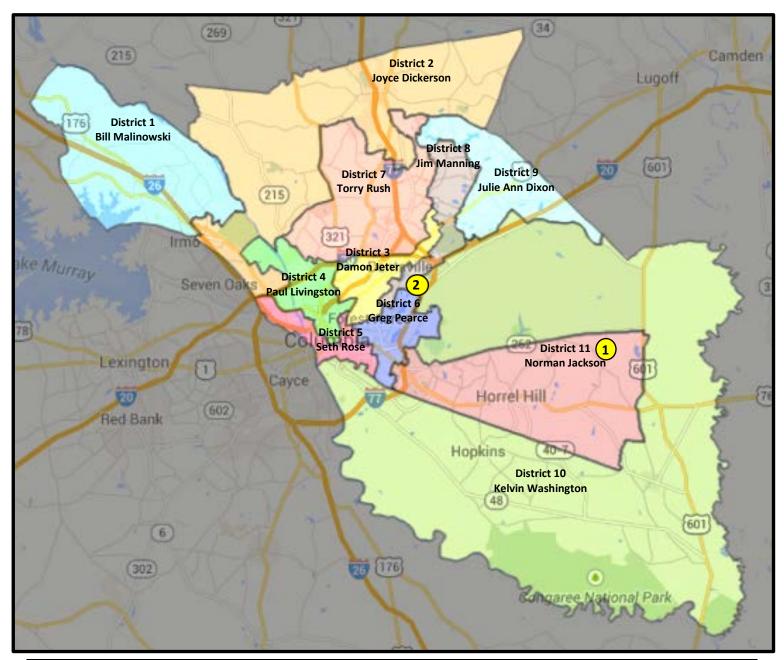
# RICHLAND COUNTY BOARD OF ZONING APPEALS



Wednesday, 3 February 2016
3 p.m.
Council Chambers

#### RICHLAND COUNTY BOARD OF ZONING APPEALS February 3, 2016



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 15-04 V	Richard Hall	33200-02-79	113 Millwood Drive Eastover, SC 29044	Jackson
2. 16-01 SE	Keith Powell	16815-09-09/10	1603 & 1607 Dupont Drive Columbia, SC 29223	Manning



#### **Richland County Board of Zoning Appeals** Wednesday, February 3, 2016 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. RULES OF ORDER Amelia Linder, Attorney

V. APPROVAL OF MINUTES – December 2015

VI. PUBLIC HEARING Geonard Price,

Deputy Planning Director/ Zoning Adm.

#### **OPEN PUBLIC HEARING**

15-04 V Request a variance to encroach into the setbacks on property

**Richard Hall** zoned Rural (RU)

113 Millwood Dr. Eastover, SC 29044

TMS# 33200-02-79 P. 1

16-01 SE Request a special exception to establish a communication tower **Keith Powell** 

on property zoned General Commercial (GC) **Optima Towers IV LLC** 

1603 & 1607 Dupont Dr.

P. 9

TMS# 16815-09-09 & 10

VIII. ADJOURNMENT

VII. OTHER BUSINESS

Columbia, SC 29223

#### 3 February 2016 Board of Zoning Appeals



#### REQUEST, DISCUSSION AND RECOMMENDATION

#### **CASE:**

15-04 Variance

#### **REQUEST:**

The applicant is requesting the Board of Zoning Appeals to grant a variance to encroach into the required side yard setback in the Rural (RU) district.

#### **GENERAL INFORMATION:**

*Applicant:* Richard Hall *TMS:* 33200-02-79

Location: 113 Millwood Drive, Eastover, SC 29044

Parcel Size: 2.1 acres

Existing Land Use: Currently the property residentially developed and occupied.

Proposed Land Use: Construction of a truck port and storage building.

*Character of Area:* The area is residentially developed.

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

Section 26-33 (a) (2) of the Land Development Code empowers the Board of Zoning Appeals to authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter would result in an unnecessary hardship. Such appeals shall be made in accordance with the procedures and standards set forth in Sec. 26-57 of this chapter.

#### **CRITERIA FOR VARIANCE:**

Standard of review. The board of zoning appeals shall not grant a variance unless and until it makes the following findings:

- a. That there are extraordinary and exceptional conditions pertaining to the particular piece of property; and
- b. That these conditions do not generally apply to other property in the vicinity; and
- c. That because of these conditions, the application of this chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- d. That the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the granting of the variance will not harm the character of the district.

#### **DISCUSSION:**

The applicant is proposing to construct a truck port/storage building which will encroach into the required side yard setback of twenty (20) feet by ten and one-half (10½) feet.

The applicant proposes to establish the structure over an existing concrete slab which is situated nine and one-half (9½) from the east property line. According to the applicant, restraints on the property prohibit the proposed building from being constructed on other locations on the property. The submitted site plan indicates that a water line and well are located in the middle of the property. The west side of the property is burdened by an old garage slab, an old septic tank, a new septic tank, and drain fields. The applicant also references that the "constant down grade of property" impacts the other building areas for the structure.

