

Staff Report

Subject: Conditional Use (Fifth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: February 15, 2022
Item Description: **Verizon Wireless** as Agent for **Kimberly J. Barnes, Charles K. Barnes, & Mary J. Barnes** requests a **conditional use** for a telecommunications tower. Located on 9 acres at 117 Barnes Drive, off Old Augusta Road, zoned **AR-1. Map# 462 Parcel # 75**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request for a **conditional use** for a telecommunications tower, with conditions.

Executive Summary/Background

- Pursuant to sections 5.1.2.11 (AR-1) and 14-133(2) Telecommunications Regulations, monopole towers are permitted in AR-1 as a conditional use, in accordance with the provisions of Article VII - Planning Board (sec. 7.1.6).
- Section 7.1.6 provides the following factors for consideration:
 - *Shall not adversely affect economic values or physical appearance of the surrounding areas;*
The proposed tower site is on a 9-acre parcel, set back at least 120' from other structures, and from Old Augusta Road. The site will be accessed via Barnes Road, which is a private road.
 - *Physical and environmental effects;*
The tower site is north and west of industrial-zoned land, and meets all federal requirements.
 - *Buffer zones; and additional space for parking, landscaping, building, loading zones, and setbacks, to protect adjacent structures or lots from adverse impact.*
The tower site meets all county requirements.
- The applicant's objectives are to provide reliable voice and broadband data coverage in this section of the county. There are no known antenna structures within a two-mile radius. The proposed tower site can support additional providers, and will be located 120' from property lines, as required by section 14-134 Development Standards.
- The nearest towers are over 2 miles to the north, on Hwy 275/Ebenezer Rd.
- Local governments and agencies will be offered free space on the tower at locations that are not commercially viable, e.g., 120' or lower.
- At the January 31 Planning Board meeting, Alan Zipperer made a motion to **approve** the request for a conditional use for a telecommunications tower in the AR-1 zoning district, with the following conditions:
 1. The lease area will be shown on a plat, which will be reviewed by Development Services.
 2. The tower site shall meet the requirements of Article V - Telecommunications Regulations.
- The motion was seconded by Brad Smith, and carried unanimously.

Alternatives

1. **Approve** request for **conditional use** to allow for a telecommunications tower in the AR-1 zoning district, with the following conditions:
 1. The lease area will be shown on a plat, which will be reviewed by Development Services.
 2. The tower site shall meet the requirements of Article V - Telecommunications Regulations.
2. **Deny** the request for **conditional use** to allow for a telecommunications tower in the AR-1 zoning district.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Conditional Use application
2. Deed

3. Aerial photograph

ATTACHMENT A - CONDITIONAL USE APPLICATION

Application Date: _____

Applicant/Agent: Harold Timmons of TEP on behalf of Verizon Wireless

Applicant Email Address: hktimmons@tepgroup.net

Phone # 336-210-9684

Applicant Mailing Address: 10700 Sikes Place, Suite 360

City: Charlotte State: NC Zip Code: 28277

Property Owner, if different from above: Kimberly J. Barnes, Charles, K. Barnes, Mary J. Barnes
Include Signed & Notarized Authorization of Property Owner

Owner's Email Address (if known): thehoggs01@hotmail.com

Phone # 912-695-6479

Owner's Mailing Address: 117 Barnes Drive

City: Rincon State: GA Zip Code: 31326

Property Location: Near 117 Barnes Drive, with frontage along the west line of Old Augusta Road

Present Zoning of Property AR1 Tax Map-Parcel # 04620075 Total Acres 9

CONDITIONAL USE REQUESTED:

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____ **Section 3.15A – Residential Business**
See Section 3.15A for requirements

____ **Section 3.15B – Rural Business**
See Section 3.15B for requirements

X **OTHER** (provide relevant section of code): Part II, Chapter 14, Section 14-133(b) Conditional Uses

Reason: Verizon Wireless is requesting the approval of a wireless communication facility that includes a communication tower and ground related equipment/facilities to provide communications service to the community.

