

HOUSTON TOWER COMMISSION

To download the full agenda package visit:

https://www.houstontx.gov/planning/Commissions/commission_tower.html

Members

Rob Todd, Chair
John R. Melcher
Kerrick Henny
Yulanda Campbell
Linda Smith
Asim Tufail
Bobby De La Rosa

Secretary

Vonn Tran

Agenda

Monday, May 19th,
2025 3:30 p.m.

In-Person Meeting Location: Council
Chamber, City Hall Annex

Submit Written Comments to:
planning.tower@houstontx.gov

Make comments by phone to:
832-393-6624

SPEAKERS GUIDELINES

WELCOME to a meeting of the City's Planning and Development Department. Your input is valued. Board members act according to established standards; see rules or policies for details. Staff is available to help orient you on meeting procedures. For the City's I SPEAK language line, including traducción en español, call 832-393-3000

The public is encouraged to take an active interest in matters that come before the **Tower Commission**.

1. Anyone wishing to speak before the Commission should sign up to speak via phone **832-393-6624** or email **planning.tower@houston.tx.gov**, 24 hours in advance preferred.
2. Please note what item you wish to speak on, or if it is for general public comments.
3. All comments submitted in writing or by phone will be read into the record by staff.
4. If the speaker wishes to discuss any subject not otherwise on the agenda, time will be allocated or allotted after all agenda items have been processed and "public comments" are taken.
5. Applicants will be allowed to speak first and are allowed **five** minutes for an opening presentation. The applicant is also permitted a two-minute rebuttal after all speakers have been heard. If there are no speakers other than the applicant, there is no rebuttal period.
6. All other speakers will be permitted two minutes to address the Commission.
7. No speaker is permitted to accumulate speaking time from another person.
8. Time devoted to answering any questions from the Commission is not charged against allotted speaking time. The Commission may extend any speaker's speaking time if it is the Commission's judgment that additional time is needed to sufficiently discuss an item.
9. The Commission reserves the right to limit speakers if it is the Commission's judgment that an issue has been sufficiently discussed and additional speakers are repetitive.
10. The Commission reserves the right to stop speakers who are unruly or abusive.

NOTE: The Tower Commission may only act to approve or disapprove the placement of a tower under Chapter 28, Article XVI, City of Houston Code of Ordinances.

HOUSTON TOWER COMMISSION

AGENDA

Monday, May19th , 2025 3:30 p.m.

The Houston Tower Commission will conduct this meeting in-person.

To join this Commission meeting, please see the following options:

- Attend in person at City Hall Annex, Council Chamber, City Hall Annex

Please visit https://www.houstontx.gov/planning/Commissions/commiss_tower.html to download the full agenda package.

Call to Order

Secretary's Report

- I. Consideration of the April 28th, 2025 Tower Commission Meeting Minutes
- II. Public hearing and consideration of waiver requests:
 - A. 25-T-0767 5905 2/3 Harrisburg Blvd**
28-524(b) & (g) Allow a tower to be located in a residential area and within the residential setback "Fallzone".
- II. Public hearing and consideration of waiver requests:
 - B. 25-T-0768 7333 2/3 North Freeway**
28-528(b) & (g) Allow a tower to not provide the required landscape buffer
- III. Public Comment
- IV. Adjournment

The Tower Commission reserves the right to convene in Executive Session as authorized by the Texas Open Meetings Act, Texas Gov't Code Chapter 551, under any applicable exception thereto, including but not limited to Sec. 551.071, Consultation with Attorney.

HOUSTON TOWER COMMISSION
MINUTES
MONDAY, 28 APRIL 2025
CITY HALL ANNEX, COUNCIL CHAMBER, CITY HALL ANNEX

Call to Order at 3:36 PM by Rob Todd, Chair

| Commissioners | Quorum – Present/Absent |
|------------------------------------|-------------------------|
| Rob Todd, Chair | Present |
| John R. Melcher, Vice Chair | <i>Absent</i> |
| Yulanda Campbell | Present |
| Bobby De La Rosa | Present |
| Linda Smith | Present |
| Asim Tufail, Acting Vice Chair | <i>Absent</i> |
| Hector Rodriguez, Acting Secretary | Present |

I. CONSIDERATION OF THE DECEMBER 16TH, 2024 TOWER COMMISSION MEETING MINUTES

Motion: De La Rosa

Vote: Unanimous

Second: Smith

Abstaining/Opposed: None

II. PUBLIC HEARING AND CONSIDERATION OF WAIVER REQUESTS:

A. 25-T-0767 5905 2/3 HARRISBURG BLVD

Waiver Requested: 28-524(b) & (g) Allow a tower to be located in a residential area and within the residential setback "Fallzone".

Commission action: Deferred, requesting feedback from City Council and Metro.

Speaker(s): Vicent Huebinger, applicant, Tami Kim, Michael Hanson – opposed

Motion: Todd

Vote: Unanimous

Second: Campbell

Abstaining/Opposed: None

III. PUBLIC COMMENT – NONE

IV. ADJOURNMENT

There being no further business before the Commission, Chair Rob Todd adjourned the meeting at 4:09 PM.

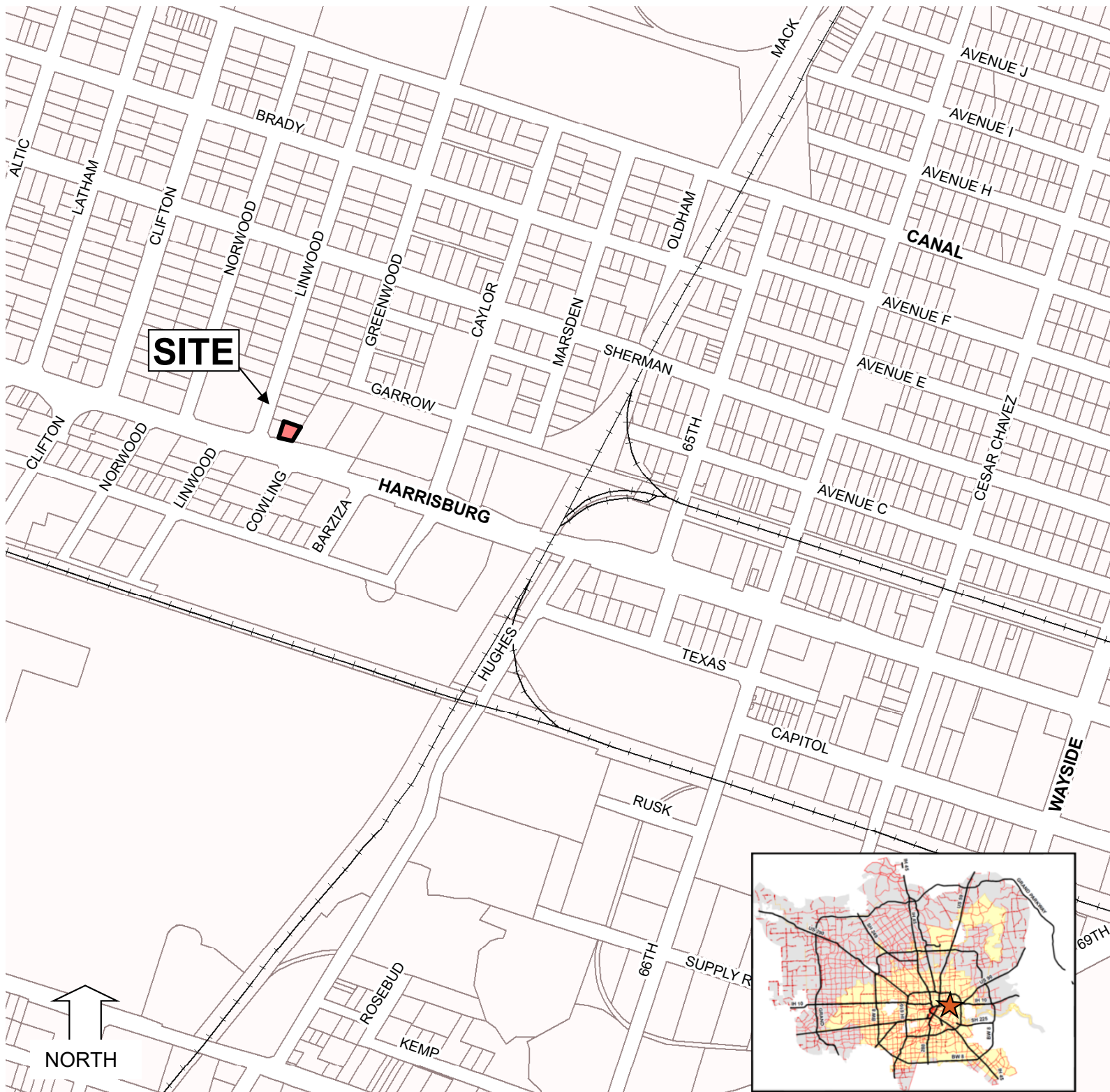
Rob Todd, Chair

Hector Rodriguez, Acting Secretary

Houston Tower Commission

Planning and Development Department

Meeting Date: 05/19/2025



Site Location

Houston Tower Commission

Planning and Development Department

Meeting Date: 05/19/2025

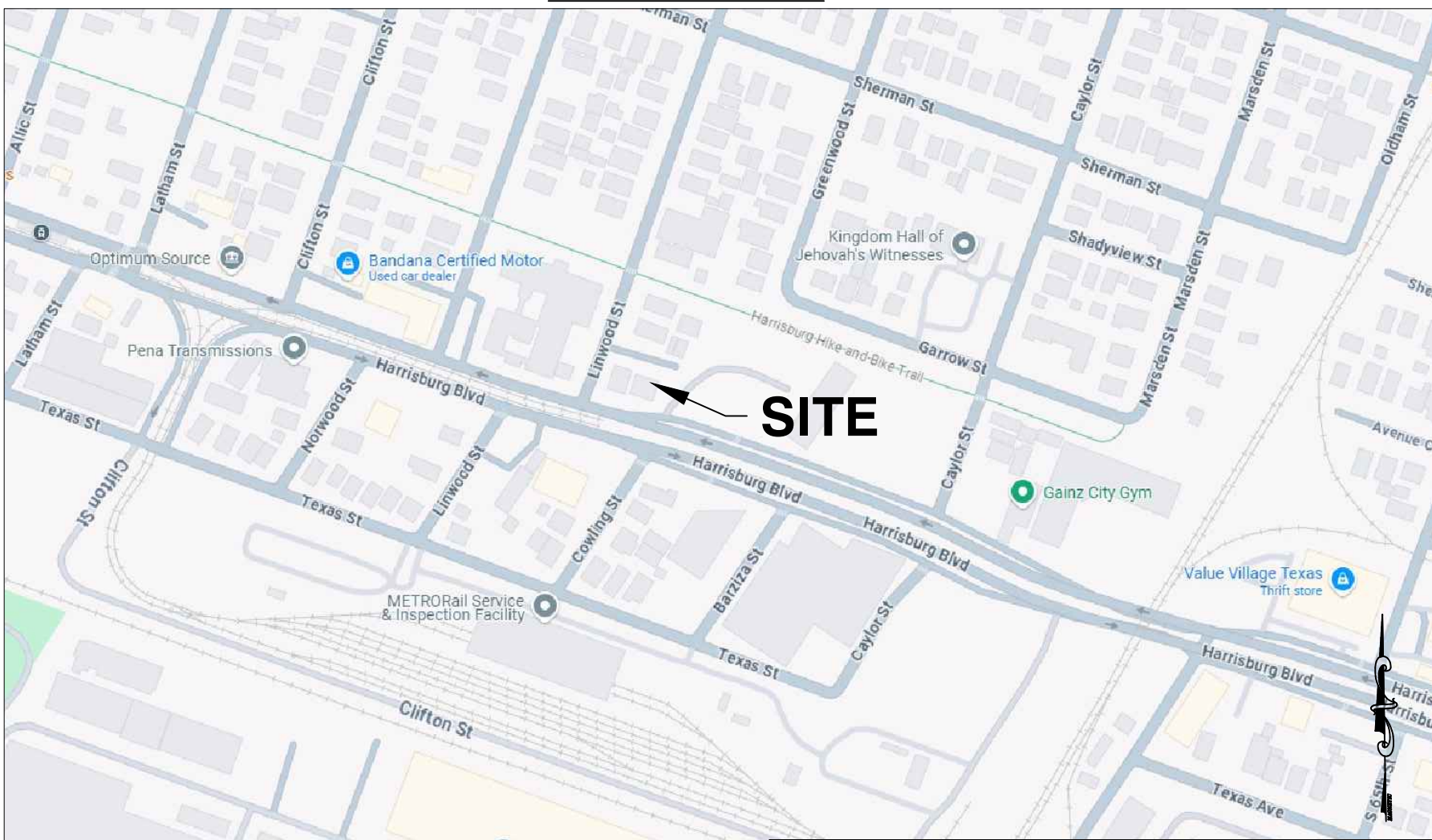
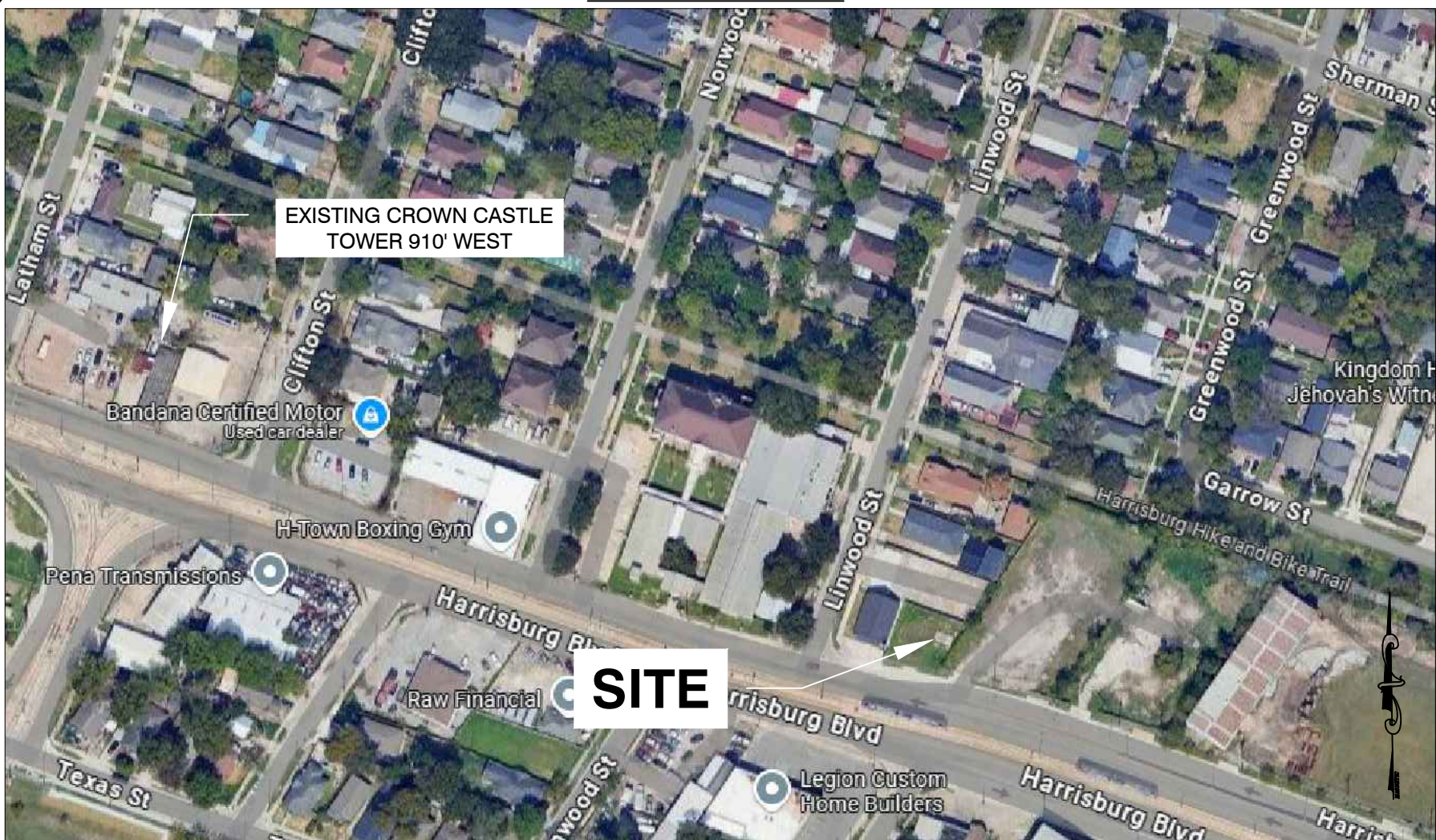


