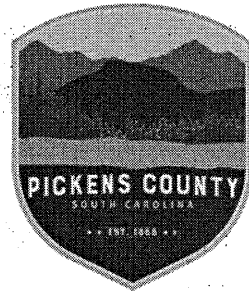


MEMBERS
GARY STANCELL, *District 2*
Chairman
DAVID COX, *District 6*
Vice Chairman
BOB BALLENTINE, *District 1*
PHILIP SMITH, *District 3*
JON HUMPHREY, *District 5*
CLAY COUNTS, *At Large*
MICHAEL WATSON, *District 4*

PICKENS COUNTY

SOUTH CAROLINA

PLANNING COMMISSION



AGENDA

Pickens County Administration Building
Emergency Operations Center
222 McDaniel Avenue, Pickens, South Carolina

June 12, 2023

Planning Commission Workshop - 6:00
Planning Commission Meeting - 6:30 pm

- I. **Welcome and Call to Order**
Moment of Silence
Pledge of Allegiance
- II. **Introduction of Members**
- III. **Approval of Minutes**
May 8, 2023
- IV. **Public Comments**
Members of the public are invited to address the Planning Commission on relevant topics not on this agenda.
- V. **Public Hearings**

LU-23-0014 – Cell Tower on James Mattison Road

LU-23-0015 – Campground/RV Park Expansion
- VI. **New Business**
- VII. **Commissioner and Staff Discussion**

Setbacks in Open Space Subdivisions
- VIII. **Adjourn**

PICKENS COUNTY PLANNING COMMISSION

MINUTES

of

May 8, 2023

6:30pm

PICKENS COUNTY ADMINISTRATION BUILDING Main Conference Room

NOTICE OF MEETING AND PUBLIC HEARING: Pursuant to Section 30-4-80 of the S.C. Code of Laws, annual notice of this Commission's meetings was provided January 1, 2023 via the Pickens County Website and posted next to the Offices of the County Planning Department. In addition, the agenda for this meeting was posted outside the meeting place (Pickens County Administration Building Bulletin Board) and was emailed to all persons, organizations, and news media requesting notice. Notice for the public hearings was published in the *Pickens County Courier*, posted on the properties subject of public hearing(s), and emailed to all persons, organizations, and news media requesting notice pursuant to Section 1205(d)(1) of the Pickens County Unified Development Standards Ordinance.

MEMBERS PRESENT:

Gary Stancell, Chair
David Cox, Vice Chairman
Jon Humphries
Clay Counts
Mike Watson

MEMBERS ABSENT:

Phil Smith
Bobby Ballentine

STAFF PRESENT:

Trad Julian, Planning Supervisor
Todd Steadman, Planner

Welcome and Call to Order

Mr. Stancell, the Presiding Official, called the meeting to order and asked those in attendance to join in a moment of silence and then asked everyone to recite the Pledge of Allegiance.

Mr. Stancell then asked for the members of the Commission to introduce themselves.

Approval of Minutes

Mr. Stancell called for approval of the minutes of the April 10, 2023 meeting.

Mr. Watson made a motion to approve the minutes. Mr. Counts seconded.

Mr. Stancell called for a vote. The motion passed unanimously (5-0).

Chairman Stancell then asked for a motion to amend the agenda in order to take up the matter of a shooting range at the Reserve under New Business. Mr. Counts made a motion to amend the agenda in order to take up the matter of a shooting range at the Reserve under New Business. Mr. Cox seconded. Chairman Stancell called for a vote. The motion to amend the agenda passed unanimously.

1 **Public Comments**

2
3 Chairman Stancell asked if there was anyone present who wished to make a public comment regarding an item not on
4 the agenda.
5

6 Carol Johnson asked about guidelines for building in a flood plain or watershed. She also asked staff to consider
7 amending the definition of "watershed" to match that of the EPA.
8

9 Daniel Lee was there representing the Community Alliance for Sustainable Development. He asked that the County be
10 bold in their actions and to consider introducing design and building quality standards, require larger lots, more open
11 space, increased setbacks, and to introduce a tree ordinance.
12

13 Chairman Stancell pointed out that tonight was not the "end of the road" for this work. He stated that the Planning
14 Commission will be making recommendations tonight but that there will be more public input and that the final decision
15 will rest with County Council.
16

17 Mr. Counts pointed out that "we don't" get the land back" once it's developed and that he was leaning towards more
18 protections.
19

20 Mr. Cox pointed out that less development may be better but we can't stop it. He said the Planning Commission was
21 trying to make positive changes and that one way to look at it is that we either go "up" or "out". He reminded those in
22 attendance that the role of the citizens is to keep this in the forefront of the mind of the politicians and to engage their
23 representatives.
24

25 **Public Hearings**

26
27 Mr. Stancell then opened the public hearing portion of the meeting and called for the first case to be heard.
28

29 **9A – Section 504 (a) Maximum number of lots.**

30 Chairman Stancell called for a motion. Mr. Humphries made a motion to approve as presented. Mr. Cox seconded.
31 Chairman Stancell called for a vote. The motion passed unanimously (5-0).
32

33 **9B – Section 505 - Open Space Subdivisions**

34 Chairman Stancell called for a motion. Mr. Counts made a motion to approve as presented. Mr. Humphries seconded.
35 There was discussion about what was meant by "adequate lane width" and the pros and cons of adding a minimum
36 width.
37

38 Mr. Counts opened the discussion of amending the ordinance to make the required open space be 40% instead of
39 30%. There was much discussions. Chairman Stancell pointed out that even if it is a well-intended or good idea, every
40 time we change "%" we are taking away some rights from a property owner.
41

42 Mr. Cox made a motion to amend the motion to require 40% open space. Mr. Humphries seconded. Chairman Stancell
43 called for a vote. The motion to amend passed unanimously. (5-0).
44

45 Mr. Cox then made a motion to amend the motion to require four-foot sidewalks along any frontage that has at least
46 one curb cut every 300'. Chairman Stancell called for a vote. The motion to amend passed unanimously. (5-0).
47

48 Chairman Stancell then called for vote on the amended ordinance. The motion to approve passed unanimously. (5-0).
49

50 **9C – Matrix of land use dimensions**

51 Chairman Stancell called for a motion. Mr. Cox made a motion to deny the matrix as presented. Mr. Humphries
52 seconded. There was discussion about the setbacks for open space and the lack of clarity regarding the labeling of the
53 matrix and accessory buildings. Chairman Stancell called for a vote. The motion to deny passed unanimously. (5-0).
54
55
56

1 **9E – Section 603 and Section 606 – Number of parking spaces and landscaping of parking lots**

2 Chairman Stancell called for a motion. Mr. Humphries made a motion to approve as presented. Mr. Counts seconded.
3 There was discussion about how much pervious paving should be required. Mr. Counts made a motion to amend the
4 motion to read “110% of the require parking spaces shall be installed as pervious” instead of “All parking spaced in
5 excess of the minimum shall be installed as pervious”. Mr. Cox seconded. Chairman Stancell called for a vote. The
6 motion to amend passed unanimously. (5-0). Chairman Stancell then called for a vote on the amended motion. The
7 amended motion passed unanimously. (5-0).
8

9 **10A – Section 104 – RV’s as a dwelling unit.**

10 Chairman Stancell called for a motion. Mr. Humphries made a motion to approve as presented. Mr. Counts seconded.
11 Mr. Julian pointed out that the Building Official requested that we remove the language regarding RV smoke alarms
12 adhering to IRC standards due to the fact that the IRC does not regulate RV’s. Chairman Stancell called for a vote on
13 the ordinance with the smoke alarm language removed as requested. The motion passed unanimously. (5-0).
14

15 **10B – Section 302 – Minimum acres for an RV park**

16 Chairman Stancell called for a motion. Mr. Humphries made a motion to approve as presented. Mr. Counts seconded.
17 Mr. Humphries pointed out that in 302(b)1 staff used the numeral “5” whereas the rest of the ordinance spelled out the
18 word “five”. Chairman Stancell called for a vote. The motion to approve passed unanimously. (5-0).
19

