Oldham County
OCT 13 26
Planning & Development

OLDHAM COUNTY PLANNING & DEVELOPMENT SERVICES
UNIFORM APPLICATION FOR CELLULAR ANTENNA TOWER

Docket Number: P2-26-033 Date _____ Staff JH Fee $2500.00

1. Name of Applicant TowerCo 2013, LLC & Cellco Partnership d/b/a Verizon Wireless by Clark, Quinn, Moses, Scott, & Grahn, LLP

Address 320 N Meridian St, Suite 1100; Indianapolis IN 46204
Phone [redacted] E-Mail Address [redacted]

2. Name of Surveyor or Engineer Aaron Herkenhoff (KY 36341) Power of Design Group, LLC

Address 11490 Bluegrass Parkway; Louisville KY 40299
Phone [redacted] E-Mail Address _____

3. Name of Geotechnical Engineer Aaron Herkenhoff (KY 36341) Power of Design Group, LLC

Address 11490 Bluegrass Parkway; Louisville KY 40299
Phone [redacted] E-Mail Address _____

4. Address of Property or Site 2221 N Hwy 53; LaGrange KY 40031

5. Is there a lease or sale agreement for the proposed site? YES NO

If yes, provide a copy of the agreement.

6. Provide clear written directions from the County seat to the proposed site:

7. Following is a checklist of additional items required to be submitted at the time of application submittal. You must check all of the items listed below for the submittal to be considered complete. Failure to do so will result in delays of the approval process until all required information is provided.

- Application Fee in the amount of $2500.00, made payable to Oldham County Fiscal Court.
- Include a grid map that shows the location of all existing cellular antenna towers that indicates the general position of proposed construction sites for new cellular antenna towers within an area that includes all of the planning unit's jurisdiction; and a one-half (1/2) mile area outside of the boundaries of the planning unit's jurisdiction, if that area contains either existing or proposed construction sites for cellular antenna towers.

1) Notified by certified mail, return receipt requested, of the proposed construction which notice shall include a map of the location of the proposed construction.

2) Given the telephone number and address of the local planning commission.

3) Informed of his or her right to participate in the planning commission's proceedings on the application.

- A list of the property owners who received the notice, together with copies of the certified letters sent to the listed property owners.

- A statement that the chief executive officer of the affected local governments and their legislative bodies have been notified, in writing, of the proposed construction.

- A copy of the notice sent to the chief executive officer of the affected local governments and their legislative bodies.

- A statement that:

1) A written notice, of durable material at least two (2) feet by four (4) feet in size, stating that "[Name of applicant] proposes to construct a telecommunications tower on this site" and including the addresses and telephone numbers of the applicant and the planning commission, has been posted and shall remain in a visible location on the proposed site until final disposition of the application.

2) A written notice, at least two (2) feet by four (4) feet in size, stating that "[Name of applicant] proposes to construct a telecommunications tower near this site" and including the addresses and telephone numbers of the applicant and the planning commission, has been posted on the public road nearest the site.

- A statement that notice of the location of the proposed construction has been published in a newspaper of general circulation in the county in which the construction is proposed.

- A brief description of the character of the general area in which the tower is proposed to be constructed, which includes the existing land use for the specific property involved.

- A statement that the applicant has considered the likely effects of the installation on nearby land uses and values and has concluded that there is no more suitable location reasonably available from which adequate service to the area can be provided, and that there is no reasonably

Oldham County Planning and Development Services
Application for Waiver of Regulations

For Staff Use Only:
Date: _____ Plat No: _____ Staff: _____ Fee: _____

This application must be submitted in person at the Planning and Zoning Office.

General Information:

Name of Applicant(s): TowerCo 2013, LLC & Cellco Partnership d/b/a Verizon Wireless by: Clark, Quinn, Moses, Scott, & Grahn, LLP

Project Address: 2221 N Hwy 53; LaGrange KY 40031

Subdivision Name: N/A

Current Land Use: Commercial / Light Industrial Parcel ID: 46-00-00-13

Current Zoning: I-1 (Light Industrial) Total Acreage: 4.811

Are there any past or present related Planning and Zoning cases, including minor plats, on this property? If yes, please list the cases:

_____

_____

Signatures:

Owner(s):
Name: _____ Signature: _____

Address: _____

Phone: _____ Email Address: _____

Applicant(s): *(if other than owner)*
Name: Russell L Brown Signature: _____

Address: 320 N Meridian St, Suite 1100; Indianapolis IN 46204

Phone: [redacted] Email Address: [redacted]