Staff believes that the subject parcel does not meet all of the criteria required for the granting of a variance. While the applicant has demonstrated that utilities encumber the front and western portions of the property, justification for why the area around the concrete slab is not viable has not been established. One available option for the applicant is to remove the trees which are located immediately west of the concrete slab. This would allow the structure to be erected outside of the required setbacks. Staff recommends that the request be **denied**. According to the standard of review, a variance shall not be granted until the following findings are made:

#### a. Extraordinary and exceptional conditions

The configurations of the lot limit the ability to construct on the property.

#### **b.** Conditions applicable to other properties

Staff was unable to determine if other properties in the surrounding area (although nonconforming) would be limited by the required setbacks for the district.

#### c. Application of the ordinance restricting utilization of property

Application of the setbacks for the rural district would restrict utilization of the property.

#### d. Substantial detriment of granting variance

There would be no substantial detriment to the surrounding properties if the variance is granted. The property located north of the site is zoned light industrial (M-1) and would have a required rear yard setback of ten (10) feet. The abutting residential parcels currently encroach into the required front and side yard setbacks.

#### **CONDITIONS:**

26-57(f)(3)

Conditions. In granting a variance, the board of zoning appeals may attach to it such conditions regarding the location, character, or other features of the proposed building, structure or use as the board of zoning appeals may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety, or general welfare. The board of zoning appeals may also prescribe a time limit within which the action for which the variance was sought shall be begun or completed, or both.

#### **OTHER RELEVANT SECTIONS:**

26-57 (f) (1) Formal review.

- (1) Action by the board of zoning appeals. Upon receipt of the application for a variance request from the planning department, the board of zoning appeals shall hold a public meeting on the proposed variance request. Any party may appear in person or be represented by an authorized agent. In considering the application, the board of zoning appeals shall review the application materials, the staff comments and recommendations, the general purpose and standards set forth in this chapter, and all testimony and evidence received at the public hearing. After conducting the public hearing, the board of zoning appeals may:
- a. Approve the request;
- b. Continue the matter for additional consideration; or

#### c. Deny the request.

Any approval or denial of the request must be by a concurring vote of a majority of those members of the board of zoning appeals both present and voting. The decision of the board of zoning appeals shall be accompanied by written findings that the variance meets or does not meet the standards set forth in the Standard of Review. The decision and the written findings shall be permanently filed in the planning department as a public record. The written decision of the board of zoning appeals must be delivered to the applicant.

#### **CASE HISTORY:**

No record(s) of previous special exception or variance request.

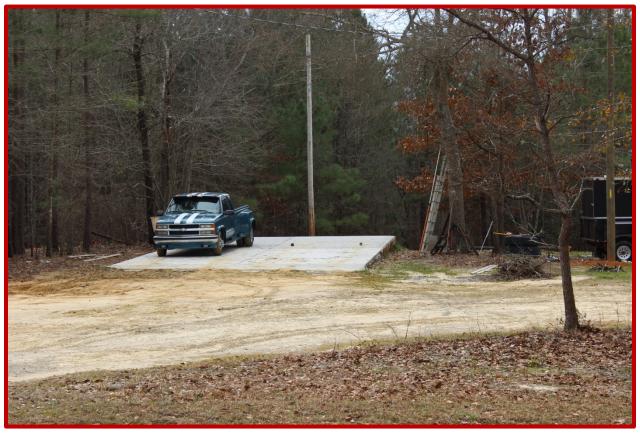
#### **ATTACHMENTS:**

- Plat
- Application

15-04 V Richard Hall 113 Millwood Dr. Eastover, SC 29044 TMS: 33200-02-79



15-04 V Richard Hall 113 Millwood Dr. Eastover, SC 29044 TMS: 33200-02-79







### BOARD OF ZONING APPEALS VARIANCE APPEALS



Application # 1. Location 113 Millwood DR EASTONER SC 29044 TMS Page \$3.200 Block Applicant hereby appeals to the Zoning Board of Appeals for a variance from the strict application to the property as described in the provisions of Section \_\_\_\_\_\_\_of the Richland County Zoning Ordinance. 3. Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, described as follows: TRUCK PORT & STOLABE 4. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by Sec. 26-602.3b(1) of the Richland County Zoning Code are met by the following facts. a) There are extraordinary and exceptional conditions pertaining to the particular piece of property as following: CONSTANT DOWN GRADE OF PRODERTY: WATER LINE RUNG COWN FROM STREET CENTER OF PROPERTY TO b) Describe how the conditions listed above were created: Well of Projectly Drain listes installed with DRAIN lines INSTAILED When 151 DURCHASED get up Mobile Home @ 2 set DEMIN LINES AND SESTIC When c) These conditions do not generally apply to other property in the vicinity as shown by: かんかん AND VIEWER MAP d) Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: Hot being Able TO DRIVE TRUCK ON LEFT Side of REAR of PREPERTY because DRATA LINES AND SEPTICS, AS WELL AS STEED DOWN GRADE e) The authorization of the variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons: NOT UNSTERTLY, NOT BLOCKSUE SIGHT OF ANYDESE MATCH COLOR 5. The following documents are submitted in support of this application [a site plan must be submitted]: VIEWER DRAWING Attach additional pages if necessary)

