



10300 Old Alabama Connector Road
Alpharetta, GA 30022-1117

February 14th, 2024

Hall County Board of Commissioners
2875 Browns Bridge Road
Gainesville, GA 30504

**Re: Conditional Use Permit & Variance Request Application
For a 265' Self-Supporting Structure Located at Tax Parcel ID 15002 000061
4410 Holly Springs Road, Gillsville, GA 30543**

Dear Board of Commissioners,

The proposed 265-foot telecommunications facility proposed to be located at Holly Springs Road is strategically located and enables Verizon Wireless to provide reliable voice and broadband data coverage to this surrounding area of eastern Hall County. As indicated on the accompanying exhibits, the proposed facility will greatly improve wireless service coverage to the residential and agribusiness area east of Gainesville and southwest of Gillsville.

The primary objective of this site is to provide significant coverage improvements along Georgia State Route 82 N (Holly Springs Rd), Harmony Church Rd, 3 Bridges Rd, Bryant Quarter Rd, Georgia State Route 323 (Gillsville Hwy) and other streets within the desired service area. Current coverage in this area is mostly limited to vehicular or outdoor usage. Indoor-coverage is marginal. The proposed site will allow Verizon Wireless to improve the reliability of service to businesses and customers residing in these areas.

The proposed tower height is the minimum height needed to properly provide improved rural coverage and accommodate anticipated future growth for wireless demand in this area. The proposed facility will allow Verizon Wireless to mount cellular antennas at a height of 250 feet above ground level (915.5 feet above mean sea level), which is critical to achieve quality coverage and indoor-level service quality in this portion of Hall County. Standard sector frames for antennas will be used for each wireless tenant which also maximizes colocation opportunities, and more easily allows the addition of new FCC spectrum and wireless products and services as technology improves. The location of this additional coverage site will also enable Verizon Wireless to provide additional calling and data resources that might be needed in the event of an emergency.

Verizon Wireless provides Commercial Mobile Radio Services ("CMRS") under licenses granted by the Federal Communications Commission ("FCC"). Pursuant to these licenses, Verizon Wireless is authorized to provide CMRS and operate a CMRS network in many geographic areas

throughout the nation, including Hall County, GA. The FCC exclusively regulates all technical aspects of Verizon Wireless' operations and network and preempts all state and local regulation of radiofrequency transmissions. The FCC rules protect co-channel and adjacent licensees against harmful interference. The proposed facility will be designed and built-in compliance with all applicable FCC requirements. The following points cover Verizon Wireless' practices pertinent to complying with the FCC requirements:

1. Verizon Wireless locates its transmitting antenna(s) in order to maximize vertical and horizontal separation from other operator's systems to minimize interference potential.
2. All operating hardware at the site is type-accepted by the FCC as far as emission levels within our licensed frequency band in addition to spurious emissions outside of our frequency band.
3. The power levels generated by the base station hardware and corresponding effective radiated power (ERP) from the transmit antenna(s) are within the limitations specified by Part 22 (for cellular), Part 24 (for PCS), or Part 101 (for microwave) of the Commission's Rules.
4. Intermodulation studies are prepared and analyzed considering all other wireless carriers on our tower to ensure no mixing of frequencies will create harmful interference to or from our wireless system.

The FCC has established safety rules relating to potential RF exposure from cell sites. The rules are codified at 47 C.F.R § 1.1310. The FCC provides guidance on how to ensure compliance with its rules in the FCC Office of Engineering and Technology Bulletin 65, available at: https://transition.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet65/oet65.pdf

The FCC developed the RF standards, known as Maximum Permissible Exposure (MPE) limits, in consultation with numerous other federal agencies, including the Environmental Protection Agency, the Food and Drug Administration, and the Occupational Safety and Health Administration. The FCC provides information about the safety of radio frequency (RF) emissions from cell towers on its website at: <https://www.fcc.gov/engineering-technology/electromagnetic-compatibility-division/radio-frequency-safety/faq/rf-safety>.

Please refer to the FCC Office of Engineering and Technology Bulletin 65 and the attached Verizon Wireless RF Brochure for information on RF exposure guidelines, RF safety, and landlord responsibilities.

For the above-mentioned reasons, the Verizon Wireless Network Team respectfully requests approval of the Conditional Use Permit and Variance Request Application to allow the proposed 265-foot telecommunications facility, which will allow Verizon Wireless to continue to provide the most reliable wireless network to the citizens and businesses of Hall County. Thank you for your thoughtful consideration of this request.

Sincerely,

Victor G Mata
RF Design Engineer
Verizon Wireless



CHAPTER 17.410 – TELECOMMUNICATIONS

ARTICLE I. – TOWERS AND ANTENNAS

DIVISION 1 – GENERALLY

17.410.010. – Purpose.

The purpose of this Chapter is to establish guidelines for the siting of all wireless, cellular, television, and radio telecommunications towers and antennas. The goals of this Chapter include the following.

1. To encourage the location of towers in nonresidential areas;
2. To minimize the total number of towers within the community necessary to provide adequate personal wireless communications services to residents of the county;
3. To encourage the joint use of new and existing tower sites among service providers;
4. To locate telecommunications towers and antennas in areas where adverse impacts on the community are minimized;
5. To encourage design and construction of towers and antennas to minimize adverse visual impacts; and
6. To enhance the ability of the telecommunications service providers to deliver such services to the community effectively and efficiently.

Acknowledged

17.410.020. – Definitions.

(a) Except as specifically defined herein, all words used in this Chapter shall be as defined in The Latest Illustrated Book of Development Definitions (2007, Rutgers). Words not defined herein or in the above-referenced text shall be construed to have the meaning given by common and ordinary usage and shall be interpreted within the context of the sentence, section, and article in which they occur.

(b) For the purpose of this Chapter, certain words or terms used herein shall be defined as follows.

1. The term “erected” includes the terms “constructed,” “located,” and/or “relocated.”
2. The term “map” or “zoning map” means the official zoning map of the county.
3. The term “parcel” includes the terms “plot” and/or “lot.”
4. The terms “used” or “occupied” include the words “intended, arranged, or designed to be used or occupied.”

(c) Definitions. The following words, terms, and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: *Alternative tower structure* means clock towers, bell towers, church steeples, light/power poles, electric transmission towers, manmade trees (without accessory buildings/structures), and similar natural or manmade alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna means any exterior apparatus designed for wireless telecommunication, radio, or television communications through the sending and/or receiving of electromagnetic waves.

Co-location means the placement of the antennas of two or more service providers upon a single tower or alternative tower structure.

Department means the county department of planning and development.

FAA means the Federal Aviation Administration.

FCC means the Federal Communications Commission.

Geographic antenna placement area means the general vicinity within which the placement of an antenna is necessary to meet the engineering requirements of an applicant's cellular network or other broadcasting need.

Governing authority means the Hall County Board of Commissioners.

Height means the distance measured from ground level of a tower or other structure to the highest point on the same tower structure or lightning rod or appurtenance attached to the tower, when the term is used to refer to a tower or other structure.

Pre-existing tower and/or antenna(s) means structures as set forth in subsection 17.410.030 (d).

Public officer means the director of the county department of planning and development when used in reference to the procedures and legal remedies found in O.C.G.A. §§ 41-2-7 to 41-2-17.

Scenic views means those geographic areas containing visually significant or unique natural features, as indicated on the county's comprehensive plan or other official county documentation.

Tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term "tower" includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telecommunication towers, manmade trees (with accessory buildings/structures), and other similar structures.

Visual quality means the appropriate design, arrangement, and location of tower structures in relation to the built or natural environment to avoid abrupt or severe differences.

Acknowledged.

17.410.030. – Application of chapter.

(a) *District height limitations.* Except as set forth in subsection (c) of this section, the requirements of this chapter shall govern the location of telecommunications towers that exceed, and antennas that are installed at a height in excess of, 50 feet.

(b) *Governmental exemption.* The provisions of this chapter shall not apply to governmental facilities and structures, including those of Hall County, Georgia.

(c) *Amateur radio; receive-only antennas.* This chapter shall not govern any tower, or the installation of any antenna, which is 75 feet or less in height and is owned and operated by a federally-licensed amateur radio station operator from the operator's residence, or which is 75 feet or less in height and is used exclusively as a receive-only antenna.

(d) *Pre-existing towers and antennas.* Any tower or antenna for which a permit has been properly issued prior to the effective date of the ordinance from which this chapter is derived shall not be required to meet the provisions of this chapter, other than the requirements of sections 17.410.160 and 17.410.170. Any such towers or antennas shall be referred to in this chapter as "pre-existing towers" or "pre-existing antennas."

(e) *Additional antennas.* If an additional antenna is co-located upon a pre-existing tower after adoption of this chapter, then fencing and landscaping requirements of sections 17.410.130 and 17.410.140 shall be met as part of the permitting process.

Verizon Acknowledges that the tower design exceeds the maximum allowable height and a variance is being requested.

17.410.040. – Removal of abandoned towers and antennas.

(a) Any tower or antenna that is not operated for a continuous period exceeding six months shall be considered abandoned, and the owner of any such antenna or tower shall remove the structure within 60 days of receipt of notice from the department that the tower or antenna is considered by the county to be abandoned.

(b) If, after receipt of notice of abandonment from the department, the owner of a tower or antenna

does not remove the abandoned tower or antenna within 60 days, the governing authority may, in the manner provided by O.C.G.A. §§ 41-2-7 to 41-2-17, remove such antenna or tower at the owner's expense. If there are two or more users of a single abandoned tower or antenna, then notice shall not be sent by the department until all users cease to utilize the tower or antenna.

(c) Prior to the issuance of a permit for the construction of a tower or antenna, the owner of the tower or antenna facility shall procure a bond or a letter of credit from a surety doing business in the State of Georgia with an office located in Hall County, Georgia, in an amount not less than \$25,000.00 conditioned upon the removal of the tower and/or antenna, should it be deemed abandoned under the provisions set forth in this section. Such bond or letter of credit must be renewed at least every two years during the life of the tower or antenna, and the failure to renew a bond or letter of credit shall be grounds for revocation of the tower or antenna permit.

Acknowledged

17.410.050. – Legal status provisions.

Whenever the regulations of this chapter require a greater width, depth, or size of yard or impose other more restrictive standards than are required in or under any other statute or covenants, the requirements of this chapter shall govern. Whenever the provisions of any other statute or covenants require more restrictive standards than those of this chapter, the provisions of such statutes or covenants shall govern.

Acknowledged

17.410.060. – Annual registration of telecommunications towers.

(a) On or before May 1 of each calendar year, the owner of any telecommunications tower shall register such tower with the director of the county department of planning and development on a form (or via electronic means) prescribed by the department. The initial annual registration shall identify such telecommunications tower by tax parcel number, physical street address, and/or GIS coordinates, and shall describe all structures and equipment on site associated with such telecommunications tower. Annually thereafter, each subsequent registration shall identify any transfer of ownership or such tower, and/or any modifications to such tower which occurred during the preceding calendar year.

(b) For all telecommunications towers which were constructed more than ten years prior to the submittal of the annual registration, at least once every three years the owner of such tower shall submit certification to the director that such tower was inspected and that a registered professional engineer has determined that no signs of defect, disrepair, or other hazardous condition exist.

(c) Any telecommunications tower owner which owns more than 20 towers that are subject to subsection (b) of this section shall be deemed to be in compliance with its requirements so long as all of such tower owner's towers which are more than ten years old are inspected within three years of the first deadline for registration under this section.

(d) The annual registration fee for each telecommunications tower shall be \$100.00 for the first registration year and \$50.00 per tower per year thereafter.

Verizon will comply

DIVISION 2 – GENERAL PROVISIONS

17.410.070. – Principal or accessory use.

A tower and/or antenna is considered a principal use if located on any lot or parcel of land as the sole or primary structure, and is considered an accessory use if located on a lot or parcel shared with a

different existing primary use or existing structure. An existing use or structure on the same lot or parcel shall not preclude the installation of an antenna or tower. For purposes of determining whether the installation of a tower or antenna complies with zoning district requirements, including, but not limited to, setback, buffer, and other requirements, the dimensions of the entire lot or parcel shall control, even though the antenna or tower may be located on a leased area within such lot or parcel. Towers that are constructed, and antennas that are installed, in accordance with the provisions of this chapter shall not be deemed to constitute the expansion of a nonconforming use or structure.

Acknowledged and would be considered Accessory use.

17.410.080. – Inventory of existing sites.

(a) The county's department of planning and development shall maintain an inventory of all towers or alternative tower structures, active and inactive, which are present in the county. This inventory shall include specific information about the location (latitude and longitude coordinates), height, design, tower type, and general suitability for antenna co-location of each tower, and other pertinent information as may be decided by the department.

(b) To facilitate the co-location of antennas, each applicant seeking to locate a new tower, alternative tower structure, or antenna, or modify any such existing structure, shall provide to the department an affidavit setting forth an inventory of its existing towers or alternative tower structures as provided for below. The applicant shall specifically identify its towers or alternative structures, active or inactive, which are present in the county. Applicants seeking to erect an amateur radio tower or antenna shall be exempt from this provision.

(c) The applicant's affidavit shall include all of its structures that are within the jurisdiction of the governing authority; within a municipality located in whole or in part within the county; or within one mile of the border of the county, and shall include specific information about the location (latitude and longitude coordinates), height, design, tower type, and general suitability for antenna co-location of each such tower, and other pertinent information as may be required by the department. The department may share such information with other applicants for a tall structure permit under this chapter or other organizations seeking to locate towers or antennas within the jurisdiction of the governing authority, provided however that the department shall not, by sharing such information, in any way be deemed to have represented or warranted that such sites are available or suitable.

(d) An application for a tall structure permit shall not be considered complete without this affidavit of inventory.

Map of surrounding existing Verizon facilities and a list of all Verizon facilities has been provided with this application. No existing tower or facility exists within the desired coverage range as demonstrated by the included RF (Radio Frequency) maps.

17.410.090. – Co-location; design requirements.

In addition to all applicable building and safety codes, all towers, except amateur radio towers, shall be designed to accommodate the co-location of cellular telecommunication antennas according to the following criteria:

1. For towers up to 125 feet in height, the structure and fenced compound shall be designed to accommodate at least two providers; and
2. For towers greater than 125 feet in height, the structure and fenced compound shall be designed to accommodate at least four providers.

Tower is designed to meet colocation requirements as shown on the provided construction drawings. Tower is 255' Tall and designed for 5 carriers (providers) total. (see site plans page C-2 for ground space

colocation layout and page C-13 for tower colocation space.)