20 **10C – Section 315 – Tiny Home Development Standards**

21 Chairman Stancell called for a motion. Mr. Humphries made a motion to approve as presented. Mr. Counts seconded.
22 There was discussion about correcting the numbering/lettering and a request to clarify item 314 (d)3 – g to read that
23 “all lots shall be setback from all adjacent property lines by a minimum of ten (10) feet.” Chairman Stancell called for a
24 vote on the ordinance with the numbering/lettering corrected and the language change as discussed. The motion
25 passed unanimously. (5-0).
26

27 **10D – Section 314 – Townhome development standards**

28 Chairman Stancell called for a motion. Mr. Humphries made a motion to approve as presented. Mr. Counts seconded.
29 There was discussion about changing the numbering, eliminating the redundant language referencing Section IV-14,
30 specifying that required trees be 2.5” in caliper, and increasing the open space requirement to 40% to match that of
31 Open Space Developments. Mr. Watson made a motion to amend the motion as discussed. Mr. Cox seconded.
32 Chairman Stancell called for a vote. The motion passed unanimously. (5-0).
33

34 **11 – Article 10 – Traffic Study Policy**

35 Chairman Stancell called for a motion. Mr. Humphries made a motion to approve. Mr. Cox seconded. There was
36 discussion about changing 500 -1000 to 501 to 1000 and 1000-1250 to 1001-1250 in both tables and to require a
37 speed study for any development over 1000 trips/day. Chairman Stancell called for a vote on the ordinance with the
38 changes discussed. The motion passed unanimously. (5-0).
39

40 **12 – Amendment to Land Use Application regarding Traffic Studies**

41 Chairman Stancell called for a motion. Mr. Cox made a motion to approve. Mr. Counts seconded. Chairman Stancell
42 called for a vote. The motion passed 4-1 with Mr. Humphries casting the dissenting vote. Mr. Humphries went on to
43 say that the reason he voted against the motion was that he felt the Planning Commission should have the benefit of
44 a completed traffic study and an analysis of the study prior to making a decision on a given project.
45

46 Mr. Steadman pointed out the rationale was to protect the community by uniformly requiring traffic studies under certain
47 conditions and to allow the Planning Commission to rule on the land use being proposed while deferring to the County
48 staff that is trained and credentialed in traffic engineering to evaluate the traffic studies and require the developer to
49 adhere to any or all roadway improvements that result from that evaluation.
50

51 **13 – Section 1012 – Removal of Common Drives**

52 Chairman Stancell called for a motion. Mr. Humphries made a motion to approve. Mr. Counts seconded. Chairman
53 Stancell called for a vote. The motion passed unanimously. (5-0).
54
55
56

1 **New Business:** Trad Julian presented the Commission with an overview of the situation stating that:

3 The Reserve wants to put in a shooting range.

4 Staff's interpretation of the ordinance is that it is subject to the UDSO. However, there is sufficient "gray area" to err
5 on the side of caution and to allow the Planning Commission to make the call.

6 Referencing Section 305 of the UDSO (which was handed out to the Commission) Mr. Julian pointed out that the
7 following language is critical to the decision:

8 *This section is intended to set standards for the establishment and operation of outdoor shooting ranges and facilities*
9 *receiving remuneration for use of the facility. Such facilities, due to their potential noise impacts and safety concerns,*
10 *merit careful review to minimize adverse effects on nearby properties. All applications for the operation of any facility*
11 *wherein the firearms of any sort are discharged out of doors and such facility is open to the public, whether by*
12 *membership or in general, and remuneration is received for the use of the facility shall be governed by this Section.*

13
14 Mr. Julian pointed out that it is staff's opinion that the facility is receiving remuneration via HOA fees and that it is
15 open to the public via membership (HOA fees) and, therefore, it should be governed by the UDSO.

16 The applicant maintains that this is a private facility and is not open to the public. And the ordinance does say: "This
17 section does not otherwise apply to the general discharge of firearms on private property in accordance with all
18 other applicable laws or regulations."

19 Mr. Julian pointed out that everything the UDSO governs is on private property. And Section 305 (c) of the ordinance
20 further reads that: *It is the intent of this section to accomplish the following: (1) Permitting and compliance. Outdoor*
21 *shooting range facilities shall only be established, expanded, and operated in accordance with valid land use*
22 *approval from the Pickens County Planning Commission.*

23 *Mr. Humphries made a motion to consider the matter. Mr. Counts seconded. Mr. Counts said he felt this should come*
24 *before the Planning Commission. Mr. Humphries agreed. Chairman Stancell expressed his concern that this was not*
25 *something that should require Planning Commission approval.*

26 *Chairman Stancell then called for a vote to bring the matter before the Planning Commission. The motion passed 4-1*
27 *with Chairman Stancell dissenting for the reasons cited above.*

28 **Commissioners and Staff Discussion**

29 Mr. Steadman and Mr. Humphries further discussed the matter of the Traffic Study Policy.

31 **Adjourn**

33 There being no additional matters to be taken up by the Commission, Chairman Stancell called for a motion to adjourn.
34 Mr. Humphries made a motion to adjourn. Mr. Counts seconded. Mr. Stancell called for discussion. Hearing none he
35 called for a vote. The motion passed unanimously. (5-0).

37 The meeting was adjourned at 9:35 pm.

39 Submitted by:

42 Secretary

Date

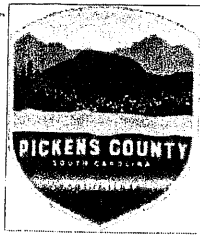
44 Approved by:

48 Chairman

Date

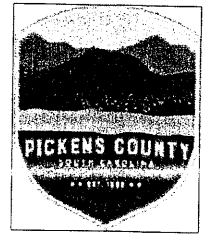
LU-23-0014

**James Mattison Road
Wireless Tower**



PICKENS COUNTY

SOUTH CAROLINA



COMMUNITY DEVELOPMENT

BUILDING CODES ADMINISTRATION • STORMWATER MANAGEMENT • PLANNING

APPLICATION FOR:

☒ Land Use Review /Subdivision Review

☐ Subdivision Variance

Case No.: _____ - _____ - _____

Note to Applicant: All applications must be typed or legibly printed and all entries must be completed on all the required application forms. If you are uncertain to the applicability of an item, please contact a member of the Planning Staff. Incomplete applications or applications submitted after the posted deadlines will be delayed.

Name of Applicant Jonathan L. Yates for 1A Towers, LLC

Mailing Address 105 Broad Street, 3rd Floor, Charleston, SC 29401

Telephone (843) 414-9754 Email jlc@hellmanyates.com

Applicant is the: Owner's Agent X Property Owner _____

Property Owner(s) of Record Minnie Ables Holcombe

Mailing Address 205 Sharon Church Road, Liberty, SC 29657

Telephone (843) 414-9754 Email jlc@hellmanyates.com

Authorized Representative Jonathan L. Yates

Mailing Address 105 Broad Street, 3rd Floor, Charleston, SC 29401

Telephone (843) 414-9754 Email jlc@hellmanyates.com

Address/Location of Property 312 James Mattison Road, Liberty, SC 29657

Existing Land Use Agricultural/ Vacant Proposed Land Use Wireless telecommunications facility

Tax Map Number(s) 4095-01-25-1293

Total Size of Project (acres) .20

Number of Lots 1

Utilities:

Proposed Water Source: ☐ Wells ☐ Public Water Water District: N/A

Proposed Sewer: ☐ Onsite Septic ☐ Public Sewer Sewer District: N/A

Application for Land Use Review

Pickens County, South Carolina

REQUEST FOR VARIANCE (IF APPLICABLE):

Is there a variance request from the subdivision regulations or county road ordinance? ☐ Yes ☒ No
If YES, applicant must include explanation of request and give appropriate justifications.