How does request meet criteria of Section 7.1.6 (see Attachment C): The information requested for an application to be considered has been provided in separate materials to give support to the request for the new communications tower facility. Our request is for approval of a conditional use for a new communication tower facility that meets the requirements of the zoning ordinance as they pertain to such requests.

Applicant Signature: Harold Timmons Date November 18, 2021

Kbo

EXPLAIN WHY THE VARIANCE OR CONDITIONAL USE IS BEING REQUESTED

SEE ATTACHED

THE FOLLOWING ITEMS MUST BE SUBMITTED AT TIME OF APPLICATION:

A COPY OF THE SITE PLAN THAT CLEARLY ILLUSTRATES THE REQUESTED VARIANCE OR CONDITIONAL USE IN RELATION TO THE AFFECTED SITE AND TO SURROUNDING PARCELS AND USES. A REPRODUCIBLE COPY OF THIS PLAN, NO LARGER THAN 11" x 17", MUST BE SUBMITTED.

OWNERSHIP CERTIFICATE

FILING FEE - \$200.00

IF DESIRED, ADDITIONAL NARRATIVE THAT EXPLAINS HOW AND WHY THE REQUESTED VARIANCE OR CONDITIONAL USE MEETS THE CRITERIA OF SECTION 7.1.8 & 7.1.6 OF THE EFFINGHAM COUNTY ZONING ORDINANCE.

SIGN *Harold Timmons* DATE November 18, 2021

*****Please include a copy of the plat identifying existing structures and imply future structures*****

OFFICIAL USE ONLY

DATE RECEIVED _____ TIME _____ ACCEPTED BY _____

DATE APPROVED BY COUNTY COMMISSIONERS _____

ATTACHMENT B

EFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date January 1, 2009, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 1817 page 80.

Owner's signature Charles K. Barnes

Owner's signature Mary J. Barnes (if applicable)

Owner's signature Kindy J. Barnes (if applicable)

AUTHORIZATION OF PROPERTY OWNER

(Please complete this section if the owner is giving another person authority to act on their behalf)

I authorize the person named below to act as applicant/agent in the pursuit of ~~an~~ KB conditional use, ~~of~~ KB of my property.

Name of Applicant/Agent: Harold Timmons, RES, Tower Eng. Professionals, Inc.

Address: 10700 Sikes Place, Suite 360, Charlotte, NC 28277

Telephone #: 336-210-9684 email: hktimmons@tepgroup.net

Personally appeared before me _____ who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary: Nancy Elaine Horton Seal

Date: 10/5/2021



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November 18, 2021

County of Effingham
Attn: Ms. Teresa Concannon
Planning & Zoning Manager
Planning and Engineering Division
804 S. Laurel Street
Springfield, Georgia 31329

Transmittal Letter

Dear Ms. Concannon:

Enclosed are the documents required for the submittal of an application for a 195 foot tall monopole communication tower and related ground equipment on property currently under the ownership of Charles K., Mary J. and Kimberly J. Barnes. The property is physically located at 117 Barnes Drive, Rincon, GA. The parcel number is 04620075 in Effingham County. Included in this submittal are the following documents:

- Completed Application
- Submittal Fee of \$200.00
- Adjacent Property Owner Information
- Collocation Exhaustion
- Shared Use Statement
- FAA Airspace Statement
- Verizon Tower Inventory
- Tower Structural Information
- Landscaping Waiver Request
- Airport/Farmland Inventory
- RF Information
- Site Construction Plans

Verizon Wireless is a major telecommunication company serving telecommunication needs nationwide. Verizon Wireless currently provides service in the County and has determined that providing improved service to the community is a priority and thus the request before you. Verizon Wireless also understands that constructing towers that can be collocated upon by the optimum number of providers is important to local communities. Should this tower be approved, Verizon Wireless will allow both public and private entities the opportunity to locate their communications equipment on this structure. *In addition, Verizon Wireless agrees to provide evidence of tower compliance every 12 months as stated in the Effingham County zoning ordinance regarding communication tower development.*

The proposed tower will be designed to withstand wind speeds and forces as required by State and local building regulations as well as those standards defined by the American National



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Standards Association (ANSA) specifications. Regardless, Verizon Wireless carries extensive liability insurance and agrees as part of our leases to assume responsibility for damages or injuries resulting from our operations. As a part of all Verizon Wireless owned towers, FCC licensed users of the structure will file for certifications required by the Federal Communications Commission (FCC) that attest to the fact that the proposed communication facility complies with all current FCC regulations for non-ionizing electromagnetic radiation (NIER).