17.410.100. – Co-location; availability of suitable existing structures.

- (a) No new tower, except amateur radio towers, shall be permitted unless the applicant demonstrates to the satisfaction of the department and board of commissioners that no existing tower or existing alternative tower structure can accommodate the applicant's proposed antenna. All evidence submitted shall be signed and sealed by appropriate licensed professionals or qualified industry experts and shall consist of more than mere conclusory statements that no existing tower is suitable. Evidence submitted to demonstrate that no existing tower or structure can accommodate the proposed antenna shall consist of one or more of the following:
1. That no existing towers or suitable alternative tower structures are located within the geographic antenna placement area required to meet the applicant's engineering requirements.
 2. That existing towers or structures do not have sufficient structural strength to support the applicant's antenna and related equipment.
 3. That the applicant's proposed antenna(s) would cause electromagnetic interference with the antenna(s) on the existing towers or structures, or the antenna(s) on the existing towers or structures would cause interference with the applicant's proposed antenna(s).
 4. That the cost or contractual provisions required by the tower owner to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
 5. That the applicant adequately demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
- (b) For each of the above, the applicant must submit an affidavit listing the existing towers which were considered, and ultimately rejected, by the applicant and provide a detailed explanation of why the existing towers are not useable.

No colocation options are available within the area. (Nearest tower is 3.6 miles away located at 3177 Suggs Rd, Pendergrass, GA)

17.410.110. – Aesthetics.

The guidelines set forth in this section shall govern the design and construction of all towers, and the installation of all antennas governed by this chapter.

1. Towers and/or antennas shall either maintain a galvanized steel or concrete finish, or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.
2. At all tower sites, the design of all buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and building environment.
3. For antennas installed on a structure other than a tower, the antenna and supporting electrical and mechanical ground equipment shall be a neutral color so as to make the antenna and related equipment visually unobtrusive.
4. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views. In the event that a tower requires lighting by virtue of its height, the county may require the construction of the tower at a lower height in order to avoid lighting requirements.
5. No signage or other identifying markings of a commercial nature shall be permitted upon

any tower or alternative tower structure within the county.

Verizon will comply. FAA will require lighting on any tower over 200'. Tower light locations are noted on page C-13 of the site plan. The FCC will require signs be posted on the fence gate of the compound. Sign details can be found on page C-11 of the site plans.

17.410.120. – Setbacks and separation.

The following setbacks and separation requirements shall apply to all towers:

1. Towers shall be set back a distance equal to one-half of the height of the tower, from its base, to any public way or property line of the lot or parcel containing the tower. All towers in residentially-zoned areas in excess of 50 feet shall be set back a distance equal to the full height of the tower from any adjoining off-site residential structure.
2. Guy-wires and accessory buildings and facilities shall meet the minimum accessory use location and setback requirements.
3. In zoning districts other than S-S, H-B, I-I, and I-II, or county-owned property, towers over 100 feet in height shall not be located closer than 1,500 feet from any existing tower that is over 100 feet in height. This requirement shall not apply to amateur radio towers.

Acknowledged. The location of the tower meets all requirements. The setback from the northerly property line is 530-feet; 959-feet from the easterly property line; 561-feet from the southerly property line; and over 2,000-feet from the westerly property line. See page C-0 for detail.

17.410.130. – Security fencing/anti-climbing devices.

- (a) All towers and supporting equipment shall be enclosed by fencing not less than six feet in height and shall also be equipped with appropriate anti-climbing devices. Fencing shall be of chain link, work, or other approved alternative.
- (b) Amateur radio towers and antennas, or receive-only antennas, shall not be subject to the provisions of this section unless compliance is required by the board of commissioners through the tall structure permit process.

Verizon will comply. See Site Plans Page C-7 for fencing detail.

17.410.140. – Landscaping.

The following requirements shall govern landscaping surrounding (and in the general vicinity of) all towers:

1. Where adequate vegetation is not present, tower facilities shall be landscaped with a strip of plant materials which effectively screens the view of the tower, accessory buildings and equipment, and the tower compound generally. Landscaped strips of plant material shall be a minimum of ten feet in width and located outside the fenced perimeter of the tower compound. Landscaped strips of plant material shall satisfy the minimum design and planting requirements for landscaped buffers established in the county's tree protection ordinance and other applicable ordinances relating to buffers.
2. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. Where natural vegetation around the perimeter of the site would provide an adequate visual screen, an undisturbed buffer may be utilized.
3. Amateur radio towers and antennas, or receive-only antennas, shall not be subject to the

provisions of this section unless compliance is required by the board of commissioners through the tall structure permit process.

Verizon will comply. A 5' landscaping buffer detail and planting list is shown on page L-1 of the site plans. Existing vegetation will be used as a screen on the west side while the remaining sides will be screened by a planted buffer.

17.410.150. – Review of tower and antenna erection.

If, upon receipt of an application for the erection of any tower or alternative tower structure governed by this chapter, the department deems that the proposed structure may interfere with the use of the airway of the county by the public or interfere with the operation of existing or proposed airport facilities, a copy of the application shall be submitted by the department for review to the appropriate governmental or aviation authority.

Verizon will comply.

17.410.160. – Federal requirements.

All towers must meet or exceed current standards and regulation of the FAA, FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, the owners of the towers and antennas governed by this chapter shall bring such towers and antennas into compliance with any such revised standards and regulations within six months of the effective date of such standards and regulations unless a more or less stringent compliance schedule is mandated by the controlling federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense. Any such removal by the governing authority shall be in the manner provided by O.C.G.A. §§ 41-2-7 through 41-2-17.

Verizon will comply. Setbacks are met, as demonstrated on Site Plan, Page C-0

17.410.170. – Building codes; safety standards.

To ensure the structural integrity of towers, the tower's or alternative tower structure's owner, permittee, or subsequent lessee shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended. If, upon inspection, the department concludes that a tower fails to comply with all applicable codes and standards, or constitutes a danger to persons or property, then upon receipt of written notice to the owner, permittee, or lessee of the tower, said party shall have 15 days to bring the tower into compliance with such standards. If the owner, permittee, or lessee fails to bring the tower into compliance within the 15-day period, the governing authority may remove the tower at the expense of the owner, permittee, or lessee. Prior to the removal of any tower, the department may consider detailed plans submitted by the owner, permittee, or subsequent lessee for repair of substandard towers, and may grant a reasonable extension of the above-referenced compliance period. Any such removal by the governing authority shall be in the manner provided in O.C.G.A. §§ 41-2-7 through 41-2-17.

Verizon will comply. Upon approval of this conditional use permit, Verizon will proceed with the tower and foundation design report which will include a geotechnical report of the soils for the foundation. The tower will be designed to meet or exceed the standards of the Telecommunications industry Association

(TIA) as expressed in TIA-222-H Standards. Furthermore, the tower will be designed to meet or exceed any local, state, or federal requirement. The height and design of the tower is shown on sheet C13 of the drawings submitted as a part of this application. A self-supporting tower was selected due to the necessary height of an antenna center line of 250-feet. The structure will be 255-feet with a ten-foot lightning rod at the top for an overall height of 265- feet.

17.410.180. – Change of ownership notification.

Upon transfer of ownership of any tower, alternative tower structure, or lot upon which such a structure has been erected, the tower permittee shall notify the department of the transaction in writing within 30 days of the effective date of the transaction.

Verizon will comply.

