

RICHLAND COUNTY BOARD OF ZONING APPEALS



Wednesday, 7 March 2012

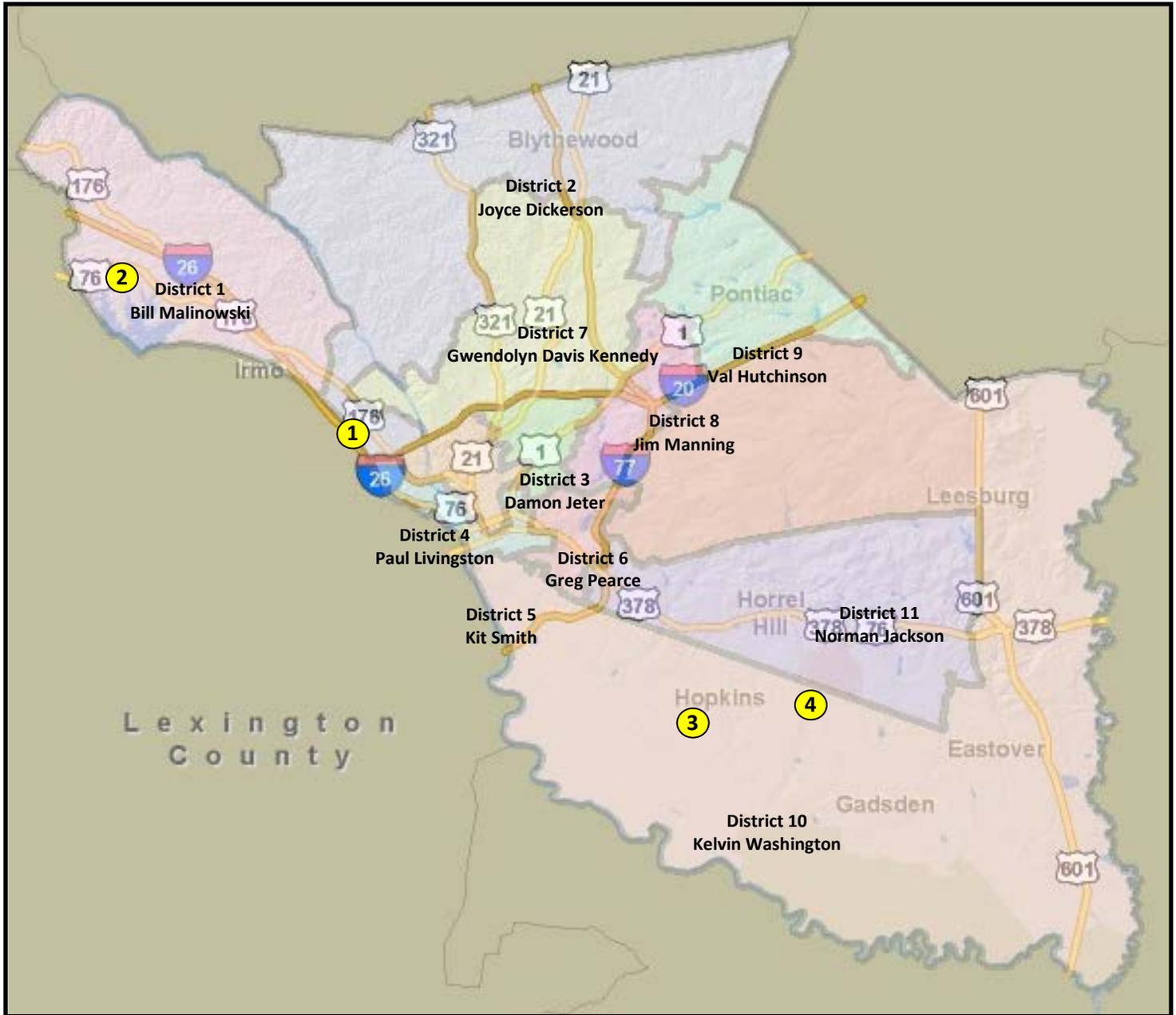
1:00 p.m.

Council Chambers

RICHLAND COUNTY BOARD OF ZONING APPEALS

March 7, 2012

1



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 12-02 V	Doug Forbes	06012-02-18	1061 St. Andrews Rd., Columbia, SC 29210	Dickerson
2. 12-03 SE	PTA-FLA Carol Bausinger	01511-02-02	2080 Dutch Fork Rd., Chapin, SC 29036	Malinowski
3. 12-04 SE	PTA-FLA Carol Bausinger	21300-03-01	Bluff Rd., Columbia, SC 29205	Washington
4. 12-05 SE	PTA-FLA Carol Bausinger	21700-03-09	Lower Richland Blvd., Columbia, SC 29061	Washington



**Richland County
Board of Zoning Appeals
Wednesday, March 7, 2012
2020 Hampton Street
2nd Floor, Council Chambers**

Agenda

- I. CALL TO ORDER & RECOGNITION OF QUORUM** Joshua McDuffie,
Chairman
- II. PUBLIC NOTICE ANNOUNCEMENT**
- III. RULES OF ORDER** Amelia Linder,
Attorney
- IV. APPROVAL OF MINUTES – January 2012**
- V. PUBLIC HEARING** Geonard Price,
Deputy Planning Director/ Zoning
Administrator

OPEN PUBLIC HEARING

12-02 V Requests a variance to encroach into the setbacks on
Doug Forbes property zoned Office/Institutional (OI).
1061 St. Andrews Rd.
Columbia, SC 29210
06012-02-18 P. 01

12-03 SE Requests a special exception to build a cell tower on
PTA-FLA property zoned General Commercial (GC).
Carol Bausinger
2080 Dutch Fork Rd.
Chapin, SC 29036
01511-02-02 P.11

12-04 SE Requests a special exception to build a cell tower on
PTA-FLA property zoned Rural (RU).
Carol Bausinger
Bluff Rd.
Columbia, SC 29205
21300-03-01 P.39

12-05 SE Requests a special exception to build a cell tower on
PTA-FLA property zoned Rural (RU).
Carol Bausinger
Lower Richland Blvd.
Columbia, SC 29061
21700-03-09 P.69

- VI. OTHER BUSINESS**
Reconsideration request of Case 12-01 V

- VII. ADJOURNMENT**



REQUEST, DISCUSSION AND RECOMMENDATION

CASE:

12-02 Variance

REQUEST:

The applicant is requesting the Board of Zoning Appeals to grant a variance to encroach into required setbacks of the front yards on property zoned OI (Office and Institutional).

GENERAL INFORMATION:

Applicant: Doug Forbes

TMS: 06012-02-18

Location: 1061 St. Andrews Road, Columbia, SC 29210

Parcel Size: .38 acre

Existing Land Use: Currently there is a 1,919 square foot structure which is used as a dentist office.

Proposed Land Use: The applicant is proposing a 740 square foot addition which will encroach into the require side yard setbacks by 12.5 feet along St. Andrews Road and 19 feet along Lawrence Street.

Character of Area: The area is commercially developed along St. Andrews Road and residentially along Lawrence Street.

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:

Staff visited the site.

The applicant is requesting a variance to encroach into the required setbacks of two front yards by 12.5 and 19 feet. The granting of the variance will allow for a 740 square foot addition, which the applicant states will allow for the hiring of five (5) new employees and provide for better service for patients.

The parcel is located at the corner of St. Andrews Road and Lawrence Street. For corner lots, the sides abutting streets/roads are considered front yards and the interior property lines are considered the side yards. The required setback for the front yard in the OI district is twenty-five (25) feet.

According to County records, the structure was built in 1964 as a residential unit. Currently, the structure encroaches into the required front yard setback (St. Andrews Road) by 10.4 feet, and is deemed non-conforming. The applicant states that this is a result of the widening of St. Andrews Road.

Staff believes that the subject parcel does not meet all of the criteria required for the granting of a variance. 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

Staff was unable to determine that extraordinary and/or exceptional conditions apply to the subject parcel.

b. Conditions applicable to other properties

c. Application of the ordinance restricting utilization of property

d. Substantial detriment of granting variance

Staff also has concerns that proposed addition may be located in the visibility triangle, as referenced in section 26-181 (c).

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.

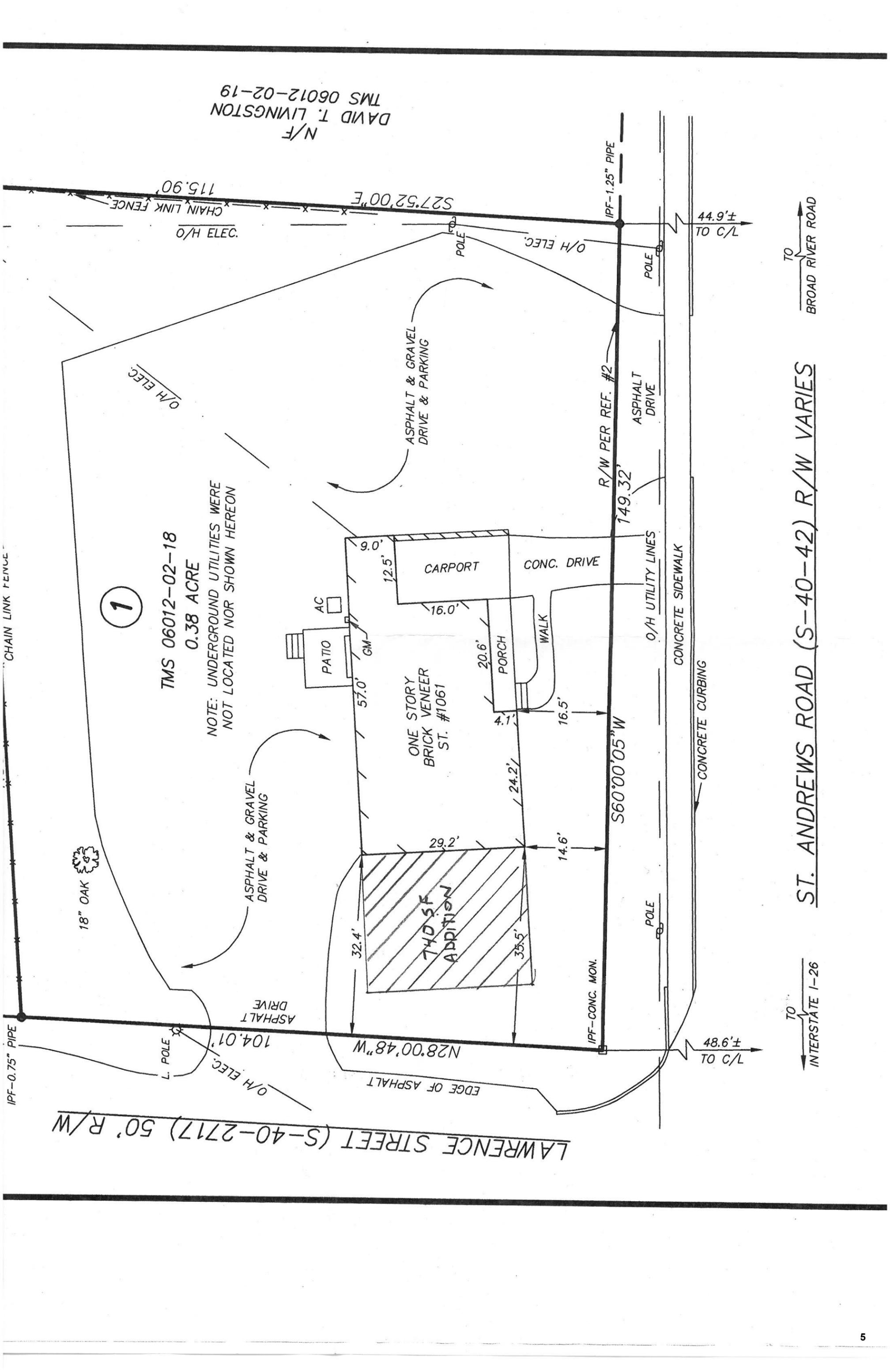
Any approval or denial of the request must be by a concurring vote of a majority of those members of the board of zoning appeals both present and voting. The decision of the board of zoning appeals shall be accompanied by written findings that the variance meets or does not meet the standards set forth 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:

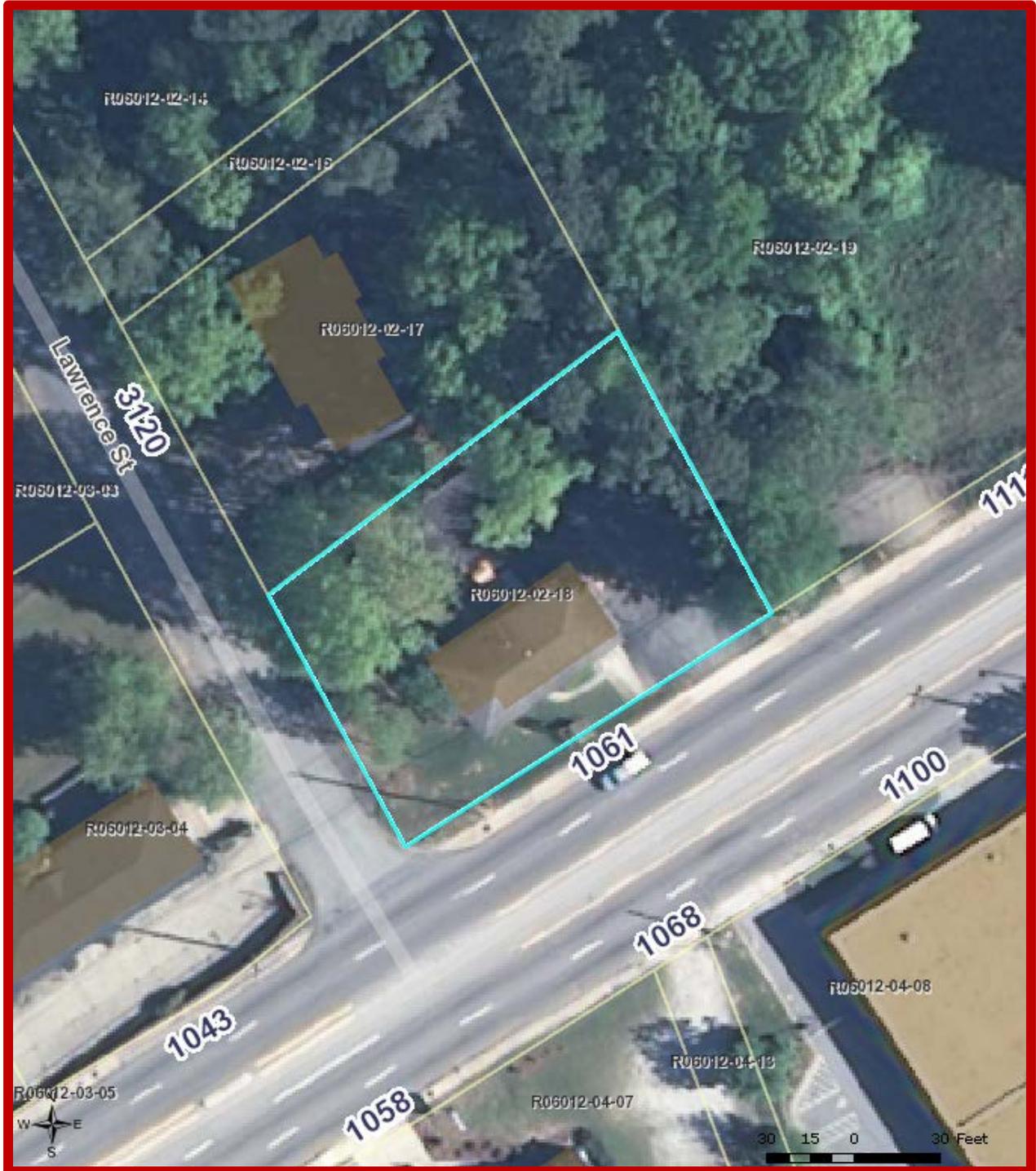
No record(s) of previous special exception or variance request.

ATTACHMENTS:

- Site Plan



12-02 V
DOUG FORBES
1061 ST. ANDREWS RD.
COLUMBIA, SC 29210
06012-02-18



12-02 V
DOUG FORBES
1061 ST. ANDREWS RD.
COLUMBIA, SC 29210
06012-02-18



View along St. Andrews Road



Area of site addition



View looking towards St. Andrews Road



BOARD OF ZONING APPEALS

VARIANCE APPEALS



Application # _____

1. Location 1061 St Andrews Rd Columbia, SC 29210
 TMS Page 06012 Block 02 Lot 18 Zoning District 2 01

2. 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.

Chapt 6 and Chapt 26 (set Backs)

3. Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, described as follows:

Addition requires smaller setback

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: Need 6 foot set back versus 25 foot, & 3 feet in front
No visual encumbrance whatsoever (see site plan)

b) Describe how the conditions listed above were created: Front yard condemned by SCDOT to widen St Andrews Rd. Therefore parking had to shift to rear of building. Only expansion area to side of existing building.

c) These conditions do not generally apply to other property in the vicinity as shown by: side street (current 25 foot setback) is a dead end street.

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: cannot expand and hire 5 new employees and cannot adequate serve patient base with existing structure.

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: Improve neighborhood, good economic benefit to district, enhance adjoining property values.

5. The following documents are submitted in support of this application [a site plan must be submitted]:

- a) site plan
- b) aerial photo showing side St Lowmence St
- c) photo existing structure.

(Attach additional pages if necessary)

Ray Forbes
Applicant's Signature

1061 St Andrews Rd
Address

803 414 5244
Telephone Number

DOUG FORBES
Printed (typed) Name

Columbia, SC 29210
City, State, Zip Code

803 798 1670
Alternate Number

Alternate Address 992 Cottingham Dr
Mt Pleasant, SC 29464



REQUEST, DISCUSSION AND RECOMMENDATION

CASE:

12-03 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: Carol Bausinger
PTA-FLA Inc. dba ClearTalk

TMS: 01511-02-02

Location: 2080 Dutch Fork Road, Chapin, SC 29036

Parcel Size: .59 acres

Existing Land Use: The parcel is currently undeveloped.

Proposed Land Use: The applicant proposes to erect a 250-foot telecommunications tower, within a 4,477 square foot leased area.

Character of Area: The area is developed primarily with commercial and institutional uses.

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: (Ord. No. 040-09HR; 7-21-09)
 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. (Ord. No. 040-09HR; 7-21-09)
 2. Communication towers abutting a non-residentially zoned parcel with a habitable residential dwelling shall have a minimum setback of fifty (50) feet. (Ord. No. 040-09HR; 7-21-09)
 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. (Ord. No. 040-09HR; 7-21-09)
- 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 250-foot monopole telecommunications tower, within a 4,477 square foot compound.

Staff visited the site.

According to the provisions of subsection 26-152 (d) (22) (c) (3), towers shall observe the setbacks of the district in which it is located when abutting a non-residentially zoned parcel without a habitable residential dwelling. The required setbacks for the GC district are:

- Front - 25 feet
- Rear - 10 feet
- Side - none

Meeting the criteria for a special exception in section 26-152 (d) (22) (c) may indicate that the applicant has taken necessary measures to minimize the impact of a communication tower on the surrounding area. Staff believes that this request will not impair the properties in the immediate or surrounding area.

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)

(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

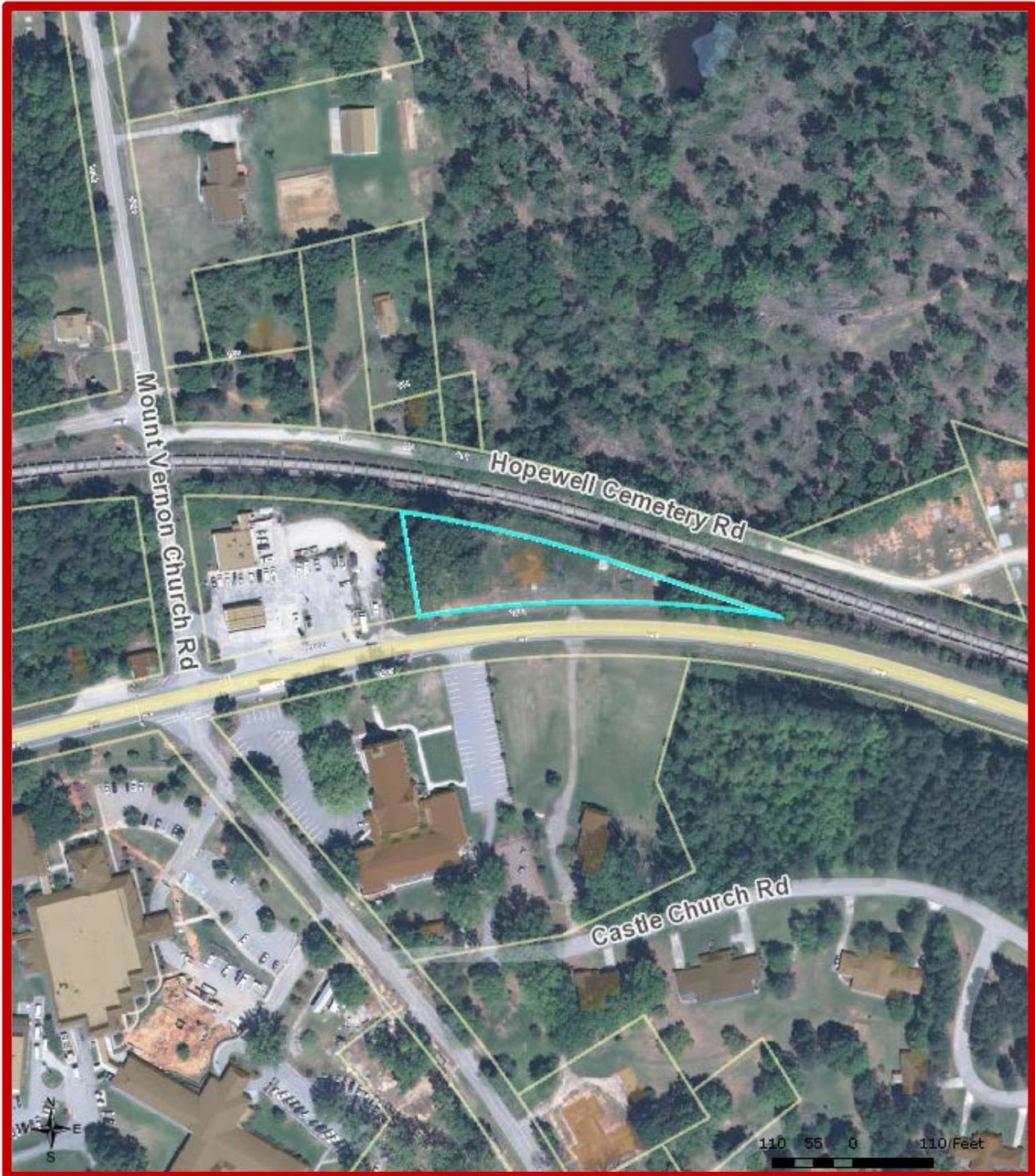
CASE HISTORY:

No record of previous special exception or variance request.

