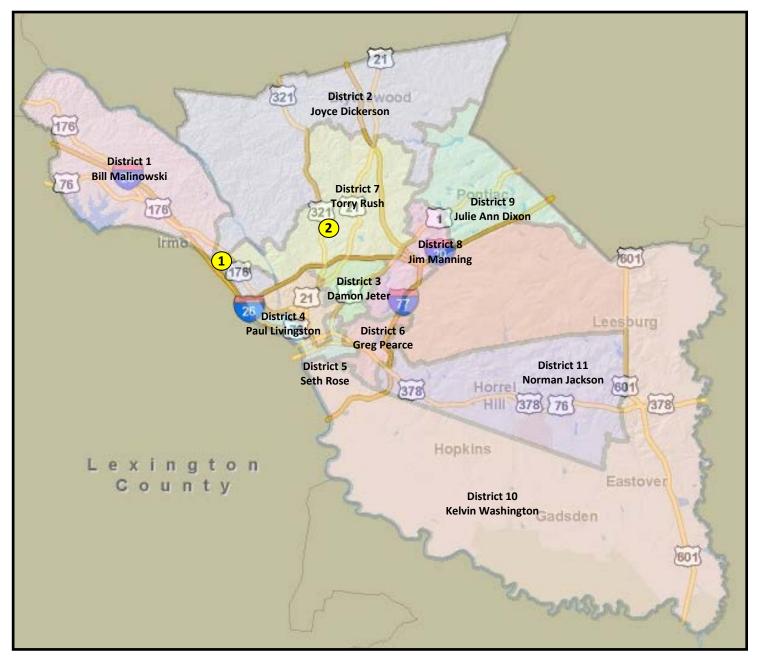
# RICHLAND COUNTY BOARD OF ZONING APPEALS



Wednesday, 4 March 2015 3 p.m. Council Chambers

## RICHLAND COUNTY BOARD OF ZONING APPEALS March 4, 2015



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 15-01 SE	Matt Allen Highwood Towers II, LLC	06111-02-04	3933 Broad River Road Columbia, SC 29210	Dickerson
2. 15-04 SE	Matt Allen Highwood Towers II, LLC	12007-03-17	1217 Wessinger Road Columbia, SC 29203	Rush



### Richland County Board of Zoning Appeals Wednesday, March 4, 2015 2020 Hampton Street 2<sup>nd</sup> Floor, Council Chambers

3:00 p.m.

### Agenda

I. CALL TO ORDER & RECOGNITION OF QUORUM Joshua McDuffie, Chairman

II. ADOPTION OF AGENDA

III. PUBLIC NOTICE ANNOUNCEMENT

IV. ELECTION OF OFFICERS

V. RULES OF ORDER Amelia Linder, Attorney

**VI.** APPROVAL OF MINUTES – January 2015

VII. PUBLIC HEARING Geonard Price,

Deputy Planning Director/ Zoning Adm.

### **OPEN PUBLIC HEARING**

15-01 SE Highwood Towers II, LLC 3933 Broad River Rd. Columbia, SC 29210 TMS# 06111-02-04 A special exception to establish a communication tower on property zoned General Commercial (GC).

P. 1

15-04 SE Highwood Towers II, LLC 1217 Wessinger Rd. Columbia, SC 29203 TMS# 12007-03-17 A special exception to establish a communication tower on property zoned Light Industrial (M-1).

P. 39

- VIII. OTHER BUSINESS
  - IX. ADJOURNMENT

### 4 March 2015 Board of Zoning Appeals



### REQUEST, DISCUSSION AND RECOMMENDATION

### CASE:

15-01 Special Exception

### **REQUEST:**

The applicant is requesting the Board of Zoning Appeals to grant a special exception to permit the construction of a communication tower in a GC (General Commercial) district.

### **GENERAL INFORMATION:**

Applicant: Matt Allen

Highwood Towers II, LLC

*TMS*: 06111-02-04

Location: 3933 Broad River Road, Columbia, SC 29210

Parcel Size: 1.01 acre tract

**Existing Land Use:** The parcel is currently occupied by an automotive repair business.

**Proposed Land Use:** The applicant proposes to erect a 195-foot telecommunications tower, within a

10,000 (100 x 100) square foot leased area.

Character of Area: The general area is primarily comprised of a mixture of multi-family,

commercial, and institutional uses.

### **ZONING ORDINANCE CITATION:**

Table 26-V-2 of the Land Development Code authorizes the Board of Zoning Appeals to authorize radio, television and all other types of communications towers subject to the provisions of section 26-152 (d) (22).

### **CRITERIA FOR SPECIAL EXCEPTION:**

In addition to definitive standards in this chapter, the Board shall consider the following:

- 1. Traffic impact.
- 2. Vehicle and pedestrian safety.
- 3. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property.
- 4. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view.
- 5. Orientation and spacing of improvements or buildings.

### Special exception requirements (as found in section 26-152 (d) (22)):

- (22) Radio, television and telecommunications and other transmitting towers.
- a. Use districts: Rural; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; LI Light Industrial; Heavy Industrial.
- b. Communication towers shall have a maximum height of three hundred (300) feet. For towers on buildings, the maximum height shall be twenty (20) feet above the roofline of buildings forty (40) feet or four stories in height or less. For buildings greater than four stories or forty-one (41) feet in height, the maximum height of communication towers shall be forty feet above the roofline.

- c. The minimum setbacks for communication towers from abutting districts shall be as follows:
  - 1. Communication towers abutting a residentially zoned parcel shall have a minimum setback of one (1) foot for each foot of height of the tower as measured from the base of the tower. The maximum required setback shall be two hundred and fifty (250) feet.
  - 2. Communication towers abutting a non-residentially zoned parcel with a habitable residential dwelling shall have a minimum setback of fifty (50) feet.
  - 3. Communication towers abutting a non-residentially zoned parcel without a habitable residential dwelling shall observe the setbacks of the district in which it is located.
- d. The proposed user must show proof of an attempt to collocate on existing communication towers, and must be willing to allow other users to collocate on the proposed tower in the future subject to engineering capabilities of the structure. Evidence of an attempt to collocate must show that alternative towers, buildings, or other structures are not available for use within the applicant's tower site search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, or provide a location free of interference from other communication towers.
- e. Towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agencies. However, no nighttime strobe lighting shall be incorporated unless required by the Federal Communications Commission, the Federal Aviation Administration, or other regulatory agency.
- f. Each communication tower and associated buildings shall be enclosed within a fence at least seven (7) feet in height.
- g. Each communication tower site shall be landscaped in accordance with the requirements of Section 26-176 of this chapter.
- h. No signage may be attached to any portion of a communications tower. Signs for the purpose of identification, warning, emergency function or contact or other as required by applicable state or federal rule, law, or regulation may be placed as required by standard industry practice.
- i. A communications tower which is no longer used for communications purposes must be dismantled and removed within one hundred twenty (120) days of the date the tower is taken out of service.

### **DISCUSSION:**

The applicant proposes to erect a 195-foot monopole telecommunications tower, which will be situated within a 3,600 square foot fenced area.

Staff visited the site.

According to the provisions of subsection 26-152 (d) (22) (c) (3) require "...towers abutting a non-residentially zoned parcel without a habitable residential dwelling shall observe the setbacks of the district in which it is located." The required setbacks for the GC district are:

- Front 25 feet
- Rear 10 feet
- Side None

The submitted site plan indicates that the tower will meet the required setbacks.

Meeting the criteria for a special exception in section 26-152 (d) (22) (c) may indicate that the applicant has taken necessary measures to minimize the impact of a communication tower on the surrounding area. Staff believes that this request will not impair the properties in the immediate or surrounding area.

The applicant must address, before the Board, the special exception requirements of section 26-152 (d) (22) (d).

Staff recommends approval for this request.

### **CONDITIONS:**

### Section 26-56 (f) (3)

Conditions: In granting a special exception, the board of zoning appeals may prescribe conditions and safeguards in addition to those spelled out in this chapter. The board of zoning appeals may also prescribe a time limit within which the special exception shall be begun or completed, or both. All conditions placed on the project by the board of zoning appeals shall be incorporated into such project.

### OTHER RELEVANT SECTIONS:

N/A

### **CASE HISTORY:**

N/A

### **ATTACHMENTS:**

- Site plan
- Zoning Application Packet

15-01 SE HIGHWOOD TOWERS II, LLC 3933 BROAD RIVER RD. COLUMBIA, SC 29210 TMS# 06111-02-04



# Exhibit A



# BOARD OF ZONING APPEALS SPECIAL EXCEPTION



1.	. L	ocation: 3933 Broad River Road, Columbia, SC 29210					
	T	MS Page: R06111 Block: 02 Lot: 04 Zoning District: GC					
2.		The Board of Zoning Appeals is requested to consider the granting of a special exception permitting: The construction of a telecommunications tower and related appurtenances.					
3.	D	Describe the proposal in detail: Highwood Towers proposes to construct an unmanned					
	radio telecommunications facility consisting of a 195 foot monopole tower in a new						
	to	tower compound.					
4.	Ar	Area attributed to the proposal (square feet): 3600'					
5.		Are other uses located upon the subject property?  No Yes (if Yes, list each use and the square footage attributed to each use):					
	a.	Use AUTOMOBILE REPAIRING SERVICE square footage 3500					
	b.	Usesquare footage					
	c.	Usesquare footage					
3.	To	tal number of parking spaces on the subject property: NA par Thomas Delacte 12/19/14					
۲.	To	Total number of employees on shift of greatest employment: NA PER THOMAL DELAGE 12/18/14					
3.	Address the following <b>Standards of Review</b> (Sec. 26-56 (f) (2) of the Richland County Land Development Code). Please note that the members of the Board of Zoning Appeals will use your answers, among other things, as they evaluate your request.						
	a.	Traffic impact: There will be no traffic impact. The tower will be unmanned, and					
		subsequent to its construction, there will be limited access to the site by service					
		personnel. Routine maintenance may require two visits per month by a single vehicle.					
	b. Vehicle and pedestrian safety: There will be no impact to pedestrian safety.						
		The tower will be fenced with a security fence to limit access.					
	c. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property: The facility						
		will not generate noise, fumes, or obstruct airflow, and uses minimum lighting.					
	ď.	d. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view: The tower will be located in a densely wooded portion of					
		of the parcel behind an existing automobile repair facility.					
e. Orientation and spacing of improvements or buildings: The orientation and spacing of the							
facility are shown on sheet A-1 of the Construction Drawings.							