DIVISION 3 – PERMITTED USES

17.410.190. – Generally.

The uses listed in this division are deemed to be permitted uses and shall not require administrative review or approval of a tall structure permit. However, all such uses shall comply with requirements set forth in division 2 of this article and all other applicable codes and ordinances.

Acknowledged.

17.410.200. – Co-location of antennas required.

Applicants for the erection of a tower or placement of an antenna shall be required to co-locate upon an existing tower or alternative tower structure. An exception to co-location shall only be made if the applicant adequately demonstrates that an existing tower suitable for co-location does not exist in the geographic antenna placement area utilizing the tower inventory maintained by the department, and that no suitable alternative tower structure is available as set forth in section 17.410.100.

Verizon has made an extensive search of the area and has found no existing towers.

17.410.210. – Uses.

- (a) If it is adequately demonstrated that antenna co-location, as required by section 17.410.200, is not possible for a given geographic antenna placement area, the following uses are permitted uses.
1. Constructing a new tower, including the placement of a service building or other supporting equipment used in connection with said tower or antenna, in the following zoning districts provided, however, that all structures shall meet the setback, screening, and buffer requirements contained herein, and shall be located a minimum distance of two times the height of the tower from any residentially-zoned property:
 - A. S-S (Suburban Shopping District);
 - B. H-B (Highway Business District);
 - C. I-I (Industrial District);
 - D. I-II (Heavy Industrial District).
 2. Installation of an antenna on an existing structure other than a tower (such as a building, sign, light pole, water tower, or other freestanding nonresidential structure) that is 50 feet in height or greater, if the additional antenna height adds no more than 20 feet to the height of the existing structure, subject to the zoning district restrictions of subsection (1) of this section in the following zoning districts:
 - A. S-S (Suburban Shopping District);
 - B. H-B (Highway Business District);
 - C. I-I (Industrial District);
 - D. I-II (Heavy Industrial District);
 - E. POD (Planned Office District);
 - F. PCD (Planned Commercial District);
 - G. PID (Planned Industrial District).
- (b) If it is adequately demonstrated that antenna co-location, as required by section 17.410.200, is not possible for a given geographic antenna placement area, the following uses are permitted subject to approval by the county's board of commissioners per the provisions of section 17.380 et seq. of the Hall County Code of Ordinances.
1. Constructing a new tower, including the placement of a service building or other supporting equipment used in connection with said tower or antenna, in the following zoning districts provided, however, that all structures shall meet the setback, screening, and buffer requirements contained herein, and shall be located a minimum distance of two times the height of the tower from any residentially-zoned property:
 - A. AR-III (Agricultural Residential - III District);
 - B. AR-IV (Agricultural Residential – IV District).

Acknowledged.

17.410.220. – Public Notice/appeal.

- (a) At least ten days prior to the issuance of a building permit for the construction of a tower as a permitted use, the department of planning and development shall cause a sign to be posted on the property and the publication of public notice in a newspaper of general circulation within the territorial boundaries of the county. Said public notice shall state the nature of the application, street location of the proposal and height of the proposed structure.
- (b) If during the public notice period an objection to the building permit application is raised, the validity of the application and all pertinent documentation shall be determined by the county’s planning commission. The objection shall be placed on the first available agenda of a regularly scheduled meeting following the expiration of the ten day appeal period. The planning commission shall dispense with the objection by either determining that the application is valid and meets all applicable criteria of this chapter, which shall result in the issuance of a building permit, or determining that the application is in error. Applications found to be in error must, as a result, be processed through the tall structure permit process set forth in division 5 of this article.

Verizon will comply.

17.410.230. – Appeal of administrative determination.

If a building permit application for a tower as a permitted use is determined by the department of planning and development to not meet all applicable criteria of this chapter, the building permit applicant may appeal the determination to the county’s planning commission. The planning commission shall dispense with the objection by either:

- 1. Determining that the application is valid and meets all applicable criteria of this chapter, which shall result in the issuance of a building permit; or
- 2. Determining that the application does not satisfy all applicable criteria of this chapter. Applications that do not satisfy all applicable criteria must, as a result, be processed through the tall structure permit process set forth in division 5 of this article.

Acknowledged.

DIVISION 4 – ADMINISTRATIVE APPROVALS

17.410.240. – General.

- (a) The department may administratively approve the placement of additional antennas upon towers or alternative tower structures as set forth in section 17.410.260.
- (b) Each applicant requesting an administrative approval under this chapter shall submit a scaled site plan, scaled elevation view and supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements, including topography (utilizing minimum two-foot contour intervals), tower height requirements, setbacks, access driveways or easements, parking, fencing, landscaping, adjacent uses, and any other information deemed by the department to be necessary to assess compliance with this chapter and compatibility with surrounding uses.
- (c) Amateur radio antennas shall meet the requirements of the county’s construction code. Certain documentation requirements of this section may be waived by the director for amateur radio antenna applications.

- (d) The department shall respond to each application within 30 days of its receipt by either approving or denying it. One 30-day extension of this review period may be exercised by the department if such additional time is deemed necessary to adequately assess the request. If the department fails to respond to the applicant within a maximum of 60 days, the application shall be deemed to be approved.
- (e) As part of any administrative approval, the department may administratively reduce setback requirements by up to ten percent to compensate for irregularly shaped lots or parcels.
- (f) If a request for administrative approval is denied, the applicant may appeal the decision to the county's planning commission. In such an instance, the planning commission may authorize such variances from the terms of the telecommunications tower and antenna ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variances may be granted in such individual cases of unnecessary hardship upon a finding by the planning commission that the denial of the variance presents a significant detriment to the telecommunications service provider making application, and that the denial of the variance is insubstantially related to the public welfare.

17.410.250. – Co-location of antennas required.

Applicants for the erection of an antenna, except for amateur radio operators, shall be required to co-locate upon an existing tower structure. An exception to co-location shall only be made if the applicant adequately demonstrates that an existing tower suitable for co-location does not exist in the geographic antenna placement area utilizing that tower inventory maintained by the department, and that no suitable alternative tower structure is available as set forth in section 17.410.100. The applicant must present an affidavit that lists the available existing towers and reasons why co-location on those towers is not possible.

No colocation options are available within the area. (Nearest tower is 3.6 miles away located at 3177 Suggs Rd, Pendergrass, GA)

17.410.260. – Uses allowed by administrative approval.

The following uses may be approved by the department after conducting an administrative review.

1. Installation of an antenna on any alternative tower structure, and further including the placement of additional structures or other supporting equipment used in connection with said antenna, provided that any such addition does not add more than 20 feet to the height of the existing structure;
2. Installation of an antenna on an existing tower of any height, including a pre-existing tower, and further including the placement of additional buildings or other supporting equipment used in connection with said antenna, provided that any such addition does not add more than 20 feet to the height of the existing tower.

DIVISION 5 – TALL STRUCTURE PERMIT REQUIRED

17.410.270. – Generally.

- (a) If the proposed location, height, setback, or other aspect of a tower or antenna cannot comply with the minimum requirements established in division 3 or division 4 of this article, then a

tall structure permit shall be required for the construction of a tower or the placement of an antenna in any zoning district.

