



# Oconee County Planning Commission

415 S. Pine St. • Walhalla, South Carolina 29691

Phone (864) 638-4218 • Fax (864) 638-4168

## Application for Land Use Permit

Date: 8/16/13

I, Jonathan L. Yates for American tower corp. (owner) (agent of owner) hereby make application to the Oconee County Planning Commission for the following land usage:

Proposed 180-foot monopole-style wireless telecommunications facility at 690 Stamp Creek Landing Rd., Seneca, SC 29672 by American tower corp and AT&T

Company Name(s): American tower corporation & AT&T

Lot Number: \_\_\_\_\_ Block Number: \_\_\_\_\_

Tax Map Number(s): 123-06-02-001

Address: 690 Stamp Creek Landing Rd., Seneca, SC 29672

Existing Land Use: agricultural/residential

Special Conditions (if any): N/A

Is the tract or parcel of land restricted by any recorded covenant that is contrary to or conflicts with, or prohibits the proposed activity?  Yes  No

As the developer of this tract or parcel of land have you applied any restrictions by recorded covenant? (If yes, please attach a copy)  Yes  No

Applicant's Name: Jonathan L. Yates on behalf of American tower corp.

Address: 145 King St., Suite 102, Charleston, SC 29401

Mailing Address (if different): same

Phone Number: (843) 414-9754 Fax Number: (843) 266-9188

Signature: Jonathan L. Yates Date: 8/16/13

Please be advised that this is NOT A BUILDING PERMIT APPLICATION. Contact the the Oconee County Building Codes Office (864-718-1005) for more information on required building permits or applications.

# HELLMAN YATES & TISDALE

ATTORNEYS AND COUNSELORS AT LAW

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

HELLMAN YATES & TISDALE, PA  
145 KING STREET, SUITE 102  
CHARLESTON, SOUTH CAROLINA 29401  
V 843 266-9099  
F 843 266-9188

August 16, 2013

## VIA FEDERAL EXPRESS

Josh Stephens  
Zoning Administrator  
Oconee County Planning Dept.  
415 S. Pine St.  
Walhalla, SC 29691  
(864) 638-4218

RE: Proposed 180-foot monopole-style wireless telecommunications facility at 690 Stamp Creek Landing Rd, Seneca, SC 29672 by American Tower Corporation and AT&T

Dear Mr. Stephens:

Enclosed please find the application of American Tower Corporation and AT&T for a proposed 180-foot monopole tower and wireless telecommunications facility to be built for AT&T and three of its competitors. The facility will be located on the property of Mr. Thomas Dale Pullen, which is located at 690 Stamp Creek Landing Rd, Seneca, SC 29672, and is designated as Oconee County tax parcel number 123-00-02-001. This is a very important facility to allow AT&T to improve its coverage for both voice and advanced data in this section of Oconee County. We have taken the liberty of recasting the relevant sections of the Oconee County Communication Towers Ordinance, found in Article Four, with our answer to the relevant section in bold font beneath the section. As will be evident from a review of the attached, American Tower Corporation and AT&T have not only met, but have exceeded, all of the necessary requirements for approval under the Oconee County Communication Towers Ordinance. We greatly appreciate your time and consideration in the review of this application.

### Sec. 32-134. General Requirements.

- (a) *Illumination.* Communication towers shall be illuminated only as required by the Federal Communication Commission (FCC) and/or the Federal Aviation Administration (FAA).

**The proposed monopole-style wireless communications facility will not be required to be lighted, as shown on Sheet A-2 of the Site Plans and Drawings, attached hereto as Exhibit "1" and incorporated herein by reference. In addition, please see the FAA Determination of No Hazard to Air Navigation, attached hereto as Exhibit "2" and incorporated herein by reference.**

- (b) *Color.* Communication towers shall only be painted with a gray, nonreflective paint unless otherwise required by state or federal regulations.

**The proposed monopole-style wireless communications facility will have a galvanized steel finish, which quickly weathers to a dull gray patina and will be non-reflective and emit no glare, as shown on Sheet A-2 of Exhibit "1."**

- (c) *Signs.* A single sign, two square feet in size which included the names of the companies operating the equipment and a phone number for emergencies shall be displayed in a visible location on or near the communication tower. No advertising of any type may be attached to a communication tower.

**Signs for the purpose of identification, warning, emergency function, and contact will be placed as required by applicable state and federal law. Examples of such signs and other signs required by the FCC can be found on Sheet A-2 of Exhibit "1."**

- (d) *Removal.* A communication tower 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. Companies 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 must be returned to its original condition at the company's expense.

**A tower removal letter by Michael Flint of American Tower Corporation is attached hereto as Exhibit "3" and incorporated herein by reference.**

- (e) *Security.* A freestanding communication tower and associated structures shall be appropriately secured by means of a wall, fence or other device at least eight feet in height.

**The proposed monopole-style wireless communications facility will be enclosed in a fenced area of 60' by 60' and will be appropriately secured by a chain link fence with a height of eight feet, topped with three strands of barbed wire as an anti-climbing device, for an overall fence height of nine feet, as shown on Sheets A-1 and A-3 of Exhibit "1."**

- (f) *Screening.* The purpose of this subsection is to establish control for the visual quality of communication towers from the ground level. A communication tower, as pertains to this subsection, includes the tower and the land and everything within the required security fencing including any other building and equipment. The screen shall be a minimum of ten feet of land surrounding the tower except for one service access. An appropriate plant material screen shall be evergreen plants of a quality and planted in accordance with the standards of the American Nurserymen Association that are indigenous or native to the county area. Such plantings shall be appropriately spaced and of such a size so as to achieve a dense screen with a minimum height of six feet within a three-year period from erection of a tower. Additional screening with deciduous or evergreen trees is desirable and encouraged. Existing trees shall be preserved unless a waiver has been granted by the planning director to selectively cut specified trees. If in extreme or unusual situations and where it is proven impossible to properly construct the plant material screen, the planning director may grant permission to construct the security fence as a solid masonry wall, either brick or stucco-type finish with a minimum height of six feet above ground level and constructed in accordance

with applicable construction codes. A certificate of occupancy shall not be issued by the county codes department until the required planting is completed. When the occupancy of a structure is desired prior to the completion of the required planting, a certificate of occupancy may be issued only if the owners or developers provide to the county a form of surety satisfactory to the county attorney and in an amount equal to 125 percent of the costs of the remaining plant materials, related materials, and installation (with the costs agreed to by the planning director or designee). The form of the surety shall be in conformity with the land development regulations for the county. All required planting must be installed and approved by the first planting season following issuance of the certificate of occupancy or bond will be forfeited to the county. The owners and their agents shall be responsible for providing, protecting, and maintaining all required plant material in healthy condition, replacing unhealthy or dead plants within one year or by the next planting season, whichever comes first. Replacement material shall conform to the original intent of the approved plan.

**In addition to the natural tree cover of the property, American Tower Corporation will plant 21 Leyland cypress trees around the lease area, which shall provide sufficient screening. These details can be found on Sheet L-1 of Exhibit "1."**

- (g) *Antenna capacity; wind load.* The communication tower shall be designed to withstand winds in accordance with ANSI/EIA/TIA 222 (latest revision) standards. Certification from a structural engineer registered in the state shall constitute proof that such standard has been met.

**The ANSI/EIA/TIA222 letter and structural analysis report by South Carolina Professional Engineer Michael F. Plahovinsak is attached hereto as Exhibit "4."**

- (h) *FCC license.* The owner of a communication tower shall possess a valid FCC license for the proposed activity, or at the discretion of the board, the owner shall provide other substantial documentation in lieu of FCC licensing proving to the board that the owner has a verifiable history of satisfactory communications tower construction and operation.

**A copy of a valid FCC license for AT&T (New Cingular Wireless PCS, LLC) is attached hereto as Exhibit "5" and incorporated herein by reference.**

- (i) *Design for multiple use.* A new communication tower shall be designed to accommodate additional antennae as provided for elsewhere in this article.

**The proposed monopole-style communications tower has been designed to accommodate additional antennas equal in number to AT&T's present and future requirements. In addition, the tower has been designed to handle equipment of at least three (3) of AT&T's competitors, if not more. This information is included on Sheet A-2 of Exhibit "1."**

- (j) *Safety codes.* A communication tower shall comply with all applicable health, nuisance, noise, fire, building and safety code requirements.

**American Tower Corporation accepts and acknowledges, and will fully comply with, this provision.**

- (k) *Distance between towers.* A proposed communication tower shall not be permitted within 1,300 feet of an existing communication tower unless the applicant certifies to the board that the existing communication tower does not meet applicant's structural specifications and applicant's technical design requirements, or that a co-location agreement could not be obtained.

**There were no feasible alternate sites. This is evidenced in both the FCC ASR Registration Search Results, which demonstrate that there are no existing towers, structures or buildings within a 1.74-mile radius, and the Lack of Collocation Opportunities letter by Michael Flint of American Tower Corporation. These documents are attached hereto as Exhibit "9" and incorporated herein by reference. In fact, the nearest existing tower is located 11,742 feet from the proposed tower, as shown on Sheet A-o of Exhibit "1."**

- (l) *Application of county land use regulations.* Land development regulations and other performance standards shall apply to the use, unless otherwise provided in this article.

**Applicants accept and acknowledge, and will fully comply with this provision.**

- (m) *Minimum setbacks.* Minimum setbacks of communication tower (not including guy anchors) must be a minimum distance equal to one foot horizontally for every one foot in height plus 50 feet from:

- (1) All lot lines of residential or commercial property.
- (2) The nearest point of any structure meeting minimum standards for human occupation as put forth in applicable building codes adopted by the county.
- (3) Properties or districts designated historic.
- (4) Properties containing churches, schools, colleges, children's homes and shelters, hospitals and nursing homes; except that communication facilities which meet the definition of stealth tower in section 32-132 may be permitted by special exception on these properties.
- (5) The right-of-way of all streets and roads.

All guy cables and anchors must be set back at a minimum of 20 feet from all lot lines.

**As the proposed monopole-style wireless communication facility is 184 feet in height, this provision would require minimum setbacks of 234 feet. The proposed tower will be set back more than 234 feet from any existing property line, road, or residential structure, as shown on Sheet A-o of Exhibit "1."**

Sec. 32-135. Additional requirements for location near the county airport.

- (a) With the exception of towers for aeronautical purposes, in no case may a communication tower penetrate any imaginary surface, as described in chapter

14 of the Code of Federal Regulations, Federal Aviation Regulation (FAR) Part 77, associated with existing or proposed runways at any publicly owned airport. All communications towers located within the first 12,000 feet of the approach surface of an existing or proposed runway at such facility, or within the horizontal surface associated with such runways as described in FAR Part 77, shall be lighted. Such towers shall be illuminated by strobe lights during daylight and twilight hours, and red lights during nighttime hours.

**This provision is not applicable, as the proposed monopole-style wireless telecommunications facility is located more than 12,000 feet from the first 12,000 feet of the approach surface of an existing or proposed runway at such facility, or within the horizontal surface associated with such runways as described in FAR Part 77. Furthermore, the FAA Determination of No Hazard to Air Navigation is attached hereto as Exhibit "2." The FAA will not require the proposed monopole-style wireless telecommunications facility to be lighted, as is shown in Exhibit "2" and on Sheet A-2 of Exhibit "1."**

- (b) A copy of any plans whereby a communication tower will be located within such 12,000 feet area shall be provided by the applicant to the county airport manager and the county planning director for comment. Any comments shall be made within ten days of delivery to such manager with a copy to the planning director and the applicant. Prior to issuance of a building permit, the applicant shall provide documentation to the planning director that the proposed communications tower has been reviewed by the Federal Aviation Administration (FAA), if so required, and that a finding of no hazard to air navigation has been determined.

**This provision is not applicable, as the proposed monopole-style wireless telecommunications facility is located more than 12,000 feet from the first 12,000 feet of the approach surface of an existing or proposed runway at such facility, or within the horizontal surface associated with such runways as described in FAR Part 77.**

Sec. 32-136. Maximum height of freestanding communication towers.

