

DATABASE OF  
ZONING REGULATIONS IN WEST CENTRAL FLORIDA  
RELATING TO AMATEUR RADIO ANTENNA SUPPORT STRUCTURES  
CURRENT AS OF DECEMBER, 2005

Contained in this guide is all the information obtained from the ten counties in the West Central Florida Section about code requirements when erecting an Amateur Radio Antenna Support Structure . If you intend to erect such a structure, contact your local building code administrator for specific requirements. Do not proceed based on the data presented here without verification from your local code enforcement administrator.

**FLORIDA STATE STATUTES:**

**125.561 Amateur Radio Antennas; construction in conformance with federal requirements.--**

(1) No county shall enact or enforce any ordinance or regulation which fails to conform to the limited preemption entitled "Amateur Radio Preemption, 101 FCC 2d 952 (1985)" as issued by the Federal Communications Commission. Any ordinance or regulation adopted by a county with respect to amateur radio antennas shall conform to the above-cited limited preemption, which states that local regulations which involve placement, screening, or height of antennas based on health, safety, or aesthetic considerations must be crafted to reasonably accommodate amateur communications, and to represent the minimum practicable regulation to accomplish the local authority's legitimate purpose.

(2) Nothing in this section shall affect any applicable provisions of Chapter 333.

**166.0435 Amateur radio antennas; construction in conformance with federal requirements.--**

(1) No municipality shall enact or enforce any ordinance or regulation which fails to conform to the limited preemption entitled "Amateur Radio Preemption, 101 FCC 2d 952 (1985)" as issued by the Federal Communications Commission. Any ordinance or regulation adopted by a municipality with respect to amateur radio antennas shall conform to the above cited limited preemption, which states that local regulations which involve placement, screening, or height of antennas based on health, safety, or aesthetic considerations must be crafted to reasonably accommodate amateur communications, and to represent the minimum practicable regulation to accomplish the local authority's legitimate purpose.

(2) Nothing in this section shall effect any applicable provisions of chapter 333.

## **BY COUNTY:**

### **Charlotte County**

I requested information from Charlotte County officials and was told that they would get back to me. So far, I have heard or seen nothing. *Check with Charlotte County Building and Zoning officials before proceeding.*

### **Desoto County**

I was told by an official that height restriction on antenna support structures in Desoto County do NOT apply to amateur radio antennas, however I have gotten nothing in writing from Desoto County as yet. *Check with Desoto County Building and Zoning officials before proceeding.*

### **Hardee County:**

Per verbal conversation with Building Department in Hardee County; No permits are required for amateur radio antenna support structures under 35 to 45 feet in height, depending on zoning district with the only written regulation as follows:

#### **Hardee County .10.10.01 Communications Tower**

**Special Exception approval is required in F-R and A-1 districts where the tower will not meet the 100% setback requirement. The tower may be set back a distance no less than 50% of its height 1) when certification by an engineer licensed in the State of Florida that the structure is designed to collapse within the boundaries of the property on which it is built has been received, and 2) when the Board of County Commissioners determines that all safety concerns have been met.** The tower shall meet all applicable standards of the FCC, the FAA and any other relevant Federal or State agency. *Check with Hardee County Building and Zoning before proceeding.*

### **Highlands County:**

Highlands County has Regulations (Sec. 12.08.133 Wireless communication facilities- Antennas and towers as accessory uses). The complete text is too long for inclusion here, however,

**Section D An amateur radio antenna and any tower to support the antenna that is owned and operated by a federally-licensed amateur radio operator and used exclusively for non-commercial purposes shall be a permitted accessory use in all zoning districts.**

**Sec. 12.08.135 Wireless Communication Facilities (WCF) also states in its Section D (Exceptions to the applicability of this section): in paragraph 2. The requirements of this section do NOT apply to:**

**Amateur radio antennas and any tower to support the antenna that is owned and operated by a federally-licensed amateur radio station operator used exclusively for non-commercial purposes**

*Check with Highlands County Building and Zoning officials before proceeding.*

### **Hillsborough County**

Hillsborough County has only two regulations that pertain to amateur radio antennas and or support structures.

#### **Sec. 6.08.02 Aviation Hazards**

No building or other structure (regardless of exclusions set forth at Sec. 6.08.01 above) shall be located in a manner or built to a height which constitutes a hazard to aviation or creates hazards to persons or property by reason of unusual exposure to aviation hazards. In any area within the unincorporated portion of Hillsborough County, in addition to height limitations established by this code, limitations established by lawful Federal, State, Hillsborough County Aviation Authority and Hillsborough County ordinances, rules, and regulations, shall apply to heights of buildings, structures, and natural vegetation.

and

#### **Sec. 6.08.03 Amateur Radio Antenna Support Structures**

**Section 125.0185, Florida Statutes (1991), and Federal Communications Commission "Amateur Radio Preemption", 101 FCC 2d 952 (1985) require County regulations to reasonably accommodate amateur communication, and to represent the minimum practicable regulation to accomplish the local authority's legitimate purpose. Under these Federal and State preemption provisions, Amateur Radio Antenna Support Structures are excluded from regulation under the provisions of this Code. *Check with Hillsborough County Building and Zoning officials before proceeding.***

### **Manatee County**

Manatee County provided a short version of their Code pertaining to Amateur Radio Antennas and Support Structures. It is reproduced below:

**703.2 Permitted Accessory Uses. Subject to the provisions of this Chapter and other applicable provisions of this Code, the following accessory uses are permitted.**

703.2.1 Accessory Antennas. Accessory antennas as follows:

**703.2.1.1.1 Amateur Radio Antennas (e.g., ham radio).**

703.2.1.1.2 Satellite Dish Antennas (see Section 703.2.25 for provisions).

703.2.1.1.3 Antennas for the reception of television broadcasts, which are twenty (20) feet or less in height above the roofline.