RESTRICTIVE COVENANT STATEMENT

Pursuant to South Carolina Code of Laws 6-29-1145:

I (we) certify as property owner(s) or as authorized representative for this request that the referenced property:

- ☐ IS subject to recorded restrictive covenants and that the applicable request(s) is permitted, or not other wise in violation, of the same recorded restrictive covenants.
- ☐ IS subject to recorded restrictive covenants and that the applicable request(s) was not permitted, however a waiver has been granted as provided for in the applicable covenants. *(Applicant must provide an original of the applicable issued waiver)*
- ☒ IS NOT subject to recorded restrictive covenants

SIGNATURE(S) OF APPLICANTS(S):

I (we) certify as property owners or authorized representative that the information shown on and any attachment to this application is accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for postponement of action on the request and/or invalidation of this application or any action taken on this application.

I (we) further authorize staff of Pickens County to inspect the premises of the above-described property at a time which is agreeable to the applicant/property owner.

Signature of Applicant

Date

04.28.23

PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application and understands that an application affecting the use of the property has been submitted for consideration by the Pickens County Planning Commission.

Signature of Owner(s)

April 5, 2023

Date

PICKENS COUNTY STAFF USE ONLY

Date Received _____ Received By _____

Pre-Application meeting held with _____ on _____

Application Forwarded to (date):

DHEC _____ ☐ N/A

County Engineer _____ ☐ N/A

SCDOT _____ ☐ N/A

Local VFD _____ ☐ N/A

School Board _____ ☐ N/A

Planning Commission Hearing Date _____

Deadline for Notice to Paper _____ to run _____

Letter of Hearing Sent to Applicant _____

Sign Placement Deadline _____

Planning Commission Action(date) _____

☐ Approval ☐ Approval w/ modifications ☐ Denial
Modifications _____

Notice of Action to Applicant _____

Application Processing

Hearing and Action



Pickens County, South Carolina
Attachment A
LAND USE REVIEW
Standards of Land Use Approval Consideration

In consideration of a land use permit, the Planning Commission shall consider factors relevant in balancing the interest in promoting the public health, safety, and general welfare against the right of the individual to the unrestricted use of property and shall specifically consider the following objective criteria. Due weight or priority shall be given to those factors that are appropriate to the circumstances of each proposal.

Please respond to the following standards in the space provided or you may use an attachment as necessary:

- (A) Is the proposed use consistent with other uses in the area or the general development patterns occurring in the area?

The proposed use will provide the necessary platform for T-Mobile and up to four (4) additional
broadband carriers to provide effective wireless voice and advance broadband service to the surrounding area.

- (B) Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?

As it will be providing necessary wireless infrastructure to serve the residents and travelers throughout the
surrounding area, the proposed tower will not adversely affect the existing use or usability of the adjacent or
nearby properties.

- (C) Is the proposed use compatible with the goals, objectives, purpose and intent of the Comprehensive Plan?

By providing effective wireless infrastructure to the surrounding area, we feel that we meet the intent of the
OnePickens County Comprehensive Plan.

- (D) Will the proposed use not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

The proposed use will only require the provision of power and telco. After a 45-60 day construction period the
unmanned wireless telecommunications facility will only be visited by the carriers 8-10 times a year, thus not
impacting the road system in the surrounding area.

- (E) Is the property suitable for the proposed use relative to the requirements set forth in this development ordinance such as off-street parking, setbacks, buffers, and access?

The proposed use meets all requirements of Section 3.11: Wireless Communication Facilities of the
Pickens County Unified Development Standards Ordinance.

- (F) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

The proposed use is a great aid to public safety by providing effective access to E911 first responders: Fire,
Police, and EMS.

HELLMAN YATES

ATTORNEYS AND COUNSELORS AT LAW

JONATHAN L. YATES
DIRECT VOICE 843 414-9754
JLY@HELLMANYATES.COM

HELLMAN & YATES, PA
105 BROAD STREET, THIRD FLOOR
CHARLESTON, SOUTH CAROLINA 29401
V 843 266-9099
F 843 266-9188

April 28, 2023

VIA FEDERAL EXPRESS

Trad Julian
Pickens County Planning Department
Pickens County Administration Facility
222 McDaniel Avenue, B-10
Pickens, SC 29671

Re: Proposed 225 foot self-support tower and wireless telecommunications facility by 1A Towers, LLC for T-Mobile to be located at 312 James Mattison Rd., Liberty, SC 29657 - Site Name: Liberty - Site Number: SC989 - PIN# 4095-01-25-1293

Dear Trad,

Enclosed, please find the application of 1A Towers, LLC for a proposed 225 self-support tower and wireless telecommunications facility to be built for T-Mobile and at least four (4) additional broadband carriers. The proposed facility will be located on the property of Minnie Ables Holcombe, which is designated as Pickens County tax parcel number 4095-01-25-1293. In support of this request, we have taken the liberty of recasting the relevant sections of Section *311. Wireless Communication Facilities* with our answer to the relevant section in bold font underneath. As will be evident from a review of the attached, both 1A Towers and T-Mobile have not only met, but also has exceeded, all of the necessary requirements for approval under Section *311. Wireless Communication Facilities*.

311 (e) Height limitations and co-location requirements.

- (1) Antennas attached to existing buildings or structures other than towers shall not increase the total height by more than 20 feet.
- (2) Concealed support structures in any agricultural area shall not exceed 150 feet in height and shall not exceed 70 feet in height in any residential area. Concealed support structures in other areas shall not be limited as to their height. Co-location for additional users may be required contingent upon the design of the structure.
- (3) Towers located in agricultural areas shall not exceed 250 feet in height.
- (4) Monopoles located in any area of Pickens County shall not exceed 200 feet in height.
- (5) All towers over 100 feet in height shall have structural capacity and ground or interior equipment space to accommodate multiple users. Towers up to 150 feet shall accommodate at least 3 users. Towers over 151 feet shall accommodate at least 5 users.

1A Towers' proposed self-support tower and wireless telecommunication facility is designed to be 225 feet a.g.l. in height and the Holcombe property

is located in an agricultural area of Pickens County, thus meeting the requirements of Section 311(e). 1A Towers has designed the proposed self-support tower and wireless telecommunication facility for T-Mobile and four (4) additional wireless carriers as shown on Sheet A-2 of the Site Plans and Drawings by SC Professional Engineer Christopher D. Morin attached hereto as Exhibit "1" and incorporated herein by reference.

311 (f) Design criteria.

(1) Setbacks

a. Each tower shall be located no less than a distance equal to the height of the tower from any property used for single-family residential purposes.

The proposed wireless communication facility is located 225 feet away from any property used for any single family residential purposes, as shown on Sheet A-o of Exhibit "1".

b. Each tower shall be located at least one-third of its height from any public right-of-way.

At 225 feet, this provision requires a setback of 75 feet from any public right-of-way, and the proposed facility is setback 225 feet from James Mattison Rd. as shown on Sheet A-o of Exhibit "1".

c. Setbacks shall be based on the entire lot on which the tower is located and shall not be applied to any lease area within the host parcel.

Applicant accepts and acknowledges this provision.

d. The property leased or owned by the applicant must include the entire tower fall zone as certified by a qualified independent engineer licensed in the State of South Carolina.

1A Towers will lease from Minnie Ables Holcombe an area that encompasses a 225 foot fall zone around the wireless communication facility as shown on Sheet A-o of Exhibit "1". The fall zone has been certified at 225 feet by SC Professional Engineer Robert E. Beacom attached hereto as Exhibit "7" and incorporated herein by reference.

(2) Landscaping, screening and visual impact.

a. A minimum 10 foot wide area meeting buffer standards shall surround towers and related equipment. Landscaping and buffer areas must be under the ownership or long-term lease of the tower owner. The required buffer area may be reduced or waived by the Director of Community Development if existing natural vegetation on site provides sufficient screening from adjacent properties and public rights-of-way.

1A Towers will provide for a minimum of a 10 foot wide area meeting buffer standards that will surround the wireless communication facility and related equipment. The Holcombe property enjoys a very heavy existing and mature vegetation that will adequately screen the compound. Therefore, 1A Towers is requesting that natural screening

be used in lieu of landscaping as shown in Note #4 on Sheet A-o of Exhibit "1".

b. Antennas and related equipment attached to existing structures other than towers shall be of the same color as any feature of the structure that forms the background.

This provision is not applicable as the application does not utilize any existing structures other than towers.

c. Antennas and related equipment attached to historically or architecturally significant structures or within Significant View Corridors, as established by Pickens County or state or federal law or agency, shall be concealed in a manner that matches the architectural features of the structure.