All Verizon Wireless constructed towers are designed by the manufacturer to be protected from strikes by lightning. Two important factors combine to protect our facility from lightning. First, the tower will be grounded using rods and cables that will be buried within the fenced compound. Second, the tower itself will provide a "cone of protection," a 45-degree circular arc from the top of the tower to the ground, which will protect all structures within that area from lightning strikes. Should the tower receive a lightning strike, the electrical surge would be directed into the ground and dissipated immediately.

Like all electrical devices, cellular telephone antennas produce electromagnetic fields (EMF's). EMF's are invisible lines of force that surround all electrical current. These fields are routinely found throughout nature and are even produced by chemical interactions within the human body. We are constantly being exposed to a variety of such fields from natural and manmade sources. Telecommunications facilities are designed to function using very low powered transmission facilities. Our radio frequency (RF) contribution to the environment is insignificant compared to the higher-powered AM and FM radio and television stations. It is very important to note that the transmission power levels of wireless communication antennas are typically in the 10 to 100 watts range, while a television tower emits up to 5 million watts and a commercial radio station tower operates at up to 100,000 watts of power. Many local government police and fire department communication facilities produce up to 500 watts of power.

The effect of wireless (cellular/digital/pcs) radio frequencies on AM and FM signals, and TV transmissions is considered negligible by the industry's regulatory agencies. There are too many frequencies separating the various wireless service providers to cause any adverse effects.

The Telecommunications Act of 1996 recognizes the importance of ensuring the integrity of wireless communication networks that provide nationwide communication services. Nevertheless, our client understands the concerns regarding health and safety and recognizes their responsibility to address those concerns. Consequently, this antenna facility site will comply with FCC regulations governing the safety of RF emissions.

The nature and number of benefits associated with wireless communications are great and growing daily, as more and more citizens become users. There are over 16 million cellular phone users in the United States today. The vast majority of the persons responding to industry surveys cite increased safety and security as their primary reason for having a cellular telephone. Such surveys have shown that many people use their phone to report car trouble, medical emergencies, crimes in progress or the presence of drunken drivers on our public roads. It has been reported that 550,000 calls a month were made nationally to the 911 emergency systems from cellular phones. As people expand their non-working activities into the later evening hours, cellular



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phones will play an important role in providing personal safety and security.

The availability and use of cellular telephones are a major personal convenience, and significantly enhances one's quality of life. As the national and worldwide antenna systems are installed and the user base increases exponentially, unit costs associated with their use will decrease. This will result in even greater numbers of user and higher monthly usage, improving the quality of life for

many people. It is reported by service providers that call volume from cellular telephones has grown to equal and at times exceeds those of landline phones across the country between the hours of 4:00 p.m. and 5:00 p.m., Monday through Friday.

During recent hurricanes and other natural disasters, cellular communications have been found to be the only means of communication generally available for extended periods of time. As a result, many cities and counties have defined the cellular telephone industry as an "essential use" in their Zoning Codes. Cellular communication provides an extremely important community service to emergency groups, such as police, fire, ambulance, and hospitals. The quick response by a cellular user to an accident or other mishap has saved lives. Increased competition in the cellular industry will result in better service, lower costs to the public and the continued growth in the number of cellular telephone users across the nation.

Should you need any additional information or clarification regarding this request, please feel free to contact me on 336-210-9684.

