

RICHLAND COUNTY BOARD OF ZONING APPEALS



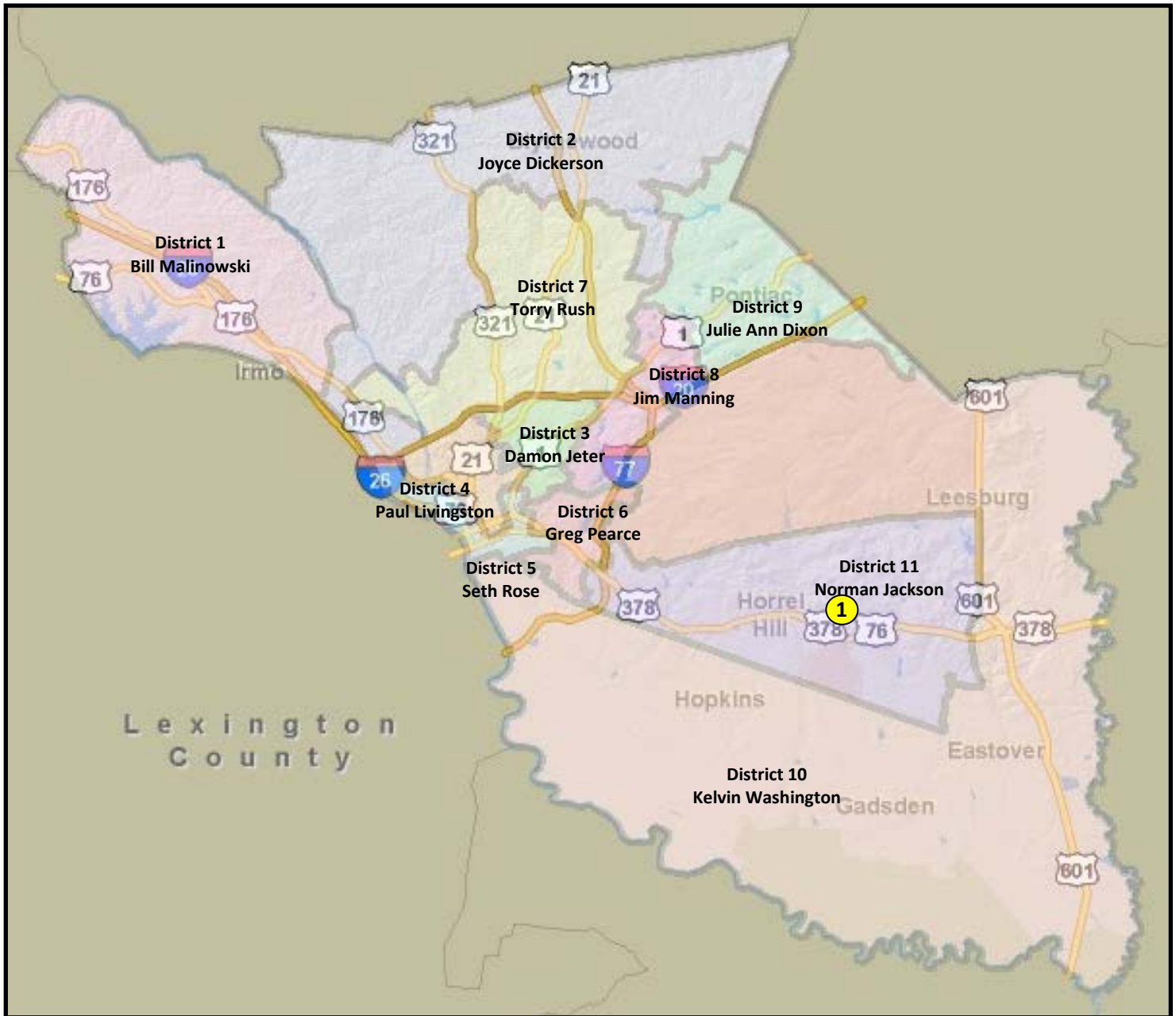
Wednesday, 9 January 2012

1:00 p.m.

Council Chambers

RICHLAND COUNTY BOARD OF ZONING APPEALS

January 9, 2013



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 12-08 SE	William Howard PTA-FLA Inc. dba ClearTalk	27981-01-25	10100 Garners Ferry Road Columbia, SC 29061	Jackson



**Richland County
Board of Zoning Appeals
Wednesday, January 9, 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 – December 2012

V. PUBLIC HEARING

**Geonard Price,
Deputy Planning Director/ Zoning Adm.**

OPEN PUBLIC HEARING

**12-08 SE
ClearTalk
10100 Garners Ferry Rd.
Columbia, SC 29209
TMS# 27981-01-25**

**Requests a special exception for a cell tower on property
zoned Light Industrial (M-1)**

VI. OTHER BUSINESS

VII. ADJOURNMENT



REQUEST, DISCUSSION AND RECOMMENDATION

CASE:

12-08 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 M-1 (Light Industrial) zoned district.

GENERAL INFORMATION:

Applicant: William Howard
PTA-FLA Inc. dba ClearTalk

TMS: 27981-01-25

Location: 101000 Garners Ferry Road, Columbia, SC 29061

Parcel Size: 5.63 acre tract

Existing Land Use: The parcel is currently occupied (warehouse/manufacturing).

Proposed Land Use: The applicant proposes to erect a 195-foot self-support telecommunications tower, within a 3,600 (60 x 60) square foot leased area.

Character of Area: The surrounding area consists of large, primarily residentially 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 180-foot self-support telecommunications tower, within a 3,600 square foot compound.

Staff visited the site.

According to the provisions of subsection 26-152 (d) (22) (c) (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. The required setbacks for the M-1 district are:

- Front - 25 feet
- Rear - 10 feet
- Side - None

The tower is proposed to be located at least 200 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:

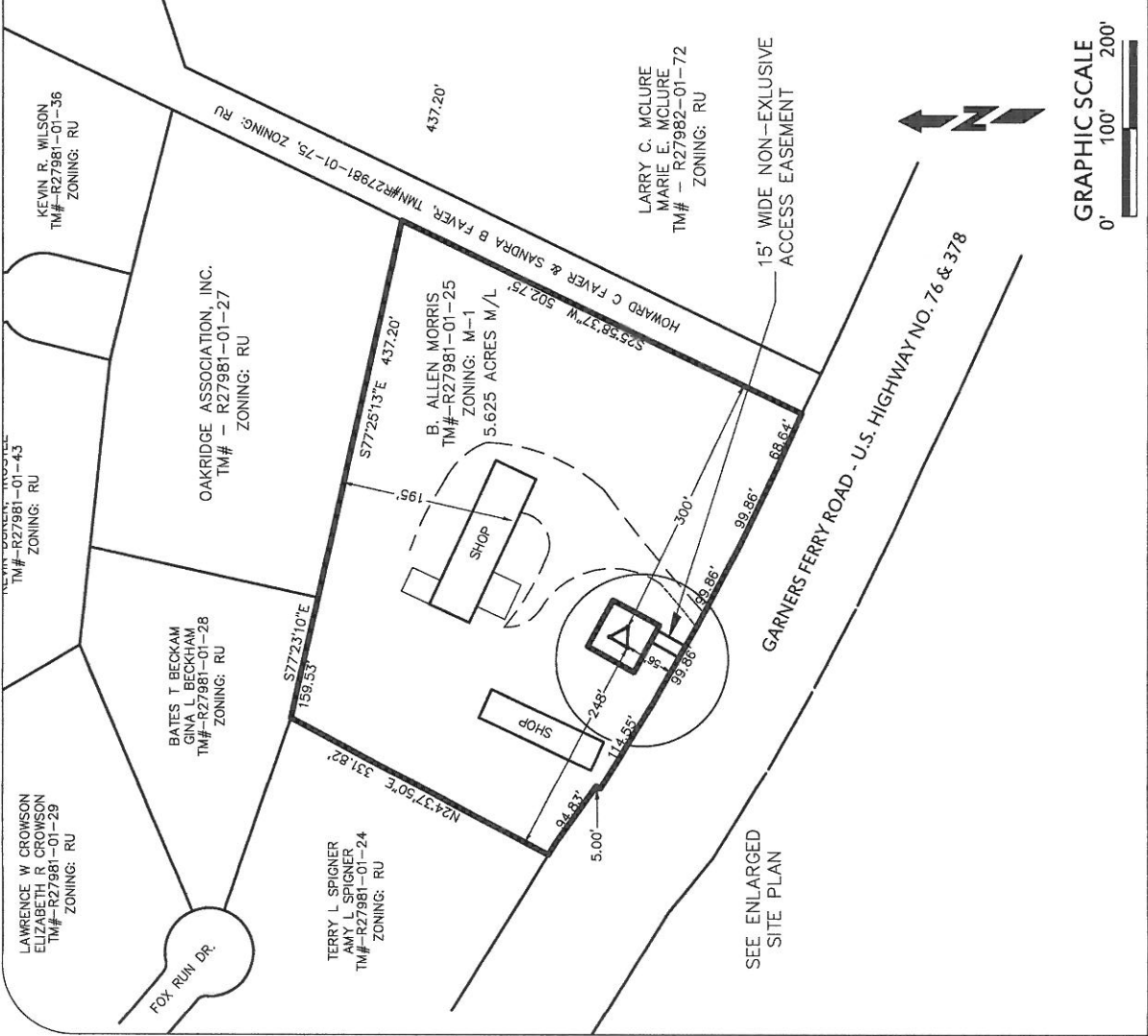
N/A

CASE HISTORY:

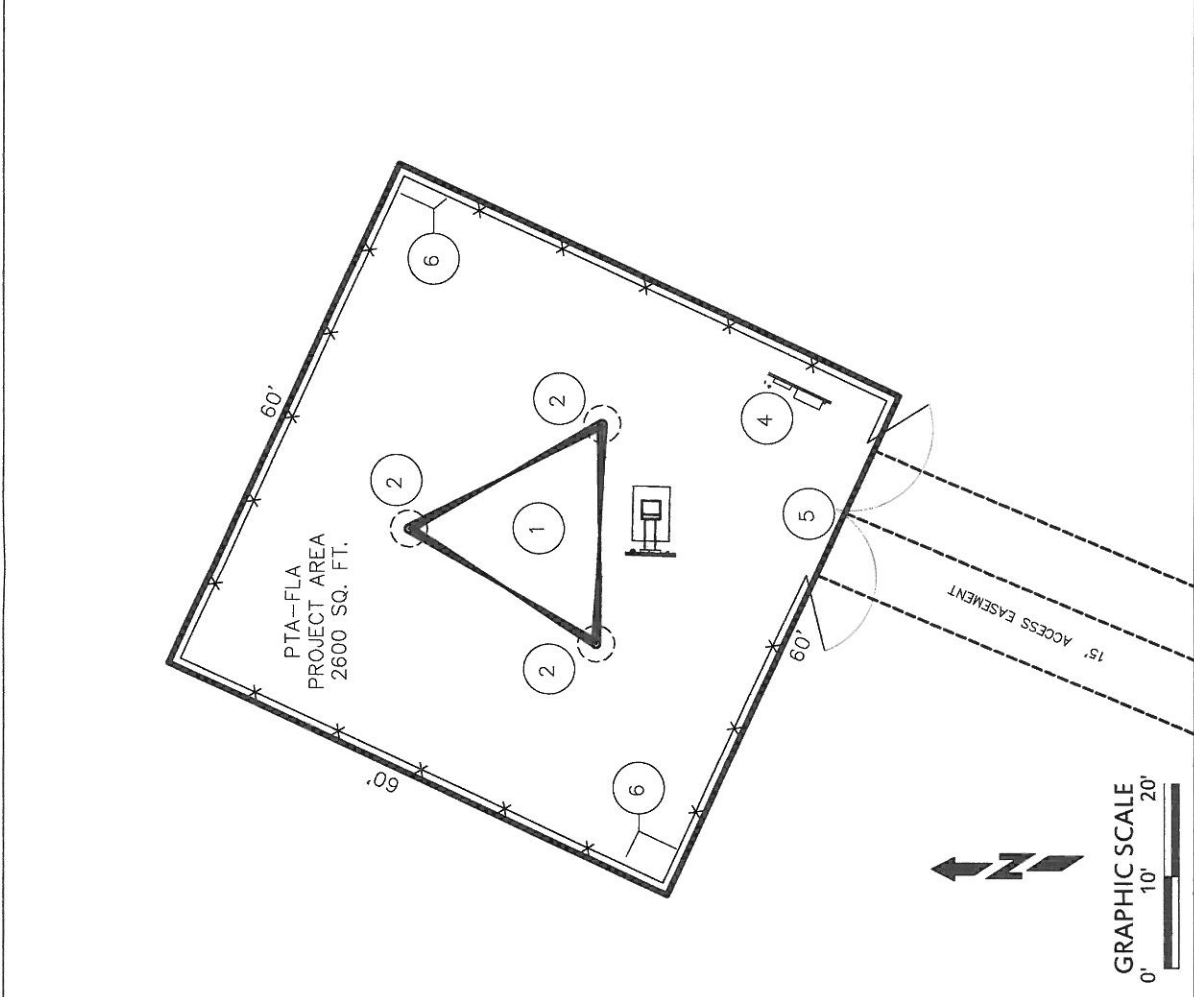
No record of previous special exception or variance request.

ATTACHMENTS:

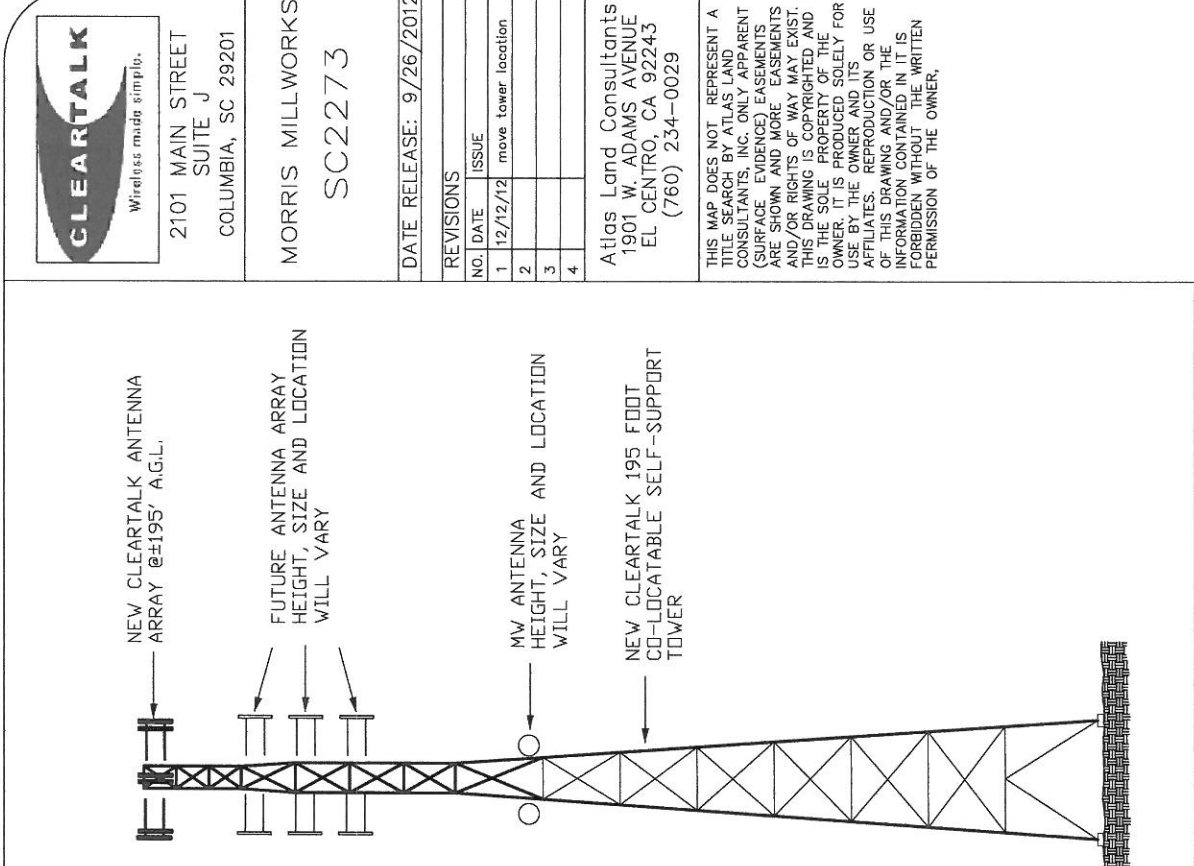
- Site plan
- Zoning Application Packet



DESCRIPTION	UNDERLYING AREA	PROJECT AREA	DESCRIPTION	EASEMENTS AND RIGHTS-OF-WAY	PROJECT INFORMATION	VICINITY MAP	NTS
ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, WITH IMPROVEMENTS THEREON, SITUATE, LYING AND BEING NEAR HORRELL HILL, RICHLAND COUNTY, STATE OF SOUTH CAROLINA, CONSISTING OF 245,030 SQUARE FEET, OR 5.625 ACRES, MORE OR LESS, BEING FURTHER SHOWN AND DELINEATED ON A PLAT PREPARED FOR WAYNE SKIPPER AND TOM PRUITT BY B.P. BARBER & ASSOCIATES, INC. DATED DECEMBER 26, 1984, AND RECORDED IN PLAT BOOK "50" AT PAGE 1819, IN THE RMC OFFICE FOR RICHLAND COUNTY, WHICH SAID PLAT IS INCORPORATED AND MADE A PART HEREOF, ACCORDING TO SAID PLAT HAVING THE FOLLOWING BOUNDARIES, TO-WIT: ON THE NORTH BY PROPERTY MEASUREMENTS TO-WIT: ON THE NORTH BY THE PROPERTY OF JAMES A. TAYLOR AND GENEVA B. TAYLOR WHEREON IT MEASURES A DISTANCE OF 139.53 FEET AND PROPERTY OF OAKRIDGE ASSOC., INC. WHEREON IT MEASURES FOR A DISTANCE OF 437.20 FEET; ON THE EAST BY PROPERTY OF BRADLEY A. LAYTON, SR. WHEREON IT MEASURES FOR A DISTANCE OF 502.75 FEET; ON THE SOUTH BY RIGHT OF WAY OF GARNERS FERRY ROAD, U.S. HIGHWAY 76 & 378, WHEREON IT MEASURES IN A BROKEN LINE FIR A DISTANCE OF 68.64 FEET, 99.36 FEET 99.36 FEET, 114.55 FEET; ON THE WEST BY RIGHT OF WAY OF GARNERS FERRY ROAD, U.S. HIGHWAY 76 & 378 FOR A DISTANCE OF 5.00 FEET; ON THE SOUTH BY RIGHT OF WAY OF GARNERS FERRY RD, U.S. HIGHWAY 76 & 378 WHEREON IT MEASURES OF A DISTANCE OF 94.83 FEET; ON THE WEST BY PROPERTY OF ROBERT E. SHERIDAN AND SUSAN R. SHERIDAN WHEREON IT MEASURES FOR A DISTANCE OF 331.82 FEET; BE ALL MEASUREMENTS A LITTLE MORE OR LESS.			A 60' X 60' TRACT OF LAND BEING A PORTION OF THE HEREON DESCRIBED "UNDERLYING AREA" SUBSTANTIALLY AS SHOWN HEREON, THE DESCRIPTION OF WHICH SHALL BE DETERMINED BY PROPER SURVEY.		