The maximum height of freestanding communication towers shall be as follows:

| <i>District</i>         | <i>Maximum Height</i>  |
|-------------------------|------------------------|
| Residential             | Not exceeding 175 feet |
| Commercial              | Not exceeding 200 feet |
| Industrial/agricultural | Not exceeding 250 feet |

**As the proposed monopole-style wireless telecommunications facility is located in the AD district, this would require a maximum height of 250 feet. The proposed monopole-style wireless telecommunications facility is 180 feet in height with a four-foot lightning rod for a total height of 184 feet, thus complying with this provision. This information can be found on Sheet A-2 of Exhibit "1."**

Sec. 32-138. Application Requirements.

The following information shall be submitted for all applications for approval of a communication tower:

- (1) *Specifications.* Two copies of the specifications for proposed structures and antennae, including description of design characteristics and material.

**This information can be found in the Site Plans and Drawings prepared by South Carolina Professional Engineer Christopher D. Morin, attached hereto as Exhibit "1."**

- (2) *Site plan.* Two copies of a site plan drawn to scale showing property boundaries, communication tower location, communication tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property. A site plan is not required if antenna is to be mounted on an approved existing structure. Prototypical drawings indicating various types of equipment to be located on the communication tower may be submitted at the time of the permit application. Identification of the owners of all antennae and equipment to be located on the site. Other equipment may be added to the communication tower without additional permits or inspections as long as electrical wiring is not required.

**The Site Plans and Drawings, prepared by South Carolina Professional Engineer Christopher D. Morin, are attached hereto as Exhibit "1."**

- (3) *Location map.* Two copies of a current map, or update for an existing map on file, showing locations of applicant's antennae, coverage areas, facilities, existing communication towers, and proposed communication towers, serving any property within the county are required. An applicant may request that specific proprietary or confidential information be withheld from the public record.

**An inventory and map showing American Tower Corporation's existing facilities in Oconee County is attached hereto as Exhibit "6" and incorporated herein by reference.**

- (4) *Owner authorization.* Written authorization from the site owner for the application.

**A letter of authorization from Thoms Dale Pullen, property owner, is attached hereto as Exhibit "7" and incorporated herein by reference.**

- (5) *Visual impact analysis.* A line of sight analysis showing the potential visual and aesthetic impact on adjacent residential districts.

**The proposed monopole-style wireless communications facility shall be placed in a location that will minimize the visual impact on the surrounding area and allow the facility to function in accordance with minimum standards imposed by applicable communications regulations. This is supported by the Site Photos, attached hereto as Exhibit "8" and incorporated herein by reference.**

- (6) *Alternative to co-location or stealth design.* Co-located or stealth designs shall be required unless satisfactory documented evidence can be provided indicating that:
- a. The proposed antenna and equipment cannot be accommodated and function as required;
  - b. The applicant's technical design requirements are such that without unreasonable modifications they cannot function on any existing structure or communication tower under the control of applicant; and
  - c. The applicant has considered all available publicly owned sites, and available privately owned sites occupied by a compatible use, including all applicable sites or locations or a combination of sites and locations as described under section 32-133(b) for priority of approval and the applicant has demonstrated that for the reasons described in section 32-133(b) that these sites and/or locations are unsuitable for operation of the facility under applicable state and federal communications regulations, the applicant's technical design requirements and/or valid economic reasons.

**There were no feasible alternate sites. This is evidenced in the FCC ASR Registration Search Results, which demonstrate that there are no existing towers, structures or buildings within a 1.74-mile radius. Furthermore, this is evidenced in the letter by Michael Flint of American Tower Corporation regarding a lack of collocation opportunities. These documents are attached hereto as Exhibit "9." In fact, the nearest existing tower is located 11,742 feet from the proposed monopole-style wireless communications facility, as shown on Sheet A-o of Exhibit "1."**

- (7) *Indemnity.* The applicant must show by certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, and must file with the planning director a written indemnification of the county and proof of liability insurance or financial ability to respond to claims up to \$1,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the county, in a form approved by the county attorney.

**The Indemnification Letter by Michael Flint of American Tower Corporation are attached hereto as Exhibit "10" and incorporated herein by reference. The Certificate of Insurance for American Tower Corporation will be submitted under separate cover to be included in Exhibit "10."**

- (8) *Application fees.* All communication tower applications shall include a check made out to the county treasurer in an amount to be determined by the planning director, based upon a schedule of fees enacted by the county council. Additional fees may be imposed in order to offset the costs associated with processing applications for special exceptions, appeals, or variances.

**A check in the amount of \$1,000.00 is included herewith.**

We would respectfully request that this application be placed on the October agenda for the Oconee County Planning Commission. We thank you very much for all your help and

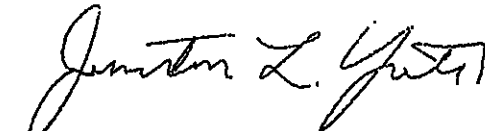


August 16, 2013  
Page 8

consideration. If you have any questions as you review, please contact me at (843) 414-9754, or e-mail me at [jly@hellmanyates.com](mailto:jly@hellmanyates.com).

With warmest regards, I am

Yours very truly,

A handwritten signature in cursive script that reads "Jonathan L. Yates". The signature is written in black ink and is positioned above the printed name.

Jonathan L. Yates

JLY:edh  
Enclosures

## **INDEX TO EXHIBITS**

1. Site Plans and Drawings
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5. FCC License for AT&T
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7. Letter of Authorization from Mr. Thomas Dale Pullen, property owner
8. Site Photographs
9. Lack of Collocation Opportunities Letter by Michael Flint of American Tower Corporation and ASR Search Results
10. Indemnification Letter and Certificate of Liability Insurance





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**BC**

**architect**  
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 Denver, CO 80202  
 Tel: 303.733.1100  
 Fax: 303.733.1101

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PROJECT NO.  
**280586**

PROJECT NAME  
**MARINLOT SC**

PROJECT ADDRESS  
**203 MARIN COURT MARINOVA SC**  
**CHARLESTON, SC 29512**

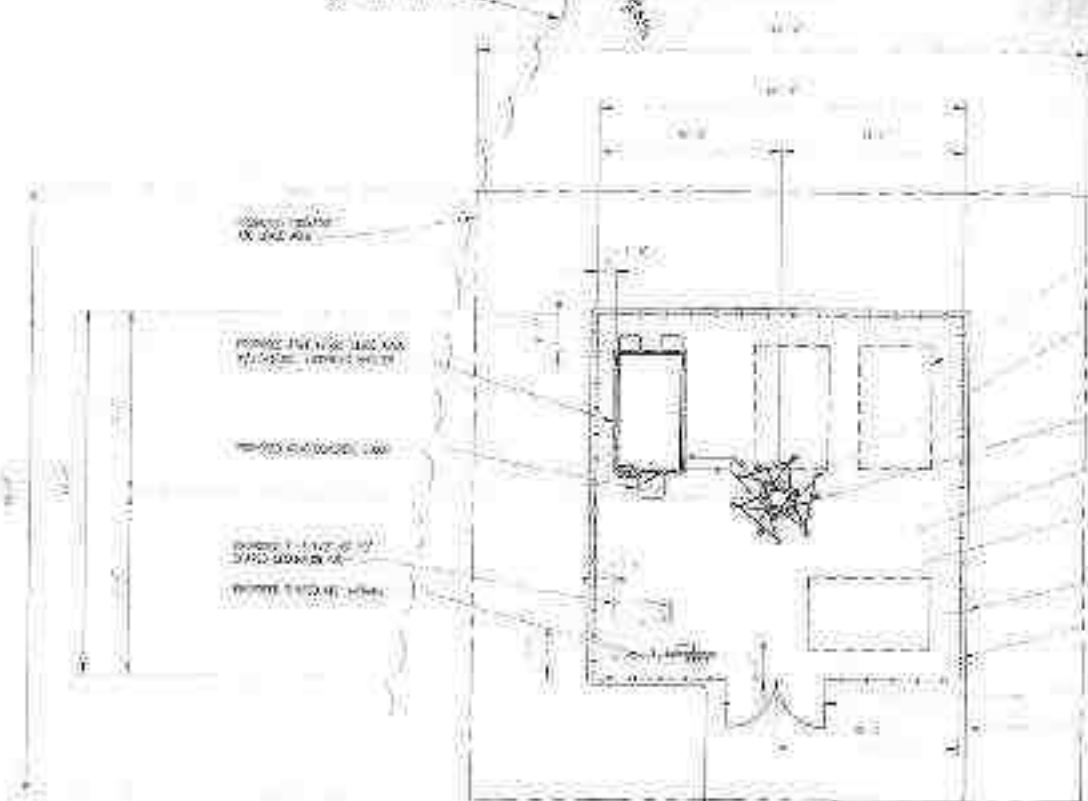


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| DATE PLOTTED | 08-28-13 |
| SCALE        | AS SHOWN |

**ENLARGED  
SITE PLAN**

| WEEK NUMBER | REV. |
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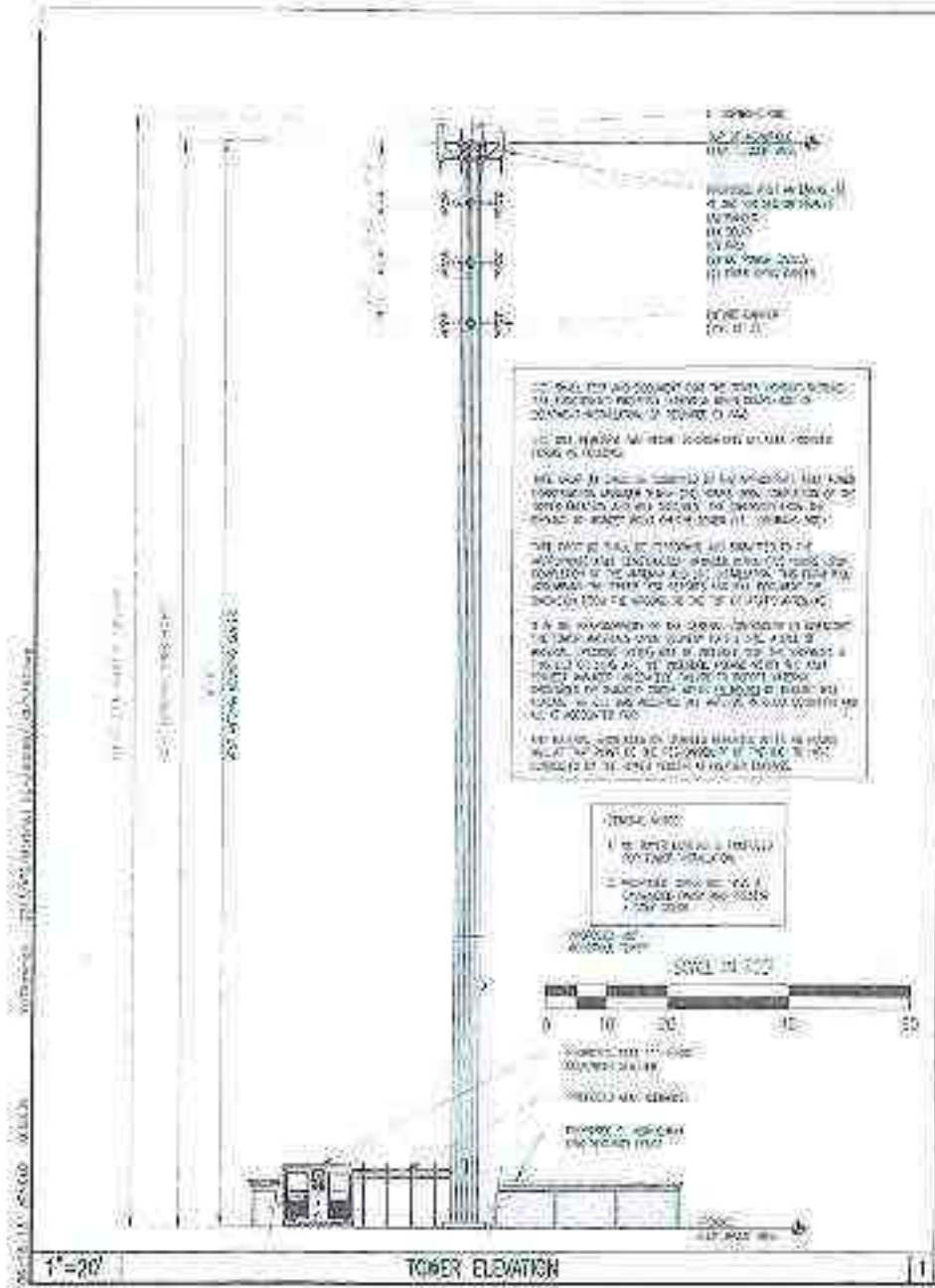
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ENLARGED SITE PLAN