NORTH

Aerial

AERIAL MAP:

VICINITY MAP:



SITE PLAN:

LEGEND

- WTR — UNDERGROUND WATER LINE
— FENCE —
— EXISTING BUILDINGS —
— OHE — OVERHEAD ELECTRIC
— GAS — UNDERGROUND GAS LINE
— UTILITY POLE —
— UE — UNKNOWN UNDERGROUND LINE
- - - PROPERTY LINE

OWNER: AAK PROPERTIES LLC
309 LINWOOD ST, HOUSTON, TX 77011
LAND USE: PARKING LOT FOR RED BIRD DENTAL OFFICE

OWNER: METRO TRANSIT AUTHORITY
6001 HARRISBURG BLVD, HOUSTON, TX 77011
LAND USE: UNDEVELOPED

PROJECT INFORMATION:

TOWER OWNER

TVT III, LLC
495 TENNESSEE ST STE 152,
MEMPHIS, TN 38103
CONTACT: CRAIG ROYAL
PH: (901)277-4083

APPLICANT

VINCENT GERARD & ASSOCIATES
5524 BEE CAVES ROAD #K4,
AUSTIN, TX 78746
CONTACT: VINCE HUEBINGER
PHONE: 512.328.2693

SITE LOCATION

LAT. 29° 44' 25.0" N
LONG. 95° 18' 58.4" W

PROJECT TYPE

NEW 80' MONOPOLE
UNMANNED TELECOMMUNICATION
FACILITY, CONSISTING OF FUTURE
EQUIPMENT PLATFORMS, SHELTERS,
DIRECTIONAL AND GPS ANTENNAS

UTILITIES

ELECTRIC PROVIDER
CENTERPOINT ENERGY
1111 LOUISIANA STREET,
HOUSTON, TX 77002

PERMITTING

COUNTY: HARRIS COUNTY
JURISDICTION: CITY OF HOUSTON
BUILDING CODE: 2021 IBC
WATERSHED: BRAYS BAYOU
EXISTING USE: VACANT LOT
PROPOSED USE: TELECOMMUNICATION FACILITY

ADDRESS

5905 213 HARRISBURG BLVD.,
HOUSTON, TX 77011

LEGAL DESCRIPTION

LOT 10, BLOCK 28
FULLERTON PLACE
VOLUME 2 PAGE 28
M.R.H.C.T.

ONE-CALL TEXAS

CONTRACTOR TO CALL BEFORE DIGGING
PHONE: 811 OR 1.800.545.6000

LANDOWNER

540 INVESTMENT
PO BOX 230861
HOUSTON TX 77223-0861

SURVEYOR

3DD&E 3D DESIGN & ENGINEERING INC.
21502 E WINTER VIOLET CT
CYPRESS, TX 77433
PH: 832-510-9621

NOTES:

- THIS PROJECT IS LOCATED IN THE BRAYS BAYOU WATERSHED.
- APPROVAL OF THESE PLANS BY HARRIS COUNTY INDICATES COMPLIANCE WITH APPLICABLE CITY REGULATIONS ONLY. APPROVAL BY OTHER GOVERNMENTAL ENTITIES MAY BE REQUIRED PRIOR TO THE START OF CONSTRUCTION.
- (4) 7' LIVE OAKS PLANTED FOR SCREENING OF RESIDENTIAL TRACT.

IMPERVIOUS COVER SUMMARY

| | | |
|---|----------------------|-------|
| EXISTING TOTAL PROPERTY SIZE: | 17,859 SF (0.410 AC) | |
| EXISTING PAVED AREA: | 350 SF (0.008 AC) | |
| PROPOSED TOTAL LEASE SIZE: | 2,415 SF (0.055 AC) | |
| EXISTING TOTAL PROPERTY IMPERVIOUS COVER: | 350 SF (0.008 AC) | 1.95% |

| | | |
|---|-------------------|-------|
| PROPOSED IMPERVIOUS COVER | | |
| EQUIPMENT & TOWER: | 192 SF (0.004 AC) | |
| DRIVEWAY | 315 SF (0.007 AC) | |
| PROPOSED IMPERVIOUS COVER (THIS SITE PLAN): | 507 SF (0.012 AC) | 4.87% |

SHEET INDEX:

- SHEET 1:** PROJECT INFORMATION & TOWER SITE PLAN
SHEET 2: SURROUNDING LAND USE MAP
SHEET 3: TOWER ELEVATION, ESC, GRADING AND TOWER COMPOUND LAYOUT
SHEET 4: SURVEY INFORMATION
SHEET 5: FEMA FLOODPLAIN MAP
SHEET 6: RESIDENTIAL TEST RING



SITE INFORMATION

5905 213 HARRISBURG BLVD,
HOUSTON, TX 77011

PROPERTY OWNER

840 INVESTMENT
PO BOX 230861
HOUSTON, TX 77223

TOWER OWNER

TVT III, LLC
495 TENNESSEE ST
STE 152,
MEMPHIS, TN 38103
CONTACT: CRAIG ROYAL
PH: (901)277-4083

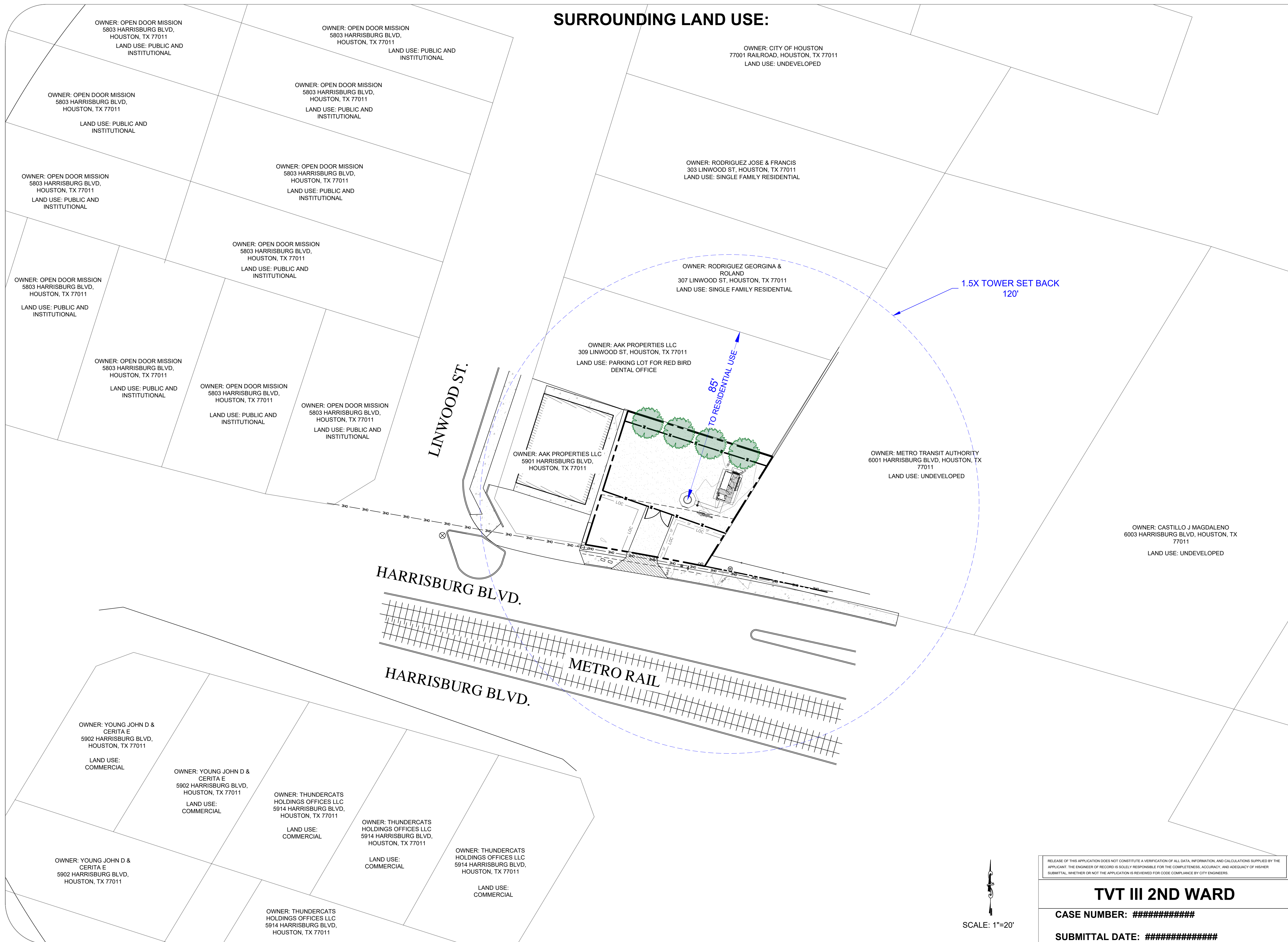
RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

TVT III 2ND WARD

CASE NUMBER: #####

SUBMITTAL DATE: #####

SURROUNDING LAND USE:



RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

TVT III 2ND WARD

CASE NUMBER: #####

SUBMITTAL DATE: #####



VINCENT GERARD & ASSOCIATES
LAND PLANNING & ZONING CONSULTANTS
1715 CAPITAL OF TEXAS HWY SOUTH, STE. 207
AUSTIN, TEXAS 78746
(512) 328-2693 • vj@vincentgerard.com

SITE INFORMATION

5905 3/4 HARRISBURG BLVD.
HOUSTON, TX 77011

PROPERTY OWNER
840 INVESTMENT
PO BOX 230861
HOUSTON, TX 77223

| |
|---|
| <p>TOWER OWNER</p> <p>TVT III, LLC</p> <p>495 TENNESSEE ST STE 152,</p> <p>MEMPHIS, TN 38103</p> <p>CONTACT: CRAIG ROYAL</p> <p>PH: (901)277-4083</p> |
|---|

