



## AGENDA

- I. Call to Order: 4:30 PM
- II. Pledge of Allegiance
- III. Roll Call & Determine Quorum
- IV. Approval of January 13, 2016 Meeting Minutes
- V. New Business
  - A. **Glenn Mitchell – BZA 2016-007**  
Location: John Bragg Highway, Map No.:104, Parcel: 162.04, Request for special exception approval allowing the establishment of a community assembly facility with a maximum occupancy of 150 to 500 persons on a property located in the RM, Medium Density Residential District.
  - B. **Baker, Donelson, Bearman, Caldwell & Berkowitz, PC on behalf of Verizon Wireless – BZA 2016-008**  
Location: Redfield Drive, Map No.:56, Parcel: 69, Request for special exception approval for the establishment of a monopole communications tower measuring 155' in height upon a property located in the RM, Medium Density Residential zoning district.
- VI. Board Business
- VII. Adjournment



**Minutes of the  
Rutherford County Board of Zoning Appeals  
Wednesday, January 13, 2016**

**Board Members Present:**

Jared Barrett	Zane Cantrell	Joe Meshotto
Veronica Buchanan	Gary Farley	Jerry Sartain

**Staff Members Present:**

Danielle Glouner, Assistant Director	Joanne Criswell, Codes Enforcement
Shauntae Sherril, Administrative Support	
Blake Garner, County Attorney	
Mike Hughes, County Engineer	

**Called to order at 4:30 pm. Quorum met. All voting members present.**

The Minutes of the December 9, 2015 meeting were presented. Chairman Cantrell asked for any corrections or additions. There being none, Chairman Cantrell called for a motion to accept the Minutes.

**Joe Meshotto moved, seconded by Veronica Buchanan, to approve the Minutes as presented by Staff.**

**Motion Carried (Unanimous Voice)**

**The Minutes of the December 9, 2015 meeting were Approved.**

**BZA 2016-001 Robert A. Kelley**

The Applicant requested a variance relief to reduce the side yard setback requirement of 10' to 7.2' for property located in RM zone. Danielle Glouner presented staff findings. The structure is an existing home that has been recently constructed. The new property owner is seeking approval to correct the encroachment into the side yard. This mistake was made during construction, but was not discovered until it was too late. If this request is denied, the structure will have to be modified in order to come into compliance. There were several phone calls requesting information after signs were posted, but none opposing the request. The staff received a letter from the neighbor in favor of the request. The site met the general requirements for variance approval. Ms. Tiffany Kelley spoke regarding the request. Zane Cantrell opened and closed the public hearing.

**Board Member Farley moved, seconded by Board Member Sartain, to Approve the request as presented by Staff.**

**Motion Carried ( 5 For, 0 Against)**

**Request was Approved**

**BZA 2016-002 Brett Nance**

The Applicant requested a temporary special exception approval for a borrow pit with relief from the setback requirements for borrow pits in the RL zone. Danielle Glouner presented staff findings. This represents the 3<sup>rd</sup> request for temporary special approval. The Applicant has been operating in compliance with conditions of the pre-existing permits. There were several phone calls inquiring about the request, but none in opposition. Mike Hughes, County Engineer spoke regarding the request. He stated the Applicant has not violated any of the ordinances required for a borrow pit. Gary Farley asked if the Applicant had any other sites. There was no knowledge of any other sites. Jerry Sartain wanted to know the maximum time allowed for the permit. The Applicant's permit will be in good standing for 9 months. Mr. Eddie Nance spoke regarding the request. Zane Cantrell opened and closed the public hearing.

**Board Member Sartain moved, seconded by Board Member Meshotto, to Approve the request as presented by Staff .**

**Motion Carried ( 5 For, 0 Against)**

**Request was Approved**

**BZA 2016-003 Donald Bruce**

The Applicant sought temporary special exception approval allowing a borrow pit on a property located in the RM zone. Danielle Glouner presented staff findings. The Applicant has been before the Board on three occasions and received two resource extraction permits. This will be the 3<sup>rd</sup> permit for the Applicant. There were several phone calls in opposition of the request and received one phone call in favor. Mr. Bruce is not asking for any changes to be made to the original permit proposed in 2013. Mike Hughes, County Engineer, spoke regarding the request. Mr. Hughes stated that in order for the Applicant to continue work, he suggested to excavate all the materials out of the flood way and move to higher grounds and stabilize both areas. Staff has not written any notices of violation or stop work orders. However, staff asks that the Applicant update the Letter of Credit for Road and Reclamation Bond. Mr. Farley asked if there were issues at this site. Mike Hughes stated that the Applicant went beyond the period he was approved, but was given a 3 month administrative extension. Josh Cannon, Site Manager, spoke regarding the request. Mr. Farley wanted to know why the deadline was not met. Mr. Cannon stated it was due to the weather and he also was not aware it had to be renewed. Joe Meshotto, Gary Farley, Veronica Buchanan discussed if the project could be finished in the 9 months if approved and the hours of operation. Staff found that the request did not meet the general requirements for special exception. Zane Cantrell opened the public hearing. **Russell Simanson at 2936 Rucker Rd** spoke on behalf of 78 residents who signed a petition opposing the request. He stated a video was available showing dump trucks leaving the site after hours and the dump trucks are not covered. The surrounding neighbors are complaining about the heavy traffic, noise nuisance, decreased property value, disrupting the area, and destroying the roads. **James Avent at 2656 Rucker Rd** spoke in opposition of the request. Mr. Avent submitted photos of the dump trucks as part of the record. **Greg Mather at 2978 Rucker Rd** spoke against the request for various reasons. He stated that this site has affected the property value of the neighborhood and the property is in the flood plain. **Russell Simanson, Sr. at 2800 Rucker Rd** spoke in opposition of the request. Donald Bruce, owner of property spoke regarding the request. He discussed the issues at hand and clarified what was taken place at the site. Zane Cantrell discussed with Mr. Bruce the requirements for this permit. Mr. Farley spoke with the Applicant about the hours of operation. He stated that the complaints from the neighbors were the dump trucks working after hours permitted. Mr. Bruce stated that there is no hauling after five o'clock, but someone may still be on premises after hours. Mr. Cantrell asked if Mr. Bruce understood the requirements the county was placing upon him. Zane Cantrell closed the public hearing.

**Board Member Farley moved, seconded by Board Member Sartain, to DENY the request based on activities extended beyond the date established on the Order of Action for BZA 2015-003 without approval of an administrative extension, concerns regarding traffic and times of operation expressed by neighbors, and the request failed to meet the general requirements for temporary borrow pits.**

**Motion Carried ( 5 For, 0 Against)**

**Request was Denied**

**BZA 2016-004 Jackie Hutchins**

The Applicant sought for special exception approval for the establishment of an accessory structure before the principal structure for a property located in the RM zone. Danielle Glouner presented staff findings. There were informational phone calls, but none in opposition of the request. The site meets general requirements for special exception approval and the specific standards for the construction of an accessory structure prior to the establishment of a principal structure with the condition that the use continually comply with the standards for

a non-commercial storage facility, garage, workshop, or other structure for the private use of the landowner. Mr. Jackie Hutchins spoke regarding the request. He stated that he plans on installing a fire hydrant. Joe Meshotto asked if the water line could support the fire hydrant. Zane Cantrell opened and closed the public hearing.

**Board Member Meshotto moved, seconded by Board Member Farley, to Approve the request as presented by Staff .**

**Motion Carried ( 5 For, 0 Against)**

**Request was Approved**

**BZA 2016-005 Patrick and Dawn Beauchene**

The Applicant requested a special exception approval for the establishment of an accessory structure before the principal structure for a property located in the RM zone. Danielle Glouner presented staff findings. There were informational phone calls regarding the request, but none were in opposition. The site meets general requirements for special exception approval and the specific standards for the construction of an accessory structure prior to the establishment of a principal structure with the condition that the use continually comply with the standards for non-commercial storage facility, garage, workshop, or other structure for the private use of the landowner. Mrs. Beauchene spoke regarding the request. Zane Cantrell opened and closed the public hearing.

