

## Staff Report

**Subject:** Variance (Third District)  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** February 15, 2022  
**Item Description:** **Verizon Wireless** as Agent for **Robert Wayne Edwards Jr.** requests a **variance** to reduce the required distance of a telecommunications tower from a residence. Located at 2441 Corinth Church Road, zoned **AR-1**.

**Map# 336 Parcel # 4**

### Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request for a **variance** to reduce the required distance of telecommunications tower from a residence.

### Executive Summary/Background

- Section 14-133(3) Telecommunications Regulations permits lattice towers in AR-1 as a conditional use.
- Pursuant to Appendix C-Zoning Ordinance, Article VII-Planning Board, Section 7.1.8, variances may only be granted if the following findings are made:

*That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; and*

*That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.*

- The applicant wishes to locate the tower in an area where coverage is inadequate. Wetlands limit the options for locating the tower to the chosen parcel. The proposed tower site is located as far from residences and wetlands as possible.
- The proposed tower site is at least 850' from the nearest residence. In neighboring jurisdictions, the setback requirements range from height of tower (255') to 500' or three times the height of the tower, whichever is greater (785'). Effingham County requires a 1000' setback from the nearest residence.
- At the December 20 Planning Board meeting, Brad Smith made a motion to **approve** the request for a **variance** to reduce the required distance of telecommunications tower from a residence from 1,000' to 850'.
- The motion was seconded by Alan Zipperer, and carried unanimously.
- The applicant requested postponement to the February 15 Board of Commissioners meeting agenda.

### Alternatives

1. **Approve** request for a variance to reduce the required distance of telecommunications tower from a residence from 1,000' to 850'.
2. **Deny** the request for a variance to reduce the required distance of telecommunications tower from a residence from 1,000' to 850'.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:** 1. Variance application  
2. Deed

3. Aerial photograph