Contact:
Name: Joseph M Csikos, AICP Signature: _____

Address: 320 N Meridian St, Suite 1100; Indianapolis IN 46204

Phone: [redacted] Email Address: [redacted]

Submittal Checklist:

_____ 1. Complete Oldham County Planning and Zoning Waiver Application. (Owner's signature is required.)

_____ 2. Required $250.00 application fee.

_____ 3. Notice fees equal to $5.00 per adjoining property owner.

_____ 4. Mailing Labels for all adjoining property owners, including name and address of all 1st tier adjoining parcels. 1st tier adjoining parcels include all those that border the property, including those across streets. (*See note below for PVA directions)

_____ 5. Property information for the project location as listed by the Property Valuation Administration (PVA). (*See note below for PVA directions)

_____ 6. A copy of the current recorded deed along with any applicable easement deeds or maintenance agreements. Include any existing surveys of the property, if available.

_____ 7. One copy of an original survey. All surveys must be created by a licensed surveyor and must meet the minimum criteria listed within the Oldham County Subdivision Regulations under Section 3.5, page 8. (The Subdivision Regulations are accessible via the internet at www.oldhamcounty.net/property under the public documents section of the webpage.)

_____ 8. Twenty additional copies of the survey. (These copies may be photocopies of the original survey)

_____ 9. Any proposed access easement agreements.

_____ 10. Any other supporting documents and/or photographs

** Accessing PVA information: Property information may be accessed on the internet at www.oldhampva.com. In order to search for a property, users must select "Tax Payer Info" from the left column then select "Property Search". Once located, users may print the information using the print command on their internet browser. For adjoining property owners or further assistance contact PVA at 110 W. Jefferson Street in LaGrange or at (502)222-9320.*

WAIVER APPLICATON FINDINGS | EXCEPTIONAL HARDSHIP

APPLICANT: TowerCo 2013, LLC & Cellco Partnership d/b/a Verizon Wireless
by: Clark, Quinn, Moses, Scott, & Grahn, LLP

PROPERTY LOCATION: 2221 N. Hwy 53, LaGrange, KY

ZONING DISTRICT: I-1 (General Industrial)

REQUESTED WAIVERS:

1. **Section 340-080(1):** Rear Setback reduction from 50 feet required to 47 feet proposed (3-foot waiver).
2. **Section 340-080(2):** Landscape Buffer Waiver (0 additional planted trees/shrubs proposed).
3. **Section 340-080(8):** Minimum Lot/Lease Area Size reduction below the 1.0-acre requirement in the I-1 district.

FINDINGS OF FACT

1. Unique Physical Features and Operational Constraints of the Property

- **Dual-Use Site Configuration:** The subject property is actively developed and operates as a self-storage facility. The site's physical design requires clear, non-negotiable drive aisles and internal vehicular circulation patterns to accommodate customer moving vehicles and emergency access.
- **Lease Boundary Dictated by Site Function:** The precise location of the proposed telecommunications tower lease compound is directly dictated by these existing and planned drive aisles for future facility expansion, creating a strict physical constraint that prevents establishing a 1.0-acre lease parcel or placing the rear setback full 50 feet from the property line.

2. Existence of Exceptional Hardship and Practical Difficulty

- **Incompatibility with Strict Dimensional Mandates:** Strict application of Section 340-080(8) requiring a 1.0-acre lease area would deprive the property owner of the reasonable, permitted expansion of the primary self-storage business, rendering co-location of the wireless communications facility functionally impossible.
- **De Minimis Setback Variance:** The requested 3-foot reduction in the rear setback (from 50 feet to 47 feet) under Section 340-080(1) represents a minor variance driven entirely by internal drive aisle geometric requirements rather than an attempt to circumvent regulations. Strict adherence to the 50-foot setback would eliminate necessary vehicle maneuverability behind the expansion structures.

3. Hardship Is Not Self-Created

- **Site Dynamics and Co-Location Policy:** The hardship stems from the physical necessity of integrating a essential telecommunications utility onto an active, commercial/industrial parcel without interfering with existing light-industrial operations or future planned self-storage structures.
- Encouraging co-location and commercial dual-use on industrial land fulfills broader community planning goals, but inherently restricts the available contiguous footprint compared to a greenfield single-use parcel.