to an application. The new procedures are set forth herein:

1. When ERM or Palm Tran require a resubmittal fee to be charged. They will add a Certification Issue into the Comment Screen for the specific application. This Comment can be found in the **Comment Type** drop-down menu.  
 "A resubmittal fee is required for this application. Contact the Zoning Site Plan Technician to inform you of the amount to be paid."

The screenshot shows the ePZB web application interface. At the top, there are navigation tabs: ezInfo, Welcome, Addressing, Building, Code Enforcement, and Plan. Below these, it displays 'Control No: 1997-00075', 'Project Manager: JRLAWREN', and 'Application No: DOA-2011-03183'. The main heading is 'Add Comments'. There are radio buttons for 'Certification Issue' (selected) and 'Comment'. The form fields include: 'Date Notified: 12/28/2011', 'Date Required: 01/19/2012', 'Activity: COMMENT', 'Agency: PALMTRAN', and 'Comment Type: [dropdown menu]'. The 'Comment\*' field contains the text: 'A re-submittal fee is required for this application. Contact the Zoning Site Plan Technician to inform you of the amount to be paid.' There is a 'Resolved' checkbox which is unchecked. At the bottom, there are dropdown menus for 'Document Type', 'Document Detail', and 'Submitted Date', along with 'Save Draft', 'Reset', and 'Close' buttons.

2. ERM and Palm Tran Staff must send an email to the Site Plan Technician (Wanda Sanders) and the Senior Site Planner (Autumn Sorrow) that a fee is required for the specified application.

“A Re-submittal fee for (ERM or Palm Tran) is required for Application Number 20XX-XXX, Application Name XXXX (i.e. DOA/R/TDR 2011-3183 Toscana Isles PUD). Please add the applicable fee to the Zoning fee screen.”

3. Zoning Staff will add the fee to the Zoning Fee Screen. Monies owed by the applicant shows up in the Balance column

Control No: 1997-00075 Project Manager: JRLAWREN Application No: DOA-2011-03183

**Fees**

Fee Code	Fee Description	Charged Amt	+ Charge Adj	- Credit Adj	+ Debit Adj	- Amt Paid	+ Refund Paid	= Balance
03120	Reconsideration of Zoning Application	377.70	0.00	0.00	0	0.00	0.00	377.70
04011	Concurrency All Providers	244.63	0.00	0.00	0	0.00	0.00	244.63
04745	PalmTran: Public Hearing/Final DRO Review Resubmital (per resubmittal at 3rd)	75.00	0.00	0.00	0	0.00	0.00	75.00
<b>Total:</b>		<b>697.33</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>697.33</b>

Receipt Numbers:  
Refund Numbers:

Fee added successfully

4. At time of resubmittal of an application, the agent will include the specific fees for either Department.
5. ERM and Palm Tran can confirm that the fees have been paid by checking the Fees screen in the Process Application Menu. The amount paid column lists what has been paid and the balance column list monies owed. Zoning Staff can assist with any questions.

Control No: 1997-00075 Project Manager: JRLAWREN Application No: DOA-2011-03183

**Fees**

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04011	Concurrency All Providers	244.63	0.00	0.00	0	0.00	0.00	244.63
04745	PalmTran: Public Hearing/Final DRO Review Resubmital (per resubmittal at 3rd)	75.00	0.00	0.00	0	0.00	0.00	75.00
<b>Total:</b>		<b>697.33</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>697.33</b>

Receipt Numbers:  
Refund Numbers:

Fee added successfully

6. After confirmation that the fees have been paid, ERM/Palm Tran can resolve their Certification Issue in ePZB.

If you have additional questions please contact me at 233-5218.

C: Jeff Brophy, DROOC Chair  
Jon MacGillis, Zoning Director  
Zoning Staff

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**PALM BEACH COUNTY  
PLANNING, ZONING AND BUILDING DEPARTMENT  
ZONING DIVISION**

**Application No.:**            «APPLICATION\_NO»  
**Control No.:**             «CONTROL\_NO»  
**Applicant:**               «PETITIONER»  
**Owners:**                 «OWNERS»  
**Agent:**                  «AGENT»  
**Telephone No.:**         «AGENT\_PHONE»  
**Project Manager:**       «MANAGER»

«TITLE\_REQUEST»