> ESTOVER, SC 27544 803-361-599 City, State, Zip Code Alternate Number

chard

1, Hal

DOES MOT Show downgoode VIEWER MAP Shouls. Site pland SURNITE L 2544 1000 A CONTINGE SIN 5 The second DECK CABBATT PARCH ] well Milly 1000 BLdG CONCRETE

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SEE ATTACHED SheeTS"

2 Ft Contours

December 14, 2015

Addresses

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0.015

Richland County

## Viewer Map

#### 3 February 2016 Board of Zoning Appeals



#### REQUEST, DISCUSSION AND RECOMMENDATION

#### CASE:

16-01 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:** Keith Powell

Optima Towers IV LLC

*TMS*: 16815-09-09/10

Location: 1607 Dupont Drive, Columbia, SC 29223

**Parcel Size:** .34± acre tract

Existing Land Use: The parcels are used as overflow parking for neighboring businesses.

**Proposed Land Use:** The applicant proposes to erect a 140-foot telecommunications tower, within a

2,500 (50 x 50) square foot leased area.

Character of Area: The parcels immediate north of the subject site are residentially zoned and

developed. The parcels east, west and south of the site are commercially zoned

and developed.

#### 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 140-foot monopole telecommunications tower, which will be situated within a 2,500 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 with a habitable residential dwelling shall have a minimum setback of fifty (50) feet."

Also, the provisions of subsection 26-152 (d) (22) (c) (3) state "...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.

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:**

No record of previous special exception or variance request.

#### **ATTACHMENTS:**

- Site plan
- Zoning Application Packet

16-01 SE
Keith Powell
Optima Towers IV LLC
1603 & 1607 Dupont Dr.
Columbia, SC 29223
TMS: 16815-09-09/10





### BOARD OF ZONING APPEALS SPECIAL EXCEPTION



1.	Lo	cation: 1607 Dupont Drive, Columbia, SC 29223						
		AS Page: 16815 Block: 09 Lot: 09 Zoning District: GC						
		3 16812 09 10						
2.		e Board of Zoning Appeals is requested to consider the granting of a special exception permitting:						
2		$m{\kappa}$						
J.	DE	Describe the proposal in detail: Optim a Towers proposes a 140 monopole - style						
	<u>"W</u>	neless telecom. facility with space for three (3) carriers in addition to						
		mobile to serve the surrounding area with voice and advanced data coverage.						
4.	Ar	ea attributed to the proposal (square feet): 50 x 50 leased compound						
5.		e other uses located upon the subject property? No						
	a.	Use square footage						
	b.	Usesquare footage						
	C.	Use square footage						
6.		cal number of parking spaces on the subject property:						
7.	To	ral number of employees on shift of greatest employment:						
8.	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: The proposed facility will be unmarked and will generate, on						
	average, 8-10 maintenance visits per year, thus having no traffic impact.							
	b. Vehicle and pedestrian safety: The proposed facility will enhance vehicle and							
		pedestrian sofety by providing effective access to 911 first responders; police; fire; and EMS.						
	C.	Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property:						
		will produce no noise, no lights, no tumes, and will not abstruct airflow on the adjoining property.						
	d. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible							
	need for screening from view: Due to its short height and lack of illumination the proposed							
		facility will have no adverse effect on the aesthetic character of the environs.						
	e.	Orientation and spacing of improvements or buildings: Any support buildings will be blaced						
		incide of the lease area compound it will meet all Richland county regionments						

#### HELLMAN YATES & TISDALE

ATTORNEYS AND COUNSELORS AT LAW

JONATHAN L. YATES DIRECT VOICE 843 414-9754 JLYGHELLMANYATES.COM

HELLMAN YATES & TISDALE, PA 105 BROAD STREET, THIRD FLOOR CHARLESTON, SOUTH CAROLINA 29401 V 843 266-9099 F 843 266-9188

January 4, 2016

#### VIA FEDERAL EXPRESS

Mr. Geonard Price Zoning Administrator, Richland County Planning and Development Department 2020 Hampton Street Columbia, SC 29204

Re: Optima Towers IV, LLC and T-Mobile proposed 140-foot monopole-style wireless telecommunications facility to be located at 1607 Dupont Drive, Columbia, SC 29223

Dear Mr. Price:

Enclosed please find the application of Optima Towers IV, LLC (Optima Towers) and T-Mobile for a proposed 140-foot monopole-style wireless communications facility to be built for T-Mobile and three (3) of its competitors. The proposed facility will be located on the property of CW Haynes Co. c/o Will Fowler, BIC, which is located at 1607 Dupont Drive, Columbia, SC 29223, and is designated as Richland County tax parcel numbers R16815-09-09 and R16815-09-10. This is a very important facility to allow T-Mobile to improve its coverage for both voice and advanced data in this area of Richland County. In support of this request we have taken the liberty of recasting the relevant provisions of the Richland County Land Development Ordinance with our answer to the relevant provision in bold font beneath the section. As will be evident from a review of the attached, Optima Towers has not only met, but has exceeded, all of the necessary requirements for approval under the Richland County Land Development Ordinance.

(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.

The proposed tower shall be located in the General Commercial (GC) district of Richland County.

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.

The proposed tower is a 140' monopole tower, which easily meets the requirements of this section.

- 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.

There facility is set back 140 feet from the property of John Papas, III across Dupont Drive, as shown on Sheet Co3 of the Site Plans and Drawings, attached hereto as Exhibit "1" and incorporated herein by reference.

Communication towers abutting a non-residentially zoned parcel with a
habitable residential dwelling shall have a minimum setback of fifty (50)
feet.

The proposed tower meets setback requirements. These details can be found on page Zo1 of the Exhibit "1."

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.

The proposed tower easily meets the GC setback requirements of 25' front, 0' sides, and 10' rear. These details can be found on page Z01 of the Exhibit "1."

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.

There were no existing towers, alternative towers, buildings or other structures available in the vicinity of the proposed monopole, as stated in the letter of Keith Powell of Optima Towers, attached hereto as Exhibit "3" and incorporated herein by reference, and the letter of Robert Hill of T-Mobile, attached hereto as Exhibit "7" and incorporated herein by reference. The closest existing tower is 0.93 miles away, as shown on Sheet Co3 of Exhibit "1." The need for additional coverage in this area is further detailed in T-Mobile Coverage Letter, attached hereto as Exhibit "7", and the CelPlan letter, attached hereto as Exhibit "8" and incorporated herein by reference.

In addition, Optima Towers has designed this facility for collocation not only by T-Mobile but also for up to three (3) other wireless carriers, as shown on Sheet Co4 of Exhibit "1," and agrees to allow other users to collocate on the structure in the future subject to engineering capabilities, as stated in the Collocation Policy letter by Keith Powell of Optima Towers, attached hereto as Exhibit "4."

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.

As the monopole is only 140 feet, the FAA will not require illumination or notice, as shown on Sheet Co4 of Exhibit "1," and in the letter of Ken Patterson of Airspace Consulting, Inc., attached hereto as Exhibit "6" and incorporated herein by reference.

f. Each communication tower and associated buildings shall be enclosed within a fence at least seven (7) feet in height.

The proposed wireless communications tower and associated structures shall be appropriately secured by means of a seven-foot chained link fence topped with three strands of barbed wire as an anti-climbing device, for a total height of eight (8) feet, as shown on Sheet Co7 of Exhibit "1."

g. Each communication tower site shall be landscaped in accordance with the requirements of Section 26-176 of this chapter.

The tower site will be landscaped in accordance with the requirements of Section 26-176 of this chapter. Landscaping details can be found on Sheet Lo1 of Exhibit "1."

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.

Signs for the purpose of identification, warning, emergency function, and contact will be placed as required by applicable state and federal law. Examples of such signage can be found on Sheet C10 of Exhibit "1."

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.

Optima Towers has agreed to remove the tower and/or antenna within one hundred twenty (120) days after cessation of use, as provided in the letter of Keith Powell of Optima Towers, attached hereto as Exhibit "5." January 4, 2016 Page 4

In addition, a copy of the site survey is attached hereto as Exhibit "2", a copy of the recorded deed is attached hereto as Exhibit "9", and a copy of the recorded plat is attached hereto as Exhibit "10"

We feel that we have met the requirements of the Richland County Ordinance, and we have found a location that will provide the best possible site to reduce visibility of the facility to the surrounding area. In addition, the facility will employ the monopole design, which is generally perceived as the most innocuous and visibly pleasing type of communications facility. After a construction period of 30-45 days, the facility will only be visited by the carriers for routine maintenance approximately 4-6 times per year, thus it will not increase traffic in the area. Finally, the facility does not produce any off-site noise, light, odors or fumes. The facility will simply provide the necessary platform to deliver adequate wireless infrastructure to the surrounding area.

After you have had a chance to review the enclosed, feel free to call me at (843) 414-9754 or (843) 813-0103 with any questions you might have.

Thank you so much for all your help with this.