### APPLICATION FOR ZONING APPROVAL BY HIGHWOOD TOWERS II, LLC, FOR THE CONSTRUCTION OF A TELECOMMUNICATIONS TOWER AND RELATED APPURTENANCES

### (PINEY GROVE SITE)

### I. INTRODUCTION.

- A. **OVERVIEW.** This is an application by Highwood Towers II, LLC ("Highwood") seeking zoning approval for the construction of a telecommunications tower and related appurtenances on a parcel with Tax Map Number of R06111-02-04, pursuant to the requirements of the Richland County Land Development Code (the "Ordinance").
- B. **PURPOSE.** The application is for the purpose of allowing for the construction of a new telecommunications tower. The telecommunications facility will consist of a 195' monopole tower and ancillary equipment shelters.
- C. OWNERSHIP/OPERATION. The proposed telecommunications tower will be owned and operated by Highwood Towers II, LLC. Highwood's address is 5579B Chamblee Dunwoody Road, #164, Dunwoody, GA 30338. Highwood's contact is Matt Allen, at (404) 664-8656. Highwood owns and operates telecommunications towers in Florida, Georgia, South Carolina and North Carolina. The principles of Highwood have been involved in the rollout of wireless networks for over 20 years.
- D. **STATEMENT OF NEED.** The proposed tower is located in an area that is densely populated (see below population table) and is also an area with multiple major traffic arteries. With the advent of additional data services, increased in building wireless use, and increased wireless subscribers, the quality of wireless has been severely degraded in this area. No existing structures exist in the search area to remedy this situation.

	1 Mile: 3933 BROAD RIVER RD COLUMBIA, SC 29210	3 Miles: 3933 BROAD RIVER RD COLUMBIA, SC 29210
Households		
Average Household Size	2.50	2.45
Total Households	3,763	18,358
Total Population	9,817	46,559
Total Female	48.0%	48.3%
Total Male	51.9%	51.6%
Total Household Population	8,334	39,812

### II. THE PROPERTY.

- A. **OWNERSHIP.** The subject property is owned by K & D Automotive, Inc. / Kathy Phillips with a mailing address of 35101 South East Ridge Street, Snoqualmie, WA 98065.
- B. **LOCATION.** The property upon which the proposed telecommunications tower will be constructed is located at 3933 Broad River Road, Columbia, SC 29210. The property is identified as Tax Map Number R06111-02-04 and is further described in Deed Book 54, at Page 4349, as recorded in the Richland County Register of Deeds Office. The current use of the property is general commercial.
- C. **LEASED PROPERTY.** Highwood Towers II, LLC has leased a 100' x 100' portion of the

property from the property owner and has obtained a 25' wide easement for access and utilities.

D. **OVERALL PROPERTY.** The overall property of which the leased property is a portion contains approximately one (1.0) acres. The property is zoned General Commercial ("GC") and currently houses an existing automotive repair shop. The property is heavily wooded in the location of the proposed tower.

### III. INTENDED FACILITY.

- A. **TOWER.** Highwood Towers II, LLC proposes to construct a freestanding telecommunications tower and related appurtenances ("Communications Facility") on the subject property. The telecommunications tower will be one hundred ninety-five (195) feet in height.
- IV. COMPLIANCE WITH THE ORDINANCE (Reference Exhibit A-Zoning Drawings attached hereto).
  - A. Sec. 26-152(d)(22) Special Exceptions: Radio, television and telecommunications and other transmitting towers.
    - a. Sec. 26-151(d)(22)(a) Use districts: Rural; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; LI Light Industrial; Heavy Industrial.

RESPONSE: Acknowledged and agreed. The site is zoned General Commercial ("GC") and therefore can be used for a tower.

**B. Sec. 26-152(d)(22)(b) Tower Height.** Towers shall have a maximum height of three hundred (300) feet.

RESPONSE: Please refer to the Zoning Drawings attached hereto as Exhibit A, Sheet A-2 showing the tower height of 195' with 4' lightning rod for a total structure height of 199'.

- **C. Sec. 26-152(d)(22)(c) Minimum setback requirements.** The minimum setbacks for communication towers from abutting districts shall be as follows:
  - 1. Communication towers abutting a residentially zoned parcel shall have a minimum setback of one (1) foot for each foot of height of the tower as measured from the base of the tower. The maximum required setback shall be two hundred and fifty (250) feet.

RESPONSE: The telecommunications tower does not abut a residentially zoned parcel. The abutting parcels are zoned General Commercial (GC). Please refer to the Zoning Drawings attached hereto as Exhibit A, Sheet A-0.

2. For a communication tower abutting a non-residentially zoned parcel with a habitable residential dwelling, the tower must be setback a minimum of fifty (50) feet.

RESPONSE: There are no habitable residential dwellings on abutting properties. In addition, the tower is setback 55 feet from the rear and side property lines and 336

addition, the tower is setback 55 feet from the rear and side property lines and 336 feet from the Right of Way. Please refer to the Zoning Drawings attached hereto as Exhibit A, Sheet A-0.

3. Communication towers abutting a non-residentially zoned parcel without a habitable residential dwelling shall observe the setbacks of the district in which it is located. Per Sec. 26-98 (GC) General Commercial District, the minimum setbacks for principal uses are: Front 25 feet, Side None, Rear 10 feet

RESPONSE: There are no habitable residential dwellings on abutting properties. Please refer to the Zoning Drawings attached hereto as Exhibit A, Sheet A-0.

**D. Sec. 26-152(d)(22)(d).** Proof of Attempt to Collocate: Provide a statement and supporting documentation that there are no structures or facilities suitable for collocation within the coverage area.

RESPONSE: Please refer to the Statement of Inability to Collocate, attached hereto as Exhibit B, and the existing towers map, attached hereto as Exhibit C. Please refer to the Justification Statement attached hereto as Exhibit D.

**E. Sec. 26-152(d)(22)(d). Shared Use of Tower.** The proposed user must be willing to allow third parties to collocate on the proposed tower in the future subject to engineering capabilities of the structure.

RESPONSE: Please refer to Highwood Tower' statement regarding Piney Grove Tower Shared Use attached hereto as Exhibit E.

**F. Sec. 26-152(d)(22)(e). Compliance with Laws.** Tower must be illuminated as required by the FCC, FAA, or other regulations.

RESPONSE: Please refer to Highwood Tower' statement regarding Compliance with Laws attached hereto as Exhibit F. Please refer to the Airspace Study by Ken Patterson Airspace Consulting, Inc. attached hereto as Exhibit G noting the proposed structure does not exceed any FAR Part 77 or FCC Part 17 notice requirement and therefore, marking and/or lighting should not be required.

**G. Sec. 26-152(d)(22)(f). Fencing.** Compound must be enclosed by a fence at least seven (7) feet in height.

RESPONSE: The compound will be enclosed by a fence eight (8) feet in height. Please refer to the Zoning Drawings attached hereto as Exhibit A, Fence Details, Sheet A-3.

**H. Sec. 26-152(d)(22)(g). Landscaping Standards.** Each communication tower site must be landscaped in accordance with Section 26-176.

RESPONSE: The site will be constructed with a minimum 10' buffer of mature existing vegetation as shown on Sheet A-0 of the Zoning Drawings attached hereto as Exhibit A.

**I. Sec. 26-152(d)(22)(h). No Signs.** No signs may be attached to proposed tower. Signs for the purpose of identification, warning, emergency unction, contact, or other as required by

applicable state federal rule or law, or regulation may be placed as required by standard industry practice.

RESPONSE: Please refer to the Zoning Drawings attached hereto as Exhibit A, signage details and notes, Sheet A-3.

J. Sec. 26-152(d)(22)(i). Abandonment. A communications tower which is no longer used for communications purposes must be dismantled and removed within one hundred twenty (120) days of the date the tower is taken out of service.

RESPONSE: Acknowledged and agreed. Please refer to Highwood Tower' statement regarding Tower Removal for Non-Use attached hereto as Exhibit H.

### K. Sec. 26-56. Special Exceptions – General Requirements

- a. Section 25-56(c)(1): Plan submittal. The application for a special exception is to be filed by the owner of the property or an authorized agent on the planning department's form.
- b. Section 25-56(d): Staff Review. The planning department shall review the application and determine if it is complete within fifteen (15) days of its submittal. If the application is complete, the planning department shall schedule the matter for consideration at a public hearing by the board of zoning appeals. The planning department shall prepare a staff evaluation and recommendation regarding the submitted special exception application.

**RESPONSE:** Acknowledged and agreed.

c. **Section 25-56(e): Public Notification.** Notice of the public hearing shall be posted on the property for which a special exception is sought. Notice shall also be published in a newspaper of general circulation within the county no less than fifteen (15) days prior to the public hearing on the matter.

RESPONSE: Acknowledged and agreed. Planning staff notified Highwood Towers II, LLC on 12/18/14 that "posting the property and advertising in the newspaper for the special exception" would be accomplished by Development Services Staff.

- d. Section 25-56(f): Formal Review.
  - i. Action by the Board. The board of zoning appeals will hold a public meeting on the proposed special exception and approve, continue, or continue the proposed special exception. Any approval or denial must be by a concurring vote of the majority of the members of the board present and voting.
  - ii. Standard of Review. The board of zoning appeals consider the following in reviewing a special exception:
    - 1. Traffic impact;

RESPONSE: Cell towers generate minimal traffic with site visits only needed for monthly maintenance.

2. Vehicle and pedestrian safety;

RESPONSE: The proposed communications tower will have no impact on vehicle or pedestrian safety. The tower will be fenced with a security fence to limit access to the communications tower.

3. Potential impact of noise, lights, fumes, or obstruction of air flow on adjoining properties;

RESPONSE: The proposed communications tower will not impact the surrounding properties with regard to noise, lights, fumes, or obstruction of air flow. Tower will not be lighted as previously noted in above.

4. Adverse impact of the proposed use on the aesthetic character of the environs, to include the possible need for screening from view; and

RESPONSE: The proposed communications tower will not substantially detract from aesthetics or impair the use of neighboring properties. The communications tower will be located behind the existing commercial business operations on the parcel. Furthermore, the existing heavily wooded buffer around the perimeter of the property makes the site suitable for a communications facility.

5. Orientation and spacing of improvements or buildings.

RESPONSE: The layout of the proposed communications tower and compound are shown on the Zoning Drawings attached hereto as Exhibit A, Sheets A-0 and A-1.

iii. **Section 26-56(f)(4). Conditions.** The board of zoning appeals may prescribe additional conditions and safeguards.

RESPONSE: Acknowledged and agreed.

### V. CONCLUSION.

Highwood Towers II, LLC respectfully requests that the application for Special Exception and zoning be approved allowing the construction of a Communications Facility.

Submitted by\_

Matt Allen

Highwood Towers II, LLC

5579B Chamblee Dunwoody Road

#164

Dunwoody, GA 30338

# **Exhibit B**



December 19, 2014

Richland County Planning & Development Services 2020 Hampton Street Columbia, SC 29202 Attn: Geonard Price

**RE:** Wireless Communications Facility Application Statement of Inability to Collocate

Dear Mr. Price.

Please accept the signed statement below confirming compliance with Section 26-152, paragraph (d)(22)(d) of the Richland County Zoning Ordinance:

Please accept this letter as evidence by Highwood Towers II, LLC (Highwood) confirming that no other structures exist to provide suitable coverage in the vicinity of 3933 Broad River Road or within the 0.5 mile search area. Below is a list of the existing structures in the area (see attached map):

- -ATT tower- There is an existing 185' ATT tower located .81 miles south of the proposed site that was built in 1997.
- -Alltel tower- There is an existing 200' Alltel tower located .94 miles to the southeast of the proposed site that was built in 1995.
- -SC Educational TV tower- There is an existing lightweight tower located .84 miles to the east of the proposed site that is listed as 120 feet in height.
- -SC Department of Public Safety tower- There is an existing lightweight tower located 1.08 miles to the northwest of the proposed site that is listed as 349 feet in height.
- -Crown Castle tower- There is an existing 203' Crown tower located 1.24 miles to the northwest of the proposed site that was built in 1996.
- -American Tower Corporation tower- There is an existing ATC tower located .93 miles to the southwest of the proposed site that was built in 1999.