This provision is not applicable as the proposed self-support tower and wireless communication facility is not being attached to historically or architecturally significant structures or within Significant View Corridors as established by Pickens County or state or federal law or agency. Please see Note 1 on Sheet A-o of Exhibit "1".

d. Concealed support structures shall have all related equipment screened from view by one of the following methods:

1. Locating all equipment in an existing building;
2. Locating all equipment in an underground vault; or
3. Locating all equipment in a new building that is of an architectural style similar to existing buildings or compatible with the specific environment.

This provision is not applicable as the proposed self-support tower and wireless communication facility will not be employing a concealed support structure.

(3) Lighting.

Security Lighting of the facility is allowed to the extent that the light source is shielded from adjacent properties. Towers shall not be lighted beyond that required by the FAA. If lighting is required on a tower located within 1 mile of a residential use, the owner shall request FAA approval of a dual-lighting system.

The proposed facility will be required by the FAA to be illuminated as shown in Note #2 on Sheet A-2 of Exhibit "1". 1A Towers shall request FAA approval of a dual-lighting system, which will be shielded from adjacent properties. FAA Notice of Proposed Construction or Alteration-Off Airport is attached hereto as Exhibit "9" and incorporated herein by reference."

(4) Security.

All towers and related equipment shall be enclosed by decay-resistant security fencing not less than 6 feet in height and shall be equipped with other anti-climbing devices as appropriate to prevent unauthorized access.

1A Towers will enclose an area of 60 by 60 feet with a decay resistant security fence, which will be eight (8) feet in height and topped with 1 foot of

barbed wire as an anti-climbing device, for a total height of nine (9) feet as shown on Sheets A-0 and A-3 of Exhibit "1".

(5) Signage.

Tower facilities shall have mounted in a conspicuous place, a sign of not more than 1 square foot in area, identifying the facility's owner and providing a means of contact in the event of an emergency. All other signs and any forms of advertising are prohibited.

1A Towers and all other users of the proposed wireless communications facility will only place the federally required site identification and emergency signage on the proposed facility as shown on Sheet A-4 of Exhibit "1". There will be no advertising signage on the facility.

(6) Compliance.

All towers, concealed support structures, antennas, and related equipment shall comply with all building, electrical, and other codes currently in force, the applicable standards of the Electronic Industries Association and the applicable regulations of the Federal Communications Commission and Federal Aviation Administration.

The proposed wireless communications facility will comply with all building, electrical, and other codes currently in force, the applicable standards of the Electronic Industries Association, and the applicable regulation of the Federal Communications Commission and Federal Aviation Administration, at all times.

311 (g) Application requirements.

(2) Land Use Review.

All applicants for special use approval shall submit the following in addition to all documentation required by the Procedures and Permits Article for special use applications:

- a. A written statement of commitment to use the proposed site from at least one federally-licensed wireless service provider.

Please see the Letter of Intent signed by RF Engineer Mark Dulniak of T-Mobile attached hereto as Exhibit "2" and incorporated herein by reference.

- b. Narrative and graphic materials, such as signal propagation plots, prepared by a radio frequency engineer clearly explaining and illustrating the proposed service provider's need for the new antenna installation. In documenting need, the applicant will address the proposed site's relationship to the existing antenna network, existing towers, and tall structures located within 1 mile of the proposed location, the reasons why co-location on an existing tower is not feasible, the required antenna height and alternate location as may be appropriate.

As shown on Sheet A-0 of Exhibit "1", there are no existing towers within two miles of the proposed facility. Consequently, there is a need for a facility this height to provide appropriate coverage to the

surrounding area. Propagation Plots are attached as Exhibit “3” and incorporated herein by reference (to be provided by separate cover).

c. Architectural renderings or simulated photographs of all proposed structure(s) in their physical environment with particular attention to views from public streets or residential uses.

Architectural renderings of the proposed wireless communication facility is provided on Sheet A-2 of Exhibit “1”. A Visual Impact Analysis of the proposed wireless communication facility are attached hereto as Exhibit “4” and incorporated herein by reference.

d. For facilities located on properties being leased:

1. A copy of the lease agreement shall be submitted which must be signed by the property owner and notarized to ensure that compatibility is met.

A copy of the Redacted PCS Site Agreement between Envision and Minnie Ables Holcombe, the Recorded Memorandum of Lease and the Assignment and Assumption of PCS Site Agreement between Envision and 1A Towers, Inc. are attached hereto as Exhibit “5” and incorporated herein by reference.

2. A plat of the area to be leased. This area must have access via private easement to a public road.

A plat of the area being leased by 1A Towers from Minnie Ables Holcombe is attached hereto as Exhibit “6” and incorporated herein by reference.

e. For towers or concealed support structures, a report from a qualified independent engineer licensed in the State of South Carolina documenting the following:

1. The location of the facility by longitude and latitude, ground elevation and total height.

2. Total anticipated capacity of the tower or concealed support structure, including assumptions as to number and type of antennae supported.

3. Evidence of the structural integrity of the structure with respect to wind and ice loadings.

4. Design characteristics that indicate the limits of falling debris in the event of catastrophic structural failure.

Please see Exhibits “1” and “7”.

f. A scale drawing of the site and area that indicates distances to the nearest residential uses.

A scale drawing of the proposed wireless communication facility that indicates distance to the nearest residential uses is provided on Sheet

A-o of Exhibit "1". The closest residential use is located 807.3 feet east of the proposed tower.

g. A map that illustrates the proposed tower location with respect to the nearest airport.

A map illustrating the location of the proposed wireless communication facility in relationship to the nearest airport is attached hereto as Exhibit "8" and incorporated herein by reference. As is shown in Exhibit "8", the nearest airport to the proposed tower is LQK Pickens County Airport, which is located 6.10 miles from the proposed tower location.

h. A determination by the FAA regarding hazards to air navigation.

Please see the Notice of Proposed Construction or Alteration - Off Airport attached hereto as Exhibit "9" and incorporated herein by reference.

i. Identity and current contact information of the person authorized by the applicant to answer questions from the local government or community regarding construction and operation of the facility. Include name, mailing address, telephone number, facsimile number and electronic mail address, if applicable.

Jonathan L. Yates is authorized by 1A Towers to answer any questions from the local government or community regarding this application. Mr. Yates' contact information is as follows:

**105 Broad St., Third Floor
Charleston, SC 29401
(843) 414-9754 (office)
(843) 813-0103 (mobile)**

j. Applicant must file with the Planning Department written indemnification of the county and proof of liability insurance of financial ability to respond to claims up to \$1,000,000 minimum in the aggregate which may arise from operation of the facility during its life, at no cost to the county, in the form approved by the county attorney.

Proof of liability insurance is attached hereto as Exhibit "10" and incorporated herein by reference. The Written Indemnification Letter by Richard Rosenfeld of 1A Towers is attached hereto as Exhibit "11" and incorporated herein by reference.

k. A fee of \$200.00 must accompany all applications for approval of a communication tower or facility.

Fee of \$200.00 is attached hereto.

311 (h) Removal.

A communication tower, for which use has been discontinued for a continuous period of one year, shall be removed within 120 days of the date of the end of such period. Each company must notify the County within 30 days if telecommunications cease operations at a tower or antenna. All structures, fencing, screening, and other improvements must be removed and the site returned to its original condition at the company's expense.

1A Towers accepts and acknowledges this provision.

311 (i) Annual Report Required.

All companies that operate or maintain ownership of communication towers shall submit an Annual Report to the Pickens County Planning Department during January of each year. The Report shall note a company's efforts to coordinate with other telecommunications companies including potential co-locations or towers owned by other companies.

1A Towers accepts and acknowledges this provision.

311 (j) Third Party Technical Review Assistance.

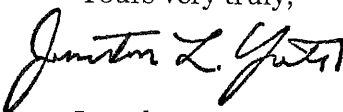
The Community Development Director or the Planning Commission may make use of technical consultants to review applications and to determine if the standards in this ordinance and other applicable standards are met. The applicant shall be required to bear the cost of the required technical services. The Community Development Director shall estimate any expenses and shall require payment with the completed application. Additional expenses shall be invoiced by the County Finance Department to the applicant. Amounts in excess of required fees and actual expenses shall be returned to the applicant.