With warmest regards, I am

Yours very truly,

Jonathan L. Yates

Juniter L Gatel

JLY:edh



Optima Towers IV, LLC PO Box 2041 Mt. Pleasant, SC 29465

December 28, 2015

Geonard Price Richland County Zoning Administrator 2020 Hampton Street, 1st Floor Columbia, SC 29202

Re: Wireless Communications Facility Application- Lack of Collocation

Dear Richland County Zoning Administrator,

Please accept the signed statement below as confirming §§ 26-152, paragraph 24(d) of the Richland County Zoning Ordinance:

Please accept this letter as evidence by Optima Towers IV, LLC (Optima) confirming that no other structures exist to provide coverage for the vicinity of Percival Road and Decker Boulevard, within the 0.5 mile search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria. Attached is a search of the FCC database confirming the non-existence of collocate-able structures and a map illustrating the closest existing structures. The closest existing structures are 1.2 miles to North-northeast, 2.3 miles to South-southeast, 0.93 miles South-southwest, 1.42 miles to South-southwest, 2.02 miles to Southwest, and 1.47 miles to West-northwest, and 1.52 miles to Northwest. The proposed Optima site is designed to handle coverage and capacity between these seven structures. If you have any questions, please feel free to give me a call at 843-324-9745.

Sincerely,

Keith Powell Managing Member

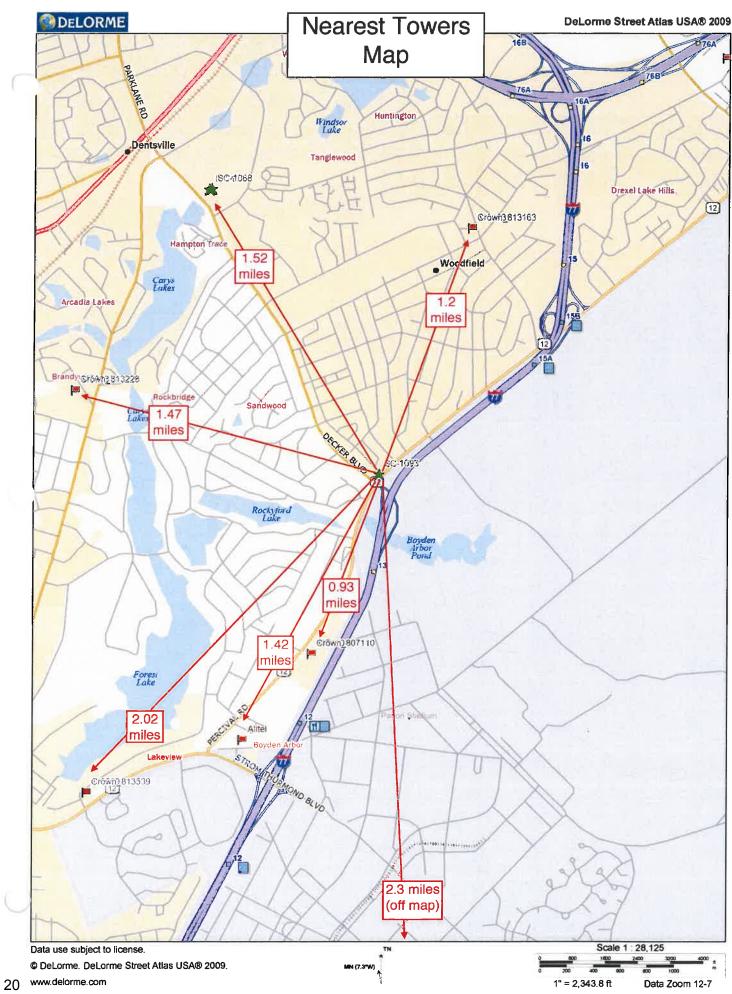
Optima Towers IV, LLC

ASR Registration Search

#### **Registration Search Results**

## No matches found To try again, you can perform a new search or refine your existing search. Specified Search Latitude='34-02-33.2 N', Longitude='80-56-16.5 W', Radius=0.8 Kilometers

CLOSE WINDOW





Optima Towers IV, LLC PO Box 2041 Mt. Pleasant, SC 29465

December 28, 2015

Geonard Price Richland County Zoning Administrator 2020 Hampton Street, 1st Floor Columbia, SC 29202

Re: Wireless Communications Facility Application- Collocation site design and policy statement

Dear Richland County Zoning Administrator,

Please accept this letter as notice and confirmation of Optima Towers (Optima) commitment to provide this communications facility for collocation to multiple wireless telecommunication entities. Optima's plan includes the engineered design to handle multiple (no less than four) collocations for its proposed site at 1607 Dupont Drive, TMS parcel #(s) R16815-09-09 and R16815-09-10. If you have any questions, please feel free to give me a call at 843-324-9745.