None of the sites listed above can satisfy the Search Area requirements and provide suitable wireless service in the area.

Please contact me directly if you have any questions or if additional information is required.

Sincerely,

Matt Allen

Managing Member

Highwood Towers II, LLC

# **Exhibit C**





Map of Existing Towers

# **Exhibit D**



December 19, 2014

Richland County Planning and Development

2020 Hampton Street

Columbia, SC 29202

Attn: Geonard Price

RE:

Proposed Telecommunications Site- 3933 Broad River Road

Dear: Mr. Price,

My name is Razaaq Baruwa and I am the owner of BRF Link Engineering, a Radio Frequency (RF) engineering firm. I personally have over 16 years experience in designing wireless networks for numerous wireless providers.

Several carriers currently have significant difficulty in providing adequate coverage in the area around the intersection of Highway 176 and Piney Woods Rd. This gap in coverage is made even worse for those attempting to utilize their mobile devices indoors in these areas. Indoor coverage is becoming increasingly important as more than 80% of new households are electing to forego the installation of a wired phone connection. This site will provide connecting service to existing sites to the northwest and south, while providing additional coverage to the general area.

In our attempt to improve service in the area, we first evaluated existing structures. There were existing towers located to the northwest, southwest, south and to the southeast, but all of these existing towers were outside of our Search Area (see copy attached). These existing structures would not have provided suitable service to the areas surrounding the proposed Search Area.

Additional wireless coverage in this area will provide additional choices for wireless consumers and will also provide access to communications and Public Safety for residents and visitors. I hope you will consider this request favorably.

Sincerely,

Razaaq Baruwa

Sr. RF Engineer

**BRF Link Engineering** 



### HIGHWOOD TOWERS II, LLC

**Piney Grove** 

### **SEARCH RING**

Latitude: 34 03 41.16

**Longitude:** <u>-81 06 53.58</u>

Height: 195'

Search Radius: .40 miles



Coverage Objective: Highway 176 south of Irmo and residential and commercial areas east of I-26.

# Exhibit E



December 19, 2014

Richland County Planning & Development Services 2020 Hampton Street Columbia, SC 29202 Attn: Geonard Price

**RE:** Wireless Communications Facility Application Statement of Shared Use

Dear Mr. Price.

Please accept the signed statement below as confirming Section 26-152 paragraph (d)(22)(d) of the Richland County Zoning Ordinance:

Please accept this letter as notice and confirmation of Highwood Towers II, LLC (Highwood) commitment to provide this communications facility for collocation to multiple wireless telecommunication entities. Highwood's tower will be designed to handle no less than three (3) collocators for our proposed site at 3933 Broad River Road.

Please contact me directly if you have any questions or if additional information is required.

Sincerely,

Matt Allen

Managing Member

Highwood Towers II, LLC

# Exhibit F



December 19, 2014

Richland County Planning & Development Services 2020 Hampton Street Columbia, SC 29202 Attn: Geonard Price

RE: Wireless Communications Facility Application Statement of Compliance with Laws and Regulations

Dear Mr. Price,

Please accept the signed statement below confirming compliance with Section 26-152 paragraph (d)(22)(e) of the Richland County Zoning Ordinance:

Please accept this letter as notice and confirmation of Highwood Towers II, LLC (Highwood) commitment to comply with all Federal Communications Commission, Federal Aviation Administration, or other State and local regulatory agencies when constructing this communications facility at 3933 Broad River Road.

Please contact me directly if you have any questions or if additional information is required.

Sincerely,

Matt Allen

Managing Member

Highwood Towers II, LLC

# Exhibit G



### Airspace Consulting, Inc.

www.airspace-ken.com

Study prepared Highwood Towers II, LLC

December 17, 2014

SC 239 Piney Grove Area Study Columbia, South Carolina

1 NM Search Ring centered at Latitude: 34° 03' 34.47" Longitude: 81° 06' 50.52"

Site Elevation varies between 190' to 325' AMSL

Proposed Structure: 199'AGL

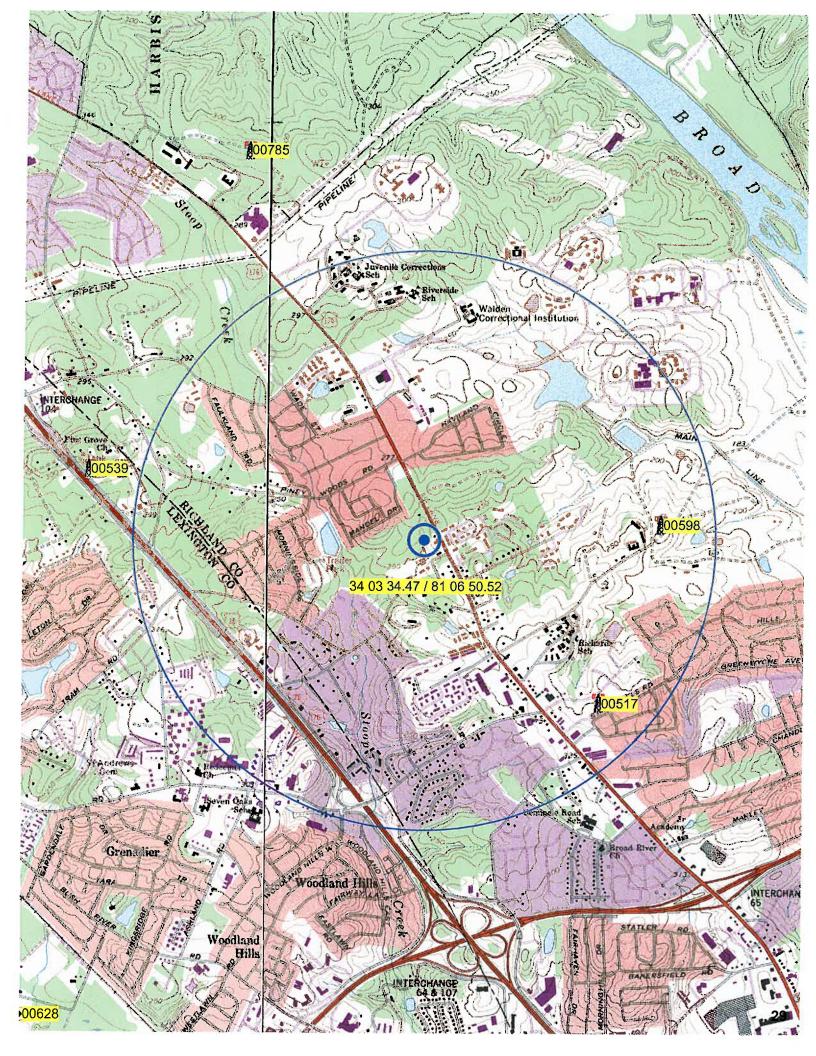
Part 77 of the Federal Air Regulations and Part 17 of the FCC Rules and Regulations were used as the primary reference for this study.

The closest public use or military landing surface is Runway 23 at Columbia Metropolitan Airport. The distance from the search area center to the runway is 42,046' or 6.92 NM on a true bearing of 357.40° from the runway.

**Notice Requirement:** A proposed 199' AGL structure at any site in the search ring would not exceed any FAR Part 77 or FCC Part 17 notice requirement and, therefore, notice to the FAA would not be required. If filed, the 199' AGL structure should be approved by the FAA.

**Recommendations:** Propose a 199' AGL structure at any site in the search ring. Normally, structures that do not require notice to the FAA do not require marking and/or lighting. Private use airports and AM broadcast stations are not a factor for this search ring.

For additional information or questions about this study, contact my office anytime.



# Exhibit H



December 19, 2014

Richland County Planning & Development Services 2020 Hampton Street Columbia, SC 29202 Attn: Geonard Price

RE: Wireless Communications Facility Application Statement of Tower Removal for Non-Use

Dear Mr. Price,

Please accept the signed statement below confirming compliance with Section 26-152 paragraph (d)(22)(i) of the Richland County Zoning Ordinance:

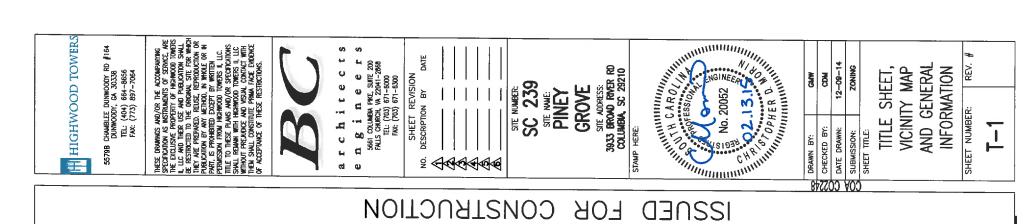
Please accept this letter as notice and confirmation of Highwood Towers II, LLC (Highwood) commitment to dismantle and remove the proposed communications facility at 3933 Broad River Road within one hundred twenty (120) days of the date the tower is taken out of service.

Please contact me directly if you have any questions or if additional information is required.

Sincerely,

Matt Allen

Managing Member



# HIGHWOOD TOWERS

PINEY GROVE

SITE NUMBER: SC 239

PROJECT DESCRIPTION:

# A NEW 195' MONOPOLE & WIRELESS TELECOMMUNICATIONS FACILITY

Darlington

Camden

Westville

Lancaster

Timmonsville

Sumter (R)

umbia

Privateer

Hopkins

CALL SOUTH CAROLINA 811 OR (888) 721-7877 FOR UNDERGROUND UTILITIES PRIOR TO DIGGING EMERGENCY: DIG ALERT:

APPROVAL	VAL		CALI	CALL 911			
OWNER'S AGENT APPROVAL	PROM	SIGNATURE			PHONE NUMBER	DATE	
HIGHWOOD TOWERS	HIGHWOOD TOWERS II CONSTRUCTION COORDINATOR	SIGNATURE			PHONE NUMBER	DATE	
HIGHWOOD TOWERS II APPROVAL	I APROAL	SIGNATURE			PHONE NUMBER	DATE	
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SCALE: 1" = 30 MILES