1A Towers accepts and acknowledges this provision.

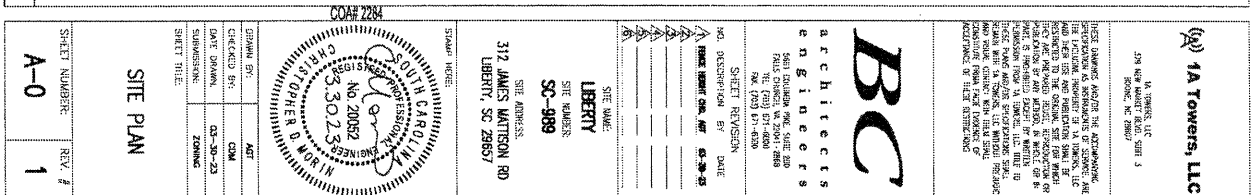
We thank you and your staff for your time and consideration. We would respectfully request that this application be placed on the agenda for the Pickens County Planning Commission on their regularly scheduled June 12th, 2023 meeting. After reviewing, if you have any questions, or if there is anything else you require from us, please contact me at (843) 414-9754, or at jly@hellmanyates.com. Thank you very much again for all your help with this matter.

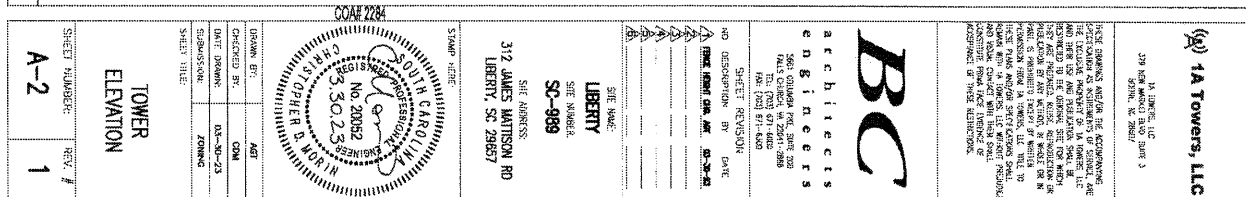
With warmest regards, I am

Yours very truly,

A handwritten signature in black ink, appearing to read "Jonathan L. Yates". The signature is fluid and cursive, with the first name "Jonathan" and last name "Yates" clearly distinguishable.

Jonathan L. Yates





LU-23-0014: Wireless Telecommunications Facility

Staff Report

Planning Commission Public Hearing: June 12, 2023, 6:30 PM

The following report constitutes an assessment and evaluation by the Planning staff on the above-mentioned request.

Applicant: Jonathan L. Yates
105 Broad Street, 3rd Floor
Charleston, SC 29401

Property Owner(s): Minnie Ables Holcombe

Property Location: 312 James Mattison Road, Liberty, SC 29657

Acreage: 22.47-acre property

Tax Map Number: 4095-01-25-1293

County Council District: 4

Land Use Request: **LU-23-0014:** Land Use Review for the creation of a wireless telecommunications facility. The subject property is located at 312 James Mattison Road. The applicant is Jonathan L. Yates. The property owner of record is Minnie Ables Holcombe. TMS# 4095-01-25-1293.

Variance Request(s) from Planning Commission: None

Request Overview:

Mr. Yates (1A Towers, LLC) wants to build a wireless telecommunication facility (tower). The proposed tower will be located on the property owned by Minnie Ables Holcombe with access from James Mattison Road. As proposed, the plans meet all UDSO standards in regard to setbacks, height, screening, buffering, and fall range.

Current Property Use:

The property is listed on the Assessor's site as "agricultural/vacant". The current use of the land aligns with this.

Surrounding Area:

The subject property is surrounded by a mixture of large vacant lots and rural-style single-family residential (± 3.00 acre). The parcel on which the tower is located is wooded.

Utilities & Infrastructure

Transportation: The property is served by James Mattison Road (Anderson County/Private Road)

Water: N/A

Sewerage: N/A

Past Development/Approvals:

N/A

Photograph(s):

N/A

Comments from Reviewing Agencies:

SCDOT: N/A

Pickens County Engineer: The County Engineer does not have any issues with the project as proposed.

PC Emergency/Fire Services: No significant issues are created for Emergency/Fire Services with this project as proposed.

Analysis of Standards for Land Use Approval:

Staff analysis of the application is made based upon the findings criteria as set forth in Section 1205(f) of the UDSO. The applicant has submitted his/her response to the same findings criteria.

- A. Is the proposed use consistent with other uses in the area or the general development patterns occurring in the area?*

The area is a mix of residential and large acreage agricultural/forest/vacant. A telecommunications tower facility such as that being proposed is not uncommon in such areas.

- B. Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?*

The proposed use should not affect the existing use of adjacent property.

- C. Is the proposed use compatible with the goals, objectives, purpose and intent of the Comprehensive Plan?*

The current Comprehensive Plan is silent as to the locating of wireless communication facilities in the county.

- D. Will the proposed use not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?*

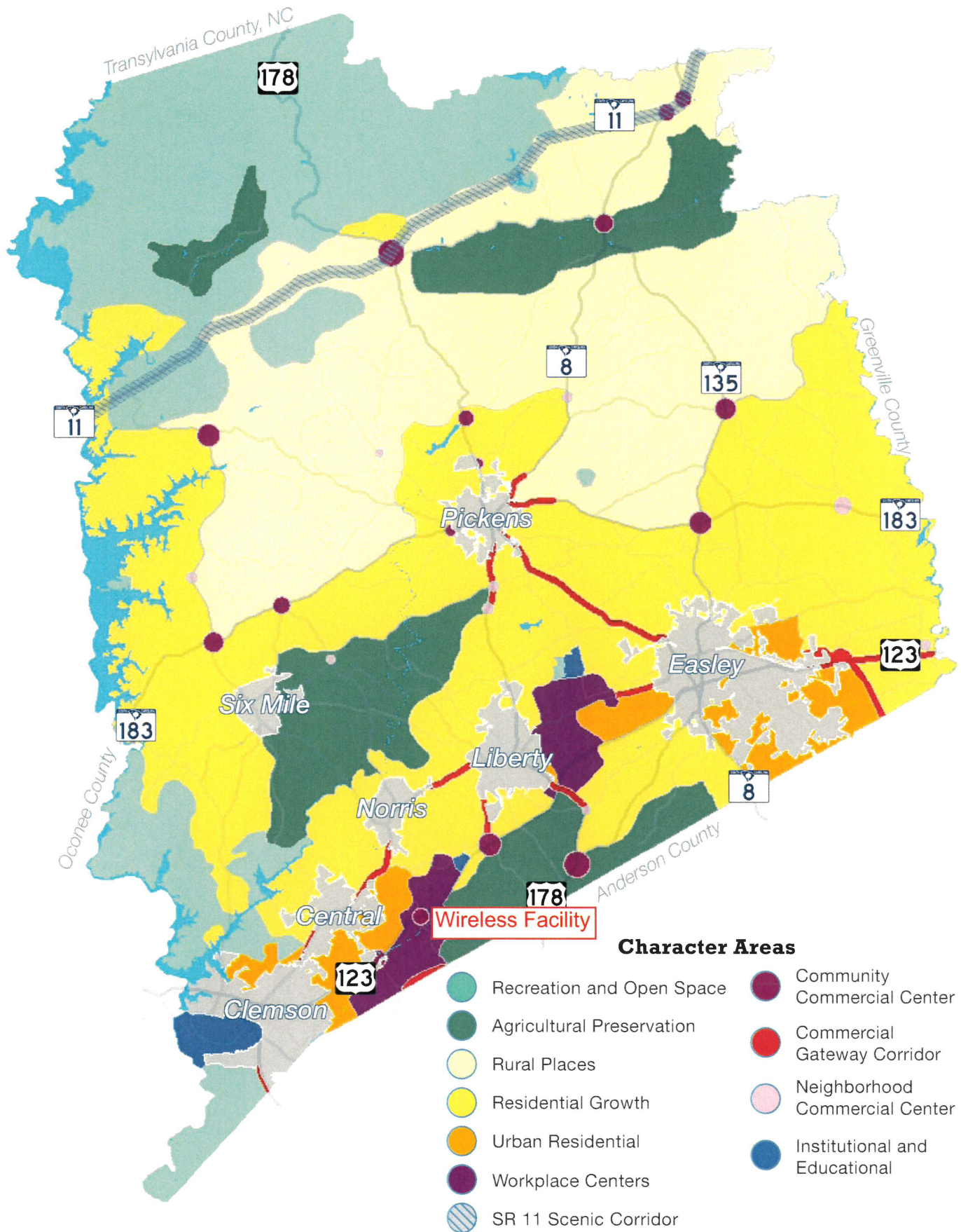
The proposed use will not cause an excessive use or burden to existing public facilities.