(b) The following provisions shall also govern the issuance of tall structure permits for telecommunications and personal wireless service towers and antennas:

1. In granting a tall structure permit, the board of commissioners may impose conditions to the extent that the board concludes such conditions are necessary to minimize adverse effects from the proposed tower on adjoining or nearby properties, including limiting the height of proposed towers located in or near residential areas. In no event shall a new tower exceeding 100 feet in height be placed on residentially-zoned property, nor shall a new tower exceeding 195 feet in height be placed on property with any zoning classification.
2. All information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer or qualified industry expert.
3. Amateur radio antennas shall meet the requirements of all applicable county codes.

Verizon Acknowledges that the tower design exceeds the maximum allowable height and a variance is being requested.

17.410.280. – Application; contents; fee.

All applications for tall structure permits shall be submitted to the department of planning and development. Each application shall contain as a part thereof detailed plans and specifications as set forth in section 17.410.290. An application for a tall structure permit shall not be accepted for processing without the information required in this chapter. An application fee shall be charged by the department for each such application consistent with applicable law in an amount calculated to reimburse the County for the cost of processing and administering the tall structure application.

Verizon will comply.

17.410.290. – Exhibits required.

Each applicant requesting a tall structure permit under this chapter shall submit a scaled site plan, scaled elevation view, and supporting drawings, calculations, and other documentation signed and sealed by appropriate licensed professionals or qualified industry experts, showing the location and dimensions of all improvements, including topography (utilizing minimum two-foot contour intervals), tower height requirements, setbacks, access driveways or easements, parking, fencing, landscaping, adjacent uses, affidavit of inventory as set forth in section 17.410.080, and any other information deemed by the department to be necessary to assess compliance with this chapter and compatibility with surrounding uses.

Verizon will comply.

17.410.300. – Review of application by radio-frequency engineer.

(a) Within five business days of accepting a tall structure permit application, the department of planning and development shall refer that tall structure permit application to a radio-frequency engineer for review and recommendation. Within 30 business days after receiving the tall structure permit application for review, the radio-frequency engineer shall submit a detailed report and findings regarding the application to the department of planning and development, including, but not limited to, the need

for the tower in the proposed location, whether or not the height of the tower should be lower than the height requested by the applicant, and possible alternatives for the location of the tower. These findings shall be submitted to the county's board of commissioners and the applicant for review within ten business days of receipt by the department of planning and development, along with any staff report or recommendations prepared by the department of planning and development for the board of commissioners' consideration.

(b) The applicant shall have ten business days after receiving the findings of the radio-frequency engineer and staff report to withdraw the tall structure permit application without prejudice. If the application is not withdrawn by the applicant within such time period, it shall be placed on the next available agenda for a public hearing by the board of commissioners, consistent with the notice requirements of section 17.410.320.

Acknowledged. Verizon will comply.

17.410.310. – Co-location of antennas required.

Applicants for the erection of a tower or antenna, except amateur radio operators, shall be required to co-locate upon an existing tower structure. An exception to co-location shall only be made if the applicant adequately demonstrates that an existing tower suitable for co-location does not exist in the geographic antenna placement area utilizing the tower inventory maintained by the department, and that no suitable alternative tower structure is available as set forth in section 17.410.100. An applicant must provide a detailed affidavit listing all towers within one mile of the proposed tower and explain why it cannot co-locate on each of the existing towers.

Acknowledged. No existing collocation options available.

17.410.320. – Public hearing.

Before taking action upon the proposed tall structure permit, the board of commissioners shall hold a public hearing on the matter. At least 30 days prior to the date of the public hearing, the following notice requirements shall be met by the applicant:

1. A sign shall be erected, in a conspicuous location, on or adjacent to each road frontage of the property under consideration. The sign shall state the time, place, location, and purpose of the public hearing.
2. A letter shall be sent by regular mail to all property owners of record of abutting parcels, and all residentially-zoned parcels lying in whole or in part within a distance of 1,000 feet of the subject property, giving notice of the public hearing. Owners of record shall be as indicated by the county tax commissioner's records. The letter shall state the same information as required for the sign, referenced in subsection (1) of this section.

Acknowledged. Verizon will comply.

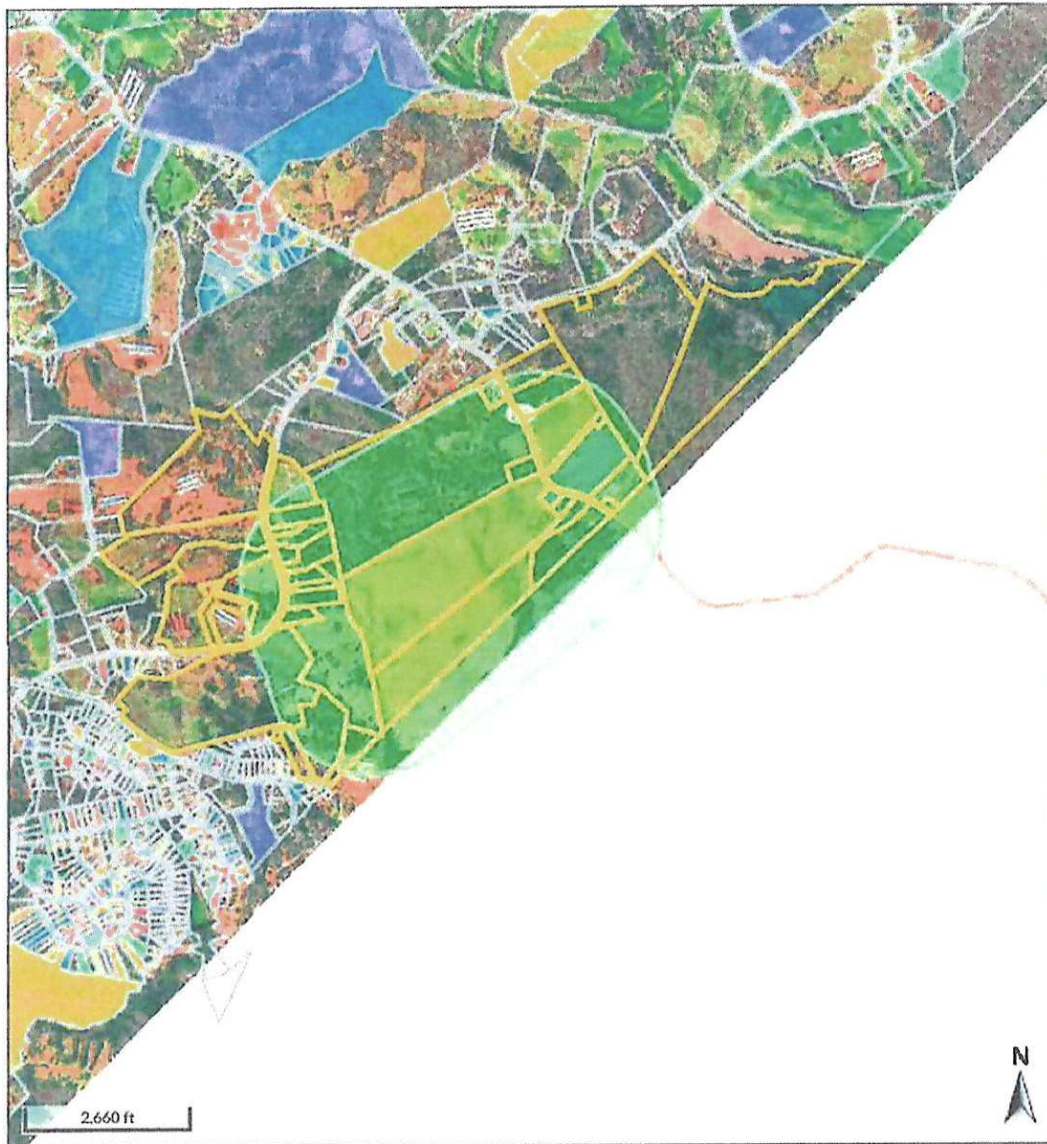
17.410.330. – Considerations in approval or denial of a tall structure permit.