**Board Member Sartain moved, seconded by Board Member Buchanan, to Approve the request as presented by Staff .**

**Motion Carried ( 5 For, 0 Against)**

**Request was Approved**

**There being no further business, the meeting was adjourned at 5:39 p.m.**

\_\_\_\_\_  
**Zane Cantrell, Chairman**

\_\_\_\_\_  
**Danielle Glouner, Secretary**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Date**



# APPLICATION BZA 2016-007

## STAFF REPORT

REQUEST FOR SPECIAL EXCEPTION APPROVAL ALLOWING THE ESTABLISHMENT OF A COMMUNITY ASSEMBLY FACILITY WITH A MAXIMUM OCCUPANCY OF **150 TO 500** PERSONS ON A PROPERTY LOCATED IN THE **RM, MEDIUM DENSITY RESIDENTIAL DISTRICT**.

### OWNER AND APPLICANT DATA

Owner/ Applicant Name: Glenn Mitchell

### SITE DATA

Location Address:	John Bragg Highway	Site Acreage:	19.40
Tax Map:	104	Parcel Number:	162.04
Zoning District:	RM- Medium Density Residential	Commission District:	Robert Peay, Jr.

### APPLICABLE SECTIONS OF THE RUTHERFORD COUNTY ZONING ORDINANCE

- Chapter 14, Sections 1407 and 1408
- Chapter 2, Use Classification
- Chapter 11, Supplementary District Regulations, Sections 1102 and 1104
- Chapter 4, Residential District Regulations

### AREA DESCRIPTION

The subject property is a 19.40-acre vacant, parcel located in the RM, Medium Density Residential District. It is located in an area that is surrounded by single-family homes (RM, Medium Density Residential and is bordered by John Bragg Highway.

### DESCRIPTION OF REQUEST

Application 2016-007 seeks approval for the establishment of the Science Hill Church of Christ. With an estimated congregation of 300 persons, the proposed community assembly facility will serve as a worship and fellowship center for members of its congregation.

If the requested special exception is approved, prior to construction and establishment of the facility, any proposed site improvements associated with the facility will require site plan approval from the Rutherford County Planning Commission.

### GENERAL REQUIREMENTS FOR SPECIAL EXCEPTION

Section 14.08 C. of the Rutherford County Zoning Ordinance list the "General Requirements" that should be considered when special exceptions are requested. They are:

1. Is so designed, located, and proposed to be operated so that the public health, safety and welfare will be protected;

*As mentioned above, the site improvements for this project will be required to undergo site plan review where compliance with zoning and development regulations will be verified.*

2. Will not adversely affect other property in the area in which it is located;

*The project will undergo site plan review, which will consider issues relating to stormwater runoff, landscaping/buffering, parking and vehicular access areas. Approval of the related site engineering plans by the Planning Commission is dependent upon the project demonstrating compliance with the standards, which have been adopted to prevent adverse effects from occurring to an area development is proposed, found in the Zoning Ordinance of Rutherford County.*

3. Conforms to all applicable provisions of this ordinance for the district in which it is to be located and is necessary for public convenience in that location and if applicable, meets the specific standards below.

*Upon initial review of a conceptual plan, it appears that the placement of all buildings/parking areas meets the setback requirements established for the RM, Medium Density Residential zoning district and the supplementary regulations for landscaping found in Section 1104 of the Rutherford County Zoning Ordinance. The site also complies with the minimum one acre requirement for nonresidential uses located in the RM zoning district as well as lot coverage limits.*

4. Shall be located so as to be compatible with the surrounding area and provide safety to those using the facility.

*The Applicants states that the building will be "100% safe as man can make it". In addition, the structure will be built to meet current established building codes and be safe for those using the facility.*

## **SPECIFIC STANDARDS FOR COMMUNITY FACILITY ACTIVITIES**

### **1. *Special Conditions for Community Assembly***

- a. When located in a residential area, the design of such facilities to the extent practical shall reflect similar design elements of the area in which they are located. The element should consider building height, building materials, rooflines, setbacks and building coverage.

*A concept plan for the proposed church and related structures have been supplied by the Applicant that exhibits the layout of improvements on the site.*

- b. An application for a community assembly shall be accompanied by a description of uses or activities proposed for the facility which may be subject to separate regulation or which may result in unusual traffic patterns, traffic volumes, or other detrimental impacts upon adjacent properties, including by not necessarily limited to those uses which would require a special permit if not a part of the community assembly use.

*The description of the uses and activities proposed for the facility were included in Application 2016-007.*

- c. The BZA shall have authority to approve an on-site location with utility connections for accommodations for recreational vehicles for use by visiting or traveling speakers or guests associated with the community assembly use. Provided, however, such location for recreational vehicles shall not be permitted for use as a permanent residential dwelling unit.

*At this time, the Applicant does not propose to provide accommodations for guests.*

### **STAFF FINDINGS**

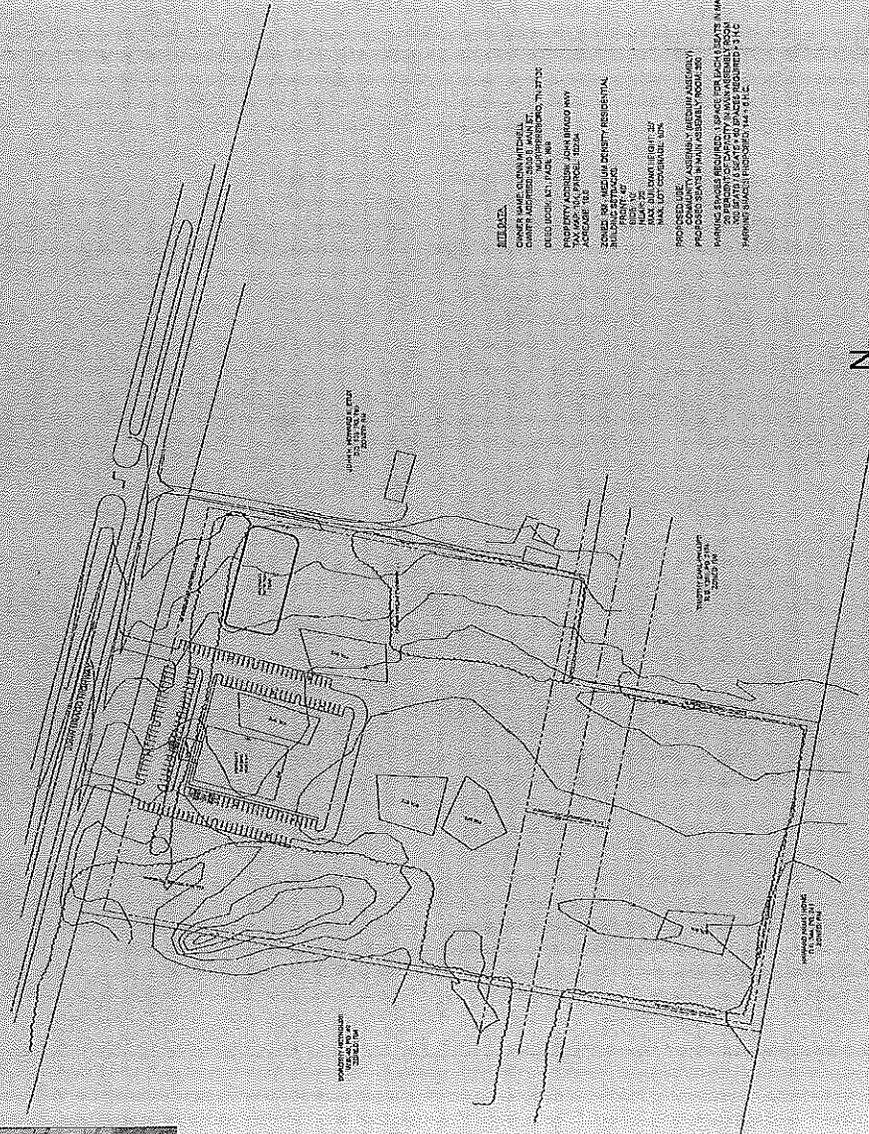
In conclusion, Staff finds that the request in Application 2016-007 meets the “General Requirements For Special Exception” approval and the specific standards for Community Assemblies. Staff recommends APPROVAL of Application 2016-007.