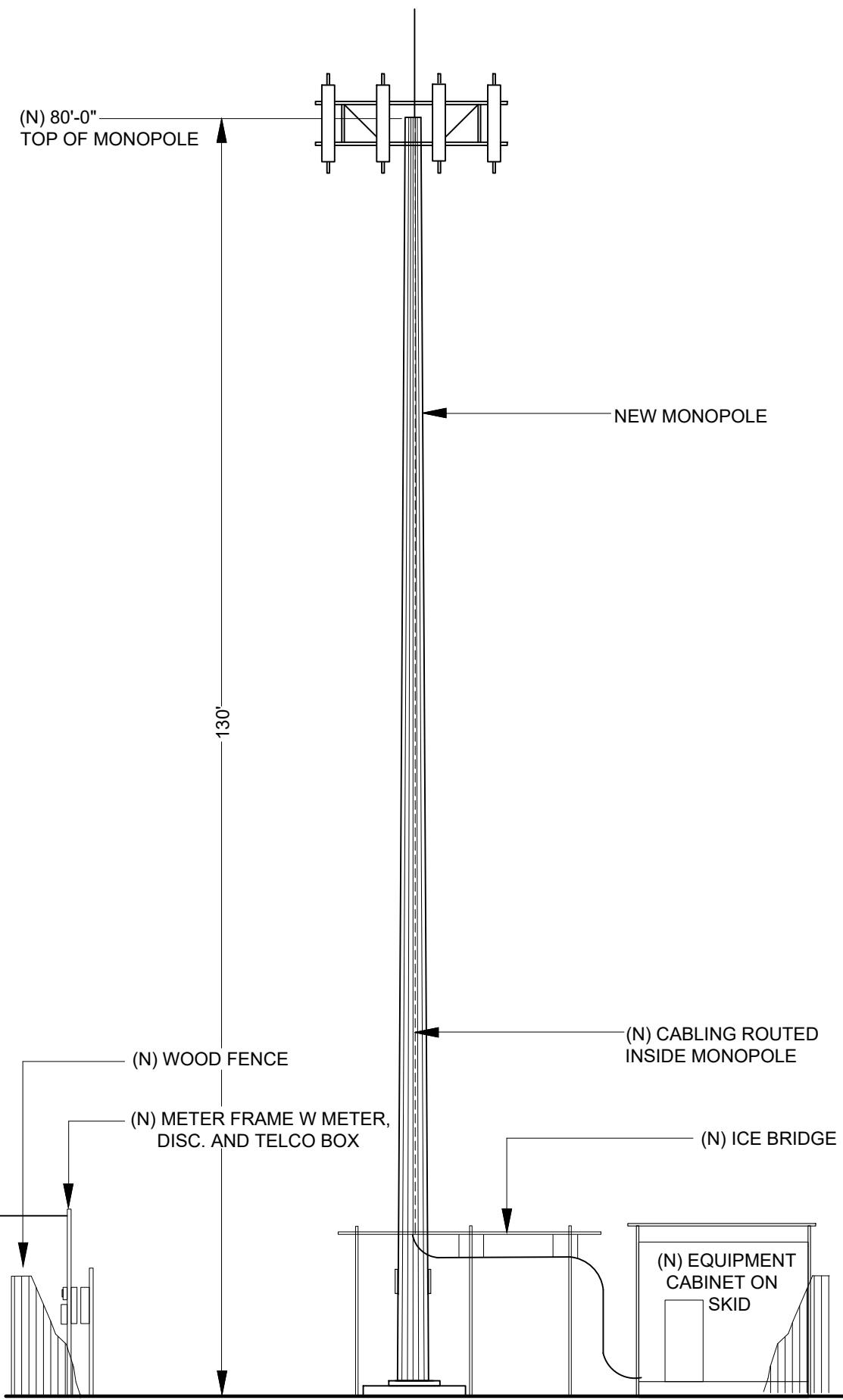
APPENDIX D

CONSTRUCTION NOTES TO BE ON ALL PROJECTS
DESCRIPTION OF ITEM
1. WATER LINES, WASTEWATER COLLECTION SYSTEMS, AND STORM DRAINAGE SYSTEMS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE CITY OF HOUSTON'S, DEPARTMENT OF PUBLIC WORKS AND ENGINEERING "DESIGN MANUAL, STANDARD CONSTRUCTION SPECIFICATIONS, AND DETAILS FOR WASTEWATER COLLECTION SYSTEMS, WATER LINES, STORM DRAINAGE AND STREET PAVING".
2. ALL STORM SEWER WILL BE REINFORCED CONCRETE (C76 CLASS III) AND SHALL BE INSTALLED, BEDDED AND BACKFILLED IN ACCORDANCE WITH THE CITY OF HOUSTON'S DRAWINGS 02317-02, 02317-03, 02317-05, 02317-06 AND 02317-07 AS APPLICABLE.
3. ALL STORM SEWERS CONSTRUCTED IN SIDE LOT EASEMENTS SHALL BE R.C.P., MINIMUM TWENTY (20) FOOT WIDE EASEMENTS SHALL BE PROVIDED.
4. AN ALTERNATIVE TO CEMENT-STABILIZED SAND MAY BE USED AS BACKFILL FOR PIPES FIFTY-FOUR (54) INCH AND LARGER, FROM 1-FOOT ABOVE THE TOP OF THE PIPE TO THE BOTTOM OF THE SUBGRADE. CONTRACTOR MAY BACKFILL WITH SUITABLE MATERIAL, PROVIDED THE BACKFILL MATERIAL IS PLACED IN EIGHT (8) INCH LIFTS AND MECHANICALLY COMPACTED TO NINETY-FIVE (95)% STANDARD PROCTOR DENSITY. TESTS SHALL BE TAKEN AT ONE HUNDRED (100) FOOT INTERVALS ON EACH LIFT. BEDDING AND BACKFILL TO ONE (1) FOOT ABOVE THE TOP OF THE PIPE SHALL BE CEMENT-STABILIZED SAND.
5. ALL PROPOSED PIPE STUB-OUTS FROM MANHOLES OR INLETS ARE TO BE PLUGGED WITH EIGHT (8) INCH BRICK WALLS UNLESS OTHERWISE NOTED.
6. THE CONTRACTOR(S) SHALL NOTIFY HARRIS COUNTY ENGINEERING DEPARTMENT - PERMIT OFFICE TWENTY-FOUR (24) HOURS IN ADVANCE OF COMMENCING UTILITY AND/OR PAVING CONSTRUCTION AT (713) 274-3823 AND WRITTEN NOTIFICATION FORTYEIGHT (48) HOURS IN ADVANCE OF COMMENCING CONSTRUCTION AT 10555 NORTHWEST FREEWAY, SUITE 144, HOUSTON, TX 77092.
7. PAVING SHALL BE IN ACCORDANCE WITH THE "REGULATIONS OF HARRIS COUNTY, TEXAS FOR THE APPROVAL AND ACCEPTANCE OF INFRASTRUCTURE" AND/OR AMENDMENTS OF THE SAME.
8. GUIDELINES SET FORTH IN THE LATEST EDITION OF THE "TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, TMUCD WITH REVISIONS" SHALL BE OBSERVED.
9. OWNER OR OWNER'S AGENT TO OBTAIN ALL PERMITS REQUIRED BY THE "REGULATIONS OF HARRIS COUNTY, TEXAS FOR FLOODPLAIN MANAGEMENT" PRIOR TO STARTING CONSTRUCTION.
10. OWNER OR OWNER'S AGENT TO OBTAIN ALL NOTIFICATIONS REQUIRED BY HARRIS COUNTY, TEXAS PRIOR TO STARTING CONSTRUCTION OF UTILITIES AND/OR CULVERTS WITHIN HARRIS COUNTY AND HARRIS COUNTY FLOOD CONTROL DISTRICT RIGHTS-OF-WAY.
PLEASE ADD ALL NOTES CIRCLED IN RED TO THE CONSTRUCTION PLANS

APPENDIX E

CONSTRUCTION NOTES INVOLVING UTILITIES AND PAVING WORK
LOCATED WITHIN A PUBLIC RIGHT-OF-WAY
DESCRIPTION OF ITEM
1. NOTE: "NOTIFICATIONS ISSUED BY HARRIS COUNTY ENGINEERING DEPARTMENT - PERMITS OFFICE - IS REQUIRED FOR PROPOSED WORK WITHIN HARRIS COUNTY RIGHT-OF-WAY. THE PROJECT MUST BE APPROVED PRIOR TO OBTAINING THE REQUIRED NOTIFICATION. BE ADVISED THAT A NOTIFICATION MUST BE OBTAINED SEPARATELY FROM SITE DEVELOPMENT PERMIT PACKAGE. FOR ADDITIONAL INFORMATION, PLEASE VISIT HTTP://WWW.ENG.HCTX.NET/PERMITS/PUBLIC-REVIEW-CODE/PUBLIC-PLANREVIEW/NOTIFICATION-OF-CONSTRUCTION-IN-THE-ROW OR CONTACT PUBLIC REVIEW INSPECTIONS DEPARTMENT @ (713-274-3931)"

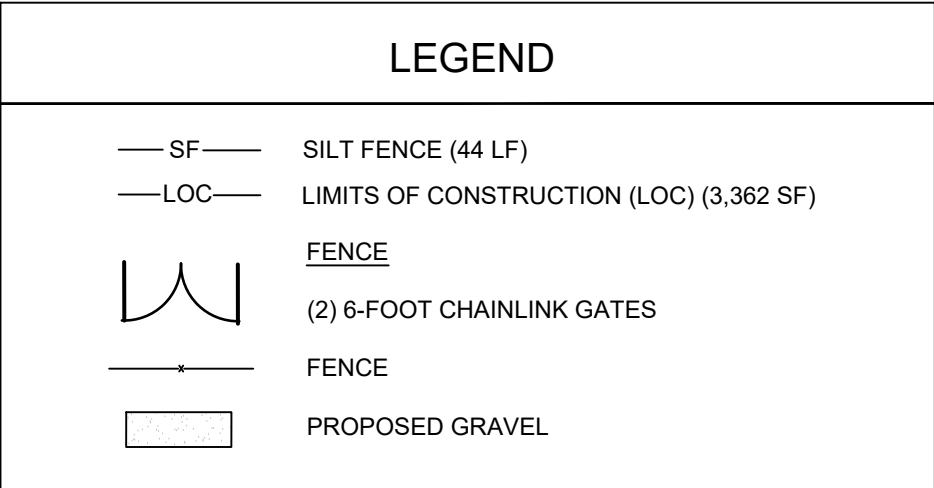
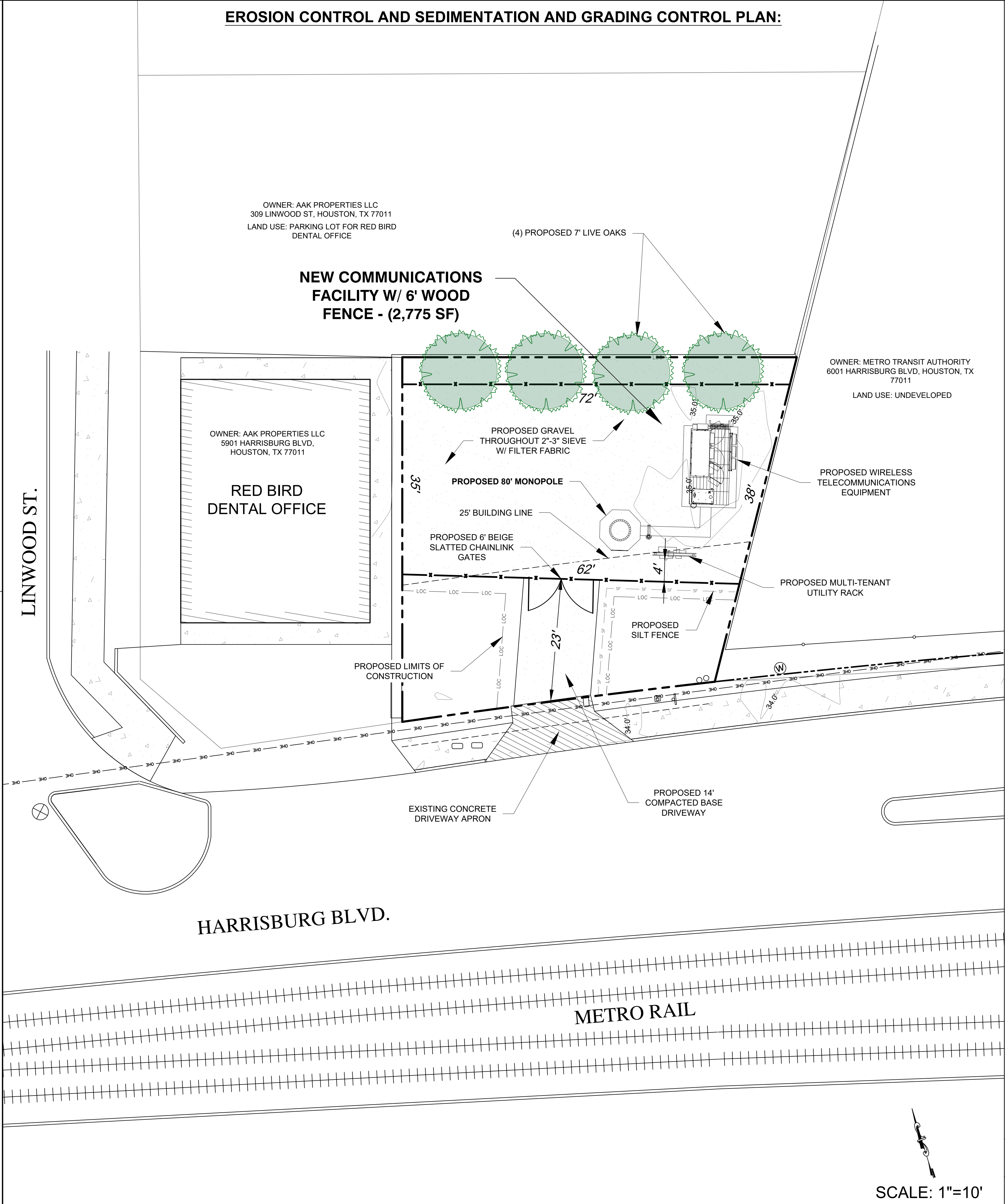
TOWER ELEVATION



NTS

NOTE: TYPICAL LEASE AREA, ACTUAL EQUIPMENT LOCATIONS MAY VARY.

