

P = Pending
D = Denied
W = Withdrawn

This Affidavit is given for the purpose of establishing compliance with the provisions of Section 10.2.B.3 Land Development Regulations; Martin County Code.

FURTHER AFFIANT SAYETH NOT.

AFFIANT

Scott Richards

STATE OF Florida
COUNTY OF Palm Beach

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 24th day of April 2019, by Scott Richards, who is personally known to me or have produced _____ as identification.

Holly Valdez

Notary Public, State of Florida

Print Name: Holly Valdez

My Commission Expires: 8/4/21

(Notary Seal)



#3 continued;

| | | |
|------------------|--|--------|
| Ryan Lepene | 86 West Steet, Chagrin Falls, OH 44022 | MGR |
| Sean Lojek | 86 West Street, Chagrin Falls OH 44022 | MGR |
| T-Mobile US, Inc | 12920 SE 38th St , Bellevue WA 98006 | Tenant |

P = Pending
D = Denied
W = Withdrawn

This Affidavit is given for the purpose of establishing compliance with the provisions of Section 10.2.B.3 Land Development Regulations; Martin County Code.

FURTHER AFFIANT SAYETH NOT.

Eugene B. Albrecht

AFFIANT

Linda J Albrecht
Linda J Albrecht

STATE OF Florida
COUNTY OF Palm Beach

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 24th day of April 2019, by Eugene & Linda Albrecht, who is personally known to me or have produced _____ as identification.

(Notary Seal)

Holly Valdez
Notary Public, State of Florida

Print Name: Holly Valdez

My Commission Expires: 8 / 4 / 21



#3 continued;

| | | |
|------------------|--|--------|
| Ryan Lepene | 86 West Steet, Chagrin Falls, OH 44022 | MGR |
| Sean Lojek | 86 West Street, Chagrin Falls OH 44022 | MGR |
| T-Mobile US, Inc | 12920 SE 38th St, Bellevue WA 98006 | Tenant |

Exhibit "A"
(Disclosure of Interest and Affidavit)
(Legal Description)

See Attached

Appendix
Article 10.2.B.3. Article 10, Development Review Procedures;
Land Development Regulations; Martin County Code

10.2.B. Application submittal for development approval. Applications for development approval shall comply with the following described procedures:

1. Initiation. A development application shall be filed with the County Administrator by the owner or other person having a power of attorney from the owner to make the application.
2. Acceptance of the application. A development application will be received for processing on any working day.
3. Verification of property ownership. The documents required below are required prior to an application being determined complete. After the application is determined to be complete, the applicant has a continuing obligation to provide revised documents to reflect any changes to the information provided that may occur before and as of the date of the final public hearing or final action on the application.
 - a. Proof of ownership must be provided for any application for any type of development order. The applicant shall provide a copy of the recorded deed for the subject property, and shall certify any subsequent transfers of interests in the property. If the applicant is not the owner of record, the applicant is required to report its interest in the subject property.
 - b. The applicant must disclose the names and addresses of each and every natural person or entity with any legal or equitable interest in the property of the proposed development, including all individuals, children, firms, associations, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, limited liability company, professional associations and all other groups or combinations.
 - c. For those entities that are a firm, association, joint adventure, partnership, estate, trust, business trust, syndicate, fiduciary, corporation, limited liability company, professional associations and all other groups or combinations thereof, every natural person or entity that enjoys a legal or equitable interest in property of the proposed development shall be disclosed including but not limited to any partners, members, shareholders, trustees, and stockholders.
 - d. The disclosure required in b. and c. above shall not apply to companies that are publicly traded and to consultants and contractors who may perform professional services or work related to the property.
 - e. In addition, the disclosure must include those having any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property.
 - f. The applicant must list all other applications for which they have an interest as defined in subsection b. and c. above that is currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.
 - g. Any development order, including applications for Planned Unit Developments which was granted or approved based on false or incomplete disclosure will be presumed to have been fraudulently induced and will be deemed by the Martin County Board of County Commissioners to be void ab initio and set aside, repealed, or vacated.

EXHIBIT A
LEGAL DESCRIPTION

KENAI - TC 03

PARENT TRACT

(PER OFFICIAL RECORD BOOK 2633, PAGE 1144 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA)

BEGIN AT THE NORTHWEST CORNER OF THE NORTHEAST ONE QUARTER (NE1/4) OF THE NORTHEAST ONE QUARTER (NE1/4) OF SAID SECTION 22-40-42, AND THE NORTH BOUNDARY OF SAID SECTION 22-40-42;

THENCE EASTERLY, ALONG THE NORTH BOUNDARY OF SAID SECTION 22-40-42, A DISTANCE OF 294 FEET TO A POINT;

THENCE, SOUTHERLY, PERPENDICULAR TO THE PREVIOUS LINE, 45 FEET TO A POINT;

THENCE, SOUTHWESTERLY, ALONG A LINE TURNED AT AN ANGLE OF 135°00'00" IN THE NORTHWEST QUADRANT FROM THE PREVIOUS LINE, 162.63 FEET TO A POINT;

