



# Franklin County Communique to the Board of Adjustment

## REQUEST FOR CONDITIONAL USE PERMIT 20-CUP-01 Seven Paths Rd

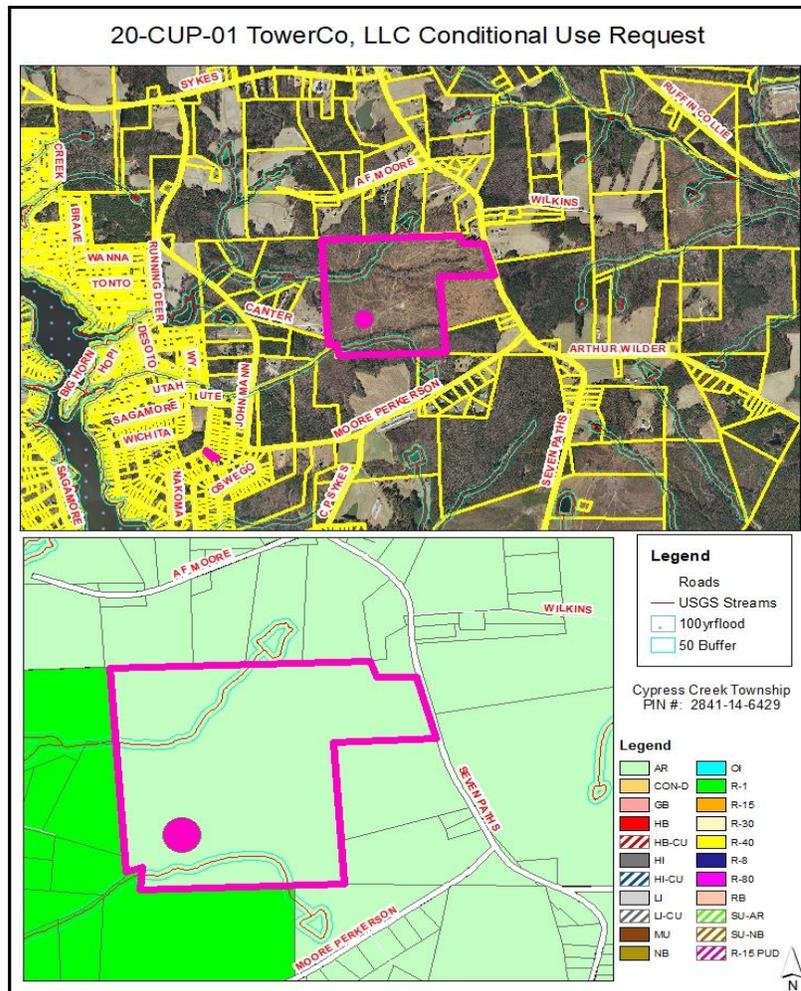
**PETITIONER(S):**

Name of Petitioner: TowerCo, LLC  
Address: 5000 Valleystone Drive  
CityStateZip: Cary, NC 27519

**OWNER(S):**

Name of Owner: Andrea Wrenn  
Address: 1104 Lake Royale  
CityStateZip: Louisburg, NC 27549

**LOCATION:**



**ATTACHMENTS:**

Conditional Use Application  
Site Plan

**PARCEL INFORMATION**

<b>OWNER</b>	<b>PARCEL #</b>	<b>ZONING</b>	<b>AREA</b>
Andrea Wrenn	2841-14-6429	AR	138 Acres
<b>TOTAL</b>			<b>138 Acres</b>

**ADJACENT PROPERTY SITE DATA**

	<b>ZONING</b>	<b>LAND USE</b>
<b>Subject Property</b>	AR	Wooded
<b>North</b>	AR	Wooded/Residential
<b>South</b>	AR	Agricultural/Wooded
<b>East</b>	AR	Agricultural/Residential
<b>West</b>	R-1	Agricultural/Residential

**Conditional Use Request**

**Conditional Use Permit Requested by TowerCo, LLC to allow for a 249' Lattice-type (self-supporting) Telecommunications Tower to improve wireless telecommunication services and coverage to first providers, citizens, businesses, travelers, and visitors of Franklin County.**