### **LIST OF ATTACHMENTS**

1. Site Plan
2. Zoning Map
3. Aerial Map



LOCATION MAP



**OWNER:**  
 OWNER NAME: SCIENCE HILL CHURCH OF CHRIST  
 COUNTY ADDRESS: 2701 27th Street, NW  
 DEED BOOK: 171 PAGE: 864  
 PROPERTY ADDRESS: JOHN BIRKHOFF WAY  
 JACKSONVILLE, FL 32218  
 COUNTY: 30, PARCEL IDENTITY: 85828204  
 MULTIPLE STRUCTURE  
 AREA: 12,000 SQ FT  
 MAX. LOT COVERAGE: 60%

**PROPOSED USE:**  
 PROPOSED USE: CHURCH (MEDIUM ASSEMBLY ROOM)  
 PROPOSED SEATS: 150 MAIN ASSEMBLY ROOM, 30  
 HALLWAY SEATS, 15 SPACE FOR LOCALITY 4, 400-450 SEAT ROOM OR  
 20 SEATS OF CAPACITY IN MAIN ASSEMBLY ROOM  
 HALLWAY SEATS (PROPOSED), 154 TOTAL

**CONCEPT PLAN**  
 SCALE: 1"=100'

General Notes

1. Builder or contractor must verify ALL DIMENSIONS AND CONSTRUCTION METHODS prior to proceeding with construction.
  2. Contractor must verify compliance with all local codes in area where the structure to be constructed.
  3. Plans indicate location only, engineering aspects should incorporate actual site conditions.
- The designer assumes no liability for any structure constructed from this plan. While every attempt has been made in the preparation of this plan to avoid errors, omissions, and mistakes, the designer cannot guarantee against human error. It is the responsibility of the purchaser of this plan to perform the following before beginning actual construction, the designer will not be liable for human error after construction begins.

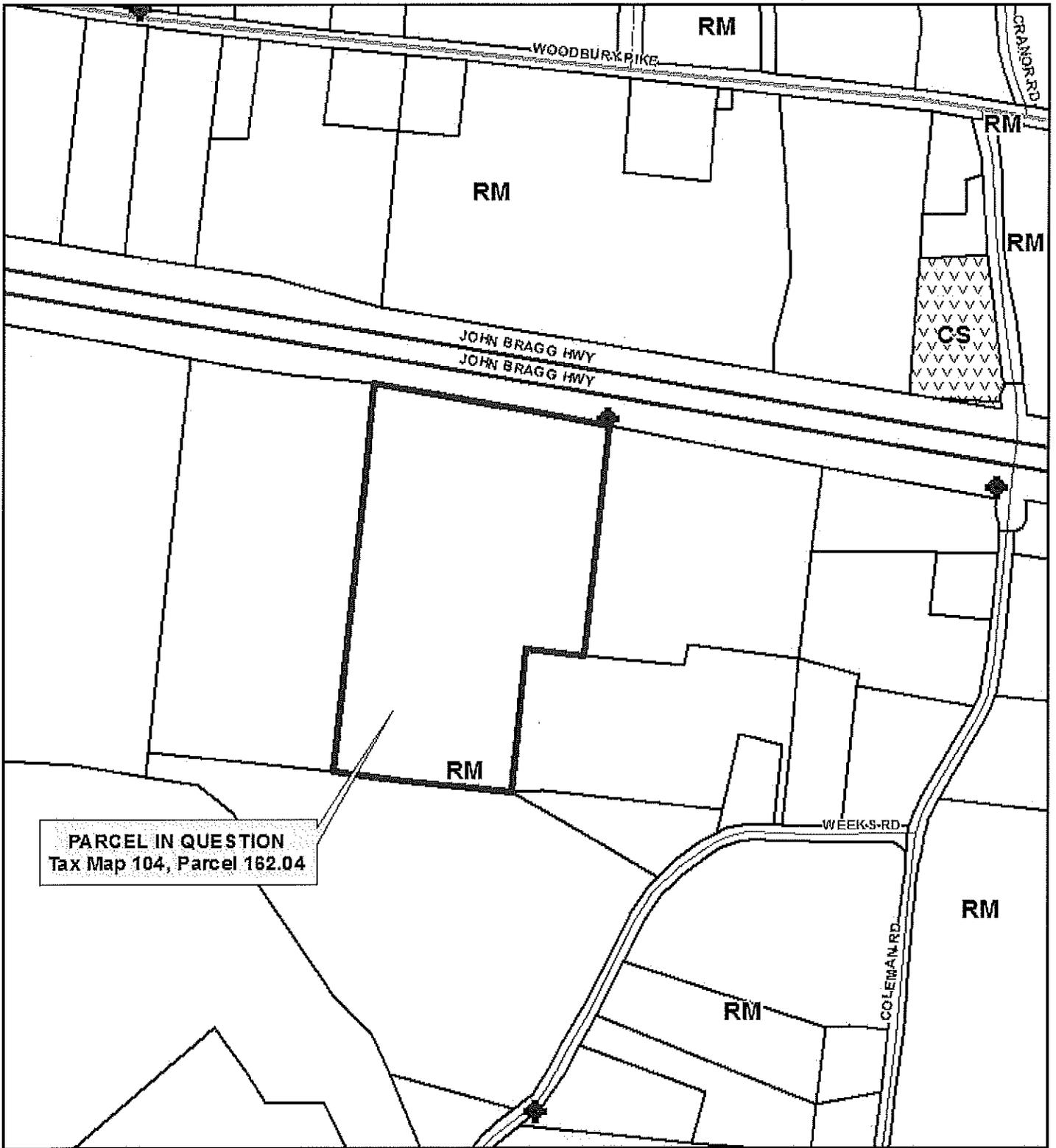
**NOTE:**  
 THIS PLAN IS PROPERTY OF  
 AARON LOVE AND MAY NOT  
 BE REPRODUCED OR COPIED  
 WITHOUT PERMISSION.

Photo: Mike and Melissa  
 AARON LOVE  
 1000 S. GUYTON AVE. #6  
 CHRISTIANA, TN 37037  
 (615) 504-3733  
 ALOVE1@GUYTON001.COM

Project Name  
**SCIENCE HILL  
 CHURCH OF CHRIST**

Sheet  
 Date: 07-14-19  
 Scale: 1" = 100'  
**1 of 1**

# 2016-007



**PARCEL IN QUESTION**  
Tax Map 104, Parcel 162.04



0 100 200 400 600 800  
Feet

- RM - Medium Density Residential
- CS - Commercial Service
- Property In Question
- Hydrants

# 2016-007



**PARCEL IN QUESTION**  
Tax Map 104, Parcel 162.04



0 100 200 400 600 800  
Feet

 Property In Question

 Hydrants

# APPLICATION BZA 2016-008

## STAFF REPORT

REQUEST FOR SPECIAL EXCEPTION APPROVAL FOR THE ESTABLISHMENT OF A MONOPOLE COMMUNICATIONS TOWER MEASURING 155' IN HEIGHT UPON A PROPERTY LOCATED IN THE RM, MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT.

