

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION)
INC. AND NEXTEL WEST CORPORATION FOR)
ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO CONSTRUCT) CASE NO.
A WIRELESS COMMUNICATIONS FACILITY AT) 97-514
WOODBURN IN THE TRUNKED SMR LICENSE AREA)
IN THE COMMONWEALTH OF KENTUCKY IN THE)
COUNTY OF WARREN)

O R D E R

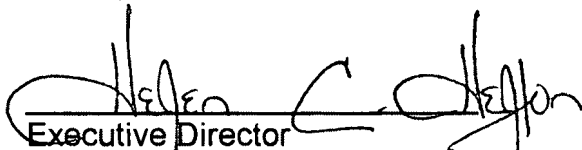
The Commission has received the attached letter regarding the proposed personal communication services facility to be located at 3184 Woodburn-Allen Springs Road, Structure B, Woodburn, Warren County, Kentucky.

IT IS THEREFORE ORDERED that:

1. Crown Communications Inc. and NEXTEL West Corporation ("Applicants") shall respond to the concerns stated in the letter by certified mail, within 10 days from the date of this Order.
2. Applicants shall file a copy of the certified letter and dated receipt, within 7 days of the date on the receipt.

Done at Frankfort, Kentucky, this 3rd day of April, 1998.

ATTEST:


Executive Director

PUBLIC SERVICE COMMISSION


For the Commission

City-County Planning Commission

1141 STATE STREET
BOWLING GREEN, KENTUCKY 42101

PHONE (502) 842-1953
FAX (502) 842-1282

RECEIVED

January 8, 1998

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Executive Director
Public Service Commission of Kentucky
P.O. Box 615
Frankfort, KY 40602

PUBLIC SERVICE
COMMISSION

RE: Case # 97-514

Subject case proposes a 350-foot guyed tower to be located at 3184 Woodburn-Allen Springs Road.

Subject site is zoned Agriculture. A wireless transmission tower is a permitted use in that zone. However, under Article 5B of the Zoning Ordinance / Resolution of Bowling Green and Warren County, the issuance of a building permit for such towers is subject to the minimum standards stated at Section 5B.5. Notably, wireless towers must have building setback lines from all property lines of at least 60 percent of the tower's height.

Accordingly, the minimum lot size for a 350 foot tower would be no less than 420 X 420 feet. The applicant is also required to submit a plot plan of the proposed construction. If the lot at 3184 Woodburn-Allen Springs Road in Warren County is of sufficient size to provide for the minimum required setbacks, the proposed tower would be permitted.

Thank you for the opportunity to comment on this case. The relevant sections of the zoning ordinance are reproduced below.

**SECTION 5B.5 MINIMUM LOCATION STANDARDS FOR APPROVAL AS
A SPECIAL EXCEPTION OR BUILDING PERMIT**

5B.51 The following minimum standards shall be met in the approval of a special exception or building permit:

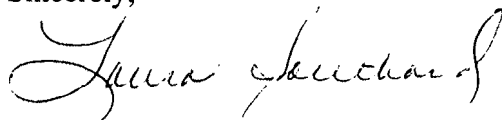
5B.511 All self supporting transmission towers will be set back from the property line on which it is located 60 percent of the overall height of the transmission tower.

5B.512 All guyed transmission towers will be set back from the property line on which it is located 60 percent of the overall height of the transmission tower.

- 5B.513 Transmission tower accessory facilities shall comply with the setback standard in the adjacent zoning district.
- 5B.514 At least two off-street parking spaces and one additional space for each on-site personnel will be provided.
- 5B.515 Existing on-site vegetation shall be preserved to the maximum extent practicable.
- 5B.516 Transmission towers shall not be artificially lighted unless required by the Federal Aviation Administration or appropriate State authority.
- 5B.517 Transmission tower accessory facilities in an Agriculture District zone and other such districts where transmission towers are a Special Exception, permitted accessory buildings and structures may not include offices, long-term vehicle storage, other outdoor storage, or broadcast studios, except for emergency purposes, or other uses that are not needed to send or receive transmissions, and in no event may exceed 25 percent of the floor area used for wireless transmission equipment.
- 5B.518 The proposed use shall be consistent with applicable Federal and State regulations and shall have secured and submitted copies of compliance with these regulations.
- 5B.519 An application for approval of a new transmission tower shall include:
- 5B.5191 A site plan or plans drawn to scale and identifying the site boundary; tower(s); guy wire anchors; existing and proposed structures; vehicular parking and access; existing vegetation to be retained, removed, or replaced; and uses, structures, and land use designations on site and butting parcels.

If I can be of additional assistance, please call.

Sincerely,



Laura Southard, Executive Director

xc: P. Bruce King, AICP
 Cypress Real Estate Services, Inc.
 299 Loraine Drive
 Suite 1001
 Altamonte Springs, FL 32714