**BACKGROUND INFORMATION**

TowerCo, LLC is petitioning the board for a conditional use permit to allow for the construction of a 249' lattice-type telecommunications tower. The Tower location meets the setback requirements from all property lines. The applicant will be required to meet all UDO requirements listed in Article 15 Telecommunications Towers and any other requirements of the State or Federal Agency's including the FAA and FCC. The conditional use petition states that the proposed tower will improve wireless telecommunications services and coverage to first providers, citizens businesses, travelers, and visitors of Franklin County. Atlantic Tower Consultants, Inc. has reviewed the application and provided the following statement: It is the opinion of this consultant that this application conforms to all Federal, State, and County regulations regarding the construction telecommunications support structures, and should therefore be granted approval by way of issuance of the requested conditional use permit. The Board may place any reasonable additional conditions on the property if it deems such action necessary.

**UDO Requirements:**

***Use – Telecommunication Towers, including Radio, Television, or Microwave Towers***

Conditional Use Permit: AR, R-40, HB, O&I, LI, HI, MU, R-30, GB and RB

Requirements: See Article 15

**BOARD OF ADJUSTMENT FINDINGS**

NOTE: Board of Adjustment Members should use the following area to make notes on evidence presented related to each of the required Findings as it is presented during the public hearing.

**Section 7-2 Procedure for Conditional Use Permit Granted by the County Board of Adjustment**

Conditional use permits may be issued by the Administrator, after approval by the Board of Adjustment, for the uses as designated in the table of regulations for conditional uses. At the public hearing, all interested persons shall be permitted to testify. The County Board of Adjustment shall consider the application and may approve or deny the requested conditional use permit.

The conditional use permit, if approved, shall include approval of plans as may be required. In approving the permit, the County Board of Adjustment shall find as a specific finding of fact and reflect in their minutes that the permit will comply with the following four facts:

- (1) That the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved;

FINDING \_\_\_ Yes \_\_\_ No

---

---

---

- (2) That the use meets all required conditions and specifications;

FINDING \_\_\_ Yes \_\_\_ No

---

---

---

- (3) That the use will not adversely affect the use or any physical attribute of adjoining or abutting property, or that the use is a public necessity; and

FINDING \_\_\_ Yes \_\_\_ No

---

---

---

- (4) That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Franklin County Land Use Plan.

FINDING \_\_\_\_ Yes \_\_\_\_ No

---

---

*In granting any conditional use permit, the Board of Adjustment may impose reasonable conditions concerning the use or development of the subject property to:*

- a. insure that the criteria for the granting of such approval will be complied with; and*
- b. reduce or minimize any potentially injurious effect of the conditional use permit of development standards on adjoining properties, the character of the neighborhood, or the health, safety, morals, or general welfare of the community.*

*c.*

#### **BOARD OF ADJUSTMENT MOTION**

*Please note that 4/5 vote is required for approval of all motions.*

**Suggested Motion #1:**

I move to affirm that the Findings of Fact located within Section 7-2, of the UDO, have/have not been satisfied for the conditional use requested for the property located off Seven Paths Rd., Franklin County PIN 2841-14-6429.

**Suggested Motion #2:**

Based upon the Board's Findings of Fact, I move to approve/deny the conditional use permit requested by American Tower Corporation to allow for a 249' Lattice-type Telecommunications Tower off Seven Paths Rd., Franklin County PIN 2841-14-6429 subject to required improvements located in Section 15 (Telecommunications Tower Regulations), of the UDO must be met. Approval is subject to the following conditions:

1. Submission of final tower and foundation design drawings.
2. Registration with the FCC and securing a FCC ASR number;
3. Submission of a Phase I NEPA Assessment;
4. Submit a response from North Carolina State Historic Preservation Office (NCSHPO);
5. Adherence to all other UDO and NC Building Code requirements.
6. Franklin County Emergency services to be allowed to collocate on tower at no cost.
7. Approved North Carolina Department of Transportation (NCDOT) Driveway Permit
8. Prior to the issuance of Zoning and Building Permits, a Performance Security/Bond/Letter of Credit shall be submitted for the cost to remove the tower and restore the site to its original state. All performance securities/bonds/irrevocable letters of credit require an engineer's estimate. The amount of the bond/letter of credit shall be 125% of the engineer's estimate.
9. Landscaping shall be installed in accordance with Article 8-1 Note 6. Buffer Strips and Article 14 Landscaping around the security fence prior issuance to Certificate of Occupancy/Compliance.