

RESOLUTION NO. BA SE 0637

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF COLUMBIA COUNTY, FLORIDA, GRANTING A SPECIAL EXCEPTION WITH APPROPRIATE CONDITIONS AND SAFEGUARDS AS AUTHORIZED UNDER SECTION 4.2.34 OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW FOR A WIRELESS COMMUNICATIONS FACILITY AS AN ESSENTIAL SERVICE WITHIN THE AGRICULTURE-3 ("A-3") ZONE DISTRICT ON CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF COLUMBIA COUNTY, FLORIDA; PROVIDING FOR REVOCATION OF THE SPECIAL EXCEPTION; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Columbia County Land Development Regulations, hereinafter referred to as the Land Development Regulations, empowers the Board of Adjustment of Columbia County, Florida, hereinafter referred to as the Board of Adjustment, to grant, to grant with appropriate conditions and safeguards or to deny special exceptions as authorized under Section 3.2 of the Land Development Regulations;

WHEREAS, a petition for a special exception, as described below, has been filed with the County;

WHEREAS, pursuant to the Land Development Regulations, the Board of Adjustment held the required public hearing, with public notice having been provided, on said petition for a special exception, as described below, and considered all comments received during said public hearing and the Concurrency Management Assessment concerning said petition for a special exception, as described below;

WHEREAS, the Board of Adjustment has found that they are empowered under Section 3.2 of the Land Development Regulations to grant, to grant with appropriate conditions and safeguards or to deny said petition for a special exception, as described below;

WHEREAS, the Board of Adjustment has determined and found that the granting with appropriate conditions and safeguards of said petition for special exception, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare;

WHEREAS, the Board of Adjustment has determined and found that the special exception is generally compatible with adjacent properties, other property in the district and natural resources; and

WHEREAS, the Board of Adjustment has determined and found that:

- (a) The proposed use would be in conformance with the Comprehensive Plan and would not have an undue adverse effect on the Comprehensive Plan;
- (b) The proposed use is compatible with the established land use pattern;
- (c) The proposed use will not materially alter the population density pattern and thereby increase or overtax the load on public facilities such as schools, utilities, and streets;
- (d) The proposed use will not have an undue adverse influence on living conditions in the neighborhood;
- (e) The proposed use will not create or excessively increase traffic congestion or otherwise affect public safety;
- (f) The proposed use will not create a drainage problem;
- (g) The proposed use will not seriously reduce light and air to adjacent areas;
- (h) The proposed use will not adversely affect property values in the adjacent areas;
- (i) The proposed use will not be a deterrent to the improvement or development of

adjacent property in accord with existing regulations; and

- (j) The proposed use is not out of scale with the needs of the neighborhood or the community.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF COLUMBIA COUNTY, FLORIDA, THAT:

Section 1. Pursuant to a petition SE 0637, a petition by Lance Jones of Jones Engineering & Consulting, LLC, agent for Freddie M. Dockins, Sr., owner, to request a special exception be granted as provided for in Section 4.2.34 of the Land Development Regulations to allow for a wireless communication facility as an essential service within the Agriculture-3 ("A-3") Zone District. The special exception has been filed in accordance with a site plan dated October 17, 2022 and submitted as part of a petition dated October 17, 2022, to be located on property described, as follows:

A PART OF LANDS FORMERLY DESCRIBED IN OFFICIAL RECORDS BOOK 1055, PAGES 2076-2077, OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: A PART OF THE EAST 1/2 OF SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 16 EAST, COLUMBIA COUNTY, FLORIDA; COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SW COUNTY ROAD 242 AND THE WEST LINE OF THE EAST 1/2 OF THE SW 1/4 OF SAID SECTION 19, AND RUN THENCE N 00°37'00" W ALONG SAID WEST LINE OF THE EAST 1/2 OF THE SW 1/4 A DISTANCE OF 1215.12 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 00°37'00" W ALONG SAID WEST LINE A DISTANCE OF 725.41 FEET; THENCE S 88°52'14" E A DISTANCE OF 601.37 FEET; THENCE S 00°31'12" EAST A DISTANCE OF 725.42 FEET; THENCE N 88°51'58" W A DISTANCE OF 600.15 FEET TO THE POINT OF BEGINNING.

Containing 10.00 acres, more or less.

Tax Parcel Number 19-4s-16-03071-002

Section 2. A site plan, as described above, is herewith incorporated into this resolution by reference, shall govern the development and use of the above described property. Any deviation from the site plan shall be deemed a violation of the Land Development Regulations.

Section 3. The use of land approved by this special exception shall be in place, or a valid permit shall be in force for the construction of such land use within twelve (12) months of the effective date of this resolution. If such land use is not in place or if a valid permit for the construction of such land use is not in effect, within twelve (12) months of the effective date of this resolution, this resolution granting with appropriate conditions and safeguards such special exception is thereby revoked and of no force and effect.


Section 4. If the use of land approved by this special exception ceases for any reason for a period of more than six (6) consecutive months, this resolution shall be thereby revoked and of no force and effect.

Section 5. All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 6. This resolution shall become effective upon adoption.

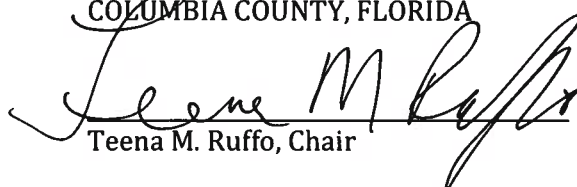
PASSED AND DULY ADOPTED, in special session with a quorum present and voting, by the Board of Adjustment this 15th day of November 2022.

Attest:



Connie Brecheen, Secretary to the
Board of Adjustment

BOARD OF ADJUSTMENT OF
COLUMBIA COUNTY, FLORIDA



Teena M. Ruffo, Chair