### OWNER AND APPLICANT DATA

Owner Name: Comer Fraley  
Applicant Name: Baker, Donelson, Bearman, Caldwell & Berkowitz, PC on behalf of Verizon Wireless

### SITE DATA

Location Address:	Redfield Drive	Site Acreage:	31.20
Tax Map:	56	Parcel Number:	69.00
Zoning District:	RM- Medium Density Residential	Commission District:	Joe Gourley

### APPLICABLE SECTIONS OF THE RUTHERFORD COUNTY ZONING ORDINANCE

- Chapter 14, Section 1408
- Chapter 11, Section 1105

### AREA DESCRIPTION

The subject property is a 31.20 ± parcel located off Redfield Drive. The property is zoned RM, Medium Density Residential and is developed as a single family home and accessory structures. The subject property is surrounded by RM zoned properties in all directions.

### DESCRIPTION OF REQUEST

Application 2016-008 seeks special exception approval for the establishment of a monopole tower measuring 155' in height upon the 31.20-acre property located off Redfield Drive. The purpose of the tower is to provide capacity and coverage for users of services in the surrounding area provided by Verizon Wireless. Among the improvements proposed, include the erection of a monopole tower, improvement of an access road off Redfield Drive and accessory ground structures.

Section 1105 K. of the Rutherford County Zoning Ordinance states that due to the complexity of the methodology or analysis involved in the review of the wireless telecommunications towers, the Planning Director may require a technical review by a third party expert at the applicant's expense to determine compliance with the standards established for telecommunications towers. Because of numerous special exception requests for wireless telecommunications towers over the last couple of years and the Board's concerns expressed regarding the increase in the number of potential towers, a review by a third party expert has been requested. These findings are submitted for the Board's consideration.

### GENERAL REQUIREMENTS FOR SPECIAL EXCEPTION

Section 14.08 C. of the Rutherford County Zoning Ordinance list the "General Requirements" that

should be considered when special exceptions are requested. They are:

1. Is so designed, located, and proposed to be operated so that the public health, safety and welfare will be protected;

*If the proposed tower is approved, all improvements relating to the establishment of the facility upon the subject property will be reviewed when the project undergoes the site plan review process. Before the project obtains site plan approval, the Applicant will be required to submit engineering plans that demonstrate meeting the standards, designed for the protection of health, safety and welfare of the public, established in the Rutherford County Zoning Ordinance.*

2. Will not adversely affect other property in the area in which it is located;

*Communication towers typically generate little traffic and noise, however, the surrounding residential areas will be impacted visually upon the erection of the 155' monopole tower. The applicant states that the purpose of the tower is to provide better broadband service coverage and capacity to the surrounding area. Increased reliance upon mobile and data services requires that service providers invest in additional infrastructure to meet the demands of its customers. Locations are selected in a manner to maximize the effectiveness of the tower and complementing the existing service network.*

3. Conforms to all applicable provisions of this ordinance for the district in which it is to be located and is necessary for public convenience in that location and if applicable, meets the specific standards below.

*Section 1105 of the Rutherford County Zoning Ordinance lists the requirement that wireless communications facilities measuring 100 feet or more in height is permitted upon approval of a special exception by the Board of Zoning Appeals. In addition to the BZA's consideration of the specific criteria for wireless communications facilities below, once the special exception is approved, the Applicant is required to submit for site plan approval before the tower and related structures can be constructed.*

4. Shall be located so as to be compatible with the surrounding area and provide safety to those using the facility.

*Measuring 31 acres in area, the subject property contains ample acreage for accommodating a 155' monopole tower. According to plans submitted by the Applicant, the tower location will measure at its closest point 157' from the nearest property line. Wireless communication facilities are much more common than they were years ago as society is increasingly dependent on the use of the services provided by wireless service carriers. Even though they have an obvious visual impact to areas where they are located, similar to the impact that large electrical transmission lines might have, wireless communication towers have become part of the landscape of residential, commercial and industrial areas. A driveway located off Redfield Drive will be improved that will provide access to the facility and the facility will be surrounded by a 75' x 75' fenced area. Signage, as required by federal agencies as well as the Rutherford County Zoning Ordinance, will be installed warning of potential hazards as well as emergency/owner contact information.*

## SPECIFIC STANDARDS FOR WIRELESS COMMUNICATIONS FACILITIES ACTIVITIES

Section 1105 H. lists the specific standards the Board of Zoning Appeals must consider during its review of wire communication facilities:

- 1. Antenna-supporting structures must be setback a distance equal to its height from any property line. The Planning and Engineering Department may modify the setback if the applicant demonstrates that the antenna-supporting structure can withstand the wind load for the design storm event applicable to Rutherford County as provided in the most recent version of ANSI/TIA/EIA-222, Structural Standards for Steel Antenna Towers and Antenna Support Structures, which document is hereby incorporated by reference.**

*The proposed facility is located approximately 157' from the nearest property line.*

- 2. A fence not less than eight (8) feet in height from finished grade must be installed so as to enclose the base of the antenna-supporting structure and associated equipment enclosures. Access to the antenna-supporting structure must be controlled by a locked gate.**

*Site engineering plans supplied by the Applicant indicate that a 75' x 75' fenced area will surround the proposed facility and this area will be bordered with 8' chain length fence topped with 1' of barbwire measuring a total of 9'. Staff finds this criterion is met.*

- 3. A landscaping and vegetative buffer shall be installed to reduce visibility from the public road and the surrounding property. A natural vegetative buffer may substituted for the buffering and landscaping requirements subject to the approval of the Planning Department to ensure that it is sufficient to provide the required buffering.**

*There is existing vegetation on the parent parcel that will slightly reduce visibility from the public road and surrounding property. Landscape and buffering plans will be reviewed during the site plan review process.*

- 4. The application shall show that the FAA has approved the height of the tower and any license necessary to operate the tower.**

*According to the Applicant, "Verizon Wireless has applied for the FAA's Determination of No Hazard letter. A copy of the approval letter will be submitted to the Planning Staff upon receipt and prior to the submittal for building permit." The Board of Zoning Appeals can condition its approval on the Applicant providing FAA approval and license information to the Planning Department.*

- 5. No lights, signals, or other illumination are permitted on any antenna-supporting structure or ancillary appurtenances unless the applicant demonstrates that lighting is required by the FAA or the FCC.**

*According to the report prepared by Larry Perry, "Lighting will not be required for this structure by*

*the FAA due to its proposed height.”*

- 6. Antenna-supporting structures (towers) must be designed to accommodate future collocation for at least three (3) antennae. As a condition of approval under this Section, the applicant must submit a shared use plan.**

*Sheet C-6 of the engineering drawings supplied by the Applicant indicates the tower is designed to accommodate four additional carriers at varying heights in the future.*

#### **STAFF FINDINGS**

In conclusion, in consideration of the Third-Party Review by Larry Perry and of the materials submitted by the Applicant, the request in Application 2016-008 appears to meet most of the “General Requirements For Special Exception” approval and specific standards for wireless communication facilities with the following conditions:

- Applicant provides FAA approval and license information to the Planning Department upon receipt and prior to site plan approval.

#### **LIST OF ATTACHMENTS**

1. Site Plan
2. Information submitted by Applicant
3. Third Party Review – Consultant’s Summary
4. Zoning Map
5. Aerial Map

LESSEE

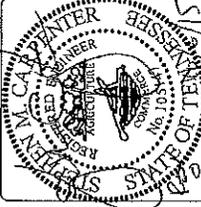
TeleCAD  
1981 NORTHPOINT BLVD, SUITE 130  
MURFREESBORO, TN 37130  
PHONE: 423-274-3438  
FAX: 423-613-2029

THE INFORMATION CONTAINED IN THIS DRAWING IS THE PROPERTY OF TELECAD AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. ANY OTHER USE WITHOUT THE WRITTEN PERMISSION OF TELECAD IS STRICTLY PROHIBITED.

