Call to Order and Determine Quorum

South Carolina Freedom of Information Act Compliance

Approval of Minutes
1. December 15, 2022 meeting minutes

Elections
2. Chair/Vice Chair Elections

New Business
3. Request for special exception review for appeal #23-01-5-002 for property located at 157 NW Columbia Avenue
   a. Presentations
   b. Public Comments
   c. BZA Deliberation

4. 2023 Meeting Calendar Review

OPEN TIME FOR BZA AND STAFF

ADJOURN
PROCEDURE:
Persons wishing to make public comments concerning any municipal matter, except for personnel and contractual matters, shall first sign in with the Municipal Clerk before the meeting and provide the following information:

1. Name, Address, and Contact Information;
2. Topic of Public Comment; and
3. Indicate whether a Chapin Resident, Chapin Water/Sewer Customer, or Reside in the Chapin Water/Sewer District.

Comments are limited to two minutes per person and no personal or verbal attacks will be entertained. The Council is interested in hearing your concerns, but speakers should not expect action or deliberation on subject matter brought up during any Public Comments on the agenda. Topics requiring further investigation may be referred to Town Staff and may be scheduled for a future agenda.

DEFINITIONS:

Chapin Resident: Reside in Town limits.

Chapin Water/Sewer Customer: Customer of the designated Chapin Water/Sewer District - Including an owner or operator of a local business.

Reside in Chapin Water/Sewer District: Reside in the designated Chapin Water/Sewer District – Area of Lexington County north of Lake Murray.

APPEARANCE OF CITIZENS

Town Code 2.212 – Any citizen of the Town shall be entitled to be placed on the agenda of any regular meeting to discuss any municipal matter, except for personnel and contractual matters. Persons desiring to be placed on the agenda shall notify the Municipal Clerk not less than a week prior to the meeting. The request shall be in writing stating the reason therefor.
Item 1

TOWN OF CHAPIN
BOARD OF ZONING
APPEALS MEETING
MINUTES

Thursday, December 15, 2022
4:00 P.M.    Town Hall
157 NW Columbia Ave, Chapin

Members Present: Chair Walt Shealy, Margo Seddon, John Cybart, Pat Lewandowski, and Rosie Husbands

Staff Present: Planning and Zoning Manager Kevin Singletary (through Zoom), Town Clerk Shannon Bowers

Guests: Dave Weissman - Executive Director of Operations, School District Five of Lexington & Richland Counties, Allen Knotts - Director of Facilities Operations, School District Five of Lexington & Richland Counties, Todd Sease – AIA, Architect for the project, Jumper Carter Sease Architects, Richard Jackson - PE, Civil Engineer for the project, Jackson Civil Engineering, LLC, Gabriel Penfield

Call to Order: Chair Shealy called the meeting to order at 4:07 p.m., determined a quorum and acknowledged the appropriate notifications in compliance with the SC Freedom of Information Act had been met.

Approval of Minutes: Member Cybart moved to accept the Board of Zoning Appeals (BZA) meeting minutes of June 23, 2022 as submitted. Member Seddon seconded the motion. Motion passed unanimously.

New Business

Variance Request for variance for appeal no. 22-11-02-001 for property located at 300 Columbia Avenue: The Board of Zoning Appeals (BZA) reviewed a request for variance from Article 5, Section 512: OC Office Commercial Maximum Structure Height for the construction of a new press box at Chapin High School located at 300 Columbia Avenue.

Mr. Singletary explained his findings in the attached memo, which included a description of the project and staff’s recommendation to grant the variance request.

Richard Jackson with Jackson Civil Engineering and Todd Sease with Jumper Carter Sease Architects presented to the BZA the specifications of the press box, noting that the structure would not be seen from Columbia Avenue, as it would be screened by the principal school building.

Public Comments: There were no public comments.

Comments by the Board of Zoning Appeals: The BZA discussed the application as it related to the design and height of the structure.

After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions:
The Board concludes that:

1) Applicant does have an unnecessary hardship because there are extraordinary and exceptional conditions pertaining to the particular piece of property. The existing high school stadium press box was built in 1973. Costs to repair and maintain the near 50-year-old structure are prohibitive. The school property is zoned Office Commercial and this structure is unique to that district. Adjacent properties are zoned General Commercial with a maximum height of 60 feet.

2) These conditions do not generally apply to other property in the vicinity. The surrounding properties are zoned General Commercial with a maximum height structure height of 60 feet. This press box is unique because there is only one (1) large capacity outdoor stadium for competition events in the Town limits.

3) Because of these conditions, the application of the ordinance to the particular piece of property would prohibit or unreasonably restrict the utilization of the property. The property is already being used for this purpose. The school continues to grow and became 5A a few years ago. These stadium improvements are needed in order for the school to host state playoffs. There is deviation of use. The structure will serve the students and staff for daily use.

4) The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. This is an existing high school competition stadium. No change of use or function is proposed. Location of new press box is approximately 6,000 ft from the road and 850 feet away from nearest adjacent property owner. The new structure will be partially screened from the roadway by the existing high school building.

5) The effect of the variance will not allow the establishment of a use not otherwise permitted in the zoning district; will not extend physically a nonconforming use of the land; and will not change the zoning district boundaries shown on the official zoning map. TMS 0000700-03-029.

Member Seddon moved to approve staff recommendation to grant the variance request as presented. Member Lewandowski seconded the motion. Motion passed unanimously. Variance request was approved.