ATTACHMENTS:

- Site plan
- Zoning Application Packet

***12-03 SE
PTA-FLA
CAROL BAUSINGER
2080 DUTCH FORK RD.
CHAPIN, SC 29036
01511-02-02***



Introduction

Clear Talk is a national provider of low-cost, flat-rate wireless communications services. We operate under the basic principal that wireless phone and high-speed Internet should be simple, affordable and available everywhere. We have been building mobile networks in under-served areas of the country since 1999.

In the past eleven years, Clear Talk has built wireless networks in seventeen different markets including, Colorado (Grand Junction); Idaho (Pocatello/Twin Falls); Tennessee (Jackson); Alabama (Florence); Arizona (Yuma), California (El Centro); Florida (Jacksonville); and Texas (Lubbock, Amarillo and Midland).

We are currently building out two networks in South Carolina (Columbia and Greenville). Once they are deployed Clear Talk will offer the citizens of both markets a low-cost, flat-rate alternative for wireless communication services.

The Technology

Clear Talk operates its wireless network in the 1710/2110-megahertz range of the AWS band and our antennas function with an effective radiated power (“ERP”) of 280 watts. Our communications facilities will not interfere with television or radio reception because we are licensed by the FCC to operate in this very specific frequency throughout our Basic Trading Area (“BTA”) in Columbia.

The RF Design and Site Selection Process

This proposed site is critically important to our core network for the Columbia BEA. It will serve a crucial area of Richland County and the design objective is to provide in-building coverage of the growing residential areas in the vicinity of White Rock. The proposed site will serve the homes and businesses between I26 and Lake Murray and from the northern fringe of Irmo up Dutch Fork road to the town of Chapin. The verticality of the proposed site is vital for providing coverage in the White Rock area extending to Chapin.

The process of developing a wireless network includes designing a system-wide grid of smaller “cells,” each containing a single antenna that will receive and transmit our signal. Each cell must be precisely located relative to the other cells so that they can create an effective communication grid and provide signal continuity. The design of this grid must take into account not only the antenna’s radius of reliable transmission but also population density, traffic patterns and the topography of the area.

Clear Talk’s strong preference is to collocate on existing towers whenever possible. Collocation is the quickest and most cost effective way to build out a new network. Out of the 44 initial requirements in our core Columbia BTA, we have signed agreements to collocate on 38 existing towers or rooftops. This is the sixth site requirement in our network core where collocation is not a viable option.

There are several existing towers in this area but for various reasons described in Exhibit “D”, we were not able to use them as part of our network.

The proposed “White Rock” site has been carefully selected to meet the goals of the community while providing adequate height and range for Clear Talk’s network. The proposed tower is also designed to allow for future collocation of additional carriers or government services equipment.

The Proposed Facility

PTA-FLA, Inc., a subsidiary of Clear Talk, has entered into a contract to lease approximately . 4,477 sf portion of the 0.59 acre tract owned by Robert E. Cripps, II located at PO Box 478, Ballentine, SC 29002 in Richland County as depicted on the Survey included in Exhibit “B”. We propose to construct a 250’ self support (or lattice) communications tower as depicted also in Exhibit “B” as shown on the Site Plan. In addition to the tower the fenced compound will contain our equipment cabinet which is 6’2” high, 2’ wide & 2’ deep.

Zoning Standards & Compliance

The property is zoned GC (General Commercial) by Richland County and there are no residences or other structures on the property.

The proposed tower will be set back in accordance with the 25' setback requirement from the US Highway 76 / Dutch Fork Road right-of-way, and at least 10' from the rear of the property as per the published setback requirements for GC zoning.

Richland County's Special Exceptions standards for Wireless Telecommunication Towers are contained in Code Sec. 26-152(d)(22). In this Section, a Wireless Telecommunication Tower is allowed on GC zoned property with a Special Exception granted by the Board of Zoning Appeals. The relevant Special Exceptions standards are listed below with our response:

Sec. 26-152 (d) (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

Response: The tower will be located on a 0.59 acre parcel zoned General Commercial in Richland County (Tax Map No. R01511-02-02).

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.

Response: The proposed tower will be 250' from the ground-mounted base.

c. *The minimum setbacks for communications 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.*

Response: The proposed tower location abuts only non-residentially zoned parcels, all without habitable residential dwellings, and meets or exceeds all required GC district set-backs.

d. *The proposed user must show proof of an attempt to collocate on existing communications 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 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.*

Response: There was only one candidate within the Search Ring but it was incompatible with our RF requirements. Below is a summary of that tower.

1. There is an existing self-supporting tower located at about 1 mile North of our proposed site. This is owned and operated by Crown Castle. Clear Talk currently has collocations on 13 Crown Castle towers in the Columbia BEA and this tower was carefully considered but eliminated because it does not meet the RF engineering criteria for this Search Ring. The existing Crown Castle tower is situated at a location which is approximately 30' lower in ground elevation and is already heavily collocated. Because of these facts the absolute height above Mean Sea Level available to us on the tower is approximately 60' below our minimum valid antenna height.
2. It is Clear Talk's strong preference to collocate on existing towers whenever possible. Collocation is the quickest and most cost effective way to build out a new network.

3. The tower will be designed for future collocation as is all our towers. All of the towers in our network are available for collocation and we have numerous lease agreements in place with all the national wireless companies.

e. Towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agencies. However no night time strobe lighting shall be incorporated unless required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agency.

Response: The proposed height of this tower at 250' will comply with a FCC and safety requirements and will be lighted under those requirements.

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

Response:

The proposed 4477 sf site will be enclosed with a chain link fence that will be at least seven (7) feet in height, and will be topped with industry standard three-stranded barbed wire for safety and security of the site.

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

Response: Clear talk will lease 4477 sf out of the 0.59 acre tract and build the proposed tower as shown on the attached site plan. The 4477 sf site will be landscaped in accordance with the requirements of Chapter 26-176 of the Code.

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.

Response: Clear Talk will not install any signage on any part of the tower. We will only install the required federal identification information and emergency contact information on an industry standard sign located on the compound gate.

i. A communication tower which is no longer used for communications purposes must be dismantled and removed within one hundred and twenty (120) days of the date the tower is taken out of service.

Response: If the Tower is taken out of service, Clear Talk will dismantle and remove it within one hundred and twenty (120) days of the date it was taken out of service. Richland County's General Conditions for granting a Special Exceptions request are set forth below with Clear Talk's response.

Sec. 26-152 Special Exceptions:

(b) Conditions. All special exceptions shall, at a minimum, meet the conditions set forth in this section. The Board of Zoning Appeals shall approve or deny an application for special exception (see also Section 26-56 of this chapter) based on the following:

(1) A determination that all standards for the particular use, as defined in this article and in other relevant sections of this chapter, have been met.

Response: See the discussion above. Clear Talk has addressed all development standards set forth in Section 26-152(d)(22) of the Code.

(2) A finding that the special exception is in harmony with the intent and purpose of this chapter. In making this determination, the board shall consider the following:

(a) Traffic impacts.

Response: The tower will be unmanned and will only require infrequent maintenance visits.

(b) Vehicle and pedestrian safety.

Response: The tower will be located on the 4,477 sf leased site within the 0.59 acre parent tract with all required safety fencing. It will not affect vehicles or pedestrians on Dutch Fork Road "Hwy 76".

(c) Potential impact of noise, lights, fumes or obstruction of airflow on adjoining properties.

Response: The tower will not emit any noise or odors and will have only those lights as required by the FAA.

(d) Adverse impact of the proposed use on the aesthetic character of the environs, to include the possible need for screening from view.

Response: There will be a 7' high fence surrounding the site to keep the equipment from view together with a landscape buffer to be installed in accordance with 26-176 of the Code.

(e) Orientation and spacing of improvements or buildings.

Response: As depicted on the site plan.

In granting a special exception, the board may impose such additional restrictions and requirements as it may deem necessary in order that the purpose and intent of this chapter are served.

Response: Clear Talk will be pleased to discuss any additional restrictions or requirements that the Board or Staff deems necessary.

Conclusion

Clear Talk's proposed White Rock site is critically important to our core network for the Columbia BTA. It serves a crucial area of Richland County and the design objective is to provide in-building coverage of the growing residential areas in the vicinity of White Rock. The proposed site will serve the homes and businesses between I26 and Lake Murray and from the northern fringe of Irmo up Dutch Fork road to the town of Chapin.

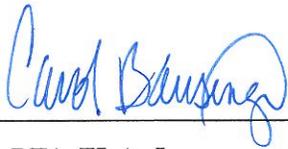
Clear Talk explored the possibility of collocating on existing towers in this area but, for the reasons stated above, none of them proved to be viable candidates.

The site has been carefully selected to provide our networks the required coverage; to provide adequate screening and buffering from the surrounding area; and to meet or exceed all the development standards of the Richland County Code.

While the overwhelming majority of our sites are being developed through collocation on existing towers, the necessary addition of this tower will allow us to complete our core network and provide a reliable, affordable option for wireless services to the community.

Clear Talk requests that the Board of Zoning Appeals approve this Special Exception Application for the proposed communications tower on the General Commercial zoned parcel, Tax Map No. R01511-02-02.

Respectfully Submitted,
Clear Talk



By: PTA-FLA, Inc
Carol Bausinger



January 22, 2012

Re: Special Exception Application to the Board of Zoning Appeals filed by
PTA-FLA, Inc. (Clear Talk) for a Communications Tower 2269.

Dear County of Richland:

The purpose of this letter is to outline Cleartalk Wireless's need for the White Rock site from a technical design standpoint.

Considerations for Designing AWS Systems

With the seemingly ubiquitous use of mobile devices, the Federal Communications Commission (FCC) sought to introduce additional service providers. It was an effort to increase competition, which in turn would drive down the price of quality wireless telephony. This was achieved by allocating a segment of frequency for companies who bought the rights and committed to providing wireless AWS voice and data service in their licensed area.

Cleartalk Wireless is obliged to the FCC to provide quality AWS service to existing and future customers in BEA 24 which includes the county of Richland. Constant network maintenance and optimization is fundamental to providing high-quality digital voice and data communication services to our customers. Cellular networks operate in the 800 MHz frequency band, PCS networks operate in the 1900 MHz band and AWS utilizes the 2100 MHz band. Since radio waves propagate significantly better at lower frequencies, AWS sites must be spaced closer together than those in cellular and PCS networks from a coverage perspective. The fact that AM radio stations reach greater distances than FM radio stations (which are at higher frequencies) is another example of the same phenomenon.

A “grid” of sites must then be deployed to provide continuous coverage over the service area. Any given site in that grid is designed as part of the entire continuity of the network and cannot be considered in isolation. Design changes to one site impact those around it. Movement of a site creates a domino effect on the entire network. Once sites have been built, movement or loss of a site can be devastating to the quality of the network.

The Cleartalk Wireless network is designed around existing telecommunications structures and collocations are pursued whenever feasible. The White Rock site is a primary candidate for Richland County and the residential and commercial areas between Irmo and Chapin. The exact placement of other sites into a grid around this site and the spacing of the grid is what wireless system design engineering encompasses. Some of the basic considerations are outlined below.

Design Objectives

Cleartalk Wireless is committed to providing only the highest quality AWS network to its customers. Any two-way wireless system, such as AWS telephony, has three basic design objectives which must be met. First, the network must provide *coverage* over the region of operation, meaning there is sufficient signal strength for customers to receive and make calls. Secondly, the network must be designed to handle the *capacity* of calls generated by its customers. This equates to having a sufficient number of channels for users to place calls. Without sufficient capacity, even in areas with strong signal strength and excellent coverage, users are blocked from making a call and get a “fast busy” signal. Larger capacity requires more sites that are spaced closer together and the Cleartalk Wireless network has been designed to handle a large number of anticipated users.

Thirdly, the *quality* of the network is essential. This encompasses a number of issues which are related to the coverage and capacity of a network. Insufficient signal strength (coverage) is the prime culprit of poor voice quality and slow data rates. However, interference from the radio waves from our other sites can be just as devastating to voice quality/bandwidth and results in a very delicate engineering design requiring a balance between maximizing coverage and minimizing interference. For this reason, careful site selection is critical. Sites that are too close to each other or too tall can cause damaging interference. Sites that are too far apart or too short may not provide sufficient signal strength to an area.

Quality also refers to the level of service that will be offered, or stated another way, where the mobile devices will work: only outside and away from any obstructions; inside vehicles; inside homes; or inside dense office buildings and shopping centers. These increasing levels

of service require stricter design considerations. The most basic level of service that must be provided along highways is in-vehicle coverage. ClearTalk Wireless must also be able to provide in-home coverage in all areas of our licensed market to satisfy customer expectations.

Objectives of the White Rock Site

The White Rock site will serve the northern Richland County design by covering I26 between exits 97 and 91 and the high traffic areas along Dutch Fork Road (RT 76). It will be a major capacity site as well carrying a substantial number of calls during the busy drive hours along these major arteries. Furthermore, this site will provide vital in-building coverage to a sizable area of numerous and growing residential subdivisions while linking ClearTalk's surrounding ATC (Chapin), Crown Castle (Irmo), and SBA collocations.

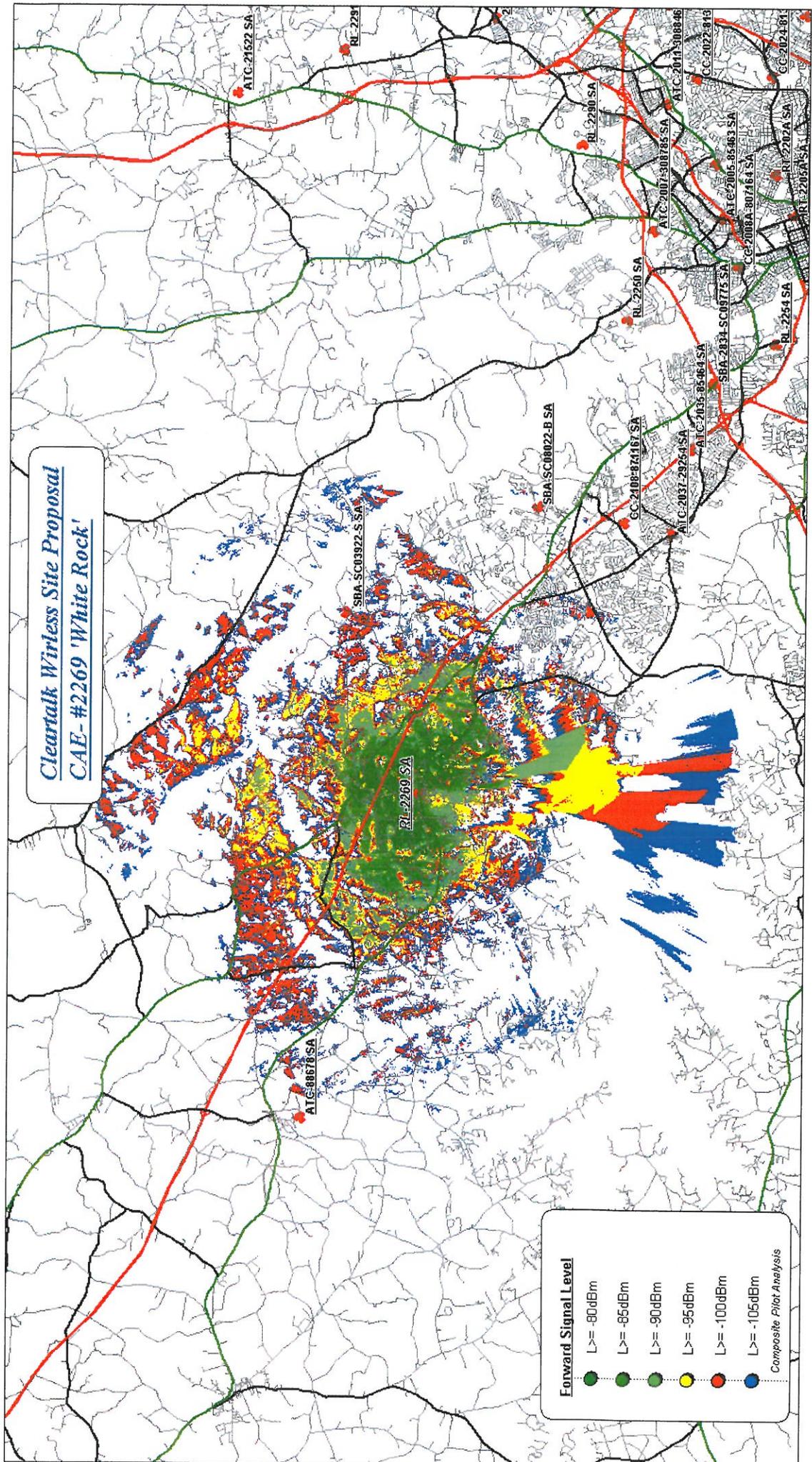
Because the neighboring sites, American Tower Company's 'Chapin Repeater' and Crown Castle 'Irmo' collocations in particular, have been leased, constructed, and are currently broadcasting, little leeway exists for a compromise on the location and height of the White Rock proposal. If the site shifts much to the north, a primary objective of offering in-vehicle coverage along Dutch Fork Road will be compromised. Movement south will limit the ability to handoff to our SBA Communications collocation and reduce in-building penetration in the area of north of I 26. As vital to the network as site location is, obtaining the proper verticality is just as important. To lower the proposed antenna centerline from 250' would substantially weaken the signal produced by the White Rock site. A collocation on the existing Crown Castle site one mile north at the highest available rad center of 220' with a ground elevation 50' lower, would effectively satisfy only the coverage objective of I26 and significant holes in the network would remain. All objects within the same horizontal plane are considered 'clutter' because they seriously attenuate the signal produced by the antennas. Clutter is intrinsic with rural areas like that surrounding the White Rock site and the tall and abundant foliage canopy in the area is extremely effective in attenuating AWS wavelengths. If forced to penetrate through the foliage rather than down upon it, the propagation from the antennas will be considerably degraded. To offer in-building coverage with such a poor quality signal would be impossible. A 250' antenna centerline on White Rock helps mitigate this issue and will allow the proposed site to meet the design objectives by providing coverage to an area more than twice what can be achieved by a collocation at 220'. The White Rock site is an essential component in the grid of sites providing quality coverage in the county of Richland. Any network without solid coverage along Richland County's major arteries would be unacceptable – hence the ClearTalk Wireless network will not remain commercially viable without this site. Only one tower in the vicinity of the proposed White Rock site, the aforementioned Crown Castle SST off of Mt. Vernon Church Road, could

have been considered a viable candidate based upon the location. However, after running numerous analyses and studying alternate scenarios, the Crown site was deemed unsuitable and disqualified due primarily to the low available rad center and ground elevation.

In summary, the White Rock site is necessary in allowing Cleartalk Wireless to provide continuous quality coverage in the County of Richland. Alternatives have been investigated and eliminated. The proposed site meets all engineering, interference and collocation constraints.

Sincerely,

William Howard
RF Design Engineer
Cleartalk Wireless

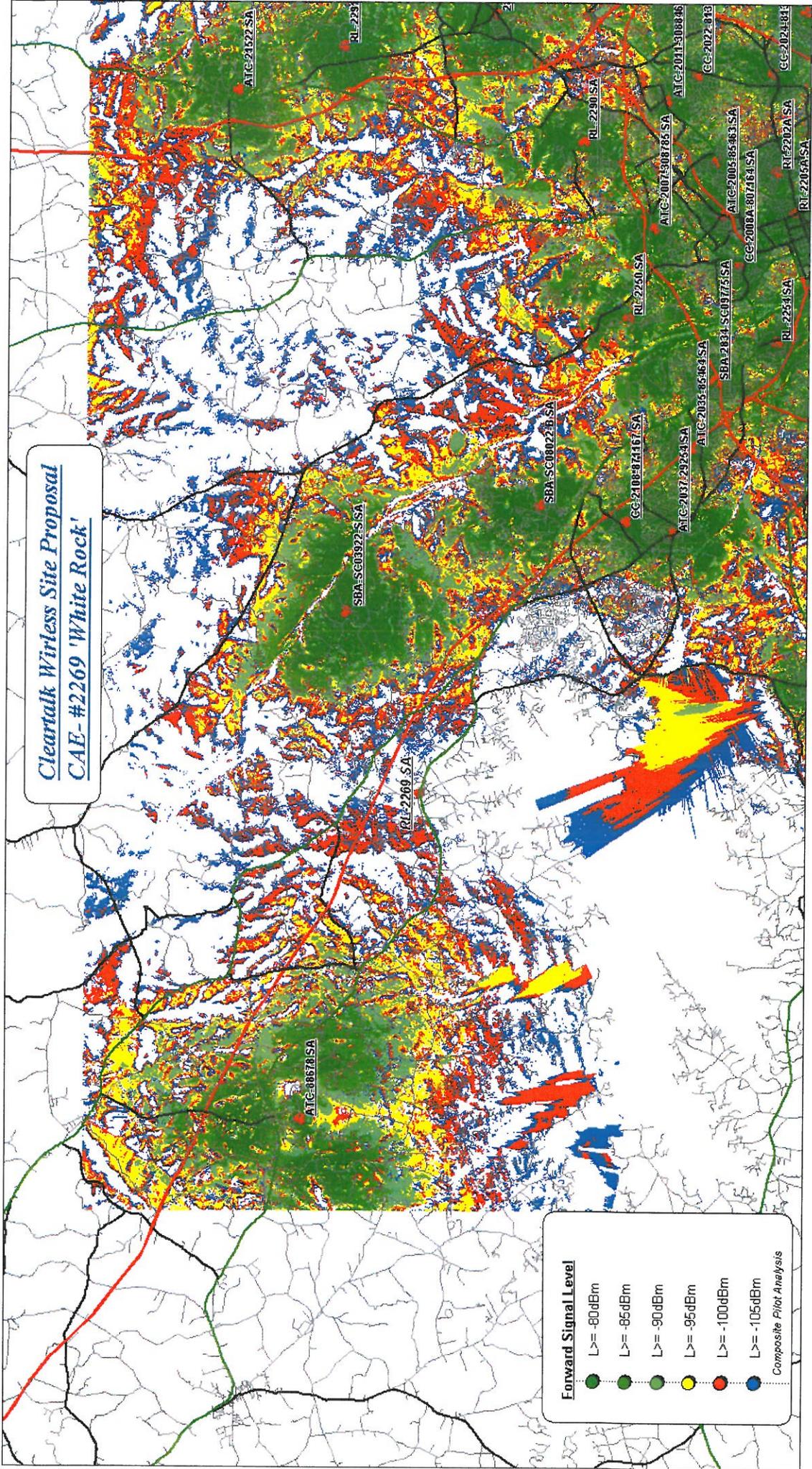


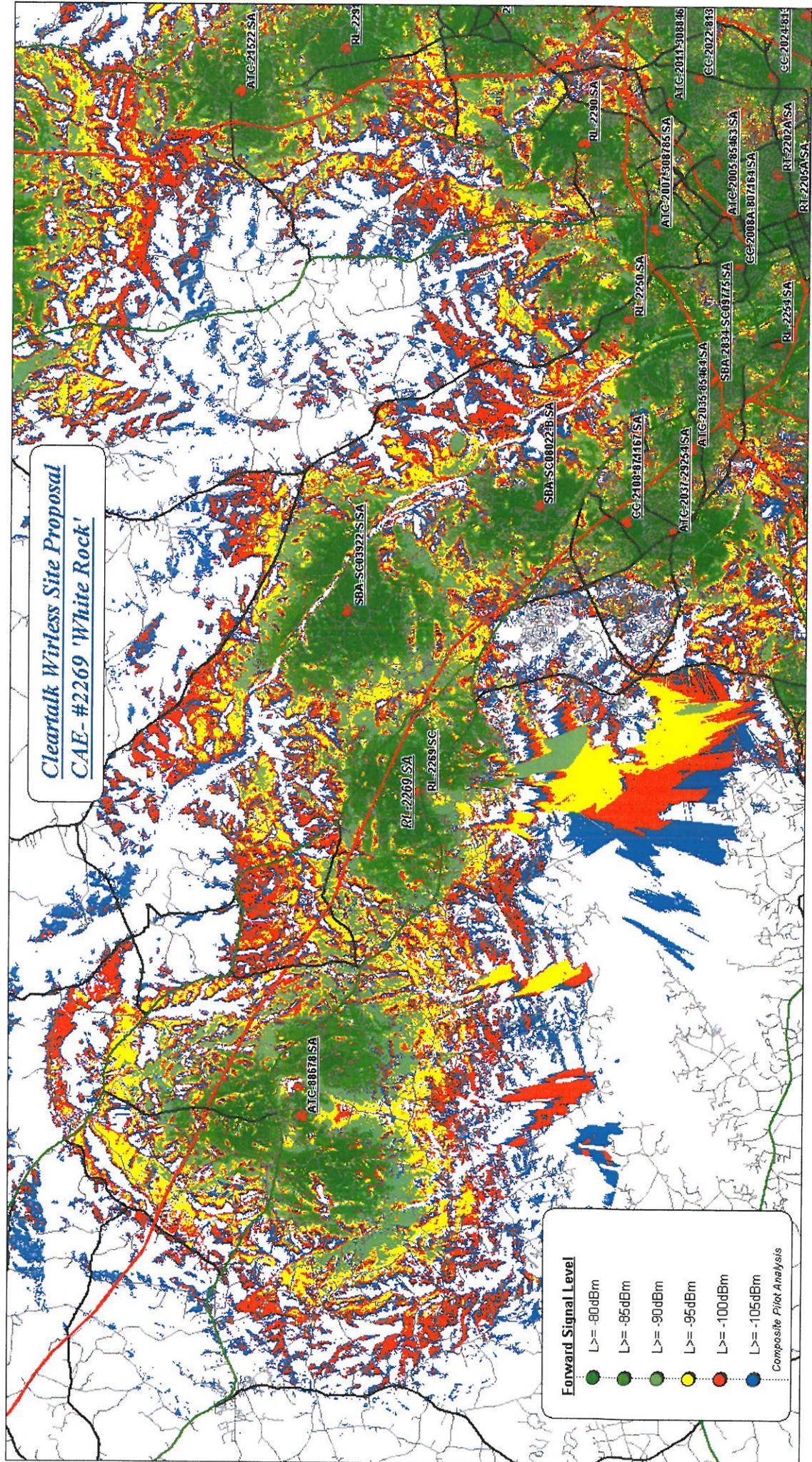
Cleartalk Wireless Site Proposal
CAE- #22269 'White Rock'

Forward Signal Level

- L >= -80dBm
- L >= -85dBm
- L >= -90dBm
- L >= -95dBm
- L >= -100dBm
- L >= -105dBm

Composite Pilot Analysis





Cleartalk Wireless Site Proposal
CAE- #22269 'White Rock'

Forward Signal Level

- -80dBm
- -85dBm
- -90dBm
- -95dBm
- -100dBm
- -105dBm

Composite Pilot Analysis

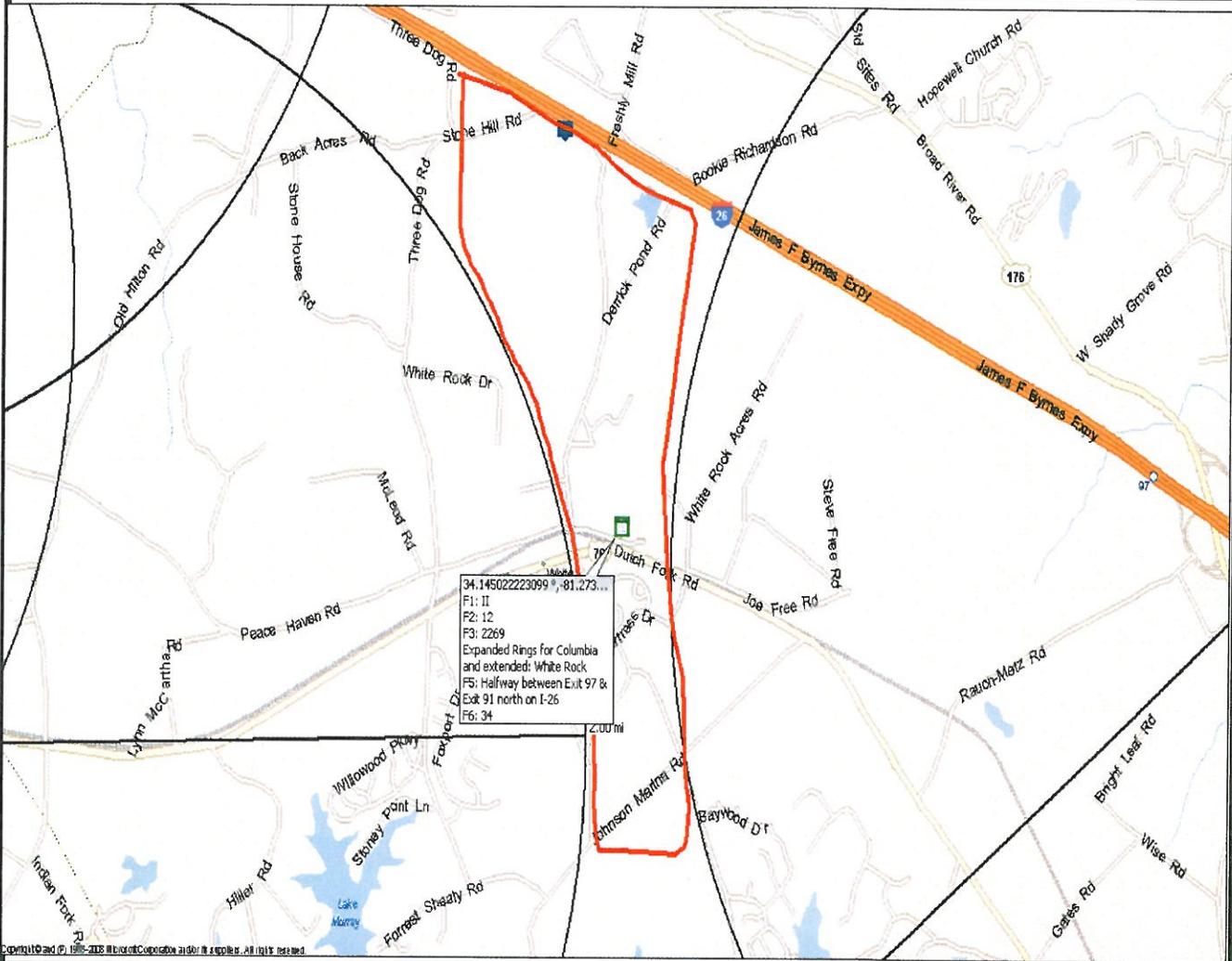


Preliminary Candidate List and Search Area

CleartalkAWS Columbia, SC

Site ID: **CAE2269**

White Rock



Candidate Information

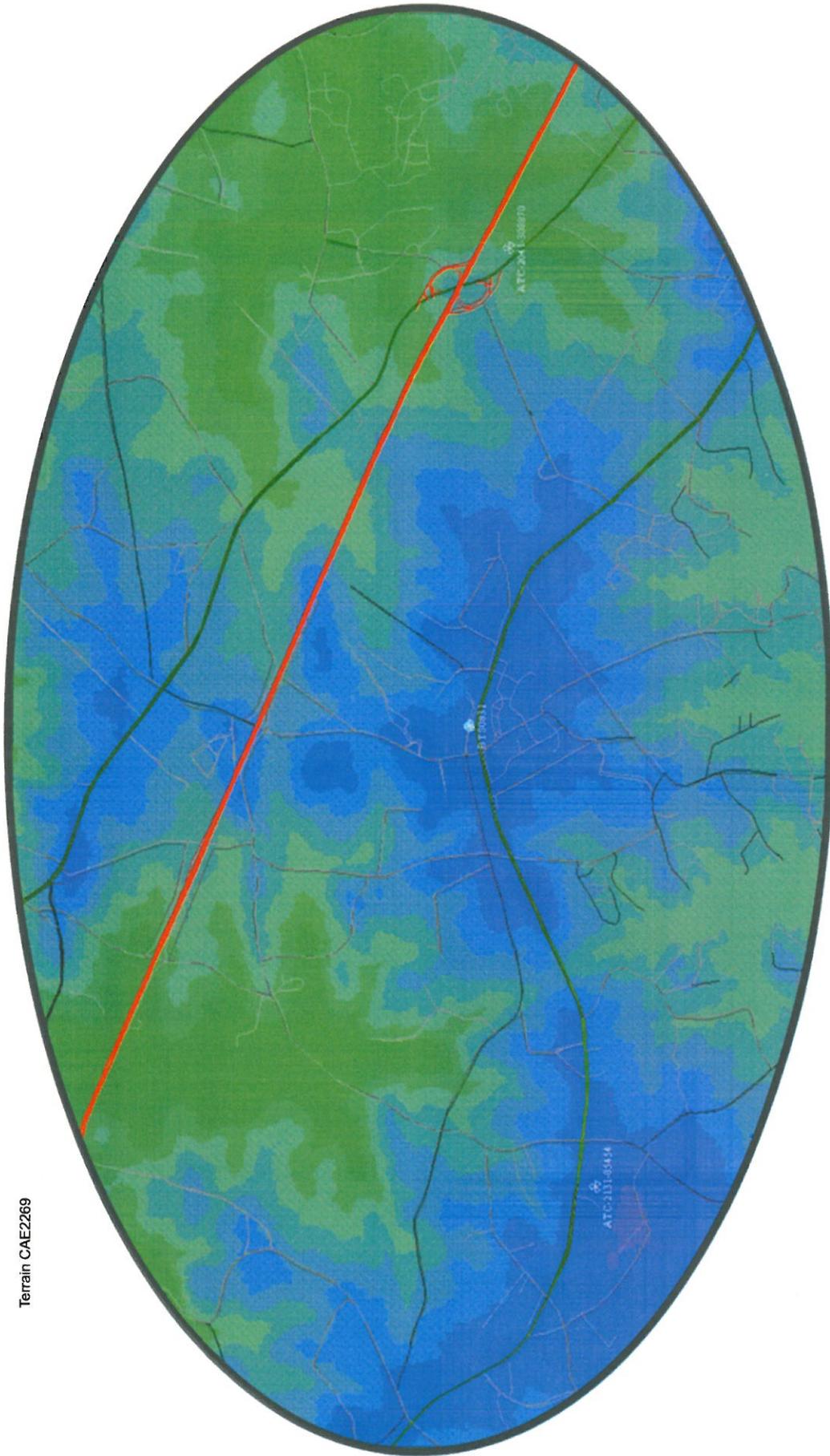
Candidate Number	Candidate Name	Latitude (NAD 83)	Longitude (NAD 83)	Gnd. Elevation	Rad. Center
CAE2269A	unk	34.14502223099 °	-81.273013888889 °	433'	250'
CAE2269B	unk				

Site Objectives and Comments

Geographical RF Objective		Req. Coverage	Comments	
Design objective is to provide in-building coverage of residential area around booming metropolis of White Rock and Highway I26		In Bldg (> -88 dBm)	Primary site is raw land. Coordinates represent ideal location, however, terrain varies significantly so proximity to ideal does not correlate to viability or quality. 2 mile ATC stipulation. Actual candidates may be outside of ring pending RF approval.	
		Req. ACL		
		250'		
Version	Release Date	County	BEA	RF Engineer
1	15-Feb-11		24	
Approver		Date		



Terrain CAE2269



REFERENCE COPY

This is not an official FCC license. It is a record of public information contained in the FCC's licensing database on the date that this reference copy was generated. In cases where FCC rules require the presentation, posting, or display of an FCC license, this document may not be used in place of an official FCC license.



Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: WGH COMMUNICATIONS, INC.

ATTN: PRESIDENT
WGH COMMUNICATIONS, INC.
703 PIER AVE. #B
PO BOX PMB #813
HERMOSA BEACH, CA 90254

Call Sign WQGD591	File Number
Radio Service AW - AWS, 1710-1755/2110-2155 MHz bands	

FCC Registration Number (FRN): 0006320923

Grant Date 12-18-2006	Effective Date 04-11-2009	Expiration Date 12-18-2021	Print Date 09-03-2009
Market Number BEA024	Channel Block C	Sub-Market Designator 0	
Market Name Columbia, SC			
1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB Docket No. 02-353, rel. April 20, 2006.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.



Notice of Proposed Construction or Alteration - Off Airport

Project Name: PTA-F-000195176-12

Sponsor: PTA-FLA

Details for Case : SC2069 White Rock

Show Project Summary

Case Status		Date Accepted: 01/15/2012	
ASN: 2012-ASO-205-OE		Date Determined:	
Status: Work In Progress		Letters: None	
		Documents: 01/15/2012 SC2269 white rock	
		Project Documents: None	
Construction / Alteration Information		Structure Summary	
Notice Of: Construction		Structure Type: Antenna Tower	
Duration: Permanent		Structure Name: SC2069 White Rock	
<i>if Temporary :</i> Months: Days:		NOTAM Number:	
Work Schedule - Start: 02/15/2012		FCC Number:	
Work Schedule - End: 02/14/2013		Prior ASN:	
<i>*For temporary cranes-Does the permanent structure require separate notice to the FAA? To find out, use the Notice Criteria Tool. If separate notice is required, please ensure it is filed. If it is not filed, please state the reason in the Description of Proposal.</i>			
State Filing: Not filed with State			
Structure Details		Common Frequency Bands	
Latitude: 34° 8' 40.56" N		Low Freq 698	High Freq 806
Longitude: 81° 16' 23.47" W		806	824
Horizontal Datum: NAD83		824	849
Site Elevation (SE): 453 (nearest foot)		851	866
Structure Height (AGL): 260 (nearest foot)		869	894
<i>* If the entered AGL is a proposed change to an existing structure's height include the current AGL in the Description of Proposal.</i>		896	901
		901	902
		930	931
		931	932
		932	932.5
Requested Marking/Lighting: Dual-red and medium intensity		935	940
<i>Other :</i>		940	941
		1850	1910
Recommended Marking/Lighting:		1930	1990
Current Marking/Lighting: N/A New Structure		2305	2310
<i>Other :</i> <input type="text"/>		2345	2360
Nearest City: Chapin		Specific Frequencies	
Nearest State: South Carolina			
Description of Location: 2080 Dutch Fork Road			
<i>On the Project Summary page upload any certified survey.</i> Chapin, SC 29036			
Description of Proposal: construction and operation of a 260 feet tall tower for telecommunications purposes			



REQUEST, DISCUSSION AND RECOMMENDATION

CASE:

12-04 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 RU (Rural) district.

GENERAL INFORMATION:

Applicant: Carol Bausinger
PTA-FLA Inc. dba ClearTalk

TMS: 21300-03-01

Location: Bluff Road, Hopkins, SC 29061

Parcel Size: 4.51 acre tract to be subdivided from the parent 30.5 acres

Existing Land Use: The parcel is currently undeveloped.

Proposed Land Use: The applicant proposes to erect a 250-foot telecommunications tower, within a 5,625 (75 x 75) square foot leased area.

Character of Area: The surrounding area consists of a mixture of agriculturally and residentially developed uses on large tracts.

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: (Ord. No. 040-09HR; 7-21-09)
 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. (Ord. No. 040-09HR; 7-21-09)
 2. Communication towers abutting a non-residentially zoned parcel with a habitable residential dwelling shall have a minimum setback of fifty (50) feet. (Ord. No. 040-09HR; 7-21-09)
 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. (Ord. No. 040-09HR; 7-21-09)
- 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 250-foot monopole telecommunications tower, within a 5,625 square foot compound.

Staff visited the site.

According to the provisions of subsection 26-152 (d) (22) (c) (1), towers must have a setback, from the property line which abuts a residentially zoned parcel, that is equal to the height of the tower, in this case 250 feet. The tower is proposed to be located at least 250' feet from each property line.

Meeting the criteria for a special exception in section 26-152 (d) (22) (c) may indicate that the applicant has taken necessary measures to minimize the impact of a communication tower on the surrounding area. Staff believes that this request will not impair the properties in the immediate or surrounding area.

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)

(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

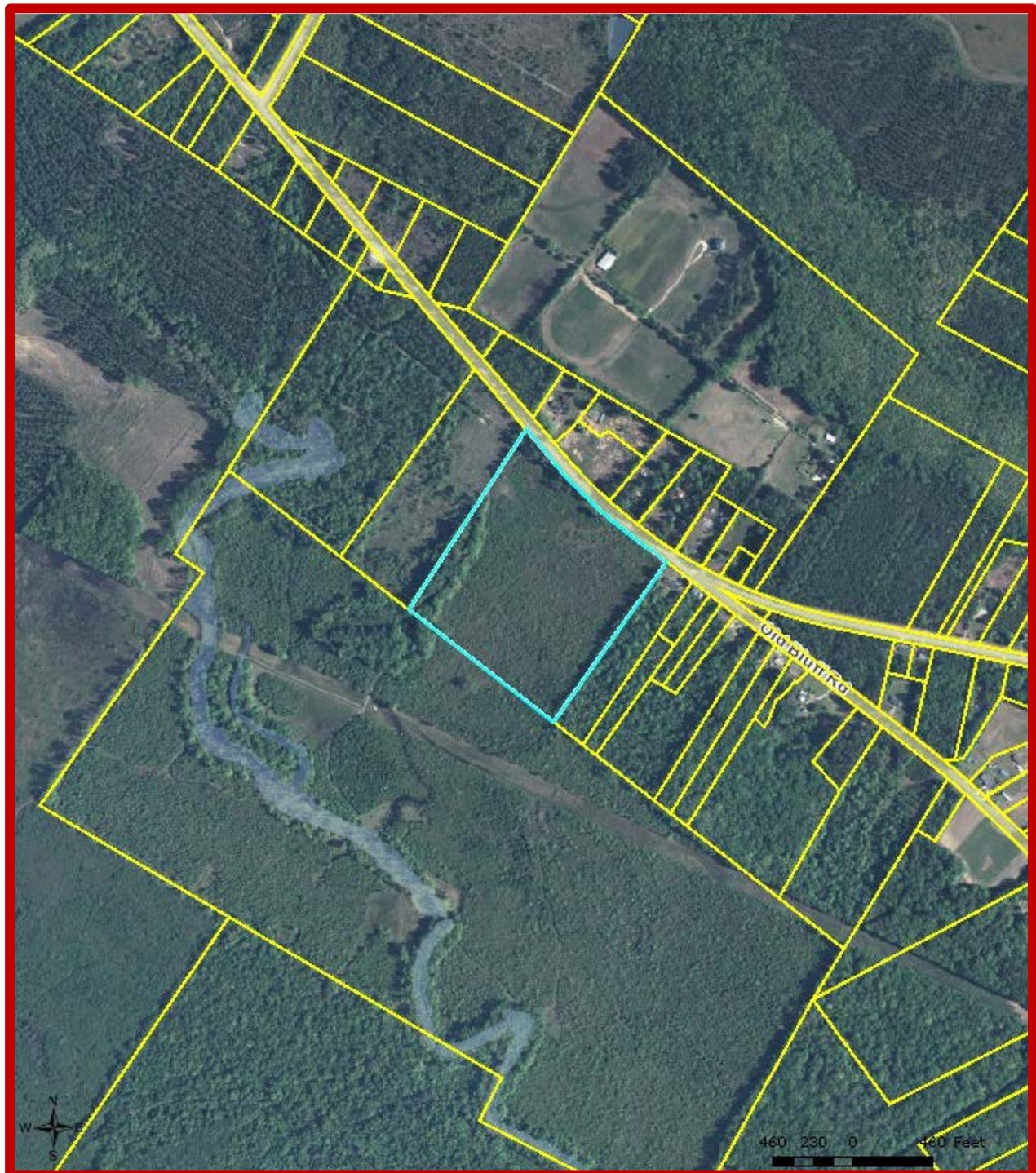
CASE HISTORY:

No record of previous special exception or variance request.