DATE PROJECT: 8/21/2015  
DRAWN BY: CAD  
CHECKED BY: CTD

REVISIONS

1. 10/24/15 CONSTRUCTION ISSUE  
2. 10/27/15 CONSTRUCTION ISSUE  
3. 11/11/15 CONSTRUCTION ISSUE



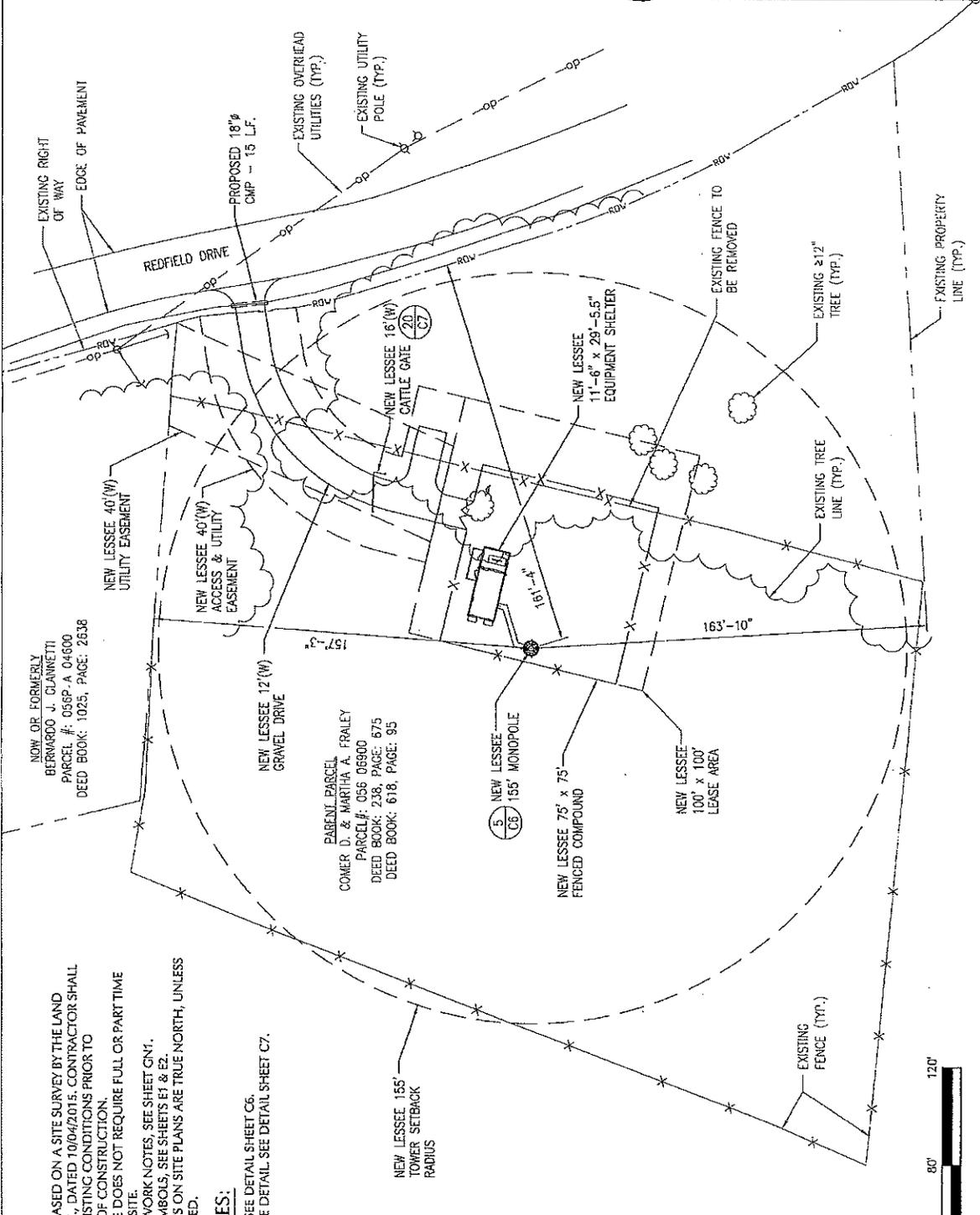
PROJECT NO. 20150987443  
SITE NAME CALGARY

SITE NUMBER 278286  
SITE ADDRESS REDFIELD DRIVE  
MURFREESBORO, TN 37129

DRAWN BY CAD  
CHECKED BY CTD

SHEET TITLE: OVERALL SITE LAYOUT PLAN  
DRAWING NO. C1

REVISION: 0



NOTES:

1. THIS DRAWING IS BASED ON A SITE SURVEY BY THE LAND CONSULTANTS, LLC., DATED 10/04/2015. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
2. THE PROPOSED USE DOES NOT REQUIRE FULL OR PART TIME EMPLOYEES AT THE SITE.
3. FOR GENERAL SITE WORK NOTES, SEE SHEET C61.
4. FOR ELECTRICAL SYMBOLS, SEE SHEETS E1 & E2.
5. ALL NORTH ARROWS ON SITE PLANS ARE TRUE NORTH, UNLESS OTHERWISE SPECIFIED.

REFERENCE NOTES:

- 5 - TOWER ELEVATION, SEE DETAIL SHEET C6.
- 20 - SINGLE 'CATTLE' GATE DETAIL, SEE DETAIL SHEET C7.





LESSEE

TeleCAD Wireless  
1961 NORTHPOINTE BLVD, SUITE 100  
HUNTSVILLE, TN 37243  
PH: 423-843-9600  
FAX: 423-843-9609

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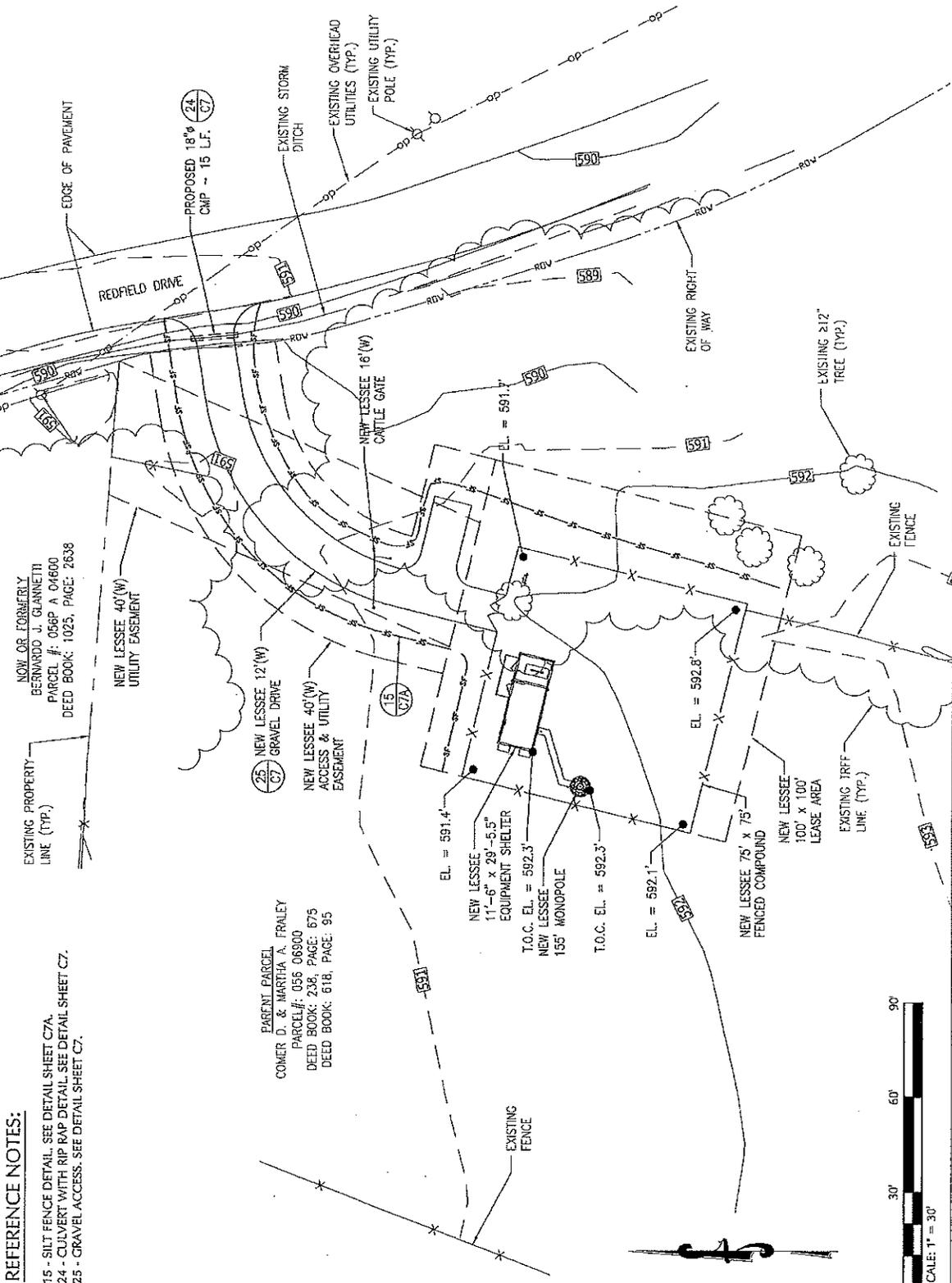
DATE PROJECT: 20100807444  
DRAWN BY: CAD  
CHECKED BY: CTD

