

**CALHOUN COUNTY BOARD OF COUNTY COMMISSIONERS
PLANNING COMMISSION MEETING
JUNE 26, 2018**

PRESENT AND ACTING:

**GENE BAILEY, VICE-CHAIRMAN
DARRELL MCDUGALD
DENNIS JONES**

**MATT FUQUA, ATTORNEY
CARLA A. HAND, CLERK OF COURT AND COUNTY COMPTROLLER
SARAH WILLIAMS, CLERK ADMINISTRATIVE ASSISTANT**

The meeting was called to order by Vice-Chairman Bailey at 5:00 p.m., CT. Vice-Chairman Bailey advised that if a person decides to appeal any decision made with respect to any matter considered at this hearing, such person will need a record of these proceedings, and for this purpose such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Mr. Snowden stated before the Board tonight is an application for a Conditional Use Permit for a 250-foot communications tower on NE John Redd Road. Mr. Snowden introduced Mr. James Johnston with the firm Shutts and Bowen to present their application. Vice-Chairman Bailey advised those present the meeting was moved to the EOC because of the A/C being out in the regular Board meeting room, and was noticed 24 hours in advance in numerous locations.

Mr. Johnston stated he is representing Shutts and Bowen, 300 South Orange Avenue, Orlando, FL on behalf of the applicant Verizon Wireless on the proposed communications tower. Mr. Johnston stated the tower would be a 250-foot self-support tower on a 100-foot by 100-foot lease on a larger parent parcel that is vacant and zoned for agriculture. Mr. Johnston stated the leased area is not in a flood zone. Mr. Johnston stated the site meets setback requirements and the fall zone is contained on the parent parcel. Mr. Johnston stated the tower is designed where if it were to fail, it would collapse onto itself rather than falling to one side. Mr. Johnston stated the tower would allow for co-location of other antennas on the tower to reduce the need for multiple towers in the same area. Mr. Johnston stated the area would remain confined behind an 8 foot locked gate, and the FAA (Federal Aviation Administration) has issued a determination of no hazard to aviation. Mr. Johnston stated the tower is needed to fill capacity and a coverage gap in the area by Verizon, as there is no tower nearby to co-locate an antenna. Mr. Johnston stated the tower would enhance public safety by reducing coverage gaps. Mr. Johnston recommended approval of the conditional use permit by the Board. Commissioner McDougald asked when the tower would be constructed if approved. Mr. Johnston stated he was not sure if the tower would be constructed in 2018 or 2019. Mr. Snowden asked about 5G coverage with Verizon. Mr. Johnston stated he knows 5G is in the works, but not sure when it will actually be available.

Vice-Chairman Bailey opened the floor to public comment.

Ms. Shalene Grover, 21722 NE CR 69A, Blountstown, FL, stated she lives across the street from where the proposed cell tower would be placed. Ms. Grover stated the cell tower would cause a devaluation of property in the area. Ms. Grover stated the man who is leasing the property would be making \$9,000