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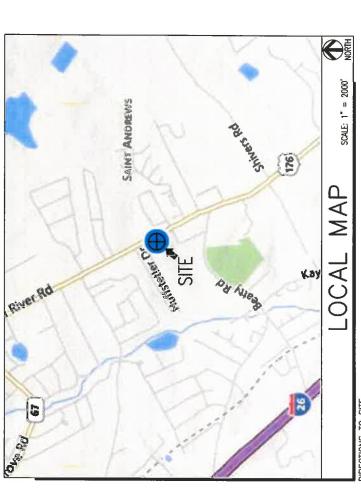
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ARCHITECTURAL AND BC ARCHITECTURAL AND BC ARCHITECT BNONE SE SEGI COLUMBA PRE, S FALS CHURCH, W 2204 TE. (703) 671–6000 FW: (703) 671–6300	ARCHITECTURAL AND ENGINEERING FIRM; BC ARCHITECTS ENGNEERS, PLC 5661 COLUMBA PMC, SUIT 200 FALLS CHURCH, NA 22041-2868 TRE. (703) 671-6500 CONTACT: CHRIS MORN FALK: (703) 671-6300	SITE NAME PWEY GROVE SITE ADDRES SC 23 NAME SC 24 NAME SC 25 NAME	MLE: NOVE NABER: PRESS: SC 29210	PROPERTY OWNER; KARD AUTONOTIVE INC. KAITHY PHILLIPS 33101 SOUTH EAST RODGE ST SMOOUNLAME, WA 980ES	<b>™</b>
		APPLICA HIGHWOO 5579B C DUNMOOQ TEL: (40	APPLICANT BUILDING INFO: HIGHWOOD TOWERS I, LLC 5579B CHAMBLE DUNMOODY RD #164 DUNMOODY, CA 3033B TEL: (404) 664-8656 COM KK: (773) 897-7064	\$164 Contact: Matt Allen	z
STRUCTURAL ENGINEER. BC ARCHITECTS BYCANGERS, S661 DOLUMBA, PWC, SUIT FALLS CHURCH, W 22041-11 (703) 671-6800 FAX: (703) 671-6800	STRUCTURAL ENGINEER: BE ARCHITECTS BROWERS, PLC SGG1 COLUMBA PPC, SUITE 200 FALS CHURCH, NA 22041-2868 TALS CHURCH, NA 22041-2868 TALS CHURCH, CONDUCT. CHRS MORN FAX: (703) 671-6800 CONTACT. CHRS MORN FAX: (703) 671-6800	PROJECT AN UNIAMP COMSISTING COMPOSITING COMPOSITING COMPOSITING COMPOSITING COMPOSITING COMPOSITING COMPOSITING COMPOSITING COMPOSITING FOR HUMAN	PROJECT DESCRIPTION: AN UNMANNED RUDIO TELECOMMUNICATIONS FACILITY CONSTING OF A 195 FT. SELF SUPPORT TOWER IN A NEW TOWER COMPOUND ACA COMPLUANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION	NICATIONS FACILITY SUPPORT TOWER IN A	VEW TOWER
UTILITIES: POWER COMPANY: COMPANY NAME: - COMPANY NAME: -	VAYY: - MEN SERVICE	PROJECT DATA: ZONING: JURSDICTON: TXX MAP NO: LEASE AREA:	IA:	GC RRCHLAND COUNTY ROG111-02-04 100'x100'	
TEL: —  IELEPHONE COMPANY;  COMPANY NAME: —  COMFACT: CUSTOMER SERVICE  TEL: —	OMPANY; - Mer service	GEOGRA LAMTUDE: LONGIND GROUND	GEOGRAPHIC COORDINATES (NAD 83): LANTUDE: 34' 03' 34.47" LONGITUDE: -61' 06' 50.52" GROUND ELEVATION: 314. AMS.	MD 83): M.47" 50.52"	
CON	CONSULTING TEAM		PROJECT SUM	SUMMARY	

SITE PLAN
ENLARGED SITE PLAN
TOWER ELEVATION
FENCE, GATE, AND COMPOUND
CROSS SECTION DETAIL

1244

SHEET NUMBER:

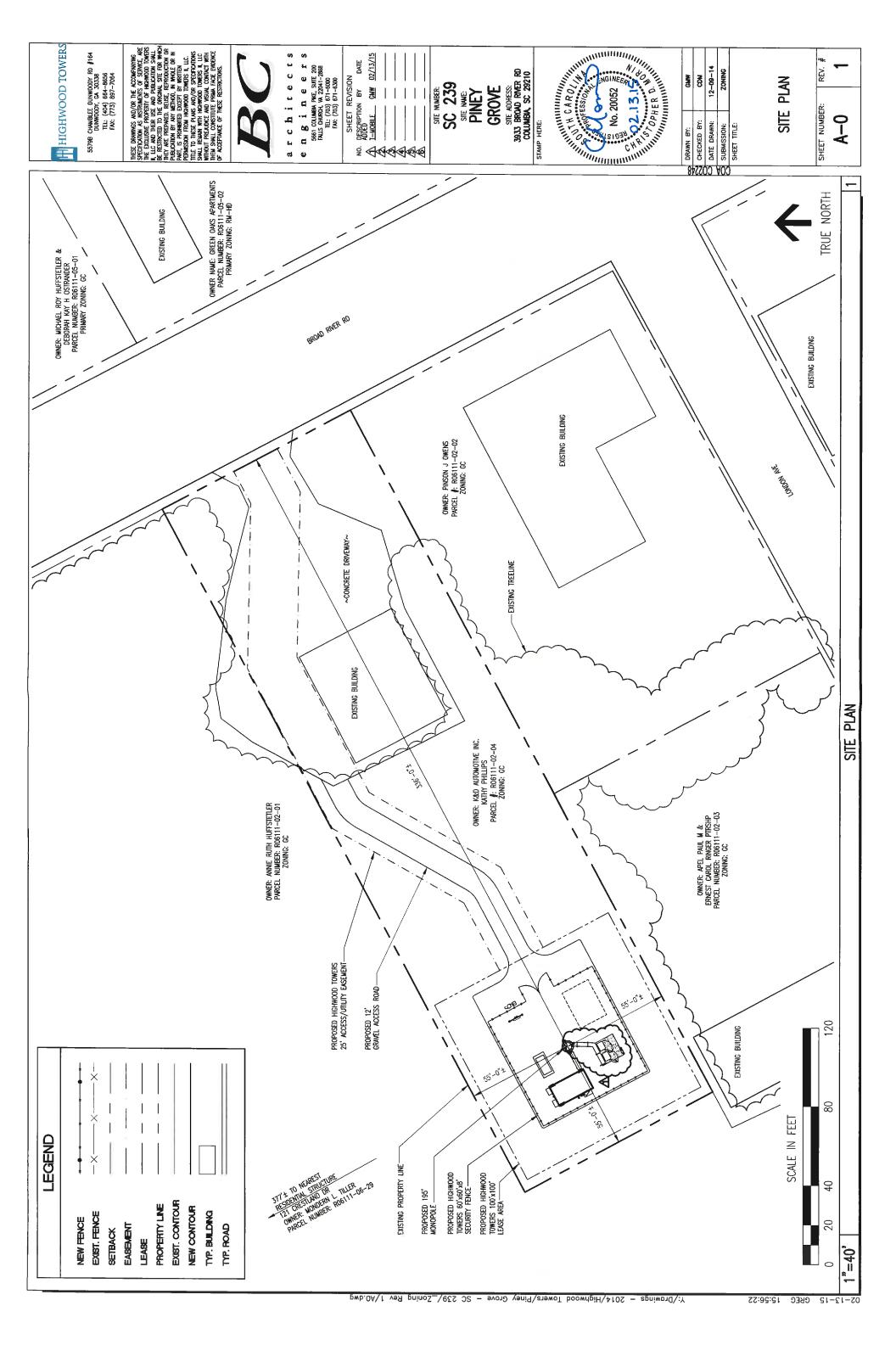
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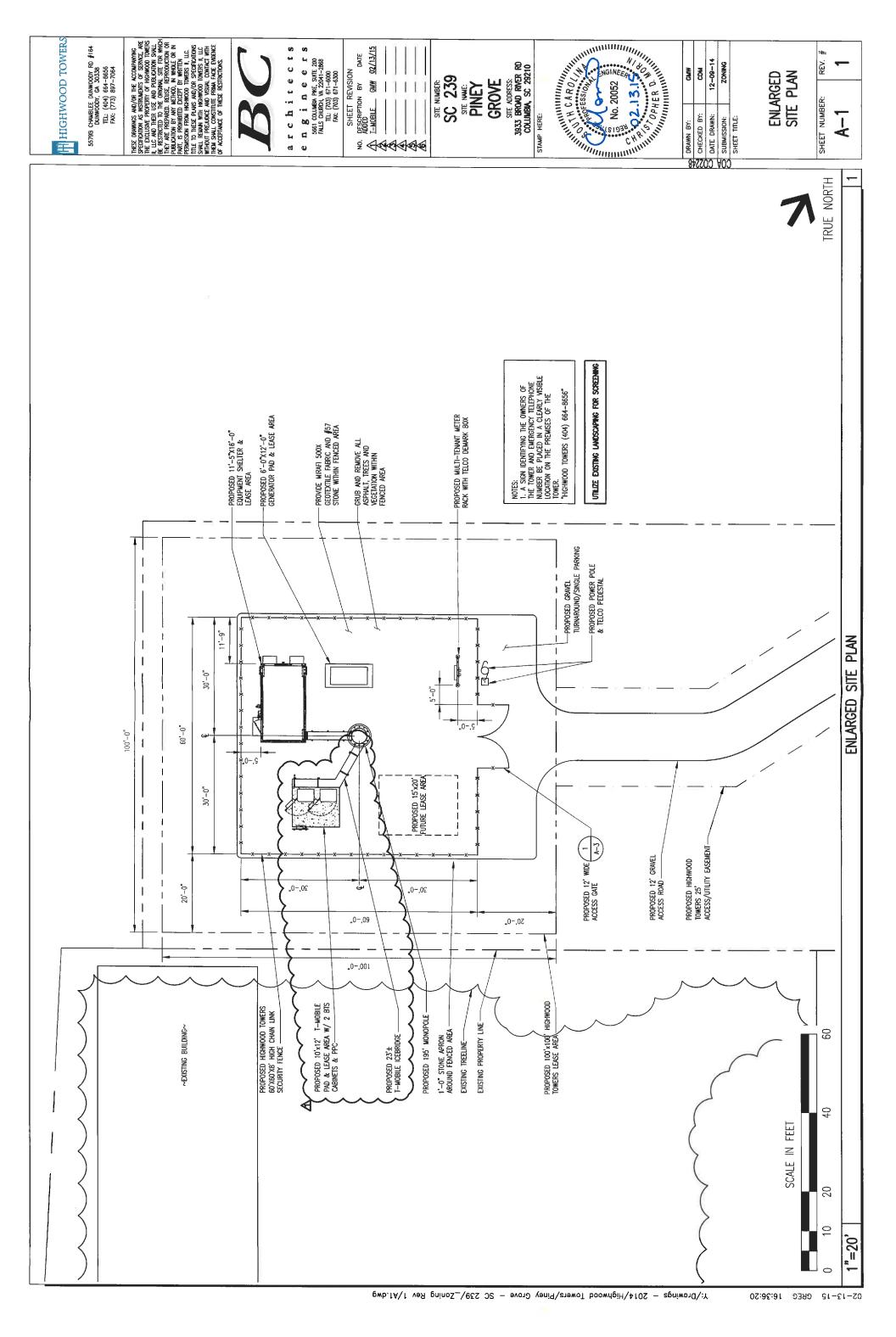