REVISIONS

NO. DATE DESCRIPTION  
1 10/29/13 CONSTRUCTION ISSUE  
2 09/27/15 PRELIMINARY DESIGN



PROJECT NO: 20130687443  
SITE NAME: CALGARY  
SITE NUMBER: 278266  
SITE ADDRESS: REDFIELD DRIVE  
MURFREESBORO, TN 37129  
DESIGN TYPE: RAWLAND  
SHEET TITLE: SITE GRADING PLAN  
DRAWING NO: C4  
REVISION: 0



REFERENCE NOTES:

- 15 - SILT FENCE DETAIL. SEE DETAIL SHEET C7A.
- 24 - CULVERT WITH RIP RAP DETAIL. SEE DETAIL SHEET C7.
- 25 - GRAVEL ACCESS. SEE DETAIL SHEET C7.

EXISTING PROPERTY LINE (TYP.)  
NOW OR FORMERLY  
BERNARDO J. GLANNETTI  
PARCEL #: 056P A 04600  
DEED BOOK: 1023, PAGE: 2638

NEW LESSEE 40'(W) UTILITY EASEMENT

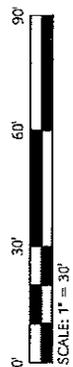
PARENT PARCEL  
COMER D. & MARTHA A. FRALEY  
PARCEL #: 056 06900  
DEED BOOK: 238, PAGE: 675  
DEED BOOK: 618, PAGE: 95

NEW LESSEE 12'(W) GRAVEL DRIVE

NEW LESSEE 40'(W) ACCESS & UTILITY EASEMENT

NEW LESSEE 11'-6" x 29'-6.5" EQUIPMENT SHELTER  
T.O.C. EL. = 592.3'  
NEW LESSEE 155' MONOPOLE  
T.O.C. EL. = 592.3'

NEW LESSEE 75' x 75' FENCED COMPOUND  
NEW LESSEE 100' x 100' LEASE AREA  
EXISTING TRFF LINE (TYP.)



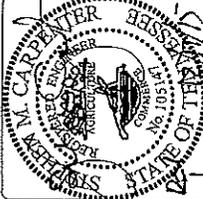
LESSEE

**TeleCAP**  
 Wireless  
 1961 NORTHPOINT BLVD, SUITE 200  
 HISSON, TN 37243  
 PH: 423-843-9600  
 FAX: 423-843-5593

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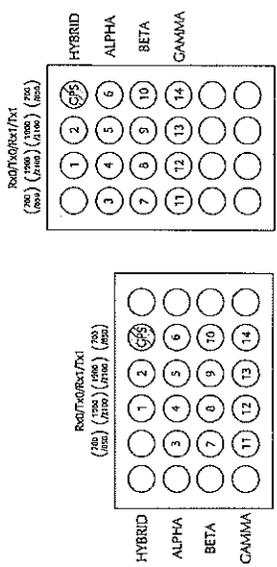
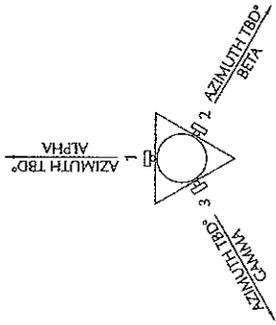
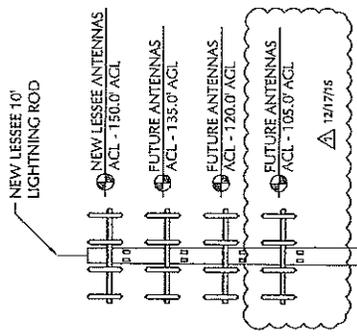
DATE PROJECTED:	2/20/2014
DRAWN BY:	CAD
CHECKED BY:	CTD

REVISIONS	
NO.	DESCRIPTION
1	12/7/15 ADDITIONAL CARRIER ADDED
2	10/26/15 CONSTRUCTION NOTE
3	09/27/15 PRELIMINARY REVIEW

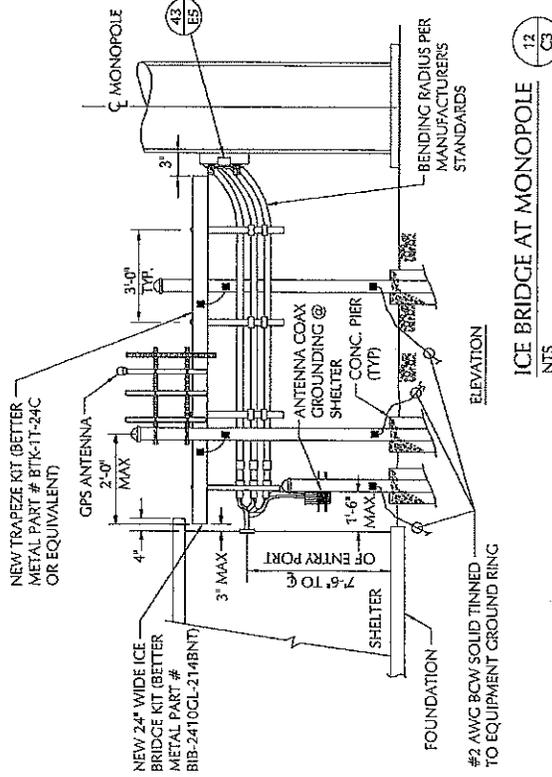
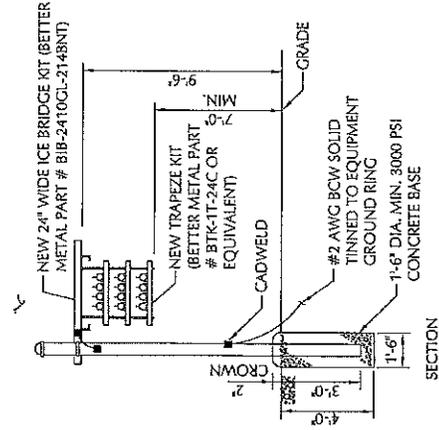
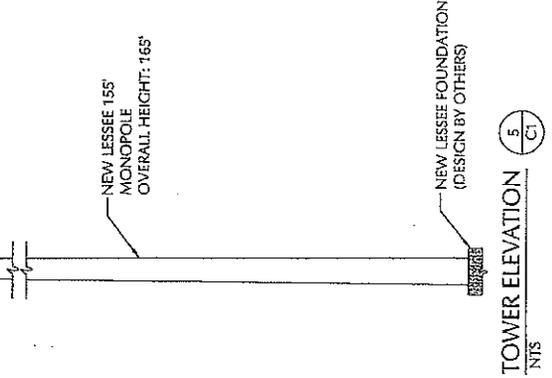