2013-12-10 10:00 AM 2013-12-10 10:00 AM 2013-12-10 10:00 AM 2013-12-10 10:00 AM



**INFORMATION**

PROPERTY OF AT&T

NO TRESPASSING

VIOLATORS WILL BE PROSECUTED

AMERICAN TOWER

FEDERAL COMMUNICATIONS COMMISSION

FCC TOWER REGISTRATION NO. TBD

PROPERTY OF AT&T

Authorized Personnel Only

NO TRESPASSING

VIOLATORS WILL BE PROSECUTED

AMERICAN TOWER

FEDERAL COMMUNICATIONS COMMISSION

FCC TOWER REGISTRATION NO. TBD

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**AMERICAN TOWER**

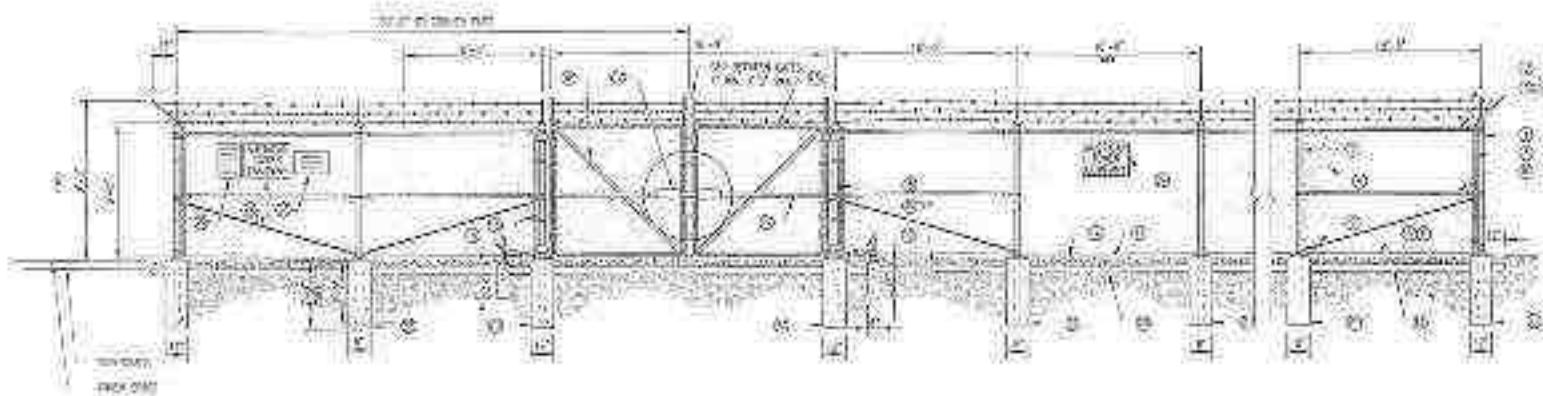
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MARTINEOT SC

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TOWER ELEVATION & SIGNAGE SPECIFICATIONS

A-2



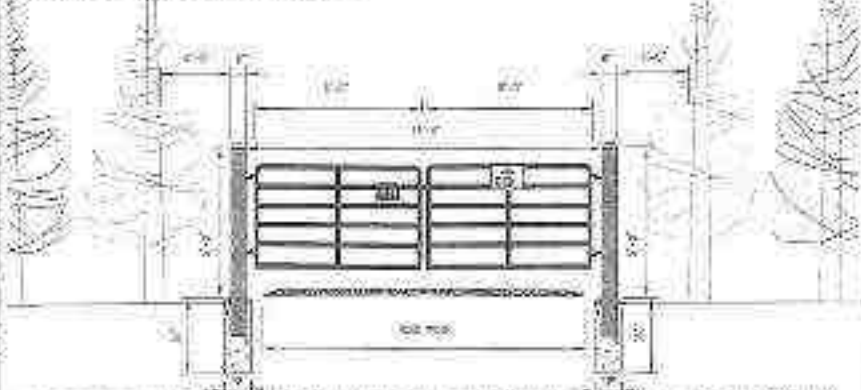
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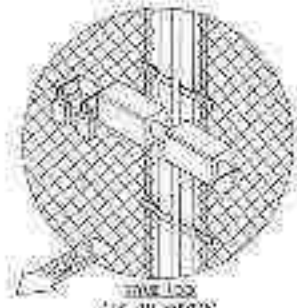
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A.T.S. 15' DOUBLE FARM GATE DETAIL

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  56. GATE SHALL BE 15' WIDE BY 7' HIGH.
  57. GATE SHALL BE 15' WIDE BY 7' HIGH.
  58. GATE SHALL BE 15' WIDE BY 7' HIGH.
  59. GATE SHALL BE 15' WIDE BY 7' HIGH.
  60. GATE SHALL BE 15' WIDE BY 7' HIGH.



TIME LOCK (SEE SECTION)

NO PLUMBER OR MASONRY REQUIRED.

A.T.S. FENCE, GATE AND COMPOUND CROSS SECTION DETAIL

**AMERICAN TOWER**  
 4810 LINDSEY BLVD  
 SUITE 1000  
 HOUSTON, TEXAS 77054  
 713.861.2100

**BC**

ARCHITECTS  
 1111 LINDSEY BLVD  
 SUITE 1000  
 HOUSTON, TEXAS 77054  
 713.861.2100

|     |      |             |
|-----|------|-------------|
| NO. | DATE | DESCRIPTION |
|     |      |             |
|     |      |             |
|     |      |             |
|     |      |             |
|     |      |             |

280585  
 MARTINLOT SC  
 300 SPAIN CROSS LANDING  
 SUITE 100  
 SANTA FE, NM 87505

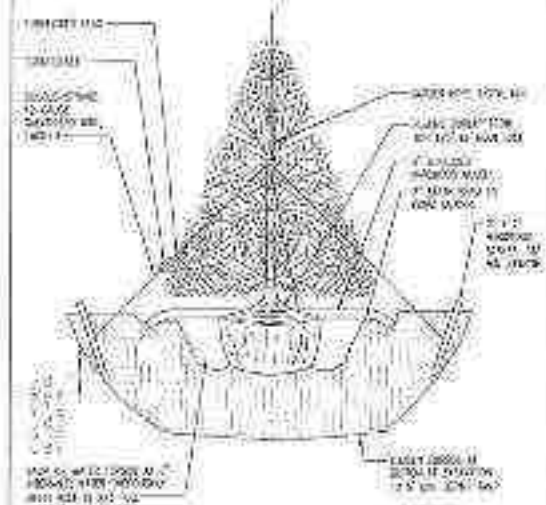
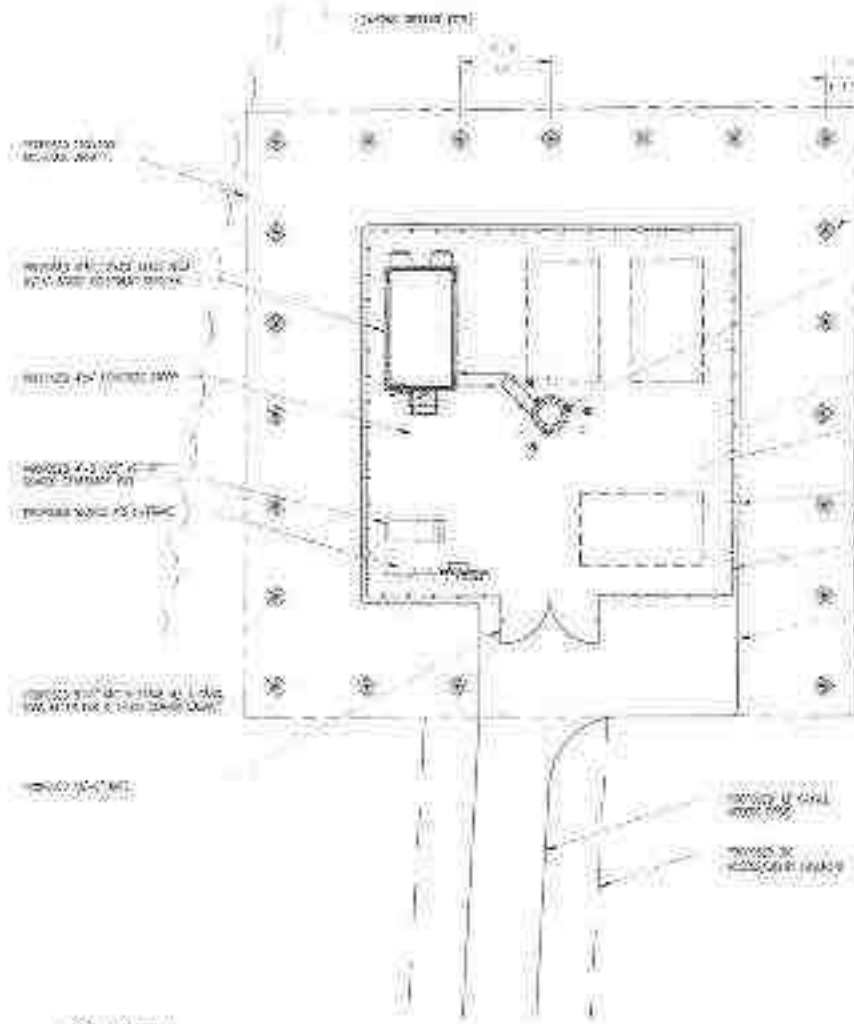


|      |    |
|------|----|
| DATE | BY |
|      |    |
|      |    |
|      |    |
|      |    |

FENCE, GATE AND COMPOUND CROSS SECTION DETAIL

A-3

| NO. | SYMBOL | DESCRIPTION     |
|-----|--------|-----------------|
| 1   |        | PLANT           |
| 2   |        | TREE            |
| 3   |        | WALL            |
| 4   |        | WINDOW          |
| 5   |        | DOOR            |
| 6   |        | FENCE           |
| 7   |        | PATH            |
| 8   |        | DRIVEWAY        |
| 9   |        | POOL            |
| 10  |        | DECK            |
| 11  |        | PATIO           |
| 12  |        | STAIR           |
| 13  |        | BENCH           |
| 14  |        | LIGHT           |
| 15  |        | SIGN            |
| 16  |        | RETENTION WALL  |
| 17  |        | FOUNDATION WALL |
| 18  |        | FOUNDATION WALL |
| 19  |        | FOUNDATION WALL |
| 20  |        | FOUNDATION WALL |



- NOTES:
1. 1" PLANTING SPACING
  2. 1" PLANTING SPACING
  3. 1" PLANTING SPACING

**AMERICAN TOURIST**  
 400 W. MAIN ST.  
 SUITE 100  
 CHARLOTTE, NC 28202  
 (704) 375-1234  
 WWW.AMERICAN-TOURIST.COM

**BC**

ESTABLISHED  
 1968

280586  
 MARTIN LOT SC

100 S. MAIN ST. SHERWOOD, SC  
 29386

2-24-18

LANDSCAPING PLAN

REV. 1

L-1



Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 2601 Meacham Boulevard  
 Fort Worth, TX 76137

Aeronautical Study No.  
 2013-ASO-5116-OE

Issued Date: 08/08/2013

FAA / FCC Department  
 American Towers, LLC  
 10 Presidential Way  
 Woburn, MA 01801

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower - MARTINLOT SC (280586)  
 Location: Seneca, SC  
 Latitude: 34-49-29.97N NAD 83  
 Longitude: 82-56-59.02W  
 Heights: 942 feet site elevation (SE)  
 184 feet above ground level (AGL)  
 1126 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 02/08/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.



NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (404) 305-7082. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2013-ASO-5116-OE.

**Signature Control No: 191604422-195817543**

( DNE )

Earl Newalu  
Specialist

Attachment(s)  
Frequency Data

cc: FCC

Frequency Data for ASN 2013-ASO-5116-OE

| LOW<br>FREQUENCY | HIGH<br>FREQUENCY | FREQUENCY<br>UNIT | ERP  | ERP<br>UNIT |
|------------------|-------------------|-------------------|------|-------------|
| 698              | 806               | MHz               | 1000 | W           |
| 806              | 824               | MHz               | 500  | W           |
| 824              | 849               | MHz               | 500  | W           |
| 851              | 866               | MHz               | 500  | W           |
| 869              | 894               | MHz               | 500  | W           |
| 896              | 901               | MHz               | 500  | W           |
| 901              | 902               | MHz               | 7    | W           |
| 930              | 931               | MHz               | 3500 | W           |
| 931              | 932               | MHz               | 3500 | W           |
| 932              | 932.5             | MHz               | 17   | dBW         |
| 935              | 940               | MHz               | 1000 | W           |
| 940              | 941               | MHz               | 3500 | W           |
| 1850             | 1910              | MHz               | 1640 | W           |
| 1930             | 1990              | MHz               | 1640 | W           |
| 2305             | 2310              | MHz               | 2000 | W           |
| 2345             | 2360              | MHz               | 2000 | W           |



July 2, 2013

Josh Stephens  
Zoning Administrator  
Oconee Planning Department  
415 S. Pine St.  
Walhalla, SC 29691  
(864) 638-4218

Re: American Tower Corporation - Site Name: Martinlot;  
Telecommunication Facility Application - Tower Removal Letter

Dear Mr. Stephens:

Please accept the signed statement below as confirming Section 32-134(d) of the Oconee County Zoning Ordinance.

American Tower Corporation, its successors and assigns, provide this statement declaring itself, its successors and assigns of being financially responsible to ensure the proposed communications tower, when it is no longer used for communications purposes for a continuous period of one (1) year, will be dismantled and removed within one hundred twenty (120) days of the date the tower is taken out of service.

A handwritten signature in black ink, appearing to read 'Michael Flint'.

Michael Flint  
Project Manager, Network Development  
American Tower Corporation

Michael F. Plahovinsak, P.E.

August 15, 2013

American Tower Corporation

Attn: Jeff Watts

Re: Proposed 180-ft Monopole  
Located in Oconee Co., SC: Site #280586 - Martinlot  
MFP #23513-358 / TAPP TP-11566

Dear Mr. Watts:

I understand that there may be some concern on the part of local building officials regarding the potential for failure of the proposed communication monopole. Communication structures are designed in accordance with the Telecommunications Industry Association ANSI/TIA-222-G, "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures".

I have designed this monopole to withstand a basic wind speed of 90 mph as recommended by ANSI/TIA-222-G for Oconee County. The design also conforms to the requirements of the 2012 International Building Code.

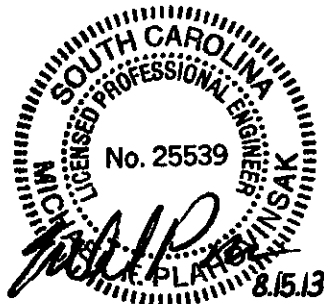
In the very unlikely event of a failure, the fall radius of the structure would be limited to 180'.

The structure has been designed with all of the applicable factors as required by the code. Communication poles are safe structures with a long history of reliable operation.

I hope this review of the monopole design has given you a greater degree of comfort regarding the design capacity inherent in pole structures. If you have any additional questions please call me at 614-398-6250 or email [mike@mfpeng.com](mailto:mike@mfpeng.com).

Sincerely,

Michael F. Plahovinsak, P.E.  
Professional Engineer





# TransAmerican

**Power Products, Inc.**

2427 Kelly Lane  
Houston, Texas 77066

PH: 281-444-8277 / FX: 281-444-7270

Page 1 of 1

Eng: MFP

Job Number: 23513-0358

Customer Ref: TP-11566

Date: 8/9/2013

Structure: 180-FT MONOPOLE  
 Site: 280586 MARTINLOT  
 Location: OCONEE CO., SC / 34°49'30", -81°37'35"  
 Owner: AMERICAN TOWER  
 Revision No.:      Revision Date:

## DESIGN

Building Code: 2006+ INTERNATIONAL BUILDING CODE

Design Standard: ANSITIA-222-G-2

Wind Speed Load Cases: 3-SEC. GUSTED WIND SPEED

Load Case #1: 90 MPH Design Wind Speed

Load Case #2: 30 MPH Wind with 0.75" Ice Accumulation

Load Case #3: 60 MPH Service Wind Speed

| Structure Class | Exposure Cat. | Topography Cat. | Crest Height |
|-----------------|---------------|-----------------|--------------|
| II              | C             | I               |              |

## EQUIPMENT LIST

| Elev. | Description                              |
|-------|--|
| 180   | (12) PANEL ANTENNAS (105 FT2 / 1800 LBS) |
| 180   | T-ARM MOUNTS                             |
| 170   | (12) PANEL ANTENNAS (105 FT2 / 1800 LBS) |
| 170   | T-ARM MOUNTS                             |
| 160   | (12) PANEL ANTENNAS (105 FT2 / 1800 LBS) |
| 160   | T-ARM MOUNTS                             |
| 150   | (12) PANEL ANTENNAS (105 FT2 / 1800 LBS) |
| 150   | T-ARM MOUNTS                             |

ANTENNA FEED LINES ROUTED ON THE INSIDE OF THE POLE

## STRUCTURE PROPERTIES

Cross-Section: 18-SIDED

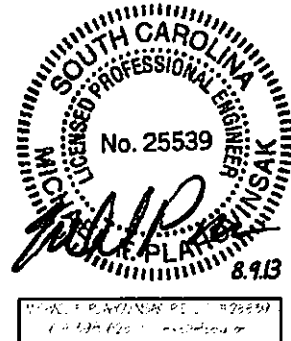
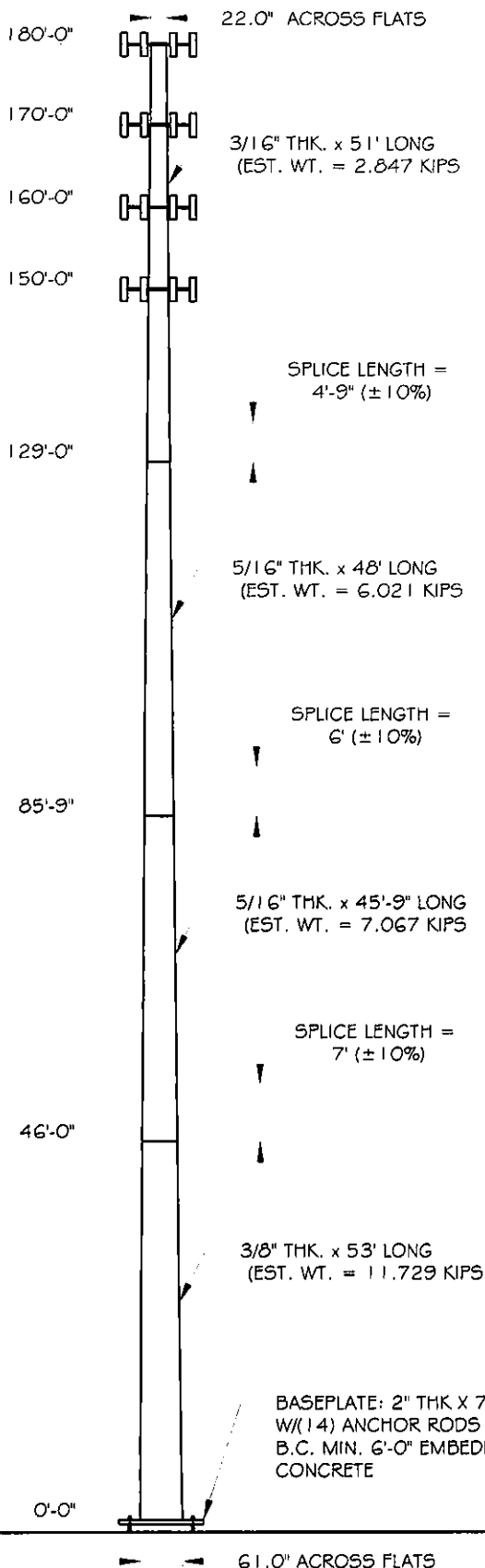
Taper: 0.22569 in/ft

Shaft Steel: ASTM A572 GR 65

Baseplate Steel: ASTM A572 GR 60

Anchor Rods: 2.25 in. AG 15 GR. 75 X 7'-0" LONG

| Sect. | Length (ft) | Thickness (in) | Splice (ft) | Top Dia. (in) | Bot Dia. (in) |
|-------|-------------|----------------|-------------|---------------|---------------|
| 1     | 51.00       | 0.1875         | 4.75        | 22.00         | 33.51         |
| 2     | 48.00       | 0.3125         | 6.00        | 32.06         | 42.90         |
| 3     | 45.75       | 0.3125         | 7.00        | 40.92         | 51.24         |
| 4     | 53.00       | 0.3750         | 0.00        | 49.04         | 61.00         |



## BASE REACTIONS FOR FOUNDATION DESIGN

Moment: 5000 ft-kp

Shear: 38 kip

Axial: 52 kip

ULS License

**700 MHz Lower Band (Blocks C, D) License - WPYZ924 - AT&T Mobility II LLC**

**PA** This license has pending applications: 0003300568

|               |                                    |                              |  |
|---------------|------------------------------------|------------------------------|--|
| Call Sign     | WPYZ924                            | Radio Service                | WZ - 700 MHz Lower Band (Blocks C, D)                              |
| Status        | Active                             | Auth Type                    | Regular  |
| <b>Market</b> |                                    |                              |  |
| Market        | CMA625 - South Carolina 1 - Oconee | Channel Block                | C  |
| Submarket     | 0                                  | Associated Frequencies (MHz) | 000710.00000000-000716.00000000<br>000740.00000000-000746.00000000 |

**Dates**

|           |            |              |            |
|-----------|------------|--------------|------------|
| Grant     | 12/11/2003 | Expiration   | 06/13/2019 |
| Effective | 11/27/2012 | Cancellation |            |

**Buildout Deadlines**

|     |            |     |  |
|-----|------------|-----|--|
| 1st | 06/13/2019 | 2nd |  |
|-----|------------|-----|--|

**Notification Dates**

|     |  |     |  |
|-----|--|-----|--|
| 1st |  | 2nd |  |
|-----|--|-----|--|

**Licensee**

|     |            |      |                           |
|-----|------------|------|---------------------------|
| FRN | 0016982233 | Type | Limited Liability Company |
|-----|------------|------|---------------------------|

**Licensee**

|  |   |
|--|---|
| AT&T Mobility II LLC<br>2200 N. Greenville Ave, 1W<br>Richardson, TX 75082<br>ATTN Reginald Youngblood | P:(972)234-7003<br>F:(972)301-6893<br>E:FCCMW@att.com |
|--|---|

**Contact**

|   |  |
|---|--|
| AT&T Mobility LLC<br>Michael P Goggin Mr<br>1120 20th Street, NW - Suite 1000<br>Washington, DC 20036<br>ATTN Michael P. Goggin | P:(202)457-2055<br>F:(202)457-3073<br>E:michael.p.goggin@att.com |
|---|--|

**Ownership and Qualifications**

Radio Service Type Fixed, Mobile, Radio Location  
Regulatory Status Common Carrier Interconnected Yes

**Alien Ownership**

The Applicant answered "No" to each of the Alien Ownership questions.

**Basic Qualifications**

The Applicant answered "No" to each of the Basic Qualification questions.

**Tribal Land Bidding Credits**

This license did not have tribal land bidding credits.