per year to allow use of the property for the cell tower, and lives in Las Vegas, Nevada. Ms. Grover stated the landowner is being paid for his property to be devalued, but the surrounding neighbors are not being paid for theirs to be devalued. Ms. Grover stated she researched studies that have been done on the subject and found four (4) studies that talk about the impact the cell tower would have on surrounding property values. Ms. Grover stated the studies conclude that property values can be affected by as much as 20-30%. Ms. Grover stated this could be a significant devaluation, especially for someone who is not being paid for that devaluation. Ms. Grover stated she also does not want to sit on her front porch and have to look at a cell tower right across the road, reminding her that her property is being devalued. Ms. Grover stated it bothers her that someone who lives in Las Vegas is being paid for the tower, while hurting the people who live and work in Calhoun County who have invested their resources here. Ms. Grover stated the County could be affected if property values are decreased due to the cell towers. Ms. Grover stated a Washington D.C. study cited 94% reported that cell towers and antennas in the neighborhood or a building would affect interest in a property and the price they would be willing to pay for the property. Ms. Grover stated 79% stated they would not purchase or rent property within a few blocks of a cell tower or antenna. Ms. Grover stated another study in the Appraisal Journal in 2006 stated buyers would pay as much as 20% less for a property near a cell tower or antenna. Ms. Grover stated in the Bond and Hugh study, which is called a proximate impact study, analyzed 9,514 residential income sales and found that proximity to a cell tower reduced the price of these homes by 15%. Ms. Grover stated the Bond and Wayne study, a based market study, analyzed 4,283 residential home sales between 1984 and 2002, which reflected anyone living in close proximity of a cell tower had reduced property values between 20 and 21%. Ms. Grover stated she is concerned about the impact on her property value and the property values of those in the area, and the only person being positively impacted is someone who does not live here and does not have to look at the tower every day. Ms. Grover expressed concerns with the height of the cell tower, stating the tower would be an eye sore to those who live in the neighborhood. Ms. Grover stated the Board has to give permission for the placement of the cell tower, and in the Land Development Code it states that the Board could grant an exception if no injury will come to neighboring property. Ms. Grover stated an injury would be property values being reduced by the placement of the cell tower. Ms. Grover stated if the County were ever sued for denying the placement of the cell tower, she would personally represent the County free of charge. Ms. Grover asked the Board to consider that the only person benefitting from the placement of the cell tower does not live in Calhoun County.

Mr. Charles Coley, 21592 NE CR 69A, Blountstown, FL, stated his uncle owns the property where the proposed cell tower would be located, and he is against the construction of the tower. Mr. Coley stated he has a ten (10) year old daughter and grandchildren, and is worried about the negative effects the tower could have on their health. Mr. Coley stated he has lived on CR 69A for eight (8) years and has always had good cell service, so he disagrees about the need for a tower in the area. Mr. Coley stated his uncle is a retired lieutenant colonel out of the Air Force and a retired electrical engineer for Las Vegas, NV Power and is not in need of the extra income. Mr. Coley stated he is not sure why his uncle wants to benefit from the tower while those in the area are harmed.

Mr. Jonas Bontrager, 20680 NE Parrish Lake Road, Blountstown, FL, stated he is attending the meeting to represent Mr. Tyre who owns the property where the proposed cell tower would be placed. Mr. Bontrager stated the property the tower would be placed on has been handed down to Mr. Tyre from his parents and has been there since the 1940s as agricultural land. Mr. Bontrager stated he is not sure how all the houses in the surrounding area were permitted to be built since the area is zoned as agriculture. Mr. Bontrager stated the tower would be almost a half mile from Mr. Coley and Ms. Grover's property, separated by a field and planted pine trees. Mr. Bontrager stated his property is a

quarter mile from the proposed site, and he does not have good cell service at his home. Mr. Bontrager stated it is necessary to have better cell service coverage in the area in case someone were to need to call 911 in emergencies. Mr. Bontrager stated Mr. Tyre has a very strong interest in the property, as he owns 146 acres. Mr. Bontrager stated he believes Mr. Tyre is an asset to the community and pays taxes on his land like everyone else.

Mr. Phillip Hatcher, 20949 NE John Redd Road, Blountstown, FL, stated he lives right at the bottom of where the proposed tower would be placed. Mr. Hatcher stated he has cell phone service at his house and always has since he moved there fourteen (14) years ago. Mr. Hatcher stated the tower could go in many different places besides twenty (20) feet outside of his front yard, and less than 250 feet from his home. Mr. Hatcher stated he has three (3) children in his home, and there have been multiple studies that have been done on the negative effects on health to people living in close proximity to cell towers. Mr. Hatcher stated the health of his children is more important than having cell service. Mr. Hatcher stated there are other places that are not right beside where someone has a home the tower could be placed. Mr. Hatcher stated he and his family would be especially impacted by the tower being placed so close to their home.

Attorney Fuqua stated there have been many comments regarding the cell tower, but there has not been any testimony or expert witnesses from either side regarding the comments. Attorney Fuqua stated the Board does not have to base their decision on the comments heard, and should base their decision on sworn expert testimony.

