

RESOLUTION NO. 25-2008

A RESOLUTION OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA; GRANTING A CONDITIONAL USE PERMIT NO. CUP-2008-01 REQUEST TO SBA TOWERS II, INC; ALLOWING FOR THE CONSTRUCTION OF A TELECOMMUNICATIONS TOWER IN ACCORDANCE WITH BREVARD COUNTY CODE SECTION 62-1334 AND 62-1482 ON THE PROPERTY DESCRIBED HEREIN; PROVIDING FOR CONDITIONS; PROVIDING FOR REVOCATION; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, SBA TOWERS II, INC. leases the following described real property in the Town of Grant-Valkaria:

**PROPERTY DESCRIBED AS FOLLOWS:**

**Parcel ID: 29-37-23-00-00589.0-0000.0 and Parcel ID: 29-37-23-00-00504.0-0000.0**

**Physical location: 900 Ramblebrook Street**

**(COMPLETE LEGAL DESCRIPTION ON FILE AT TOWN HALL)**

(hereinafter referred to as the "Property"); and

**WHEREAS**, SBA TOWERS II, INC. requests the following Conditional Use Permit for the Property:

- 1) Install a new telecommunication compound and new monopole tower 195 feet – overall height 199 feet.

**WHEREAS**, Sections 62-1334 and 62-1482, Brevard County Code permits the use of towers and antennas in the BU-1 and AU zoning classifications as a conditional use; and

**WHEREAS**, the Property is currently zoned BU-1 and AU; and

**WHEREAS**, the Council has determined that reasonable conditions may be imposed on the Conditional Use Permit.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA**, that:

**Section 1.** SBA TOWERS II, INC. is hereby granted a Conditional Use Permit No. CUP-2008-01, to install a new telecommunication compound and new monopole tower 195 feet – overall height 199 feet on the Property subject to the following conditions:

- A. Compound and tower is constructed according to approved site plan.

- B. Applicant shall apply to the Council for an amendment to the Conditional Use Permit in the event of future expansion of the Property and any improvements requiring a permit located thereon;
- C. The Applicant shall comply with all requirements as set forth in applicable Brevard County ordinances and codes and future codes and ordinances of the Town;
- D. The conditional use shall only be allowed for this applicant at 900 Ramblebrook Street, and is non-transferable to any other person, firm, corporation or other entity or to any other property.

**Section 2.** Any violation of any of the conditions set forth in Section 1 of this Resolution may result in a revocation, change in conditions set forth in Section 1 or other action the Council deems appropriate with respect to any conditional use permit granted herein. Before the Council takes any action on a conditional use permit due to an alleged violation of any condition in Section 1, the Council will provide the owner a notice of hearing and an opportunity to be heard at the scheduled hearing.

**Section 3.** This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA, ON THIS 8<sup>th</sup> DAY OF OCTOBER, 2008.

TOWN OF GRANT-VALKARIA  
BREVARD COUNTY, FLORIDA

(signature on file)

---

Del Yonts, Mayor

ATTEST:

(signature on file)

---

Susanne Krueger, Town Clerk