Sincerely,

Harold K. Timmons
Site Acquisition Specialist
Tower Engineering Professionals
hktimmons@tepgroup.net

Please note that I have no authority to bind our client and the result of our negotiations are subject to approval by our client's management. This transmittal, however, is not a representation that I will present this, or any other proposal which results from our negotiations, to our client's management for final approval.

The terms and conditions set forth herein are not an offer and neither party is legally bound until a final document, which is subject to review by our client's counsel and management, has been executed by and delivered to all parties.

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November 18, 2021

County of Effingham
Attn: Ms. Teresa Concannon
Planning & Zoning Manager
Planning and Engineering Division
804 S. Laurel Street
Springfield, Georgia 31329

Adjacent Owner Information

Dear Ms. Concannon:

See the attached information regarding adjacent property owners and their mailing addresses.

Should you need any additional information or clarification regarding this request, please feel free to contact me on 336-210-9684.

Sincerely,

Harold Timmons

Harold K. Timmons
Site Acquisition Specialist
Tower Engineering Professionals
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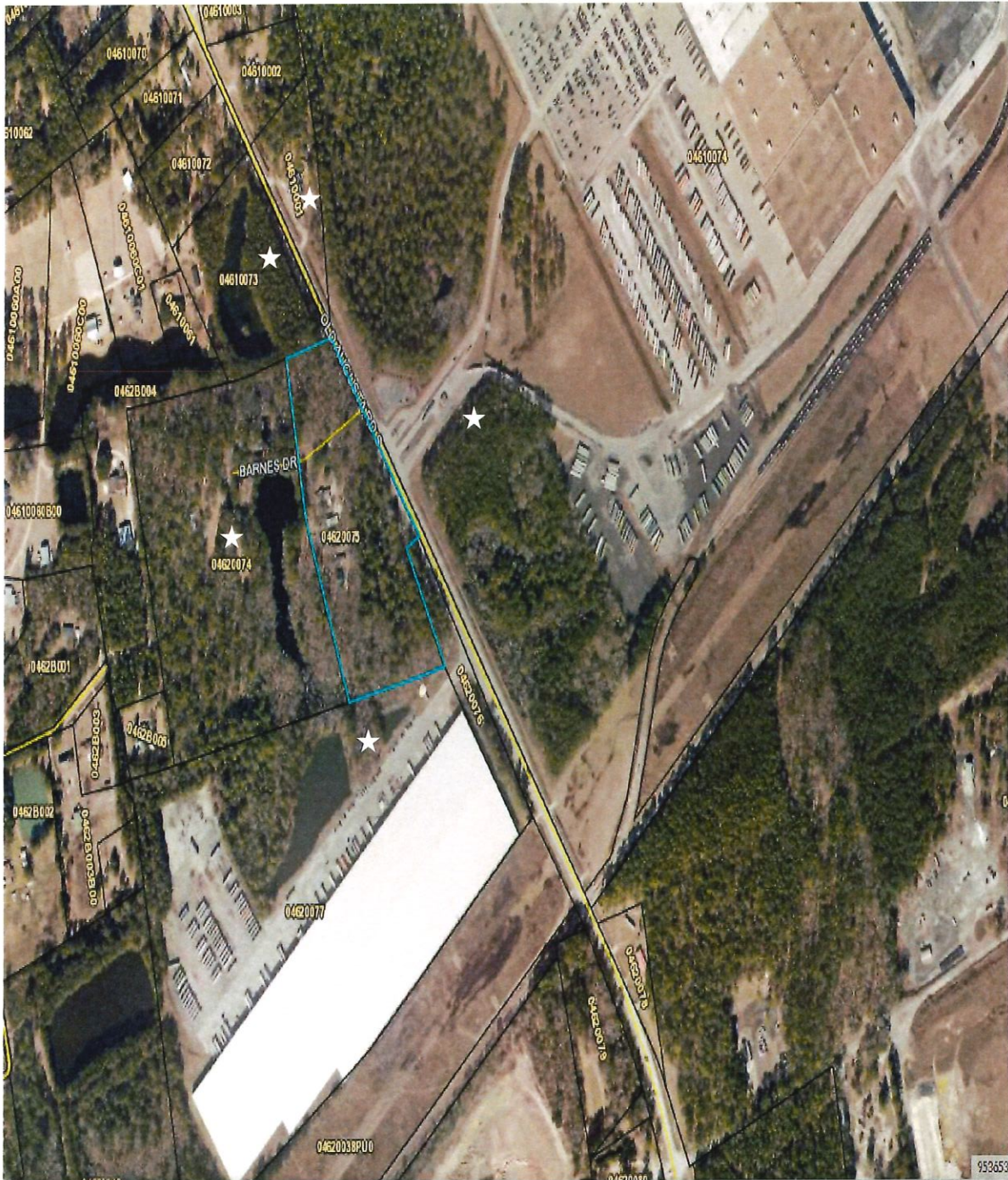
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Parcel Number	Owner Name	Address
04620074	Julie Ann Pratka & Mary J. and Charles Barnes	143 Barnes Drive, Rincon, GA 31326
04610073	Deborah Lyn Laudermilk	400 Old Augusta Road, Rincon, GA 31326
04610001	Shelly Clifton	403 Old Augusta Road, Rincon, GA 31326
04610074	Effingham County Industrial Authority	777 Old Augusta Road, P.O. Box 263, Rincon, GA 31326
04620076	Georgia Pacific, LLC, Georgia Pacific Consumer, Attn. Property Tax	PO Box 105681, Atlanta, GA 30348
04620077	Georgia Pacific, LLC, Georgia Pacific Consumer, Attn. Property Tax	PO Box 105681, Atlanta, GA 30348