**Demographics**

Race

Ethnicity

Gender



AMERICAN TOWER®

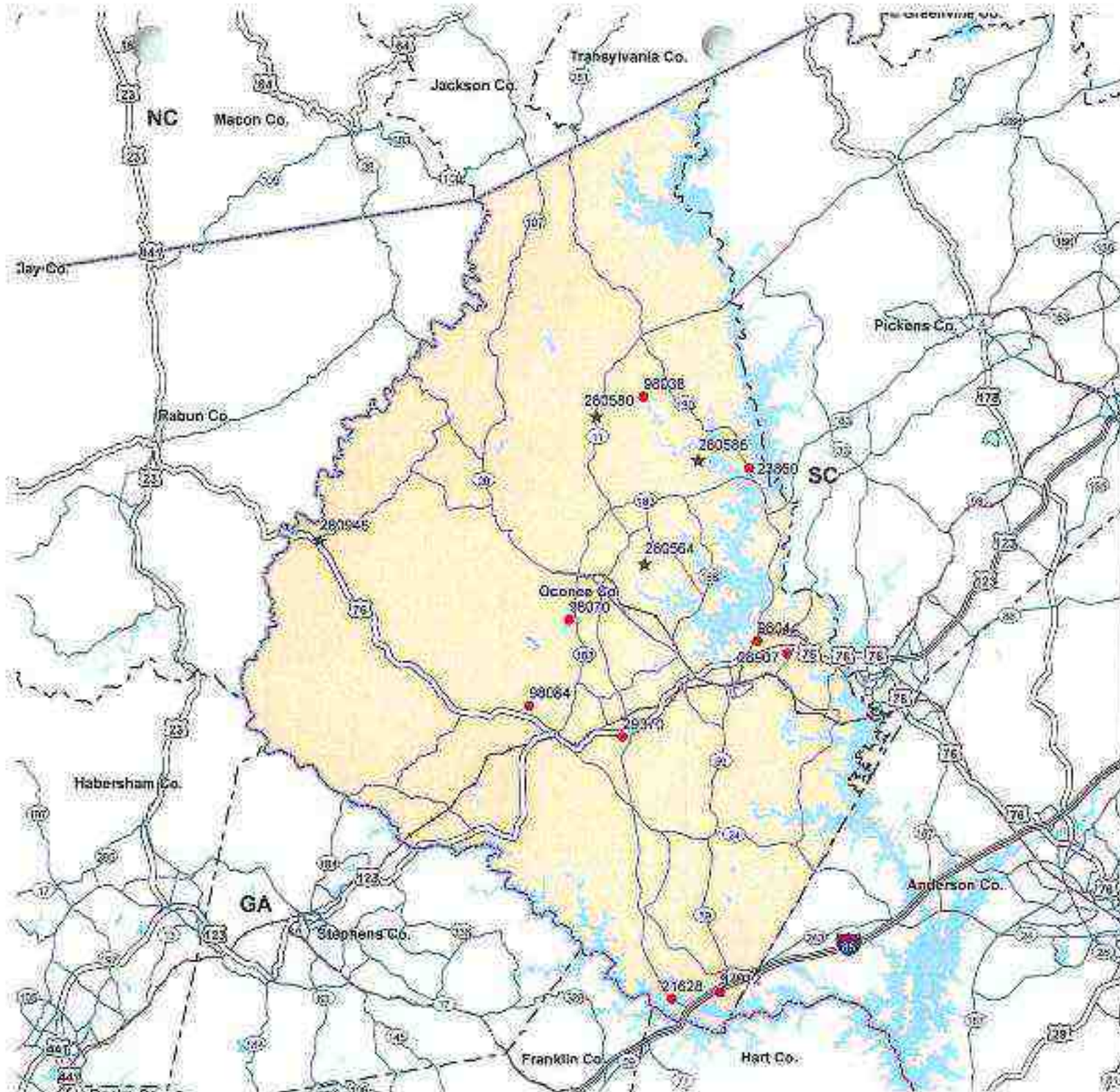
### ATC Active or In Development Tower

Oconee SC



1 in = 6 miles

- ATC Tower
- Active
- ★ In Development
- County Boundary





Property Owner Letter of Authorization

**Re: Application for New Wireless Telecommunications Facility  
Site Name: Martinlot SC  
Site Address: 690 Stamp Creek Landing Rd, Seneca, SC 29672**

I, Thomas Dale Pullen, as owner of the property referenced above in Oconee County, South Carolina, hereby authorize American Tower Corporation, including its agent Jonathan Yates with Hellman Yates & Tisdale, to pursue applications, permits and approvals through Oconee County for the newly-proposed wireless communications site described above.

Landowner signature: T. Dale Pullen Date: August 15, 2013

Landowner name and address:

Thomas Dale Pullen  
690 Stamp Creek Landing Rd. Seneca SC 29672







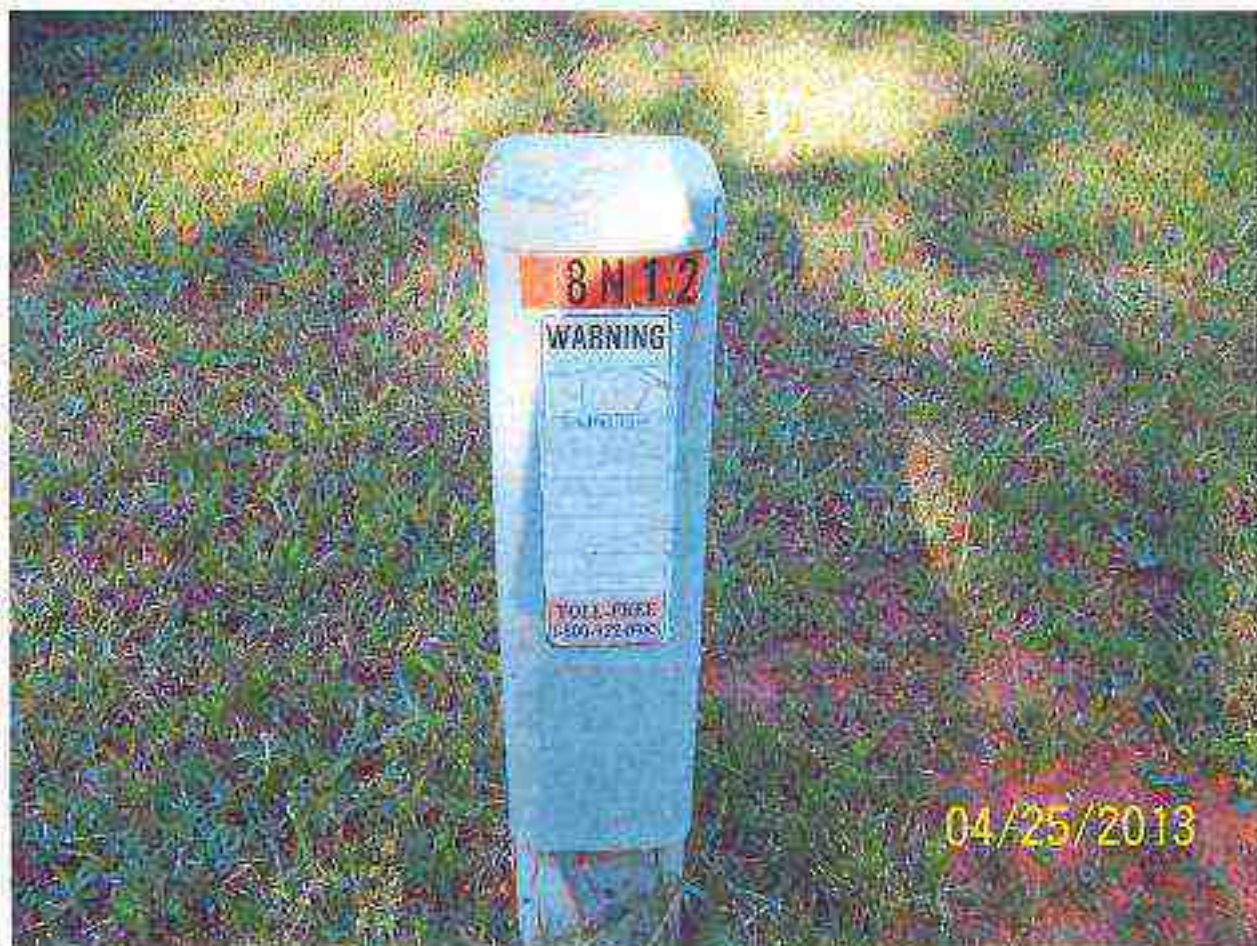




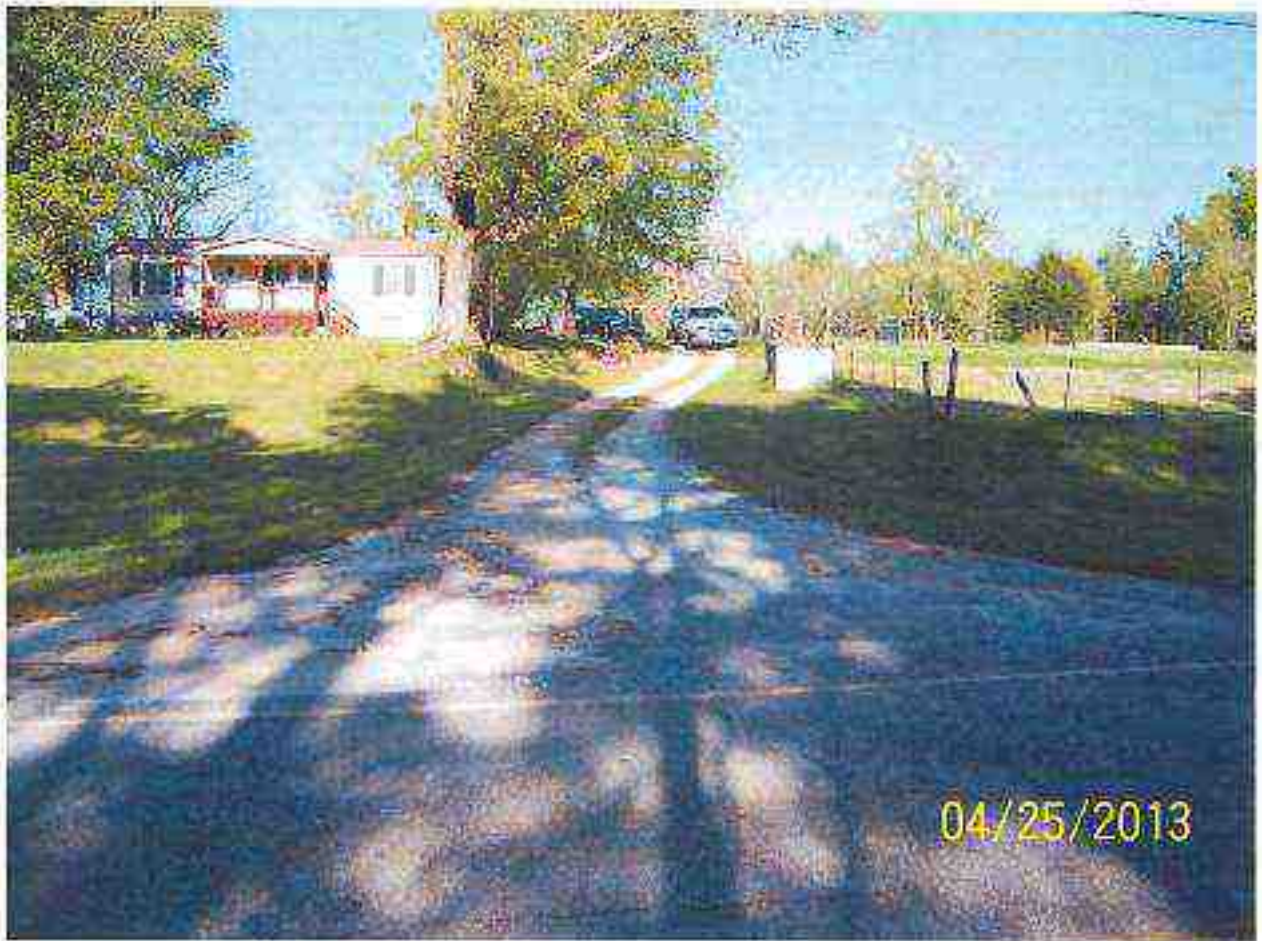
















July 2, 2013

Josh Stephens  
Zoning Administrator  
Oconee County Planning Dept.  
415 S. Pine St.  
Walhalla, SC 29691  
(864) 638-4218

Re: American Tower Corporation - Site Name: Martinlot; Telecommunication Facility Application –  
Lack of Collocation Letter

Dear Mr. Stephens:

American Tower Corporation and AT&T conducted extensive site acquisition efforts to determine if collocation on an existing tower or other structure would be possible, and no adequate structure could be found. There are no structures in the area that could provide the required mounting height of 180 ft and support the load of the antennas, lines, and related apparatus needed for AT&T to deploy its GSM and UMTS equipment. American Tower Corporation and AT&T considered all publicly owned sites, and available privately owned sites occupied by a compatible use, including all applicable sites or locations or a combination of sites and locations as described under Section 32-133(b) for priority of approval and have demonstrated that for the reasons described in Section 32-133(b) that these sites and/or locations are unsuitable for operation of the facility under applicable state and federal communications regulations and American Tower Corporation's and AT&T's technical design requirements.