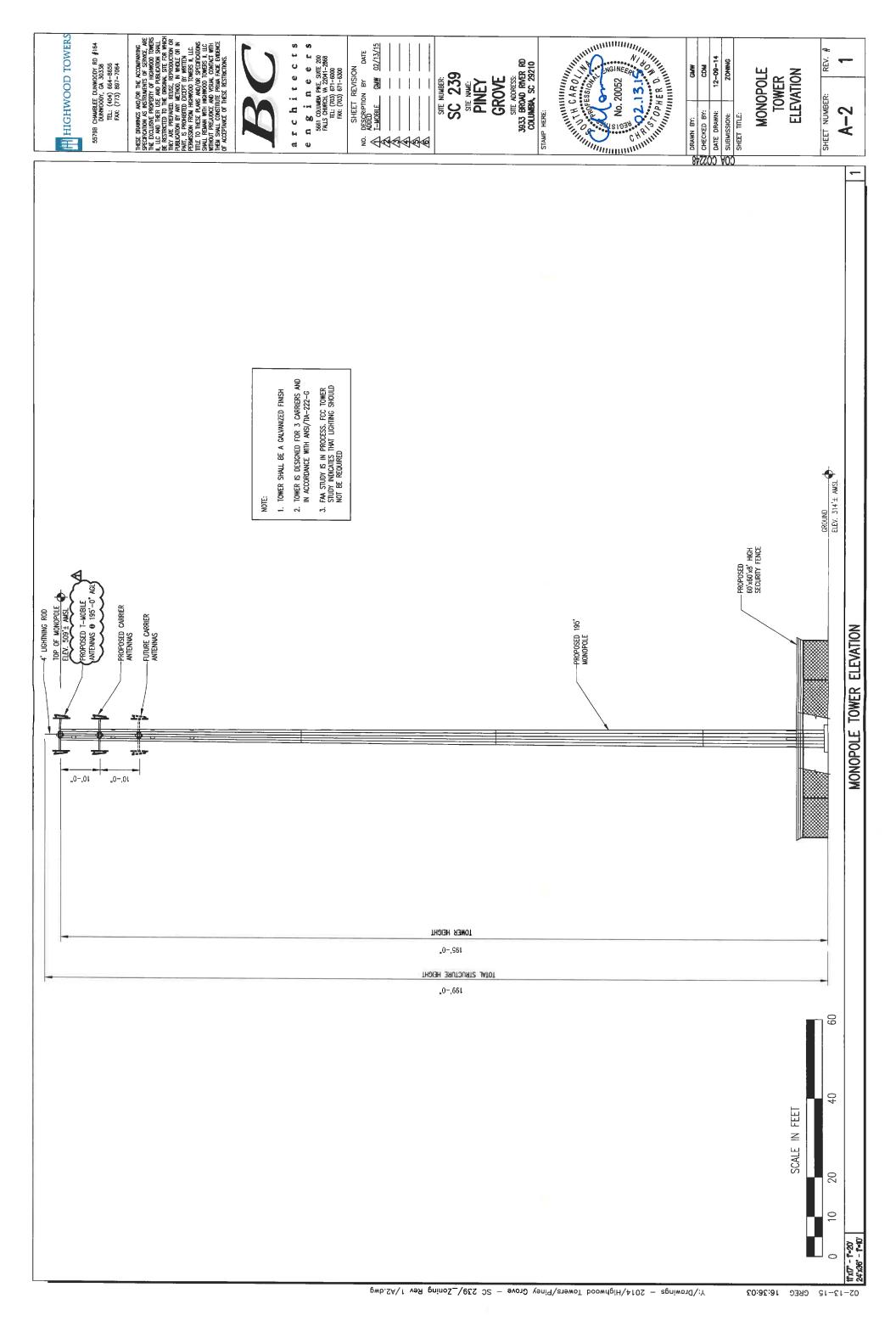
FOR ST. ANDREWS RD 0.2 MI. BEAR RIGHT ONTO SC-42 / ST IE ACCESS ENTRANCE ON LEFT. COMPOUND WILL BE LOCATED 0.2 MI. AT DOIT 1088, TAKE RAMP RIGHT AND FOLLOW SIGNS FO F. LETT ONTO US-176 / BROAD RNER RD 0.8 MI. ARRNE AT SITE F. BUILDING

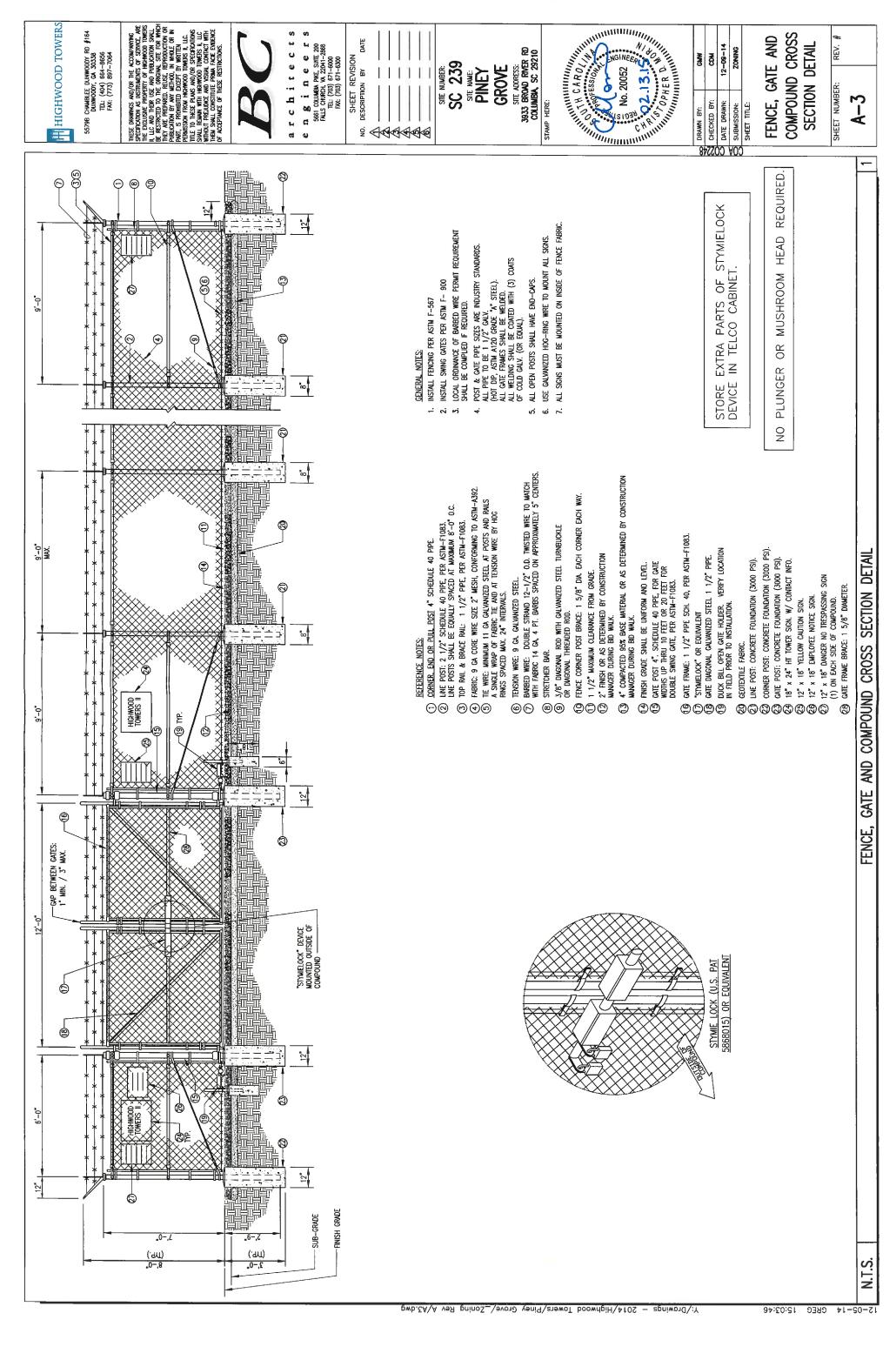
SHEET INDEX

Y:/Drawings - 2014/Highwood Towers/Piney Grove - SC 239/\_Zoning Rev 1/T1.dwg 05-13-15 GREG 16:38:16









#### 4 March 2015 Board of Zoning Appeals



#### REQUEST, DISCUSSION AND RECOMMENDATION

#### **CASE:**

15-04 Special Exception

#### **REQUEST:**

The applicant is requesting the Board of Zoning Appeals to grant a special exception to permit the construction of a communication tower in a M-1 (Light Industrial) district.

#### **GENERAL INFORMATION:**

Applicant: Matt Allen

Highwood Towers II, LLC

*TMS*: 12007-03-17

Location: 1217 Wessinger Road, Columbia, SC 29203

Parcel Size: 3.65 acre tract

**Existing Land Use:** The parcel is currently vacant.

**Proposed Land Use:** The applicant proposes to erect a 195-foot telecommunications tower, within a

10,000 (100 x 100) square foot leased area.

Character of Area: The abutting properties south and west of the site are industrially zoned and

vacant. A residential neighborhood is located north of the subject parcel.

#### **ZONING ORDINANCE CITATION:**

Table 26-V-2 of the Land Development Code authorizes the Board of Zoning Appeals to authorize radio, television and all other types of communications towers subject to the provisions of section 26-152 (d) (22).

#### **CRITERIA FOR SPECIAL EXCEPTION:**

In addition to definitive standards in this chapter, the Board shall consider the following:

- 1. Traffic impact.
- 2. Vehicle and pedestrian safety.
- 3. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property.
- 4. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view.
- 5. Orientation and spacing of improvements or buildings.

#### Special exception requirements (as found in section 26-152 (d) (22)):

- (22) Radio, television and telecommunications and other transmitting towers.
- a. Use districts: Rural; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; LI Light Industrial; Heavy Industrial.
- b. Communication towers shall have a maximum height of three hundred (300) feet. For towers on buildings, the maximum height shall be twenty (20) feet above the roofline of buildings forty (40) feet or four stories in height or less. For buildings greater than four stories or forty-one (41) feet in height, the maximum height of communication towers shall be forty feet above the roofline.

- c. The minimum setbacks for communication towers from abutting districts shall be as follows:
  - 1. Communication towers abutting a residentially zoned parcel shall have a minimum setback of one (1) foot for each foot of height of the tower as measured from the base of the tower. The maximum required setback shall be two hundred and fifty (250) feet.
  - 2. Communication towers abutting a non-residentially zoned parcel with a habitable residential dwelling shall have a minimum setback of fifty (50) feet.
  - 3. Communication towers abutting a non-residentially zoned parcel without a habitable residential dwelling shall observe the setbacks of the district in which it is located.
- d. The proposed user must show proof of an attempt to collocate on existing communication towers, and must be willing to allow other users to collocate on the proposed tower in the future subject to engineering capabilities of the structure. Evidence of an attempt to collocate must show that alternative towers, buildings, or other structures are not available for use within the applicant's tower site search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, or provide a location free of interference from other communication towers.
- e. Towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agencies. However, no nighttime strobe lighting shall be incorporated unless required by the Federal Communications Commission, the Federal Aviation Administration, or other regulatory agency.
- f. Each communication tower and associated buildings shall be enclosed within a fence at least seven (7) feet in height.
- g. Each communication tower site shall be landscaped in accordance with the requirements of Section 26-176 of this chapter.
- h. No signage may be attached to any portion of a communications tower. Signs for the purpose of identification, warning, emergency function or contact or other as required by applicable state or federal rule, law, or regulation may be placed as required by standard industry practice.
- i. A communications tower which is no longer used for communications purposes must be dismantled and removed within one hundred twenty (120) days of the date the tower is taken out of service.