August 5, 2021

Effingham County, GA
Attn: Department of Planning and Engineering
904 N. Pine Street
Springfield, GA 31329

Re: Verizon Wireless Conditional Use Permit Application – Effingham County, Ga - Request for approval to construct a new Wireless Communications Facility To Be Located On Parcel ID# 04620075 – Intent to Permit Collocation

To whom it may concern:

Verizon Wireless understands and agrees to observe the requirement for collocation as stated in Section 14-135, Shared Use/Collocation, of the Effingham County Code of Ordinances, Article 5. Verizon agrees, with this statement, to allow the use of additional space on the tower approved by the Effingham County government by other interested parties, where feasible, and subject to reasonable terms and conditions of a mutually agreed upon agreement.

We appreciate your time and attention to this matter.

Sincerely,

Verizon Wireless

By: 

Name: Rachid Grib

RF Engineer - Verizon Wireless

verizon



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November 18, 2021

County of Effingham
Attn: Ms. Teresa Concannon
Planning & Zoning Manager
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804 S. Laurel Street
Springfield, Georgia 31329

Request for Relief from Landscaping Requirements

In accordance with the application filing requirements for Communication Towers, below please find information related to the requirement to provide ...” **An inventory of public and private airstrips and farmland, including tower site distance from such properties and facilities**”.

Below are the airports or airstrips that were identified in or near Effingham County. The distance from the proposed tower site is provided. A map and statement regarding farmland are also provided.

Airports/Airstrips

Swadds Field – 940 Mock Road, Springfield, GA – 5.96 miles north
Hodges Airpark – Savannah, GA – 23.5 miles south
Savannah International Airport – 14 miles south
Briar Patch Airstrip – 547 Green Morgan School Road, Clio, GA – 11 miles north

Should you need any additional information or clarification regarding this request, please feel free to contact me on 336-210-9684.

Sincerely,

Harold Timmons

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Site Acquisition Specialist
Tower Engineering Professionals
hktimmons@tepgroup.net

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Fort Howard Proposed Coverage Improvement Cell Site

Zoning Presentation Effingham, GA

Rachid Grib, Sr. RF Engineer

Jun 22nd, 2021



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Coverage objectives

The proposed telecommunications facility projected to be located on Old August Road is strategically located to enable Verizon Wireless to provide reliable voice and broadband data coverage to the surrounding area north of the City of Rincon. The proposed facility will greatly improve wireless service to the nearby residences and roads shown in the service area slide.