Sincerely,

Keith Powell Managing Member

Optima Towers IV, LLC



Optima Towers IV, LLC PO Box 2041 Mt. Pleasant, SC 29464

December 28, 2015

Geonard Price Richland County Zoning Administrator 2020 Hampton Street, 1st Floor Columbia, SC 29202

Re: Wireless Communications Facility Application- Tower Removal

Dear Richland County Zoning Administrator,

Please accept the signed statement below as confirming §§ 26-152, paragraph 24(i) of the Richland County Zoning Ordinance:

Optima Towers IV, LLC, its successors and assigns, provide this statement declaring itself, its successors and assigns of being financially responsible to assure the proposed communications tower on TMS parcel #(s) R16815-09-09 and R16815-09-10, which is no longer used for communications purposes will be dismantled and removed within one hundred twenty (120) days of the date the tower is taken out of service.

Applicant: Optima Towers IV, LLC, a South Carolina limited liability company

Acknowledged and Accepted

By: Keith Powell

Its: Managing Member

Date: December 28, 2015

cc: Jonathan L. Yates, Esquire



#### Airspace Consulting, Inc.

www.airspace-ken.com

Site ID: Decker & Percival SC-1093-A

December 28, 2015

#### Keith Powell

On December 28, 2015, I personally conducted an evaluation of a proposed telecommunications site for Optima Towers. The study was to determine if the proposed structure would create any adverse effect on navigable airspace. The site is located near in Columbia, South Carolina at 34° 02' 33.22" North and 80° 56' 16.52" West (NAD 83). The site elevation is 254' above mean sea level (AMSL). The proposed structure height is 165' above ground level (AGL) or 419' AMSL. Part 77 of the Federal Air Regulations and Part 17 of the FCC Rules and Regulations were used as the primary reference for this evaluation.

The closest public use or DOD landing surface is Runway 13 at Columbia Owens Downtown Airport. The distance to the runway is 5.18 nautical miles on a true bearing of 038.04° from the runway.

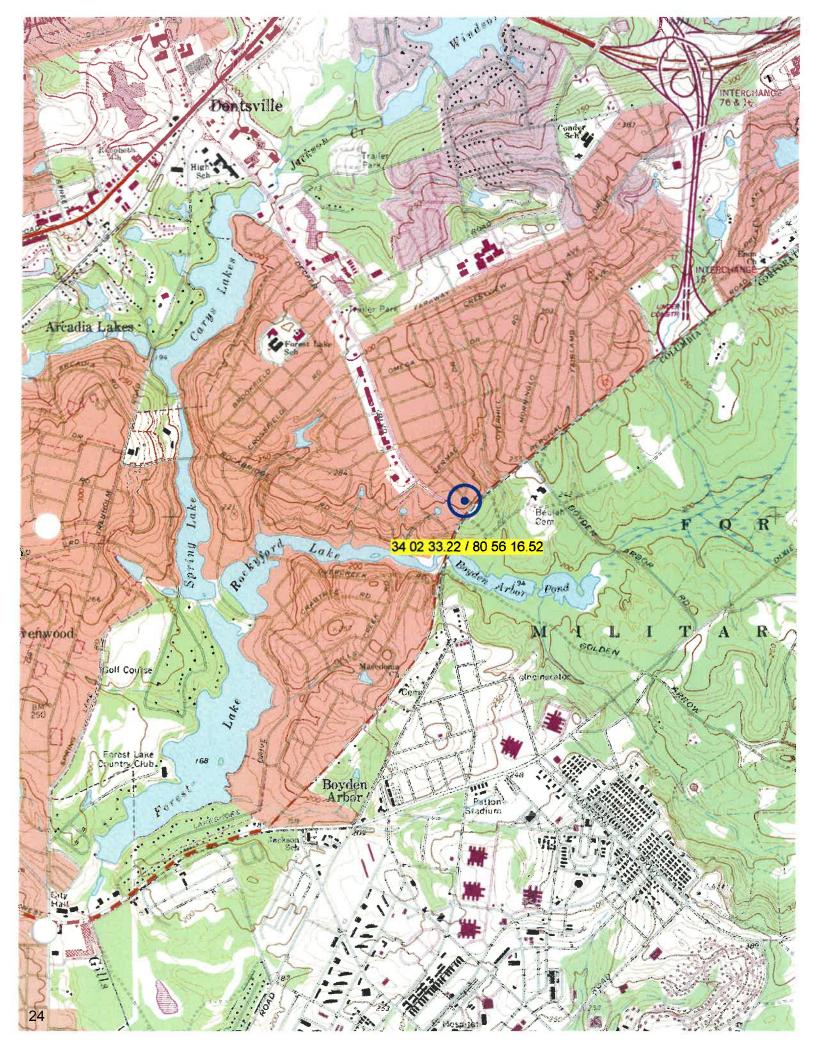
The proposed 165' AGL (419' AMSL) structure would not exceed any FAR Part 77 or FCC Part 17 notice requirement and, therefore, notice to the FAA is not required for this structure. If filed, the 165' AGL structure should be approved by the FAA.