THENCE, WESTERLY, ALONG A LINE PARALLEL WITH AND 160 FEET SOUTH OF THE NORTH BOUNDARY OF SAID SECTION 22-40-42, A DISTANCE OF 178.28 FEET, MORE OR LESS, TO THE WEST BOUNDARY OF THE NORTHEAST ONE QUARTER (NE1/4) OF THE NORTHEAST ONE QUARTER (NE1/4) OF SAID SECTION 22-40-42;

THENCE, NORTHERLY, ALONG SAID WEST BOUNDARY OF THE NORTHEAST ONE QUARTER (NE1/4) OF THE NORTHEAST ONE QUARTER (NE1/4) OF SAID SECTION 22-40-42, A DISTANCE OF 160 FEET TO THE POINT OF BEGINNING;

RG TOWERS LEASE PARCEL

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SECTION 22, TOWNSHIP 40 SOUTH, RANGE 42 EAST, MARTIN COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22 (FOUND NAIL & DISK - NO I.D.);

THENCE ON A GRID BEARING OF S89°48'00"E ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22, A DISTANCE OF 30.00 FEET;

THENCE CONTINUE S89°48'00"E CONTINUING ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22, A DISTANCE OF 60.00 FEET;



EXHIBIT A
LEGAL DESCRIPTION

THENCE S00°03'00"E A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING;

THENCE S89°48'00"E A DISTANCE OF 60.00 FEET;

THENCE S00°03'00"E A DISTANCE OF 40.00 FEET;

THENCE N89°48'00"W A DISTANCE OF 60.00 FEET;

THENCE N00°03'00"W A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL OF LAND SITUATE WITHIN MARTIN COUNTY, FLORIDA
CONTAINING 2,400.0 SQUARE FEET MORE OR LESS.

RG TOWERS ACCESS AND UTILITY EASEMENT

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST ONE-QUARTER (1/4)
OF THE NORTHEAST ONE-QUARTER (1/4) OF SECTION 22, TOWNSHIP 40 SOUTH,
RANGE 42 EAST, MARTIN COUNTY, FLORIDA, SAID PARCEL BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER
(1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22 (FOUND NAIL &
DISK - NO I.D.);

THENCE ON A GRID BEARING OF S89°48'00"E ALONG THE NORTH LINE OF THE
NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF
SAID SECTION 22, A DISTANCE OF 30.00 FEET;

THENCE CONTINUE S89°48'00"E CONTINUING ALONG THE NORTH LINE OF THE
NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF
SAID SECTION 22, A DISTANCE OF 60.00 FEET;

THENCE S00°03'00"E A DISTANCE OF 100.00 FEET;

THENCE S89°48'00"E A DISTANCE OF 60.00 FEET;

THENCE S00°03'00"E A DISTANCE OF 40.00 FEET;

THENCE N89°48'00"W A DISTANCE OF 60.00 FEET;

THENCE N00°03'00"W A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING;

THENCE N89°48'00"W A DISTANCE OF 60.00 FEET TO A POINT ON A LINE 30.00 FEET
EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST ONE-
QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22,



**EXHIBIT A
LEGAL DESCRIPTION**

SAID LINE ALSO BEING THE PROPOSED EAST RIGHT-OF-WAY LINE OF S.E. COUNTRY CLUB DRIVE (PUBLIC RIGHT-OF-WAY);

THENCE N00°03'00"W ALONG SAID PARALLEL LINE AND PROPOSED EAST RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET;

THENCE S89°48'00"E A DISTANCE OF 60.00 FEET;

THENCE S00°03'00"E A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL OF LAND SITUATE WITHIN MARTIN COUNTY, FLORIDA CONTAINING 1,200.0 SQUARE FEET MORE OR LESS.

RIGHT-OF-WAY DEDICATION PARCEL

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SECTION 22, TOWNSHIP 40 SOUTH, RANGE 42 EAST, MARTIN COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22 (FOUND NAIL & DISK - NO I.D.);

THENCE ON A GRID BEARING OF S89°48'00"E ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22, A DISTANCE OF 30.00 FEET TO A POINT ON A LINE 30.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22;

THENCE S00°03'00"E ALONG SAID PARALLEL LINE, A DISTANCE OF 160.00 FEET TO A POINT ON A LINE 160.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22;

THENCE N89°48'00"W ALONG SAID PARALLEL LINE, A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22 (FOUND NAIL & DISK - NO I.D.);

THENCE N00°03'00"W ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22, A DISTANCE OF 160.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL OF LAND SITUATE WITHIN MARTIN COUNTY, FLORIDA CONTAINING 4,800.0 SQUARE FEET MORE OR LESS.



