

ADMINISTRATIVE APPROVAL
LEE COUNTY, FLORIDA

WHEREAS, T-Mobile South, LLC, in reference to T-Mobile 6FM1062E Verizon Three Oaks Town Center, filed an application for administrative approval for collocation on an existing stealth wireless communications facility and expansion of the wireless communications facility site (equipment compound) on property located at 18801 Three Oaks Parkway, described more particularly as:

LEGAL DESCRIPTION: In Section 15, Township 46 South, Range 25 East, Lee County, Florida:

See Exhibit A.

WHEREAS, the applicant has indicated the property's current STRAP number is 15-46-25-00-00005.1020; and

WHEREAS, the subject property is located in the Wetlands (57.9%) and Urban Community (42.1%) Future Land Use Categories as designated by the Lee Plan; and

WHEREAS, the property is zoned Commercial Planned Development (CPD) as approved by Resolution Number Z-07-027; and

WHEREAS, a special exception to construct a 135-foot-tall stealth wireless communication facility (flagpole) and ancillary equipment was approved in case number SEZ2005-00012; and

WHEREAS, the wireless communications facility was constructed with Limited Development Order review, LDO2005-00551, and building permit numbers COM2006-00028 for construction of a tower, and COM2006-00029 and COM2007-00380 for base site equipment; and

WHEREAS, the project received a Development Order Certificate of Compliance on June 29, 2007; and

WHEREAS, building permit number COM2008-00215 were issued for antenna collocation and installation of base site equipment; and

WHEREAS, an application for administrative approval of a wireless communications facility has been filed pursuant to the Lee County Land Development Code Section 34-1445; and

WHEREAS, the Lee County Land Development Code provides for administrative approval of zoning regulations for matters involving certain wireless communications facilities in LDC Sections 34-1445 through 34-1453; and

WHEREAS, the applicant is requesting to collocate on the 135-foot-tall stealth (flagpole) wireless communications facility that has a capacity for a total of three wireless communications carriers; and

WHEREAS, wireless communications carriers are currently located on the existing stealth (flagpole) wireless communications facility at 130-feet and 120-feet (see Attachment A, South Elevation); and

WHEREAS, the applicant filed for a Limited Development Order review, LDO2008-00330, to locate antennas on the existing stealth (flagpole) wireless communications facility; and

WHEREAS, the proposed antenna will be internally mounted at an elevation of 110-feet (see Attachment A, South Elevation); and

WHEREAS, the site plan approved by SEZ2005-00012 does not provide adequate area to install the ancillary equipment necessary for the proposed wireless communications equipment necessary for collocation; and

WHEREAS, the equipment compound will be expanded by 300 square feet (15-feet by 20-feet) from the east side of the existing site area (see Attachment B, Enlarged Site Plan); and

WHEREAS, the applicant proposes to enclose the expanded compound with an 8-foot tall chainlink fence with three-strand barbed wire and a 10-foot-wide landscaped buffer to match the existing fence and buffer around the equipment compound; and

WHEREAS, administrative approval is requested in the CPD zoning district, as provided by the Lee County Land Development Code, Chapter 34; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of administrative approval; and

WHEREAS, the following findings of fact are offered:

1. The applicant is not already providing adequate coverage or adequate capacity in the geographic search area; and
2. The applicant is not able to use existing wireless communications facility sites either with or without repeaters to provide adequate coverage or adequate capacity in the geographic search area; and
3. The applicant has agreed to rent or lease available space on the antenna-supporting structure, under terms of a fair-market lease, without discrimination to other wireless communications services providers; and
4. The proposed wireless communications facility or antenna supporting structure will not be injurious to historical resources, obstruct scenic views, diminish residential property values, reduce the quality and function of natural or man-made resources; and
5. The applicant has agreed to implement all reasonable measures to mitigate the potential adverse impacts of the structures and facilities; and

6. The proposal will comply with FCC Reg. 96-326 regarding emissions of electromagnetic radiation.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Administrative Approval for collocation on an existing stealth wireless communications facility and expansion of the equipment compound in the CPD zoning district pursuant to Lee County Land Development Code Section 34-1445 is **APPROVED, subject to the following conditions:**