Normally, structures that do not require notice to the FAA do not require marking and/or lighting. Private use landing facilities and AM broadcast stations are not a factor for this study.

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

Sincerely,

Ken Patterson



#### T - Mobile

December 28, 2015

Keith Powell Optima Towers IV, LLC PO Box 2041 Mount Pleasant, SC 29465

Re: Optima Towers proposed wireless communications facility SC-1093 located off of Dupont Drive.

Dear Mr. Powell,

Thank you for your information concerning your proposed site located at or near Dupont Drive, near the intersection of Decker Boulevard and Percival Road in Columbia, SC. I hope this letter suits your needs. After careful review, T-Mobile has determined there are no existing towers or buildings in the vicinity capable of providing T-Mobile of the appropriate platform to serve this area. Optima Towers' proposed site meets T-Mobile's radio frequency and network design requirements for improving its coverage and capacity needs in area North to Faraway Drive, East to Fort Jackson and Percival Road, South to Overcreek Drive, and West to Eastshore Road-Brookfield Road. This has been a troublesome area lacking coverage between existing cell sites. The attached maps show the area of coverage needs. Please accept this letter as T-Mobile's interest in your proposed structure as it is designed at 140-ft on the proposed monopole. We look forward to utilizing this structure in T-Mobile's network once it's approved by Richland County. If you have any questions, please feel free to contact me at 843-532-4088.

Sincerely,

Robert Hill Site Development Manager T-Mobile Stick Together Carolinas Market 185 Fairchild Street Charleston, SC 29492

843-216-4301 (desk) 843-216-4347 (fax) 843-532-4088 (mobile) Robert,Hill@T-Mobile.com

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December 30, 2015

Geonard Price Zoning Administrator Richland County 2020 Hampton Street 1st Floor Columbia, SC 29204

Re: Optima Towers proposed communications facility at/near 1607 Dupont Drive

Dear Mr. Price,

I appreciate the opportunity to address and demonstrate the needs for additional advance cellular coverage and capacity in the Decker Boulevard and Percival Road areas. To provide the minimum level of in-building coverage and to provide an adequate service and data speed levels, a new tower of approximately 140-ft in height is required. We reviewed the following information, submitted to us by Optima Towers:

- Current transmitting locations of the PCS and Cellular carriers in and around the residential and commercial areas of Decker Boulevard and Percival Road, North towards Faraway Drive, South towards Overcreek Drive and I-77, West towards Eastshore Road-Brookfield Road, and East towards I-77, Fort Jackson, and Percival Road;
- 2. The current available coverage requirements including existing structure evaluation and user transmitting-receiving locations;
- 3. Residential-Commercial layout and density, physical properties, general usage type and uplink-downlink velocity;
- 4. Existing cellular PCS coverage of commercial areas surrounding Decker Boulevard and Percival Road, including Bi-Lo, Sandwood Plaza, Decker Plaza, and other retail and commercial establishments along and abutting Decker Boulevard and Percival Road.
- 5. Existing cellular PCS coverage of residential areas of Woodfield, Woodfield Estates, Sandwood, and areas surrounding Cary's Lake, Forest Lake, and Rockyford Lakes.
- Existing structures available for collocation respective to the needs of coverage;
   and
- 7. Properties zoned for wireless communication facilities.

Our analysis concluded that Optima Towers proposed site in the search area is absolutely necessary in order to improve cellular, voice, and data usage for T-Mobile and other carriers. Cellular voice, data usage, and coverage have changed over the years and the development of the communications facilities have changed accordingly. Previously, communications facilities were developed to be big and tall to provide a large coverage area for voice calls and outside usage. Currently with the move to more extensive in-building Cellular phone usage (vs landline phones) and after smart-phone development, the coverage necessary to handle extensive data and voice traffic, and the ever increasing data speed needs, requires communications facilities to be smaller and more precise in their location. Subsequently, the search areas for newer facilities have been reduced dramatically and the proposed search ring for this site is no more than a 2000-ft radius.

1920 Association Dr 4<sup>rd</sup> Floor Reston,, VA 20191 Voice +1 703 259 4020 Fax +1 703 476 8964 www.celplan.com Page 2
 December 30, 2015