EXHIBIT A
LEGAL DESCRIPTION

RG TOWERS LANDSCAPE BUFFER EASEMENT

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SECTION 22, TOWNSHIP 40 SOUTH, RANGE 42 EAST, MARTIN COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22 (FOUND NAIL & DISK - NO I.D.);

THENCE ON A GRID BEARING OF S89°48'00"E ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22, A DISTANCE OF 30.00 FEET;

THENCE CONTINUE S89°48'00"E CONTINUING ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22, A DISTANCE OF 60.00 FEET;

THENCE S00°03'00"E A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING;

THENCE S89°48'00"E A DISTANCE OF 60.00 FEET;

THENCE S00°03'00"E A DISTANCE OF 40.00 FEET;

THENCE N89°48'00"W A DISTANCE OF 60.00 FEET;

THENCE N00°03'00"W A DISTANCE OF 10.00 FEET;

THENCE N89°48'00"W A DISTANCE OF 10.00 FEET;

THENCE S00°03'00"E A DISTANCE OF 20.00 FEET;

THENCE S89°48'00"E A DISTANCE OF 80.00 FEET;

THENCE N00°03'00"W A DISTANCE OF 100.00 FEET;

THENCE N89°48'00"W A DISTANCE OF 80.00 FEET;

THENCE S00°03'00"E A DISTANCE OF 60.00 FEET;

THENCE S89°48'00"E A DISTANCE OF 10.00 FEET;

THENCE N00°03'00"W A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL OF LAND SITUATE WITHIN MARTIN COUNTY, FLORIDA CONTAINING 5,400.0 SQUARE FEET MORE OR LESS.





Thursday, April 10, 2020



BCC MEETING DATE: MAY 5, 2020
AGENDA ITEM: DPQJ-2

**MARTIN COUNTY, FLORIDA
SUPPLEMENTAL MEMORANDUM**

TO: Honorable Members of the Board of County Commissioners **DATE:** April 28, 2020

VIA: Taryn Kryzda
County Administrator

FROM: Peter Walden, Principal Planner

REF: 20-0627

SUBJECT: KENAI TOWER REQUEST FOR REVISED MAJOR FINAL SITE PLAN

Attached are the following items:

Draft resolution of approval
Draft resolution of denial

Reviewed by County Attorney's Office

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA
DEVELOPMENT ORDER**

RESOLUTION NUMBER _____

**[REGARDING A REVISED MAJOR DEVELOPMENT FINAL SITE PLAN APPROVAL
FOR KENAI TOWER EXTENSION
WITH A CERTIFICATE OF PUBLIC FACILITIES EXEMPTION]**

WHEREAS, this Board has made the following determinations of fact:

1. The Kenai TCO3 WTCF Tower project received final site plan approval on May 31, 2016, pursuant to Resolution Number 16-5.25.
2. Kenai Properties, LLC, and RG Towers, LLC, has submitted an application for revised final site plan approval for the Kenai Tower Extension project, located on lands legally described in Exhibit A, attached hereto.
3. Pursuant to Table 10.5.F.9, Land Development Regulations, Martin County Code, the Local Planning Agency was not required to consider the application.
4. This Board considered such application at a public meeting on May 5, 2020.
5. At the public meeting, all interested parties were given an opportunity to be heard.

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

A. The revised final site plan, attached hereto as Exhibit B, for the Kenai Tower Extension project is approved. Development of the Kenai Tower Extension project shall be in accordance with the approved revised final site plan and subject to the following conditions:

1. The maximum above ground elevation of the Tower, including any appurtenances, shall not exceed 101.2 feet in height. Any extension of the Tower or appurtenances, beyond the approved maximum 101.2-foot height above ground elevation is prohibited unless approved by the Board of County Commissioners.
2. All terms and conditions of Resolution Number 16-5.25 which are not specifically amended or revised by this development order shall remain in full force and effect.

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 of the Martin County Land Development Regulations.

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 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.B. and Section 4.803.D.

B. Approval of the development order is conditioned upon the applicant's submittal of all required applicable state and federal permits and approvals 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 and fees are received and approved as required by Section 10.11, Land Development Regulations Martin County Code, including the following fees:

1. The balance of fees incurred by the consultant review as provided pursuant to Sec. 365.172(13) (b) 4, Florida Statutes.

2. A bond in the amount of 110% of the estimated cost for removal of the monopole structure, as certified by the Engineer of Record.

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 revised final site plan for the Tailwinds 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., LDR, Martin County Code.

F. 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.

G. All permits for the Kenai Tower extension revised final site plan must be obtained within one year, by May 5, 2021. Development of the entire project, including infrastructure and vertical construction, must be completed within two (2) years of final site plan approval, by May 5, 2022. All remaining impact fees and capital facility charges shall be paid in full within sixty (60) days of an approval of a requested extension pursuant to Section 5.32.D.4.c.(3), LDR, Martin County Code.

H. All future co-located antennas shall be consistent with the camouflaged nature of the approved monopole structure.

I. 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 5th DAY OF MAY, 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

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

BY: _____
HAROLD E. JENKINS II, CHAIRMAN

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

BY: _____
KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY

ATTACHMENTS:

Exhibit A, Legal Description
Exhibit B, Final Site Plan

Exhibit A

RG TOWERS LEASE PARCEL

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SECTION 22, TOWNSHIP 40 SOUTH, RANGE 42 EAST, MARTIN COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