703.2.1.1.4 Private mobile service. Towers and antennas which are primarily used for private mobile services and meet the following criteria:

1. That have a cross sectional area of less than 4.5 square feet at the base; and
2. Are less than sixty (60) feet in height in the non-residential and Planned Development Golf Course districts, or less than one hundred (100) feet in height in the industrial, Conservation, Village, manufacturing, Planned Development Waterfront, agricultural and Planned Development Agricultural districts, or less than two hundred (200) [feet] in height in the Extraction district and on parcels zoned Agricultural (A) which are a minimum of forty (40) acres.

703.2.1.1.5 Antennas which provide telemetry for lift stations and other similar uses.

*Check with Manatee County Building and Zoning officials before proceeding.*

### **Pasco County**

Pasco County sent me the following Ordinance No. 03-34 Idc/l616 616-7 dated 11/18/03 Under its paragraph D. Amateur radio facilities. The installation of **any amateur radio facility that is owned and operated by a Federally-licensed amateur radio station operator shall not be governed by the provisions of this section relating to PWSFs, but shall be subject to the following standards:**

1. Amateur radio facilities shall be considered accessory structures and must meet all required setbacks and/or locational limitations set forth in this code. Amateur radio facilities shall be **located only in side- or rear-yard areas** on any residential lot less than 20,000 square feet in size. Restrictions regarding height and number of antennas shall be as set forth in this code. However, certain types of amateur radio facilities require "guying" and all antennas and associated "guys" or "guy wires" shall be allowed to project into and onto the setback areas. **Amateur radio facilities, when attached to the primary building of the lot, shall be deemed in compliance with setbacks when so fixed.**
2. Temporary antennas must be securely anchored. **Use of such temporary antennas shall be limited to a thirty (30) day period during any one (1) calendar year within R-3 Medium Density Residential District and R-4 High Density Residential District.**
3. All parts of the amateur radio facility shall have vertical and horizontal clearance from any electric lines.
4. Construction, installation, repair, or maintenance of amateur radio facilities shall not require a Building Permit; however such activity shall be performed in accordance with all...*(Apparently there is a typo in the code, since the expected phrase here does not appear.)*
5. Amateur radio facilities shall not be mirror-like and shall contain no advertising or signage of any type except for owner identification, manufacturer, sales, repair logos, or signage required by State and/or Federal regulations.

6. All amateur radio facilities shall be subject to appropriate Federal Communication Commission (FCC) and Federal Aviation Administration (FAA) requirements.

*Check with Pasco County Building and Zoning officials before proceeding.*

### **Pinellas County**

Pinellas County responded with Sec. 138-1277. Height limitations generally.

Chimneys, water, fire, radio and television towers, smokestacks, flagpoles and similar structures and their necessary mechanical appurtenances, such as elevator shafts, ventilation equipment, etc., may be erected to a maximum of 20 feet above the height limits established in this chapter; however, the heights of these structures or appurtenances thereto shall in no case exceed the height limitations prescribed by the Federal Aviation Agency within the flight approach zone patterns of airports (see airport zoning regulations). This provision shall **not apply** to signs, billboards or **amateur radio antennas** protected under **F.S. 125.085 and F.S. 166.0435**.

*Check with Pinellas County Building and Zoning officials before proceeding.*

### **Polk County**

Polk county referred me to their website and I downloaded the entire Polk County Building and Zoning Code. I was unable to find any reference to "Amateur Radio Antenna Support Structures" anywhere in multiple readings of the document.

*Check with Polk County Building and Zoning officials before proceeding.*

### **Sarasota County**

Sarasota County sent (by mail) the entire 24 page document that contains Ordinance No. 2005-047. Section 118-34 of that document entitled "**Applicability**" states;

This article shall regulate the location, construction and modification of all Wireless Communication Facilities in unincorporated Sarasota County **except:**

1. Non-commercial freestanding and structure-mounted "receive-only" Antennas which receive direct broadcast satellite service, video programming services via multi-point distribution services which are one meter or less in diameter in residential zones and three meters or less in non-residential zones. The antennas shall meet all other requirements of the Zone District as set forth in Sarasota County Zoning Ordinance (Ordinance No. 2003-52, as amended) (Appendix A to this Code).

2. **Amateur radio Antennas and any Tower to support the Antenna that is owned and operated by a federally licensed amateur radio station operator used for noncommercial purposes.**

3. Any Antenna, and any Transmission Tower to support the Antenna, owned and operated or licensed by the Federal Aviation Administration, and used exclusively for aircraft navigation (NAVAIDS).

4. Any Antenna and any Transmission Tower to support the Antenna, not greater than 35 feet in height, and used exclusively as an Accessory Use to Essential Services.

*Check with Sarasota County Building and Zoning officials before proceeding.*

The preceding list covers all ten counties in The West Central Florida Section of The ARRL. While the utmost care was taken in preparing this compendium of code requirements for erecting an amateur radio antenna support structure, **it should not be used as a final authority** if you wish to erect a tower for amateur radio antennas. It is rather, an informational resource so that you can meet with your local building and zoning official somewhat prepared as to what the rules in your county may be.

Respectfully submitted,

Geoff Haines, N1GY,  
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