Chairman Walt Shealy: Yes
Member Pat Lewandowski: Yes
Member Rosie Husbands: Yes
Member Margo Seddon: Yes
Member John Cybart: Yes

Request for special exception review for appeal #22-11-17-001 for property located at 105 Ellet Road: The BZA review a special exception use request for 105 Ellet Road for use of an axe throwing venue and cigar shop per the district regulations in section 518 of the Zoning Ordinance.

Mr. Singletary explained this is a special exception application for two separate uses: axe throwing venue and cigar shop. Gabriel Penfield presented the project to the BZA. Mr. Penfield explained the businesses would be in two separate suites with separate entrances for both, hours of operation, and that internal operations of each business would not affect other tenants in the building. He also explained that the cigar store would also double as an event/concert venue for local artists to perform. He noted that he has explored other locations for each of these businesses in town, and this location was the most cost effective to accommodate the businesses.

Mr. Singletary then provided that both the axe throwing venue and cigar shop are compatible with
other uses on the property, there is adequate parking for each business, with no impact on vehicle and pedestrian safety. He also noted that the applicant, in regards to the axe throwing business, had not provided a demonstration that lane safety is in conformity with industries best practices, business is/would be insured and hold full liability for safety, and lack of, or compliance with any relevant state regulations at the time of the application.

He also noted that in the case of the cigar store, the applicant provided a means of measurement was taken from the approximate location of the front door of the establishment, along the route of travel to the approximate location of the centerline of the road, across from a public school. This method is similar to the method of measurement used between a potential liquor license holder and any nearby church or school, per SC Code §61-6-120 (2016). Mr. Singletary noted that this was not a method typically used in zoning regulations per his personal experience as a planner, that of other planning professionals, and the Municipal Association of South Carolina consultant. He noted that the Town Code does not provide an official means to which uses should be measured in relation to another use and that an appropriate means of measurement could be from the nearest entrance of the business, to the property line.

Mr. Singletary recommends the special exception use be issued for the axe throwing venue only if the applicant provides to the BZA all information needed to confirm compliance with the requirements of 518 GC Special Exception A.

Mr. Singletary recommends that the special exception not be issued for the cigar store as the approximate distance from the entrance of the proposed cigar store is less than 300 feet from the property line of Chapin High School.

Public Comments: A member of the public, Sandy Wade, expressed her concern over the cigar store/entertainment venue not being amenable to the area as it relates to the potential for noise violations. She stated not everyone has the same taste in music, and what might be music to some, would sound like noise to others.

Comments by the Board of Zoning Appeals: The BZA discussed the application and voiced their concerns over ventilation of the cigar store, controlling noise from bands or other entertainment, parking, occupancy, the proximity of the cigar store to the high school, and the means to measure the distance to satisfy the 300ft zoning requirement.

Mr. Penfield offered his rebuttal that he was not set on one idea, but was unsure of where to place the cigar business in town, if not in this location. He expressed his desire to provide this service for those wishing to participate and he would be amenable to waiving the 60-day ruling requirement to take the time to research how best to proceed.

After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions:

1) The standards in section 518 (a) of the Zoning Ordinance, which are applicable to the proposed special exception has been met.

2) The proposed special exception will not substantially diminish value of adjacent property or property in the district.

3) The proposed special exception will be compatible with uses in the district.

Member Seddon made the motion to approve staff’s recommendation to grant the special exception use for an axe throwing venue at 105 Ellet Road as presented. Member Cybart seconded the motion. Motion to grant special exception for axe throwing passed unanimously.
Chairman Walt Shealy: Yes
Member Pat Lewandowski: Yes
Member Rosie Husbands: Yes
Member John Cybart: Yes
Member Margo Seddon: Yes

Member Cybart moved to table the discussion on the special exception for the cigar store for 30 days, as agreed by the applicant waving any right to ruling within the appropriate time period, to the next BZA meeting for the cigar store at 105 Ellet Road. Member Lewandowski seconded the motion. Motion to table discussion on cigar store passed unanimously.

Chairman Walt Shealy: Yes
Member Pat Lewandowski: Yes
Member Rosie Husbands: Yes
Member John Cybart: Yes
Member Margo Seddon: Yes

Open Time for Staff and BZA: Mr. Singletary informed the BZA that at the January 26, 2023 meeting, the election of the Chair/Vice Chair would take place, as well as a review of the 2023 meeting calendar. He also updated the BZA on the progress of the UDO and hopes to have it in place by summer 2023.

Adjournment: Member Cybart made the motion to adjourn the meeting. Member Seddon seconded the motion. Meeting adjourned at 5:33 p.m.

BZA APPROVED: ____________________________ Walt Shealy, BZA Chairman

ATTEST:

______________________________
Shannon Bowers, Town Clerk
MEMORANDUM

To: Board of Zoning Appeals
From: Kevin Singletary, Zoning Administrator
Date: January 26, 2023
Re: 157 NW Columbia Ave. Special Exception Application

Special Exception Application: Tarpon Towers III, LLC is seeking a special exception for use of property located at 157 NW Columbia Ave. as a “Communications Tower”, per the district regulations in Section 601 of the Zoning Ordinance.