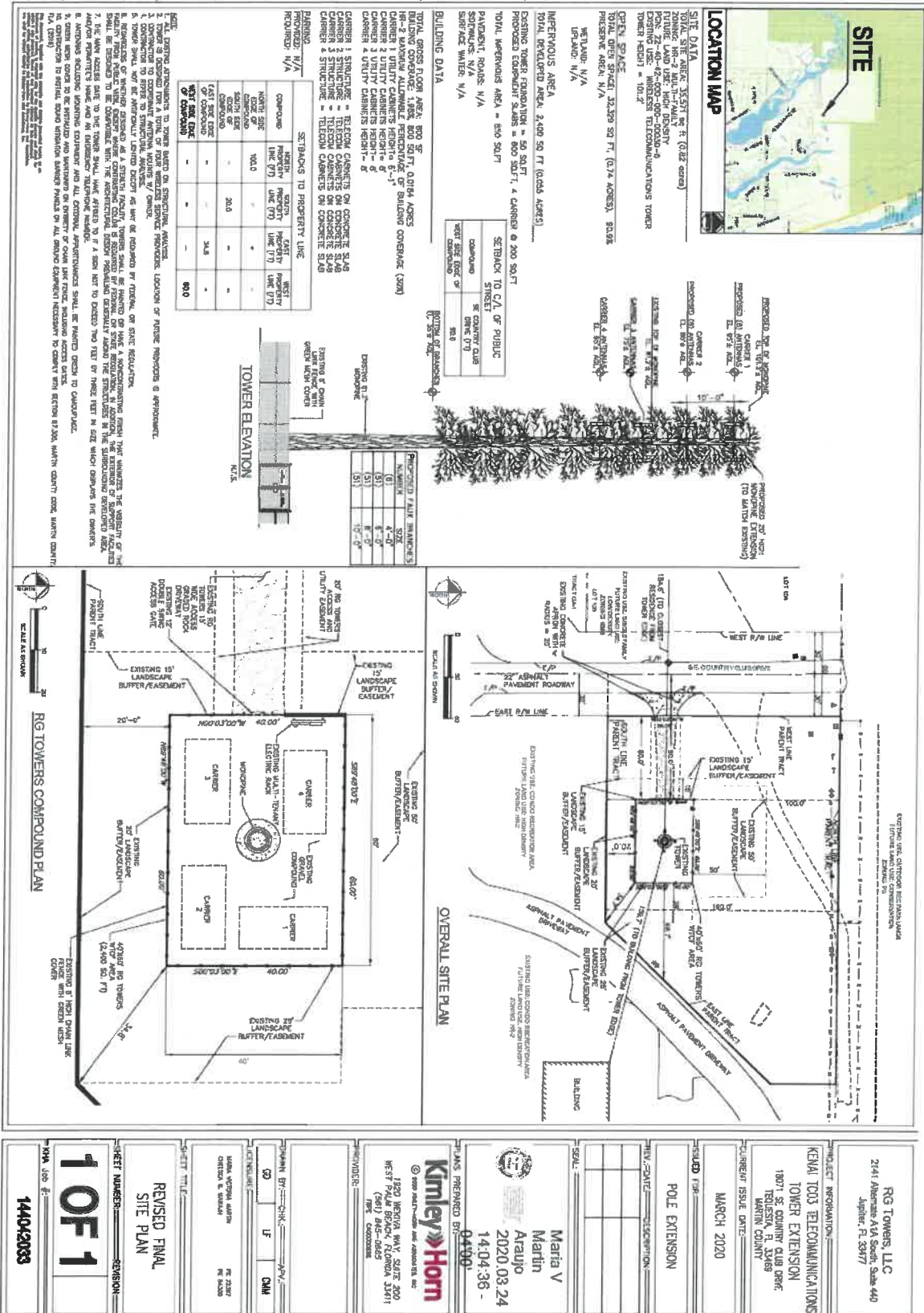
COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22 (FOUND NAIL & DISK - NO I.D.);

THENCE ON A GRID BEARING OF S89°48'00"E ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22, A DISTANCE OF 30.00 FEET;

THENCE CONTINUE S89°48'00"E CONTINUING ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 22, A DISTANCE OF 60.00 FEET;

THENCE S00°03'00"E A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING;
THENCE S89°48'00"E A DISTANCE OF 60.00 FEET; THENCE S00°03'00"E A DISTANCE OF 40.00 FEET; THENCE N89°48'00"W A DISTANCE OF 60.00 FEET;
THENCE N00°03'00"W A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; SAID PARCEL OF LAND SITUATE WITHIN MARTIN COUNTY, FLORIDA CONTAINING 2,400.0 SQUARE FEET MORE OR LESS.

Exhibit B



Prepared By:
Martin County Growth Management Department
2401 S.E. Monterey Road
Stuart, FL 34996

[blank space above reserved for recording information]

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA
DEVELOPMENT ORDER**

RESOLUTION NUMBER _____

**[REGARDING DENIAL OF REVISED FINAL SITE PLAN APPROVAL FOR
KENAI TOWER EXTENSION**

WHEREAS, this Board has made the following determinations of fact:

1. Kenai Properties, LLC and RG Towers, LLC submitted an application for a revised final site plan for the Kenai Tower Extension project, located on lands legally described in Exhibit A, attached hereto.
2. This Board held a public meeting on the application on May 5, 2020.
3. At the public meeting, all interested parties were given an opportunity to be heard.

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

- A. The request for a Revised Final Site Plan for the Kenai Tower Extension project is denied because XXXXX.
- B. 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 5TH DAY OF MAY, 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

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

BY: _____
HAROLD E. JENKINS II, CHAIRMAN

1840

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

BY: _____
KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY

ATTACHMENTS:

Exhibit A, Legal Description

Exhibit "A"
Legal Description

Lot 25 of the Plat of THE ELLIPSE, according to the Plat thereof as recorded in Plat Book 11 at Page 84 of the Public Records of Martin County, Florida.