**APPLICATION SUMMARY:** «COVERSHEET DATA»

**SITE DATA:**

<b>Location:</b>	
<b>Property Control No's.:</b>	
<b>Existing Land Use Designation:</b>	
<b>Proposed Land Use Designation:</b>	
<b>Existing Zoning District:</b>	
<b>Proposed Zoning District:</b>	
<b>Acreage:</b>	
<b>Tier:</b>	
<b>Overlay District:</b>	
<b>Neighborhood Plan:</b>	
<b>CCRT Area:</b>	
<b>Municipalities within 1 Mile</b>	
<b>Future Annexation Area</b>	

**RECOMMENDATION:**

**ACTION BY THE ZONING COMMISSION:**

**PUBLIC COMMENT SUMMARY:**

**PROJECT HISTORY:**

**SURROUNDING LAND USES:**

**PROPOSED CONCURRENT VARIANCES OR WAIVERS:**


**FINDINGS:**

**Type II Concurrent Variance Standards:**

The Zoning Commission shall consider and find that all 7 criteria pursuant to Article 2.B.-3.E and listed below have been satisfied by the applicant prior to making a motion for approval, of a zoning variance:

1. *Special conditions and circumstances exist that are peculiar to the parcel of land, building or structure that are not applicable to other parcels of land, structures or buildings in the same zoning district:*
2. *Special circumstances and conditions do not result from the actions of the applicant:*
3. *Granting the variance shall not confer upon the applicant any special privilege denied by the Comprehensive Plan and this code to other parcels of land, structures or buildings in the same zoning district:*
4. *Literal interpretation and enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary and undue hardship:*
5. *Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure:*
6. *Grant of the variance will be consistent with the purposes, goals, objectives, and policies of the Comprehensive Plan and this Code:*
7. *Granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare:*

**Rezoning Standards:**

When considering a development order application for rezoning to a standard zoning district, the BCC and ZC shall consider standards 1-8 indicated below. In addition the standards indicated in section 2.B shall also be considered for rezoning to a standard zoning district with a conditional use, and rezoning to a PDD or TDD with or without a requested use or waiver. An amendment, which fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved. Staff has reviewed the request for compliance with the standards that are expressly established by Article 2.B.1.B and provides the following assessment:

1. **Consistency with the Plan - The proposed amendment is consistent with the Plan.**

<< Planning Comments >>

2. **Consistency with the Code - The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.**

<< Zoning Comments >>

3. **Compatibility with Surrounding Uses - The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district.**

<< Zoning Comments >>

4. **Effect on Natural Environment – The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, storm water**

*management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

<<ERM Comments>>

5. **Development Patterns** – *The proposed amendment will result in a logical, orderly, and timely development pattern.*

<< Zoning Comments>>

6. **Adequate Public Facilities** – *The proposed amendment complies with Art. 2.F, Concurrency.*

<< Land Development, Traffic, Fire, Health, Water Utilities, School, Parks, PREM Comments>>

7. **Changed Conditions or Circumstances** – *There are demonstrated changed conditions or circumstances that necessitate the amendment.*

<< Zoning Comments>>

### **Conditional Uses, Requested Uses and Development Order Amendments:**

When considering a development order application for a conditional or requested use, or a development order amendment, the BCC and ZC shall consider standards 1 – 9 indicated below. A conditional or requested use or development order amendment which fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved. Staff has reviewed the request for compliance with the standards that are expressly established by Article 2.B.-2.B and provides the following assessment:

1. **Consistency with the Plan** – *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

<< Planning Comments>>

2. **Consistency with the Code** - *The proposed use or amendment complies with all applicable standards and provisions of this Code for use, layout, function, and general development characteristics. The proposed use also complies with all applicable portions of Article 4.B, SUPPLEMENTARY USE STANDARDS.*

<< Zoning Comments>>

3. **Compatibility with Surrounding Uses** – *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

<< Zoning Comments>>

4. **Design Minimizes Adverse Impact** – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

<< Zoning Comments>>

5. **Design Minimizes Environmental Impact** – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, storm water management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

<< ERM Comments>>

6. **Development Patterns** – *The proposed use or amendment will result in a logical, orderly and timely development pattern.*

<< Zoning Comments>>

7. **Adequate Public Facilities** – *The extent to which the proposed use complies with Art. 2. F, Concurrency.*

<< Land Development, Traffic, Fire, Health, Water Utilities, School, Parks, PREM Comments>>

9. **Changed Conditions or Circumstances** – *There are demonstrated changed conditions or circumstances that necessitate a modification.*

<< Zoning Comments>>

**Waiver from Required Dimensional Criteria –Communication Tower:**

When considering a request to allow a waiver from one or more required dimensional criteria, the BCC must determine that the request complies with the intent of Article 4.C.3.K.4, and the request is consistent with the criteria listed in Art.4.C.2.K.4.a - Art.4.C.2.K.4.g. In addition, each request for a waiver must be consistent with one or more of the following criteria in Art.4.C.2.K.4.h - Art.4.C.2.K.4.r, as follows:

- a. **Protection of Public Welfare** – *The waiver, if approved, will not be injurious to the uses in the area adjacent to the structure and otherwise will not be detrimental to the public welfare.*
- b. **Economics** – *The waiver is not granted based solely upon or in large measure due to costs associated with complying with all requirements of the Section.*
- c. **Incompatibility Not Created** – *The waiver, if granted, will not result in an incompatibility between the proposed tower or communication facility and adjacent uses.*
- d. **Exhaustion of Other Remedies** – *The waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area as all other waiver alternatives have been exhausted. Alternatives to a waiver shall include but not be limited to such techniques as collocation, use of stealth or camouflage structures, and use of building mounted equipment and facilities.*
- e. **Minimum Waiver** – *Grant of the waiver is the minimum waiver that will make possible the reasonable use of the parcel of land, building, or structure.*
- f. **Consistent with the Plan** – *Grant of the waiver will be consistent with the purposes, goals, objectives, and policies of the Plan and this Code.*
- g. **Not Detrimental** – *The grant of the waiver will not be injurious to the area involved or otherwise detrimental to the public welfare.*
- h. **Prohibition of Service** – *The waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area so as not to prohibit the provision of personal wireless, television, and related communication services as defined by the Telecommunications Act of 1996 and rules of the FCC, if adopted.*
- i. **FAA Limitations** – *The waiver is required to comply with locational standards established by the FAA.*
- j. **Lack of Technical Capacity** – *The waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area as existing towers or structures do not have the structural capacity to accommodate the equipment needed to provide reasonable service within the defined search or propagation study area.*

- k. **Height of Existing Structures** – The waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area as existing towers or other structures are not of sufficient height to provide reasonable service.
- l. **Lack of Structural Capacity** – The waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area as existing towers or structures do not have the structural capacity to accommodate the equipment needed to provide reasonable service within the defined search or propagation study area.
- m. **Interference** – The waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area due to interference that may be caused resulting from such factors as collocation on existing towers or structures, the nature of other communications equipment or signals, or other technical problems that would result in interference between providers.
- n. **Unreasonable Costs** – The waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area as the fees, costs or contractual provisions to collocate on or adapt an existing tower or structure for collocation are unreasonable.
- o. **More Appropriate Site** – The waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area as a result of identification of a more appropriate site that does not meet dimensional criteria, including such factors as distance from residential uses, existence of permanent screening and buffering, and location within a large scale non-residential area.
- p. **Avoid Certain Locations** – The waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area to avoid location in one or more of the following:
  - 1) officially designated wilderness areas, wildlife refuges, and wildlife management areas;
  - 2) officially designated vegetation and wildlife preserves;
  - 3) habitats of threatened/endangered species, historical sites;
  - 4) Indian religious sites;
  - 5) locations which may cause significant alteration of wetlands, deforestation, or water diversion;
  - 6) night use of high intensity lights in residential areas;
  - 7) environmentally sensitive lands acquired or leased by PBC; or
  - 8) linked open space corridors as set forth in the Plan.
- q. **Reduce Residential Impact** – The waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area and will allow a proposed tower location to reduce the impact on adjacent residential uses.
- r. **Effect of Governmental Regulation or Restrictive Covenant** – The waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area due to governmental regulations or restrictive covenants which preclude location of a tower.

**CONDITIONS OF APPROVAL**

**EXHIBIT C**

Type II Variance – Concurrent  
Development Order Amendment  
Official Zoning Map Amendment  
Conditional Use A or B  
Requested Use  
TDR  
Waiver, etc

## MAPS AND PRELIMINARY PLANS

### EXHIBIT D

Aerial

Zoning Map

Land Use Map

Preliminary Master Plan, Preliminary Site Plan, Preliminary Subdivision Plan, Preliminary Regulating Plan, Preliminary Architectural Elevations

Previously Approved Final Master Plan, Final Site Plan, Final Subdivision Plan, Final Regulating Plan, Final Architectural Elevations

**EXHIBIT E**

**DISCLOSURES**

«BOARD\_CODE»  
Application No. «APPLICATION\_NO»  
Control No. «CONTROL\_NO»  
Project No. «PROJECT\_NO»

«HEARING\_DATE»  
BCC District «BCC\_DISTRICT»

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**OTHER EXHIBITS**

**EXHIBIT F**

Letters from HOA's  
Letters from Government Agencies