1. **The Development must be in compliance with the Enlarged Site Plan and South Elevation labeled FM1062E Verizon 3 Oaks Town Center, date stamped RECEIVED JAN 20 2009 COMMUNITY DEVELOPMENT (see Attachments A and B).**
2. **Expansion of the compound area is limited to 300 square feet, as depicted on the Enlarged Site Plan (see Attachment B).**
3. **Prior to issuance of a certificate of compliance, a 10-foot-wide buffer must be installed along the perimeter of the facility as set forth in Condition 2 of SEZ2005-00012. Any dead landscaping within the required 10-foot-wide buffer around the existing compound must be removed and replaced.**
4. **Prior to issuance of a certificate of compliance, reflective tape, acceptable to Lee County Mosquito Control, must be installed in compliance with LDC Section 34-1447(c).**
5. **A maximum 8-foot-tall fence must be installed around the perimeter of the expanded equipment compound.**
6. **The antenna and cables must be hidden within the tower.**
7. **The terms and conditions of the original zoning resolutions remain in full force and effect.**

DULY PASSED AND ADOPTED this 27th day of January, A.D., 2009.

BY: _____

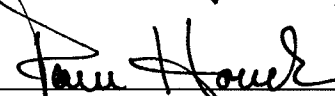

Pam Houck, Director
Division of Zoning
Department of Community Development

EXHIBIT A

1150 E. ATLANTIC BLVD.
POMPANO BEACH
FLORIDA 33060

ACCURATE LAND SURVEYORS, INC.

L.B. #3635

SHEET 1 OF 2

TEL. (954) 782-1441
FAX. (954) 782-1442



VERIZON 3 OAKS TOWN CENTER

18801 3 OAKS PARKWAY
FORT MYERS, FLORIDA 33967

FM1062E

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JAN 20 2008

COMMUNITY DEVELOPMENT

PARENT TRACT DESCRIPTION OF LEASED PARCELS 3 AND 5 PER
OFFICIAL RECORDS BOOK 2316, PAGE 1624 LEE COUNTY RECORDS:

ADD 2008-00167

LEGAL DESCRIPTION LEASED PARCEL 3

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 15: THENCE S84°08'37"E (BASIS OF BEARING BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM WEST ZONE) FOR 356.42 FEET; THENCE S63°23'59"E FOR 417.26 FEET; THENCE S74°58'33"E FOR 147.26 FEET; THENCE N80°12'16"E FOR 202.52 FEET; THENCE EAST FOR 99.88 FEET TO THE EAST RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY (50 FEET FROM CENTERLINE); THENCE S10°59'19"E ALONG SAID EAST LINE FOR 335.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S10°59'19"E FOR 76.70 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY FOR 281.80 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 1030.00 FEET (INTERIOR ANGLE = 15°40'33", CHORD BEARING AND DISTANCE = S03°09'03"E 280.92 FEET) TO A POINT OF NON-TANGENCY; THENCE EAST LEAVING SAID EAST RIGHT-OF-WAY LINE FOR 723.89 FEET; THENCE NORTH FOR 305.12 FEET; THENCE WEST FOR 121.27 FEET; THENCE NORTH FOR 50.00 FEET; THENCE WEST FOR 190.90 FEET; THENCE SOUTH FOR 19.50 FEET; THENCE WEST FOR 215.07 FEET; THENCE S78°23'01"W ALONG A RADIAL LINE FOR 35.00 FEET TO A NON-TANGENT POINT OF CURVATURE; THENCE NORTHWESTERLY FOR 54.42 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1213.78 FEET (INTERIOR ANGLE = 02°34'07", CHORD BEARING AND DISTANCE = N12°54'03"W, 54.41 FEET) TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY FOR 9.02 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 117.50 FEET (INTERIOR ANGLE = 04°24'03", CHORD BEARING AND DISTANCE = N11°59'05"W, 9.02 FEET) TO A POINT OF NON-TANGENCY; THENCE S79°00'41"W FOR 181.74 FEET TO THE POINT OF BEGINNING. CONTAINING 5.77 ACRES, MORE OR LESS.