The search area for this new site was approximately one mile in diameter, in order to improve dropped calls and data connections on Old Augusta Road, Rincon Stillwell Rd and nearby residences and businesses. Verizon Wireless made every attempt to utilize existing structures to meet the network design goals. There were no known or planned antenna structures within the search. In addition Verizon Wireless made every attempts to optimize the existing assets to improve the area of concern before considering this site:

- Low band tilts of all surrounding sites are at minimum setting
- Power of surrounding sites is at maximum capability



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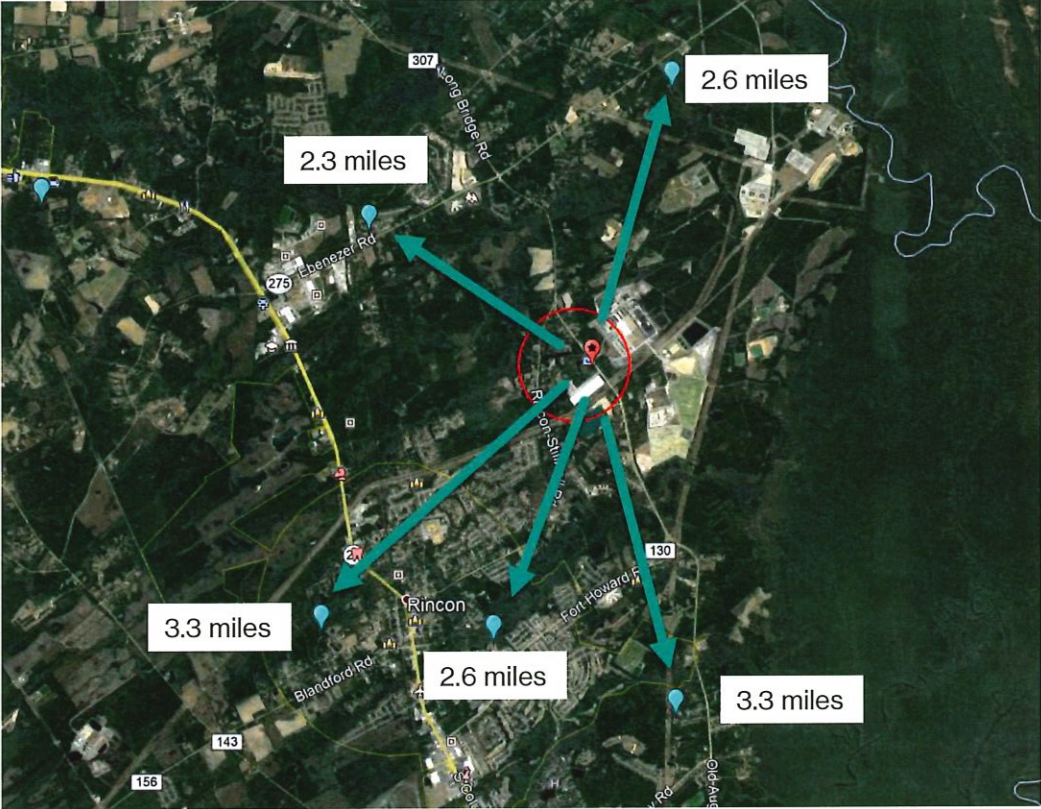
Search Area



- Spectrum & FCC Call Signs
 - Upper 700 MHz C-BAND [WQJQ690]
 - Cellular A-BAND [KNKA579]
 - Cellular B-BAND [KNKA581]
 - PCS B5-BAND [WQLI788]
 - AWS B1-BAND [WQGA923]
 - AWS B2-BAND [WQGA923]
 - AWS F1-BAND [WQGA716]
 - AWS F2-BAND [WQGA716]
 - AWS-3 H-BAND [WQXW413]
 - AWS-3 I-BAND [WQVN935]