- E. Is the property suitable for the proposed use relative to the requirements set forth in this development ordinance such as off-street parking, setbacks, buffers, and access?*

Yes. The project meets the respective standards as set forth in the Unified Development Standards Ordinance of Pickens County for such uses.

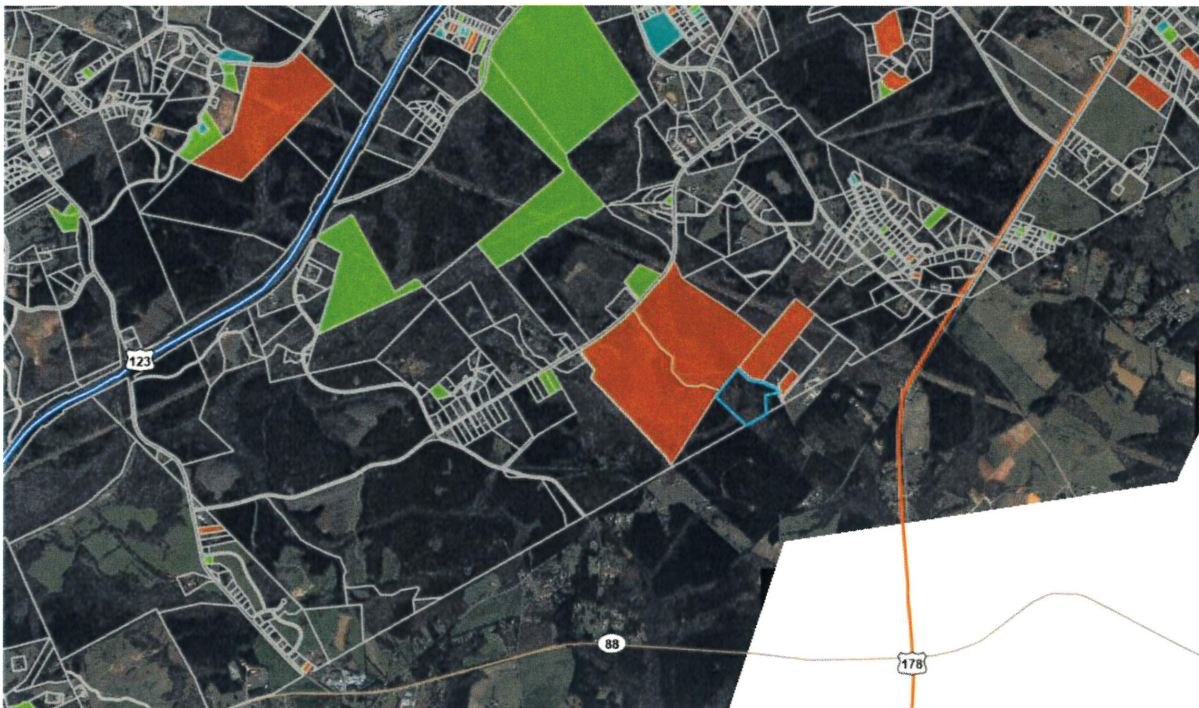
F. Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

Yes. The use and request as proposed appears to balance protection of public health and welfare with the unfettered use of property.



LU-23-0014

Wireless Facility



LU-23-0015

**Clardy Road
Campground/RV Expansion**



PICKENS COUNTY

SOUTH CAROLINA



COMMUNITY DEVELOPMENT

BUILDING CODES ADMINISTRATION • STORMWATER MANAGEMENT • PLANNING

APPLICATION FOR:

☐ Land Use Review /Subdivision Review

☒ Subdivision Variance

Case No.: LU - 23 - 0015

Note to Applicant: All applications must be typed or legibly printed and all entries must be completed on all the required application forms. If you are uncertain to the applicability of an item, please contact a member of the Planning Staff. Incomplete applications or applications submitted after the posted deadlines will be delayed.

Name of Applicant Blake Volrath

Mailing Address 151 Big Creek Road

Telephone 864 351 8841 Email Volrathblake@yahoo.com

Applicant is the: Owner's Agent _____ Property Owner ☒

Property Owner(s) of Record _____

Mailing Address _____

Telephone _____ Email _____

Authorized Representative _____

Mailing Address _____

Telephone _____ Email _____

Address/Location of Property 395 Clardy Road Liberty, SC 29657

Existing Land Use _____ Proposed Land Use _____

Tax Map Number(s) 4098-00-68-5733

Total Size of Project (acres) 2.6 Number of Lots 5

Utilities:

Proposed Water Source: ☐ Wells ☒ Public Water Water District: Pasley central

Proposed Sewer: ☒ Onsite Septic ☐ Public Sewer Sewer District: _____

July 2020

864-351-8841

Page 1 of 8

222 MCDANIEL AVENUE, B-10 • PICKENS, SC 29671 • 864.898.5950 • WWW.CO.PICKENS.SC.US

DPR-22-0025 - Previous Camground for 3 sites

REQUEST FOR VARIANCE (IF APPLICABLE):

Is there a variance request from the subdivision regulations or county road ordinance? ☒ Yes ☐ No
 If YES, applicant must include explanation of request and give appropriate justifications.

RESTRICTIVE COVENANT STATEMENT

Pursuant to South Carolina Code of Laws 6-29-1145:

I (we) certify as property owner(s) or as authorized representative for this request that the referenced property:

- ☐ **IS** subject to recorded restrictive covenants and that the applicable request(s) is permitted, or not otherwise in violation, of the same recorded restrictive covenants.
- ☐ **IS** subject to recorded restrictive covenants and that the applicable request(s) was not permitted, however a waiver has been granted as provided for in the applicable covenants. *(Applicant must provide an original of the applicable issued waiver)*
- ☒ **IS NOT** subject to recorded restrictive covenants

SIGNATURE(S) OF APPLICANT(S):

I (we) certify as property owners or authorized representative that the information shown on and any attachment to this application is accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for postponement of action on the request and/or invalidation of this application or any action taken on this application.

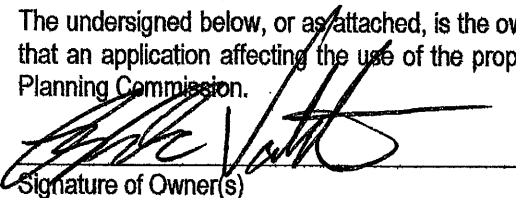
I (we) further authorize staff of Pickens County to inspect the premises of the above-described property at a time which is agreeable to the applicant/property owner.


 Signature of Applicant

04/24/2023
 Date

PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application and understands that an application affecting the use of the property has been submitted for consideration by the Pickens County Planning Commission.