Ms. Grover stated she is bothered by Attorney Fuqua's statement that there has been no expert testimony. Ms. Grover stated it was her impression that this is a hearing and the neighbors have been invited to express their opinion. Ms. Grover stated if she did not think her comments would be of any value she would not have shown up to the hearing. Ms. Grover stated she appreciates the opportunity to be here, and if expert testimony were required, she would request a continuance so she could bring an expert to testify to the comments that have been made. Ms. Grover stated she also has good cell service at her home. Ms. Grover stated someone suggested they were not sure how all their homes ended up on agricultural land, and she does not think anyone should be suggesting they do not properly have their houses on their property because a building permit would not have been issued if this were the case.

Mr. Johnston stated Verizon has licensed appraisers who have looked at property values and concluded there was no noticeable deduction of property values based on proximity to cell towers. Mr. Johnston stated property appraisers do not look at proximity to cell towers when determining the value of a piece of property. Mr. Johnston stated when determining the location for a cell tower Verizon looks at several factors including where coverage is needed and where they can obtain property within the area of need. Mr. Johnston for this particular property, this is the location the property owner wanted the cell tower and there were issues with low points on other areas of the property. Mr. Johnston stated the height of the tower is what is needed to fill the coverage gap in the area. Mr. Johnston stated there are trees that would provide a visual buffer to the tower for the adjacent property owner. Mr. Johnston stated there has been comments regarding health impacts of cell towers, and this is something that is dealt with through the Federal government in the licensing and permitting process. Mr. Johnston stated a tower must be designed to meet the FCC RF emission guidelines. Mr. Johnston stated the FCC sets a maximum level of RF emissions, and at the ground level of a tower the emissions are around 1,000 less than the maximum level allowed.

Ms. Grover stated it is true that health concerns are not a valid reason for municipalities to deny zoning of a cell tower, however property values and aesthetics do qualify for consideration for denying the zoning of a cell tower. Ms. Grover stated there are other places where a tower would be better suited and would have less impact on neighboring properties.

Mr. Johnston stated there are other places in Calhoun County where a tower could be placed, but they are trying to address a certain area of coverage.

Vice-Chairman Bailey closed the floor to public comment.

Commissioner McDougald asked if there is an alternate site, the cell tower could be placed. Mr. Johnston stated there have been no other alternate sites considered. Mr. Johnston stated their zoning approval and Federal approvals are based on specific locations, so this is the only location that has been considered. Commissioner McDougald stated he understands the tower would not be able to be moved to the other side of town, but asked if there was another location in the same proximity of this site. Mr. Ricky Beasley, who is part of the site acquisition team, stated the RF department shows them an area of need, and they determine possible parcels within a half-mile radius of the center of the area where a tower could be placed. Mr. Beasley stated they then send letters to the landowners to see who would be willing to work with them. Mr. Beasley stated they looked at an alternate site on Mr. Tyre's property but the area was too wet for the placement of a tower. Commissioner McDougald stated if health risks of cell towers were considered, one would also need to look at the health risks of cell phones themselves. Attorney Fuqua stated health concerns are not something that should be considered when determining whether to grant or not grant the conditional use permit. Attorney Fuqua stated there has been no qualified testimony about property values or aesthetics, and if the Board would like to hear from an expert, they could vote to continue the hearing at another date. There was further discussion about cell towers. Attorney Fuqua stated the Board could decide to approve the conditional use permit, approve with conditions, deny the conditional use permit, or continue the hearing at another date. Commissioner Jones asked how many certified letters were sent out. Attorney Fuqua stated there were 26 certified letters sent, and all but two (2) receipts were returned.

- ❖ Vice-Chairman Bailey made a motion to continue the hearing until there is a full Board present on July 24 at 5:00 p.m., CT. Commissioner Jones seconded the motion. The motion passed unanimously 3-0.

There being no further comment, the meeting adjourned at 5:52 p.m., CT.



GENE BAILEY, VICE-CHAIRMAN

ATTEST



CARLA A. HAND, CLERK