Total Acreage: 8.34

PCN: 05-39-41-002-000-00250-6

DPQJ-1

Peter W. Walden
Principal Planner
Martin County Growth Management Department
pwalden@martin.fl.us Office 772-219-4923
2401 SE Monterey Road Stuart, FL 34996

COUNTY
EXHIBIT # 2

Experience

Principal Planner, Martin County, FL

2018- present

- Project Coordinator- development application and land development regulation review
- Project Coordinator for all County projects for development review.
- Manage and process all zoning variances.
- Provide assistance with permitting and zoning applications.
- Draft Land Development Regulation amendments.

Senior Planner, Martin County, FL.

2015- 2018

- **Development Review:** Project coordinator for development and zoning applications.
- Provide review of development applications for consistency with the Comprehensive Growth Management Plan and the Land Development Regulations.

Development Compliance Planner, City of Palm Beach Gardens, Palm Beach Gardens, FL.

2014- 2015

- **Development Review:** Review development and permit applications for compliance with land development code. Monitor development construction for compliance with development orders and environmental compliance. Provide related documents; draft time extensions, build out determinations, administrative amendments.

Zoning Compliance, Village of North Palm Beach, NPB, FL.

2012- 2014

- **Plan Review:** Member of the DRC, participate in all development review, focus on zoning regulations and land development policy and compliance. Review building permits for code compliance. Prepare and present projects to the Planning Commission, and maintain all corresponding files.

Sales Associate, The Home Depot, Jupiter, FL

2010-2012

- Worked as a Sales Associate while attending FAU.

Landscape Design Manager, Ginn Company, Celebration, FL.

2004-2008

- Part of a development team responsible for managing the construction and maintenance of Resort Communities.
- Projects included: golf courses, land development and earthwork, utilities and irrigation, streetscapes, mitigation projects and wetland construction, parks, Clubhouses, and PGA Tour events in the southeast and the Bahamas.
- Worked with project managers and consultants on development compliance with SFWMD, DEP, Army Corp of Engineers, and local municipalities.

Education & Certifications

Florida Atlantic University, Boca Raton, FL (GPA 3.8)

B.P.M. Bachelor of Public Management (Administration), minor in Geography, May 2012

Course work in; Urban Planning, GIS, Emergency Management, Program Evaluation, Transportation

Indian River State College, Stuart, FL (GPA: 3.75)

A.A, Environmental Science, May 2010

Government Internship, Town of Jupiter, Fl. May-August 2011 Planning and Zoning, Business Development

Member of the American Planning Association

FILED FOR
COMMISSION RECORDS
MARTIN COUNTY, FL
Date 5/5/2020
CAROLYN TIMMANN
CLERK OF CIRCUIT COURT
By MAV D.C.

DPQJ-1



RG Towers, LLC

APPLICANT
EXHIBIT # 1

Scott Richards: CEO-RG Towers, LLC

Mr. Richards is CEO of RG Towers, LLC, a Tower Development Firm with a portfolio of towers in the Southeast and New England.

Mr. Richards also is President and Co-Founder of RG Partners, Inc, a Florida based firm that was formed in 1992 as a full service Telecom Real Estate Firm that specializes in Site Acquisition. Along with Site Acquisition, the Firm's core competencies include: Rooftop Management, Tower Management, Site Consulting, and Site Development. Mr Richards firms have been involved in the acquisition, development and zoning/permitting process of over 5000 wireless communications sites in the States of Alabama, Florida, Connecticut, Georgia, Kansas, Maine, Massachusetts, Minnesota, Mississippi, New Hampshire, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Texas, Vermont and Wisconsin.

Mr. Richards was a Managing Members and Co-Founder of RGP Tower Group, LLC, a tower development firm that was purchased by a publically traded tower company in 2010 and RGP Tower Partners, LLC, a tower development firm that was purchased by a publically traded tower company in 2015. Mr. Richards has been a featured speaker at numerous Telecommunication Industry Conferences including PCI, CTIA and AGI

Prior to forming RG, Mr. Richards was Property Manager of Gould Enterprises, a large northeast commercial real estate firm. At Gould Enterprises, Mr. Richards was responsible for the management of over 1 Million square feet of retail properties and 1,000 multi units, including leasing, site selection and tenant representation.

Mr. Richards received his B.S. in Business Administration from Babson College majoring in Entrepreneurial Studies where Mr. Richards devised numerous Real Estate Business Plans.