TOGETHER WITH;

LEGAL DESCRIPTION LEASED PARCEL 5

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 15; THENCE S84°08'37"E (BASIS OF BEARING BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE) FOR 356.42 FEET; THENCE S63°23'59"E FOR 417.26 FEET; THENCE S74°58'33"E FOR 147.26 FEET; THENCE N80°12'16"E FOR 202.52 FEET; THENCE EAST FOR 99.88 FEET TO THE EAST RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY (50 FEET FROM CENTERLINE); THENCE CONTINUE EAST LEAVING SAID EAST LINE FOR 799.90 FEET TO THE POINT OF BEGINNING; THENCE SOUTH FOR 107.66 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY FOR 21.04 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 50.00 FEET (INTERIOR ANGLE = 24°06'56", CHORD BEARING AND DISTANCE = S12°03'28"E, 20.89 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY FOR 21.04 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 50.00 FEET (INTERIOR ANGLE = 24°06'56", CHORD BEARING AND DISTANCE = S12°03'28"E, 20.89 FEET) TO A POINT OF TANGENCY; THENCE SOUTH FOR 231.48 FEET; THENCE EAST FOR 9.27 FEET; THENCE SOUTH FOR 305.12 FEET; THENCE EAST FOR 284.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF INTERSTATE 75. THENCE N14°13'15"W ALONG SAID WEST LINE FOR 706.78 FEET; THENCE WEST LEAVING SAID WEST LINE FOR 128.37 FEET TO THE POINT OF BEGINNING. CONTAINING 3.21 ACRES, MORE OR LESS.

LESS ROAD RIGHT OF WAY.

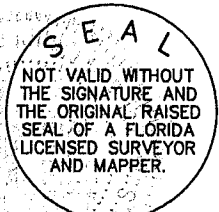
Applicant's Legal Checked

by CSJ 1-21-09

[Signature] 1-21-09

ROBERT L. THOMPSON (PRESIDENT)

PROFESSIONAL SURVEYOR AND MAPPER No.3869 - STATE OF FLORIDA



NOT TO SCALE

SKETCH NUMBER SU-08-2466

1150 E. ATLANTIC BLVD.
POMPANO BEACH
FLORIDA 33060

ACCURATE LAND SURVEYORS, INC.

L.B. #3635

SHEET 2 OF 2

TEL. (954) 782-1441

FAX. (954) 782-1442



VERIZON 3 OAKS TOWN CENTER
18801 3 OAKS PARKWAY
FORT MYERS, FLORIDA 33967
FM1062E

SAID COMBINED PARCELS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
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JAN 20 2009

COMMUNITY DEVELOPMENT

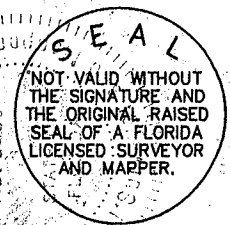
Applicant's Legal Checked
by CSG 1-21-09

ADD 2008-00167

Robert L. Thompson 1-12-09

ROBERT L. THOMPSON (PRESIDENT)

PROFESSIONAL SURVEYOR AND MAPPER No. 3869 - STATE OF FLORIDA



NOT TO SCALE

SKETCH NUMBER SU-08-2466

1150 E. ATLANTIC BLVD.
POMPANO BEACH
FLORIDA 33060

ACCURATE LAND SURVEYORS, INC.

L.B. #3635

SHEET 1 OF 1

TEL. (954) 782-1441

FAX. (954) 782-1442



VERIZON 3 OAKS TOWN CENTER

18801 3 OAKS PARKWAY
FORT MYERS, FLORIDA 33967
FM1062E

T-MOBILE LEASE AREA:

A portion of that certain parcel of land recorded in Official Records Book 2316, page 1624 Lee County Records being more particularly described as follows;

Commence at the Northeast corner of the aforementioned parcel of land, also being located on the Westerly right of way line of Interstate Number 75, thence South 07°20'59" West, (bearings shown hereon are based on a bearing of South 14°13'23" East along the West right of way line of Interstate number 75), a distance of 492.67 feet to the Point of Beginning; thence South 00°00'00" East, a distance of 20.00 feet; thence North 90°00'00" West, a distance of 15.00 feet; thence North 00°00'00" East, along the East face of a chain link fence, distance of 20.00 feet; thence North 90°00'00" East, a distance of 15.00 feet to the Point of Beginning. Said described parcel containing 300 square feet, more or less.