If you have any questions regarding this determination, please do not hesitate to contact me at (843) 224-0616.

A handwritten signature in black ink, appearing to read "Michael Flint".

Michael Flint  
Project Manager, Network Development  
American Tower Corporation



# Antenna Structure Registration

[FCC](#) > [WTB](#) > [ASR](#) > [Online Systems](#) > [ASR Search](#)

[FCC Site Map](#)

ASR Registration Search

## Registration Search Results

[ADVANCED SEARCH](#) [HELP](#)

[New Search](#) [Refine Search](#) [Printable Page](#)

Displayed Results

**No matches found**

**PA** = Pending Application(s)

To try again, you can perform a [new search](#) or [refine your existing search](#).

### Specified Search

Latitude = **'34-49-30 N'**, Longitude = **'82-56-59 W'**, Radius = **2.8 Kilometers**

|                            |   |
|----------------------------|---|
| <b>ASR Help</b>            | <a href="#">ASR License Glossary</a> - <a href="#">FAQ</a> - <a href="#">Online Help</a> - <a href="#">Documentation</a> - <a href="#">Technical Support</a>  |
| <b>ASR Online Systems</b>  | <a href="#">TOWAIR</a> - <a href="#">CORES</a> - <a href="#">ASR Online Filing</a> - <a href="#">Application Search</a> - <a href="#">Registration Search</a> |
| <b>About ASR</b>           | <a href="#">Privacy Statement</a> - <a href="#">About ASR</a> - <a href="#">ASR Home</a>  |
| <b>Registration Search</b> | By Registration Number: <input type="text"/> <input type="button" value="SUBMIT"/>  |

[FCC](#) | [Wireless](#) | [ULS](#) | [CORES](#)

[Help](#) | [Tech Support](#)

Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Phone: 1-877-480-3201  
TTY: 1-717-338-2824  
[Submit Help Request](#)



Paul Prychodko  
RF Design Engineer  
218 College Street 2<sup>nd</sup> Floor  
Greenville, SC 29601

DATE: September 16, 2013  
SUBJECT: RF Justification for AT&T Wireless Site: 016-206

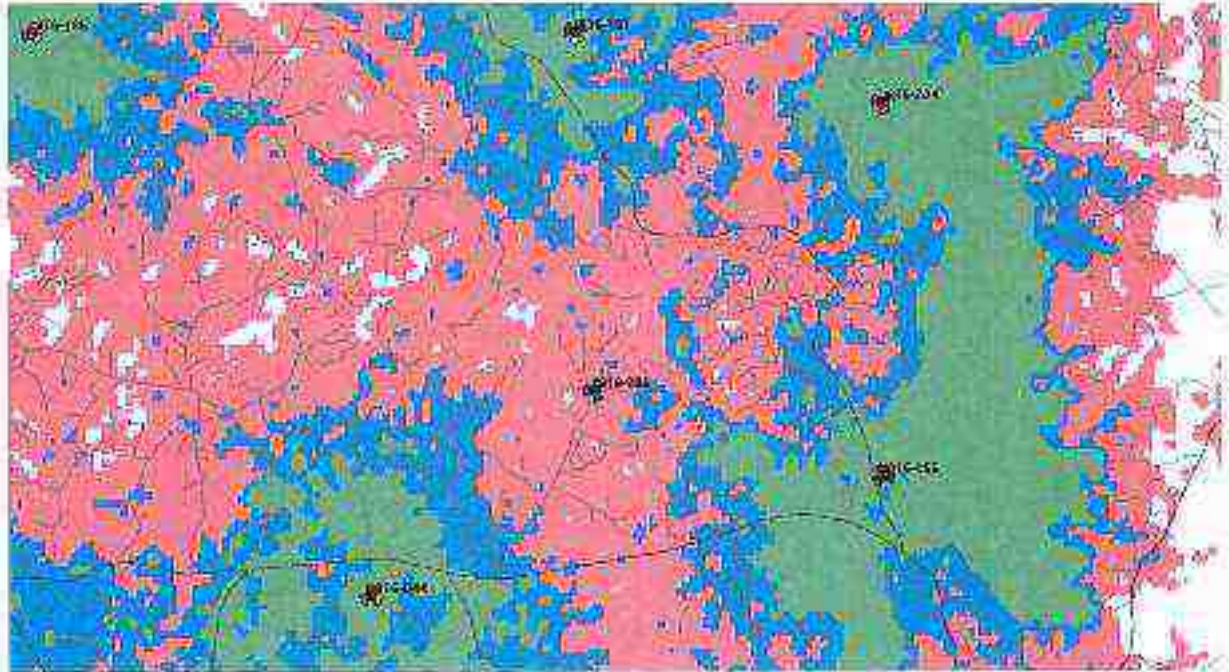
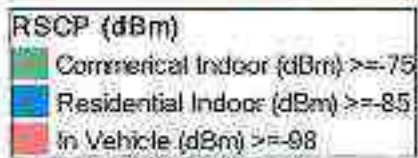
AT&T Mobility has been requested to provide justification for our proposed site 016-206. AT&T Mobility is currently in the process of enhancing/expanding our existing coverage in Oconee County. The proposed site will provide indoor coverage to residential housing around Lake Keowee, as well as outdoor coverage around the Lake. Existing structures have been utilized whenever possible. Figure 1 shows the general area within Oconee County that the new site will be located. In Figure 1 blue text and corresponding icons indicate the location of all existing sites and the white text box indicates the location of the proposed site.

Figure 1: Map of AT&T Wireless' Existing and Proposed Sites



Currently AT&T Mobility does not have adequate coverage in the concerning area. Refer to Figure 2, which shows coverage without the proposed site 016-206.




*Figure 2: Map of AT&T Wireless' Coverage without 016-206*

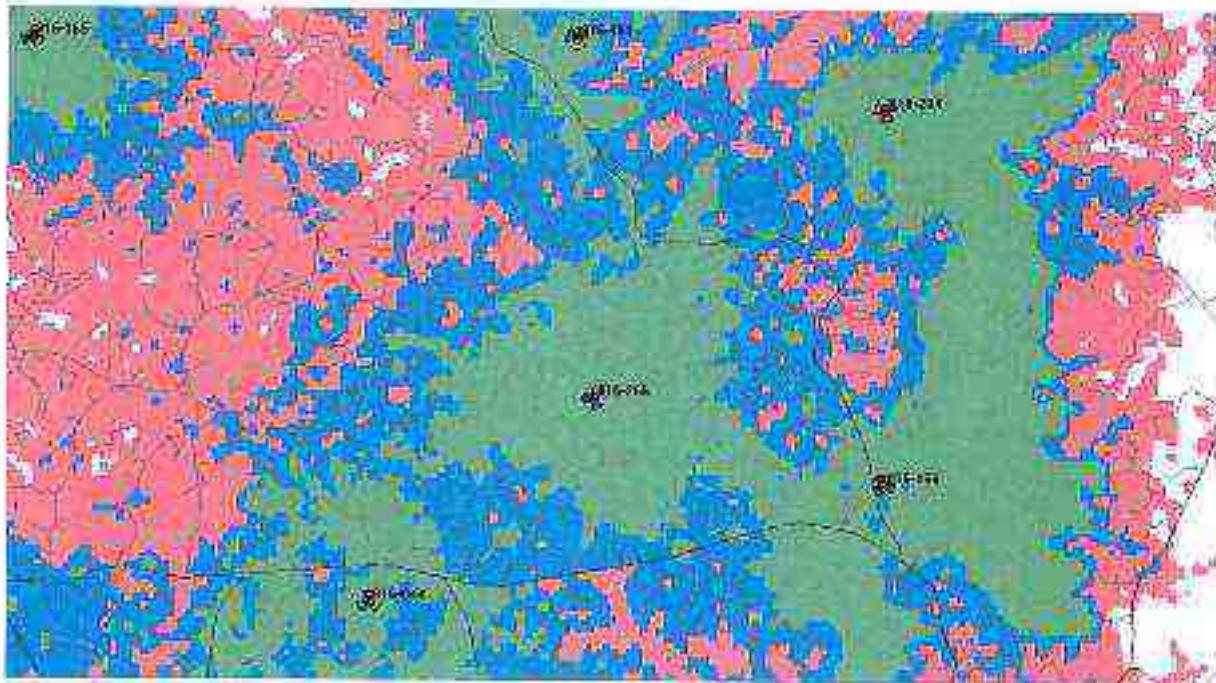


*With the addition of proposed site 016-206 AT&T Mobility will provide adequate coverage to residential housing around Lake Kenosha, as well as outdoor coverage around the Lake. Refer to Figure 3 which shows coverage with proposed site 016-206.*



Figure 3: Map of AT&T Wireless' Coverage with 016-205

| RSCP (dBm)  |                                     |
|---|-------------------------------------|
|  | Commerical Indoor (dBm) $\geq -75$  |
|  | Residential Indoor (dBm) $\geq -85$ |
|  | In Vehicle (dBm) $\geq -98$         |



*If there are any further questions regarding this data I can be reached at (864) 421-1523.*

*Paul Prychodko  
RF Design Engineer  
AT&T Mobility LLC  
Greenville/Columbia Markets  
Tel. 864-421-1523  
E-mail: [pp516@att.com](mailto:pp516@att.com)*



July 2, 2013

Josh Stephens  
Zoning Administrator  
Oconee County Planning Dept.  
415 S. Pine St.  
Walhalla, SC 29691  
(864) 638-4218

Re: American Tower Corporation - Site Name: Martinlot; Telecommunication Facility Application -  
Indemnification Letter

Dear Mr. Stephens:

American Tower Corporation agrees to and shall indemnify and hold Oconee County harmless from and against any and all actions, cause of actions, demands, damages, injuries, judgments, liabilities, liens, losses, obligations, orders, proceedings, rights, and suits, and any and all costs and expenses (including reasonable attorney's fees, litigation expenses, and interest) arising out of damage to real or personal property or injury to any person or in any way connected with the construction of, erection of, and/or maintenance of the communication tower and antenna, including the removal of said communication tower and antenna, as set forth in the Section 32-138(7) of the Oconee County Zoning Ordinance.