EROSION CONTROL AND SEDIMENTATION AND GRADING CONTROL PLAN:



SITE NOTES:

- 1. GATE ENCLOSURE SHALL HAVE NFPA 704 SIGN.
- 2. THIS SITE WILL HAVE A BACKUP GENERATOR INSTALLED

RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HISHER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

TVT III 2ND WARD

CASE NUMBER: #####

SUBMITTAL DATE: #####



VINCENT GERARD & ASSOCIATES
LAND PLANNING & ZONING CONSULTANTS
1711 CAPITAL OF TEXAS BLVD, SUITE 307
HOUSTON, TEXAS 77056
(713) 274-3823 • vgerard@vincentgerard.com

| | |
|------------------|--|
| SITE INFORMATION | 5905 1/2 HARRISBURG BLVD, HOUSTON, TX 77011 |
| PROPERTY OWNER | 840 INVESTMENT PO BOX 230861 HOUSTON, TX 77223 |
| TOWER OWNER | TVT III, LLC 495 TENNESSEE ST STE 152, MEMPHIS, TN 38103 CONTACT: CRAIG ROYAL PH: (901)277-4083 |

LEGEND

- SINGLE-FAMILY RESIDENTIAL - 21 TRACTS (53.8%)
- MULTI-FAMILY RESIDENTIAL - 1 TRACT (2.6%)
- NON-RESIDENTIAL - 17 TRACTS (43.6%)

RESIDENTIAL TEST RING

375' RESIDENTIAL
TEST RING

PROPOSED 80'
MONOPOLE

NOTE:
GREATER THAN 50% RESIDENTIAL LAND USE.



VINCENT GERARD & ASSOCIATES
LAND PLANNING & ZONING CONSULTANTS
1115 CAPITAL OF TEXAS AVE. SUITE 307
HOUSTON, TX 77011
P: (713) 382-2852 • vgerard@vincentgerard.com

| | | | | | |
|-------------|--|----------------|--|------------------|--|
| TOWER OWNER | TVT III, LLC 495 TENNESSEE ST STE 152, MEMPHIS, TN 38103 CONTACT: CRAIG ROYAL PH: (901)277-4083 | PROPERTY OWNER | 840 INVESTMENT PO BOX 230861 HOUSTON, TX 77223 | SITE INFORMATION | 5905 HARRISBURG BLVD. HOUSTON, TX 77011 |
| | | | | | |
| | | | | | |

RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

TVT III 2ND WARD
CASE NUMBER:
SUBMITTAL DATE:

Appendix E
(Example: Waiver Request Form)

Houston Tower Commission

File No.: _____

Tower Permit Waiver Application

Date: ____ / ____ / ____

APPLICANT INFORMATION:

Site address: _____

Tower Company: _____

Contact person: _____ Title: _____

Phone: ____ / ____ FAX: ____ / ____ Email: _____

The waiver application request must be completed in full and include the appropriate studies, investigations, and colored coded maps. Applicants must provide 12 copies minimum of supporting documentation with the waiver application. A separate application is required for each waiver. Attach no more than 2 pages of waiver request details.

WAIVER REQUEST:

Specify City Code reference and standard subject to waiver:

Reason for waiver:

WAIVER JUSTIFICATION:


Following a public hearing, the Tower Commission is authorized to consider and grant a waiver according to the five provisions delineated in Chapter 28, Article XVI, Section 28-532. Provide an attachment to this form repeating the following conditions with a response for justification of the waiver for each of the by showing that:

1. *a literal application of this article will result in undue and unnecessary hardship to the applicant, taking into account any federal or state licenses the applicant may have received to conduct its business because...;*
2. *the waiver, if granted, will not be contrary to the public interest as implemented in this article because...;*
3. *consistent with the city's police power authority over towers, the waiver, if granted, will not be detrimental to the public health, safety, or welfare because...;*
4. *the waiver, if granted, will not result in a violation of any other applicable ordinance, regulation or statute enforceable by the city because...; and*
5. *the waiver, if granted, will not result in the violation of any applicable deed restriction or zoning regulation or the location of a tower in a park because....*

Tower permit applications that do not comply with Section 28-524(h) regarding the 1,000-foot tower separation standard must also complete **Tower Permit Waiver Application – Page 2**.

WAIVER APPLICATION CERTIFICATION

I certify that all the information on this application is true and correct.

Signature of applicant or agent:  _____

Print Name: _____



Vincent Gerard & Associates, Inc.

Supplemental Document for Tower Waiver – Residential Test ring Justification request 1-5

- 1) A literal application of this article will result in undue and unnecessary hardship to this applicant, taking into account any federal or state licenses the applicant may have received to conduct its business because.

The carrier has indicated problems in this area for AT&T coverage and dropped calls. The site is a very small lot with no deed restrictions. There are no other sites in the area that do not have deed restrictions on parcels or that were willing landowners. It would be an undue hardship to not waive this requirement to allow normal usage of cellular phone and data and increase coverage to the existing homesites in the area for this 53% residential test ring. Federal licenses to provide coverage should be considered as well as FirstNet capabilities on this site for our first responders. This site will also be available and marketed for other carriers.

- 2) The waiver, if granted, will not be contrary to the public interest as implemented in this article because.

The public interest is best served by better coverage, 911, FirstNet and emergency calls in the surrounding area.

- 3) Consistent with the city's police power authority over towers, the waiver, if granted, will not be detrimental to the public health, safety, or welfare because.

It is located the height of the tower plus 5' additional from any residential used property in the area and most of the parcels surrounding this site are commercial or metro owned tracts. The site has frontage on the Houston rail system and had ROW taken from the tract. It is too small for normal commercial uses with marketable parking. It will not have any detrimental or adverse impacts for public health, safety, and welfare. In fact, it increases the safety and welfare of the public by providing better coverage, 911 and FirstNet to the residents and first responders in this area.

- 4) The waiver, if granted, will not result in a violation of any other applicable ordinance, regulation or statute enforceable by the city because.

No other ordinances or regulations exist on this site that would be impacted by this waiver. The site is an unused vacant parcel and fits the needs of the carrier, It will be best served as a two carrier site, so ordinance violations appear not to be impacted.

- 5) The waiver, if granted, will not result in the violation of any applicable deed restriction or zoning regulation or the location of a tower in a park because.

The site deed restrictions allow for commercial usage as per recent title search and Deed Restriction affidavit. No other applicable ordinances or zoning laws would be violated in the waiver of this article. Granting this waiver will improve services to all residents.

Appendix E
(Example: Waiver Request Form)

Houston Tower Commission

File No.: _____

Tower Permit Waiver Application

Date: ____ / ____ / ____

APPLICANT INFORMATION:

Site address: _____

Tower Company: _____

Contact person: _____ Title: _____

Phone: ____ / ____ FAX: ____ / ____ Email: _____

The waiver application request must be completed in full and include the appropriate studies, investigations, and colored coded maps. Applicants must provide 12 copies minimum of supporting documentation with the waiver application. A separate application is required for each waiver. Attach no more than 2 pages of waiver request details.

WAIVER REQUEST:

Specify City Code reference and standard subject to waiver:

Reason for waiver:

WAIVER JUSTIFICATION:

Following a public hearing, the Tower Commission is authorized to consider and grant a waiver according to the five provisions delineated in Chapter 28, Article XVI, Section 28-532. Provide an attachment to this form repeating the following conditions with a response for justification of the waiver for each of the by showing that:

1. *a literal application of this article will result in undue and unnecessary hardship to the applicant, taking into account any federal or state licenses the applicant may have received to conduct its business because...;*
2. *the waiver, if granted, will not be contrary to the public interest as implemented in this article because...;*
3. *consistent with the city's police power authority over towers, the waiver, if granted, will not be detrimental to the public health, safety, or welfare because...;*
4. *the waiver, if granted, will not result in a violation of any other applicable ordinance, regulation or statute enforceable by the city because...; and*
5. *the waiver, if granted, will not result in the violation of any applicable deed restriction or zoning regulation or the location of a tower in a park because....*

Tower permit applications that do not comply with Section 28-524(h) regarding the 1,000-foot tower separation standard must also complete **Tower Permit Waiver Application – Page 2**.

WAIVER APPLICATION CERTIFICATION

I certify that all the information on this application is true and correct.

Signature of applicant or agent:  _____

Print Name: _____



Vincent Gerard & Associates, Inc.

**Supplemental Document for Tower Waiver – Tower Separation Distance
from Residential uses- Justification request 1-5**

- 1) A literal application of this article will result in undue and unnecessary hardship to this applicant, taking into account any federal or state licenses the applicant may have received to conduct its business because.

The carrier (AT&T Mobility) has indicated that the 59' Crown tower to the west does not work for height, area and space available for Ground equipment. Further, AT&T was advised by the Crown staff that to accommodate AT&T on the site 910' west, Crown would have to request additional lease space and Tower commission waivers for a new 80' monopole as a drop and swap and cost over \$500,000 for the waiver and replacement site. AT&T made an economic business decision to allow Tower Ventures to obtain a new site since the existing site is 59' and does not have to comply with the code at that height. This site will also be available and marketed for other carriers. For AT&T to provide coverage in this area, this site will need a slight variance from 1.5x height to 1x height of the tower from residential use. We plan to mitigate the distance with some additional Landscaping along the north boundary of this tract.

- 2) The waiver, if granted, will not be contrary to the public interest as implemented in this article because.

The public interest is best served by better coverage, 911, FirstNet and emergency calls in the surrounding area. AT&T has determined it is cost prohibitive to rebuild the Crown tower 910' west, and this site was selected as the best available candidate. No other candidates were found in their 1/6-mile search ring. It is also a very minimal departure from the code at 85' from Residential and the residence has a screened wood fence.

- 3) Consistent with the city's police power authority over towers, the waiver, if granted, will not be detrimental to the public health, safety, or welfare because.

Yes, it is a very minimal variance, and the proposed location will meet the height of the tower away from residential use at 85' to the lot line and garage apartment, 100' to the main residence. At 120' being 1.5 x the height of the tower – as shown in the exhibit below it only affects 1 residence. We have provided a fall zone letter for safety to the residence at 40' stamped by the manufacturer of the tower. This is probably the highest and best use for this vacant parcel on a busy Houston Metro. It will not have any detrimental or adverse impacts for public health, safety, and welfare. In fact, it increases the safety and welfare of the public by providing better coverage, 911 and FirstNet to the residents and first responders in this area and further out due to increased height.

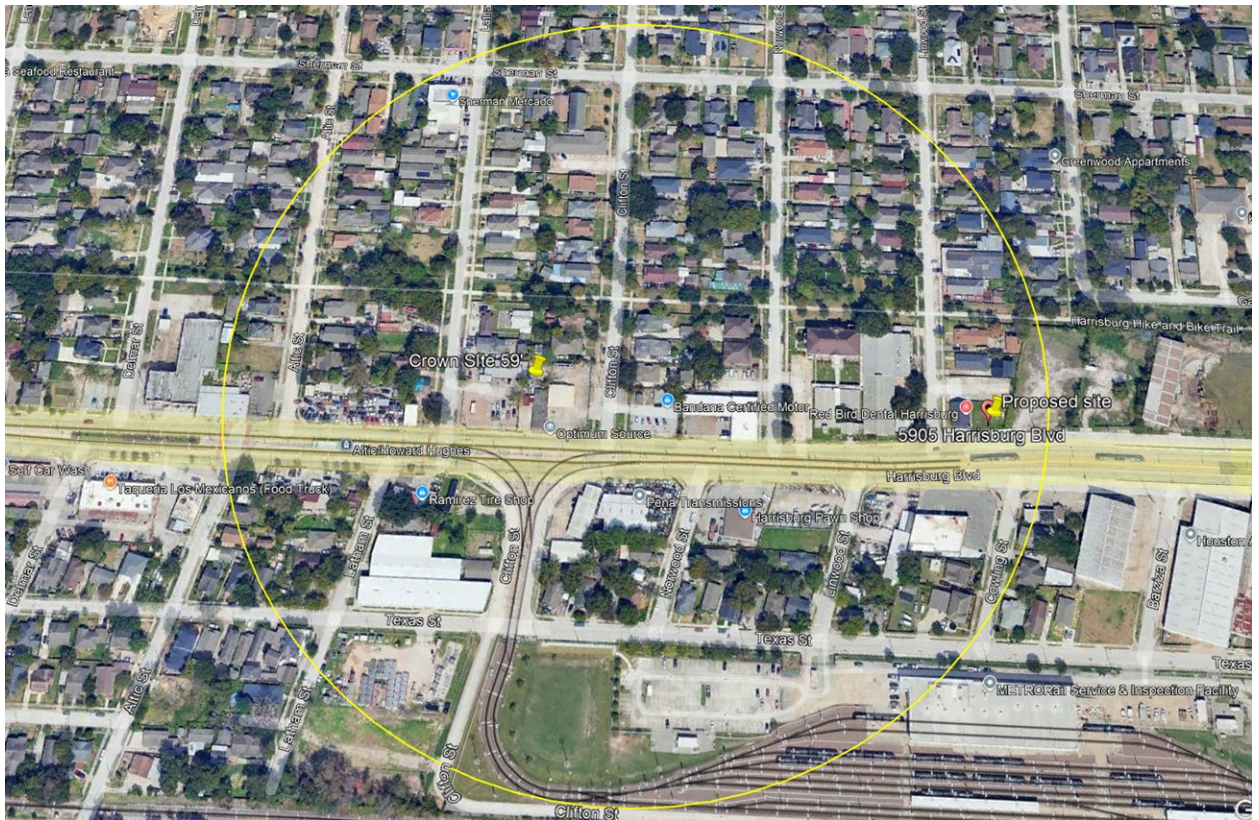
- 4) The waiver, if granted, will not result in a violation of any other applicable ordinance, regulation or statute enforceable by the city because.

No other ordinances or regulations exist on this site that would be impacted by this waiver. The site is an unused vacant parcel and fits the needs of the carrier, it will be best served as a two or three carrier site, so ordinance violations appear not to be impacted.