PROFESSIONAL

DESIGNATIONS: Certified Property Manager (CPM)
Licensed Florida Real Estate Broker

PROFESSIONAL

AFFILIATIONS: Institute of Real Estate Management (IREM)
1997 President of IREM Florida Chapter 36
Building Owners and Managers (BOMA)
National Association of Industrial and Office Parks (NAIOP)
Site Owners and Managers Association (SOMA)

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COMMISSION RECORDS
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CAROLYN TIMMANN
CLERK OF CIRCUIT COURT
D.C.
By [Signature]

George Brosseau

Principal RF Design Engineer

AT&T Mobility – Florida

2000-Current

Bell South Mobility Lead RF Design Engineer and RF Design Manager for the South Florida Cellular Networks, later Cingular Wireless and now AT&T Mobility. Lead design changes from TDMA to GSM to UMTS to LTE and now focusing on 5G deployments for both general public and FirstNet customers. Originally responsible for overseeing 7 counties on Florida's lower SE coastline to now having responsibility for all Mobility outdoor build activities in 10 counties of lower Florida. Responsible for planning network expansions, technology overlays, capacity augmentations, new site macro builds, small cell builds, temp site deployments, and some special projects – including first large scale DAS deployment in Joe Robbie Stadium that was bought as a turn-key project from the largest DAS provider at the time but had to be redesigned when vendor failed to meet contract obligations for coverage/performance and requested assistance. Frequency bands include licensed 700MHz, 800MHz, 1900MHz, 2100MHz, 2300MHz, 39GHz and unlicensed WiFi 3GHz.

1991-2000

Ericsson Principal Systems Engineer. Produced wide area radio dispatch system designs for turnkey 911 and Utility networks. Projects as large as Southern Company that spanned 4 states and as small as a single county. Responsible for all phases of contract delivery, from component procurement that was part of turn-key design, i.e. microwave transport networks, towers, equipment shelters, earth grounding and power systems, and even dispatch center monitors and furniture not manufactured by Ericsson. Developed installation drawings, supervised installation activities, troubleshooting and performed final acceptance testing. Projects completed and still in service today include Florida Power & Light, Orlando Utilities, Volusia County FL., Hillsborough County FL., and Indian River County FL. Also assisted other Ericsson Principal System Engineers troubleshoot other large and small projects, primarily coverage and interference issues. From a full-ship radio system within a US aircraft carrier to one of the first fiber fed DAS systems inside a nuclear power plant.

1988-1991

Omnicom Systems Engineer. Produced Public Safety radio system assessment reports, radio system design alternative reports, turnkey radio system bid specifications, and acceptance testing reports. Bidders were GE Mobile Communications, Motorola, Harris Farinon, Andrew and Rohn, with other smaller companies as sub contracted equipment providers. Projects completed to full acceptance and deployment include; City of San Bernardino CA, City of Garland TX, Peachtree City GA, FDOT, Motorist Aid on Interstates I-10, I-75, and I-95.

1987-1988

Omnicom Intern. Omnicom was a very small but prolific Public Safety focused radio system consulting company. Mentors and principals of company were Phillip Byrd (Nasa/Apollo Communications Eng.) and Eugene Buzzy (Florida Division of Communications) who participated in FCC development of 800MHz spectrum for wide-area Public Safety radio networks. Tasks included site visits, data collection of existing radios systems; manual propagation studies, intermodulation studies, report generation, and proprietary coding for one of the first PC based propagation engineering software programs for 800MHz radio propagation prediction. Worked with both fixed microwave and mobile radio in 800MHz, 900MHz, and 2GHz bands.

In the commercial wireless industry, we use common propagation prediction models to generate coverage maps. Those models are based on vehicles driving on the open roadways collecting massive amounts of data for model tuning. When a new site is deployed some within the predicted coverage footprint do not see the level of coverage/performance expected where they try to use their phones and there is no immediate consequence to the service provider since we can show coverage on the open roadways where data is collected. We log customer complaints and try to improve it with some parameter adjustments as best we can and note where it cannot be improved for future build planning. In the private Public Safety turn-key industry, companies also use a common prediction model to generate a coverage picture and perform acceptance testing after network construction by collecting data in a vehicle driven throughout the coverage area. The difference is final payment is withheld until acceptance testing is complete and by then users have had a chance to experience the coverage/performance where they need to operate in many places off the open roadways, and report areas/locations where it does not cover at all or with very little reliably. For those police officers, deputies, hot-wire utility workers, and others who rely on the dispatch radio system it is something that is not acceptable, results in negotiated settlement, and it forces the system design engineer who designed the system using the prediction model to learn why it does not work there ...it is because clutter (trees and buildings) regulates the radio path more so than any model accurate accounts for on a localized level and it's something that few radio system engineers really get the "opportunity" to learn in great depth. I had the good fortune and very difficult experiences gained in those Public Safety turn-key years and very few others have had that "opportunity". There have been many advancements in the propagation modeling industry over the past 30+ years, but the basis and focus remains tied to open roadways (collected by vehicles) and only recently have we been able to start seeing it off road in high resolution as we collect "big data" with GPS stamping from smart phones at all places they are used.

Patrick Keane

Radio Access Network
Engineer

profile :

Radio network planning and optimization for **2G/3G/4G** voice and data protocols since 1996. Over 20 years experience with operation and deployment of computer, radio transceiver and telecommunications systems.

background :

| technologies | activities | applications |
|--|---|--|
| <ul style="list-style-type: none">• LTE• WCDMA/UMTS• cdma2000/1XRTT• IS95/IS95B• GSM1900• EVDO• AMPS | <ul style="list-style-type: none">• RF planning / propagation• pre/post launch optimization• operations/performance KPI's• features, FOA's, upgrades• strategic planning and deployment | <ul style="list-style-type: none">• NSN• Ericsson• Nortel• Lucent |

education:

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|--------------|--------------------|-------------------|
| BSEE 3.5/4.0 | Rutgers University | New Brunswick, NJ |
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military:

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| US Navy | 1986-1992 | FC1 (E-6) Fire Control Technician (Combat Systems Missiles) |
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PROFESSIONAL EXPERIENCE HIGHLIGHTS

- **Initial system radio planning:** morphology/geography and CW radio propagation studies, search ring generation, site candidate analysis, base station location and configurations, antenna system testing and specifications, link budget and prediction model tuning
- **Network operation and optimization:** system level configurations of radio resource, mobility management and call management parameters, mobile data collection, call performance and statistical trending for grade of service analysis
- **Future planning and network growth:** initiate and expand customer service areas, forecast usage and subscriber growth, develop special applications (arenas, airports, subways, stadiums, etc)

PROJECT AND EMPLOYMENT HISTORY

| | | |
|---|--|--------------------------------|
| RAN Engineering Consultant | | PCS / AWS / 700 |
| Jan 2013 – Present | | T-Mobile |
| Sunrise, FL | | |
| <ul style="list-style-type: none"> ○ Search Ring generation and candidate review ○ RF Propagation and network planning analysis ○ Cell-site design and antenna layout configurations ○ Network database configurations and E911 provisioning support ○ Review of construction and A&E drawings as related to antennas and equipment placement ○ Field surveys of existing and potential cell site locations including measurements and reporting | | |
| RAN Engineering Consultant | | PCS / AWS |
| Sep 2011 – Jan 2013 | | T-Mobile |
| | | Sunrise, FL |
| <ul style="list-style-type: none"> ○ Direct vendor for radio network access site development and operational support ○ Field survey and post processing with TEMS Pocket / TEMS Investigation ○ Micro / pico cell design and optimization using repeaters, passive/active DAS, ipBTS and hybrid systems ○ Fourth sector additions and antenna system design and optimization ○ Sales support through GIS and operational KPI analysis and presentation ○ Special events planning and site design, launch and monitoring | | |
| RF Engineer HS+42 Optimization | | PCS1900 / AWS 1700-2100 |
| May 2011 – Sep 2011 | | T-Mobile |
| | | Sunrise, FL |
| <ul style="list-style-type: none"> ○ Dual Carrier, HS+42 launch deployment ○ KPI analysis and optimization of CS/PS Call Drop, CS/PS Call Access Failure, BLER, RSCP, Eclo and Rx/Tx power ○ Adjacency tuning and multi-carrier support and provisioning ○ Drive data analysis of interference, coverage and pilot pollution, poor/no/over coverage, missing neighbors, Soft/Hard/Intra- and inter frequency handover ○ Advise/coordinate UMTS/HSPA optimization teams (analysis engineers and field data collection) ○ Troubleshooting HSPA packet drops and application layer session throughput to improve packet performance. | | |

- Perform design planning simulations to support downtilt, azimuth and CPICH optimization
- Site survey and field measurements

RF Engineer GSM/UMTS Deployment

PCS1900 / AWS 1700-2100

T-Mobile

Jan 2011 – May 2011

Sunrise, FL

- 2G/3G RF design and performance engineering
- Site survey and configuration proposals
- Monitor KPI metrics and network performance parameters
- Optimize and troubleshoot network coverage and performance issues
- 4 sector and micro-cell design and deployment
- Deployment support and assistance
- GIS support and sales data analysis

RF Engineer HSPA+ Launch Optimization

PCS1900 / AWS 1700-2100

T-Mobile

Sep 2010 – Dec 2010

Sunrise, FL

- Analyze RF drive data and recommend electrical tilt and antenna azimuth changes in support of CQI enhancements
- Optimize and troubleshoot network coverage and performance issues
- Monitor KPI metrics and network performance parameters for cluster drive acceptance
- Log data integrity checks, RAN parameter and consistency checks and feature implementation.
- NSN infrastructure

RF Engineer Radio Network Planning

PCS1900 / AWS 1700-2100

T-Mobile

June 2010 – Sep 2010

Sunrise, FL

- Monitor KPI metrics and network performance parameters
- Optimize and troubleshoot network coverage and performance issues
- Address customer complaints
- Deployment support and assistance
- GIS support and sales data analysis
- Data collection post processing and site launch support
- NSN infrastructure

UMTS RAN Engineering Consultant

AWS 1700-2100

T-Mobile

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|---|--|---------------------------------|
| Nov 2009 – Dec 2009 | | Sunrise, FL |
| <ul style="list-style-type: none"> o UMTS technology training and planning o Radio Access Network (RAN) CIQ preparation and validation o Nokia OSS datafill auditing and neighbor adjacency generation o Scrambling Code planning for UMTS deployment o 2nd carrier nodeB configuration planning and datafill verification o TEMS drive test equipment training and data throughput configuration and testing o Data collection post processing and site launch support o NSN infrastructure | | |
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| UMTS Design/Optimization Engineer | | AWS 1700-2100 |
| | | T-Mobile |
| Oct 2006 – Sep 2009 | | Plantation, FL |
| <ul style="list-style-type: none"> o UMTS/GSM performance monitoring and optimization using KPI targets for RF actions and planning o UMTS pre/post launch tuning including antenna tilt and parameter recommendations o Pre-launch datafill auditing and neighbor adjacency generation o Construction close out validation including sweep test and remote tilt (AISG 2.) configuration/verification o Scrambling Code planning for UMTS deployment o Asset 3G site and cluster RF analysis and macro development for data integrity audits and KPI achievement o Site Audit and UMTS/GSM antenna overlay designs, construction support NSN UMTS / Ericsson GSM o NSN infrastructure | | |
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| Model Tuning Team Lead | | PCS 1900 / AWS 1700-2100 |
| | | T-Mobile |
| Jun 2006 – Sep 2006 | | Plantation, FL |
| <ul style="list-style-type: none"> o 1900 PCS propagation model definition with extrapolation to 2100 MHz AWS o CW data collection and project planning o Tuning and validation o Model integration and implementation | | |
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| Principle RF Engineer | | AWS 1700-2100 |
| | | Cingular |
| Oct 2005 – May 2006 | | Boca Raton, FL |
| <ul style="list-style-type: none"> o UMTS RF Design planning with Asset 3G simulation software | | |