Search Area as shown to the left in red

Existing equipment



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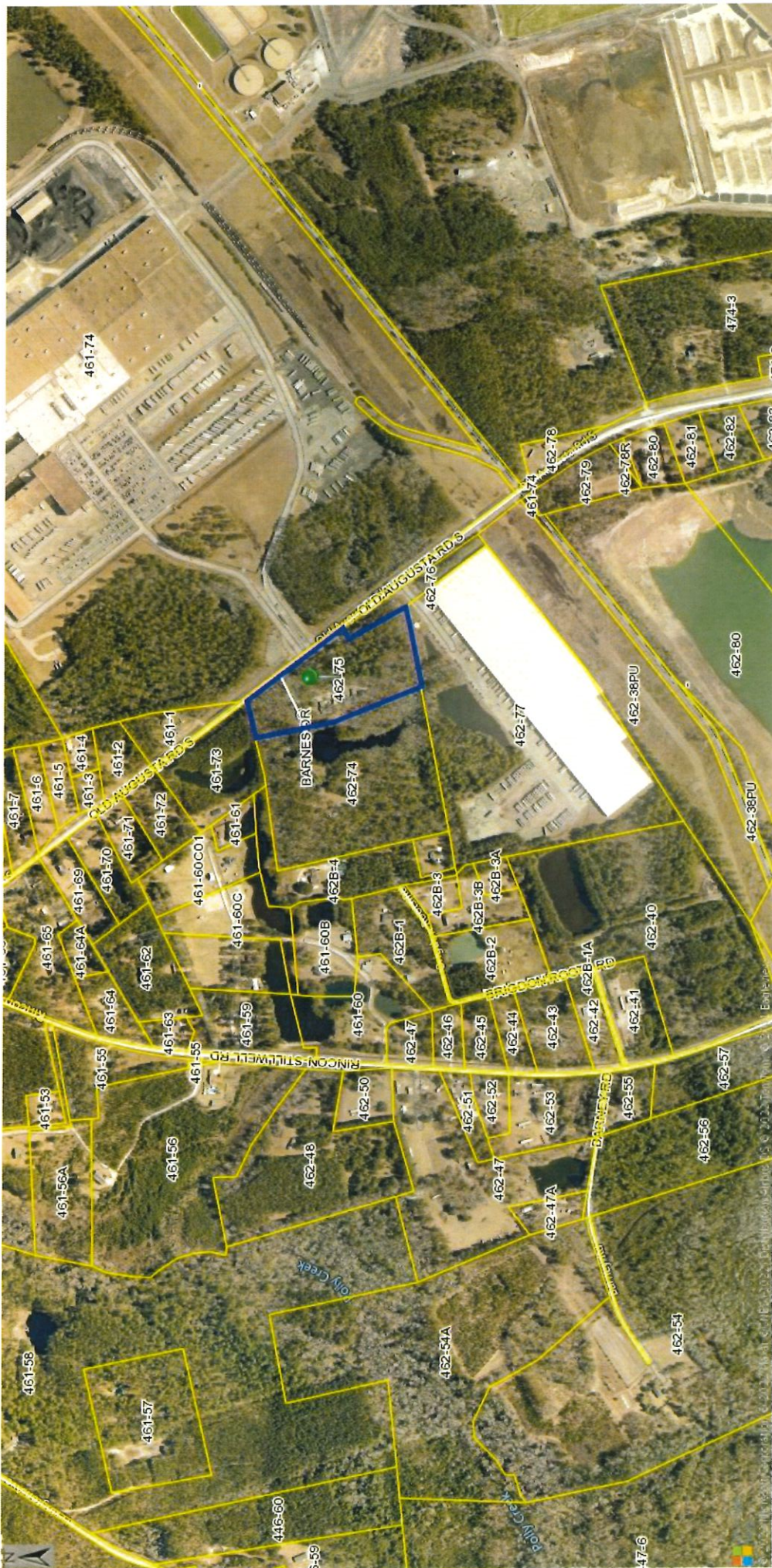
Fort Howard