Any denial of a request to place, construct, or modify a telecommunications facility shall be in writing and supported by substantial evidence contained in a resolution signed by the chairman of the county's board of commissioners. The governing authority shall consider, but is not limited to, the following factors in acting upon a tall structure permit application under the provisions of this chapter:

1. The height and setbacks of the proposed tower;
2. The proximity of the tower to residential structures and residential district boundaries;
3. The nature of uses, as well as the height of existing structures, on adjacent and nearby

- properties;
4. The surrounding topography;
 5. The surrounding tree coverage and foliage;
 6. The design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
 7. The proposed ingress and egress to the tower area;
 8. The availability of suitable existing towers or other structures for antenna co-location;
 9. The impact of the proposed tower upon scenic views and the visual quality of the surrounding area;
 10. The evidence submitted regarding the need for the tower in the area, including, but not limited to, propagation maps and other similar materials;
 11. The portion of the tower that will be visible from adjacent and nearby residential properties;
 12. The number of required trips to the tower site on a monthly basis;
 13. The tower's effect on property values of adjacent and nearby residential properties;
 14. The ratio of the height of the proposed tower to the height of the tallest adjacent and nearby residential structure;
 15. Safety concerns associated with the proposed tower or antenna;
 16. The tower's effect upon potential purchasers of adjacent and nearby residentially-zoned property; and
 17. The coverage or lack of coverage experienced by cell phone users in the area of the proposed tower.

Acknowledged.



Overview



Legend

- Parcels
- Qualified Sales
 - 2016
 - 2017
 - 2018
 - 2019
 - 2020
- Roads
- Cities
 - BRASELTON
 - BUFORD
 - CLERMONT
 - FLOWERY BRANC
 - GAINESVILLE
 - GILLSVILLE
 - LULA
 - OAKWOOD
 - RESTHAVEN

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GEO SPATIAL

January 31, 2024

Hall County Board of Commissioners
Hall County Planning Commission
c/o Ms. Beth Garmon, Planning and Zoning Administrator
Hall County Planning & Development
2875 Browns Bridge Road
Gainesville, GA 30504

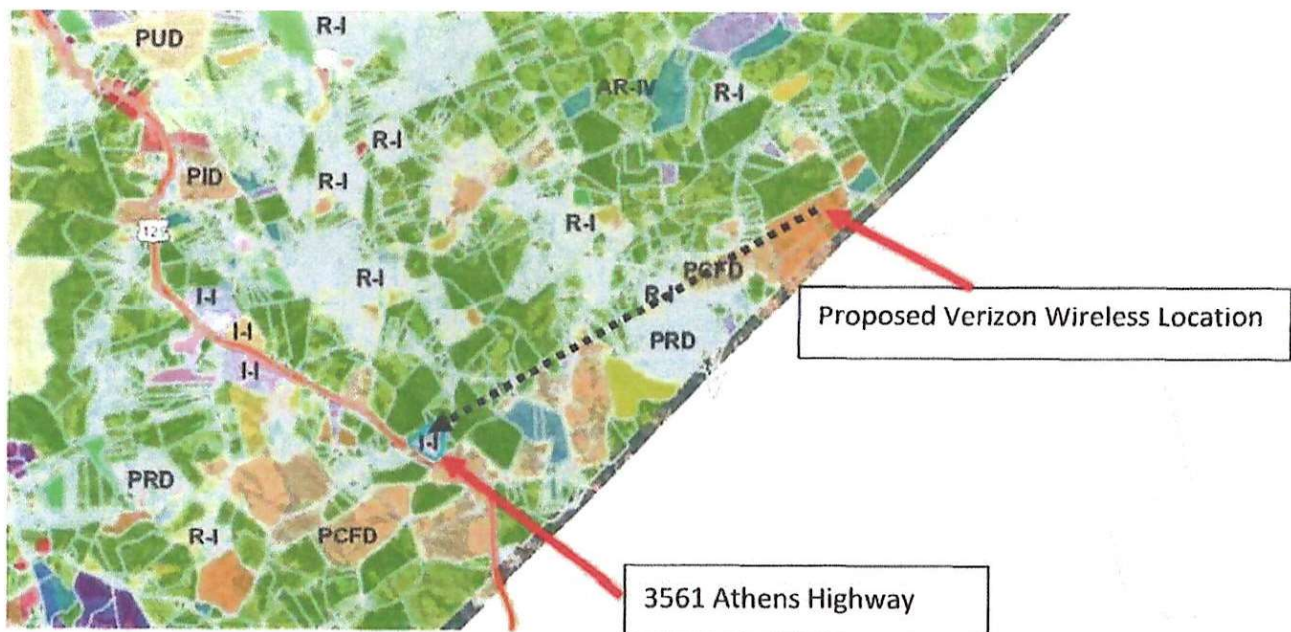
Re: Verizon Wireless Conditional Use Application and Variance Request for 265-foot Self-Supporting Tower
4410 Holly Springs Road, Gillsville, GA 30543

Dear Commission Members:

On behalf of Verizon Wireless and the property owner, Lazy L Land and Cattle Company, LLC, I respectfully submit this application for a Conditional Use Permit for a wireless facility to include a self-supporting telecommunications structure at an overall height of 265-feet, this includes the antennas at a level of 250-feet, the top of the structure will be 255-feet, and there will be a ten-foot lightning rod placed at the top. The subject property address is 4410 Holly Springs Road, Gillsville, GA 30543 and is tax parcel 15002 000061. Due to the required height needed for this structure, Verizon also requests approval of a variance to increase the height from 195-feet to 265-feet. The proposed facility includes a 100' X 100' lease area and will include a 30-foot-wide access and utility easement from Holly Springs Road. The subject property is currently used as a cow pasture.

In researching an area in which a wireless facility is needed, one of the first tasks is to review the jurisdictional ordinance as it relates to cell towers and the zoning maps. Properties that meet the ordinance requirements are vetted as potential candidates. This particular area of Hall County is primarily zoned AR-IV which allows cell towers, although structures are restricted to 195-feet. Nearby properties are primarily medium to large tracts with a mix of single-family and agricultural uses. There are also large tracts that are heavily wooded within the area. The closest non-residentially zoned parcel to the area in need is zoned I-I and is located 2.8 miles southwest at 3561 Athens Highway, see Zoning Map below.

Zoning Map





Additionally, there are no preferred location sites, as described in the County Ordinance, within the area. This includes co-location sites, publicly-used structures, industrial and commercial structures, and alternative structures. Although the proposed location is considered a disfavored location by the County Ordinance, the Ordinance does allow for a cell tower on AR-IV zoned property with approval of a Conditional Use. This site was selected because of owner interest and due to its size. Even at the requested height of 265-feet, the property can accommodate the required setbacks from property lines and residential structures. Additionally, the tower is placed toward the center of the 100.37 acre tract and will have a limited impact upon the area. This area does not include any preferred locations or more favorably zoned parcels, therefore, the property that is under consideration was selected. Additional details regarding this facility's compliance with the County Ordinance is included as Exhibit A – Response to Chapter 17.410 – Standards for Telecommunication Antennas and Towers of the Hall County Code of Ordinances.