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COMMUNITY DEVELOPMENT

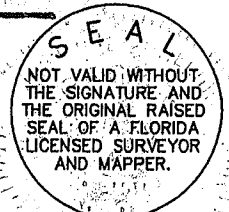
ADD 2008-00167

Applicant's Legal Checked
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ROBERT L. THOMPSON (PRESIDENT)

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VERIZON 3 OAKS TOWN CENTER
18801 3 OAKS PARKWAY
FORT MYERS, FLORIDA 33967
FM1062E

12 FOOT T-MOBILE ACCESS EASEMENT:

A portion of that certain parcel of land recorded in Official Records Book 2316, page 1624 Lee County Records in which the centerline is being more particularly described as follows;

Commence at the Northeast corner of the aforementioned parcel of land, also being located on the Westerly right of way line of Interstate Number 75, thence South $18^{\circ}24'17''$ West, (bearings shown hereon are based on a bearing of South $14^{\circ}13'23''$ East along the West right of way line of Interstate number 75), a distance of 400.48 feet to the Point of Beginning of the aforementioned centerline; thence South $15^{\circ}22'22''$ East, a distance of 93.15 feet to the Point of Terminus being located on the North face of a chain link fence. Said described parcel containing 1,118 square feet more or less.

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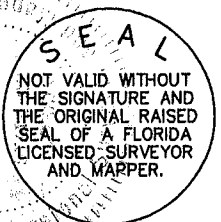
ADD 2008-00167

Applicant's Legal Checked
by CS 1-21-09

 1-12-09

ROBERT L. THOMPSON (PRESIDENT)

PROFESSIONAL SURVEYOR AND MAPPER No.3869 - STATE OF FLORIDA

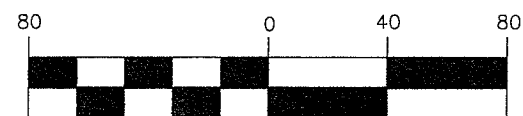
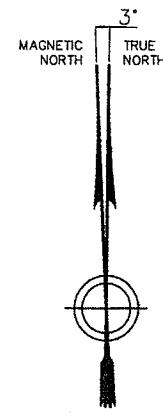
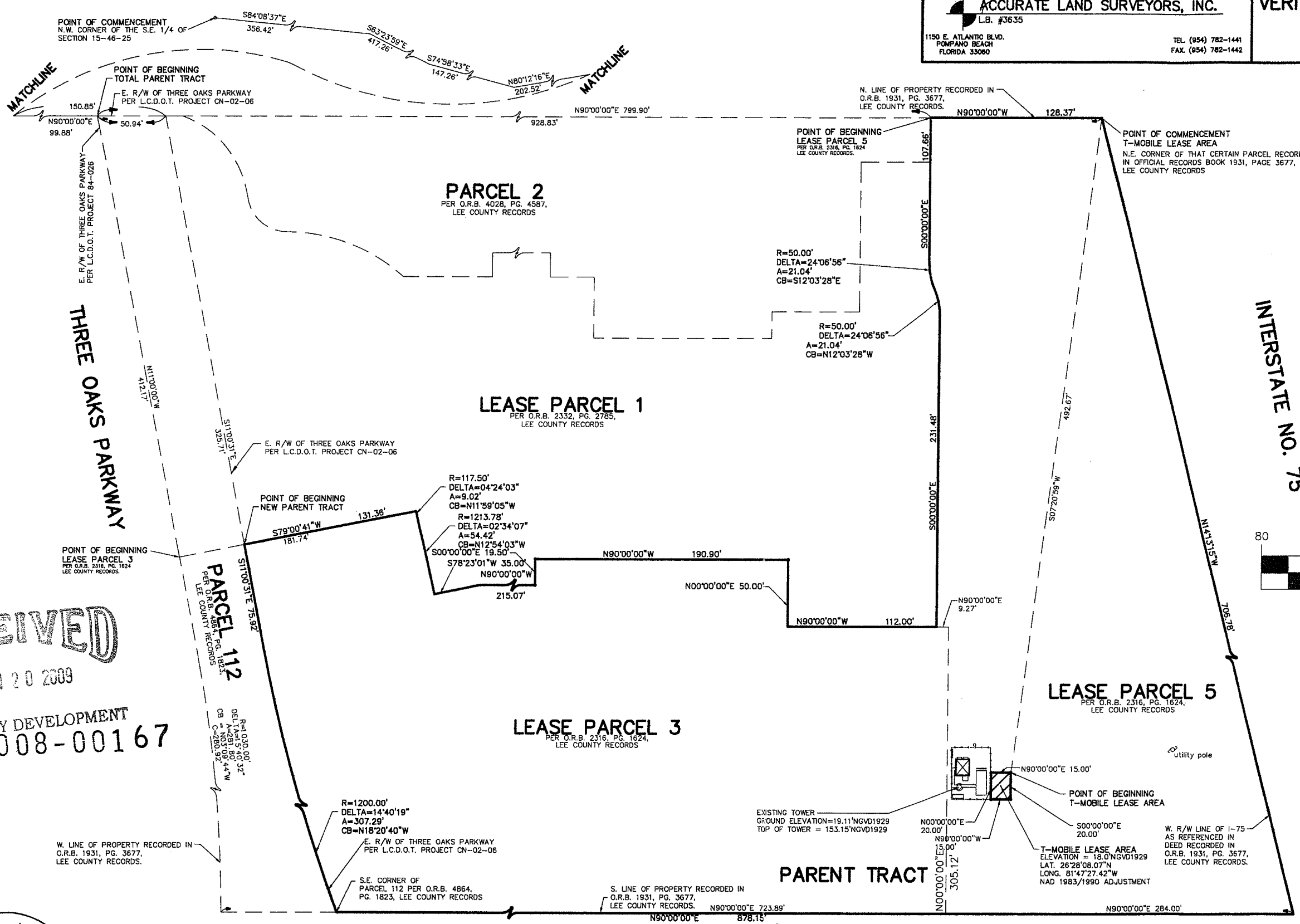