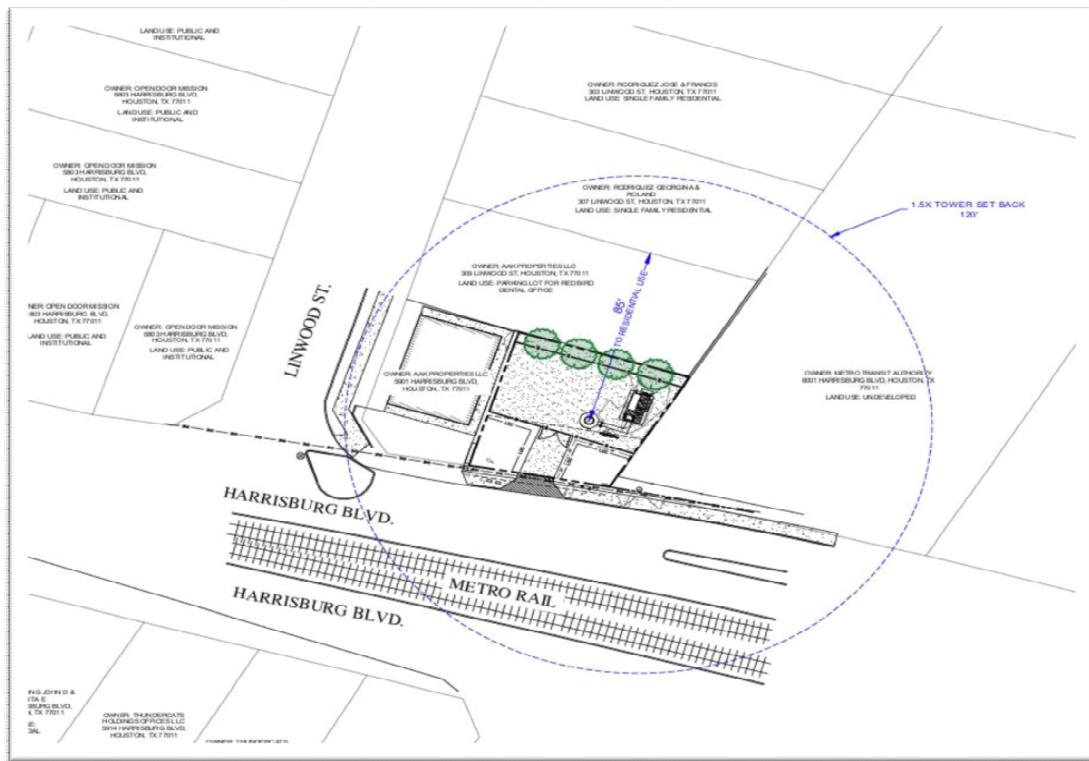
- 5) The waiver, if granted, will not result in the violation of any applicable deed restriction or zoning regulation or the location of a tower in a park because. The site deed restrictions allow for commercial usage as per recent title search and Deed Restriction affidavit. No other applicable ordinances or zoning laws would be violated in the waiver of this article. Granting this waiver will improve services to all residents. No parks are surrounding the site. There is an improved hike and bike trail



Proposed site with 1.5x height setback shown in yellow ring. It affects only 1 residential lot.
Note the small lot area for this entire lot.



1/6 Mile search ring shown above. No other candidates were found. Numerous residential lots are not allowed and numerous commercial lots did not respond to contacts or did not have the space available.



STAFF COMMENTS:**Approval Criteria****Staff Findings**

| | |
|---|---|
| Tower is not prohibited by deed restrictions | The applicant has provided a deed restriction affidavit stating this tower proposal will not violate deed restrictions. |
| Tower is located in a residential area Residential test area is a 375' radius measured from the base of the tower. More than 50% of the tracts or parcels are used or restricted for residential purposes | Tower is located in an area comprised of 56% residential tracts |
| Tower is not within a scenic area, in a park or on a tract of land surrounded by a park | The tower is not within a scenic area, park or in a tract of land surrounded by a park as defined by the ordinance. |
| Tower must setback 1-1/2 times the height of the tower from a residential lot. | Nearest residential tract allowed by the ordinance is 120'. The nearest residential structure is approximately 85' from the proposed tower. |
| Must not be within 1,000' of an approved tower structure | There is no approved tower structure within 1000' |



CITY OF HOUSTON

Planning and Development

John Whitmire

Mayor

Vonn Tran
Director
P.O. Box 1562
Houston, Texas 77251-1562

T. 832.393.6600
F. 832.393.6661
www.houstontx.gov

March 20th , 2025

SUBJECT: Tower Application # **25-T-0767**
SITE LOCATION: 5905 2/3 Harrisburg Blvd
PROPOSED HEIGHT: 80' feet
TOWER OWNER: Tower Ventures
TOWER APPLICANT: **Henry Wells**

The Planning and Development Department of the City of Houston received an application to construct a new communications tower situated within lot 10, Block 28 of the Fullerton Place subdivision. Please refer to the attached map, site plan and schematic for details.

The Tower Ordinance requires owners of property located within the residential test area of the proposed tower be given written notice of said proposal. Copies of all supporting documents, instruments, or other materials that are to be presented at the hearing must accompany this request. The waiver requested is to allow a tower structure to be placed within a residential area and to be located within the "Fall zone" of a residential structure (Ch. 28-524 (B) 7 (G).

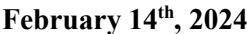
Since the Application contains a waiver request, a public hearing is also scheduled. You may attend the Tower Commission meeting where this item will be heard on **Monday, April 28th, 2025**, at 3:30 p.m. The meeting will be in person at the City Hall Annex building, 900 Bagby Street, 77251. You can access the Tower Commission webpage at https://www.houstontx.gov/planning/Commissions/commiss_tower.html.

Additional information may be obtained by writing or contacting Geoff Butler or Devin Crittle at 832.393.6600 of the Planning and Development Department. For more specific information on the proposal, you may also contact the Applicant shown above.

Vonn Tran, Director

Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.

Council Members: Amy Peck • Tarsha Jackson • Abbie Kamin • Carolyn Evans-Shabazz • Fred Flickinger • Tiffany D. Thomas • Mary Nan Huffman
Mario Castillo • Joaquin Martinez • Edward Pollard • Martha Castex-Tatum • Julian Ramirez • Willie Davis • Twila Carter • Letitia Plummer • Sallie Alcorn
Controller: Chris Hollins



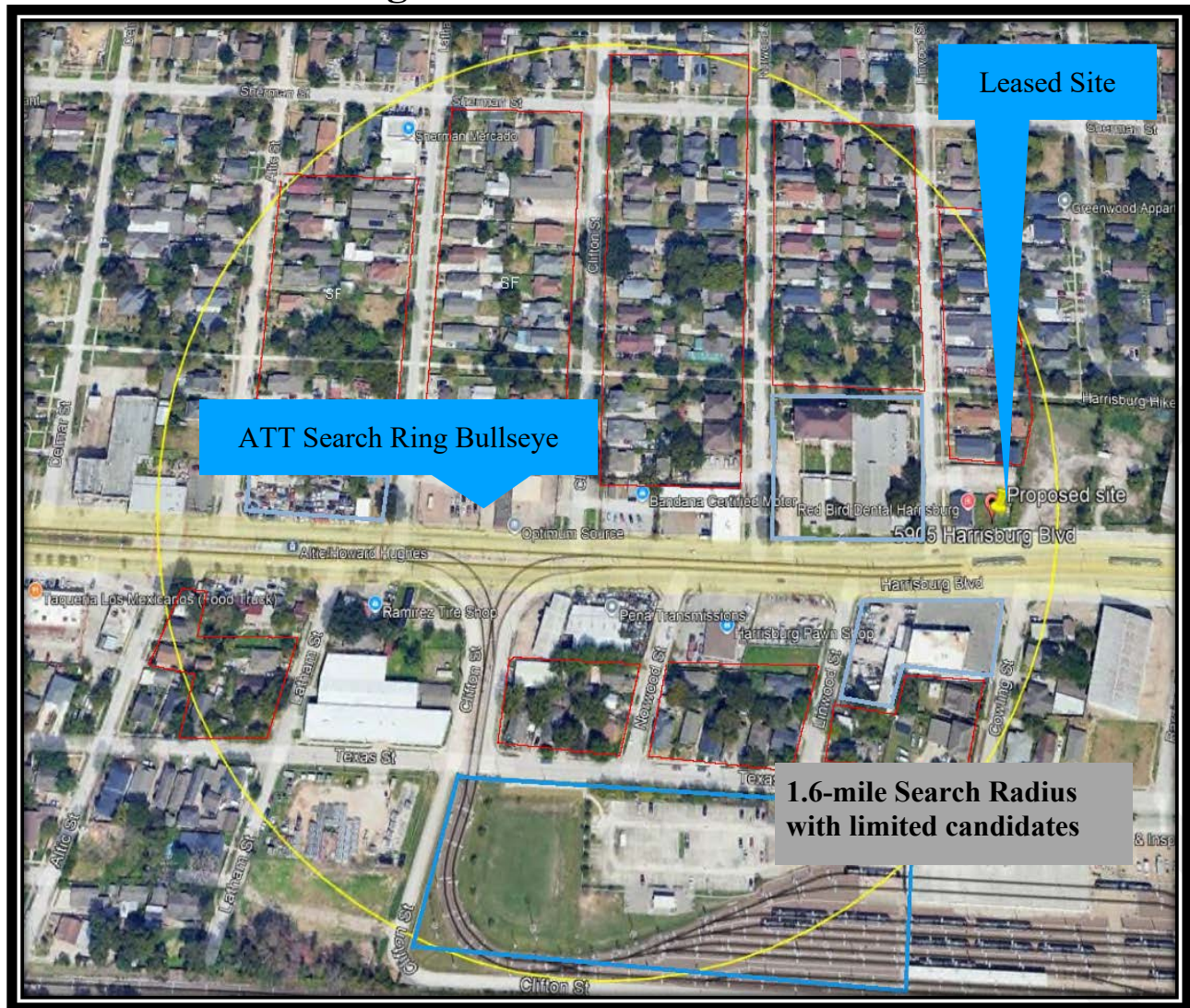
5905 Harrisburg BLVD Houston, TX 77011



towerventures.com



Original ATT Search Area:



495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com



Tower Lease Candidate – 5905 Harrisburg BLVD - Mario Mozzarella Candidate .

In doing a review of the possible tower sites in the 2nd Ward ATT search ring, we were well aware of the tower siting issues. First, the search area is 90% residential and that discounted any possibility of a tower site (See red square on map) .

Second, most of the commercial properties are too small to accommodate a 40/45 x 40/45 Lease area. We build multiple tower tenants; this avoids having to build single carrier towers or one tower per carrier. We commit to seeking out additional carrier tenants on the proposed tower.

The proposed tower property is large enough for a tower compound ground space that can house more than just one tower tenant. In addition, we have to do our best to meet the applicable setbacks as required by the City of Houston Zoning Ordinance. Properties that meet this criteria are extremely limited in this search area.



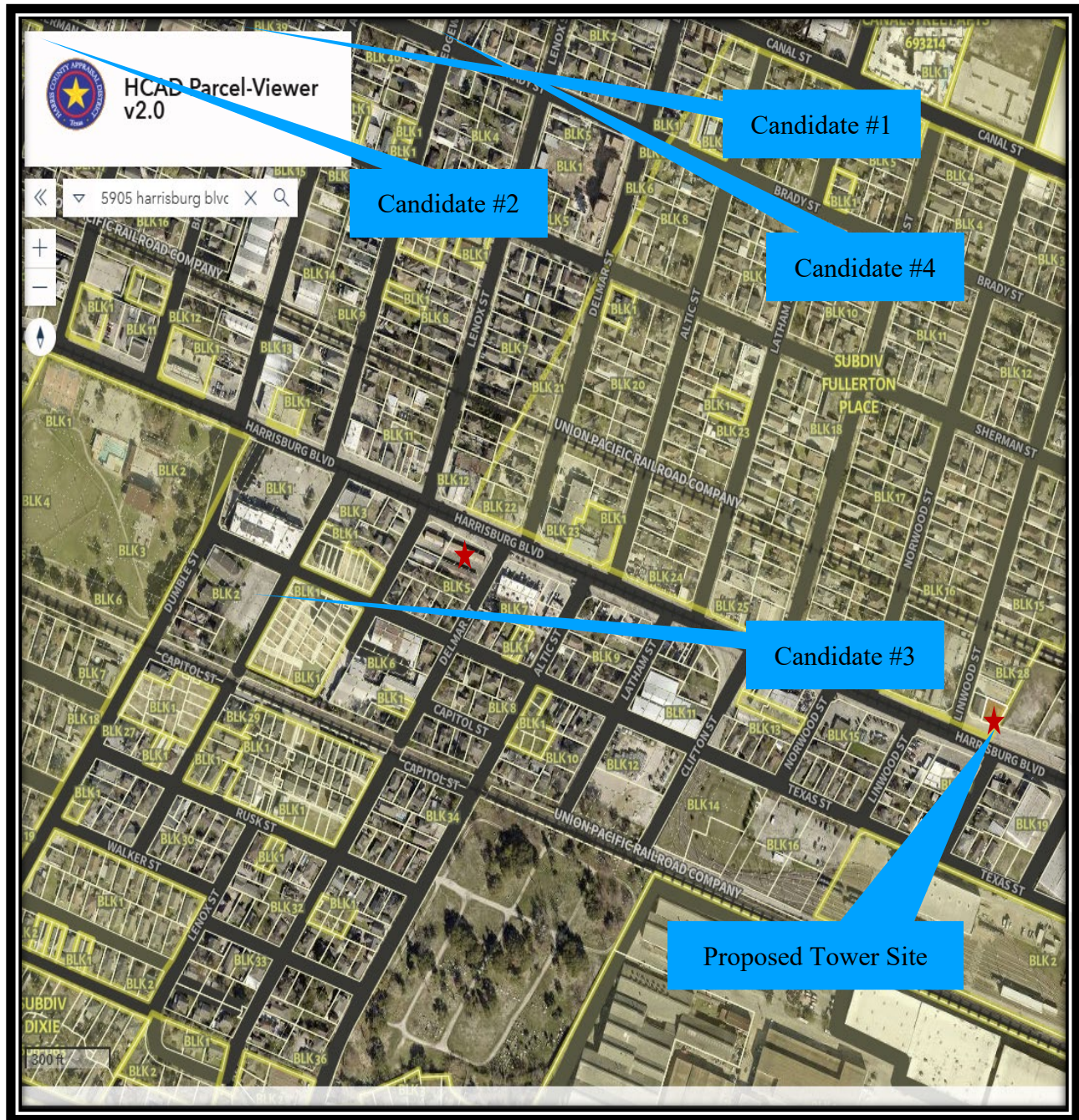


Initial Potential Candidates Eliminated:





Harris County Parcel Map Identified Candidates 1-4:

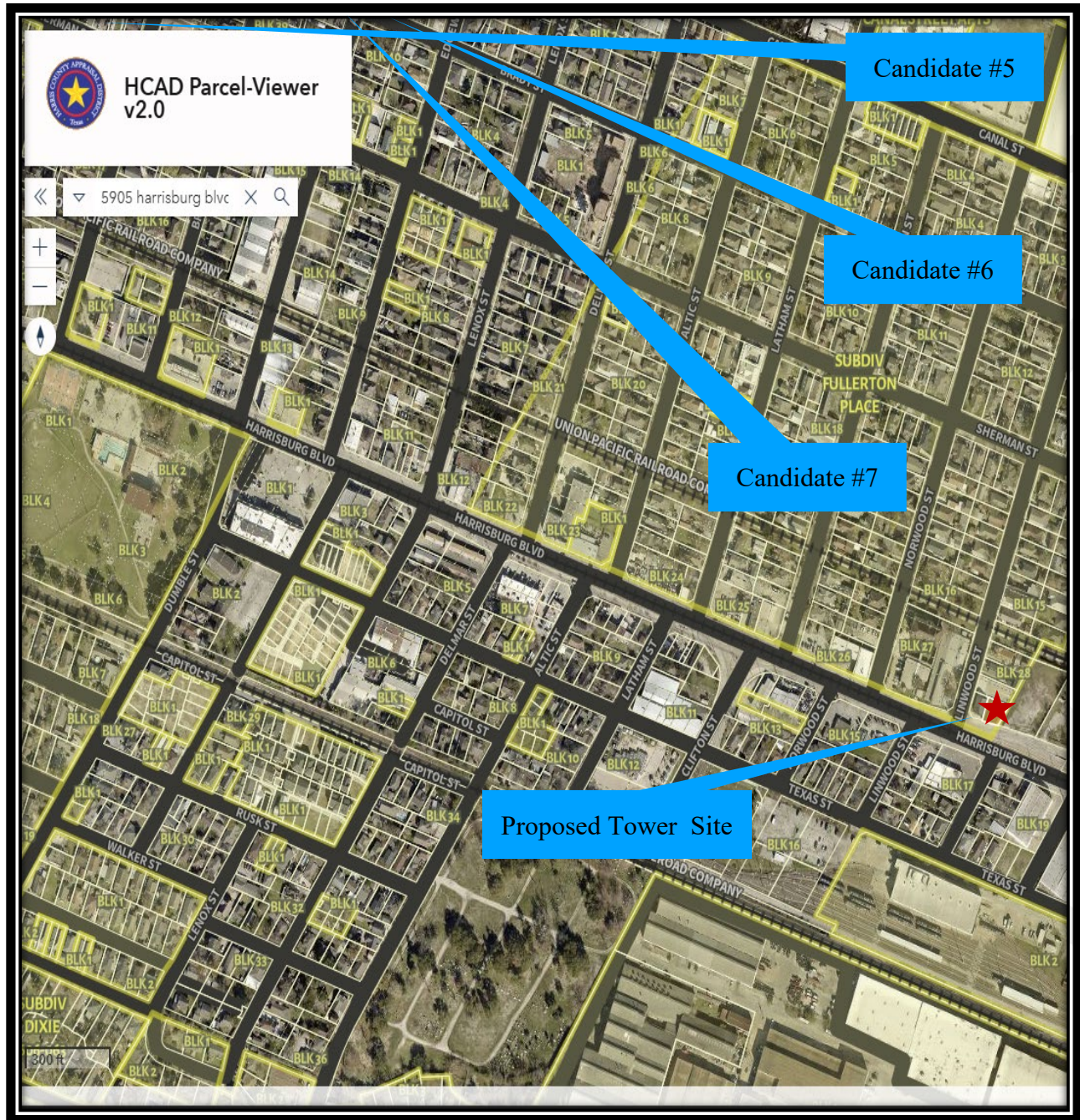


495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com

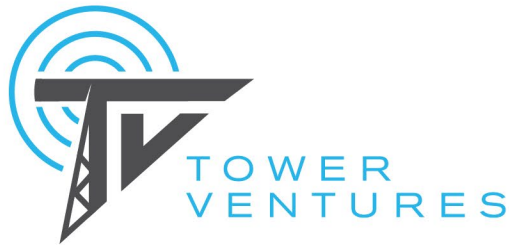


Harris County Parcel Map II Identified Candidates 5-7:



495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com



Candidate Elimination Report (Identified Candidates):

Search Area Characteristics: *The bulk of the 1.6-mile search area is made up of mostly residential properties, greatly limiting tower site opinions and candidates. About 90% of this ring is residential. The following candidates were the potential candidates that we contacted. As our search rings analysis showed, these were candidates that best fit ATT's network needs and most closely meet the City of Houston's Cell Tower Zoning ordinance*

Candidate # 1: Kanprop Navigation LLC. This property is in the extreme north part of the ring. Kanprop showed some initial interest, however their main concern was that a tower could interfere with their future growth and location expansion plans. A copy of the prospective candidate letter sent is attached.

Candidate #2: Oset Holdings LLC. It is also located in the extreme NW corner of the ring, and maybe too far NW of the Ring's center. Some interest was shown by this landowner. The owner thought the lease area of 45ft x 45ft was simply too big of an area for his parcel. Declined lease. A copy of the prospective candidate letter sent is attached.

Candidate #3: Phillip Quevedo. Larger parcel. Spoke with Mr. Quevedo. Said he already had development plans for the property, and he had no room for a tower site. A copy of the prospective candidate letter sent is attached.

Candidate #4: Zero Products INC. Larger parcel, however, the existing building and driveways take up most available space for a tower. Simply put, we could never find a location on the property that would fit a tower lease area. A copy of the prospective candidate letter sent is attached.

Candidate #5: 5601 Navigation LLC. Letter sent. No response from prospective landowner. A copy of the prospective candidate letter sent is attached.

Candidate #6: Jumbo Properties No. 1 LLC. Several attempts were made to contact the landowner. Multiple letters sent. No response from prospective landowner. A copy of the prospective candidate letter sent is attached.

Candidate #7: Speak Holdings LLC. Located at 215 Baywood. We could not work out a tower lease area with the landowner that was not in an easement or low area on the property. A copy of the prospective candidate letter sent is attached.



Candidate # 1: Kanprop Navigation LLC Prospect Letter – 8/20/2024



August 20th, 2024

Kanprop Navigation LLC
12015 Radium St, Ste 100
San Antonio, TX 78216

RE: Tower Ventures Site: Second Ward HTX

Dear Landowner:

We Are interested in Leasing Property from You!

Tower Ventures, a Memphis based Cell Tower Development Co, is seeking to Lease ground space on your property located at 210 Baywood. We pay better rental rates than our competitors! We are willing to quickly sign a ground Lease.

Currently, we are searching for landowners who would be interested in entering into a Lease Agreement. Only a small portion of your property is needed for the purpose of constructing and operating a cell tower.

Your property has been identified as a potential candidate location for a cell tower lease. If you would be interested in discussing a Lease, please call me at (901)-871-6432. Or you may e-mail me at hwells@towerventures.com. I am available to meet with you, on site, at your earliest convenience. Please call to setup a meeting.

Again, if you are interested in this opportunity, please contact me at (901)-871-6432, or you may e-mail me at hwells@towerventures.com. I have only a short amount of time to locate viable properties in the area, so please contact me at your earliest convenience. I can answer any questions you may have. Many thanks

Sincerely,

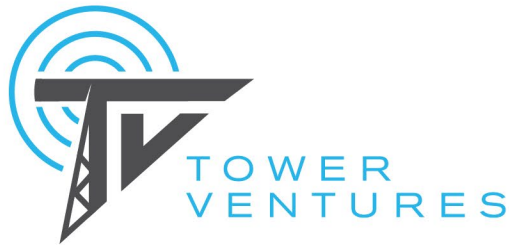
Henry Wells
Tower Ventures
Cell: 901-871-6432
Off.: 901-805-5164
495 Tennessee Street
Suite # 152
Memphis, TN 38103
hwells@towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com



Candidate #2: Oset Holdings LLC– 8/20/2024



August 20th, 2024

Oset Holdings LLC
2400 McCue Rd, Apt 231
Houston, TX 77056

RE: Tower Ventures Site: Second Ward HTX

Dear Landowner:

We Are interested in Leasing Property from You!

Tower Ventures, a Memphis based Cell Tower Development Co, is seeking to Lease ground space on your property located at 5200 Navigation. We pay better rental rates than our competitors! We are willing to quickly sign a ground Lease.

Currently, we are searching for landowners who would be interested in entering into a Lease Agreement. Only a small portion of your property is needed for the purpose of constructing and operating a cell tower.

Your property has been identified as a potential candidate location for a cell tower lease. If you would be interested in discussing a Lease, please call me at (901)-871-6432. Or you may e-mail me at hwells@towerventures.com. I am available to meet with you, on site, at your earliest convenience. Please call to setup a meeting.

Again, if you are interested in this opportunity, please contact me at (901)-871-6432, or you may e-mail me at hwells@towerventures.com. I have only a short amount of time to locate viable properties in the area, so please contact me at your earliest convenience. I can answer any questions you may have. Many thanks

Sincerely,

Henry Wells
Tower Ventures
Cell: 901-871-6432
Off.: 901-805-5164
495 Tennessee Street
Suite # 152
Memphis, TN 38103
hwells@towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com



Candidate #3: Phillip Quevedo – 8/20/2024



August 20th, 2024

Philip Quevedo
323 N Edgewood St
Houston, TX 77011

RE: Tower Ventures Site: Second Ward HTX

Dear Landowner:

We Are interested in Leasing Property from You!

Tower Ventures, a Memphis based Cell Tower Development Co, is seeking to Lease ground space on your property located at 323 N Edgewood. We pay better rental rates than our competitors! We are willing to quickly sign a ground Lease.

Currently, we are searching for landowners who would be interested in entering into a Lease Agreement. Only a small portion of your property is needed for the purpose of constructing and operating a cell tower.

Your property has been identified as a potential candidate location for a cell tower lease. If you would be interested in discussing a Lease, please call me at (901)-871-6432. Or you may e-mail me at hwells@towerventures.com. I am available to meet with you, on site, at your earliest convenience. Please call to setup a meeting.

Again, if you are interested in this opportunity, please contact me at (901)-871-6432, or you may e-mail me at hwells@towerventures.com. I have only a short amount of time to locate viable properties in the area, so please contact me at your earliest convenience. I can answer any questions you may have. Many thanks

Sincerely,

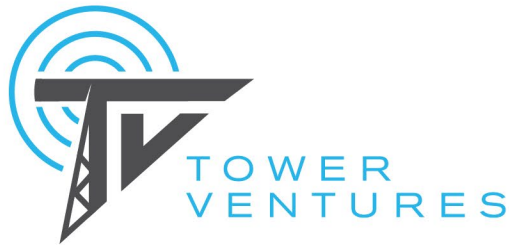
Henry Wells
Tower Ventures
Cell: 901-871-6432
Off.: 901-805-5164
495 Tennessee Street
Suite # 152
Memphis, TN 38103
hwells@towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com



Candidate #4: Zero Products INC. – 8/20/2024



August 20th, 2024

Zero Products Inc
PO Box 24146
Houston, TX 77229

RE: Tower Ventures Site: Second Ward HTX

Dear Landowner:

We Are interested in Leasing Property from You!

Tower Ventures, a Memphis based Cell Tower Development Co, is seeking to Lease ground space on your property located at 0 Baywood. We pay better rental rates than our competitors! We are willing to quickly sign a ground Lease.

Currently, we are searching for landowners who would be interested in entering into a Lease Agreement. Only a small portion of your property is needed for the purpose of constructing and operating a cell tower.

Your property has been identified as a potential candidate location for a cell tower lease. If you would be interested in discussing a Lease, please call me at (901)-871-6432. Or you may e-mail me at hwells@towerventures.com. I am available to meet with you, on site, at your earliest convenience. Please call to setup a meeting.

Again, if you are interested in this opportunity, please contact me at (901)-871-6432, or you may e-mail me at hwells@towerventures.com. I have only a short amount of time to locate viable properties in the area, so please contact me at your earliest convenience. I can answer any questions you may have. Many thanks

Sincerely,

Henry Wells
Tower Ventures
Cell: 901-871-6432
Off.: 901-805-5164
495 Tennessee Street
Suite # 152
Memphis, TN 38103
hwells@towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com



Candidate #5: 5601 Navigation LLC. – 8/20/2024



August 20th, 2024

5601 Navigation LLC
3300 Chimney Rock Rd, Ste 301
Houston, TX 77056

RE: Tower Ventures Site: Second Ward HTX

Dear Landowner:

We Are interested in Leasing Property from You!