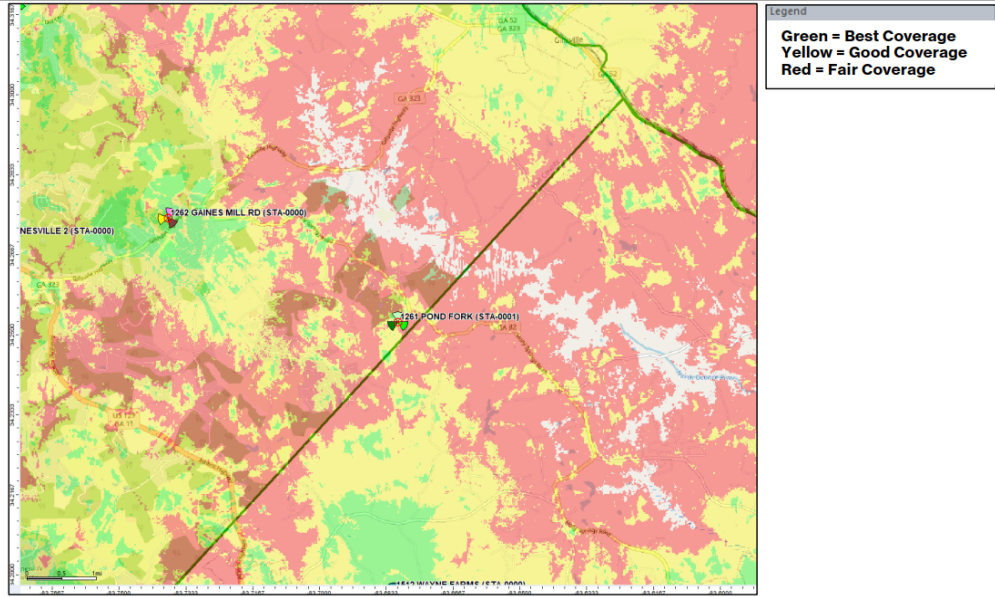
Verizon Wireless does make every reasonable effort to explore existing structures for co-location that are within the communities it is seeking to improve service. This includes existing towers and buildings with significant height to meet the needs for the placement of antennas to provide optimal coverage within an area. By co-locating on an existing tower or building, Verizon Wireless is able to shorten its timeframe to improve service and be more cost effective. The closest tower to the search area is approximately 3.6 miles northwest at 3177 Suggs Road, Pendergrass, GA 30567. Verizon is proposing to co-locate on this tower and it is noted as the Gaines Mill Road site in the RF documentation provided in Exhibit B.

The 100' X 100' lease area includes a 70' X 70' fenced in compound area which will be secured by six-foot fence with two feet of strained barbwire. The compound will be screened by five-foot landscape area to include Leland Cypress along the north, east, and south. There is no landscaping proposed along the west due to existing vegetation that effectively screens the compound from the west. The proposed 265-foot self-supporting structure will be located in the center of the compound with equipment cabinets located at its base.

Verizon Wireless makes every reasonable effort to explore existing structures for co-location that are within the communities it is seeking to improve service. This includes existing towers and buildings with significant height to meet the needs for the placement of antennas to provide optimal coverage within an area. By co-locating on an existing tower or building, Verizon Wireless is able to shorten its timeframe to improve service and be more cost effective. The closest tower to the search area is approximately 3.6 miles northwest at 3177 Suggs Road, Pendergrass, GA 30567. Verizon is proposing to co-locate on this tower and it is noted as Gaines Mill Road in RF documentation in Exhibit B.

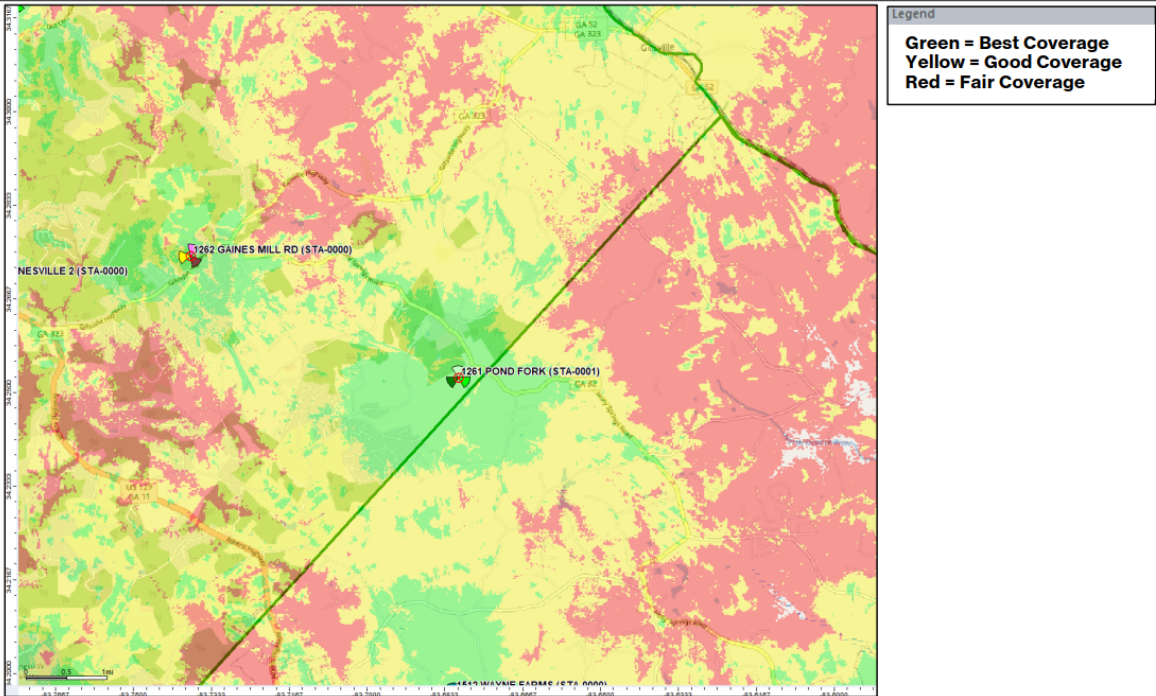
There is currently a significant gap in wireless coverage in eastern Hall County. This gap extends southwest of Gillsville to just north of Athens Highway (see propagation map A on following page). The service in this area is limited to outside service only or poor coverage. Therefore, wireless service in homes, business, schools, and vehicles is restricted. Residents and travelers using their cell phone or tablet for business, education, personal, or in the event of an emergency in this area, may have difficulties with reliable service. This gap is in between three existing sites and two proposed locations. Additional details regarding these sites can be found in Exhibit B – RF Propagation Maps for Pond Fork Site. In order to cover this large area, the subject property located on Holly Springs Road was selected. With the proposed site, wireless service in buildings and homes is greatly improved as is service in vehicles. Additionally, there is reduction in areas that are limited to outside only or areas of poor coverage (see propagation map B on following page).