ATTACHMENTS:

- Site plan
- Zoning Application Packet

12-04 SE
PTA-FLA
CAROL BAUSINGER
BLUFF RD.
COLUMBIA, SC 29205
21300-03-01



Introduction

Clear Talk is a national provider of low-cost, flat-rate wireless communications services. We operate under the basic principal that wireless phone and high-speed Internet should be simple, affordable and available everywhere. We have been building mobile networks in under-served areas of the country since 1999.

In the past eleven years, Clear Talk has built wireless networks in seventeen different markets including, Colorado (Grand Junction); Idaho (Pocatello/Twin Falls); Tennessee (Jackson); Alabama (Florence); Arizona (Yuma), California (El Centro); Florida (Jacksonville); and Texas (Lubbock).

We are currently building out two networks in South Carolina (Columbia and Greenville). Once they are deployed Clear Talk will offer the citizens of both markets a low-cost, flat-rate alternative for wireless communication services.

The Technology

Clear Talk operates its wireless network in the 1710/2110-megahertz range of the AWS band and our antennas function with an effective radiated power (“ERP”) of 280 watts. Our communications facilities will not interfere with television or radio reception because we are licensed by the FCC to operate in this very specific frequency throughout our Basic Trading Area (“BTA”) in Columbia.

The RF Design and Site Selection Process

This proposed site is critically important to our network expansion to include the Souther portion of the The Town of Hopkins in complement with the proposed Hopkins Chief site and

the Westinghouse Electric Company plant area and then moving toward the underserved rural areas in the Hopkins/Gadsden/Eastover area for the Columbia BEA.

The process of developing a wireless network includes designing a system-wide grid of smaller “cells,” each containing a single antenna that will receive and transmit our signal. Each cell must be precisely located relative to the other cells so that they can create an effective communication grid and provide signal continuity. The design of this grid must take into account not only the antenna’s radius of reliable transmission but also population density, traffic patterns and the topography of the area.

Clear Talk’s strong preference is to collocate on existing towers whenever possible. Collocation is the quickest and most cost effective way to build out a new network. Out of the 40 initial requirements in our core Columbia BTA, we have signed agreements to collocate on 36 existing towers or rooftops. This site is outside of our core area and represents a part of our effort to cover our whole licensed area including populated areas that are considered to be underserved. The foregoing demonstrates our commitment to collocating when possible

There are no existing towers within a 3 mile radius of this proposed site. However, there have been two other proposals to construct facilities in recent years. One of these is a site that was approved on Bluff Road West of Lower Richland Boulevard. The other was proposed to be constructed on Black Swamp Road. Neither of these proposals, dating back five years has ever been acted upon by the permittees. Perhaps, because of the recession it was decided that their development dollars were best spent elsewhere.

The proposed “Bluff Road” site has been carefully selected to meet the goals of the community while providing adequate height and range for Clear Talk’s network. The proposed tower is also designed to allow for future collocation of additional carriers or government services equipment.

The Proposed Facility

PTA-FLA, Inc., d/b/a ClearTalk, has entered into a contract to purchase an approximately 4.51 acre parcel of land which is a portion of a larger 30.5 acre tract owned by Theodore J. Hopkins, Jr., located on Bluff Road just Southeast of Lower Richland Boulevard near Hopkins, South Carolina as depicted on the Site Plan included in Exhibit “B”. We propose to construct a 250’ tall self support (or lattice) communications tower as depicted also in Exhibit “B” as shown on the Site Plan. In addition to the tower the fenced compound will contain our equipment cabinet which is 6’2” high, 2’ wide & 2’ deep.

Zoning Standards & Compliance

The property is zoned RU (Rural District) by Richland County and there are no residences or other structures on the property.

The proposed tower will be set back approximately 250’ from the Bluff Road right-of-way and we will landscape the perimeter of the fenced compound for screening.

Richland County’s Special Exceptions standards for Wireless Telecommunication Towers are contained in Code Sec. 26-152(d)(22). In this Section, a Wireless Telecommunication Tower is allowed on RU zoned property with a Special Exception granted by the Board of Zoning Appeals. The relevant Special Exceptions standards are listed below with our response:

Sec. 26-152 (d) (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

Response: The tower will be located on a portion of a 30.5 acre parcel zoned Rural District in Richland County (Tax Map No. 21300-03-01).

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.

Response: The proposed tower will be 250' tall from the ground-mounted base to the top of the structure

c. The minimum setbacks for communications 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.***

Response: The proposed tower location abuts only non-residentially zoned parcels, all without habitable residential dwellings, and meets or exceeds all required RU district set-backs.

d. The proposed user must show proof of an attempt to collocate on existing communications 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 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.

Response: There are no existing communications towers within a 3-mile radius of the proposed development.

It is Clear Talk's strong preference to collocate on existing towers whenever possible. Collocation is the quickest and most cost effective way to build out a new network. Out of the 40 initial requirements in our core Columbia BTA we have signed agreements to collocate on 36 existing towers or rooftops. This site is outside of our core area but the foregoing demonstrates our commitment to collocating when possible.

The tower will be designed for future collocation of facilities of other wireless service providers. All of the towers in our network are available for collocation and we have numerous lease agreements in place with all the national wireless companies.

e. Towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agencies. However no night time strobe lighting shall be incorporated unless required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agency.

Response: The proposed height of this tower at 250' will comply with all FCC and safety requirements which will include lighting the tower for aviation safety. No night-time strobe shall be used.

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

Response:

The proposed 75' x 75' compound area within the 4.51 acre site will be enclosed with a chain link fence that will be at least seven (7) feet in height, and will be topped with industry standard three-stranded barbed wire for safety and security of the site.

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

Response: Clear talk will acquire the 4.51 acre tract and build the proposed tower as shown on the attached site plan. The 75' x 75' compound area within the property will be landscaped in accordance with the requirements of Chapter 26-176 of the Code.

THEODORE J. HOPKINS JR.

ATTORNEY AT LAW

1301 GERVAIS STREET, SUITE 910
COLUMBIA, SOUTH CAROLINA 29201

TELEPHONE 803 / 530-3445
tjh@thopkinslaw.com

MAILING ADDRESS:
POST OFFICE BOX 172
COLUMBIA, SOUTH CAROLINA 29202

*LL.M. (in Taxation)
Certified Specialist in Taxation Law
Fellow, American College of Tax Counsel*

Date: January 27th, 2012

Mr. Geonard Price
Zoning Administrator
Richland County Planning & Zoning Development Services
2020 Hampton Street
P.O. Box 192
Columbia, SC 29202

Re: Special Exception Application to the Board of Zoning Appeals
Filed by PTA-FLA, Inc., dba ClearTalk
Telecommunication Tower located on Bluff Road (SC Highway 48)
Portion of TMS: R21300-03-01 (tower site and access thereto)

Dear Mr. Price:

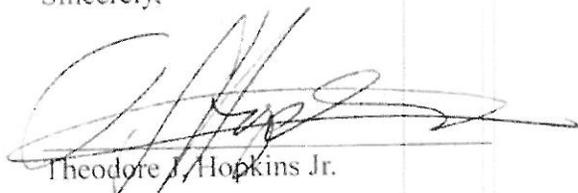
I am entering into an agreement with PTA-FLA, Inc., dba ClearTalk to sell them a portion of my property, APN # R21300-03-01 (the "Tower Site"), including access thereto, for the construction and operation of a wireless communication facility.

PTA-FLA, Inc., dba ClearTalk is submitting an application to Richland County Board of Zoning Appeals for a Special Exception to construct a communication tower on the Tower Site.

I hereby authorize PTA-FLA, Inc. dba ClearTalk to act on my behalf with respect to the Special Exception application that is going before the Board of Zoning Appeals.

If you have any questions you can call me at 803-530-3445.

Sincerely,



Theodore J. Hopkins Jr.

CLEARTALK
Wireless tower emp. inc.

2101 MAIN STREET
SUITE J
COLUMBIA, SC 29201

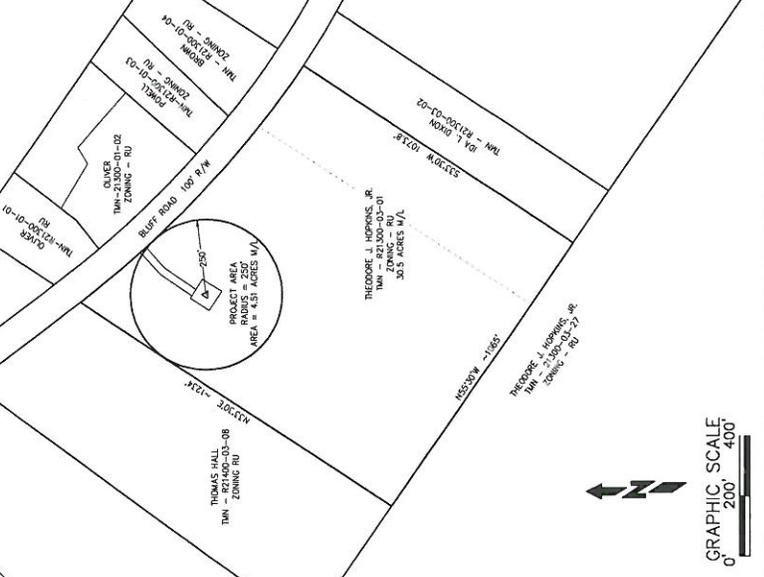
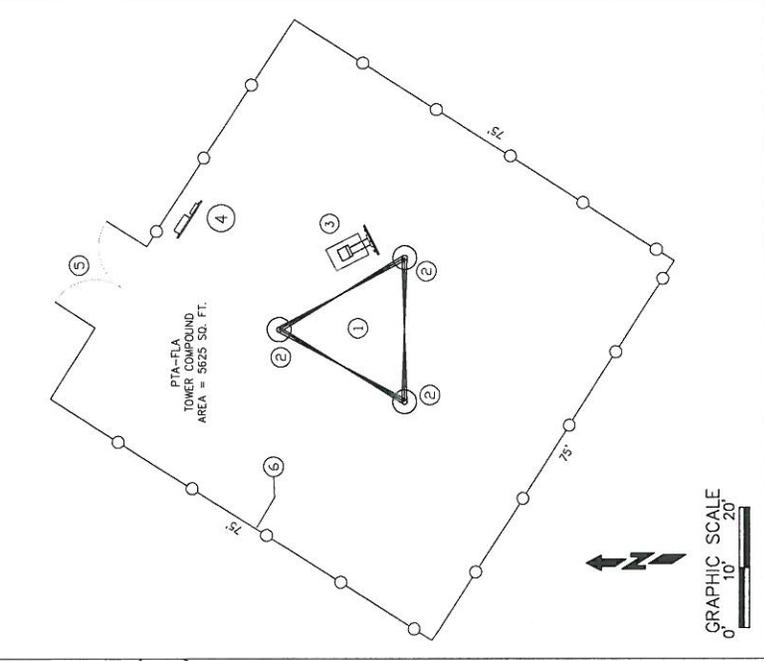
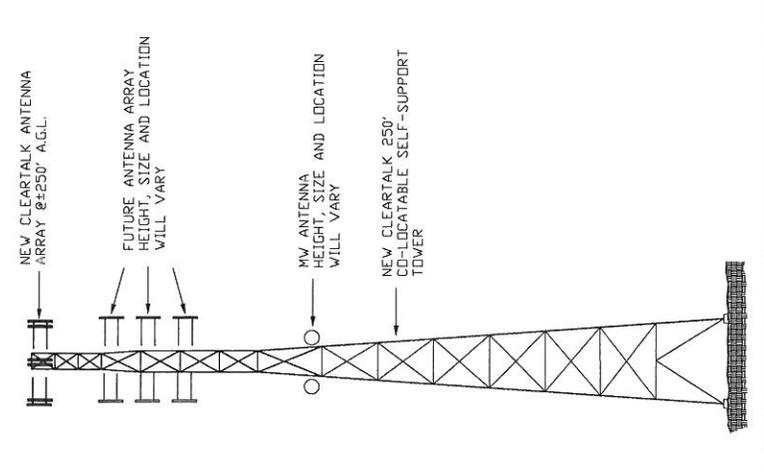
SC2270B
BLUFF RD

DATE RELEASE: 1/31/2012

NO.	DATE	ISSUE
1		
2		
3		
4		

AHOS Land Consultants
1901 W. ADAMS AVENUE
EL CENTRO, CA 92243
(760) 234-0029

THIS DRAWING DOES NOT REPRESENT A TITLE SURVEY. IT IS THE PROPERTY OF AHOS LAND CONSULTANTS, INC. ONLY APPARENT SURFACE ELEVATIONS AND ELEVATIONS ARE SHOWN AND MORE ELEVATIONS AND/OR RIGHTS OF WAY MAY EXIST. THIS DRAWING IS THE PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR THE PURPOSES OF THE PERMITTING AND APPLICATES. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED HEREIN IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE OWNER.



DRAWN BY: ALAN SMITHEE	NOT TO SCALE
SITE NAME BLUFF ROAD	SCALE: 1"=20'
SITE NUMBER SC2270B	SCALE: 1"=400'
SITE ADDRESS NO LEGAL ADDRESS HOPKINS, SC	SCALE: 1"=20'
CUP/VARIANCE NUMBER TBD	SCALE: 1"=20'
SHEET TITLE PLANNING EXHIBIT GENERAL SITE INFORMATION	SCALE: 1"=20'
SHEET NUMBER ZE-1	SCALE: 1"=20'

① CLEARTALK 195' SELF-SUPPORT TOWER	NOT TO SCALE
② ENGINEERED TOWER FOUNDATION	SCALE: 1"=20'
③ CLEARTALK 815 EQUIPMENT	SCALE: 1"=20'
④ POWER / TELCO BACKBOARD	SCALE: 1"=20'
⑤ 12" DOUBLE SWINGING GATE	SCALE: 1"=20'
⑥ 6' CHAIN LINK FENCE WITH 3-STRAND BARBED WIRE	SCALE: 1"=20'

LEGEND	VICINITY MAP
SITE NAME: BLUFF ROAD SITE NUMBER: SC2270B SITE ADDRESS: HOPKINS, SC OWNER'S NAME: THEODORE J. HOPKINS, JR. OWNER'S ADDRESS: 141 EDISTO AVENUE, COLUMBIA, SC 29205 ASSESSORS PARCEL NUMBER(S): 821300-03-01 NET AREA OF UNDERLYING PARCEL(S): 30.5 ACRES M/A LATITUDE: N33°32'05.1" LONGITUDE: W80°53'31.8"	PROJECT INFORMATION NOTES: 1. LATITUDE AND LONGITUDE DATUM - NAD 83/72

A STRIP OF LAND 25 FEET IN WIDTH THE DESCRIPTION OF WHICH SHALL BE DETERMINED BY PROPER SURVEY.	DESCRIPTION	EASEMENTS AND RIGHTS-OF-WAY
-------------------------------------------------------------------------------------------------	-------------	-----------------------------

A CIRCULAR PARCEL OF LAND HAVING A RADIUS OF 250 FEET AND AN AREA OF 4.51 ACRES THE DESCRIPTION OF WHICH SHALL BE DETERMINED BY PROPER SURVEY.	PROJECT AREA	DESCRIPTION
------------------------------------------------------------------------------------------------------------------------------------------------	--------------	-------------

ALL THAT LAND DESCRIBED IN DEED OF DISTRIBUTION RECORDED IN BOOK R181 AT PAGE 853, AUGUST 27, 1998 IN THE RECORDS OF THE REGISTER OF DEEDS, RICHLAND COUNTY, SOUTH CAROLINA.	UNDERLYING AREA	DESCRIPTION
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------	-------------



January 30, 2012

Re: Special Exception Application to the Board of Zoning Appeals filed by
PTA-FLA, Inc. (Clear Talk) for a Communications Tower 2270.

Dear County of Richland:

The purpose of this letter is to outline Cleartalk Wireless's need for the Bluff Road site from a technical design standpoint.

Considerations for Designing AWS Systems

With the seemingly ubiquitous use of mobile devices, the Federal Communications Commission (FCC) sought to introduce additional service providers. It was an effort to increase competition, which in turn would drive down the price of quality wireless telephony. This was achieved by allocating a segment of frequency for companies who bought the rights and committed to providing wireless AWS voice and data service in their licensed area.

Cleartalk Wireless is obliged to the FCC to provide quality AWS service to existing and future customers in BEA 24 which includes the county of Richland. Constant network maintenance and optimization is fundamental to providing high-quality digital voice and data communication services to our customers. Cellular networks operate in the 800 MHz frequency band, PCS networks operate in the 1900 MHz band and AWS utilizes the 2100 MHz band. Since radio waves propagate significantly better at lower frequencies, AWS sites must be spaced closer together than those in cellular and PCS networks from a coverage perspective. The fact that AM radio stations reach greater distances than FM radio stations (which are at higher frequencies) is another example of the same phenomenon.

A “grid” of sites must then be deployed to provide continuous coverage over the service area. Any given site in that grid is designed as part of the entire continuity of the network and cannot be considered in isolation. Design changes to one site impact those around it. Movement of a site creates a domino effect on the entire network. Once sites have been built, movement or loss of a site can be devastating to the quality of the network.

The Cleartalk Wireless network is designed around existing telecommunications structures and collocations are pursued whenever feasible. The Bluff Road site is a primary candidate for Richland County and the residential and commercial areas along Bluff Road between I77 and town of Gadsden. The exact placement of other sites into a grid around this site and the spacing of the grid is what wireless system design engineering encompasses. Some of the basic considerations are outlined below.

Design Objectives

Cleartalk Wireless is committed to providing only the highest quality AWS network to its customers. Any two-way wireless system, such as AWS telephony, has three basic design objectives which must be met. First, the network must provide *coverage* over the region of operation, meaning there is sufficient signal strength for customers to receive and make calls. Secondly, the network must be designed to handle the *capacity* of calls generated by its customers. This equates to having a sufficient number of channels for users to place calls. Without sufficient capacity, even in areas with strong signal strength and excellent coverage, users are blocked from making a call and get a “fast busy” signal. Larger capacity requires more sites that are spaced closer together and the Cleartalk Wireless network has been designed to handle a large number of anticipated users.

Thirdly, the *quality* of the network is essential. This encompasses a number of issues which are related to the coverage and capacity of a network. Insufficient signal strength (coverage) is the prime culprit of poor voice quality and slow data rates. However, interference from the radio waves from our other sites can be just as devastating to voice quality/bandwidth and results in a very delicate engineering design requiring a balance between maximizing coverage and minimizing interference. For this reason, careful site selection is critical. Sites that are too close to each other or too tall can cause damaging interference. Sites that are too far apart or too short may not provide sufficient signal strength to an area.

Quality also refers to the level of service that will be offered, or stated another way, where the mobile devices will work: only outside and away from any obstructions; inside vehicles; inside homes; or inside dense office buildings and shopping centers. These increasing levels

of service require stricter design considerations. The most basic level of service that must be provided along highways is in-vehicle coverage. ClearTalk Wireless must also be able to provide in-home coverage in all areas of our licensed market to satisfy customer expectations.

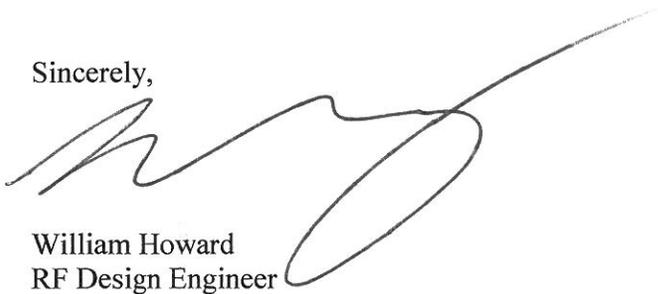
Objectives of the Bluff Road Site

The Bluff Road site will serve the eastern Richland County design by covering south of the town of Hopkins along Lower Richland Road down to the intersection of Bluff Road. It will carry a substantial number of calls during the busy drive hours along Bluff Road and will facilitate connecting future sites as the network is expanded towards the city of Sumter. Furthermore, this site will provide vital in-building coverage to the major industrial facility operated by Westinghouse while providing crucial handoffs to ClearTalk's surrounding ATC (Dublin) and Crown Castle (Hwy 48) collocations.