Ordinance:

512. OC Office Commercial District Uses

<table>
<thead>
<tr>
<th>OC OFFICE COMMERCIAL SPECIAL EXCEPTIONS (approved by Board of Zoning Appeals)</th>
<th>NAICS CODE</th>
<th>NAICS DESCRIPTION</th>
<th>PARKING SPACES REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>c. Communication tower, see Section 601</td>
<td>5172</td>
<td>Wireless telecommunications carriers</td>
<td>One (1) space</td>
</tr>
</tbody>
</table>

601. Communications Tower & Antenna

A communications tower and/or antenna may be permitted as follows:

601.1 Districts in Which Special Exception and Conditional Uses Are Permitted and Height Limitations of Free-standing or Guyed Towers:

A. In residential districts RS-1, RS-2, and RG and commercial districts NC, OC, GC and TC, Free-standing pole with height not exceeding 100 feet is a permitted special exception pursuant to Section 601.5;

B. In commercial district IC, free-standing or guyed towers with height not exceeding 180 feet are a permitted conditional use; height exceeding 180 feet requires special exception;

C. In the LM manufacturing districts, free-standing or guyed towers with height not exceeding 200 feet are a permitted conditional use; height exceeding 200 feet requires special exception;

D. In planned development districts, towers with height specified in approved plan are permitted under conditions set forth in the plan;

E. In permissible districts, towers and/or antennas mounted on buildings, water tanks or structures other than a free-standing or guyed communications tower must not extend more than 30 feet above the highest part of the structure;

F. In districts in which communication towers and antennas are permitted, free-standing or guyed and/or antenna exceeding height limitations may be permitted by the Zoning Board of Appeals as a special exception. (See requirements for special exception in Section 601.5.); and
G. In all districts, variances from conditions imposed by this section may not be granted by the Zoning Board of Appeals. Variances from other general district regulations may be granted under standards in S. C. Code 6-29-800.

601.2 Application Requirements

The applicant for a conditional use zoning permit for construction of a communications tower or placement of a commercial telecommunication antenna on an existing structure other than a tower previously permitted must file with the Zoning Administrator an application accompanied by a fee of $200.00 and the following documents, if applicable:

A. One copy of typical specifications for proposed structures and antenna, including description of design characteristics and material;

B. A site plan, drawn to scale, showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property;

C. A current map, or update for an existing map on file, showing locations of applicant’s antenna, facilities, existing towers, and proposed towers which are reflected in public records, serving any property within the Town of Chapin;

D. A report from a structural engineer registered in South Carolina showing the tower antenna capacity by type and number, and a certification that the tower is designed to withstand winds in accordance with ANSI/EIAMA 222 (latest version) standards;

E. Identification of the owners of all antenna and equipment to be located on the site;

F. Written authorization from the site owner for the application;

G. Evidence that a valid FCC license for the proposed activity has been issued;

H. A line-of-sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts;

I. A written agreement to remove the tower and/or antenna within 90 days after cessation of use;

J. Evidence that applicable conditions in Subsection 601.3 are met; and

K. Additional information required by the Zoning Administrator for determination that all applicable zoning regulations are met.

601.3 Conditions

Applicant must show that all applicable conditions are met:
A. The proposed communications tower, antenna or accessory structure will be placed in a reasonably available location which will minimize the visual impact on the surrounding area and allow the facility to function in accordance with minimum standards imposed by applicable communications regulations and applicant’s technical design requirements;

B. Applicant must show that a proposed antenna and equipment cannot be accommodated and function as required by applicable regulations and applicant’s technical design requirements, without unreasonable modifications on any existing structure or tower under the control of applicant;

C. Applicant for a permit in a residential district must show that the area cannot be adequately served by a facility placed in a non-residential district for valid technical reasons;

D. Prior to consideration of a permit for location on private property which must be acquired, applicant must show that available publicly owned sites, and available privately owned sites occupied by a compatible use, are unsuitable for operation of the facility under applicable communications regulations and applicant’s technical design requirements;

E. Applicant must show that a new tower is designed to accommodate additional antenna equal in number to applicant’s present and future requirements;

F. Applicant must show that all applicable health, nuisance, noise, fire, building and safety code requirements are met;

G. A communications tower must not be painted or illuminated unless otherwise provided by state or federal regulations;

H. A permit for a proposed tower site within 1,000 feet of an existing tower shall not be issued unless the applicant certifies that the existing tower does not meet applicant’s structural specifications and applicant’s technical design requirements, or that a collocation agreement could not be obtained;

I. Applicant must show by certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, and must file with the Zoning Administrator a written indemnification of the municipality and proof of liability insurance or financial ability to respond to claims up to $1,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the municipality, in form approved by the municipality attorney;

J. Land development regulations, visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, and all other general zoning district regulations except setback and height, shall apply to the use. Setback and height conditions in this section apply;

K. A tower must be a minimum distance- equal to one-half the height of the tower from property designated historic or architecturally significant, and must be set back from all lot lines distances equal to the district setback requirements or 25% of the tower height, whichever is greater; and

L. Prior to issuing a permit, the Zoning Administrator may consult with a communications expert for technical review to determine that the standards in Sections 601.3 (2), (3), (4), (5), (7), and (8) are met.
601.4 Appeal to Board

Applicant may appeal to the Board of Zoning Appeals as follows:

A. Failure of the Zoning Administrator to act on an application which is determined to be complete under this section within 45 days, unless extended by agreement, may be considered by applicant to be a denial of a permit which is subject to appeal to the Board of Zoning Appeals;

B. Applicant may appeal to the Board for a variance from general zoning district regulations and setbacks requirements in this section, but not from any other conditions in this section. Towers exceeding height limitations may be permitted only by special exception pursuant to Section 601.5; or

C. Applicant may apply directly to the Board for a permit for any tower as a special exception pursuant to Section 601.5.