#### **DISCUSSION:**

The applicant proposes to erect a 195-foot monopole telecommunications tower, which will be situated within a 3,600 square foot fenced area.

Staff visited the site.

According to the provisions of subsection 26-152 (d) (22) (c) (1) "...towers abutting a residentially zoned parcel shall have a minimum setback of one (1) foot for each foot of height of the tower as measured from the base of the tower."

In addition, the provisions of subsection 26-152 (d) (22) (c) (3) require "...towers abutting a non-residentially zoned parcel without a habitable residential dwelling shall observe the setbacks of the district in which it is located." The required setbacks for the M-1 district are:

- Front 25 feet
- Rear 10 feet
- Side None

The submitted site plan indicates that the tower will meet the required setbacks.

Meeting the criteria for a special exception in section 26-152 (d) (22) (c) may indicate that the applicant has taken necessary measures to minimize the impact of a communication tower on the surrounding area. Staff believes that this request will not impair the properties in the immediate or surrounding area.

The applicant must address, before the Board, the special exception requirements of section 26-152 (d) (22) (d).

Staff recommends approval for this request.

#### **CONDITIONS:**

#### Section 26-56 (f) (3)

Conditions: In granting a special exception, the board of zoning appeals may prescribe conditions and safeguards in addition to those spelled out in this chapter. The board of zoning appeals may also prescribe a time limit within which the special exception shall be begun or completed, or both. All conditions placed on the project by the board of zoning appeals shall be incorporated into such project.

#### OTHER RELEVANT SECTIONS:

N/A

#### **CASE HISTORY:**

N/A

#### **ATTACHMENTS:**

- Site plan
- Zoning Application Packet

15-04 SE HIGHWOOD TOWERS II, LLC 3933 BROAD RIVER RD. COLUMBIA, SC 29210 TMS# 06111-02-04



# Exhibit A



# BOARD OF ZONING APPEALS SPECIAL EXCEPTION



1.	Location: 1217 WESSINGER ROAD, COLUMBIA, SC 29203						
	Ti	MS Page: R12007 Block: 854 Lot: 17 Zoning District: M-1					
2.		The Board of Zoning Appeals is requested to consider the granting of a special exception permitting: the construction of a telecommunications tower and related appurtenances.					
3.	De						
	radio telecommunications facility consisting of a 195 foot monopole tower in a new						
	tower compound.						
4.	Ar	Area attributed to the proposal (square feet): 10,000 square feet					
5.	. Are other uses located upon the subject property? No Yes (if Yes, list each use and the square footage attributed to each use):						
a. Use square footage							
	b.	Usesquare footage					
	C.	Usesquare footage					
6.	Total number of parking spaces on the subject property: None						
7.	Total number of employees on shift of greatest employment: None						
8.	Address the following <b>Standards of Review</b> (Sec. 26-56 (f) (2) of the Richland County Land Development Code). Please note that the members of the Board of Zoning Appeals will use your answers, among other things, as they evaluate your request.						
	a. Traffic impact: There will be no traffic impact. The facility will be unmanned and,						
	subsequent to its construction, there will be limited access to the site by service						
		personnel. Routine maintenance may require two visits per month by a single vehicle.					
	b.	Vehicle and pedestrian safety: There will be no impact to pedestrian safety. The tower					
	will be fenced with a security fence and locked gate to limit access.						
	c. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property: The facility						
	will not generate noise, fumes, or obstruct airflow and uses minimum lighting.						
	d.	Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view: The tower will be located in a densely wooded portion of					
		the property located on the back portion of the property					
	e.	Orientation and spacing of improvements or buildings: The orientation and spacing of the					
		facility is shown on sheet A-1 of the submitted Construction Drawings.					

### APPLICATION FOR ZONING APPROVAL BY HIGHWOOD TOWERS II, LLC, FOR THE CONSTRUCTION OF A TELECOMMUNICATIONS TOWER AND RELATED APPURTENANCES

(LINCOLNSHIRE SITE)

(1217 Wessinger Road)

#### I. INTRODUCTION.

- A. **OVERVIEW.** This is an application by Highwood Towers II, LLC ("Highwood") seeking zoning approval for the construction of a telecommunications tower and related appurtenances on a parcel with Tax Map Number of R12007-03-17, pursuant to the requirements of the Richland County Land Development Code (the "Ordinance").
- B. **PURPOSE.** The application is for the purpose of allowing for the construction of a new telecommunications tower. The telecommunications facility will consist of a 195' monopole tower and ancillary equipment shelters.
- C. OWNERSHIP/OPERATION. The proposed telecommunications tower will be owned and operated by Highwood Towers II, LLC. Highwood's address is 5579B Chamblee Dunwoody Road, #164, Dunwoody, GA 30338. Highwood's contact is Matt Allen, at (404) 664-8656. Highwood owns and operates telecommunications towers in Florida, Georgia, South Carolina and North Carolina. The principles of Highwood have been involved in the rollout of wireless networks for over 20 years.
- D. **STATEMENT OF NEED.** The proposed tower is located in northern Richland County along Highway 321. SC DOT traffic counts for Highway 321 in this area were 8800 ADT in 2013. In addition, approximately 1,764 households are located within 1.5 miles of the site with an estimated population of 4,446. Currently, there are no existing structures in the area to adequately provide wireless service. With the advent of additional data services, increased in building wireless use, and increased wireless subscribers, the need for additional wireless service and corresponding infrastructure is required in this area.

#### II. THE PROPERTY.

- A. **OWNERSHIP.** The subject property is owned by Watertree Plaza, Limited Partnership with a mailing address of PO Box 1108, Irmo, SC 29063.
- B. **LOCATION.** The property upon which the proposed telecommunications tower will be constructed is located at 1217 Wessinger Road, Columbia, SC 29203. The property is identified as Tax Map Number R12007-03-17 and is further described in Deed Book 854, at Page 930, as recorded in the Richland County Register of Deeds Office. The primary zoning for the property is M-1, Light Industrial.
- C. **LEASED PROPERTY.** Highwood Towers II, LLC has leased a 100' x 100' portion of the property from the property owner and has obtained a 30' wide easement for access and utilities from Wessinger Road.
- D. **OVERALL PROPERTY.** The overall property of which the leased property is a portion contains approximately three and two-thirds (3.65) acres. The property is zoned Light Industrial ("M-1") and is currently vacant. The property is heavily wooded in the

location of the proposed tower.

#### III. INTENDED FACILITY.

- A. **TOWER.** Highwood Towers II, LLC proposes to construct a freestanding telecommunications tower and related appurtenances ("Communications Facility") on the subject property. The telecommunications tower will be one hundred ninety-five (195) feet in height.
- IV. COMPLIANCE WITH THE ORDINANCE (Reference Exhibit A-Zoning Drawings attached hereto).
  - Sec. 26-152(d)(22) Special Exceptions: Radio, television and telecommunications and other transmitting towers.
    - A. Sec. 26-151(d)(22)(a) Use districts: Rural; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; M-1 Light Industrial; Li Light Industrial; Heavy Industrial.
      - RESPONSE: Acknowledged and agreed. The site is zoned Light Industrial ("M-1") requiring a Special Exception as shown in Sec. 26-141(f) Table 26-V-2, Table of Permitted Uses, page 323 of the ordinance.
    - B. Sec. 26-152(d)(22)(b) Tower Height. Towers shall have a maximum height of three hundred (300) feet.
      - RESPONSE: Please refer to the Zoning Drawings attached hereto as Exhibit A, Sheet A-2 showing the tower height of 195' with 4' lightning rod for a total structure height of 199'.
    - C. Sec. 26-152(d)(22)(c) Minimum setback requirements. The minimum setbacks for communication towers from abutting districts shall be as follows:
      - 1. Communication towers abutting a residentially zoned parcel shall have a minimum setback of one (1) foot for each foot of height of the tower as measured from the base of the tower. The maximum required setback shall be two hundred and fifty (250) feet.

RESPONSE: The telecommunications tower abuts residentially zoned parcels on the North and East. The tower has been sited to exceed the required 1 to 1 setback ratio from residential properties. Please refer to the Zoning Drawings attached hereto as Exhibit A, Sheet A-0.

2. For a communication tower abutting a non-residentially zoned parcel with a habitable residential dwelling, the tower must be setback a minimum of fifty (50) feet.

RESPONSE: There are no habitable residential dwellings on abutting properties to the West and South. In addition, the tower setbacks from the West and South property lines exceed the required minimum of fifty (50). Please refer to the Zoning Drawings attached hereto as Exhibit A, Sheet A-0.

3. Communication towers abutting a non-residentially zoned parcel without a habitable residential dwelling shall observe the setbacks of the district in which it is located.

RESPONSE: There are no habitable residential dwellings on abutting non-residentially zoned parcels. The minimum setbacks per Sec. 26-99 (M-1) Light Industrial District for principal uses are: Front- 25 feet; Side- None; Rear- 10 feet

All setbacks have been exceeded. Please refer to the Zoning Drawings attached hereto as Exhibit A, Sheet A-0.

D. Sec. 26-152(d)(22)(d). Proof of Attempt to Collocate: Provide a statement and supporting documentation that there are no structures or facilities suitable for collocation within the coverage area.

RESPONSE: Please refer to the Statement of Inability to Collocate, attached hereto as Exhibit B, and the existing towers map, attached hereto as Exhibit C. Please refer to the Justification Statement attached hereto as Exhibit D.

E. Sec. 26-152(d)(22)(d). Shared Use of Tower. The proposed user must be willing to allow third parties to collocate on the proposed tower in the future subject to engineering capabilities of the structure.

RESPONSE: Please refer to Highwoods' statement regarding Lincolnshire Tower Shared Use attached hereto as Exhibit E.

F. **Sec. 26-152(d)(22)(e). Compliance with Laws.** Tower must be illuminated as required by the FCC, FAA, or other regulations.

RESPONSE: Please refer to Highwoods' statement regarding Compliance with Laws attached hereto as Exhibit F. Please refer to the FAA Towair Determination Results attached hereto as Exhibit G noting the proposed structure does not require registration and exceeds any FAR Part 77 or FCC Part 17 notice requirement and therefore, marking and/or lighting should not be required.

G. Sec. 26-152(d)(22)(f). Fencing. Compound must be enclosed by a fence at least seven (7) feet in height.

RESPONSE: The compound will be enclosed by a fence eight (8) feet in height. Please refer to the Zoning Drawings attached hereto as Exhibit A, Fence Details, Sheet A-3.

H. Sec. 26-152(d)(22)(g). Landscaping Standards. Each communication tower site must be landscaped in accordance with Section 26-176.

RESPONSE: The site will be constructed with a minimum 10' buffer of mature existing vegetation as shown on Sheet A-1 of the Zoning Drawings attached hereto as Exhibit A.

I. Sec. 26-152(d)(22)(h). No Signs. No signs may be attached to proposed tower. Signs for the purpose of identification, warning, emergency unction, contact, or other as required by applicable state federal rule or law, or regulation may be placed as required by standard industry practice.