NOT TO SCALE

SKETCH
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ACCURATE LAND SURVEYORS, INC.
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1150 E. ATLANTIC BLVD.
POMPANO BEACH
FLORIDA 33060
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VERIZON 3 OAKS TOWN CENTER
18801 3 OAKS PARKWAY
FORT MYERS, FLORIDA 33967
FM1062E



GRAPHIC SCALE
1"=80'

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JAN 20 2009

COMMUNITY DEVELOPMENT
ADD 2008-00167

SEAL
NOT VALID WITHOUT
THE SIGNATURE AND
THE ORIGINAL RAISED
SEAL OF A FLORIDA
LICENSED SURVEYOR
AND MAPPER.

LEASE AREA
SKETCH ONLY

Applicant's Legal Checked
by CSJ - 1-21-09

T-Mobile

CERTIFICATION:
WE HEREBY CERTIFY THAT THE ATTACHED SKETCH OF THE HEREON
DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF OUR
KNOWLEDGE AND BELIEF AS DELINEATED UNDER OUR DIRECTION AND
DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH. I FURTHER CERTIFY
THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS FOR
LAND SURVEYING UNDER RULE 61G17-8 FLORIDA ADMINISTRATIVE CODE,
ADOPTED BY THE FLORIDA BOARD OF LAND SURVEYORS, MAY 1995.

REVISIONS	DATE	BY
REVISE SKETCH 08-2863	11-20-08	MLW
DATE	DRAWN BY	CHECKED BY
09-26-08	MLW	MLW
FIELD BOOK	SCALE 1"= 80'	SKETCH NUMBER
2611-56		SU-08-2466

Robert L. Thompson (PRESIDENT)
PROFESSIONAL SURVEYOR AND MAPPER No. 3369 - STATE OF FLORIDA

T-Mobile
stick together

8100 SW 10th STREET
SUITE 1000
PLANTATION, FL 33324

MACTEC

MACTEC ENGINEERING & CONSULTING, INC.

