



STAFF REPORT

HEARINGS: Planning & Zoning Commission: February 9, 2026
Board of County Commissioners: April 7, 2025

APPLICANT: APC Towers LLC (c/o Mattaniah S. Jahn, P.A.)

FILE NUMBER: H-25-29

REQUEST: Public Service Facility Overlay District (PSFOD) for a communications tower

GENERAL LOCATION: Southwest corner of Cortez Blvd and Faber Drive

PARCEL KEY NUMBER(S): 656953

APPLICANT'S REQUEST

The applicant is submitting a Public Service Facility Overlay District (PSFOD) to allow the construction of a 199' AGL monopole style communication tower ("Monopole") and related support facility. The Monopole will support the antennas for T-Mobile and will be able to collocate three additional sets of antennas for a total of four collocations.

The approximately 3.73 Acre parent parcel, is currently developed as a church. APC's leased area consists of 5,500 square feet and will contain a 50' x 50' fenced equipment compound. The parent parcel carries a Private Institutional future land use designation and is zoned AG, it is located at the intersection of Cortez Blvd. and Faber Dr.

Deviations Requested:

- Monopole North Setback: 64' in lieu of 125' (61' relief)
- Compound North Setback: 52' in lieu of 125' (73' relief)
- Compound West Setback: 13' in lieu of 35' (22' relief)

SITE CHARACTERISTICS

Site Size	5,500 square foot portion of a 3.73 acre parcel	
Surrounding Zoning; Land Uses	North:	R1B
	South:	R1B
	East:	PDP(SF)
	West:	C-1; AR
Current Zoning:	AR with a Special Exception for a Church	
Future Land Use Map Designation:	Rural	

UTILITIES REVIEW

HCUD currently supplies water to this parcel, there is a 4" force main that is adjacent to the parcel that runs along Cortez Blvd. HCUD has no objection to the zoning change from AG to AG-PSFOD (Public Service Overlay District) to allow a monopole communication tower and support facility for T-Mobile to solve the significant gap in service to the public.

ENGINEERING REVIEW

- A Detailed Site Plan will need to be submitted to the Engineering Department prior to approval.
- The tower is 199-feet tall, and a fall radius plan must depict if Cortez Blvd. is within the fall zone.
- The tower should be relocated 125 to 150-feet South of Cortez Blvd. depending on the fall radius of the tower.
- There is a 50-foot easement for a future Frontage Road already reserved.
- FDOT approval will be required as parcel is adjacent to State Road 50.

Comments: The petitioner has coordinated with the Department of Public Works to address the Department's concerns. The 50' easement as initially identified in the comments has been determined to be a nonissue and no further action is necessary by the applicant.

LAND USE REVIEW

Permitted Uses

The following uses are permitted within a Public Service Facility Overlay District:

- Any use permitted in the underlying zoning district.
- Governmental uses and structures consistent with the PSF approval.
- Public service uses and structures consistent with the PSF approval.
- Lime Stabilization and Residual Management Treatment Facilities in the C-4 Heavy Highway Commercial District, the I-1 Light Industrial District and the I-2 Heavy Industrial District only.

Special Regulations

- 1. Any use permitted in the underlying zoning district.
- 2. Governmental uses and structures consistent with the PSF approval.
- 3. Public service uses and structures consistent with the PSF approval.
- 4. Lime Stabilization and Residual Management Treatment Facilities in the C-4 Heavy Highway Commercial District, the I-1 Light Industrial District and the I-2 Heavy Industrial District only.

Comments: The communications tower as requested by the applicant is a permitted use within the PSFOD zoning district.

Specific Criteria – PSFOD for Communication Tower Site

The following criteria must be met prior to the approval of a Public Service Facility Overlay District (PSFOD) for a communication tower site:

- The minimum setbacks provided for in this ordinance must be met, and the PSF Overlay shall apply to a defined compound area for that tower and associated facilities only.
- As part of the procedure when applying for a PSF, an applicant shall provide proof that a provider is connected with the application if the provider is not the applicant by the provision of a lease agreement or other documentation that commits a provider to locate on the proposed tower and submit to the County for inclusion in the record of any subsequent public hearing on the application the following materials:
- A map showing the search ring utilized by the applicant in determining the appropriate location; and, in the case of a PSF in a residential area, a depiction of how the proposed location permits provision of service that cannot reasonably be provided from outside the residential area;
- An inventory and a map showing all existing structures and towers within the search ring that are available for collocation;
- A map showing all existing Public Service Facility Overlay Districts (PSFOD) and towers or existing structures of an appropriate height, within the search ring. The map shall also indicate all PSFODs which have been approved for the placement of communication towers.
- An analysis by an engineer licensed by the State of Florida, demonstrating how the tower location enhances the provision of service to areas not served or underserved by existing facilities and attesting that he/she has reviewed the propagation maps and radio frequency data, and that the submitted search ring is an accurate representation of the location and height requirements for the antenna array. The applicant shall also attest that coverage can not be provided from an existing structure or tower site.
- Provide evidence that the applicant has pursued collocation, use of approved sites, and use of existing structures of an appropriate height. Evidence shall consist of copies of all correspondence between the petitioner and the owner, operator, or manager of other structures, towers or land which can be utilized for collocation or the construction of a communication tower. Evidence shall also be provided as to the following matters, to the extent applicable to the application:
 - No existing towers or structures are located within the geographic area required to meet the provider's engineering requirements;
 - Existing towers and structures are not of a sufficient height to meet the provider's engineering requirements;
 - Existing towers or structures do not have sufficient structural strength to support the provider's proposed antenna requirements;
 - Existing towers or structures would cause electromagnetic interference;
 - The costs to add to an existing tower or structure exceed the development costs for a new tower; and/or
 - The applicant demonstrates other limiting factors that render existing towers or structures unsuitable.
- A visual line of sight analysis, including photo-simulated post construction renderings, to enable the County to assess the visual impact upon surrounding properties. Photo simulations shall depict the tower and antenna arrays for all potential collocated users.
- A description of viable alternatives for utilizing camouflage techniques.
- Proper access and parking for service vehicles must be demonstrated.