Propagation Map A - Service Area & Coverage Objective



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Propagation Map B – Coverage with Proposed Site



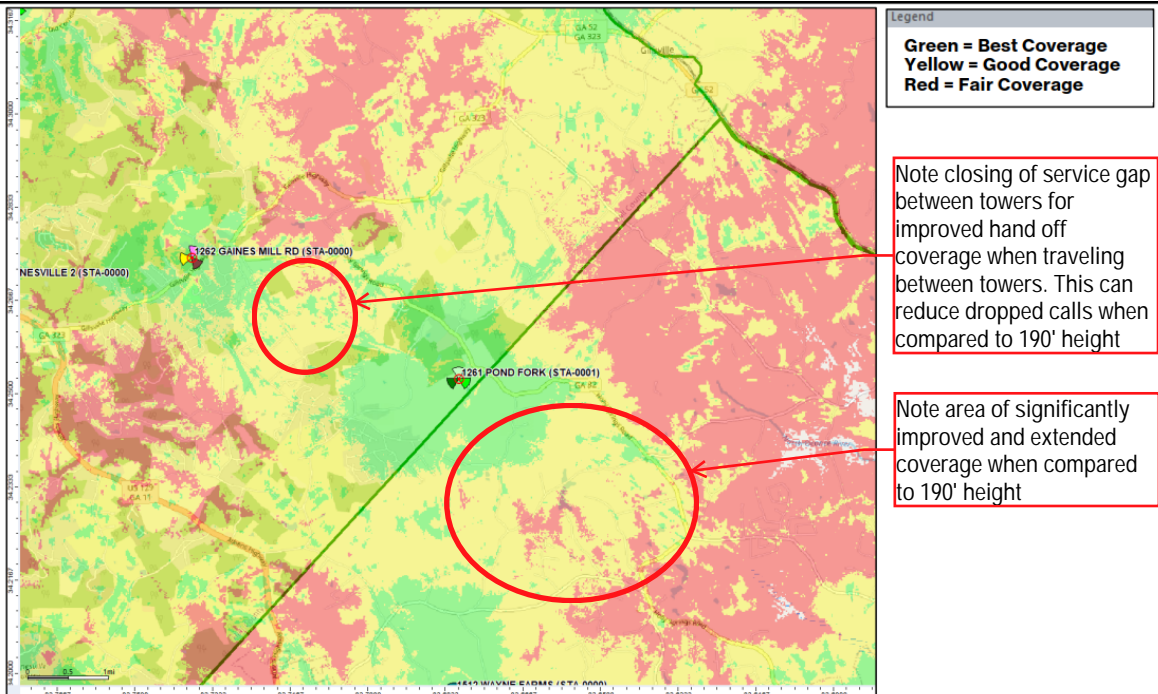
Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

The proposed tower will be designed, constructed, and operated in a safe manner, and in compliance with all applicable and permissible county, state, and federal codes, ordinances, regulations, and standards. The facility will meet all applicable Federal Communications Commission (FCC) requirements. Additionally, the 265-foot structure has been determined to have no hazard to air navigation by the Federal Aviation Administration (FAA), see Exhibit E.

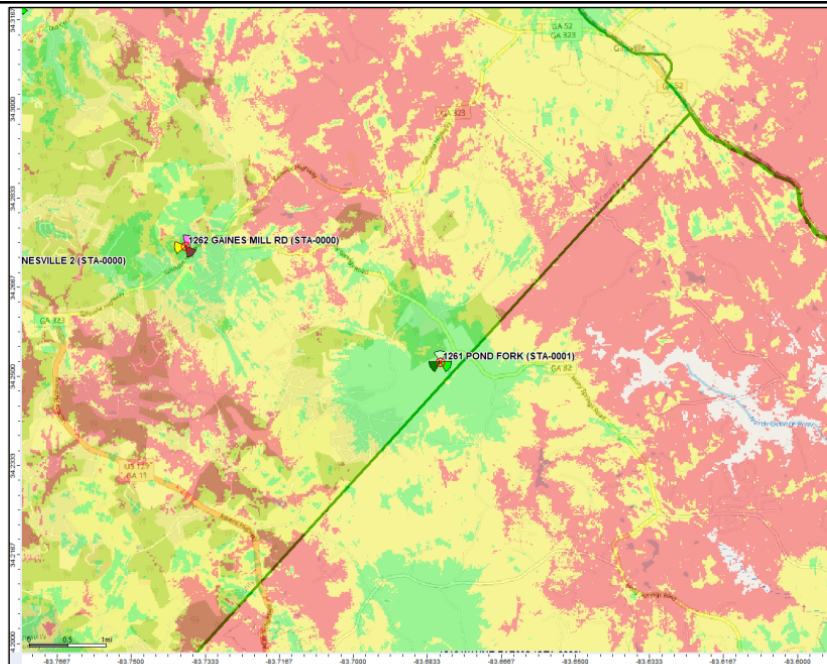
The approval of this Conditional Use application and the associated request to increase the height from 195-feet to 265-feet will allow Verizon Wireless to construct a wireless facility that will better serve residents and travelers in this rural area of eastern Hall County. These customers rely on seamless wireless service for their devices in their homes, places of businesses, and in their cars. They use these devices for personal, business, education, and in the event of an emergency on daily basis. As of June 2020, the National Center for Health Statistics of the Center for Disease Control (CDC) determined that 62.5% of U.S. households are now wireless only. This proposed facility is a part of the infrastructure that will meet the growing demand for reliable wireless service in Hall County.

The proposed height of 265-feet is the minimum height needed to properly fill the significant gap that exist and is documented in this application. Included with the RF documentation in Exhibit B and also below, are propagation maps detailing the level of service with antennas at 250-feet and at 190-feet, see propagation maps C and B below. These maps show the substantial difference in service at the two different levels. Areas that are currently experiencing on-street coverage (in red) are greatly reduced. Furthermore, the service levels received while driving in a car (in yellow) and in-building (in green) are greatly expanded. This is especially noticeable in the southern area of the area in need. This will improve the more populated areas along Harmony Church Road. At this height, the proposed tower meets setbacks from residential structures and property lines. Finally, the tower will be designed to accommodate four additional wireless providers. At this height, other carriers will be able to provide better service to its customers, if there is a need.

Propagation Map C – Antennas With Centerline of 250-feet



Propagation Map D – Antennas With Centerline of 190-foot



Legend
Green = Best Coverage
Yellow = Good Coverage
Red = Fair Coverage

There is significant deterioration in coverage when compared to the previous slide, especially along GA State Route 323, Holy Springs Rd, Bob Bryant Rd and Cobb Griffin Rd.

A centerline of 250' is the ideal height to place antennas to provide adequate coverage with in the desired service area.



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- Exhibit A – Response to Chapter 17.410 – Standards for Telecommunication Antennas and Towers of the Hall County Code of Ordinances
- Exhibit B – RF Engineer Statement of Need and Related Propagation Maps
- Exhibit C – Trileaf Correspondence with Georgia Historic Preservation Division
EDR NEPA Search – Historic Sites
- Exhibit D – Engineers Letter of Opinion of Tower Fall Zone by David Cousins, P.E., Kimley-Horn
- Exhibit E – FAA Determination of No Hazard to Air Navigation

With the exception of the requested height increase and structure type, the proposed wireless facility meets or exceeds all applicable codes in its design, construction, and operation. Therefore, on behalf of Verizon Wireless and the property owner, I respectfully request your approval of this application. If you should have any questions or comments, please feel free to contact me at 770-500-7072 or wbruce@pyramidns.com.

Wayne Bruce

Project Manager

Pyramid Network Services, LLC / for Verizon Wireless