CORPORATE OFFICE
1105 LAKEWOOD PARKWAY
ALPHARETTA, GA 30004

LOCAL OFFICE
5845 NW 158th STREET
MIAMI LAKES, FL 33014

TEL: (305) 826-5588
FAX: (305) 826-1799

CERTIFICATE OF AUTHORIZATION #: 6090

PROJECT NO.: 6788-08-1593 (152)

REV	DATE	DESCRIPTION
D	10/01/08	FOR PERMIT
D	9/22/08	REVISED
C	9/11/08	REVISED
B	9/2/08	REVISED
A	7/21/08	PRELIMINARY

DRAWN BY: O. JOHNSON

CHECKED BY: M. ABBEY

SEAL:
PROFESSIONAL ENGINEER

SIGNATURE
(NOT VALID WITHOUT SIGNATURE OR RAISED SEAL)

DATE: 1/6/09

NAME: MARTIN H. SAHN

STATE: FLORIDA

LICENSE No.: 22787

EXP. DATE: 02/28/09

SITE INFORMATION:

**FM1062E
VERIZON 3 OAKS
TOWN CENTER**

18801 3 OAKS PARKWAY
FORT MYERS, FL 33967

SHEET TITLE:

**SOUTH
ELEVATION**

SHEET NUMBER:

Z-4

PLOT SCALE: 1:1 • 24"x36"; 1:2 • 11"x17"

**APPROVED
Plan**

Subject to Case # ADD2008-00167
Date 1/27/2009

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JAN 20 2009

COMMUNITY DEVELOPMENT

ADD 2008-00167

TOP OF EXISTING CONCEALMENT POLE
EL. 135'±

EXISTING VERIZON ANTENNAS
EL. 130'±

EXISTING ALLTEL ANTENNAS
EL. 120'±

RAD. CENTER OF PROPOSED T-MOBILE ANTENNAS
EL. 110'-0"

EXISTING 135'±
CONCEALMENT POLE

PROPOSED LANDSCAPING (TYP.)

PROPOSED CHAIN-LINK FENCE TO
MATCH EXISTING

PROPOSED T-MOBILE GSM EQUIPMENT
CABINET MOUNTED ON PROPOSED 3'-6" x 13'
CONCRETE/FIBERCRETE PAD (TYP. OF 2)

PROPOSED T-MOBILE 5' x 8'
CONCRETE/FIBERCRETE PAD
FOR FUTURE EQUIPMENT

EXISTING PROPANE TANK

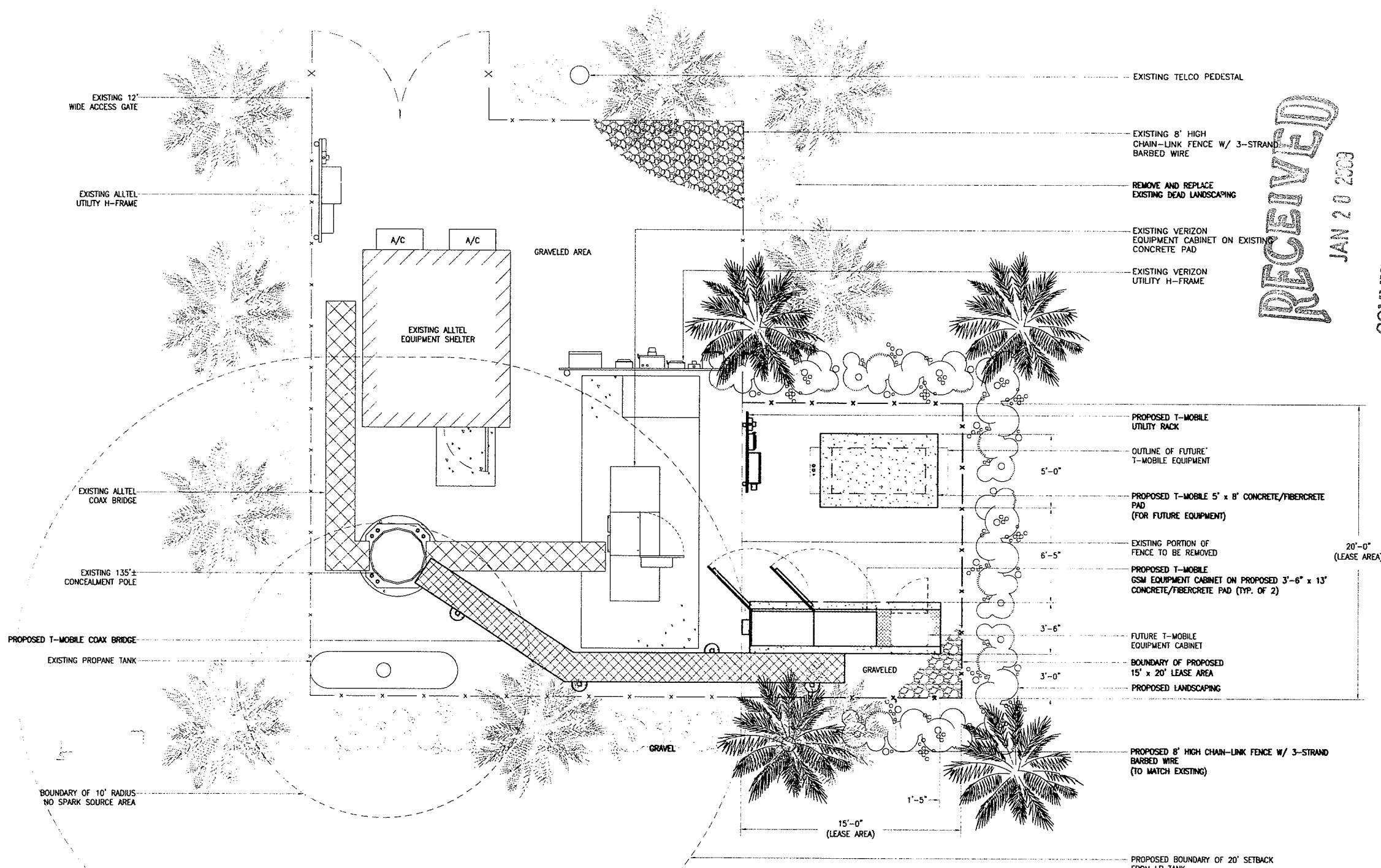
EXISTING 8' HIGH
CHAIN-LINK FENCE W/
3-STRAND BARBED WIRE