Local Site Map

Legend

Site





461-74

474-3

461-71

462-78

462-79

462-80

462-81

462-82

462-83

462-75

462-74

462-77

462-38PU

462-80

462-38PU

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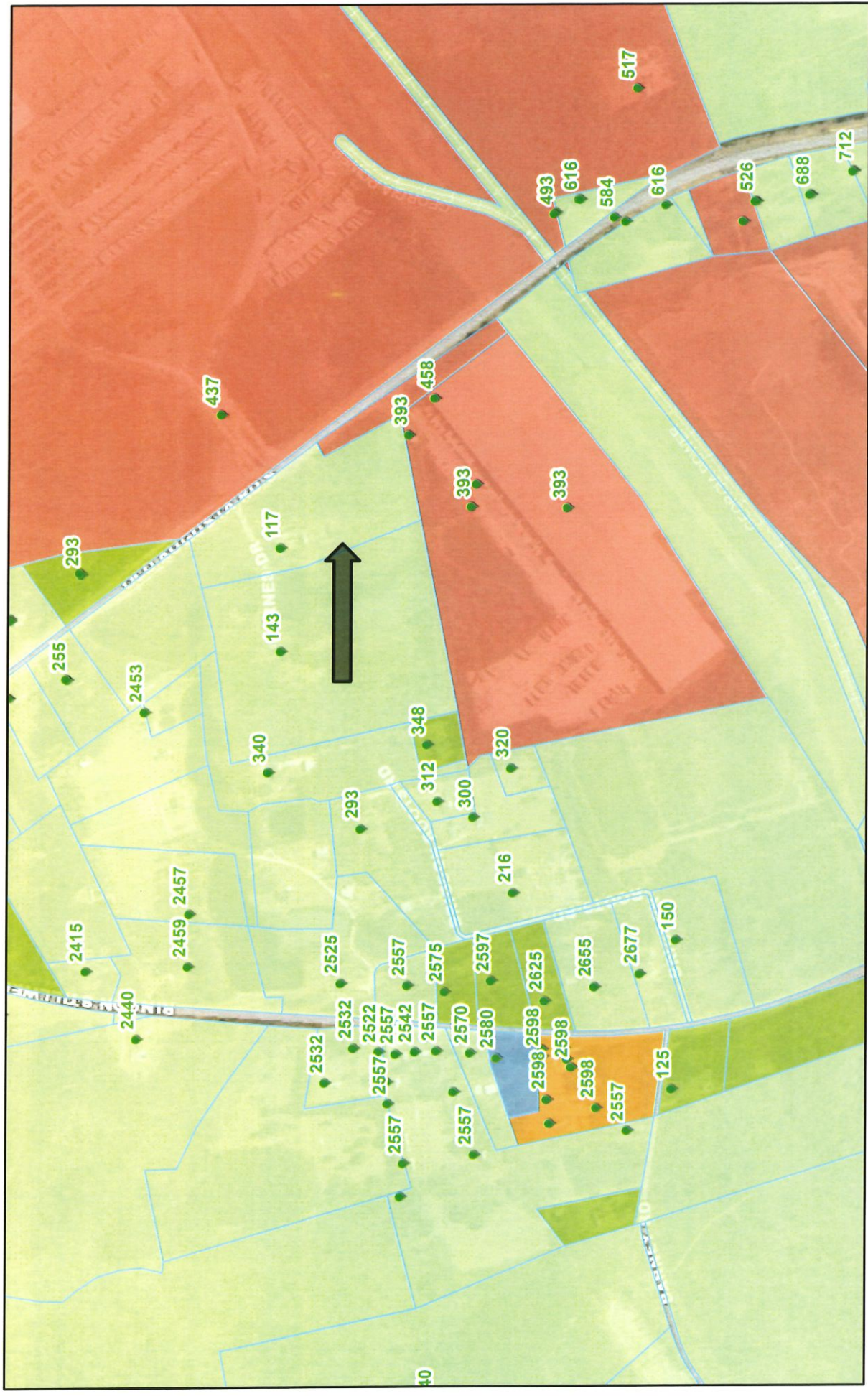
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117 BARNES DRIVE



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