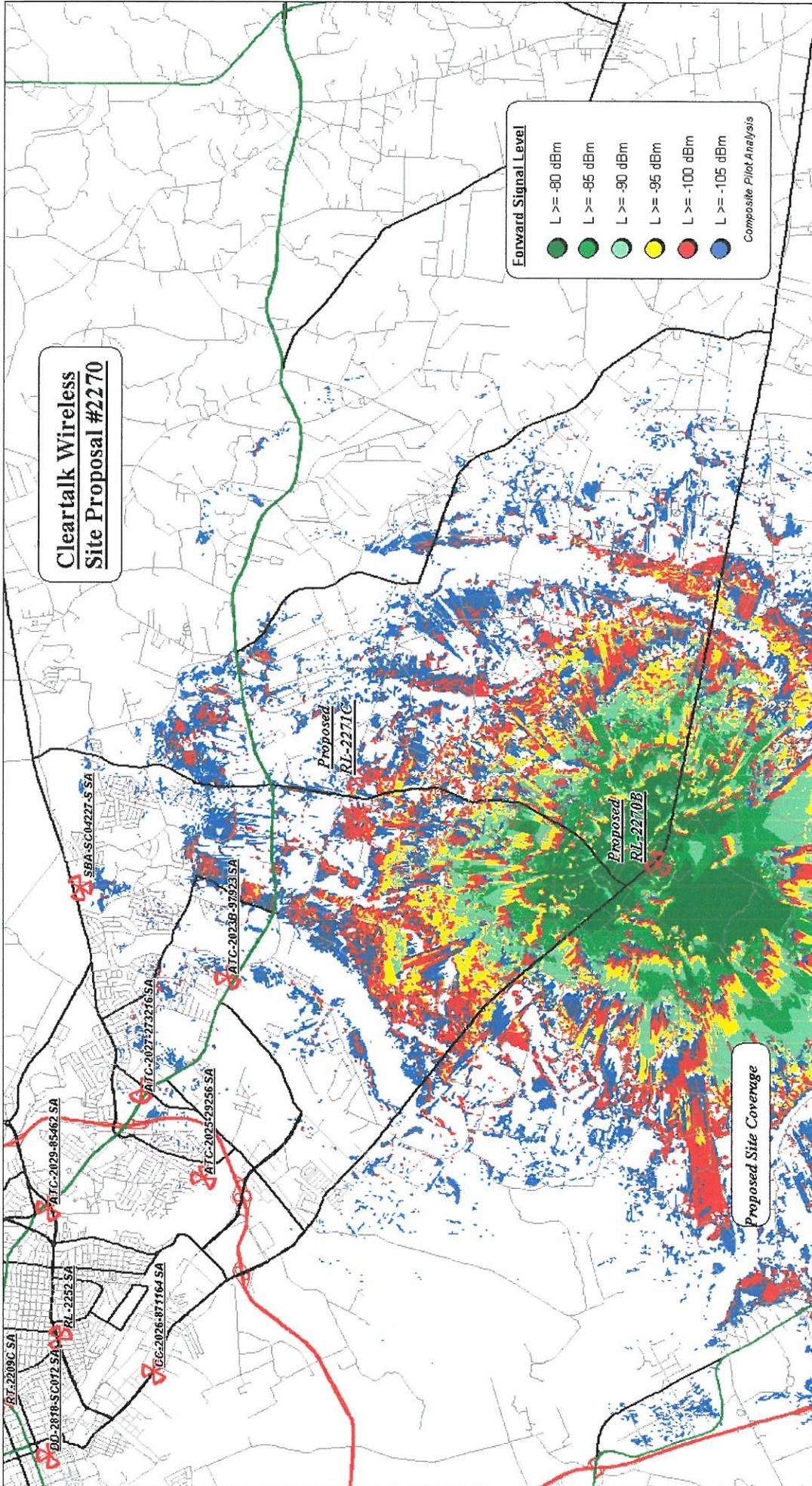
Because the neighboring sites, American Tower Company's 'Dublin' and CC 'Hwy 48' collocations in particular, have been leased, constructed, and are currently broadcasting, little leeway exists for a compromise on the location and height of the Bluff Road proposal. If the site shifts much to the east, a primary objective of offering continuous in-vehicle coverage back to I77 will be inconsistent. Movement west will limit the ability to handoff to our future collocation in Gadsden and reduce in-vehicle coverage along Bluff Road toward Congaree Road. As vital to the network as site location is, obtaining the proper verticality is just as important. To lower the proposed antenna centerline from 250' would substantially weaken the signal produced by the Bluff Road site. All objects within the same horizontal plane are considered 'clutter' because they seriously attenuate the signal produced by the antennas. Clutter is intrinsic with rural areas like that surrounding the Bluff Road site and the tall and abundant foliage canopy in the area is extremely effective in attenuating AWS wavelengths. If forced to penetrate through the foliage rather than down upon it, the propagation from the antennas will be considerably degraded. To offer in building coverage with such a poor quality signal would be impossible. A 250' antenna centerline on the Bluff Road site helps mitigate this issue and will allow the proposed site to meet the design objectives by providing coverage to a very substantial area. The Bluff Road site is an essential component in the grid of sites providing quality coverage in the county of Richland. Any network without solid coverage along Richland County's major arteries would be unacceptable – hence the ClearTalk Wireless network will not remain commercially viable without this site. No towers in the vicinity of the proposed Bluff Road site could have been considered as viable candidates based upon the location as the nearest existing telecom structure is more than 3.25 miles from the proposed site.

In summary, the Bluff Road site is necessary in allowing Cleartalk Wireless to provide continuous quality coverage in the County of Richland. Alternatives have been investigated and eliminated. The proposed site meets all engineering, interference and collocation constraints.

Sincerely,

A handwritten signature in black ink, appearing to read 'William Howard', with a long, sweeping underline that extends to the right.

William Howard
RF Design Engineer
Cleartalk Wireless



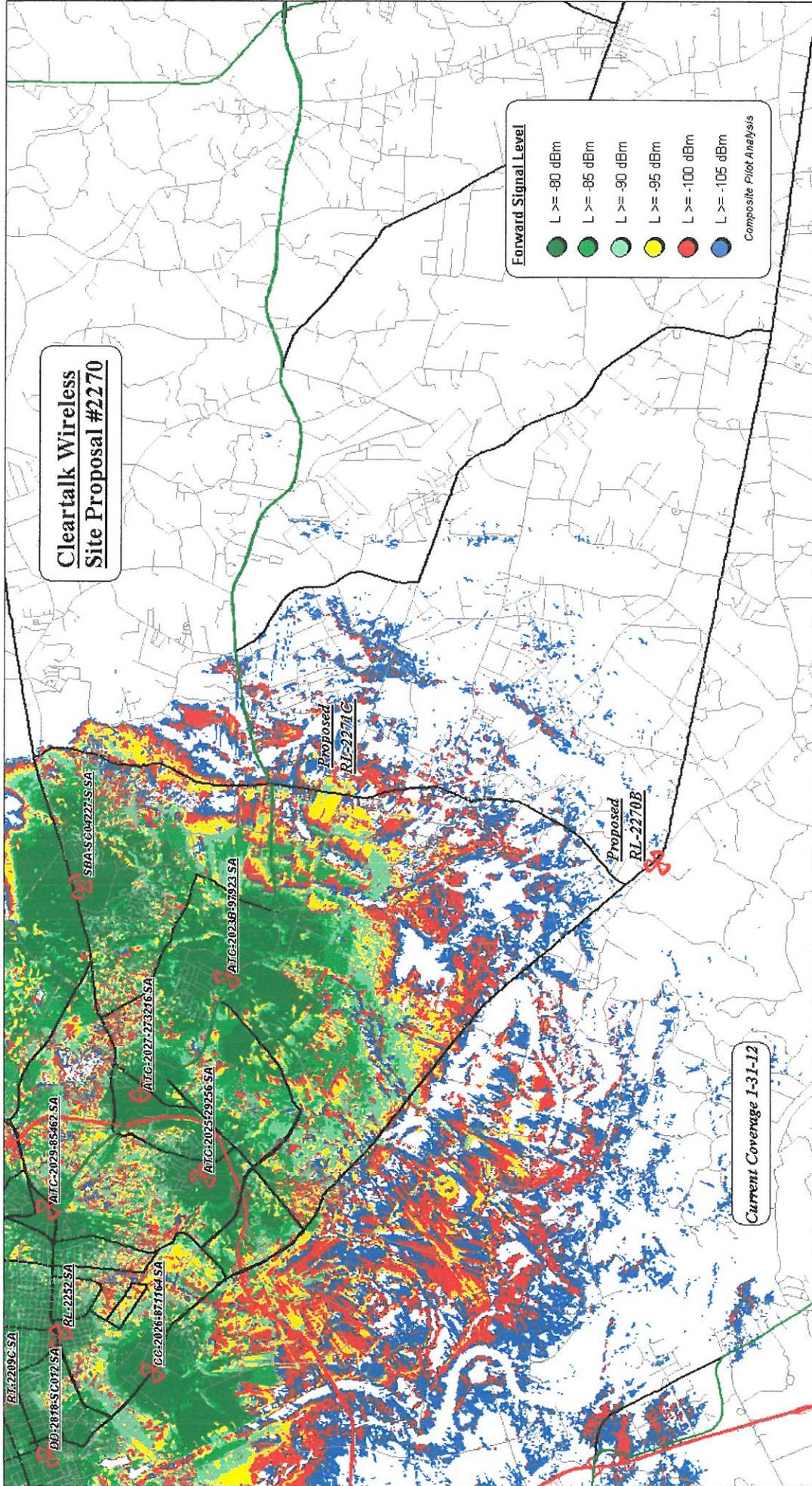
**Cleartalk Wireless
Site Proposal #2270**

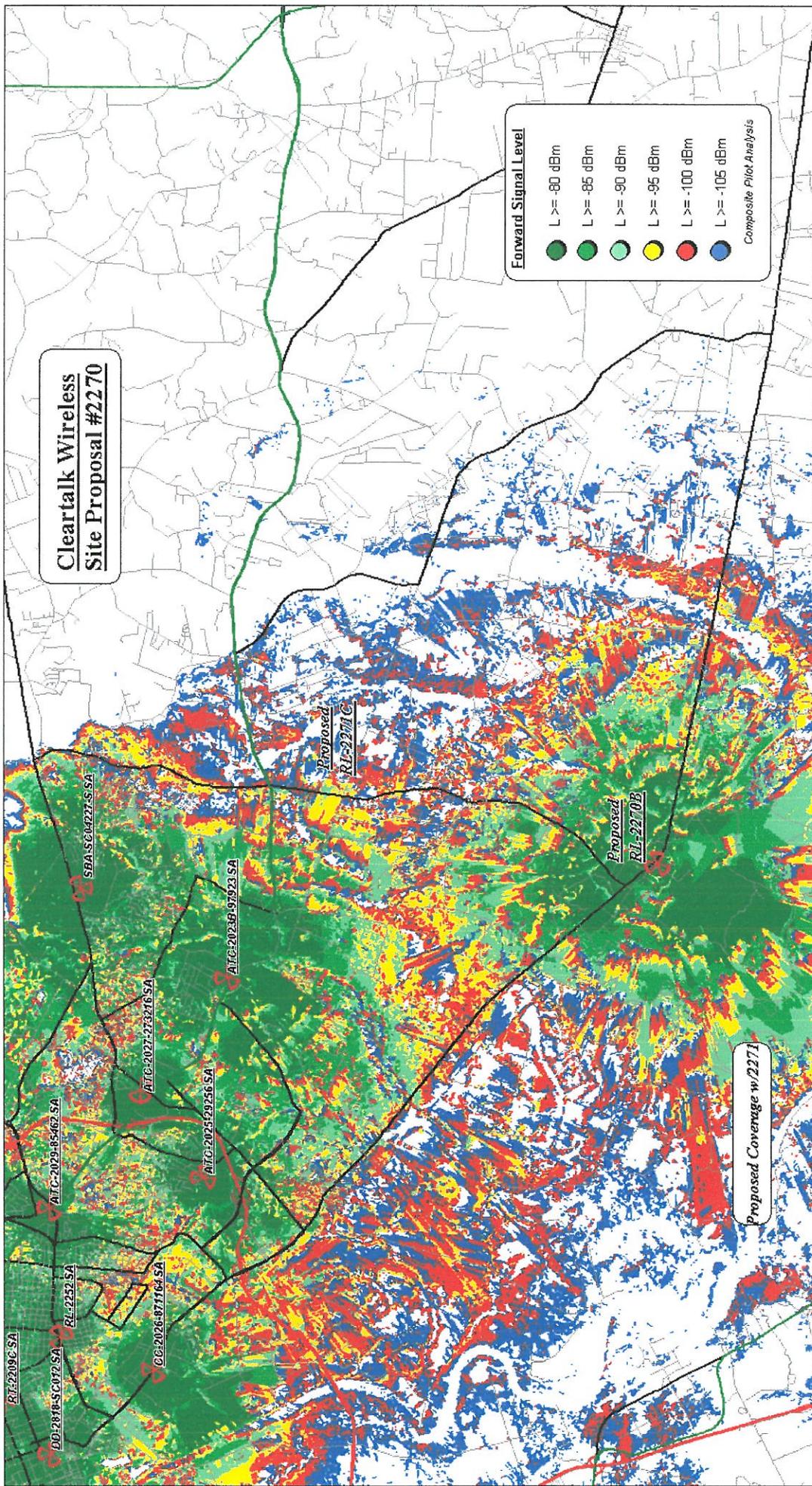
Forward Signal Level

- L >= -80 dBm
- L >= -86 dBm
- L >= -90 dBm
- L >= -95 dBm
- L >= -100 dBm
- L >= -105 dBm

Composite Pilot Analysis

Proposed Site Coverage





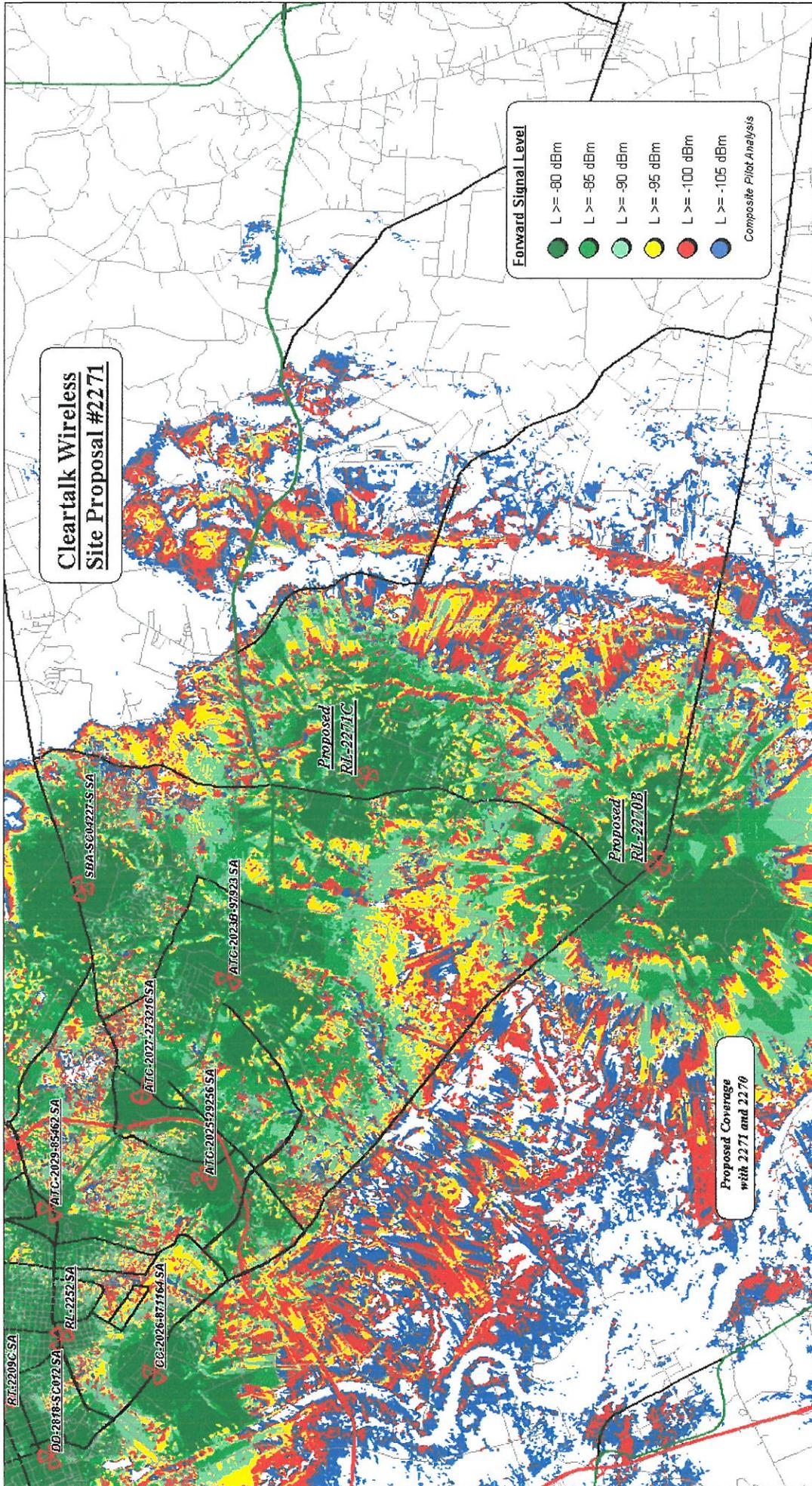
**Cleartalk Wireless
Site Proposal #2270**

Forward Signal Level

- L >= -80 dBm
- L >= -85 dBm
- L >= -90 dBm
- L >= -95 dBm
- L >= -100 dBm
- L >= -105 dBm

Composite Plot Analysis

Proposed Coverage w/2271



**Cleartalk Wireless
Site Proposal #2271**

Forward Signal Level

- L 80 dBm
- L 85 dBm
- L 90 dBm
- L 95 dBm
- L 100 dBm
- L 105 dBm

Composite Pilot Analysis

**Proposed
RL-2271C**

**Proposed
RL-2270B**

**Proposed Coverage
with 2271 and 2270**

AT-2209C SA

DD-2818-SC072 SA

RL-2252 SA

ATC-2029-85462 SA

ATC-2022-23226 SA

ATC-2025-19216 SA

ATC-2023-97923 SA

SBA-SCM2271 SA

CG-2026-871164 SA

REFERENCE COPY

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**Federal Communications Commission
Wireless Telecommunications Bureau**

RADIO STATION AUTHORIZATION

LICENSEE: WGH COMMUNICATIONS, INC.

ATTN: PRESIDENT
WGH COMMUNICATIONS, INC.
703 PIER AVE. #B
PO BOX PMB #813
HERMOSA BEACH, CA 90254

Call Sign WQGD591	File Number
Radio Service	
AW - AWS, 1710-1755/2110-2155 MHz bands	

FCC Registration Number (FRN): 0006320923

Grant Date 12-18-2006	Effective Date 04-11-2009	Expiration Date 12-18-2021	Print Date 09-03-2009
Market Number BEA024	Channel Block C	Sub-Market Designator 0	
Market Name Columbia, SC			
1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB Docket No. 02-353, rel. April 20, 2006.

Conditions:

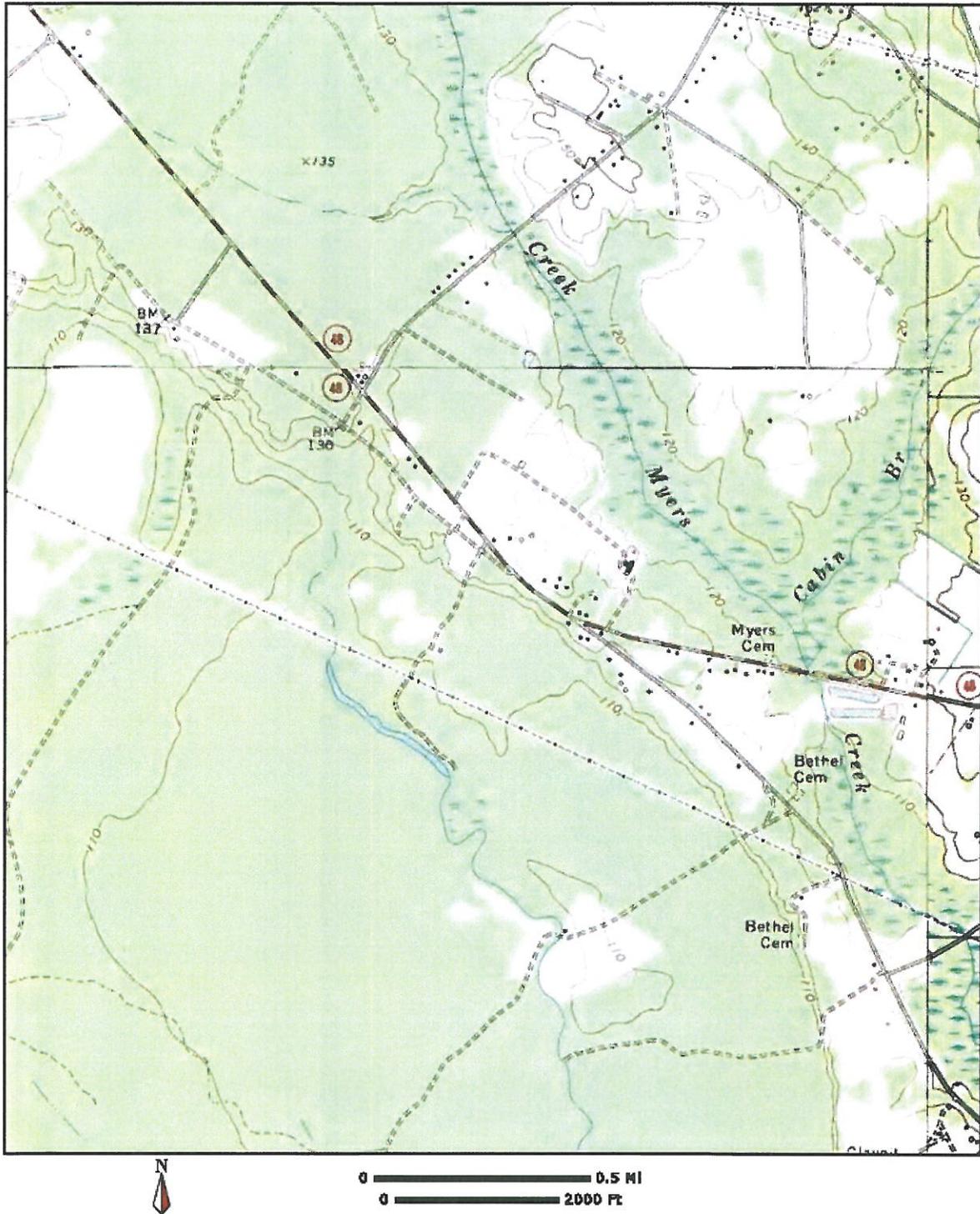
Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

USGS 7.5' MAP SAYLER LAKE 1987

1/30/12

MapCard - Print your custom map



TOWAIR QUERY

1/30/12

TOWAIR Search Results

TOWAIR Determination Results

*** NOTICE ***

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

DETERMINATION Results

Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates you provided.