Tower Ventures, a Memphis based Cell Tower Development Co, is seeking to Lease ground space on your property located at 0 Baywood. We pay better rental rates than our competitors! We are willing to quickly sign a ground Lease.

Currently, we are searching for landowners who would be interested in entering into a Lease Agreement. Only a small portion of your property is needed for the purpose of constructing and operating a cell tower.

Your property has been identified as a potential candidate location for a cell tower lease. If you would be interested in discussing a Lease, please call me at (901)-871-6432. Or you may e-mail me at hwells@towerventures.com. I am available to meet with you, on site, at your earliest convenience. Please call to setup a meeting.

Again, if you are interested in this opportunity, please contact me at (901)-871-6432, or you may e-mail me at hwells@towerventures.com. I have only a short amount of time to locate viable properties in the area, so please contact me at your earliest convenience. I can answer any questions you may have. Many thanks

Sincerely,

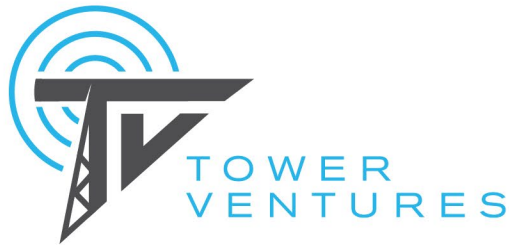
Henry Wells
Tower Ventures
Cell: 901-871-6432
Off.: 901-805-5164
495 Tennessee Street
Suite # 152
Memphis, TN 38103
hwells@towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com



Candidate #6: Jumbo Properties No. 1 LLC– 8/20/2024



August 20th, 2024

Jumbo Properties No 1 LLC
310 Crestwood Dr
Houston, TX 77007

RE: Tower Ventures Site: Second Ward HTX

Dear Landowner:

We Are interested in Leasing Property from You!

Tower Ventures, a Memphis based Cell Tower Development Co, is seeking to Lease ground space on your property located at 5450 Navigation. We pay better rental rates than our competitors! We are willing to quickly sign a ground Lease.

Currently, we are searching for landowners who would be interested in entering into a Lease Agreement. Only a small portion of your property is needed for the purpose of constructing and operating a cell tower.

Your property has been identified as a potential candidate location for a cell tower lease. If you would be interested in discussing a Lease, please call me at (901)-871-6432. Or you may e-mail me at hwells@towerventures.com. I am available to meet with you, on site, at your earliest convenience. Please call to setup a meeting.

Again, if you are interested in this opportunity, please contact me at (901)-871-6432, or you may e-mail me at hwells@towerventures.com. I have only a short amount of time to locate viable properties in the area, so please contact me at your earliest convenience. I can answer any questions you may have. Many thanks

Sincerely,

Henry Wells
Tower Ventures
Cell: 901-871-6432
Off.: 901-805-5164
495 Tennessee Street
Suite # 152
Memphis, TN 38103
hwells@towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com



Candidate #7: Speck Holdings LLC– 8/20/2024



August 20th, 2024

Speck Holdings LLC
31115 Gullwing Manor Dr
Tomball, TX 77375

RE: Tower Ventures Site: Second Ward HTX

Dear Landowner:

We Are interested in Leasing Property from You!

Tower Ventures, a Memphis based Cell Tower Development Co, is seeking to Lease ground space on your property located at 215 Baywood. We pay better rental rates than our competitors! We are willing to quickly sign a ground Lease.

Currently, we are searching for landowners who would be interested in entering into a Lease Agreement. Only a small portion of your property is needed for the purpose of constructing and operating a cell tower.

Your property has been identified as a potential candidate location for a cell tower lease. If you would be interested in discussing a Lease, please call me at (901)-871-6432. Or you may e-mail me at hwells@towerventures.com. I am available to meet with you, on site, at your earliest convenience. Please call to setup a meeting.

Again, if you are interested in this opportunity, please contact me at (901)-871-6432, or you may e-mail me at hwells@towerventures.com. I have only a short amount of time to locate viable properties in the area, so please contact me at your earliest convenience. I can answer any questions you may have. Many thanks

Sincerely,

Henry Wells
Tower Ventures
Cell: 901-871-6432
Off.: 901-805-5164
495 Tennessee Street
Suite # 152
Memphis, TN 38103
hwells@towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com