601.5 Special Exceptions

A tower, pole, or antenna may be permitted by special exception granted by the Board of Zoning Appeals after public hearing and findings of fact based on the following criteria:

A. All application requirements and conditions imposed in section 601.1 through 601.4 of this Ordinance are met;

B. If additional tower height is requested, total tower height will not exceed 150% of the maximum height permitted in the district as a conditional use;

C. Applicant has demonstrated that additional height above that permitted by conditional use regulations is necessary for service to occupants of an area within the municipality;

D. Setback requirements and such additional conditions are established by the Board as is deemed necessary to remove danger to health and safety, and to protect adjacent property;

E. Prior to approving a permit by special exception or on appeal from action of the Zoning Administrator on an application for a conditional use, the Board may consult with a communication expert for technical review to determine that the standards in subsections 601.3 (1), (2), (3), (4), (5), (7), and (8) are met;

F. The Telecommunications Act of 1996 requires that a denial of permit be supported by substantial evidence; and

G. The Board may not grant a variance from the standards imposed for a communication tower or antenna in connection with granting a special exception, except as permitted by Sections 601.1 through 601.4.

Application:
All application materials included in the packet containing this memo.
**Staff Recommendation:**
The Planning and Zoning Manager recommends that the special exception be issued, as the standards in Section 512 and 601 have been met, will not substantially diminish the value of adjacent property, will be compatible with uses in the district. The Planning and Zoning Manager recommend that the special exception be granted on condition that the position of the access easement be altered so as to provide as much space as is possible to the 22” Red Oak Tree shown on page two of “SC1012 Zoning Drawings”.

**Board of Zoning Appeals Action:**
Per Zoning Ordinance 1201 C.: “The Board shall consider the following factors in determining whether a special exception should be granted, in addition to specific criteria in district regulations:
(1) traffic impact;
(2) vehicle and pedestrian safety;
(3) potential impact of noise, lights, fumes, or obstruction of air flow on adjoining property;
(4) adverse impact of proposed use on aesthetic character of the area; and
(5) orientation and spacing of improvements of structures. The Board may prescribe appropriate conditions and safeguards to relieve or reduce adverse impact of a special exception and to protect the character of the area.
PROJECT SUMMARY

Overview

1. Tarpon Towers III, LLC ("Tarpon") proposes to construct a 150’ monopole structure with a 5’ lightning rod (total height 155”) and related equipment compound on Town of Chapin property with closest address being 157 NW Columbia Ave., Chapin, 29036. The tower and the compound will be designed to house the equipment of up to three (3) commercial wireless telecommunications providers, with expansion design built in, resulting in a diverse collocation of users at one (1) tower facility. Additionally, the ground lease agreement for the space between the Town of Chapin and Tarpon would provide financial benefit to the Town of Chapin.

Site Location/Details

2. The tower and compound would be located on the Town of Chapin’s town hall parent parcel past the ending of the paved road down the dirt road portion of NW Columbia Ave. on the left side of that road towards the railroad line. The parcel Tax Map number is 000700-11-018 and is zoned OC (Office Commercial) totaling approximately 25.31 acres. The Tarpon site would occupy a 70’x70’ area set back sixty feet (60’) from the edge of the existing dirt roadway as shown on the project plans and survey. This setback would require a new stone driveway. Additionally, the facility needs no water or sewer and its utilities requirements are limited to electric service and fiber/telephone lines which would be sourced to the nearest location on NW Columbia Ave. The utilities would run underground from these source points to the proposed site location. Site Plans setting forth the details for the project are included with this filing as Exhibit 1.

3. The expanse and location of the town property is uniquely suited to providing coverage to the town of Chapin downtown area without intruding upon the immediate business district and properties. The property is separated from the primary part of the town area by the 100’ railroad right of way. Additionally, the elevated railroad tracks within the right of way provide an elevation buffer to the businesses located on Chapin Road. The proposed tower location is also the only property in the area of the downtown business corridor that is on the roughly north side of the railroad tracks and the furthest from residential use properties.
4. The setbacks identified from the property lines for the proposed tower location are:

North Property Line: 538’
South Property Line: 356’
East Property Line: 794’
West Property Line: 183’

5. Thus, none of the property lines are within one (1) full tower length of the proposed tower height of 155’. Therefore, all of the setbacks exceed the requirements of Section 601.2.K.

6. The tower is a monopole type structure meaning there are no guy wires or multiple steel members forming a triangle structure. The pole is anchored by a foundation embedded underground. Additionally, the tower has been designed with a fail point that causes a maximum fall radius of 70’ resulting in no road blockage of NW Columbia Ave. in the event of such a failure. See Exhibit 2.

7. The tower compound will measure 50’ x 50’ of fenced area surrounding the base of the tower. The compound gates will be secured with locks and posted for no trespassing and the typical radiofrequency warning sign consistent with and in compliance with FCC regulations. The compound will be graveled and in addition to the fencing the compound will contain an electric meter center, grounding for the fence and tower as well as any installed user equipment. There will be a location at the meter center for the fiber/telephone facilities.

8. Landscaping will be planted around the perimeter of the compound fencing to enhance the cover already provided to the facility by the wooded parcel.

Land Use Code Analysis

9. The portions of the Town of Chapin Zoning ordinance applicable to this project proposal are found in Article 6 Supplemental Regulations. The applicable sections for purposes of analyzing this proposal are Section 601.2 Application Requirements and Section 601.3 Conditions. Below is a section by section analysis with notes to applicable exhibits, if needed, for a full answer to each of the provisions.