 Signature of Owner(s)

04/24/2023
 Date

PICKENS COUNTY STAFF USE ONLY

Date Received _____ Received By _____

Pre-Application meeting held with _____ on _____

Application Forwarded to (date):

DHEC _____ ☐ N/A

County Engineer _____ ☐ N/A

SCDOT _____ ☐ N/A

Local VFD _____ ☐ N/A

School Board _____ ☐ N/A

Planning Commission Hearing Date _____

Deadline for Notice to Paper _____ to run _____

Letter of Hearing Sent to Applicant _____

Sign Placement Deadline _____

Planning Commission Action (date) _____

☐ Approval ☐ Approval w/ modifications ☐ Denial
 Modifications _____

Notice of Action to Applicant _____

Application Processing

Hearing and Action



Pickens County, South Carolina
Attachment A
LAND USE REVIEW
Standards of Land Use Approval Consideration

In consideration of a land use permit, the Planning Commission shall consider factors relevant in balancing the interest in promoting the public health, safety, and general welfare against the right of the individual to the unrestricted use of property and shall specifically consider the following objective criteria. Due weight or priority shall be given to those factors that are appropriate to the circumstances of each proposal.

Please respond to the following standards in the space provided or you may use an attachment as necessary:

- (A) Is the proposed use consistent with other uses in the area or the general development patterns occurring in the area?

To my knowledge, My RV sites are the only ones in the immediate area

- (B) Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?

RV sites are already in place. No neighboring properties were affected by construction of sites.

- (C) Is the proposed use compatible with the goals, objectives, purpose and intent of the Comprehensive Plan?

I believe so, yes

- (D) Will the proposed use not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

Absolutely not. The amount of traffic five RV sites adds to a county road should not be noticed. Sites are ruraly located, on private septic systems.

- (E) Is the property suitable for the proposed use relative to the requirements set forth in this development ordinance such as off-street parking, setbacks, buffers, and access?

Yes. My park offers multiple parking spots off the street as well as 3 points of entering/exiting via vehicle

- (F) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

I can't in any way see how My sites would affect any of the above mentioned

To members of the Planning Commission,

My Name is Blake Volrath. I was born and raised in the foothills of the Blue Ridge mountains. I have spent the majority of the first twenty-five years of my life living in Liberty, South Carolina. In the fall of 2018, I purchased a small piece of property near where I lived. At the time, I was traveling for work and decided to use the property as a place to set up my camper and call home when I was off the road. I later added a second site because I purchased a second camper to renovate while living in my original camper.

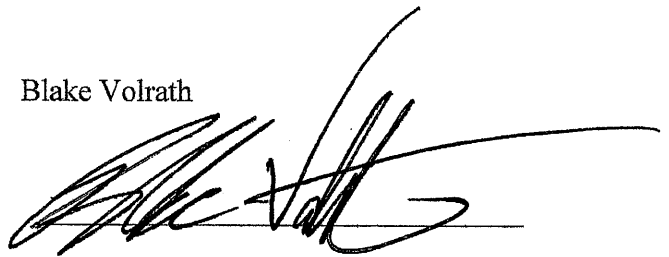
After meeting my now wife, we decided against living in South Carolina in order to live in her home state. We decided that since my property in Liberty already had utilities needed, we would add a few more RV sites to the property so that other people would be able to come, stay, and enjoy the area that we loved so much.

When applying for the permit, I was under the impression that I could add up to four more sites. We only wanted to add three for a total of five sites. I did not realize I would be in any sort of violation and certainly did not intentionally try to break any codes.

On 4/21/2023, I received a phone call from a code enforcement officer that stated there had been an anonymous report regarding my sites, and that I was in fact in violation. I am writing this letter and submitting this application in hopes that we can work out something that allows me to keep all five of the existing sites. I am willing and able to offer complete flexibility to the best of my ability in working out a solution. I understand that there may be several different routes that we can take to correct this.

In conclusion, I appreciate the time you are giving to read and oversee my case. I look forward to hearing from you soon and to finding a solution to this problem.

Blake Volrath

A handwritten signature in black ink, appearing to read 'Blake Volrath', with a long horizontal flourish extending to the right.



Site #1
was my original
Personal Residential
Site

#2 was the next
added for a camper
I bought to work
on while living in
#1

3, 4, 5 were
the ones permitted
most recently

I have 3 total
septic systems
that came with
the property.

#1 has its
own

#3, 4, 5 are on
a tank all together

#2 has its
own septic

LU-23-0015: Campground/RV Park Expansion

Staff Report

Planning Commission Public Hearing: June 12, 2023 6:30 PM

The following report constitutes an assessment and evaluation by Planning staff on the above mentioned request.

Applicant: Blake Volrath
151 Big Creek Rd
Waynesboro, MS 39367

Property Owner(s): Blake Volrath

Property Location: 395 Clardy Rd Liberty, SC 29657

Acreage: 2.6 acres

Tax Map Number: 4098-00-68-5733

County Council District: 4

Land Use Request: **LU-23-0015:** Land Use Review for the expansion of an existing campground/RV Park site. The subject property is located at 395 Clardy Road in Liberty. The applicant is Blake Volrath. The property owner of record is Blake Volrath. TMS# 4098-00-68-5733.

Variance Request(s) from Planning Commission:

Request Overview:

Mr. Volrath unknowingly found himself in violation of our UDSO when he added the 4th and 5th campsite to his existing campground. Mr. Volrath is requesting Planning Commission approval to add a 4th and 5th site.

Current Property Use:

The property is listed on the Assessor's site as "vacant land MH" and shows three 911 addresses. Though called a campground this site is being used more as an RV park with pads in place for 5 RV's. The applicant is aware that guests cannot stay at this site for more than 180-days in a calendar year.

Surrounding Area:

The subject property is surrounded by large and small rural lots and vacant/agricultural land to the north, south, east, and west.

Utilities & Infrastructure

Transportation: The property is served by Clardy Rd which is a County Road.

Water: Easley Central

Sewerage: Onsite Septic.

Comments from Reviewing Agencies:

SCDOT: N/A

Pickens County Engineer: N/A

Schools: N/A

Analysis of Standards for Land Use Approval:

Staff analysis of the application is made based upon the findings criteria as set forth in Section 1205(f) of the UDSO. The applicant has submitted his/her response to the same findings criteria.

- A. *Is the proposed use consistent with other uses in the area or the general development patterns occurring in the area?*

No, this is the only Campground/RV park in the area. However, there were three original sites prior to requesting approval from the Planning Commission.

- B. *Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?*

With adherence to the standards enumerated in the UDSO relative to RV Parks and Campgrounds any potential impacts on adjacent properties will be mitigated.

- C. *Is the proposed use compatible with the goals, objectives, purpose and intent of the Comprehensive Plan?*

The current Comprehensive Plan identifies the area as "rural places". The Comprehensive Plan speaks to placement of development where there are services capable of supporting development. Services in the area are adequate for the proposed project.

- D. *Will the proposed use not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?*