- Propagation analysis and RF database maintenance
- Traffic cell spreading and monte carlo analysis
- Iterative system design optimization with Optimi ACP tool
- Project summary and analysis for launch strategy support
- Neighbor adjacency generation and tuning
- Scrambling Code planning and strategies

CDMA SME

PCS 1900

Alvarion

July 2005– July 2005

Miami, FL

- CDMA repeater performance analysis and testing
- Optimization and OA&M
- Alvarion equipment vendor for shipboard repeater deployment

Principle CDMA Performance Engineer

PCS 1900

Sprint, PCS

Sep 2004 – July 2005

Miami, FL

- CDMA2000 Performance Engineering, EVDO datafill and data collection verification
- Cell site HW and SW change recommendations
- New feature testing and implementation
- Propagation analysis and testing
- KPI development and analysis
- Statistical trending for grade of service evaluation
- Nortel Infrastructure - BSC,BTSC,BSM (O&M)

Senior CDMA Performance Engineer

PCS 1900

Sprint, PCS

Apr 2004 – May2004

Jacksonville, FL

- Lead RF for Nortel inter-system rehome of client market
- configure inter-system handoff borders
- post process and analysis of drive test data and system audit files
- Nortel Infrastructure - BSC,BTSC,BSM (O&M)

Senior CDMA Performance Engineer

PCS 1900

Cellular South

Nov 2003 – Apr2004

Mobile, AL

- CDMA2000 System launch optimization
- Cell site HW and SW change recommendations

- System datafill auditing
- Propagation analysis and testing
- KPI development and analysis
- Statistical trending for grade of service evaluation
- Nortel Infrastructure - BSC,BTSC,BSM (O&M)

UMTS RAN Tuning Engineer

PCS 190

H13G

Oct 2002 – Jun 2003

Stockholm/Göteborg - SE

- 3G System launch optimization
- Cell site parameter recommendations including antenna tilts, neighbor adjacencies and DGU settings
- System datafill auditing
- Propagation analysis and testing
- KPI development and analysis
- Statistical trending for grade of service evaluation
- Ericsson Infrastructure - UTRAN and RAN,RANOS,EMAS

Senior CDMA RF Services Engineer

Nortel Networks

May 2000 – Sep 2002

Sunrise, FL

- 1XRTT trials for MTX10 customer cdma2000 launch
- 1XRTT acceptance testing including layer 3 and call flow tracing, datafill configurations and analysis
- Radio Link Protocol testing and optimization via PPP session management and call sequence analysis
- CDMA network feature testing including Nortel FIT and FOA customer acceptance trials.
- cell site base station verification and integration
- System datafill auditing
- CDMA carrier addition and overlay
- OM statistical trending and analysis

Senior CDMA Design Engineer

Verizon

Jun 1998 – May 2000

Boca Raton, FL

- RF coverage planning for PCS system launch and expansion
- System frequency and scrambling code planning
- Mobility parameter management and optimization
- Base station power output and control
- KPI development and analysis
- Statistical trending for grade of service evaluation
- Lucent Infrastructure - ECP, Flexent, apxrcv, fci, OMP (O&M)

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| CDMA Design Engineer | Sprint PCS |
| Nov 1997 – Jun 1998 | Plantation , FL |
| <ul style="list-style-type: none"> o RF coverage planning for PCS system launch and expansion o System frequency and scrambling code planning o Mobility parameter management and optimization o Base station power output and control o KPI development and analysis o Statistical trending for grade of service evaluation o Nortel Infrastructure - BSC,BTSC,BSM (O&M) | |
| RF Design Engineer | Bell Atlantic Mobile |
| Jun 1996 – Nov1997 | Branchburg, NJ |
| <ul style="list-style-type: none"> o AMPS and CDMA cell site planning and engineering o System frequency and scrambling code planning o Mobility parameter management and optimization o Base station power output and control o Statistical trending for grade of service evaluation o Lucent Infrastructure - ECP, Flexent, apxrcv, fci, OMP (O&M) | |

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|---|---|
| Education | |
| o B.S., Electrical Engineering (May 1996) | Rutgers University, New Brunswick NJ (GPA: 3.5/4.0) |

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|---------------------|---|
| Military | |
| o US Navy 1986-1992 | FC1 (E-6) Fire Control Technician (Combat Systems Missiles) |