  
Michael Flint  
Project Manager, Network Development  
American Tower Corporation

**CERTIFICATE OF LIABILITY INSURANCE**DATE (MM/DD/YYYY)  
8/19/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|   |  |                        |
|---|--|------------------------|
| <b>PRODUCER</b><br>Wells Fargo Insurance Services<br>699 Boylston Street, 6th Floor<br>Boston, MA 02116<br>(866) 597-9827 | <b>CONTACT NAME:</b> Bobby Montrond<br><b>PHONE (A/C, No. Ext):</b> (617) 330-1005<br><b>E-MAIL ADDRESS:</b> bobby.montrond@wellsfargo.com | <b>FAX (A/C, No):</b>  |
|   | <b>INSURER(S) AFFORDING COVERAGE</b>   |                        |
| <b>INSURED</b><br>American Tower Corporation<br>116 Huntington Ave<br>Boston, MA 02116                                    | <b>INSURER A:</b> Greenwich Insurance Company  | <b>NAIC #</b><br>22322 |
|   | <b>INSURER B:</b> Great American Assurance Company   | 26344                  |
|   | <b>INSURER C:</b> XL Specialty Insurance Company   | 37885                  |
|   | <b>INSURER D:</b>  |                        |
|   | <b>INSURER E:</b>  |                        |
|   | <b>INSURER F:</b>  |                        |

**COVERAGES** **CERTIFICATE NUMBER:** 6466196 **REVISION NUMBER:** See below

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE   | ADDL INSR                                    | SUBR WVD | POLICY NUMBER    | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS  |              |
|----------|---|--|----------|------------------|-------------------------|-------------------------|---|--------------|
| A        | GENERAL LIABILITY   | X  |          | RGD9437614       | 12/31/12                | 12/01/13                | EACH OCCURRENCE   | \$ 1,000,000 |
|          | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY  |  |          |                  |                         |                         | DAMAGE TO RENTED PREMISES (Ea occurrence)               | \$ 1,000,000 |
|          | <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  |  |          |                  |                         |                         | MED EXP (Any one person)                                | \$ 10,000    |
|          |   |  |          |                  |                         |                         | PERSONAL & ADV INJURY                                   | \$ 1,000,000 |
|          |   |  |          |                  |                         |                         | GENERAL AGGREGATE                                       | \$ 2,000,000 |
|          |   |  |          |                  |                         |                         | PRODUCTS - COMP/OP AGG                                  | \$ 2,000,000 |
|          |   |  |          |                  |                         |                         |   | \$           |
| X        | AUTOMOBILE LIABILITY  | X  |          | (AOS) RAD9437615 | 12/31/12                | 12/01/13                | COMBINED SINGLE LIMIT (Ea accident)                     | \$ 1,000,000 |
|          | <input checked="" type="checkbox"/> ANY AUTO  | X  |          | (MA) RAD9437616  | 12/31/12                | 12/01/13                | BODILY INJURY (Per person)                              | \$           |
|          | <input type="checkbox"/> ALL OWNED AUTOS  |  |          |                  |                         |                         | BODILY INJURY (Per accident)                            | \$           |
|          | <input type="checkbox"/> HIRED AUTOS  |  |          |                  |                         |                         | PROPERTY DAMAGE (Per accident)                          | \$           |
|          |   |  |          |                  |                         |                         |   | \$           |
| B        | <input checked="" type="checkbox"/> UMBRELLA LIAB   |  | X        | UMB4646910       | 12/31/12                | 12/01/13                | EACH OCCURRENCE   | \$ 3,000,000 |
|          | <input type="checkbox"/> EXCESS LIAB  |  |          |                  |                         |                         | AGGREGATE   | \$ 3,000,000 |
|          | <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$  |  |          |                  |                         |                         |   | \$           |
| C        | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY   |  |          | (AOS) RWD9435386 | 12/31/12                | 12/01/13                | <input checked="" type="checkbox"/> WC STATUTORY LIMITS | OTH-ER       |
|          | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N<br><input checked="" type="checkbox"/> N | N/A      | (IN) RWD9435391  | 12/31/12                | 12/31/13                | E.L. EACH ACCIDENT                                      | \$ 1,000,000 |
|          |   |  |          |                  |                         |                         | E.L. DISEASE - EA EMPLOYEE                              | \$ 1,000,000 |
|          |   |  |          |                  |                         |                         | E.L. DISEASE - POLICY LIMIT                             | \$ 1,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Certificate Holder is Additional Insured in regards to Liability as respects operations of the Named Insured in regards to Site #280586-Martinlot SC per written contract.

**CERTIFICATE HOLDER**

Oconee County SC  
415 S. Pine St.  
Milledgeville, SC 29691

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

*James Brantley*



# Oconee County Planning Commission

415 S. Pine St. • Walhalla, South Carolina 29691  
Phone (864) 638-4218 • Fax (864) 638-4168

## NOTICE OF APPEAL

Date SEPT, 26, 13

I, HOWARD HOPKINS (owner) (agent of owner)

hereby request an appeal to the following action (be specific):

MY POLE BEING CALLED A COMMERCIAL COMMUNICATION TOWER.

Reason for appeal:

POLE IS TO BE USED FOR MY B.D. WIPPLE TO STAY IN CONTACT WITH MY SISTER.

Applicant's Name HOWARD HOPKINS

Address 131 WHEATSTONE RD, MT, REST, SC

Mailing Address (if different)

Phone Number 501 529 0972 Fax Number

Signature: [Handwritten Signature]

**HOWARD HOPKINS/MY STATE LIVE, INC.  
LAND AND TOWER SPECIFICATIONS  
FOR OCONEE COUNTY SC**

**TOWER:** 65' with one yard concrete in ground, Tower construction 2- 3" 1/4" wall 14' tall and 4' in ground, with 3" sq tubing in middle for pivot point so tower can be lowered. Tower has 3" sq tubing 11 gage for first 20' then 2.5" sq tubing inserted 2' and welded at 18' mark or bottom of 2.5" tubing and at insertion point. Same for next section which is 2" sq tubing then 9' piece of 1.5" round pipe at top to make pole 65' tall.

**PROPERTY:** See Survey map attached.

**TOWER LOCATION ON PROPERTY:** 74.5' from southeast property corner and 64' from southwest property corner

**ELECTRIC POWER SUPPLY:** See Survey map attached

**ON TOWER:** 2.4ghz wifi radios and 2-15 DBI 120 degree sector antennas, 2-60 degree radios with built-in 10 DBI antennas and 1 with 18 DBI antenna facing Waballa mounted in tree. Cat 5 wire from battery power supply to each radio. Power supplied by POE (POWER OVER ETHERNET ) output 12 or 24 VDC

**RADIO OUTPUT:** Set not to exceed FCC regulations for the 2.4ghz citizen band.

**ELECTRICAL CONSUMPTION:** Each POE pulls .5amp at 12VDC or 115VAC for total of 2.5amp pull at 12 or 24 VDC to Radios on Tower.

501 - 529 - 0972

h.hopkins@hhnsl.com

PH

Howard  
Hopkin  
501-529  
0972

Quis:

if he had permission  
to put antennas on  
water towers she  
could get broadband  
cut



On this day I have surveyed the above described land and have found that the same contains 1.000 Acres, more or less, as shown on the accompanying map. I have also surveyed the line of the Colorado River and have found that the same is 1.000 Miles long, more or less, as shown on the accompanying map. I have also surveyed the line of the Colorado River and have found that the same is 1.000 Miles long, more or less, as shown on the accompanying map.

Witness my hand and the seal of the State of Colorado at Denver, Colorado, this 1st day of January, 1903.

PLATE 1, 1903

**Golden Corner Surveying Inc.**

Surveyors

1000 Broadway  
Denver, Colorado

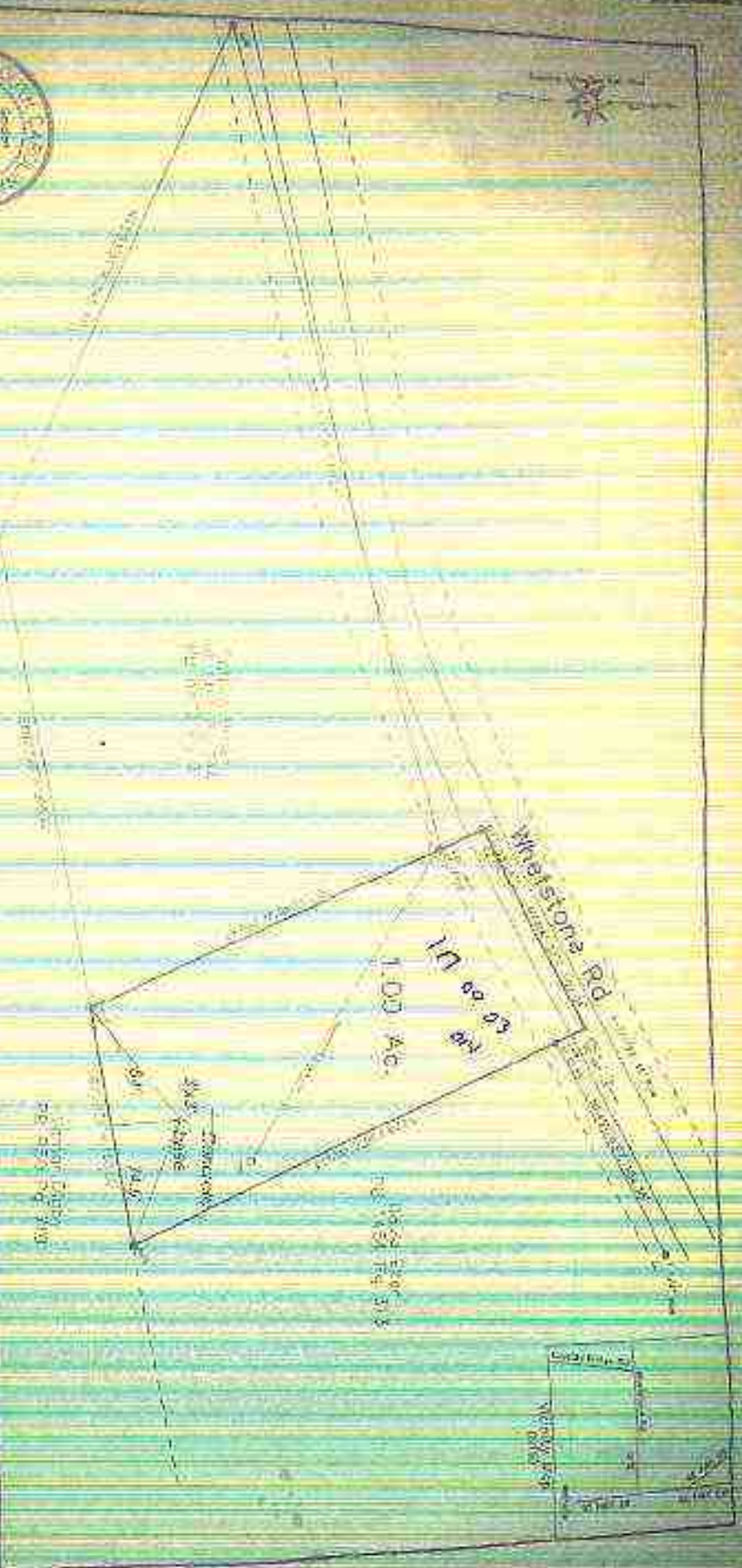
Legend

- Red line = Survey line
- Black line = Boundary line
- Blue line = Water course
- Green line = Road
- Yellow line = Fence
- Black dots = Corner monuments
- Red dots = Survey points
- Black dots = Station points
- Black dots = Control points

Survey for  
**Doyne-Hopkins**  
**Howard Hopkins**

Denver, Colo.  
October 27, 1902

Scale 1/4" = 100'





# OCONEE COUNTY COMMUNITY DEVELOPMENT

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## Planning | Zoning | Codes

August 19, 2013

Howard Hopkins  
My State Live, Inc.  
hhopkins@hhmsl.com

Mr. Hopkins,

Staff has concluded a review of the material submitted regarding a tower constructed along Whetstone Rd. (117-00-03-014). Based on this initial review, the provisions set forth in Ch. 32 Article 4 of Oconee County's Code of Ordinances apply to the project in question.

Please provide the following so staff can conduct a more thorough review of the tower in question:

1. A detailed description of how the tower is currently being used as well as any future plans for the tower in question.
2. All applicable documentation as outlined in Ch. 32 Article 4.

Also, note that based on conversations regarding the tower, the construction portion of the project should have also been permitted through the Building Codes Division. The Building Codes Division will also review the above information once it has been submitted for any applicable code and permitting requirements.

If you have any questions please feel free to contact our office at 864-718-1005.