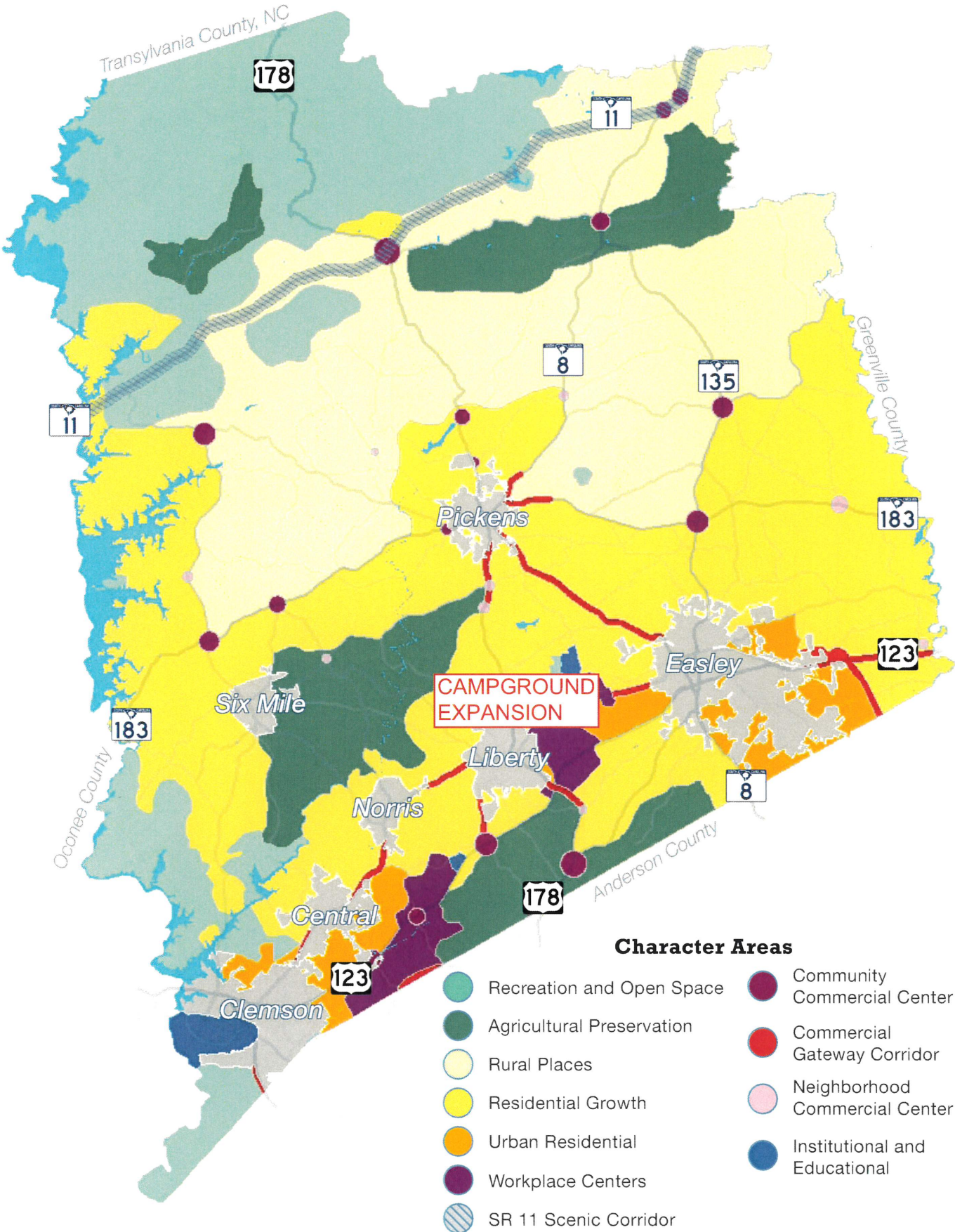
The use and request as proposed should not cause an excessive use or burden to existing public facilities; provided the applicable standards set forth in the UDSO are adhered to.

- E. *Is the property suitable for the proposed use relative to the requirements set forth in this development ordinance such as off-street parking, setbacks, buffers, and access?*

Yes. The size of the tract allows the proposed project to meet the respective standards as set forth in the Unified Development Standards Ordinance of Pickens County for such uses.

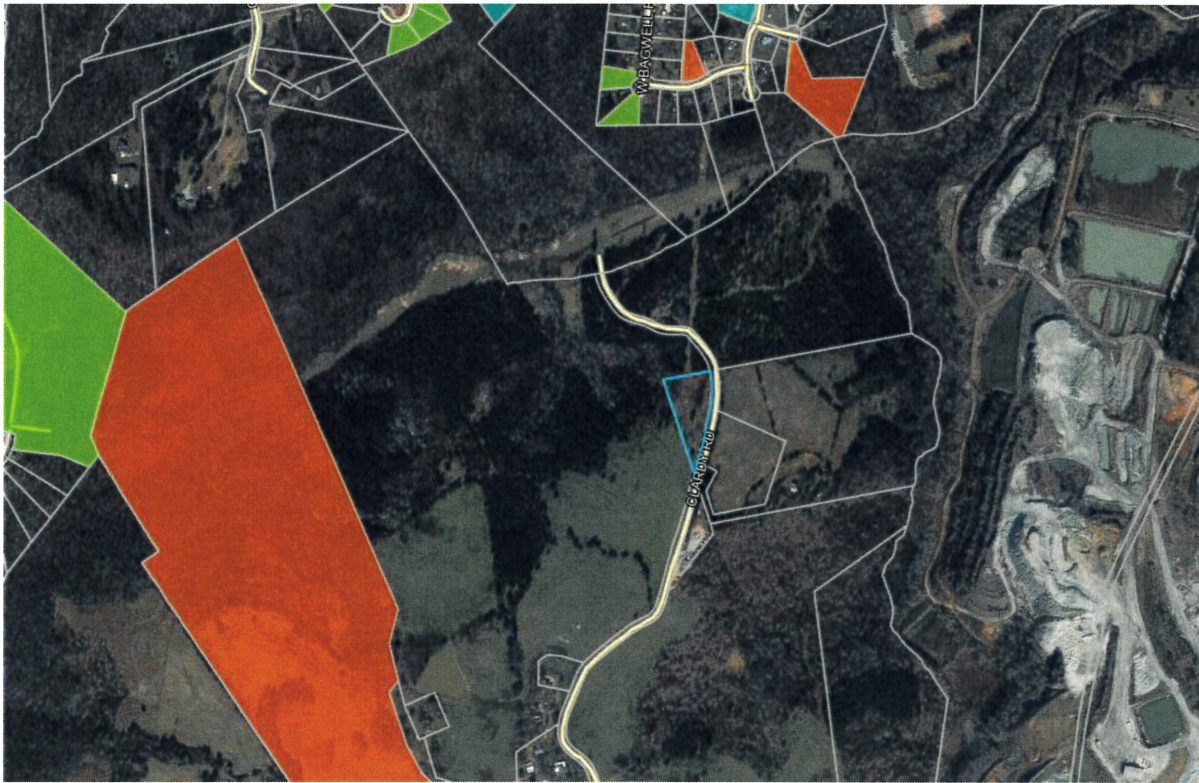
F. Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

Yes. The use and request as proposed appears to balance protection of health and welfare with the unfettered use of property.



LU-23-0015

Campground/RV Expansion



PROPOSED UDSO AMENDMENTS

ITEM 9C - MATRIX

OVERVIEW Council requested a matrix to make it easier for citizens to view critical information for various uses.

Table 5.5 Lot Sizes & Setbacks

		WELL & SEPTIC TANK	PUBLIC WATER & SEPTIC TANK	PUBLIC WATER & PUBLIC SEWER
MULTIPLE LOT RURAL SPLIT	Min Size	0.5 acre (21,780 sf)	0.5 acre (21,780 sf)	8,000 sf
	Width	50 ft	50 ft	50 ft
	Front	20 ft	20 ft	20 ft
	Side	7 ft	7 ft	7 ft
	Rear	10 ft	10 ft	10 ft
CONVENTIONAL SUBDIVISION	Min Size	1 acre (43,560 sf)	0.5 acre (21,780 sf)	8,000 sf
	Width	50 ft	50 ft	50 ft
	Front	20 ft	20 ft	20 ft
	Side	7 ft	7 ft	7 ft
	Rear	10 ft	10 ft	10 ft
OPEN SPACE SUBDIVISION	Min Size	1 acre (43,560 sf)	0.5 acre (21,780 sf)	5,000 sf
	Width	50 ft	30 ft	20 ft
	Front	20 ft	20 ft	20 ft
	Side	5 ft	5 ft	5 ft
	Rear	10 ft	10 ft	10 ft
MASTER PLANNED DEVELOPMENT	Min Size	0.5 acre (21,780 sf)	10,890	No Min
	Width Front Side Rear	Concept Plan	Concept Plan	Concept Plan
COMMERCIAL	Min Size	1 acre (43,560 sf)	0.5 acre (21,780 sf)	10,000 sf
	Width	100 ft	50 ft	50 ft
	Front	20 ft	20 ft	20 ft
	Side	7 ft	7 ft	7 ft
	Rear	10 ft	10 ft	10 ft
	FAR	0.50	0.50	0.50
INDUSTRIAL	Min Size	1 acre (43,560 sf)	0.5 acre (21,780 sf)	20,000 sf
	Width	100 ft	100 ft	50 ft
	Front	20 ft	20 ft	20 ft
	Side	7 ft	7 ft	7 ft
	Rear	10 ft	10 ft	10 ft
	FAR	0.75	0.75	0.75

**Accessory buildings having a floor area of 1,000 square feet or less must be at least 5 feet from any property line.*

Accessory buildings having a floor area greater than 1,000 square feet must comply with the same setbacks as required for principal buildings.