ZONING CHECKLIST

Section 601.2 Application Requirements

601.2.A – The proposed tower is a steel monopole with a gray galvanized finish. The antennas will be gray or white in appearance. Illustrative photographs are attached as Exhibit 3.

601.2.B – Site plan is included with this Project Summary and filing.

601.2.C – The applicant owns no other facilities in the town of Chapin.
601.2.D – See attached Exhibit 2 letter from a structural engineer certifying to tower design with specific antennas and compliance with most recent EIA/TIA standards.

601.2.E – The owners of the antennas and ground equipment to be located at the site are intended to be the major wireless communications commercial carriers such as Verizon Wireless, AT&T, T-Mobile and Dish. T-Mobile will be the initial carrier to locate on the site.

601.2.F – The town of Chapin is the owner of the real property and will provide separate authorization for this filing.

601.2.G – The individual wireless communications commercial carriers obtain and maintain their own FCC licenses for spectrum that they own and lease. A copy of the FCC licenses for T-Mobile are attached for illustrative purposes at Exhibit 4.

601.2.H – The closest residentially occupied property is over 800’ distant from the proposed tower location. With the tall tree cover on the parent parcel and otherwise prevalent in the area there would likely be no visibility to residentially occupied properties with proximity to the proposed tower site. Such analysis can be provided if the board so desires.

601.2.I – Written agreement can be provided in a form acceptable to the town attorney or Tarpon Towers can use a form already in use by the town of Chapin.

601.2.J – See below analysis which shows compliance with Section 601.3.

601.2.K – No response needed at this time.

**Section 601.3 Conditions**

601.3.A – Tarpon has proposed to locate the proposed facility on a large, town-owned parcel which provides large distance setbacks to all of the property lines. The tower location will have minimal impact on any residentially occupied properties with the nearest such parcel located more than 800’ distance to its property line with the residence further back from the proposed tower than that distance. The tower location utilizes and existing roadway for access and has a short access drive limiting the amount of tree clearing and disruption to the remainder of the parcel and surrounding topography. The existing tree cover and vegetation enhance the discrete nature of the proposed location. Thus, the site will achieve maximum benefit with the least amount of intrusion into the central area of the town of Chapin while improving wireless coverage to the overall area.

601.3.B – Tarpon owns no other facilities in the town of Chapin nor are there any existing towers or structures providing the heights contemplated by this facility. Tarpon is asking for the minimum required height for the tower to accommodate multiple wireless communications commercial carriers. Further, this requested height, less the lightning rod appurtenance, complies with Section 601.5.B for a Special Exception.
601.3.C – This project is located on a parcel zoned OC – Office with Future Land Use of Public/Institutional thus no evidence satisfying this section is required.

601.3.D – Tarpon has partnered with the town of Chapin to locate the proposed facility on town owned property. As such, the requirements of this section are satisfied.

601.3.E – Tarpon’s structural engineer letter at Exhibit 2 shows compliance with the requirements set forth in this section. Tarpon’s tower and foundation drawings which are filed at the time of application for a building permit will also comply with the engineer’s letter and compliance with this section. Tarpon typically overbuilds its towers to account for future growth in terms of tower antennas and equipment and will do so in the case of this project.

601.3.F – Tarpon’s construction drawings showing details of the proposed tower installation, its tower and foundation design, and other improvements will show compliance with all applicable regulations and design requirements.

601.3.G – Tarpon will not be painting, marking or lighting this tower independent of requirements that might be imposed by the FAA. Tarpon has submitted a request for a determination to the FAA for any lighting or marking requirements and expects that any such request will not require such aids to air navigation.

601.3.H – There are no existing towers within 1,000’ of this proposed facility. The existing facilities that are known to the applicant are set forth on Exhibit 5 to this application.

601.3.I – The wireless communications carriers using this facility all comply with FCC licensure requirements and possess the required licenses in order to operate from the proposed facility. A written indemnification can be provided to the town of Chapin in the form required or developed by the town for use in this case. Additionally, Tarpon will provide a Certificate of Insurance in the amount of $1,000,000 in the aggregate as part of this application and as part of its lease agreement with the town.

601.3.J – The tower and compound proposed are the least intrusive means for locating the tower at the proposed site. The facility takes advantage of existing tree cover and adds new buffer in a 20’ strip around the compound fence lines. The facility includes a chain link fence to ensure that law enforcement can view inside the compound from vehicles. Minimal, unlit signage will be installed in compliance with FCC regulations and for identification of the tower owner and contact information in the case of an emergency.

601.3.K – Tower location on the parent parcel exceeds all setback requirements for the district or 25% of the tower height and is engineered for a theoretical fall radius that is even shorter in distance than the requirements in this section of the code. Tarpon currently has a NEPA report pending to ensure that no historical structures or locations will be within the viewshed of the tower. Those results will be provided to the town when obtained from Tarpon’s environmental consultant.
Conclusion

Tarpon Towers respectfully requests approval for this proposed 150’ tower and compound for the reasons set forth below. First, it provides for a consolidation of users at a single tower site to serve Chapin. Second, its location will improve coverage from commercial wireless coverage in and around the Town of Chapin enhancing use by consumers of the commercial wireless providers networks. Third, the site will provide tangible financial benefit to the Town of Chapin through a long-term lease agreement for use of ground space at the Town’s town hall property.