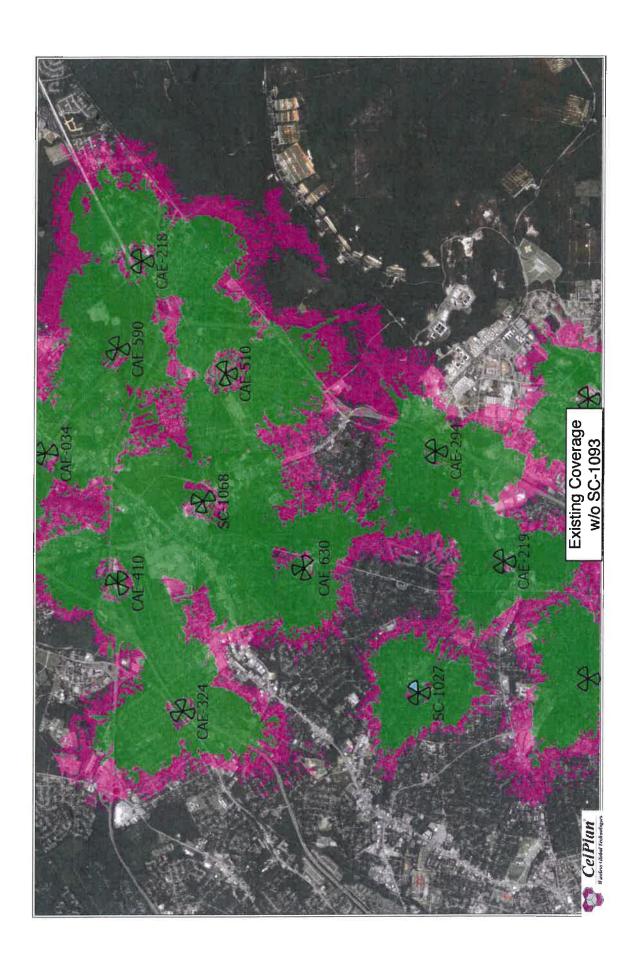
As this relates to the Decker Boulevard and Percival Road area, our analysis shows an area of distressed or lacking in-building coverage exists: North from Faraway Drive; West from Eastshore Road-Brookfield Road; South from Overcreek Drive; and East from I-77, Fort Jackson, and Percival Road; The distressed area is a dynamic area that requires additional in-building coverage for high volume cellular and PCS traffic and also supplementary and new coverage to areas that no coverage currently exists or is extremely limited in service capabilities. In addition, this area experiences not only heavy vehicular use, but also residential and commercial usage in which many calls and data transmissions are interrupted due to lacking service and also protracted data speeds attributed to not having a dominate server in the area.

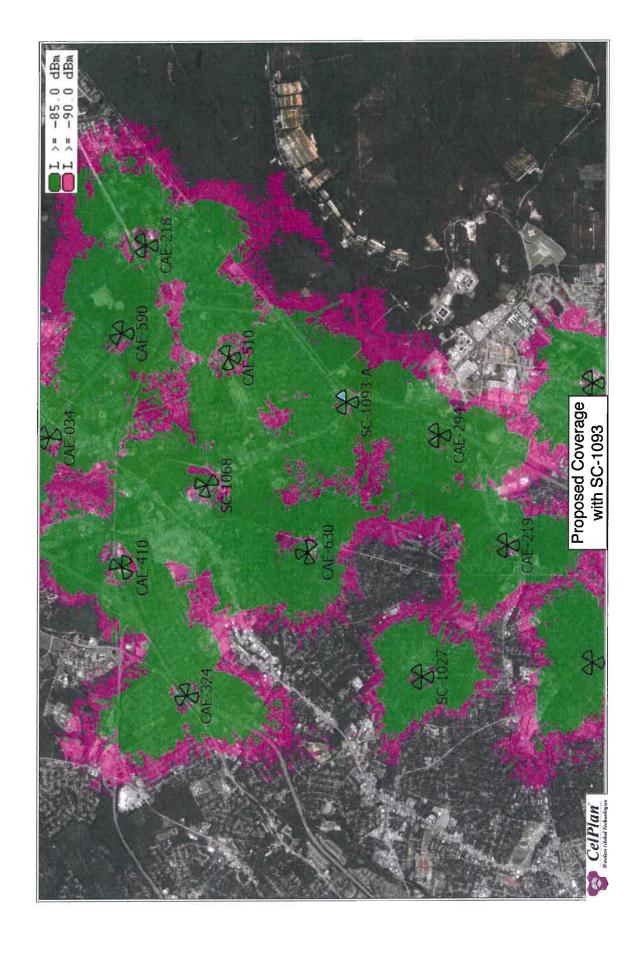
These dynamics require a structure to be located in the center of this search area near the intersection of Dupont Drive and Percival Road with an approximate height of 140-ft. There are no existing communications facilities that will provide a complete solution for this area. The heights of the surrounding communication facilities are low to moderate in size, approximately 220-ft to 175-ft above ground level. The planned communications facility by Optima Towers will solve the existing problems, extend coverage, and enhance the call and data usage to the distressed commercial and residential areas along Decker Boulevard and Percival Road. T-Mobile will operate its equipment and respective radio frequency emissions from the planned Optima Towers facility and will comply with all FCC standards.

Sincerely,

Karla Chagas

Project Engineer karla@celplan.com 571-527-6332







December 30, 2015

Geonard Price Zoning Administrator Richland County 2020 Hampton Street 1st Floor Columbia, SC 29204

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Sincerely,

Karla Chagas

Project Engineer karla@celplan.com 571-527-6332