RESPONSE: Please refer to the Zoning Drawings attached hereto as Exhibit A, signage details and notes, Sheet A-3.

J. Sec. 26-152(d)(22)(i). Abandonment. A communications tower which is no longer used for communications purposes must be dismantled and removed within one hundred twenty (120) days of the date the tower is taken out of service.

RESPONSE: Acknowledged and agreed. Please refer to Highwood Tower' statement regarding Tower Removal for Non-Use attached hereto as Exhibit H.

- K. Sec. 26-56. Special Exceptions General Requirements
  - a. Section 25-56(c)(1): Plan submittal. The application for a special exception is to be filed by the owner of the property or an authorized agent on the planning department's form.

RESPONSE: Acknowledged and agreed. Application submitted includes owner signature in the Designation of Agent section on page 2.

b. Section 25-56(d): Staff Review. The planning department shall review the application and determine if it is complete within fifteen (15) days of its submittal. If the application is complete, the planning department shall schedule the matter for consideration at a public hearing by the board of zoning appeals. The planning department shall prepare a staff evaluation and recommendation regarding the submitted special exception application.

RESPONSE: Acknowledged and agreed.

c. Section 25-56(e): Public Notification. Notice of the public hearing shall be posted on the property for which a special exception is sought. Notice shall also be published in a newspaper of general circulation within the county no less than fifteen (15) days prior to the public hearing on the matter.

RESPONSE: Acknowledged and agreed. Planning staff notified Highwood Towers II, LLC on 12/18/14 that "posting the property and advertising in the newspaper for the special exception" would be accomplished by Development Services Staff.

- d. Section 25-56(f): Formal Review.
  - i. Action by the Board. The board of zoning appeals will hold a public meeting on the proposed special exception and approve, continue, or continue the proposed special exception. Any approval or denial must be by a concurring vote of the majority of the members of the board present and voting.
  - ii. Standard of Review. The board of zoning appeals consider the following in reviewing a special exception:
    - 1. Traffic impact;

RESPONSE: Cell towers generate minimal traffic with site visits only needed for monthly maintenance.

2. Vehicle and pedestrian safety;

RESPONSE: The proposed communications tower will have no impact on vehicle or pedestrian safety. The tower will be fenced with a security

fence to limit access to the communications tower.

3. Potential impact of noise, lights, fumes, or obstruction of air flow on adjoining properties;

RESPONSE: The proposed communications tower will not impact the surrounding properties with regard to noise, lights, fumes, or obstruction of air flow. Tower will not be lighted as previously noted in above.

4. Adverse impact of the proposed use on the aesthetic character of the environs, to include the possible need for screening from view; and

RESPONSE: The proposed communications tower will not substantially detract from aesthetics or impair the use of neighboring properties. The communications tower will be located on an industrially zoned parcel which abuts industrial zoned properties on two sides and residentially zoned properties on two sides. One of the residentially zoned properties is owned by the owner of the parent tract for this application. The other residentially zoned property is separated from the proposed tower by an existing high voltage power transmission line. The tower will be situated in a mature, wooded area at the rear portion of the parcel. The existing zoning and the mature, wooded buffer around the perimeter of the property makes this an optimal location for the proposed site.

5. Orientation and spacing of improvements or buildings.

RESPONSE: The layout of the proposed communications tower and compound are shown on the Zoning Drawings attached hereto as Exhibit A, Sheets A-0 and A-1.

iii. **Section 26-56(f)(4). Conditions.** The board of zoning appeals may prescribe additional conditions and safeguards.

RESPONSE: Acknowledged and agreed.

#### V. CONCLUSION.

Highwood Towers II, LLC respectfully requests that the application for Special Exception and zoning be approved allowing the construction of a Communications Facility.

Submitted by

Matt Allen

Highwood Towers II, LLC

5579B Chamblee Dunwoody Road

#164

Dunwoody, GA 30338



January 30, 2015

Richland County Planning & Development Services 2020 Hampton Street Columbia, SC 29202

Attn: Geonard Price

RE: Submittal of Application for Special Exception For Wireless Telecommunications Tower and Facility – 1217 Wessinger Road

Dear Mr. Price,

Please accept the attached application and associated documentation required for the request for Special Exception for the zoning and construction of the proposed wireless telecommunications tower and facility.

We respectfully request that the application and documents be reviewed and submitted as required to meet the schedule for the March 4, 2015 Board of Zoning Appeals meeting. Once this submittal has been reviewed, please notify this office if any additional information or documents will be required in order for this Special Exception to be placed on the agenda for the February meeting as requested.

Thank you for your assistance in reviewing and submitting this application. Please contact me directly if you have any questions or if additional information is required.

Sincerely,

Matt Allen

Managing Member

# **Exhibit B**



January 30, 2015

Richland County Planning & Development Services 2020 Hampton Street Columbia, SC 29202 Attn: Geonard Price

**RE:** Wireless Communications Facility Application- 1217 Wessinger Road Statement of Inability to Collocate

Dear Mr. Price,

Please accept the signed statement below confirming compliance with Section 26-152, paragraph (d)(22)(d) of the Richland County Zoning Ordinance:

Please accept this letter as evidence by Highwood Towers II, LLC (Highwood) confirming that no other structures exist to provide suitable coverage in the vicinity of 1217 Wessinger Road or within the 0.5 mile search area. Below is a list of the existing structures in the area (see attached map):

-ATC tower- There is an existing 230' ATC tower located 1.1 miles south of the proposed site that was built in 1999.

-Crown Castle tower- There is an existing 499' Crown tower located 2.0 miles to the northwest of the proposed site that was built in 1997.

None of the sites listed above can satisfy the Search Area requirements and provide suitable wireless service in the area. There are no other existing towers within 2 miles of the proposed site.

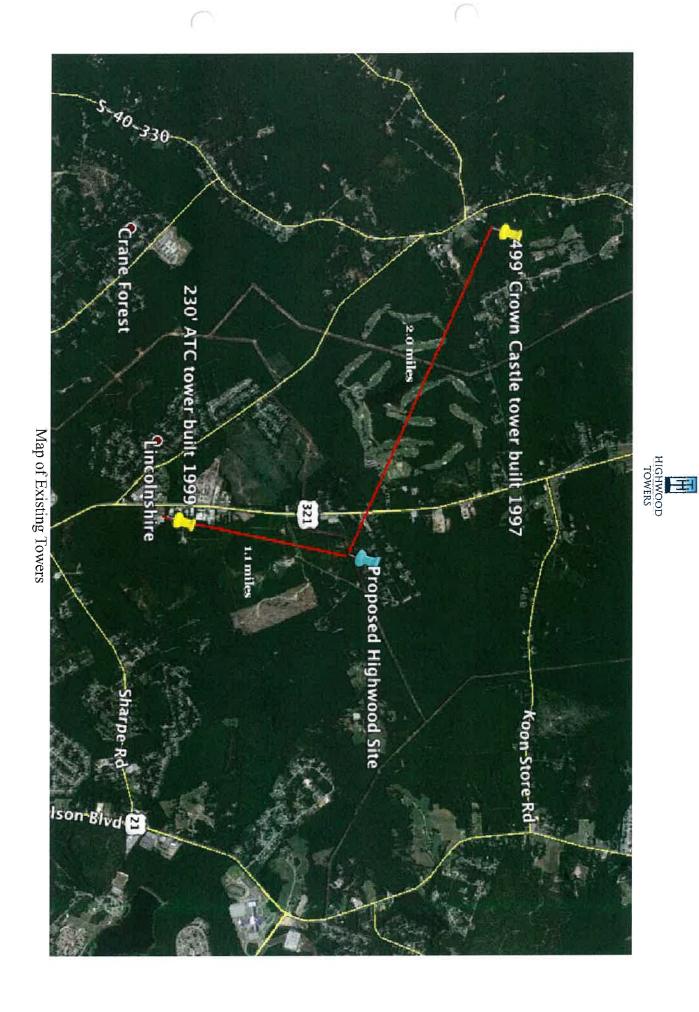
Please contact me directly if you have any questions or if additional information is required.

Sincerely,

Matt Allen

Managing Member

# **Exhibit C**



# **Exhibit D**



Janu 29, 2015

Richland County Planning and Development

2020 Hampton Street

Columbia, SC 29202

Attn: Geonard Price

RE: Proposed Telecommunications Site- 1217 Wessinger Road

Dear: Mr. Price,

My name is Razaaq Baruwa and I am the owner of BRF Link Engineering, a Radio Frequency (RF) engineering firm. I personally have over 16 years experience in designing wireless networks for numerous wireless providers.

There currently exists insufficient wireless coverage in the area along Highway 321 in the area of Oak Hills Golf Club. This gap in coverage is made even worse for those attempting to utilize their mobile devices indoors in these areas. Indoor coverage is becoming increasingly important as more than 80% of new households are electing to forego the installation of a wired phone connection. This site will provide connecting service to existing sites to the north and south, while providing additional coverage to the general area.

In our attempt to improve service in the area, we first evaluated existing structures. There were existing towers located to the northwest and to the south, but all of these existing towers were outside of our Search Area (see copy attached). These existing structures would not have provided suitable service to the areas surrounding the proposed Search Area.

Additional wireless coverage in this area will provide additional choices for wireless consumers and will also provide access to communications and Public Safety for residents and visitors. I hope you will consider this request favorably.

Sincerely,

Razaaq Baruwa

Sr. RF Engineer

**BRF Link Engineering** 



#### HIGHWOOD TOWERS II, LLC

#### Lincolnshire

#### **SEARCH RING**

Latitude: <u>34 06 41.27</u> Longitude: <u>-81 01 32.60</u>

Height: 195' Search Radius: .50 miles



**Coverage Objective:** Highway 321 north of Lincolnshire area and residential areas surrounding Oak Hills Golf course.

Tel: 0044 (0) 208 306 1309

# Exhibit E



January 30, 2015

Richland County Planning & Development Services 2020 Hampton Street Columbia, SC 29202 Attn: Geonard Price

RE: Wireless Communications Facility Application Statement of Shared Use

Dear Mr. Price,

Please accept the signed statement below as confirming Section 26-152 paragraph (d)(22)(d) of the Richland County Zoning Ordinance:

Please accept this letter as notice and confirmation of Highwood Towers II, LLC (Highwood) commitment to provide this communications facility for collocation to multiple wireless telecommunication entities. Highwood's tower will be designed to handle no less than three (3) collocators for our proposed site at 1217 Wessinger Road, Columbia, SC 29203.

Please contact me directly if you have any questions or if additional information is required.

Sincerely,

Matt Allen

Managing Member

# Exhibit F



January 30, 2015

Richland County Planning & Development Services 2020 Hampton Street Columbia, SC 29202 Attn: Geonard Price

RE: Wireless Communications Facility Application Statement of Compliance with Laws and Regulations

Dear Mr. Price,

Please accept the signed statement below confirming compliance with Section 26-152 paragraph (d)(22)(e) of the Richland County Zoning Ordinance:

Please accept this letter as notice and confirmation of Highwood Towers II, LLC (Highwood) commitment to comply with all Federal Communications Commission, Federal Aviation Administration, or other State and local regulatory agencies when constructing this communications facility at 1217 Wessinger Road, Columbia, SC 29203.