Your Specifications

NAD83 Coordinates

Latitude	33-52-05.1 north
Longitude	080-53-31.8 west

Measurements (Meters)

Overall Structure Height (AGL)	60.7
Support Structure Height (AGL)	60.7
Site Elevation (AMSL)	39

Structure Type

TOWER - Free standing or Guyed Structure used for Communications Purposes

Tower Construction Notifications

Notify Tribes and Historic Preservation Officers of your plans to build a tower.

[CLOSE WINDOW](#)

FAA NOTICE CRITERIA TOOL

1/30/12

Notice Criteria Tool



Federal Aviation Administration

FAA

Notice Criteria Tool

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference [CFR Title 14 Part 77.9](#).

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the steep ratio
- your structure involves construction of a [transway](#) (i.e. highway, railroad, waterway etc..)
- your structure will emit frequencies, and does not meet the conditions of the [FAA Co-Location Policy](#)
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your structure will be on an airport or heliport

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the [Air Traffic Area of Responsibility map](#) for Off Airport construction, or contact the [FAA Airports Region / District Office](#) for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

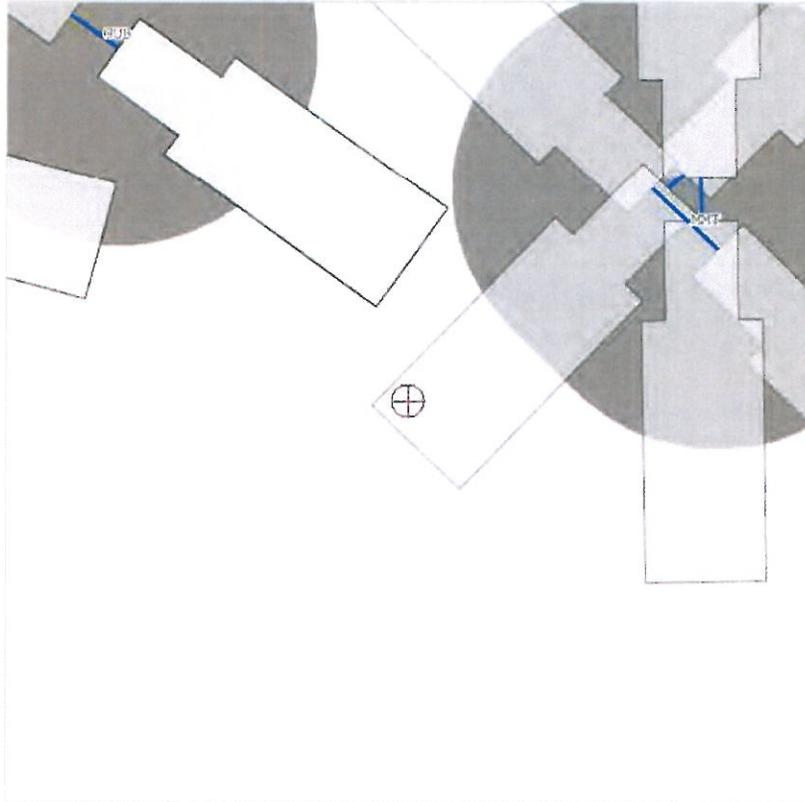
Latitude:	<input type="text" value="33"/>	Deg	<input type="text" value="52"/>	M	<input type="text" value="05.1"/>	S	<input type="text" value="N"/>
Longitude:	<input type="text" value="80"/>	Deg	<input type="text" value="03"/>	M	<input type="text" value="31.5"/>	S	<input type="text" value="W"/>
Horizontal Datum:	<input type="text" value="NAD83"/>						
Site Elevation (MSL):	<input type="text" value="120"/> (nearest foot)						
Structure Height (ASL):	<input type="text" value="190"/> (nearest foot)						
Transway:	<input type="text" value="No Transway"/>						
<small>(Additional height is added to certain structures under 77.9(c))</small>							
Is structure on airport:	<input type="radio"/> No						
	<input type="radio"/> Yes						

Results

You do not exceed Notice Criteria.

1/30/12

Notice Criteria Tool



FAA LONG RANGE RADAR

1/30/12

DoD Preliminary Screening Tool



Federal Aviation
Administration

DoD Preliminary Screening Tool

Disclaimers

- The DoD Preliminary Screening Tool enables developers to obtain a preliminary review of potential impacts to Long-Range and Weather Radar(s), Military Training Route(s) and Special Airspace(s) prior to official OE/AAA filing. This tool will produce a map relating the structure to any of the DoD/DHS and NOAA resources listed above. The use of this tool is 100 % optional and will provide a first level of feedback and single points of contact within the DoD/DHS and NOAA to discuss impacts/mitigation efforts on the military training mission and NEXRAD Weather Radars. The use of this tool does not in any way replace the official FAA processes/procedures.

Instructions

- Select a screening type for your initial evaluation. Currently the system supports pre-screening on:
 - Air Defense and Homeland Security radars(Long Range Radar)
 - Weather Surveillance Radar-1988 Doppler radars(NEXRAD)
 - Military Operations
- Enter either a single point or a polygon and click submit to generate a long range radar analysis map.
- Military Operations is only available for a single point.
- At least three points are required for a polygon, with an optional fourth point.
- The largest polygon allowed has a maximum perimeter of 100 miles.

Screening Types

Geometry Types

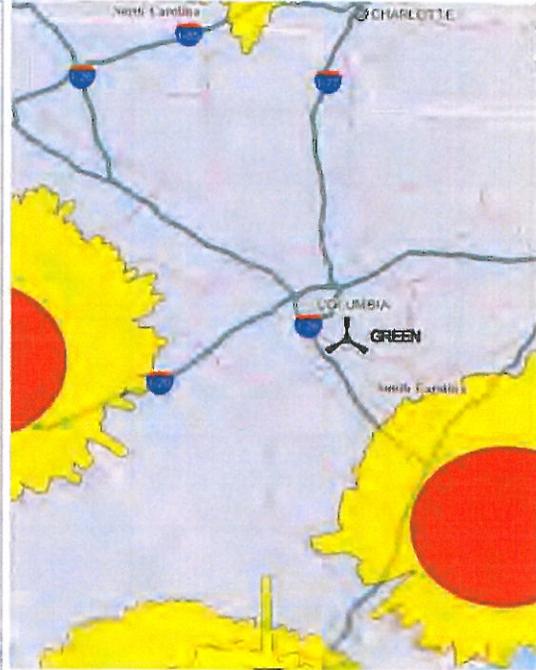
Point:

Latitude

Longitude

	Deg	Min	Sec	Dir	Deg	Min	Sec	Dir
1	<input type="text" value="33"/>	<input type="text" value="52"/>	<input type="text" value="05.1"/>	<input type="text" value="N"/>	<input type="text" value="80"/>	<input type="text" value="53"/>	<input type="text" value="31.8"/>	<input type="text" value="W"/>

Horizontal Datum:



Map Legend:

- Green:** No anticipated impact to Air Defense and Homeland Security radars. Aeronautical study required.
- Yellow:** Impact likely to Air Defense and Homeland Security radars. Aeronautical study required.
- Red:** Impact highly likely to Air Defense and Homeland Security radars. Aeronautical study required.



Federal Aviation
Administration

DoD Preliminary Screening Tool

Disclaimers

- The DoD Preliminary Screening Tool enables developers to obtain a preliminary review of potential impacts to Long-Range and Weather Radar(s), Military Training Route(s) and Special Airspace(s) prior to official OE/AAA filing. This tool will produce a map relating the structure to any of the DoD/DHS and NOAA resources listed above. The use of this tool is 100 % optional and will provide a first level of feedback and single points of contact within the DoD/DHS and NOAA to discuss impacts/mitigation efforts on the military training mission and NEXRAD Weather Radars. The use of this tool does not in any way replace the official FAA processes/procedures.

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Screening Types: Geometry Types:

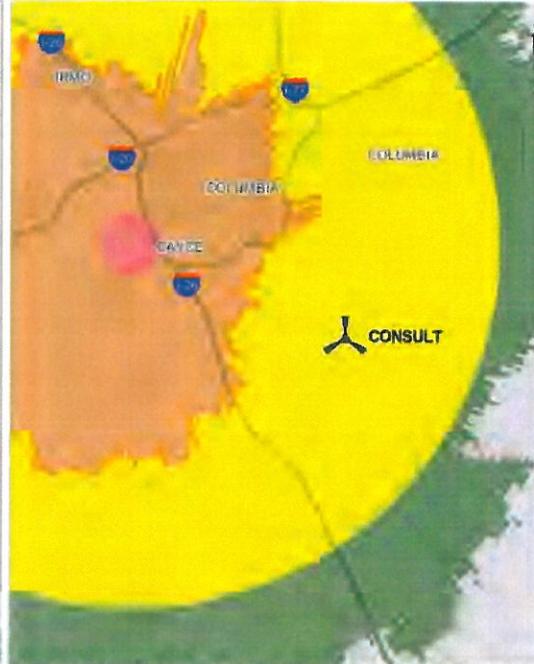
Point: Latitude Longitude

	Deg	Min	Sec	Dir	Deg	Min	Sec	Dir
1	<input type="text" value="33"/>	<input type="text" value="52"/>	<input type="text" value="05.1"/>	<input type="text" value="N"/>	<input type="text" value="80"/>	<input type="text" value="53"/>	<input type="text" value="31.8"/>	<input type="text" value="W"/>

Horizontal Datum:

Map Legend:

- Green: No Impact Zone.** Impacts not likely. NOAA will not perform a detailed analysis, but would still like to know about the project.
- Dk Green: Notification Zone.** Some impacts possible. Consultation with NOAA is optional, but NOAA would still like to know about the project.
- Yellow: Consultation Zone.** Significant impacts possible. NOAA requests consultation to discuss project details and to perform a detailed impact analysis. NOAA may request mitigation of significant impacts.
- Orange: Mitigation Zone.** Significant impacts likely. NOAA will likely request mitigation if a detailed analysis indicates that the project will cause significant impacts.
- Red: No-Build Zone.** Severe impacts likely. NOAA requests developers not build wind turbines within 3 km of the NEXRAD. Detailed impact analysis required.



Because the NEXRAD can detect wind turbines occasionally at great distances to know the location of all wind farm projects so that corrupted radar is flagged. Send project information directly to NOAA at wind.energy@noaa.gov through the National Telecommunications & Information Administration (NTIA) of Commerce. NOAA protects all wind project information as proprietary.

FAA MILITARY OPERATIONS

1/30/12

DoD Preliminary Screening Tool



DoD Preliminary Screening Tool

Disclaimers

- The DoD Preliminary Screening Tool enables developers to obtain a preliminary review of potential impacts to Long-Range and Weather Radar(s), Military Training Route(s) and Special Airspace(s) prior to official OE/AAA filing. This tool will produce a map relating the structure to any of the DoD/DHS and NOAA resources listed above. The use of this tool is 100 % optional and will provide a first level of feedback and single points of contact within the DoD/DHS and NOAA to discuss impacts/mitigation efforts on the military training mission and NEXRAD Weather Radars. The use of this tool does not in any way replace the official FAA processes/procedures.

Instructions

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- The largest polygon allowed has a maximum perimeter of 100 miles.

Screening Types: Geometry Types:

Point	Latitude				Longitude			
	Deg	Min	Sec	Dir	Deg	Min	Sec	Dir
1	<input type="text" value="33"/>	<input type="text" value="52"/>	<input type="text" value="05.1"/>	<input type="text" value="N"/>	<input type="text" value="80"/>	<input type="text" value="50"/>	<input type="text" value="21.8"/>	<input type="text" value="W"/>

Horizontal Datum:

The preliminary review of your proposal does not return any likely impacts to military airspace. Please contact David Brentzel at the USAF Regional Environmental Coordinator at (404)562-4211 for confirmation and documentation.

The preliminary review of your proposal does not return any likely impacts to military airspace. Please contact the US Navy Representative, FAA Eastern Service Area at the USN Regional Environmental Coordinator at (404) 305-6906 for confirmation and documentation.

The preliminary review of your proposal does not return any likely impacts to military airspace. Please contact LTC Jeffrey Martuscaill at the USA Regional Environmental Coordinator at (404) 305-6915 for confirmation and documentation.

The preliminary review of your proposal does not return any likely impacts to military airspace. Please contact the US Marine Corps Representative, FAA Eastern Service Area at the USMC Regional Environmental Coordinator at (404) 305-6907 for confirmation and documentation.

This is a preliminary review of your proposal and does not preclude official FAA processes. Your search data is not retained and the privacy of all your searches is assured.



Any questions interpreting the map, please email Steve Sample with your phone number at stevan.sample@pentagon.af.mil

FCC AM RADIO CLEARANCE

Certificate of AM Regulatory Compliance

Site Name SC2270-B Bluff Road
Location N33-52-05.1 W80-53-31.8
Client PTA-FLA, Inc.
Certification Date 1/30/2012

According to the Federal Communications Commission (FCC) Rules and Regulations,

Sec. 22.371 Disturbance of AM broadcast station antenna patterns.
Public Mobile Service licensees that construct or modify towers in the immediate vicinity of AM broadcast stations are responsible for measures necessary to correct disturbances of the AM station antenna pattern which causes operation outside of the radiation parameters specified by the FCC for the AM station, if the disturbance is caused as a result of such construction or modification.
(a) Non-directional AM stations. If tower construction or modification is planned within 1 kilometer (0.6 mile) of a non-directional AM broadcast station tower, the Public Mobile Service licensee must notify the licensee of the AM broadcast station in advance of the planned construction or modification. Measurements must be made to determine whether the construction or modification affected the AM station antenna pattern. The Public Mobile Service licensee is responsible for the installation and continual maintenance of any detuning apparatus necessary to restore proper non-directional performance of the AM station tower.
(b) Directional AM stations. If tower construction or modification is planned within 3 kilometers (1.9 miles) of a directional AM broadcast station tower, the Public Mobile Service licensee must notify the licensee of the AM broadcast station in advance of the planned construction or modification. Measurements must be made to determine whether the construction or modification affected the AM station antenna pattern. The Public Mobile Service licensee is responsible for the installation and continual maintenance of any detuning apparatus necessary to restore proper performance of the AM station tower.

This certificate verifies that the site at the above location has been screened and found to have no AM broadcast stations currently licensed to operate within the FCC mandated coordination distances. No further AM coordination actions are warranted at this time.

Certified by



Matthew Butcher, PE
VP, RF Engineering and Development
Sitesafe, Inc.



200 North Glebe Rd. Suite 1000
Arlington, VA 22203
703-276-1100
www.sitesafe.com
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REQUEST, DISCUSSION AND RECOMMENDATION

CASE:

12-05 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 RU (Rural) district.

GENERAL INFORMATION:

Applicant: Carol Bausinger
PTA-FLA Inc. dba ClearTalk

TMS: 21700-03-09

Location: Lower Richland Blvd., Hopkins, SC 29061

Parcel Size: 2.20 acre tract

Existing Land Use: The parcel is currently undeveloped.

Proposed Land Use: The applicant proposes to erect a 195-foot telecommunications tower, within a 5,625 (75 x 75) square foot leased area.

Character of Area: The immediate surrounding area consists of agriculturally developed parcels.

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: (Ord. No. 040-09HR; 7-21-09)
 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. (Ord. No. 040-09HR; 7-21-09)
 2. Communication towers abutting a non-residentially zoned parcel with a habitable residential dwelling shall have a minimum setback of fifty (50) feet. (Ord. No. 040-09HR; 7-21-09)
 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. (Ord. No. 040-09HR; 7-21-09)
- 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 195-foot monopole telecommunications tower, within a 5,625 square foot compound.

Staff visited the site.

According to the provisions of subsection 26-152 (d) (22) (c) (3), towers shall observe the setbacks of the district in which it is located when abutting a non-residentially zoned parcel without a habitable residential dwelling. The required setbacks for the RU district are:

- Front - 40 feet
- Rear - 50 feet
- Side - 20

The tower is proposed to be located at least 142' feet from each property line.

Meeting the criteria for a special exception in section 26-152 (d) (22) (c) may indicate that the applicant has taken necessary measures to minimize the impact of a communication tower on the surrounding area. Staff believes that this request will not impair the properties in the immediate or surrounding area.

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)

(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

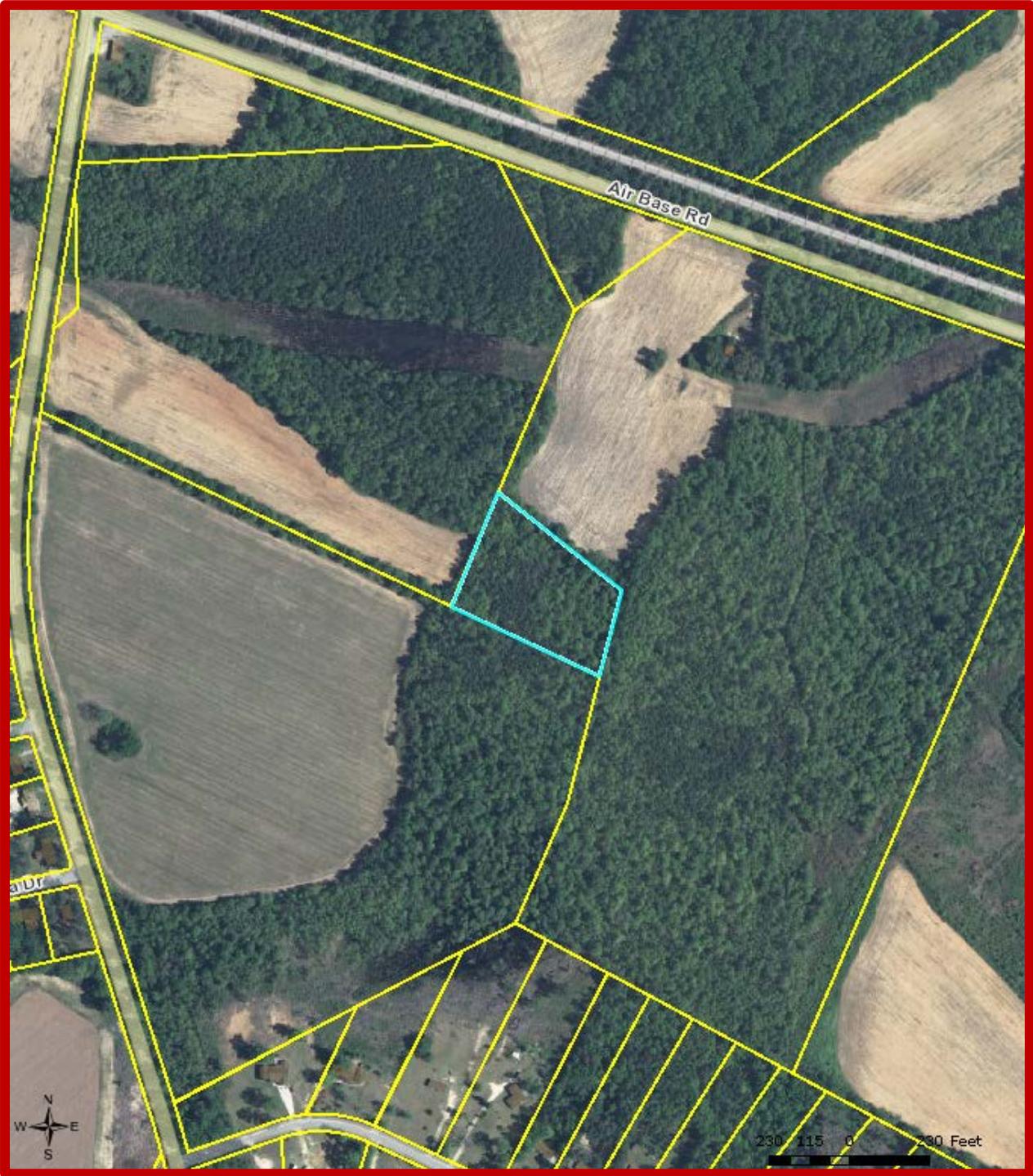
CASE HISTORY:

No record of previous special exception or variance request.

ATTACHMENTS:

- Site plan
- Zoning Application Packet

12-05 SE
PTA-FLA
CAROL BAUSINGER
LOWER RICHLAND BLVD.
COLUMBIA, SC 29061
21700-03-09



STATEMENT OF INTENT

Clear Talk respectfully submits this Statement in support of its Special Exception Application to the Richland County Board of Zoning Appeals to construct, operate and manage a 195' self-supporting wireless communication facility, on the property currently owned by Theodore J. Hopkins, Jr. in Richland County (Tax Map No. R021700-03-09).

The proposed site is a critical component of Clear Talk's core wireless network services in the Columbia metropolitan area and, more specifically the design objective is to provide in building coverage and expand our total coverage area along Lower Richland Boulevard from Garners Ferry Road to the Town of Hopkins. The proposed site will provide coverage to several educational institutions on Garners Ferry Road and as a link to future expansion into the Horrell Hill area.