- For residential areas or districts the applicant must demonstrate to the satisfaction of the County that service cannot be provided from outside the residential area and that no alternative locations are available.
- (d) Be compatible with the surrounding land uses:
- Shall not have a negative material impact on surrounding land uses;
- Shall not have a negative material impact on infrastructure; or
- Shall not have negative material environmental impacts as allowed to be reviewed by applicable laws.
- Shall have minimal visual and functional conflict between the proposed use and nearby neighborhood uses.

Comments: The petitioner has provided the necessary documentation to support the application. The petitioner has proposed the following setback deviations to accommodate the construction of the tower:

- Monopole North Setback: 64' (Deviation from 125')
- Compound North Setback: 52' (Deviation from 125')
- Compound West Setback: 13' (Deviation from 35')

Staff has no objection to the proposed setback deviations.

Balloon Test Requirements

- Submit a balloon test, which will allow the Board of County Commissioners to evaluate the impact of the communication tower on the surrounding land uses and the compatibility of the communication tower. This test shall consist of:
- A balloon colored red, orange, or yellow and be no less than four feet in diameter;
- The balloon is to be flown at the height of the proposed tower or a maximum of 199 feet if the tower is greater than 199 feet;
- The balloon is to be flown for three consecutive days; except in the event of inclement weather, with the petitioner notifying the County of the delay. Nothing in this requirement should be construed as not having to fly the balloon for three days.
- The balloon is to be flown for a period of at least three hours per day between the hours of 7:00 am and 10:00 am;
- The balloon test cannot commence until after the posting and mailing of notice to the public;
- The applicant shall provide the Planning Department with 24-hour notice prior to the commencement of the balloon test; and,
- The applicant shall provide the Planning Department a signed affidavit, prior to the Planning and Zoning Commission meeting, attesting to the applicant having conducted the balloon test.

Comments: The petitioner has completed the balloon test and provided the requisite documentation.

Additional Requirements

- All other requirements of this ordinance.
- All activities shall be in conformance with standards established by the county, state and/or federal government.
- All development must meet, at a minimum, the dimension and area regulations of the underlying zoning district and the standards and criteria in this section. The board of county commissioners may increase the minimum dimension and area regulations for the proposed use if it is deemed necessary to protect the health, safety and welfare of the citizens of Hernando County. Any reduction of the minimum dimension and area regulations or other development standards and criteria contained in this section must be specifically enumerated in the application and would require the approval of a deviation by the board of county commissioners.
- An impact statement describing the current condition of adjacent natural resources and land uses to the proposed subject site, the projected impacts on these areas and mitigation plans if appropriate shall be submitted for review as part of the public facility overlay district application.

COMPREHENSIVE PLAN REVIEW

Strategy 1.04K(1): Minor public facilities that do not need to be designated with the Public Facilities Category may be allowed in any Future Land Use Map Category. These include local facilities such as wellfields, sewage collection facilities, water distribution facilities, communication towers, public buildings, schools and other governmental or public service structures and uses.

Comments: The tower is a minor public facility and is therefore allowed in any land use district.

FINDINGS OF FACT

The Public Service Facility Overlay District (PSFOD) for a communications tower is appropriate based on consistency with the Comprehensive Plan and compatibility with the surrounding uses.

NOTICE OF APPLICANT RESPONSIBILITY

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving a Public Service Facility Overlay District (PSFOD) for a communications tower with the following performance conditions:

1. Minimum Setbacks:
Monopole North Setback: 64' (Deviation from 125')
Compound North Setback: 52' (Deviation from 125')
Compound West Setback: 13' (Deviation from 35')
2. The tower shall be designed as a monopole and will support the antennas for T-Mobile may collocate three additional sets of antennas for a total of four collocations.
3. The tower compound must be fenced, signed and buffered in accordance with commercial design standards.
4. The monopole shall be designed with a collapsible hinge to protect adjacent structures.
5. The maximum height of the pole is 199 feet.

PLANNING AND ZONING COMMISSION RECCOMENDATION

On February 9, 2026, the Planning and Zoning approved the Petitioners request 5-0 to adopt a resolution approving a Public Service Facility Overlay District (PSFOD) for a communications tower with the following performance conditions:

1. Minimum Setbacks:
Monopole North Setback: 64' (Deviation from 125')
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2. The tower shall be designed as a monopole and will support the antennas for T-Mobile may collocate three additional sets of antennas for a total of four collocations.
3. The tower compound must be fenced, signed and buffered in accordance with commercial design standards.
4. The monopole shall be designed with a collapsible hinge to protect adjacent structures.
5. The maximum height of the pole is 199 feet.

BOCC ACTION:

On April 7, 2026, the Board of County Commissioners voted 4-0 to Postpone to May 5, 2026, the petitioners request to for a Public Service Facility Overlay District (PSFOD) for a communications tower with the following performance conditions: