

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA
RESOLUTION NUMBER 26-
[REGARDING FINAL SITE PLAN APPROVAL
FOR SW 96TH STREET MONOPINE TOWER
WITH A CERTIFICATE OF PUBLIC FACILITIES EXEMPTION]**

WHEREAS, this Board of County Commissioners ("Board") has made the following determinations of fact:

1. United Commercial Telecom, LLC, on behalf of Fazlul Ahmed and Zarna Ahmed, submitted an application for approval of the final site plan for the SW 96th Street Monopine Tower project (K049-004), located on lands described in Exhibit A, attached.
2. The Local Planning Agency (LPA) considered the application at a properly noticed public hearing on August 6, 2026. The LPA's recommendations were forwarded to the Board of County Commissioners (Board) for consideration.
3. This Board has considered such recommendations.
4. Upon proper notice, the Board considered approval at a public hearing on the application on August 11, 2026.
5. At the public hearings, all interested parties were given an opportunity to be heard.
6. The final site plan for the SW 96th Street Monopine Tower project is consistent with the Comprehensive Growth Management Plan and the Land Development Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

A. The final site plan for the SW 96th Street Monopine Tower project is approved. More specifically, this approval is for the development of a 120-foot stealth-design monopine wireless telecommunications facility (WTCF) ("tower") and associated infrastructure. Development of the SW 96th Street Monopine Tower project shall be in

accordance with the approved final site plan attached as Exhibit B and shall be subject to the following conditions:

1. The SW 96th Street Monopine Tower project is dependent on infrastructure which has been approved as part of the separate SW 96th Street Convenience Store (K049-003) ("Convenience Store") development order as recorded in Official Records Book 3569, Page 2006. Such infrastructure includes, but is not limited to, stormwater facilities, driveways, and landscaping. In the event such infrastructure is not completed as part of the Convenience Store project, the Owner must submit a revised site plan application for the SW 96th Street Monopine Tower project. All required infrastructure shall be completed prior to the issuance of a Certificate of Occupancy for the tower.
2. Pursuant to Section 4.800.B.2, Land Development Regulations, Martin County Code, in the event that the constructed WTCF or tower does interfere with public safety telecommunication facilities, it shall be the responsibility of the Owner and/or permittee of the WTCF or tower which creates the interference or obstruction to make all necessary repairs, and/or accommodations to alleviate the problem at the permittee's expense. The County shall be held harmless in this occurrence.
3. The County or its designees shall have the right to inspect, upon reasonable notice to the owner and/or permittee, any WTCF or tower for the purpose of determining compliance with Division 18, Land Development Regulations, Martin County Code.
4. Every five years, or within 90 days following a catastrophic act of nature or other emergency that may affect the structural integrity of a tower, the tower owner or permittee shall file with the County Administrator a statement, sealed by a qualified professional engineer, licensed in the State of Florida, that an inspection has been completed and that the tower has not been structurally compromised.
5. The tower owner and/or permittee will correct any deficiencies or remove the tower within 90 days of receipt of a Notice from the County Administrator that the tower is abandoned or declared unsafe in accordance with Section 4.803, Land Development Regulations, Martin County Code.
6. All antennas shall be consistent with the stealth nature of the tower.

7. Any extension of the tower or appurtenances, with the exception of lightning rods, beyond the approved maximum 120-foot height is prohibited.

B. All required applicable state and federal permits and approvals shall be submitted to the Growth Management Department (GMD) prior to the commencement of any construction.

C. No permits for construction or development activity shall be issued until all required documents, plans, fees and federal and state permits and approvals are received and approved as required by Section 10.11, Land Development Regulations, Martin County Code, including the following fee:

1. The balance of fees incurred by the consultant review as provided pursuant to Sec. 4.805, Land Development Regulations, Martin County Code.

D. Failure to submit the required documents, plans and fees as required by Section 10.11, Land Development Regulations, Martin County Code, shall render approval of the final site plan for the SW 96th Street Monopine Tower project null and void.

E. This application is hereby determined to meet the requirements for and shall serve as a Certificate of Public Facilities Exemption as set forth in Section 5.32.B, Land Development Regulations, Martin County Code.

F. All permits for the SW 96th Street Monopine Tower project must be obtained within one year, by August 11, 2027. Development must be completed within two years, by August 11, 2028.

G. In order to ensure that the drainage/stormwater management system functions as designed and permitted in perpetuity, Owner shall maintain the drainage/stormwater management system according to the Stormwater Management System Maintenance Plan as submitted with the final site plan application. The Maintenance Plan will provide that Owner shall be responsible for performing the specific inspections and maintenance operations on the stormwater management system on-site and off-site as approved by the Growth Management Director at final site plan approval in order to ensure it functions as intended and as approved by County. County shall not have any responsibility in maintaining the system.

H. No land clearing is authorized prior to the mandatory pre-construction meeting for the project. Property corners and preservation areas shall be located by a licensed land surveyor and clearly marked in the field prior to the pre-construction meeting. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing

shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for on state agency permits, may be granted by the Growth Management Department upon review of required permit materials.

I. The Owner is not authorized to haul fill off the site and must coordinate with the County Engineer regarding the routes and timing of any fill to be hauled to the site. The Owner must comply with all County excavation and fill regulations.

J. This resolution shall be recorded in the public records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

DULY PASSED AND ADOPTED THIS 11TH DAY OF AUGUST, 2026.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

BY: _____
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

BY: _____
SARAH HEARD, CHAIR

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

BY: _____
ELYSSE A. ELDER
COUNTY ATTORNEY

ATTACHMENTS:

Exhibit A, Legal Description
Exhibit B, Final Site Plan