Attached to this Statement are the following Exhibits:

1. Exhibit "A" - A letter of authorization from the current landowner, Theodore J. Hopkins, Jr.
2. Exhibit "B" - Site Plan and Survey.
3. Exhibit "C" – Richland County Aerial Photo and Parcel Map.
4. Exhibit "D" - A letter from Clear Talk's RF (Radio Frequency) Engineer, William Howard summarizing Clear Talk's network design and this site's importance to coverage in the above-described area, as well as Clear Talk's Search Ring for this proposed tower and propagation maps.
5. Exhibit "E" - A copy of Clear Talk's FCC license for the Columbia, SC market.
6. Exhibit "F" – The FCC TOWAIR document showing that no FAA filing is required.

Introduction

Clear Talk is a national provider of low-cost, flat-rate wireless communications services. We operate under the basic principal that wireless phone and high-speed Internet should be simple, affordable and available everywhere. We have been building mobile networks in underserved areas of the country since 1999.

In the past eleven years, Clear Talk has built wireless networks in seventeen different markets including, Colorado (Grand Junction); Idaho (Pocatello/Twin Falls); Tennessee (Jackson); Alabama (Florence); Arizona (Yuma), California (El Centro); Florida (Jacksonville); and Texas (Lubbock).

We are currently building out two networks in South Carolina (Columbia and Greenville). Once they are deployed Clear Talk will offer the citizens of both markets a low-cost, flat-rate alternative for wireless communication services.

The Technology

Clear Talk operates its wireless network in the 1710/2110-megahertz range of the AWS band and our antennas function with an effective radiated power (“ERP”) of 280 watts. Our communications facilities will not interfere with television or radio reception because we are licensed by the FCC to operate in this very specific frequency throughout our Basic Trading Area (“BTA”) in Columbia.

The RF Design and Site Selection Process

This proposed site is critically important to our network expansion to include The Town of Hopkins and the Horrell Hill area and then moving toward the underserved Sumpter area for the Columbia BEA. It will serve a crucial area of Richland County which includes a portion of Garners Ferry Road, Lower Richland Road and the Town of Hopkins area..

The process of developing a wireless network includes designing a system-wide grid of smaller “cells,” each containing a single antenna that will receive and transmit our signal. Each cell must be precisely located relative to the other cells so that they can create an effective communication grid and provide signal continuity. The design of this grid must take into account not only the antenna’s radius of reliable transmission but also population density, traffic patterns and the topography of the area.

Clear Talk’s strong preference is to collocate on existing towers whenever possible. Collocation is the quickest and most cost effective way to build out a new network. Out of the 40 initial requirements in our core Columbia BTA, we have signed agreements to collocate on 36 existing towers or rooftops. This site is outside of our core area and represents a part of our effort to cover our whole licensed area including populated areas that are considered to be underserved. The foregoing demonstrates our commitment to collocating when possible

There are no existing towers within a 3 mile radius of this proposed site.

The proposed “Chief” site has been carefully selected to meet the goals of the community while providing adequate height and range for Clear Talk’s network. The proposed tower is also designed to allow for future collocation of additional carriers or government services equipment.

The Proposed Facility

PTA-FLA, Inc., a subsidiary of Clear Talk, has entered into a contract to purchase an approximately 2.20 acre parcel of land owned by Theodore J. Hopkins, Jr., located on Lower Ricland Boulevard just South of Air Base Road near Hopkins, South Carolina as depicted on the Site Plan included in Exhibit “B”. We propose to construct a 195’ tall self support (or lattice) communications tower as depicted also in Exhibit “B” as shown on the Site Plan. In addition to the tower the fenced compound will contain our equipment cabinet which is 6’2” high, 2’ wide & 2’ deep.

Zoning Standards & Compliance

The property is zoned RU (Rural District) by Richland County and there are no residences or other structures on the property.

The proposed tower will be set back approximately 1200' from the Low Richland Boulevard right-of-way and we will landscape the perimeter of the fenced compound for screening.

Richland County's Special Exceptions standards for Wireless Telecommunication Towers are contained in Code Sec. 26-152(d)(22). In this Section, a Wireless Telecommunication Tower is allowed on RU zoned property with a Special Exception granted by the Board of Zoning Appeals. The relevant Special Exceptions standards are listed below with our response:

Sec. 26-152 (d) (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

Response: The tower will be located on a 2.20 acre parcel zoned Rural District in Richland County (Tax Map No. 21700-03-09).

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.

Response: The proposed tower will be 195' tall from the ground-mounted base to the top of the structure

c. The minimum setbacks for communications 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.*

Response: The proposed tower location abuts only non-residentially zoned parcels, all without habitable residential dwellings, and meets or exceeds all required RU district set-backs.

d. The proposed user must show proof of an attempt to collocate on existing communications 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 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.

Response: There is one Telecommunications Tower located within a Three mile radius of the proposed site. That site is owned by SBA Communications and is known as SBA Hampton/Hopkins. The tower is a 196 foot tall monopole that has been determined to be structurally incapable of additional antenna loading. That being considered, the engineered search ring for this site is much smaller than the Three mile radius thus necessitating the development of this facility.

It is Clear Talk's strong preference to collocate on existing towers whenever possible. Collocation is the quickest and most cost effective way to build out a new network. Out of the 40 initial requirements in our core Columbia BTA we have signed agreements to collocate on 36 existing towers or rooftops. This site is outside of our core area but the foregoing demonstrates our commitment to collocating when possible.

The tower will be designed for future collocation of facilities of other wireless service providers. All of the towers in our network are available for collocation and we have numerous lease agreements in place with all the national wireless companies.

e. Towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agencies. However no night time strobe lighting shall be incorporated unless required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agency.

Response: The proposed height of this tower at 195' will comply with all FCC and safety requirements and by virtue of the fact that it is not required to be registered with the FAA or the FCC, may not be required to be lighed..

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

Response:

The proposed 75' x 75' compound area within the 2.20 acres site will be enclosed with a chain link fence that will be at least seven (7) feet in height, and will be topped with industry standard three-stranded barbed wire for safety and security of the site.

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

Response: Clear talk will acquire the 2.20 acre tract and build the proposed tower as shown on the attached site plan. The 75' x 75' compound area within the property will be landscaped in accordance with the requirements of Chapter 26-176 of the Code.

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.

Response: Clear Talk will not install any signage on any part of the tower. We will only install the required federal identification information, safety signage and emergency contact information on an industry standard sign located on the compound gate.

i. A communication tower which is no longer used for communications purposes must be dismantled and removed within one hundred and twenty (120) days of the date the tower is taken out of service.

Response: If the Tower is taken out of service, Clear Talk will dismantle and remove it within one hundred and twenty (120) days of the date it was taken out of service.

Richland County's General Conditions for granting a Special Exceptions request are set forth below with Clear Talk's response.

Sec. 26-152 Special Exceptions:

(b) Conditions. All special exceptions shall, at a minimum, meet the conditions set forth in this section. The Board of Zoning Appeals shall approve or deny an application for special exception (see also Section 26-56 of this chapter) based on the following:

(1) A determination that all standards for the particular use, as defined in this article and in other relevant sections of this chapter, have been met.

Response: See the discussion above. Clear Talk has addressed all development standards set forth in Section 26-152(d)(22) of the Code.

(2) A finding that the special exception is in harmony with the intent and purpose of this chapter. In making this determination, the board shall consider the following:

(a) Traffic impacts.

Response: The tower will be unmanned and will only require infrequent maintenance visits.

(b) Vehicle and pedestrian safety.

Response: The tower will be located within a portion of a 2.20 acre site approximately 1200' off of Lower Richland Boulevard with all required safety fencing. It will not affect vehicles or pedestrians on Lower Richland Boulevard.

(c) Potential impact of noise, lights, fumes or obstruction of airflow on adjoining properties.

Response: The tower will not emit any noise or odors and will not be required to have any lights under the FAA regulations.

(d) Adverse impact of the proposed use on the aesthetic character of the environs, to include the possible need for screening from view.

Response: There will be a 7' high fence surrounding the site to keep the equipment from view.

(e) Orientation and spacing of improvements or buildings.

The improvements on the 2.20 acre parcel shall be as shown on the accompanying site plan.

In granting a special exception, the board may impose such additional restrictions and requirements as it may deem necessary in order that the purpose and intent of this chapter are served.

Response: Clear Talk will be pleased to discuss any additional restrictions or requirements that the Board or Staff deems necessary.

Conclusion

Clear Talk's proposed Hopkins Chief site is critically important to our network expansion for the Columbia BTA. It serves a crucial area of Richland County and the design objective is to provide in-building coverage of the areas in the vicinity of Hopkins and Horrell Hill.. And provide a coverage area along Lower Richland Boulevard from Garners Ferry Road to the Town of Hopkins. There is a Westinghouse Electric Company plant located on Bluff Road that will be

covered by this proposed site. The proposed site will also provide coverage to several educational institutions on Garners Ferry Road and will link to future expansion into the Horrell Hill area onward towards Sumpter.

Clear Talk explored the possibility of collocating on existing towers in this area but, for the reasons stated above, none of them proved to be viable candidates.

The site has been carefully selected to provide our networks the required coverage; to provide adequate screening and buffering from the surrounding area; and to meet or exceed all the development standards of the Richland County Code.

While the overwhelming majority of our sites are being developed through collocation on existing towers, the necessary addition of this tower will allow us to expand our network coverage to other underserved part of our licensed service area and provide a reliable a reliable, affordable option for wireless services to the community as a whole.

Clear Talk requests that the Board of Zoning Appeals approve this Special Exception Application for the proposed communications tower on the Rural District zoned parcel, Tax Map No. R21700-03-09..

Respectfully Submitted,

Clear Talk



By: PTA-FLA, Inc d/b/a/ Cleartalk

Carol Bausinger

Date: January 27th, 2012

Mr. Geonard Price
Zoning Administrator
Richland County Planning & Zoning Development Services
2020 Hampton Street
P.O. Box 192
Columbia, SC 29202

Re: Special Exception Application to the Board of Zoning Appeals
Filed by PTA-FLA, Inc., dba ClearTalk
Telecommunication Tower located on Lower Richland Blvd
TMS: R21700-03-09 ("Tower Site") & R21700-03-01 ("Access Road")

Dear Mr. Price:

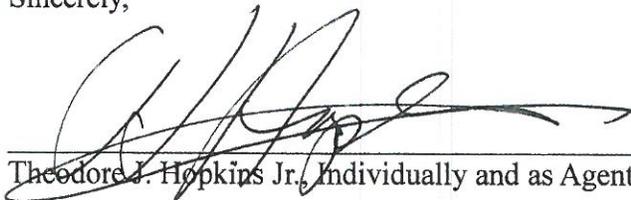
I am entering into an agreement with PTA-FLA, Inc., dba ClearTalk (i) to sell them certain property, APN # R21700-03-09 (the "Tower Site," owned by me), for the construction and operation of a wireless communication facility; and (ii) to grant them a non-exclusive easement over certain property, APN # R21700-03-01(the "Access Road" owned by my sister, Calvert Hopkins Helms, and me), for ingress and egress to/from the Tower Site.

PTA-FLA, Inc., dba ClearTalk is submitting an application to Richland County Board of Zoning Appeals for a Special Exception to construct a communication tower on the Tower Site.

Individually and as agent for my sister, Calvert Hopkins Helms, I hereby authorize PTA-FLA, Inc. dba ClearTalk to act on our behalf with respect to the Special Exception application that is going before the Board of Zoning Appeals.

If you have any questions please call me at 803-530-3445.

Sincerely,



Theodore J. Hopkins Jr., Individually and as Agent for Calvert Hopkins Helms



1612 MARION STREET
SUITE 218C
COLUMBIA, SC 29201

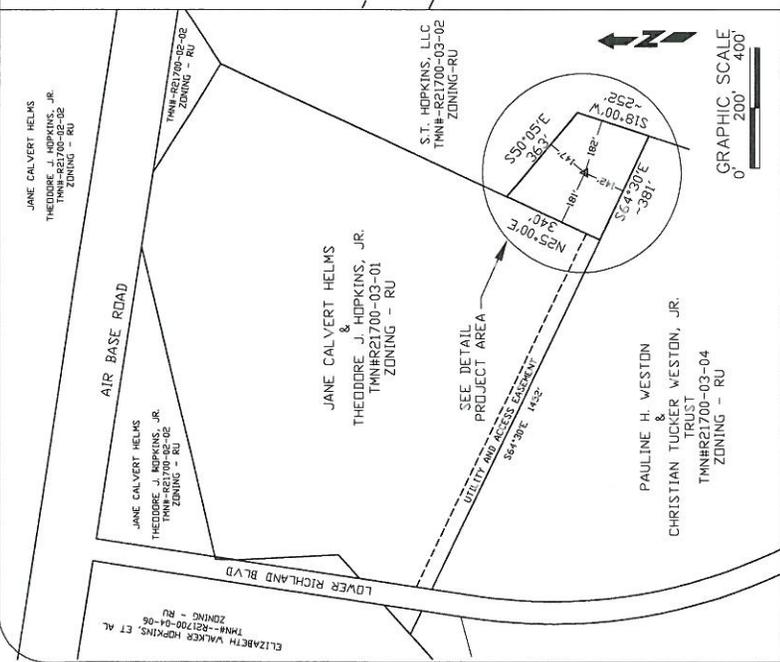
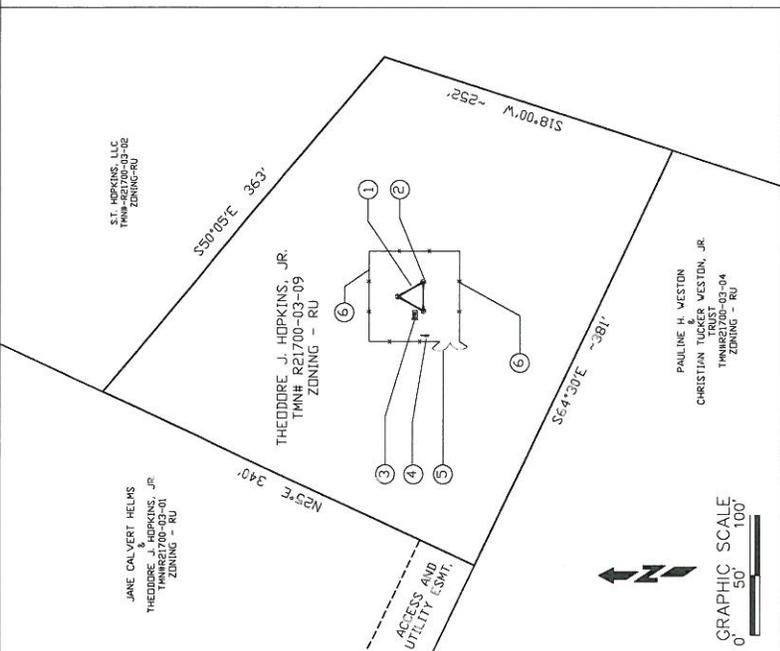
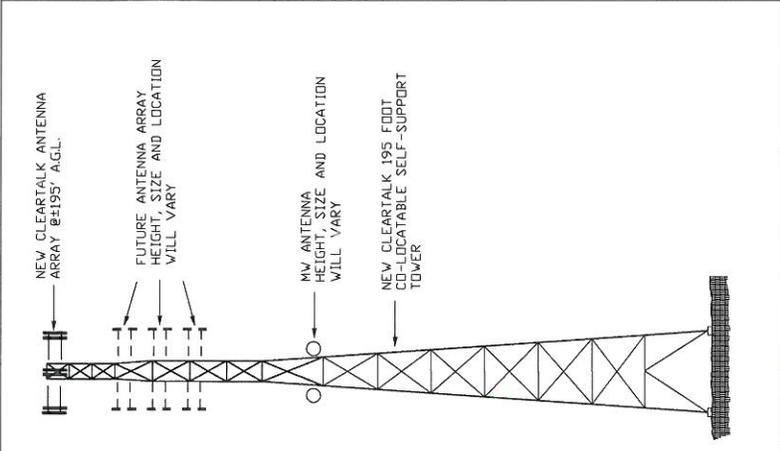
SC2271
CHIEF

DATE RELEASE: 1/27/2012

NO.	DATE	ISSUE
1		
2		
3		
4		

Atlas Land Consultants
1700 MARION AVENUE
EL CENTRO, CA 92525
(760) 234-0028

THIS MAP DOES NOT REPRESENT A WARRANTY OF TITLE AND APPLICABLE CONSULTANTS, INC. ONLY APPEARANT (SURFACE, EVIDENCE) EASEMENTS AND RIGHTS OF WAY MAY EXIST AND FOR RIGHTS OF WAY MAY EXIST THIS DRAWING IS COPRODUCED AND OWNED BY THE APPLICANT AND THE OWNER. IT IS PRODUCED SOLELY FOR USE BY THE OWNER AND ITS AGENTS AND INFORMATION CONTAINED IN IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY MANNER WITHOUT THE PERMISSION OF THE OWNER.



DRAWN BY:
ALAN SMITHEE

SITE NAME
CHIEF

SITE NUMBER
SC2271

SITE ADDRESS
LOWER RICHLAND BLVD.
HOPKINS, SC

TBD
TBD

PLANNING EXHIBIT
GENERAL SITE
INFORMATION

SHEET NUMBER
ZE-1



SCALE: 1"=100'

PROJECT INFORMATION

SITE NAME: HOPKINS CHIEF
SC2271A

SITE ADDRESS: NO LEGAL ADDRESS - LOWER RICHLAND BLVD HOPKINS, SC

OWNERS NAME: THEODORE J. HOPKINS, JR.

OWNERS ADDRESS: 141 EDGEMO AVENUE COLUMBIA, SC 29205

ASSESSORS PARCEL NUMBER(S): R21700-03-09

NET AREA OF UNDERLYING PARCEL(S): 2.20 ACRES, M/A.

LATITUDE: N33°53'33.4" LONGITUDE: W80°52'18.5"

NOTES: ... L. LATITUDE AND LONGITUDE DATUM - NAD 83/82

SCALE: 1"=100'

DETAIL PROJECT AREA

A STRIP OF LAND 25 FEET IN WIDTH LYING AND BEING THE SOUTHERLY LINE OF THE TRACT OF LAND CONVEYED TO JANE CALVERT HOPKINS HELMS & THEODORE J. HOPKINS, JR. BY THAT CERTAIN DEED RECORDED IN HOPKINS COUNTY, SOUTH CAROLINA, IN BOOK 888, PAGE 888, JULY 13, 1995.

NOTE: THE METES AND BOUNDS OF THE ABOVE DESCRIBED TRACT OF LAND SHALL BE DETERMINED BY PROPER SURVEY.

SCALE: 1"=400'

OVERALL PROJECT AREA

N/A

ALL THAT LAND DESCRIBED IN DEED OF DISTRIBUTION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS, COUNTY OF RICHLAND, STATE OF SOUTH CAROLINA IN BOOK 866, PAGE 2487, DECEMBER 31, 1998.

NOTE: THE METES AND BOUNDS OF THE ABOVE DESCRIBED TRACT OF LAND SHALL BE DETERMINED BY PROPER SURVEY.

DESCRIPTION	UNDERLYING AREA	DESCRIPTION	PROJECT AREA	DESCRIPTION	EASEMENTS AND RIGHTS-OF-WAY	PROJECT INFORMATION	NTS



January 30, 2012

Re: Special Exception Application to the Board of Zoning Appeals filed by
PTA-FLA, Inc. (Clear Talk) for a Communications Tower 2271.

Dear County of Richland:

The purpose of this letter is to outline Cleartalk Wireless's need for the Hopkins "Chief" site from a technical design standpoint.

Considerations for Designing AWS Systems

With the seemingly ubiquitous use of mobile devices, the Federal Communications Commission (FCC) sought to introduce additional service providers. It was an effort to increase competition, which in turn would drive down the price of quality wireless telephony. This was achieved by allocating a segment of frequency for companies who bought the rights and committed to providing wireless AWS voice and data service in their licensed area.

Cleartalk Wireless is obliged to the FCC to provide quality AWS service to existing and future customers in BEA 24 which includes the county of Richland. Constant network maintenance and optimization is fundamental to providing high-quality digital voice and data communication services to our customers. Cellular networks operate in the 800 MHz frequency band, PCS networks operate in the 1900 MHz band and AWS utilizes the 2100 MHz band. Since radio waves propagate significantly better at lower frequencies, AWS sites must be spaced closer together than those in cellular and PCS networks from a coverage perspective. The fact that AM radio stations reach greater distances than FM radio stations (which are at higher frequencies) is another example of the same phenomenon.

A “grid” of sites must then be deployed to provide continuous coverage over the service area. Any given site in that grid is designed as part of the entire continuity of the network and cannot be considered in isolation. Design changes to one site impact those around it. Movement of a site creates a domino effect on the entire network. Once sites have been built, movement or loss of a site can be devastating to the quality of the network.

The Cleartalk Wireless network is designed around existing telecommunications structures and collocations are pursued whenever feasible. The Hopkins “Chief” site is a primary candidate for Richland County and the residential and commercial areas in the vicinity of the town of Hopkins. The exact placement of other sites into a grid around this site and the spacing of the grid is what wireless system design engineering encompasses. Some of the basic considerations are outlined below.

Design Objectives

Cleartalk Wireless is committed to providing only the highest quality AWS network to its customers. Any two-way wireless system, such as AWS telephony, has three basic design objectives which must be met. First, the network must provide *coverage* over the region of operation, meaning there is sufficient signal strength for customers to receive and make calls. Secondly, the network must be designed to handle the *capacity* of calls generated by its customers. This equates to having a sufficient number of channels for users to place calls. Without sufficient capacity, even in areas with strong signal strength and excellent coverage, users are blocked from making a call and get a “fast busy” signal. Larger capacity requires more sites that are spaced closer together and the Cleartalk Wireless network has been designed to handle a large number of anticipated users.