EXISTING GRADE
EL. 0'-0"

NOT USED

2 SOUTH ELEVATION

SCALE: 1" = 8'-0" (22'x34")
SCALE: 1" = 16'-0" (11'x17")



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JAN 20 2009

COMMUNITY DEVELOPMENT

ADD 2008-00167

T-Mobile
stick together

8100 SW 10th STREET
SUITE 1000
PLANTATION, FL 33324

MACTEC

MACTEC ENGINEERING & CONSULTING, INC.

CORPORATE OFFICE
1105 LAKEWOOD PARKWAY
ALPHARETTA, GA 30004

LOCAL OFFICE
5845 NW 158th STREET
MIAMI LAKES, FL 33014

TEL: (305) 826-5588
FAX: (305) 826-1799

CERTIFICATE OF AUTHORIZATION #: 6090

PROJECT NO.: 6788-08-1593 (152)

REV	DATE	DESCRIPTION
1	1/6/09	REVISED
0	10/01/08	FOR PERMIT
D	9/22/08	REVISED
C	9/11/08	REVISED
B	9/2/08	REVISED
A	7/21/08	PRELIMINARY

DRAWN BY: O. JOHNSON

CHECKED BY: M. ABBEY

SEAL: PROFESSIONAL ENGINEER

SIGNATURE: (NOT VALID WITHOUT SIGNATURE & RAISED SEAL)

DATE: 1/6/09

NAME: MARTIN H. SAHN

STATE: FLORIDA

LICENSE No.: 22787

EXP. DATE: 02/28/09

SITE INFORMATION:

FM1062E
VERIZON 3 OAKS
TOWN CENTER

18801 3 OAKS PARKWAY
FORT MYERS, FL 33967

SHEET TITLE:

ENLARGED
SITE PLAN

SHEET NUMBER:

Z-3

PLOT SCALE: 1:1 • 24"x36"; 1:2 • 11"x17"

NOTES:

1. SITE PLAN IS A DIAGRAMMATIC REPRESENTATION ONLY; VERIFY ALL DIMENSIONS.
2. VERIFY ALL PROPERTY LINE INFORMATION WITH EXISTING SURVEY DATA.
3. DIESEL TANK MUST BE 20' FROM LP TANK AS PER CODE. VERIZON HAS AN EXISTING 500 GALLON TANK (LP)

ENLARGED SITE PLAN

APPROVED
Plan

Subject to Case # **ADD2008-00167**

Date **1/27/2009**

SCALE: 1" = 4'-0" (22"x34")
SCALE: 1" = 8'-0" (11"x17")