

FRANKLIN COUNTY BOARD OF ADJUSTMENT

January 27, 2014

The Franklin County Board of Adjustment held its regular monthly meeting on Tuesday, January 27, 2014 in the Franklin County Administration Building, Commissioners Conference Room, 113 Market Street, Louisburg, North Carolina.

Present: Scott Lerew, Robert Carlson, Stuart May, Dewey Botts, and Armenta Eaton
Absent: Jim Roberson and Shane Brantley
Staff: Jason Rogers and Scott Hammerbacher

Chairman Scott Lerew called the meeting to order at 7:00 P.M.; and welcomed everyone in attendance. Stuart May made a motion, seconded by Armenta Eaton to adopt the agenda as presented. The motion passed unanimously. Stuart May made a motion, seconded by Armenta Eaton to approve the minutes from the October 28, 2013 meeting as presented. The motion passed unanimously.

- #1. Request for a Conditional Use Permit by American Towers LLC for Telecommunication Tower, 138.1 Acres, 151 Firetower Road, Cedar Rock Township, Agricultural Residential (AR) Zoning District.

Jason Rogers was sworn in, and stated American Tower Corporation is petitioning the board for a conditional use permit to allow for the construction of a 250' lattice-type telecommunications tower. He explained that 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 State or Federal Agency's including the FAA and FCC. The conditional use petition states that the proposed tower will increase and expand existing coverage in Franklin County. This tower site will provide coverage to NC 56 HWY, Firetower Rd., Edward Best Rd., and surrounding areas. He also explained that this tower has been tabled at the October 28, 2013 meeting. He explained that the Board may place any reasonable additional conditions on the property if it deems such action necessary.

Mr. Robinson reviewed the following findings of 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;
- (2) That the use meets all required conditions and specifications;
- (3) That the use will not adversely affect the use of any physical attribute of adjoining or abutting property, or that the use is a public necessity; and
- (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.

Mr. Robinson stated that they had performed an analysis test on the county owned tower. He stated that the county owned tower was too close to existing American Tower

coverage. Mr. Robinson provided coverage maps from the study to illustrate the difference in coverage. Mr. Robinson further stated that the Firetower site was an integral piece to the puzzle for the best coverage.

Scott Lerew asked would the coverage be compromised by the county owned tower.

Mr. Robinson responded yes. He again referenced the maps.

Robert Carlson said the existing tower is 300' feet high and the proposed tower is 250' feet high.

Mr. Robinson responded, Yes. 250' is a medium sized tower but there is no need to go higher in this location.

Dewey Botts questioned the maps. He stated he didn't see that much difference in the maps. He wondered if the gaps on the maps could be filled by a taller tower.

Scott Lerew asked would building this tower make that much difference in the coverage.

Mr. Robinson responded, Yes. Its needed to make the connection.

Dewey Botts said he would like to see the percentages on the difference, because the map doesn't seem to show much difference.

Graham Herring stated a security fence of 9 feet would be around the compound for security. He also stated each carrier has a different band widths. Another carrier could prefer the county site to this one. There are a lot of variables.

Mr. Hammerbacher stated our ordinance prescribes that you collocate first. Each tower has to allow for up to four collocations. He said was also require a tower removal bond which would allow county to remove towers in the even they are no longer utilized.

Dewey Botts stated that he wanted to know what staff recommends.

Mr. Hammerbacher stated the tower had been reviewed by a third party consultant. He did look at this application and he did recommend approval.

Azmad Uwllah stated there are other variables. The tool we use to consider the sites considers all variables to determine the perfect location.

Robert Carlson stated that the existing county tower doesn't make the connection.

Uwllah responded, Yes. It makes the connection, just not a good connection.

Robert Carlson asked Uwllah if he agreed that this location is better than the existing county tower location.

Uwllah said, Yes.

Christy Shearin of Franklin County Communications said she expects that if there is interference of obstruction they American Tower will play to have it fixed.

Mr. Robinson stated that FCC would regulate that.

Chairman Lerew closed the public hearing. The board affirmed the findings of facts and approved the conditional use permit with the following conditions:

- Submission of final tower and foundation design drawings,
- Registration with the FCC and securing FCC ASR number,
- Submission of a Phase I NEPA Assessment,
- Submit a response from NCSHPO,
- Adherence to all other UDO and NC Building Code requirements,
- Franklin County Emergency Services be allowed to collocate on tower if needed,
- OSHA fall safety devices to be installed for climber safety,
- Study for PATH/Interference to ensure no negative effect on Franklin County 911 Emergency Services,
- All building permits/inspections to be completed and finalized.

Stuart May made the motion to approve the Findings of Fact, seconded by Armenta Eaton. The motion passed unanimously.

Scott Lerew made the motion to approve the Conditional Use, seconded by Stuart May. The motion passed unanimously.

#2. Other Business.

Jason Rogers stated that Wake County Planning Department would be providing Board of Adjustment training in March. He encouraged all of the Board members to attend. He stated staff would be sending out a letter with information about the training soon.

With there being no further business before the Board of Adjustment, Chairman Lerew adjourned the meeting at 8.00 P.M.

Scott Lerew, Chairman
Franklin County Board of Adjustment

Jason Rogers, Clerk
Franklin County Board of Adjustment