MORRIS MILLWORKS SC2273 10100 GARNERS FERRY RD COLUMBIA, SC 29209 B. ALLEN MORRIS P.O. BOX 9303 COLUMBIA, SC 29290 ASSESSORS PARCEL NUMBER(S): RZ7981-01-25 NET AREA OF UNDERLYING PARCEL(S): 5.625 ACRES M/L LATITUDE: N33°57'03.4" LONGITUDE: W80°49'13.4"		NTS



DESCRIPTION	PROJECT INFORMATION	VICINITY MAP	NTS
A 15' WIDE STRIP OF LAND BEING A PORTION OF THE HEREON DESCRIBED "UNDERLYING AREA" SUBSTANTIALLY AS SHOWN HEREON, THE DESCRIPTION OF WHICH SHALL BE DETERMINED BY PROPER SURVEY.	MORRIS MILLWORKS SC2273 10100 GARNERS FERRY RD COLUMBIA, SC 29209 B. ALLEN MORRIS P.O. BOX 9303 COLUMBIA, SC 29290 ASSESSORS PARCEL NUMBER(S): RZ7981-01-25 NET AREA OF UNDERLYING PARCEL(S): 5.625 ACRES M/L LATITUDE: N33°57'03.4" LONGITUDE: W80°49'13.4"		NTS



DESCRIPTION	PROJECT INFORMATION	VICINITY MAP	NTS
THIS MAP DOES NOT REPRESENT A TITLE SEARCH BY ATLAS LAND CONSULTANTS, INC. ONLY APPARENT (SURFACE EVIDENCE) EASEMENTS ARE SHOWN AND MORE EASEMENTS AND/OR RIGHTS OF WAY MAY EXIST. THIS DRAWING IS NOT TO BE USED AS THE SOLE PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR USE BY THE OWNER AND ITS AFFILIATES. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED IN IT IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE OWNER.	MORRIS MILLWORKS SC2273 10100 GARNERS FERRY RD COLUMBIA, SC 29209 CUP/VARIANCE NUMBER TBD SHEET TITLE PLANNING EXHIBIT GENERAL SITE INFORMATION SHEET NUMBER ZE-1		NTS



2101 MAIN STREET
SUITE J
COLUMBIA, SC 29201

MORRIS MILLWORKS
SC2273

NO.	DATE	ISSUE
1	12/12/12	move tower location
2		
3		
4		

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

DATE RELEASE: 9/26/2012



Richland County Government
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Columbia, SC 29204

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