

# AGENDA

John Turpin, Chairman  
Leon Inman, Vice-Chairman  
Sandy McHugh, Member  
Joe Turpin, Member  
Jimmy Walker, Member



**Regular Meeting Board of Commissioners  
Planning & Community Development  
February 1, 2005  
Stokes County  
7:00 pm**

## INVOCATION

## PLEDGE OF ALLEGIANCE

### I. PUBLIC HEARING/ZONING ISSUES

**7:05 pm**

Special Use Permit #163– 199 ft. Telecommunication Tower (Attachment A)  
(Cingular Wireless L.L.C.) – Chelsea Drive

Zoning Text Amendments – Appendix B (Attachment B)

### II. PUBLIC COMMENTS

**7:35 pm**

Chairman John Turpin

### III. OLD BUSINESS

**8:05 pm**

### IV. NEW BUSINESS

**8:20 pm**

**Anyone with disability(ies) who needs an accommodation to participate in this meeting is requested to inform us 48 hours prior to the scheduled time of the affected group meeting.**

**Attachments may be delivered before or at the time of the meeting Times may vary due to times preset for agenda items**

**STAFF REPORT  
Special Use Permit  
Cingular Wireless L.L.C. # 163  
(199 ft. Telecommunication Tower)**

**REQUEST:** Cingular Wireless is requesting a Special Use permit for the construction of a 199 ft. monopole telecommunication tower.

**SITE OWNER:** Norman & Debbie Bevill

**APPLICANT:** Cingular Wireless L.L.C.

**INITIAL SERVICE PROVIDER:** Cingular

**SITE LOCATION:** The property is located at 1050 Chelsea Drive off of NC Hwy 8 in the Germanton area.

**Map:** 693202  
**Deed Book:** 328

**Parcel:** 9574  
**Page:** 959

**PIN #:** 6932-02-76-9574  
**Township:** Meadows

**SITE INFORMATION:**

**PARCEL SIZE:** Total tract 29.44 acres

**PROPOSED LEASE LOT:** .23 acres, 10,000 sq. ft. (100 ft. x 100 ft.)

**PROPOSED TOWER HEIGHT:** 199 FT. (195 ft. tower, 4 ft. lightning rod)

**PROPOSED TOWER TYPE:** Self supporting monopole

**CAPACITY:** (6) Antennae arrays

**ZONING DISTRICT:** RA (Residential Agricultural)

**FLOOD HAZARD AREA:** Not located in flood hazard area.

**FIRM MAP #:** 370362 0150 B

**FIRM MAP ZONE:** Zone X - Area outside 500-year floodplain.

**WATERSHED DISTRICT:** N/A

**EMERGENCY SERVICES:** South Stokes VFD, EMS - Station # 102 Walnut Cove.

**ACCESS:** Access for the site will be from a 20 ft. easement beginning at the end of an existing 30 ft. access easement that begins at NC Hwy 8 and is identified as Chelsea Dr. a private road. The new 20 ft. easement terminates at the leased area. The access easement lies within the properties owned by Kevin Bevill, (6932-02-76-1690) and Norman and Debbie Bevill, (6932-02-76-9574).

**STAFF COMMENTS:** The proposed site meets the requirements as set forth in appendix B of the zoning ordinance. Trigon Engineering has given us a letter of approval stating that the applicants have fulfilled the technical requirements of the ordinance. A staff review of the application and site concur with Trigon's recommendation. The zoning requirements for issuing a special use permit are:

136.1 Intent of Special Use District

The development and execution of this Ordinance is based upon the division of the County's jurisdiction into districts where the use of the land and buildings and structures in relation to the land are substantially uniform. It is understood that certain uses which because of their unique characteristics, are not easily classified into any particular zoning district or districts. In this situation, individual consideration for each case must be taken to determine the impact of those uses upon surrounding land and the public need for that particular use in that specific location. In these situations, a special use permit must be obtained.

The Board must respond and vote on each of the following items concerning the issuance of a Special Use permit.

136.8 Action by the Responsible Body

The responsible body shall approve, modify, or deny the application for special use following the public hearing. In granting a special use, the responsible body shall insure:

- (a) The requested use is listed among the special uses in the district for which application is made.
- (b) The requested use is essential or desirable to the public convenience or welfare.

- (c) The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare.
- (d) Due consideration has been given to the suitability of the property for the use applied for with respect to trends of growth or change; the effect of the proposed use upon the community; requirements for transportation, schools, parks, playgrounds, recreational area, conservation of natural resources, preservation of floodplains, and encouraging the most appropriate use of the land.
- (e) Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.
- (f) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

136.9 Conditions and Guarantees

Prior to the granting of any special use, the Planning Board may recommend, and the responsible body may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as it deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in Subsection 136.5 above. In all cases in which special uses are granted, the responsible body shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated are being met. Conditions may include, but not limited to, the following:

- (a) Conditions may be imposed to abate or restrict noise, smoke, dust, or other elements that may affect surrounding properties.
- (b) Establish setback, side, front, and rear yard requirements necessary for orderly expansion and to prevent traffic congestion.
- (c) Provide adjoining property with a buffer or shield from view of the proposed use if necessary.
- (d) Establish a time limit at expiration of which the permit or approval shall no longer be valid, or shall require renewal.

**PLANNING BOARD RECOMMENDATION:** The Planning Board recommended approval of the Special Use permit by a vote of 8 to 0.

**Zoning Text Amendments**  
**Appendix B Wireless Telecommunication Facilities Requirements**

The Wireless Telecommunication Facilities Requirements, (Appendix B) have been in effect for over two years. A periodic review of this section has indicated a need to add additional requirements in one area and additional wording in some sections for clarity.

Jonathan Jordan, County Attorney has reviewed the text proposals and stated that he has no problems with them.

**Amend Stokes County Zoning Ordinance Appendix B (Wireless Telecommunication Facilities Requirements) the following Sections:**

**Definitions:** Special Use Permit for Co-location: Means the official document or permit by which an Applicant is allowed to use existing Wireless Telecommunications Facilities for co-location purposes as granted or issued by the County. This is an administrative procedure not requiring Board action.

**PLANNING BOARD RECOMMENDATION:**

Approved: Yes

Vote: 8 to 0

**Special Use Permit Application and Other Requirements, Section Y: to add the following.** " If the applicant fails to complete the application process within one year from the date of the initial balloon test, there shall be another balloon test required to be scheduled and performed prior to the public meeting and hearing".

**PLANNING BOARD RECOMMENDATION:**

Approved: Yes

Vote: 8 to 0

**Action on an Application for a Special Use Permit for Wireless Telecommunications Facilities: Add the following after "not requiring Board action", "and will be considered a Special Use permit for Co-location".**

**PLANNING BOARD RECOMMENDATION:**

Approved: Yes

Vote: 8 to 0

**Performance Security: Add the following after \$75,000.00 "for new tower construction and \$25,000.00 for co-location construction".**

**PLANNING BOARD RECOMMENDATION:**

Approved: Yes

Vote: 8 to 0