495 Tennessee Street • Suite 152 • Memphis, TN 38103
Toll Free: 1-800-875-5109 • Tel: 901-794-9494

towerventures.com

**Houston
Tower
Commission**

Item II B

7333 North Freeway

Houston Tower Commission

Planning and Development Department

Meeting Date: 05/19/2025



Site Location

Houston Tower Commission

Planning and Development Department

Meeting Date: 05/19/2025

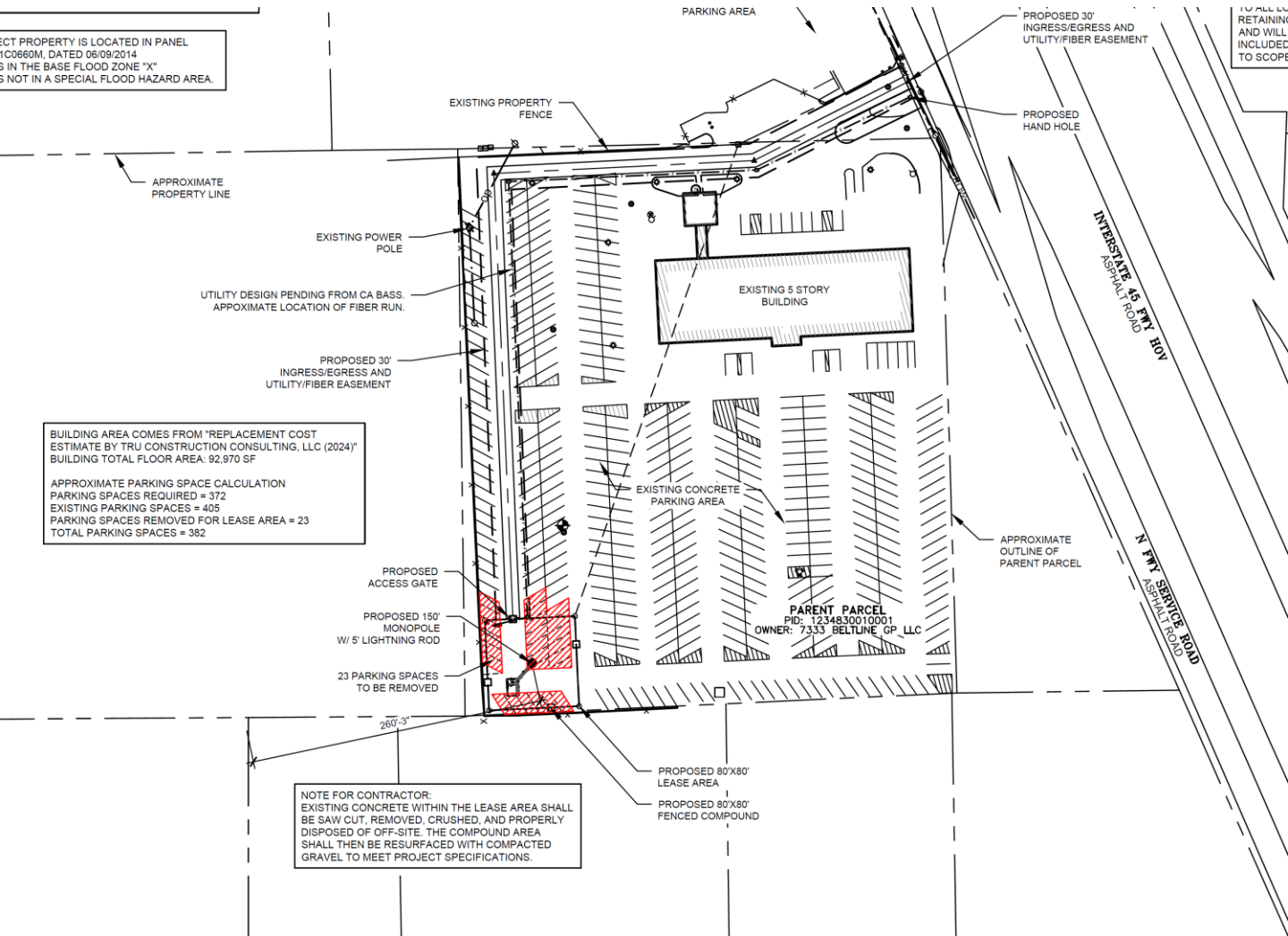


Aerial

Houston Tower Commission

Planning and Development Department

Meeting Date: 05/19/2025

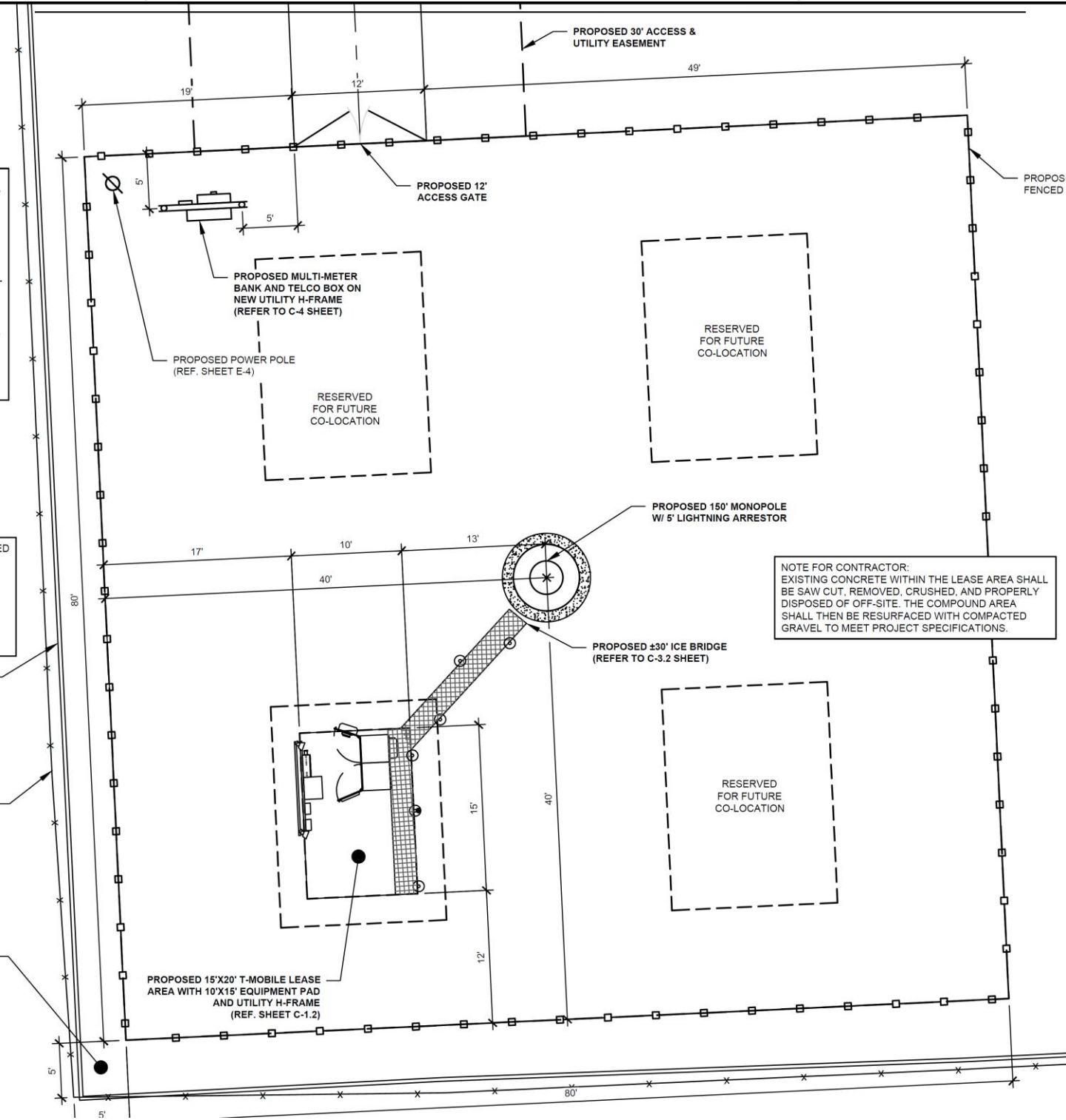


site

Houston Tower Commission

Planning and Development Department

Meeting Date: 05/19/2025

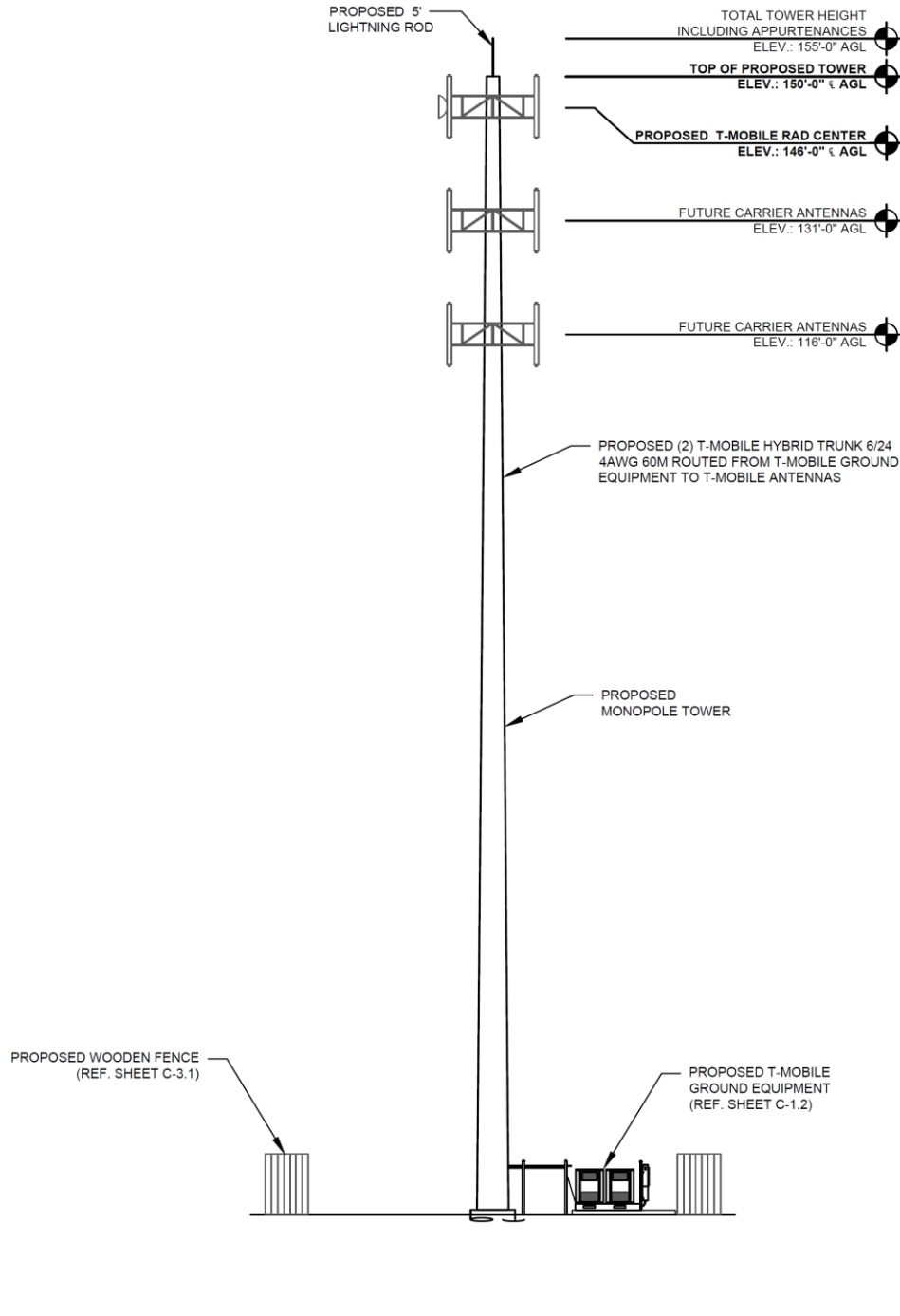


site

Houston Tower Commission

Planning and Development Department

Meeting Date: 05/19/2025



Elevation

Houston Tower Commission

Planning and Development Department

Meeting Date: 05/19/2025

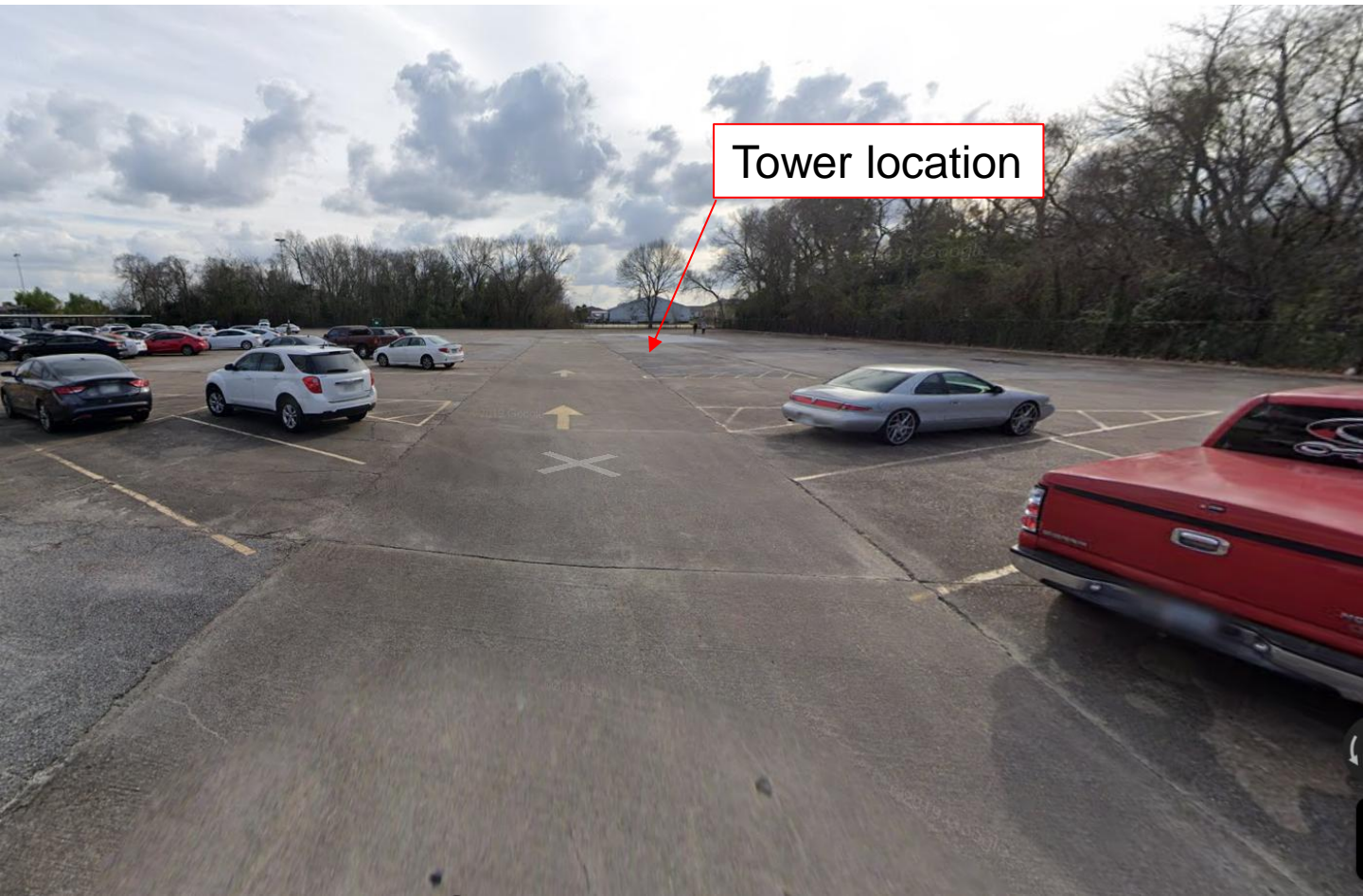


Land Use

Houston Tower Commission

Planning and Development Department

Meeting Date: 05/19/2025



Tower location



CITY OF HOUSTON



**PLANNING &
DEVELOPMENT
DEPARTMENT**

HOUSTON TOWER COMMISSION

Tower Permit Application

Date: 03/27/2025

| Location | File # | Zip Code | Lambert # (Facet) | Key Map | Council District |
|--|--------|----------|-------------------|---------|------------------|
| Site address 7333 N Freeway Service Road | -T- | 77076 | 5262D | | H |

Tower Company: Skyway Towers, LLC

Property Owner: 7333 Beltline GP, LLC

Address: 3637 Madaca Lane

Address: 4713 W Lovers Lane, Suite 300

City: Tampa **State:** FL **Zip:** 33618

City: Dallas **State:** TX **Zip:** 75209

Contact Person: Holly Gatti

Phone 903-596-8464
& e-mail: Holly.Gatti@cabass.net

Type of Tower

| | | |
|--|---|--|
| Monopole <input checked="" type="checkbox"/> | New <input checked="" type="checkbox"/> | Cellular <input checked="" type="checkbox"/> |
| Lattice <input type="checkbox"/> | Alteration <input type="checkbox"/> | Microwave <input type="checkbox"/> |
| Guyed Tower <input type="checkbox"/> | Replacement <input type="checkbox"/> | Radio <input type="checkbox"/> |
| Camouflage <input type="checkbox"/> | Exempt <input type="checkbox"/> | Television <input type="checkbox"/> |

Base of Tower

Height of Tower

Deed Restrictions

| | | |
|---|-----------------|--|
| On Grade <input checked="" type="checkbox"/> | Existing: N/A | Yes <input type="checkbox"/> |
| Attached to a Building <input type="checkbox"/> | Proposed: 150ft | No <input checked="" type="checkbox"/> |

Latitude and Longitude: 29.865751, -95.407943

NADS Lat and Long: 29-51-56.704 N, 95-24-28.595 W

Location of Tower

- Within a historic district? Yes ☐ No ☒
- Within 1,320 feet of a historic district or landmark? Yes ☐ No ☒
- Within a scenic area or park? Yes ☐ No ☒
- Within 1,000 feet of an existing tower? Yes ☐ No ☒
- Distance to nearest residence or residential lot: 260 feet

Tower Permit Waiver ApplicationDate: 03 / 27 / 25**APPLICANT INFORMATION:**Site address: 7333 N Freeway Service Road, Houston, TX 77091Tower Company: Skyway Towers, LLCContact person: Holly Gatti Title: Site Acquisition RepresentativePhone: 903 / 596-8464 FAX: / Email: Holly.Gatti@cabass.net

The waiver application request must be completed in full and include the appropriate studies, investigations, and colored coded maps. Applicants must provide 12 copies minimum of supporting documentation with the waiver application. A separate application is required for each waiver. Attach no more than 2 pages of waiver request details.

WAIVER REQUEST:

Specify City Code reference and standard subject to waiver: **Sec. 28-528 within Chapter 28 Article XVI. Regulation of Towers**

Reason for waiver: **The proposed tower site is located in an existing parking lot area. In order to provide landscaping, the existing asphalt surrounding the tower compound would need to be demolished, which is not approved by the property owner.**

WAIVER JUSTIFICATION:

Following a public hearing, the Tower Commission is authorized to consider and grant a waiver according to the five provisions delineated in Chapter 41, Article III, Section 41-59. Provide an attachment to this form repeating the following conditions with a response for justification of the waiver for each of the by showing that:

1. *a literal application of this article will result in undue and unnecessary hardship to the applicant, taking into account any federal or state licenses the applicant may have received to conduct its business because...;*
2. *the waiver, if granted, will not be contrary to the public interest as implemented in this article because...;*
3. *consistent with the city's police power authority over towers, the waiver, if granted, will not be detrimental to the public health, safety, or welfare because...;*
4. *the waiver, if granted, will not result in a violation of any other applicable ordinance, regulation or statute enforceable by the city because...; and*
5. *the waiver, if granted, will not result in the violation of any applicable deed restriction or zoning regulation or the location of a tower in a park because....*

Tower permit applications that do not comply with Section 41-53(h) regarding the 1,000-foot tower separation standard must also complete **Tower Permit Waiver Application – Page 2.**

WAIVER APPLICATION CERTIFICATION

I certify that all the information on this application is true and correct.

Signature of applicant or agent: _____

Print Name: _____

Holly Gatti
Holly Gatti



11710 FM 2661
Tyler, Texas 75709

May 9, 2025

Tower Permit Waiver Justification Q&A

Application ID: 25-T-0678

WAIVER JUSTIFICATION:

Following a public hearing, the Tower Commission is authorized to consider and grant a waiver according to the five provisions delineated in Chapter 41, Article III, Section 41-59. Provide an attachment to this form repeating the following conditions with a response for justification of the waiver for each of the by showing that:

1. a literal application of this article will result in undue and unnecessary hardship to the applicant, taking into account any federal or state licenses the applicant may have received to conduct its business because **the proposed tower site is located in an existing parking lot area. In order to provide a landscape buffer, the existing pavement would need to be demolished, which will create unnecessary construction costs and damage which is not approved by the property owner;**
2. the waiver, if granted, will not be contrary to the public interest as implemented in this article because **the proposed tower site will be screened by an 8-foot wooden fence and there are existing trees on both the West and South sides of the site facing the nearest Residential property;**
3. consistent with the city's police power authority over towers, the waiver, if granted, will not be detrimental to the public health, safety, or welfare because **the tower is not located within a Residential fall zone and a lack of landscaping will not cause harm to public health, safety, or welfare;**
4. the waiver, if granted, will not result in a violation of any other applicable ordinance, regulation or statute enforceable by the city because **there does not appear to be any other applicable ordinances or regulations in regards to landscaping and all other regulations will be met;** and
5. the waiver, if granted, will not result in the violation of any applicable deed restriction or zoning regulation or the location of a tower in a park because **there are no deed restrictions placed upon this property, and it is not located in a park area.**

Please feel free to contact me with any questions.

Sincerely,

Holly Gatti

C.A. Bass, LLC

(903)596-8464

Holly.Gatti@cabass.net

STAFF COMMENTS:**Approval Criteria****Staff Findings**

| | |
|--|--|
| Tower is not prohibited by deed restrictions | The applicant has provided a deed restriction affidavit stating this tower proposal will not violate deed restrictions. |
| Is the located in a residential area. Residential test area is a 375' radius measured from the base of the tower. More than 50% of the tracts or parcels are used or restricted for residential purposes | Tower is not located in an area |
| Tower is not within a scenic area, in a park or on a tract of land surrounded by a park | The tower is not within a scenic area, park or in a tract of land surrounded by a park as defined by the ordinance. |
| Tower must setback 1-1/2 times the height of the tower from a residential lot. | Nearest residential tract allowed by the ordinance is 225'. The nearest residential structure is approximately 700' from the proposed tower. |
| Must not be within 1,000' of an approved tower structure | There is no approved tower structure within 1000' |