Thirdly, the *quality* of the network is essential. This encompasses a number of issues which are related to the coverage and capacity of a network. Insufficient signal strength (coverage) is the prime culprit of poor voice quality and slow data rates. However, interference from the radio waves from our other sites can be just as devastating to voice quality/bandwidth and results in a very delicate engineering design requiring a balance between maximizing coverage and minimizing interference. For this reason, careful site selection is critical. Sites that are too close to each other or too tall can cause damaging interference. Sites that are too far apart or too short may not provide sufficient signal strength to an area.

Quality also refers to the level of service that will be offered, or stated another way, where the mobile devices will work: only outside and away from any obstructions; inside vehicles; inside homes; or inside dense office buildings and shopping centers. These increasing levels

of service require stricter design considerations. The most basic level of service that must be provided along highways is in-vehicle coverage. Cleartalk Wireless must also be able to provide in-home coverage in all areas of our licensed market to satisfy customer expectations.

Objectives of the Hopkins “Chief” Site

The Hopkins site will serve the eastern Richland County design by covering the town of Hopkins and along Lower Richland Road up to the intersection of Garners Ferry Road. It will be a major capacity site as well carrying a substantial number of calls during the busy drive hours along Garners Ferry Road and will facilitate connecting future sites as the network is expanded towards the city of Sumter. Furthermore, this site will provide vital in-building coverage to a sizable area of numerous and growing residential sprawl while providing crucial handoffs to Cleartalk’s surrounding ATC (Ft. Jackson) and SBA (Fairmont) collocations.

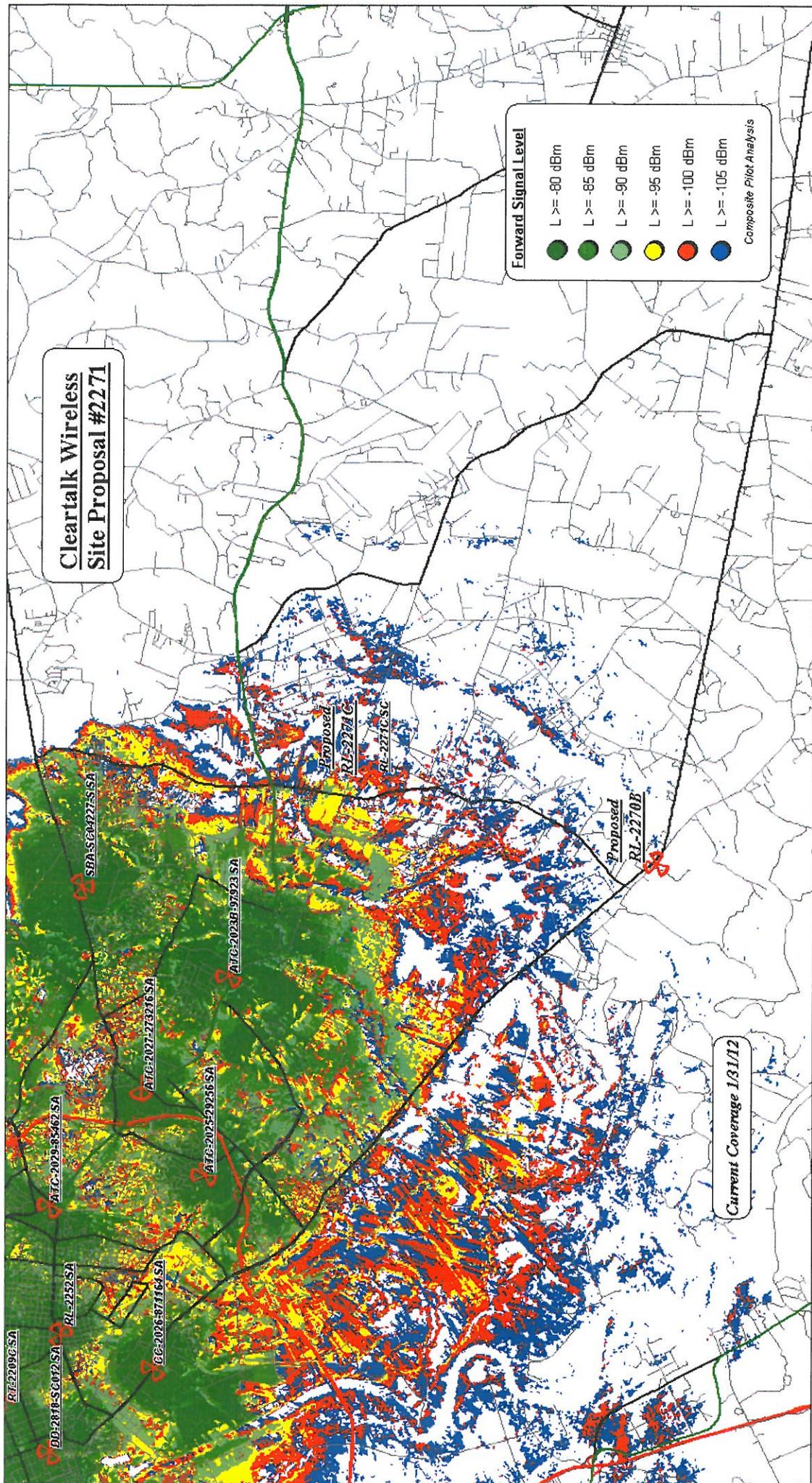
Because the neighboring sites, American Tower Company’s ‘Ft. Jackson’ and SBA ‘Fairmont’ collocations in particular, have been leased, constructed, and are currently broadcasting, little leeway exists for a compromise on the location and height of the Hopkins proposal. If the site shifts much to the north, a primary objective of offering in building penetration to the homes in Hopkins will be impossible. Movement south will limit the ability to handoff to our American Tower collo and reduce in vehicle coverage along Garners Ferry Road in the area of Lower Richland High School. As vital to the network as site location is, obtaining the proper verticality is just as important. To lower the proposed antenna centerline from 195’ would substantially weaken the signal produced by the Hopkins site. A collocation on the existing SBA site .85 miles south at the highest available rad center of 155’ with a ground elevation 45’ lower, would effectively satisfy only the coverage objective of the immediate Hopkins proper and significant holes in the network would remain. All objects within the same horizontal plane are considered ‘clutter’ because they seriously attenuate the signal produced by the antennas. Clutter is intrinsic with rural areas like that surrounding the Hopkins site and the tall and abundant foliage canopy in the area is extremely effective in attenuating AWS wavelengths. If forced to penetrate through the foliage rather than down upon it, the propagation from the antennas will be considerably degraded. To offer in building coverage with such a poor quality signal would be impossible. A 195’ antenna centerline on the Hopkins “Chief” site helps mitigate this issue and will allow the proposed site to meet the design objectives by providing coverage to an area near twice what can be achieved by a collo at 155’. The Hopkins site is an essential component in the grid of sites providing quality coverage in the county of Richland. Any network without solid coverage along Richland County’s major arteries would be unacceptable – hence the Cleartalk Wireless network will not remain commercially viable

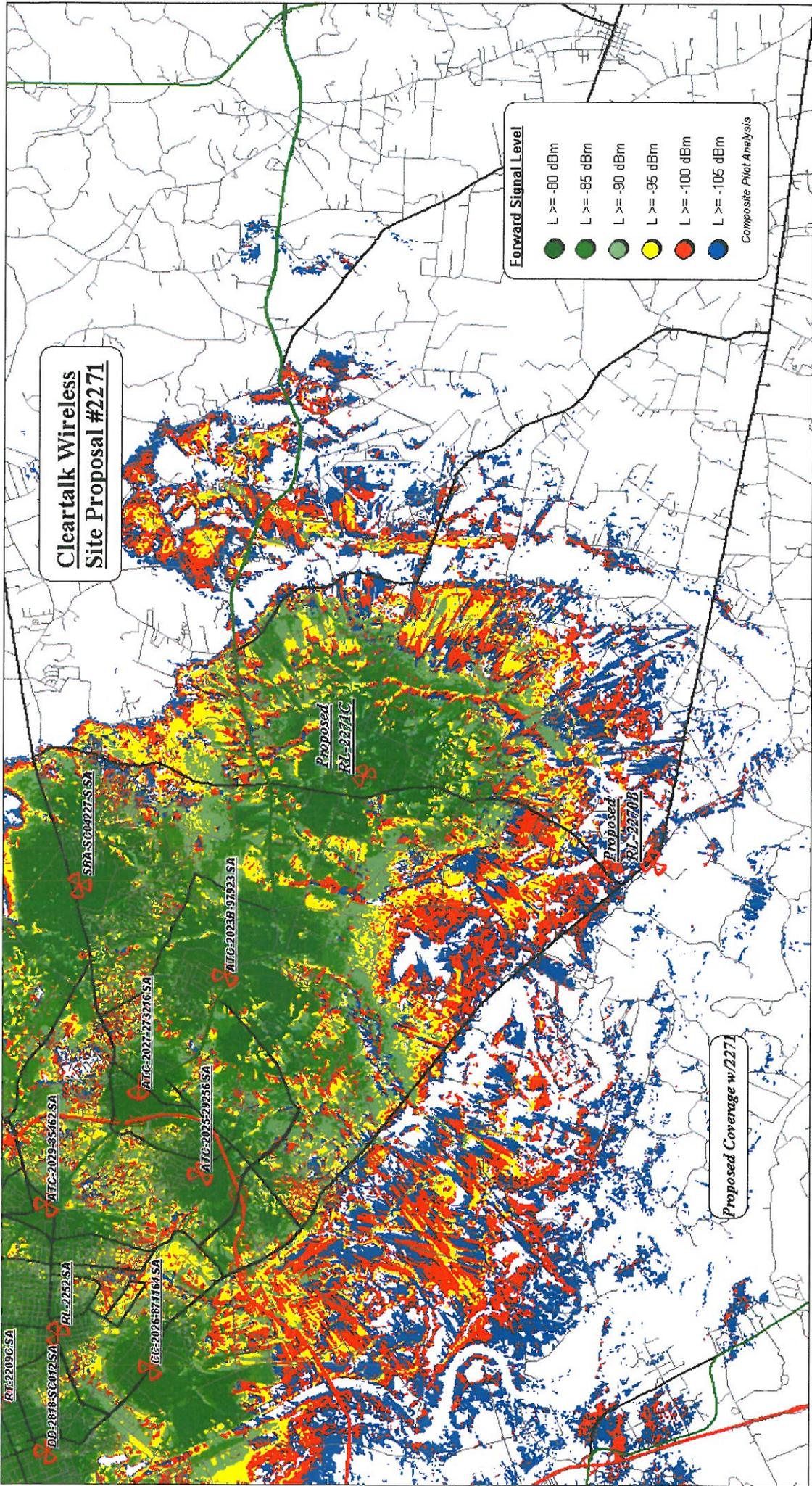
without this site. Only one tower in the vicinity of the proposed Hopkins site, the aforementioned SBA monopole off of Lower Richland Road, could have been considered a viable candidate based upon the location. However, after running numerous analyses, studying alternate scenarios, and discussing our desire to colo with SBA, the SBA site was deemed unsuitable and disqualified due primarily to the low available rad center and its lack of structural capacity (the SBA site in Hopkins would exceed structural capacity as defined by current building codes if additional equipment were added).

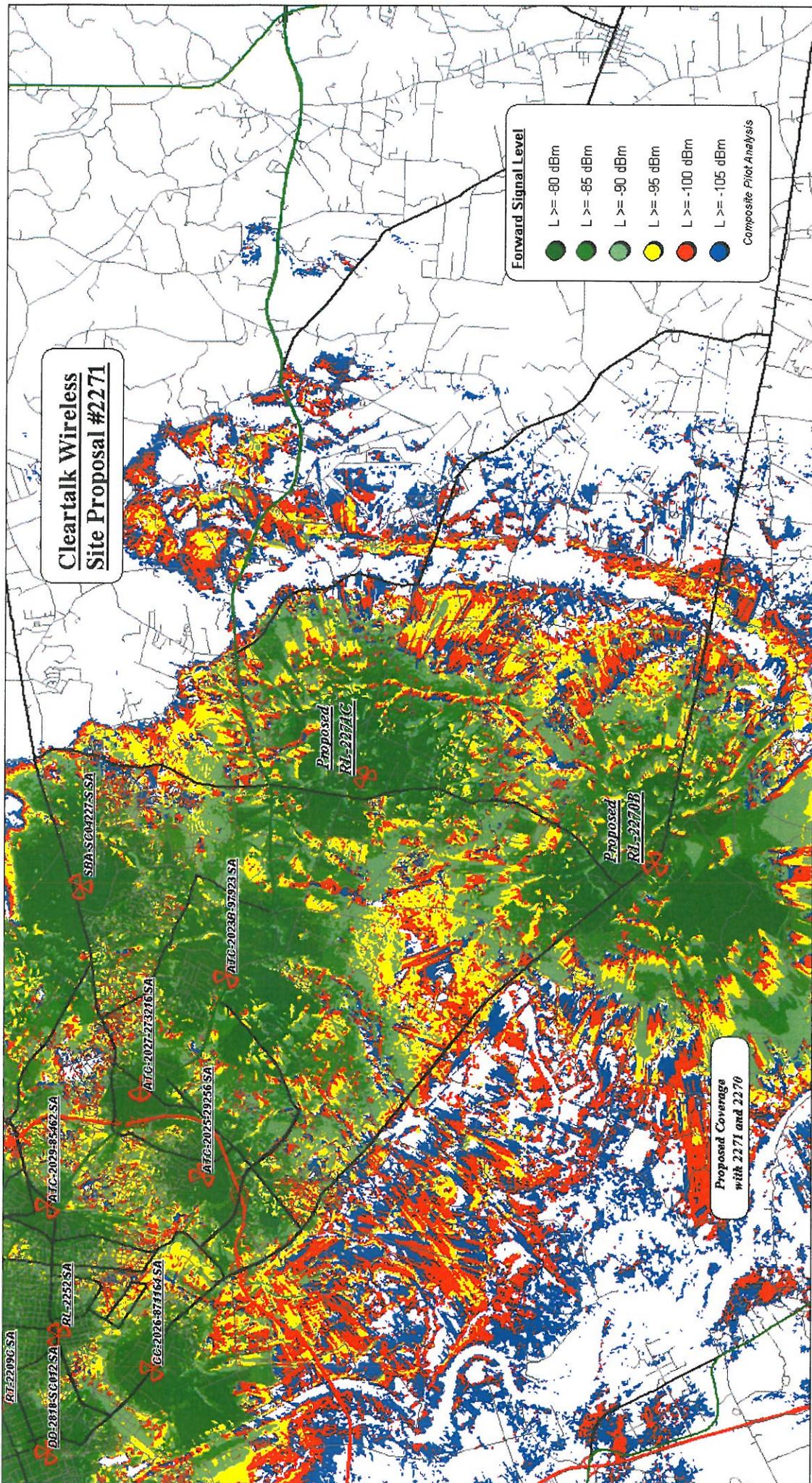
In summary, the Hopkins site is necessary in allowing Cleartalk Wireless to provide continuous quality coverage in the County of Richland. Alternatives have been investigated and eliminated. The proposed site meets all engineering, interference and collocation constraints.

Sincerely,

William Howard
RF Design Engineer
Cleartalk Wireless







**Cleartalk Wireless
Site Proposal #2271**

Forward Signal Level

L >> 80 dBm	●
L >> 85 dBm	●
L >> 90 dBm	●
L >> 95 dBm	●
L >> 100 dBm	●
L >> 105 dBm	●

Composite Pilot Analysis

**Proposed
RL-2271C**

**Proposed
RL-2270B**

**Proposed Coverage
with 2271 and 2270**

RL-2209C SA

**DD-2818-SC072 SA
RL-2252 SA**

CG-2026-87116 SA

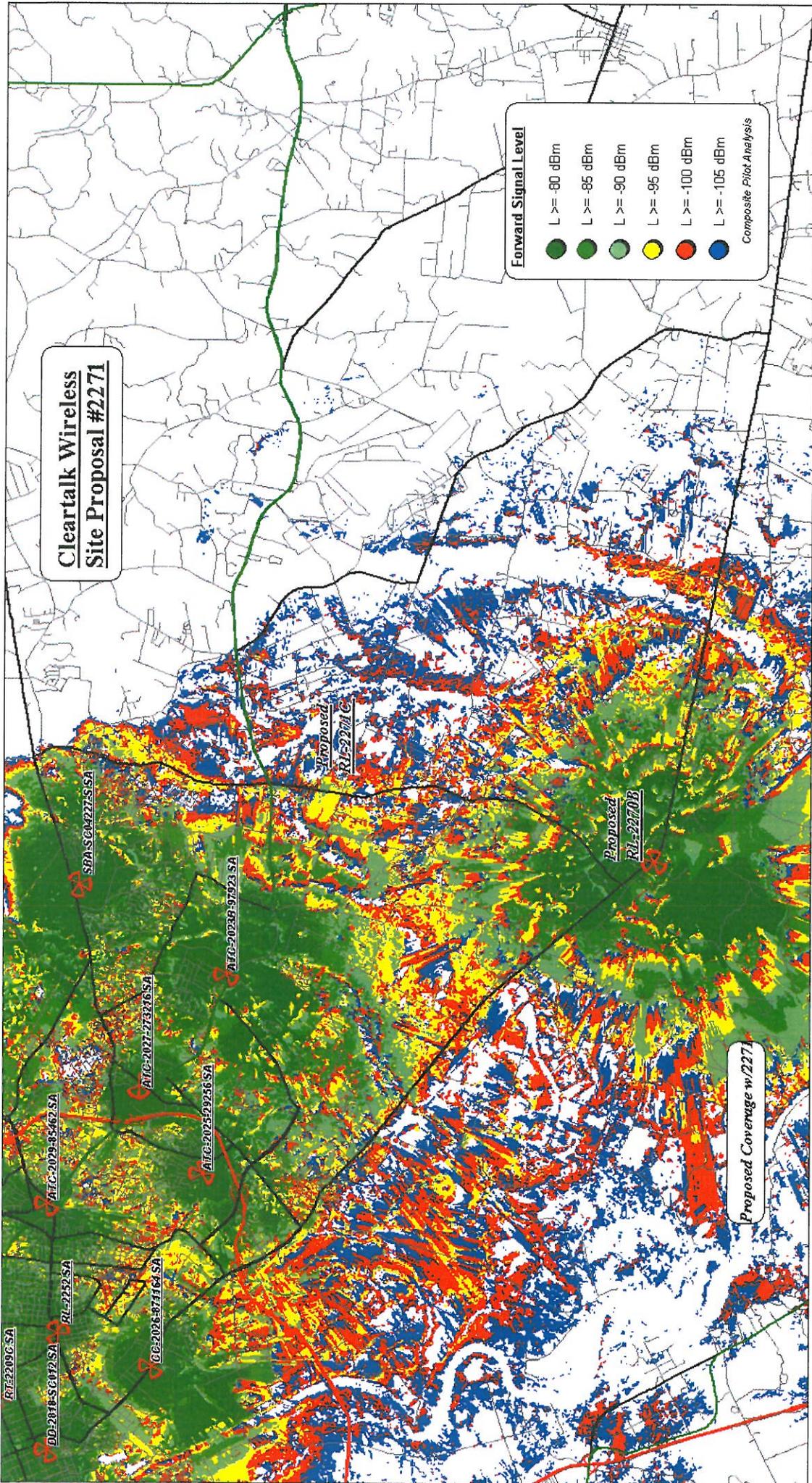
AIC-2079-85462 SA

AIC-2077-27318 SA

AIC-2075-20256 SA

AIC-2023-97923 SA

SBA-SC02275 SA



Cleartalk Wireless
Site Proposal #2271

Forward Signal Level

- >= -80 dBm
- >= -85 dBm
- >= -90 dBm
- >= -95 dBm
- >= -100 dBm
- >= -105 dBm

Composite Pilot Analysis

Proposed Coverage w/2271

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**Federal Communications Commission
Wireless Telecommunications Bureau**

RADIO STATION AUTHORIZATION

LICENSEE: WGH COMMUNICATIONS, INC.

ATTN: PRESIDENT
WGH COMMUNICATIONS, INC.
703 PIER AVE. #B
PO BOX PMB #813
HERMOSA BEACH, CA 90254

Call Sign WQGD591	File Number
Radio Service AW - AWS, 1710-1755/2110-2155 MHz bands	

FCC Registration Number (FRN): 0006320923

Grant Date 12-18-2006	Effective Date 04-11-2009	Expiration Date 12-18-2021	Print Date 09-03-2009
Market Number BEA024	Channel Block C	Sub-Market Designator 0	
Market Name Columbia, SC			
1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB Docket No. 02-353, rel. April 20, 2006.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

TOWAIR Determination Results

A routine check of the coordinates, heights, and structure type you provided indicates that this structure does not require registration.

*** NOTICE ***

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

DETERMINATION Results

PASS SLOPE(100:1): NO FAA REQ-RWY MORE THAN 10499 MTRS & 6795.82 MTRS (6.79579 KM) AWAY

Type	C/R	Latitude	Longitude	Name	Address	Lowest Elevation (m)	Runway Length (m)
AIRP	R	33-55-39.00N	080-48-41.00W	MC ENTIRE JNGB	RICHLAND EASTOVER, SC	74.1	2745.9000000000001

Your Specifications

NAD83 Coordinates

Latitude: 33-53-33.4 north
 Longitude: 080-52-18.5 west

Measurements (Meters)

Overall Structure Height (AGL): 59.4
 Support Structure Height (AGL): 59.4
 Site Elevation (AMSL): 46

Structure Type

TOWER - Free standing or Guyed Structure used for Communications Purposes

Tower Construction Notifications

Notify Tribes and Historic Preservation Officers of your plans to build a tower.

CLOSE WINDOW



Richland County Government
2020 Hampton Street
Columbia, SC 29204

Phone (803) 576-2180
Fax (803) 576-2182