Please contact me directly if you have any questions or if additional information is required.

Sincerely,

Matt Allen

Managing Member

## Exhibit G

#### **TOWAIR Determination Results**

#### \*\*\* NOTICE \*\*\*

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

#### **DETERMINATION Results**

Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates you provided.

Your Specifications

#### **NAD83** Coordinates

Latitude	34-06-29.5 north
Longitude	081-01-17.8 west
Measurements (Meters)	
Overall Structure Height (AGL)	60.7
Support Structure Height (AGL)	59.4

#### Structure Type

MTOWER - Monopole

Site Elevation (AMSL)

#### **Tower Construction Notifications**

Notify Tribes and Historic Preservation Officers of your plans to build a tower.

CLOSE WINDOW

82.3

# Exhibit H



January 30, 2015

Richland County Planning & Development Services 2020 Hampton Street Columbia, SC 29202 Attn: Geonard Price

**RE:** Wireless Communications Facility Application Statement of Tower Removal for Non-Use

Dear Mr. Price,

Please accept the signed statement below confirming compliance with Section 26-152 paragraph (d)(22)(i) of the Richland County Zoning Ordinance:

Please accept this letter as notice and confirmation of Highwood Towers II, LLC (Highwood) commitment to dismantle and remove the proposed communications facility at 1217 Wessinger Road, Columbia, SC 29203 within one hundred twenty (120) days of the date the tower is taken out of service.

Please contact me directly if you have any questions or if additional information is required.

Sincerely,

Matt Allen

Managing Member

HIGHWOOD TOWERS

5579B CHAMBLEE DUNWOODY RD #164 DUNWOODY, GA 30338 TEL: (404) 664—8656 FAX: (773) 897—7064

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE, A

STEATONION AS USENDARIA'S OF STRANCE, ARE THE EXCLUSIVE PROPERTY OF HIGHWOOD TOWERS II, ILL CAND THEIR USE, AND FERRICATION SHALL BE RESTRICTED TO THE OPERANA. SITE FOR WHICH THEY ARE PREPARED. RELISE, REPRODUCTION OR POBLICATION OF WHICH WHILE DEVILLE STRANCE OF IN WHILE DEVILLE STRANCE OF THE WHITTER PREMASION FROM HIGHWOOD TOWERS II, LLC WITHOUT PREJUDICE SAD VISIAL CONNECT WITH THEY SHALL CONSTITUTE PRIMA FACE PURDENCE OF ACCEPTANCE OF ACCEPTANCE.

e n g i n e e r s 5661 COLUMBIA PIKE, SUITE 200 FALLS CHIRCAN, NA, 22041–2868 TEL: (703) 671–6500 FAK: (703) 671–6500 architects

DATE SHEET REVISION DESCRIPTION BY 

SITE NUMBER: SC 243

LINCOLNSHIRE

SITE ADDRESS: 1217 WESSINGER RD COLUMBIA, SC 29203

STAMP HERE:

THE SOLS STANDARD OF THE WILLIAM THE SOLS STANDARD OF THE SOLS STANDARD

SIE PLAN ENLARGED SIE PLAN TOWER ELEVATION FENCE, GATE, AND COMPOUND GROSS SECTION DETAIL

A-0 A-1 A-3

TITLE SHEET, VICINITY MAP AND GENERAL INFORMATION

Ξ

01-30-15 GMW

DRAWN BY: CHECKED BY: DATE DRAWN: SUBMISSION: SHEET TITLE:

TITLE SHEET, VICINITY MAP

AND GENERAL INFORMATION

SHEET NUMBER:

1

SHEET INDEX

#### **SONING** FOR IZZNED

DATE

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# A NEW 195' MONOPOLE & WIRELESS TELECOMMUNICATIONS FACILITY

PROJECT DESCRIPTION:

Bennetts (3)

"Pageland

Lancaster

SITE NAME:
LINCOLNSHIRE

Hartsville

Westville

Darlington

Camden

Timmonsville

Sumter

6

DIG ALERT:

EMERGENCY:

CALL 911

DATE DATE DATE PHONE NUMBER PHONE NUMBER PHONE NUMBER SIGNATURE

DESCRIPTION SET NO. 9 2 DATE  $\mathbb{R}$ DESCRIPTION

SHEET NUMBER:  $\infty$ SITE NAME:

PROPERTY OWNER: WATERE PLAZA PO BOX 1108 IRMO, SC 29063 HIGHWOOD TOWERS II, LLC 5579B CHAMBLEE DUNWOODY RD ≱164 DUNWOODY, GA 30338 APPLICANT BUILDING INFO: SITE ADDRESS: 1217 WESSINGER RD COLUMBIA, SC 29203 SITE NUMBER: SC 243

PROJECT DESCRIPTION:
AN UNMANNED RADIO TELECOMMUNICATIONS FACILITY
CONSISTING OF A 195 FT. MONOPOLE IN A NEW TOHER
COMPOUND TEL: (404) 664-8656 FAX: (773) 897-7064

ADA COMPLIANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION PROJECT DATA:

BC ARCHITECTS ENGINEERS, PLC 5661 COLUMBIA PIKE, SUITE 200 FALLS CHURCH, VA 22041—2868

TEL: (703) 671-6000 FAX: (703) 671-6300

UTILITES:

M-1 RICHLAND COUNTY R12607-03-17 100'x100' ZONING: JURISDICTION: TAX MAP NO: LEASE AREA:

GEOGRAPHIC COORDINATES (NAD 83):
LATITUDE: 34' 06' 29.53"
LONGITUDE: -81' 01' 17.84'
GROUND ELEVATION: 269± AMSL

PROJECT SUMMARY Lattube: Longitube: Ground Elevation:

POWER COMPANY:
COMPANY NAME: GREGORY ELECTRIC CO INC.
CONTACT: CUSTOMER SERVICE
TEL: (803) 786-2201 COMPANY NAME: AT&T CONTACT: CUSTOMER SERVICE TEL: (803) 748—0008 TELEPHONE COMPANY:

CONSULTING TEAM

HIGHWOOD TOWERS CALL SOUTH CAROLINA 811 OR (888) 721-7877 FOR UNDERGROUND UTILITIES PRIOR TO DIGGING CONTACT: CHRIS MORIN HIGHWOOD TOWERS II CONSTRUCTION COORDINATOR ARCHITECTURAL AND ENGINEERING FIRM: BC ARCHITECTS ENGINEERS, PLC 5681 COLUMBA PIKE, SUITE 200 FALLS CHURCH, VA 22041-2868 TEI: (703) 671-6000 FAX: (703) 671-6300 HIGHWOOD TOWERS II APPROVAL **APPROVAL** SET NO.

Kingstree

Sardinia

Privateer

, at Skins

SCALE: 1" = 30 MILES NORTH

 $\geq$ 

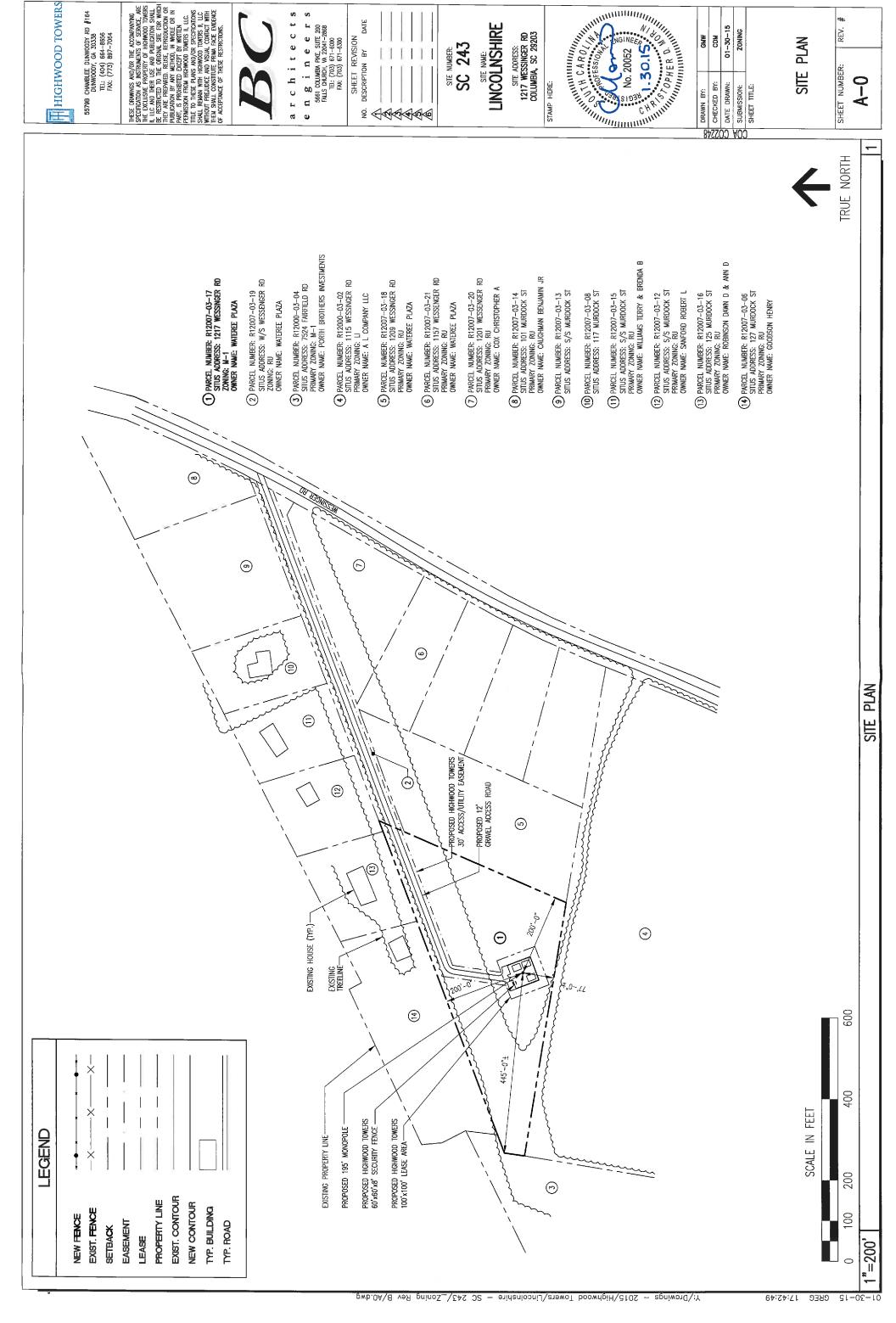
Coss

Gundagui

SCALE: 1" = 2000' Power Brown Ω PN 1964/509/ ba bleihit

TURN RIGHT ONTO US-321 N 2.6 MI. TURN RIGHT CTIONS TO SITE: 1-20 e 0.3 m. at exit 70, take ramp right for US-321 toward winnsbord 0.2 m. Wessinger RD 0.7 m. site access entrance will be on the left

Y:/Drawings — 2015/Highwood Towers/Lincolnshire — SC 243/\_Zoning Rev 0/T1.dwg



DATE

REV.