List of Exhibits

1. Site Plans
2. Structural Engineer Letter
3. Tower Images - Illustrative
4. FCC Licenses – Illustrative
5. Existing Facilities Map
SC1012

ZONING DRAWINGS
PROPOSED 150' MONOPOLE
TOTAL TOWER HEIGHT INCLUDING THE APPURtenANCE - 155' AGL
SURVEYOR'S NOTES

1. This is a Revised Town Survey, made on the ground under the supervision of a XOX Registered Land Surveyor. Dates of said survey are August 28, 2022.

2. The following surveying instruments were used for said survey: Topcon SW-5 and Topcon Super SR S.T.S. receiver.

3. Surveys are based on South Carolina State Plane Coordinates 440.43 by GPS observations.

4. No underground pipelines, underground enclosures or building foundations were measured or noted as part of this survey unless otherwise shown, trees and shrubs not located unless otherwise shown.

5. Benchmark used is in GPS Continuous Operating Reference Station, SC 440.43, the survey benchmark is on the corner.

6. Elevation shown are in feet and are noted to 6" (60, 6). The survey was conducted for the purpose of a Revised Town Survey only, and is not intended to delineate the property boundaries of any Federal, State, City, County, town, or other sovereign entity. Said survey is not intended to be used for any purpose other than to delineate the property lines of the survey shown.

7. The survey shown is subject to all recorded and unrecorded easements and restrictions, and is subject to the selected land area for the purpose of this survey only. The survey is not intended to show any improvements.

8. The survey was conducted in accordance with the standards of the American Association of Surveyors and the American Society for Testing and Materials.

9. The survey is not intended to be used for any purpose other than to determine the location of property lines.

10. Survey shown herein conforms to all requirements as set forth by the State Board for a "Class X" Survey.

11. Field data upon which this map or plan is based has been checked and corrected for errors not less than one-foot in 10,000 feet (0.0001%) and all corner notes that do not exceed 10 seconds times the square root of the number of angles taken.

12. The survey is not valid without the original signature and the original seal of a state licensed surveyor.

13. The survey does not constitute a boundary survey of the Parent Tract. Any property line property shown herein are not intended to be surveyed and may not be field verified.

14. For more information, please contact the Surveyor's Office of the County of Lexington, South Carolina.

PARENT TRACT (BOOK: 12824, PAGE: 179)

ALL THAT certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being partly within and partly without the Limits of the Town of Chapin, in the County of Lexington, State of South Carolina, being shown and delineated on the Plan recorded in the Register of Deeds for Lexington County SC in Record Book 9901, page 222 (File State Wide 873-65) bounded on the north by property of Nelle Summa, on the south by the N W corner of 4060, on the east by the S W corner of 4066, on the west by the S E corner of 4060, and on the west by the property of Nelle Summa, the same being more particularly described as follows:

Subject to existing easements, and easements and restrictions of record, including such as shown on recorded plans, and a "reserved" area for 0.004 (SC ADK) not recorded book N99, pg 22.

Description: Being the same property conveyed to WY Columbia Development LLC by deed of Jennifer F. Carson, E Ray Rock Jr, March 16, 2006 in Record Book 1660, pg 565.

TO S 70° 10' 29" EA (AS-SURVEYED)

A portion of the Town of Chapin tract described in Book 12824, Page 179 as recorded in the Office of Recorder of Deeds for Lexington County, South Carolina, and being more particularly described as follows: Commencing as a 1/4-mile point at the southwestern corner of said Town of Chapin tract, having South Carolina State Plane coordinates N 880509.62, E 890119.98, and being 146.44 feet in a 146.44-foot right-of-way, having South Carolina State Plane coordinates N 880509.62, E 890119.98, thence N 19°38'46" E for a distance of 150.14 feet to a point, thence N 00°00'00" E for a distance of 150.14 feet to a point, thence N 19°38'46" W for a distance of 150.14 feet to a point, thence N 00°00'00" W for a distance of 150.14 feet to the Point of Beginning, said tract being contained 0.000 square feet, or 0.00 acres, more or less.

TO BUSINESS/GREASE/OIL UTILITY TRENCH (AS-SURVEYED)

A portion of the Town of Chapin tract described in Book 12824, Page 179 as recorded in the Office of Recorder of Deeds for Lexington County, South Carolina, and being more particularly described as follows: Commencing as a 1/4-mile point at the southwestern corner of said Town of Chapin tract, having South Carolina State Plane coordinates N 880509.62, E 890119.98, thence N 19°38'46" E for a distance of 150.14 feet to a point, thence N 00°00'00" E for a distance of 150.14 feet to a point, thence N 19°38'46" W for a distance of 150.14 feet to a point, thence N 00°00'00" W for a distance of 150.14 feet to the Point of Beginning, said tract being contained 0.000 square feet, or 0.00 acres, more or less.
CHAPIN

DATE

DESCRIPTION:

TOWER ELEVATION

PROPOSED TOWER ELEVATION

PROPOSED TOTAL HEIGHT

EL 155'-0" AGL

PROPOSED TOWER HEIGHT

EL 150'-0" AGL

PROPOSED TENANT ANTENNAS

CENTERLINE EL 140'-0" AGL

PROPOSED TENANT ANTENNAS

CENTERLINE EL 135'-0" AGL

PROPOSED TENANT ANTENNAS

CENTERLINE EL 120'-0" AGL

PROPOSED MONOPOLé

PROPOSED TENANT ICE BRIDGE

PROPOSED TENANT EQUIPMENT

AND PAO

TOWER ELEVATION

NOT TO SCALE

1-2

2-4
GENERAL NOTES:
1. INSTALL FENCING PER ASTM F-567
2. INSTALL SWING GATES PER ASTM-560
3. CORNER POST & GATE PIPE SIZES ARE INDUSTRY STANDARDS. ALL PIPE TO BE GALV. (NOT DIP, ASTM A120 GRADE "A" STEEL). ALL GATE FRAMES SHALL BE WELDED, ALL WELDING SHALL BE COATED WITH (2) COATS OF COLD GALV. (OR EQUAL)
4. ALL OPEN POSTS SHALL HAVE END-CAPS
5. USE GALLANZED HOG-RING WIRE TO MOUNT ALL SIGNS
6. ALL SIGNS MUST BE MOUNTED ON INSIDE OF CHAIN LINK FENCE
7. USE COMMERCIAL GRADE MATERIALS ONLY

REFERENCE NOTES:
1. CORNER END OR PULL POST 3" NOMINAL SCHEDULE 40 PIPE
2. LINE POST: 2 1/2" SCHEDULE 40 PIPE. PER ASTM F-1083, LINE POSTS SHALL BE EQUALLY SPACED, AT MAXIMUM 12'-6" O.C.
3. TOP RAIL & BRACE RAIL: 1 1/2" PIPE, PER ASTM F-1083
4. FENCE: SGA COLD WIRE SIZE 2' MESH CONFORMING TO ASTM A-3992
5. WIRE: MINIMUM 8 GA GALVANIZED STEEL AT POSTS AND/not A SINGLE WIRE OF FABRIC TO THE END AT TENSION WIRE BY HOST RINGS SPACED AT 24" O.C.
6. TENSION WIRE: SGA GALVANIZED STEEL
7. NOT USED
8. STRETCHER BAR
9. 3/8" DIAGONAL ROD WITH GALVANIZED STEEL TRANSVERSE OR DIAGONAL THREADED ROD
10. FENCE CORNER POST BRACE: 1 5/8" O.D. EACH CORNER EACH WAY
11. 1 1/2" MAXIMUM CLEARANCE FROM GRADE
12. 2" FINISH OR AS DETERMINED BY CONSTRUCTION MANAGER DURING BID WALK
13. 4" CONTACTED HOE RAKE MATERIAL OR AS DETERMINED BY CONSTRUCTION MANAGER DURING BID WALK
14. FINISH GRADE SHALL BE UNIFORM AND LEVEL
15. GATE POST 4" SCHEDULE 40 PIPE PER GATE WEIGHING UP TO 7 FEET OR 4 FEET FOR DOUBLE SWING GATE, PER ASTM F-1083
16. GATE FRAME: 1 1/2" PIPE. PER ASTM F-1083
17. GATE FRAME: 1 5/8" PIPE. PER ASTM F-1083
18. GATE: OVAL GALVANIZED STEEL 1 1/2" PIPE
19. HUCK: SQUARE ADJUSTER WELD
20. LOCATION IN FIELD Prior TO INSTALLATION
21. FENCE: GALLEY STEEL
22. LINE POST: CONCRETE FOUNDATION (2000 PSI)
23. CORNER POST: CONCRETE FOUNDATION (2000 PSI)
24. GATE POST: CONCRETE FOUNDATION (2000 PSI)
25. STYME LOCK OR EQUIVALENT
1. All plants must be healthy, vigorous material, free of pests and disease.
2. All plants must be container-grown or balled and burlapped as specified.
3. All trees must be straight-trunked, full headed and meet all requirements specified.
4. All plants are subject to the approval of the engineer's representative before, during, and after installation.
5. All trees must be guied or staked as shown.
6. All plants and planting areas must be completely mulched as specified.
7. Prior to construction, the contractor shall be responsible for locating all underground utilities and shall avoid damage to all utilities during course of work. The contractor is responsible for removing all damage to utilities, structures, site furnishings, etc. which occurs as a result of the landscape construction.
8. The contractor is responsible for fully maintaining all planting including, but not limited to, watering, spraying, mulching, fertilization, etc. of planting areas until the work is accepted in total by the engineer's representative.
9. The contractor shall completely guarantee all plant material for a period of one (1) year beginning at the date of total acceptance. The contractor shall promptly make all replacements before or at the end of the guarantee period.
10. The engineer's representative will approve the staked location of all plant material prior to installation.
11. Any plant material that dies, turns brown or depletes (prior to total acceptance of the work) shall be promptly removed from the site and replaced with material of the same species, quantity, size and meeting all specifications.

Total Area of Landscape Buffer: 2,400 SF - 0.0551 Acres

| PLANT LIST | CITY | COMMON NAME | BOTANICAL NAME | SIZE
<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>21</td>
<td>LELAND CYPRESS</td>
<td>CUPRESSOCYPARIS LEANDA</td>
<td>0' WXL HEIGHT AT PLANTING</td>
<td></td>
</tr>
</tbody>
</table>

2,400 SF Baled Pine straw - 3' Settled Layer of Clean Straw

Landscaping Plan

Tree Planting Detail

Tree Protection Detail

Proposed Leland Cypress (21) - Planted 10' on center (Typ)
SC1012 CHAPIN – EXISTING FACILITIES MAP

- 1.51 miles northwest, American Tower self-support, one tenant
- 1.64 miles east, Crown Castle self-support, two tenants
- 1.67 miles southeast, American Tower self-support, one tenant
- 1.75 miles north, Crown Castle self-support, no tenants on site
- 1.78 miles northeast, KGI markets building rooftop, no visible equipment
- 1.82 miles northwest, Crown Castle self-support, one tenant
- 2.00 miles southwest, Crown Castle self-support, two tenants

Radius: 2-miles
December 28, 2022

Tarpon Towers III, LLC

Re: Proposed 150-ft Monopole
Located in Lexington Co., SC: Site #SC1012 – Chapin SC
Near 157 Columbia Ave., Chapin, SC 29036
MFP #94122-134

Communication structures are designed in accordance with the Telecommunications Industry Association TIA-222-H, "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures”.