PROJECT NO.	20130867443
SITE NAME	CALGARY
SITE NUMBER	278288
SITE ADDRESS	REDFIELD DRIVE MURFREESBORO, TN 37229
DESIGN TYPE	RAWLAND
SHEET TITLE	SITE DETAILS

DRAWING NO.	C6
REVISION	1



DUPLEX MOD CELL HATCH PLATE LAYOUTS  
 VIEW FROM INSIDE SHELTER



ICE BRIDGE AT MONOPOLE  
 ELEVATION  
 NTS

**VERIZON WIRELESS**  
**Telecommunications Tower Site Review**  
**SPECIAL USE ON REVIEW APPLICATION**  
**CONSULTANT'S SUMMARY**

**CALGARY SITE**

Murfreesboro, TN

Rutherford County Planning Office

**Location:** Redfield Road, Murfreesboro, TN 37129

**Proposed Tower Height:** 155 foot monopole type structure

**Address:** Redfield Road

Murfreesboro, Rutherford County, Tennessee

**Deed book:** 238    **Page:** 675    **Parcel ID#:** 056-06900

**Also: Deed book:** 618    **Page:** 95

**Use:** Telecommunications antenna support structure

**Zoning:** RM (Residential Medium Density)

**Variances and waivers:** Under the Land Uses allowed in Appendix B of the Rutherford County Zoning Ordinance, a communications tower is not a permitted use in an RM Zoned district and thus it must be approved by the Board of Zoning Appeals. (*Ordinance section 1105 D (1)*). The only variance required is a small variance on the set back from the property owner to the west of about 11 feet. If the applicant moves the tower base 11 feet east within the same compound there would be no need for a variance.

**Need:** The applicant is VERIZON Wireless (New Cingular Wireless LLC) a licensed cellular carrier by the Federal Communications Commission and possibly other users. There is good signal coverage at the present, however, the capacity of existing Verizon sites is very limited. This site is necessary to prevent dropped signals and lack of access using the new 4G LTE technology and is called a capacity site.

**Note:** It should be noted that with the new technologies associated with the various wireless carriers and the demand by the public for the services, there are going to be a large number of applications for additional cell support structures by the various carriers as the demand and usage increases, the range of the existing site decreases, thus the need for additional sites.

**Instant Proposal:** Construct a 155 foot monopole type support structure.

**Consultant's Recommendation:** The site and application meets the requirements of the Ordinance of Rutherford BZA with two requirements:

1. Submit a letter confirming that other carriers may use the available space on the tower under terms and conditions of other tower owners in the area and that the structural capacity of the proposed structure will support 3 additional users' antennas; and
2. Submit a letter from the applicant stating that in the event of non-use for a period of 180 days, the applicant, upon notice, will cause the structure to be removed at its own expense.
3. Submit a letter stating that the site will be completed within 1 year from the date of grant by the County.

4. Move the tower base approximately 11 feet to the east of the proposed location in order to meet the set-back requirements. (It is too short on the west side.)

*[Handwritten signature]*  
1-5-16

**REPORT TO  
RUTHERFORD COUNTY PLANNING DEPARTMENT**

for

Proposed Telecommunications Tower Site

**VERIZON WIRELESS**

Located at Redfield Road  
Murfreesboro, TN known as

**CALGARY SITE**

**COMPLIANCE WITH**

**RUTHERFORD COUNTY ZONING ORDINANCE. SEC. 1105K**

1/04/2016

The proposed site for the applicant is a 155 foot monopole antenna support structure (plus lightning rod) to be located west of Redfield Road in Rutherford County, Tennessee. The supporting material from applicant has been reviewed for technical and Federal/State legal compliance As well as with the Rutherford County Telecommunications Ordinance. This is a new telecommunications site.

**REQUESTED**

**Location.** The location is within the County of Rutherford and is located in **Deed books:** 238 and 618 at **Pages:** 675 and 95 respectively **Parcel ID#:** 056-06900

1. **Zoning.** RM (Residential Medium Density)
2. **Proposed Tower Height:** 155 foot monopole type structure
3. **Address:** Redfield Road, Murfreesboro, Tennessee
4. **Tower height.** The requested height is 155 feet above ground level will support up to 2 additional telecommunications carrier antennas/equipment for a total of 3 users. Lighting will not be required on this structure.
5. **Variances:** Under the Land Uses allowed in Appendix B of the Rutherford County Zoning Ordinance, a communications tower is not a permitted use in an RM Zoned district and thus it must be approved by the Board of Zoning Appeals. (*Ordinance section 1105 D (1)*). The set back to the west is about 11 feet short of the required distance from

the adjacent property line. However, this can be easily rectified by simply moving the tower about 11 feet east of the present location. This would not affect the leased area.

6. **Use.** This antenna support structure will be used for telecommunications with the present state of the art communications technology using PCS and cellular communication sources. The applicant is VERIZON Wireless Corporation and there is a need to add capacity to the are with this facility to provide uninterrupted service for 4G LTE users in the vicinity.
7. **Setbacks.** The setback requirements are that the facility must be 100% height of the tower from any property line (155 feet in this case). The applicant is short of the set back on the west side by about 11 feet. It could move the tower base 11 feet east of the present location without changing the lease area in order to meet the set-back requirement. *(See Drawing C1 of the application).*
8. **Height.** The proposed structure is for 155 feet with NO hazard lighting required.

## EVALUATION

The following is a list of items reviewed:

Rutherford County Zoning Ordinance Section 1105---Telecommunication Facilities Section (as amended thru October 17, 2013)

Review of TCA 13-24-305.24

Check for other existing towers capable of supporting the load and elevation clearance requested by the applicant herein and within 1 mile radius of site.

Check for Antenna Support Structure stress analysis for co-location users' equipment support

Review support structure drawings and specifications with applicant

Review FAA lighting and marking requirements and proposals

Review FCC requirements regarding signal coverage, towers and lighting

Review applicant's justification for site in compliance with the FCC's requirements for telecommunication company providers compliance with required coverage for the use of the general public.

Review Site plan by applicant

Check Zoning

Check setbacks for building and antenna support structure  
Check proximity to other structures and district boundaries  
Check nature of surrounding land uses  
Check surrounding foliage and tree coverage  
Check design of tower for esthetic changes  
Check height requirements necessary for coverage  
Check separation from other towers  
Check frequencies proposed for possible interference to TV and radio reception in the immediate vicinity of the structure.

The Telecommunications Act of 1996 as amended.

The FCC Tower Siting Notice updated December 23, 2015

The FCC Rule change as of January 15, 2015

## **DISCUSSION**

The site elevation at this location is about 592 feet above sea level. It is located on a wooded site in Rutherford County. *(See attached photos).*

The request is for a 155 foot monopole structure of which VERIZON Wireless will use the top 15 feet and an additional usable lower 50 feet is for other carriers' expansion.

This a "capacity" site. This means that the need for the service in the area exists because of the demand for the 4G LTE services and the present sites are unable to handle the load requirements of the citizens and thus there are dropped calls and inaccessibility to the service in some instances. There are 2 other sites within a mile of the proposed site, but both towers Fulcrum and Crown Castle are already fully loaded and cannot accommodate the equipment required by Verizon in this instance. *(See attachments)*

The site is a good elevation location and by the addition of a cell site here, it will eliminate service access and possibly other towers in the immediate area.

The proposed structure should not affect adjacent property as it is on a parcel of land that is basically agricultural and wooded on one side and will be landscaped by the applicant. The base section probably would not be able to be seen from the public Redfield roadway.

It is located in an RM (Medium Density Residential) zoned area.

The proposed access road to the site is fairly level. The grade along the road presents no problem for emergency vehicles should they be needed.

The coverage is based on the new technology currently being touted by the various carriers, 4G LTE, for data and voice transmission. The tower height is justified in this case in that the new technology is fairly limited as to range and there are shallow rolling hills near this location which the added tower elevation

will help prevent shadow areas. Also additional users may easily be added in the future without need for additional towers in the immediate vicinity.