Regards,



Joshua A. Stephens  
Zoning Administrator  
Community Development Department  
Oconee County, SC

Josh Stephens

---

From: Josh Stephens  
Sent: Monday, August 19, 2013 2:58 PM  
To: 'hhopkins@hhmsl.com'  
Subject: tower review  
Attachments: initial submission.pdf; initial review letter.pdf; ARTICLE\_IV.\_COMMUNICATION\_TOWERS.pdf

Mr. Hopkins,

Please see the attached material (initial review letter, initial submission material, Ch. 32 Article 4) regarding the tower constructed along Whetstone Dr. Please contact staff with any questions you may have.

Regards,

Josh Stephens  
Community Development Department  
Oconee County, SC  
864-364-5109



**HOWARD HOPKINS  
LAND AND TOWER SPECIFICATIONS  
FOR OCONEE COUNTY**

**POLE:** 6' with one yard concrete in ground. Construction 2- 3" 1/4" wall 14' tall and 4' in diameter with 3" sq tubing middle for pivot point so tower can be lowered. Tower has 3" sq tubing legs for first 20' then 2.5" sq tubing inserted 2' and welded at 18' mark tubing diameter of 2.5" insertion point. For next section which is 2" sq tubing piece of 5' round pipe tap to make pole 6' tall.

**PROPERTY:** SAME AS FIRST SUBMISSION.

**TOWER LOCATION ON PROPERTY:** 74.5' from street proper tower net and 64' from south west property corner

**ELECTRIC POWER SUPPLY:** See Survey map attached from first submission.

**ON TOWER:** 2- 6' degree 2.4ghz wifi radios with built-in 10 DBI antennas at possible from supply to each radio one to receive signal and one to send it to wireless supply by (POWER OVER ETHERNET) output 12 or 24 VDC

**RADIO OUTPUTS** do not exceed FCC regulations for the 2.4ghz citizen band

**ELECTRICAL CONSUMPTION** Each POE pulls .5amp at 12VDC or 115VAC for total of 1amp pulling 24 VDC to the two Radios on Tower.

My POLE has no commercial value. This may vary in the future\* and can be affected by its existence and height. It was tested with what was first submitted and found not commercially viable for being so I can have high-speed internet connection to my Servers, to maintain and service existing internet living in that area.

The height of the tower is not enough to get over the trees so it does not give line of sight for 2.4GHz system

**THE REASON** it is for my private use. That is why it is not a tower because of the land height and absence of trees toward Whalla, from where pole is located. There will not be more than 2 radios. ONE TO RECEIVE SIGNAL (Whalla) AND ONE TO SEND IT TO WHERE I AM CURRENTLY RESIDENT.

I may in the future ask for permission to construct communication tower once I have the funds to do so but the present pole is not and was not installed as a commercial communication tower as described nor ever will or could. **There is no way to make a profit\* for existence of THE REASON** the cable you ask me to respond to does not apply to this structure.

Thank you  
Howard Hopkins  
131 Weststone Rd  
Mt. Rest, SC 29664

\* It is my opinion and understanding that a commercial tower is an expectation of a profit to be derived from its construction and existence according to the meaning of the word commercially as a lawyer found in the definition in your code for your definition at one word

Josh Stephens

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From: Howard Hopkins <hhopkins@hhmsl.com>  
Sent: Saturday, September 21, 2013 9:26 PM  
To: Josh Stephens  
Subject: Re: Question  
Attachments: OCONEECOUNTYCODELETTER2.pdf

With all due respect you are the one who ask the questions about comercial use of pole.. I only answered that day with what I felt was possible. I have since learned it is not..

Also: I nor my attorney found your definition in your code for your meaning of COMMERCIAL.

Please find attached my submission for the Variance hearing.

----- Original Message -----

**From:** [Josh Stephens](#)

**To:** [Howard Hopkins](#)

**Sent:** Friday, September 20, 2013 4:54 PM

**Subject:** RE: Question

Mr. Hopkins,

With respect to your below questions I would refer you to our initial conversations where you discussed commercial use/applications and to the definition section Ch. 32 Article 4.

Have a great weekend!

Regards,

Josh Stephens  
Community Development Department  
Oconee County, SC  
864-364-5109

---

**From:** Howard Hopkins [mailto:hhopkins@hhmsl.com]

**Sent:** Friday, September 20, 2013 9:26 AM

**To:** Josh Stephens

**Subject:** Question

In reading the Ordinance you claim applies to my pole it seems to me the question is whether it is used for commercial or private use. If this is this correct what determines commercial use? Is my being able to be in contact with my servers, which is my business, make it commercial? Please answer both questions as clearly as you can.

Thank you  
Howard Hopkins  
Administrator for mystateline.com, net  
and hhmsl.com  
Phone# 501-529-0972  
SC Phone# 864-810-8601

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Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2013.0.3408 / Virus Database: 3222/6682 - Release Date: 09/19/13

Josh Stephens

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From: Josh Stephens  
Sent: Tuesday, September 17, 2013 8:00 AM  
To: 'Howard Hopkins'  
Subject: Appeal Procedures  
Attachments: appealapplication.pdf

Mr. Hopkins,

Welcome back to SC! We have a three issues at work regarding the tower in question.

1. Based on information provided to staff, staff concluded that the tower would need to comply with the standards contained with Ch. 32 Article 4.
  - a. I believe you state below that you disagree with that decision. An appeal can be filed (form is attached) for the Board of Zoning Appeals to review. If you wish to file an appeal then you will need to complete the attached form and return it to me, by September 26<sup>th</sup>, with any all information you would like to present for the Board to review. The Board hearing will be held on October 24<sup>th</sup>. The cost of the appeal is \$50.00 plus the cost of the public notice we file with a local paper.
  - b. Also, regarding your below statement referring to comments made by staff a year ago, I request that verification (a letter from staff, etc...) of your claim be provided for review.
2. The appropriate approval (Board Approval of a Special Exception as required in Ch. 32 Article 4) had not been obtained in order for a permit for electrical for the tower to be approved.
3. A building permit, which should have been obtained, was neither applied for nor issued for the construction of the tower; thus, the tower is not in compliance with County standards related to permitting construction activity. Regardless of the outcome of the any appeal that may be filed, this issue pertaining to permitting will need to be resolved with the Building Codes Division.

Please contact me with any questions you may have.

Regards,

Josh Stephens  
Community Development Department  
Oconee County, SC  
864-364-5109

---

**From:** Howard Hopkins [mailto:hhopkins@hhmsl.com]  
**Sent:** Monday, September 16, 2013 9:01 PM

**To:** Josh Stephens

**Subject:** Re: status of cell tower

Hope this finds you well also. I have been in AR for a while now and just got back to SC last night. Being you are claiming my 65' pole to be a cell tower I will have to ask for a hardship variance in my application for electrical service as well as for the pole I have on my property that your people said I could install last year as long as it is not over 65' without a permit. Please advise of the proper paper work to make this application.

Thank you  
Howard Hopkins

----- Original Message -----

**From:** [Josh Stephens](#)

**To:** [hhopkins@hhmsl.com](mailto:hhopkins@hhmsl.com)

**Sent:** Friday, September 13, 2013 3:29 PM

**Subject:** status of cell tower

Mr. Hopkins,

I hope this message finds you well.

I just wanted to check in with you concerning your response to the attached letter that we discussed a few weeks ago. Please let me know the status of your response and if you have any questions.

Regards,

Josh Stephens  
Community Development Department  
Oconee County, SC  
864-718-1005

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Version: 2013.0.3392 / Virus Database: 3222/6669 - Release Date: 09/15/13

Josh Stephens

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From: Howard Hopkins <hhopkins@hhmsl.com>  
Sent: Tuesday, September 17, 2013 11:32 AM  
To: Josh Stephens  
Subject: What I said

With the misunderstandings thus far let me explain why the pole in question is not of commercial value.. I said the radios I use will reach 7 miles and they will in LINE OF SITE. that means no obstructions in the way and that includes trees. at 65' that is tree line height and therefore they will not broadcast more that about 8 tenths of a mile because of trees obstructing the line of site. I am not sure of the exact distance but it is not far enough to reach homes that can not be seen from the pole. There are maybe 10 homes that can be seen and most of those do no even have computers as per your idea, I did ask.

I need the broadband access at Mt Rest so I can access my servers 24/7 to keep my web site, email and private Instant messaging services working well for my customers all of whom are in a different states.

I hope this explains my situtation and need for the pole.

Thank You  
Howard Hopkins  
Administrator for mystateline.com, net  
and hhmsl.com  
Phone# 501-529-0972  
SC Phone# 864-810-8601

Josh Stephens

---

From: Josh Stephens  
Sent: Tuesday, September 17, 2013 12:31 PM  
To: 'Howard Hopkins'  
Subject: RE: Your phone call  
Attachments: appealapplication.pdf

Mr. Hopkins,

As we discussed, if you wish to file an appeal you will need to submit the above application along with any information you would like for the Board to review by September 26th. Also, the cost of the appeal is \$50.00 plus the cost of the ad which usually runs around \$25-26 and some change. I will not have an exact amount until the paper sends me an invoice. And yes, the payment can be made after the 3<sup>rd</sup> of October but the payment will need to be made before the hearing on October 24<sup>th</sup>.

Regards,

Josh Stephens  
Community Development Department  
Oconee County, SC  
864-364-5109

---

**From:** Howard Hopkins [mailto:hhopkins@hhmsl.com]  
**Sent:** Tuesday, September 17, 2013 10:46 AM  
**To:** Josh Stephens  
**Subject:** Your phone call

Thank you for your phone call at 10:25am today lasting 8min and 48 sec. It is my understand now that you need requested papers about my pole by the 26th of Sept 2013 and that the funds for the appeal (\$75.00) will not be needed until after the 3rd of Oct. 2013. If this is correct please respond via email agreeing with what I have said here.

Thank you  
Howard Hopkins

----- Original Message -----

**From:** [Josh Stephens](#)  
**To:** [Howard Hopkins](#)  
**Sent:** Tuesday, September 17, 2013 8:00 AM  
**Subject:** Appeal Procedures

Mr. Hopkins,

Welcome back to SC! We have a three issues at work regarding the tower in question.

1. Based on information provided to staff, staff concluded that the tower would need to comply with the standards contained with Ch. 32 Article 4.
  - a. I believe you state below that you disagree with that decision. An appeal can be filed (form is attached) for the Board of Zoning Appeals to review. If you wish to file an appeal then you will need to complete the attached form and return it to me, by September 26<sup>th</sup>, with any all information you would like to present for the Board to review. The Board hearing will be held on October 24<sup>th</sup>. The cost of the appeal is \$50.00 plus the cost of the public notice we file with a local paper.
  - b. Also, regarding your below statement referring to comments made by staff a year ago, I request that verification (a letter from staff, etc...) of your claim be provided for review.
2. The appropriate approval (Board Approval of a Special Exception as required in Ch. 32 Article 4) had not been obtained in order for a permit for electrical for the tower to be approved.
3. A building permit, which should have been obtained, was neither applied for nor issued for the construction of the tower; thus, the tower is not in compliance with County standards related to permitting construction activity. Regardless of the outcome of the any appeal that may be filed, this issue pertaining to permitting will need to be resolved with the Building Codes Division.

Please contact me with any questions you may have.

Regards,

Josh Stephens  
Community Development Department  
Oconee County, SC  
864-364-5109

---

**From:** Howard Hopkins [mailto:hhopkins@hhmsl.com]  
**Sent:** Monday, September 16, 2013 9:01 PM  
**To:** Josh Stephens  
**Subject:** Re: status of cell tower

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Thank you  
Howard Hopkins

----- Original Message -----

**From:** [Josh Stephens](#)



**To:** [hhopkins@hhmsl.com](mailto:hhopkins@hhmsl.com)

**Sent:** Friday, September 13, 2013 3:29 PM

**Subject:** status of cell tower

Mr. Hopkins,

I hope this message finds you well.

I just wanted to check in with you concerning your response to the attached letter that we discussed a few weeks ago. Please let me know the status of your response and if you have any questions.

Regards,

Josh Stephens  
Community Development Department  
Oconee County, SC  
864-718-1005

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Version: 2013.0.3408 / Virus Database: 3222/6672 - Release Date: 09/16/13