I will design this monopole to withstand a wind speed of 113 mph (\textit{V}_{ult}) in accordance with TIA-222-H for Lexington County. \textit{The design will also conform to the requirements of the 2018 International Building Code}.

This pole will be designed to support the following equipment:

<table>
<thead>
<tr>
<th>Load Level: 145'</th>
<th>Mount Type: Platform with Walkway</th>
</tr>
</thead>
<tbody>
<tr>
<td>Antennas:</td>
<td>(3) CCI TPA65R-BU8DA-K</td>
</tr>
<tr>
<td></td>
<td>(3) CCI HPA65R-BU8A</td>
</tr>
<tr>
<td></td>
<td>(3) CCI DMP65R-BU8DA-K</td>
</tr>
<tr>
<td>Demarcation Box:</td>
<td>(3) Raycap DC6-48-60-0-8C-EV</td>
</tr>
<tr>
<td>RRHs:</td>
<td>(6) Ericsson (3) 4478/(3) E-2</td>
</tr>
<tr>
<td></td>
<td>(6) Ericsson (3) 4415/(3) 4449</td>
</tr>
<tr>
<td></td>
<td>(3) Ericsson 8843</td>
</tr>
<tr>
<td>Cables:</td>
<td>(6) DC 5/8”</td>
</tr>
<tr>
<td></td>
<td>(2) Fiber 3/8”</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Load Level: 135'</th>
<th>Mount Type: Platform with Walkway</th>
</tr>
</thead>
<tbody>
<tr>
<td>Antennas:</td>
<td>(3) Ace XXDWMM-12.5-65-8TCBRS 3550 MHZ ANT1(-45) (1563474)</td>
</tr>
<tr>
<td></td>
<td>(2) Andrew JAHH-45B-R38</td>
</tr>
<tr>
<td></td>
<td>(4) Andrew JAHH-65B-R38</td>
</tr>
<tr>
<td></td>
<td>(3) Samsung MT6407-77A</td>
</tr>
<tr>
<td>Diplexers:</td>
<td>(3) Commscope CBC78T-DS-43-2X</td>
</tr>
<tr>
<td>RRHs:</td>
<td>(6) Samsung (3) B2/B66A RRH-BRO49/(3) B5/B13 RRH-BR04C</td>
</tr>
<tr>
<td></td>
<td>(1) Commscope RCMDC-6627-PF-48</td>
</tr>
<tr>
<td></td>
<td>(3) Samsung CBR5 RRH-RT4401-48A</td>
</tr>
<tr>
<td>Cables:</td>
<td>(1) Hybrid 1.95”</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Load Level: 125'</th>
<th>Mount Type: Platform with Walkway</th>
</tr>
</thead>
<tbody>
<tr>
<td>Antennas:</td>
<td>(9) Commscope FFW-65B-R2</td>
</tr>
<tr>
<td></td>
<td>(9) Fujitsu TA08025-B604</td>
</tr>
<tr>
<td></td>
<td>(9) Fujitsu TA08025-B605</td>
</tr>
<tr>
<td>Distribution Box:</td>
<td>(1) Raycap RDIDC-3045-PF48</td>
</tr>
<tr>
<td>Cables:</td>
<td>(1) Hybrid 1.60”</td>
</tr>
</tbody>
</table>
This monopole will be intentionally designed to accommodate a theoretical fall radius. The upper 70’ of the pole will be designed to meet the wind loads of the design, however, the lower portion of the pole will be designed with a minimum 10% extra capacity. Assuming the pole will be fabricated according to my design and well maintained, in the event of a failure due to extreme wind and a comparable appurtenance antenna loads (winds in excess of the design wind load), it would yield/buckle at the 80’ elevation. The yielded section would result in a maximum 70’ fall radius, but would most likely remain connected and hang from the standing section.

The structure will be designed with all of the applicable factors as required by the code. A properly designed, constructed and maintained pole has never collapsed; monopoles are safe structures with a long history of reliable operation.

If you have any additional questions please call me at 614-398-6250 or email mike@mfpeng.com.

Sincerely,

Michael F. Plahovinsak, P.E.
Professional Engineer
BOARD OF ZONING APPEALS
MEETING SCHEDULE

THE BOARD OF ZONING APPEALS MEETS AS NEEDED, BASED ON APPLICATIONS RECEIVED. WHEN POSSIBLE, THE BOARD WILL MEET ON THE FOURTH THURSDAY OF EACH MONTH AT 4:00 P.M. AT TOWN HALL LOCATED AT 157 NW COLUMBIA AVE.

The 4th Thursday of the month dates are as follows:
January 26, 2023
February 23, 2023
March 23, 2023
April 27, 2023
May 25, 2023
June 22, 2023
July 27, 2023
August 24, 2023
September 28, 2023
October 26, 2023
November 30, 2023**
December 28, 2023

**Rescheduled to the 5th Thursday due to Thanksgiving Holidays.