There are no other technologies that are available that can provide the service needed for the area. The new DAS (Distributed Antenna System) will not work in this area as the range of the DAS signals are much too restricted to be of any use here. A microcell will not work at this location as the range is much too short to be of any value.

## SUMMARY

- (1) The proposed antenna support structure is a 155 foot monopole structure including antennas. Lighting WILL NOT BE required for this structure by the FAA due to its proposed height.
- (2) A review of the structure stress analysis on the proposed structure and specifications support the use of the monopole structure by 2-3 other potential users in the future.
- (3) The structure design meets or exceeds FCC and EIA requirements.
- (4) The area surrounding the site is wooded to the north and pasture/open filed to the west and south. (*See attached photos*)
- (5) There is no general use technology (such as satellite communications, DAS, or microcell) that is available at the present time nor in the immediate future that would negate the need for the structure. However, should such a technology become available and the structure of no further use, the *Ordinance at 1105L (1-3)* requires it to be removed.
- (6) The proposed equipment housing facility is a precast outdoor equipment shelter 11.6' X 29'5.5" feet and will have no impact on the aesthetics of the adjacent land uses. The landscape plan indicates that the fenced area will be surrounded by vegetation.
- (7) The applicant has received authorization from the various governmental agencies, including the Federal Communications Commission, to provide communication service to the citizens of Rutherford County, Tennessee.
- (8) It is located in an RM (Residential Medium Density) zoned area and as such requires BZA approval.
- (9) The requested site will have minimal impact on the community involved by its very location in a wooded field to the north and pasture open land to the west and south.
- (10) There are 2 other tower sites within a mile of the proposed site: Crown Castle and Fulcrum towers. Both towers are already fully loaded and are unable to add the equipment and antennas needed by the applicant here.

(11) The proposed site and structure will have no environmental impact within the federal guidelines.

(12) Assuming that there are 3 carriers operating cellular or PCS transmitters/receivers at this site and all are operating at the same time, the radiation produced by the combination of all the users at the same time using the standards and protocols proposed and used by the carriers today, will be considerably below that established by the Federal Communications Commission and the EPA as creating any danger to humans or animals.

(13) There is a need for the structure in this area to provide for the wide spectrum wireless internet data service and for other wireless voice and data services to be provided under government regulation by the various proposed carriers who plan to use the site with uninterrupted service.

(14) With regard to the equipment building, it proposed by the applicant to use a precast 11.6' X 29' 5.5" equipment building at the site in a color to blend in with the surrounding.

(15) The site will be uninhabited and only visited a few times a year by a technician for maintenance and water/sewer facilities are not required.

(16) The application proposes to enclose the facility and tower with an 8 foot fence topped with barbed wire for security. There are no dangerous, noxious, explosive, or other hazards to be located at the site as stated in *Section 1106 B (1)*. There is no noise associated with the operation of the proposed site other than the emergency power generator when running and even then it is well within the permitted sound levels in 1106(B9(2)(c)).

(17) The application conforms to TCA 23-24-305.

## RECOMMENDATION

In light of the analysis and review of documents, it is my professional opinion that the applicant meets all requirements of the Ordinance and the federal/state requirements. Further, the applicant should:

1. Submit a letter confirming that other carriers may use the available space on the tower under terms and conditions of other tower owners in the area; (*Note: applicant indicates that such a letter has been submitted to the Planning Commission although it was not in the package for consultant.*)

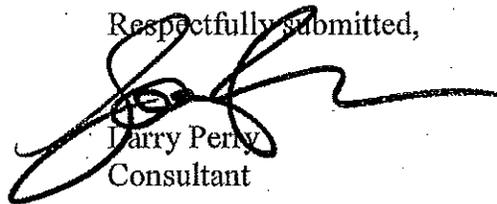
2. Submit a letter from the applicant stating that in the event of non-use for a period of 180 days, the applicant, upon notice, will cause the structure to be removed at its own expense.

3. Submit a letter stating that the site construction must be completed within 1 year from the date of grant.

4. Move the tower base 11 feet to the east in order to meet the set-back requirements without a variance.

My qualifications are attached and are on file with the Federal Communications Commission, the Federal Aviation Administration and the State of Tennessee. I have no bias regarding the property, the applicant nor any of the parties involved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Larry Perry', is written over the typed name. The signature is stylized with a large loop and a long horizontal stroke extending to the right.

Larry Perry  
Consultant

## STATEMENT OF QUALIFICATIONS OF CONSULTANT

I, Larry Perry, do hereby state:

That I have degrees in Law and Engineering with extensive experience in towers and communications related activities;

That I have prepared numerous communications applications resulting in grants by the Federal Communications Commission and other federal agencies;

That I have been responsible for the design and construction of more than 3785 towers in 21 countries around the world;

That I have prepared Ordinances and other statutes for cities and states concerning tower usage within municipal boundaries, including many in Tennessee.

That my credentials are a matter of record with the FAA and the FCC;

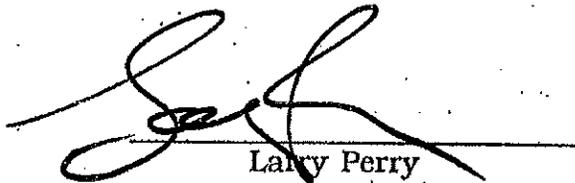
That I am a licensed attorney and Registered Professional Engineer in several states;

That I have testified before Congress on several occasions on communications related matters;

That I have served as an advisor to three FCC Chairmen and the US Department of State on International communications matters;

That I have more than 40 years experience in tower design, evaluation and construction;

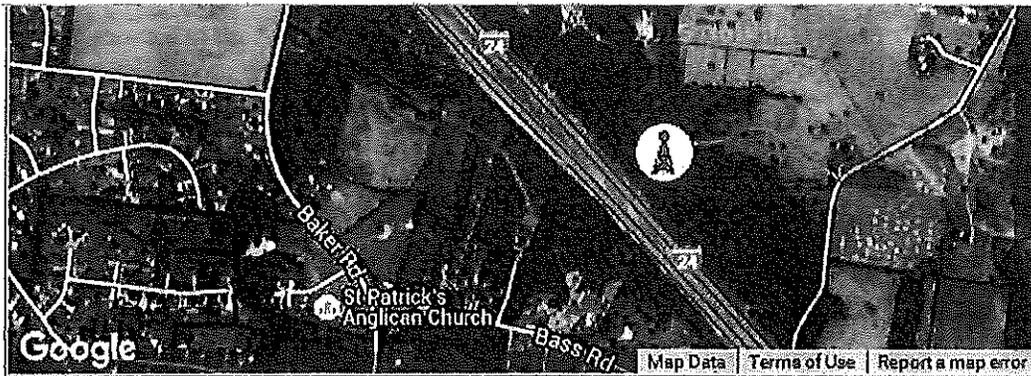
That I have and presently do teach courses in communications and radiation at the college level at major universities and for private industry.



Larry Perry



# ALTERNATE SITES within 1 mile



## • Ownership Info

Rep	Company: Crown Castle Contact: Lisa M Minney Phone: (724)416-2257 Email: <a href="mailto:Lisa.Minney@CrownCastle.com">Lisa.Minney@CrownCastle.com</a>	Address: 2000 Corporate Drive Canonsburg, PA, 15317
Owner	Company: Crown Castle PT Inc Contact: Not Recorded Phone: (724)416-2000 Email: <a href="mailto:Regulatory.Department@CrownCastle.com">Regulatory.Department@CrownCastle.com</a>	Address: 2000 Corporate Drive Canonsburg, PA, 15317

## • Tower Characteristics

Registration #:	1048012	Ground Elev:	605.0 feet
Latitude:	35.9194	Height Of Structure:	203.1 feet
Longitude:	-86.5130	Overall Height:	813.0 feet
Structure Type:	NA	Structure Address:	588 Shirley Road Smyrna, TN
Status:	Constructed		
Date Constructed:	03/06/2009		

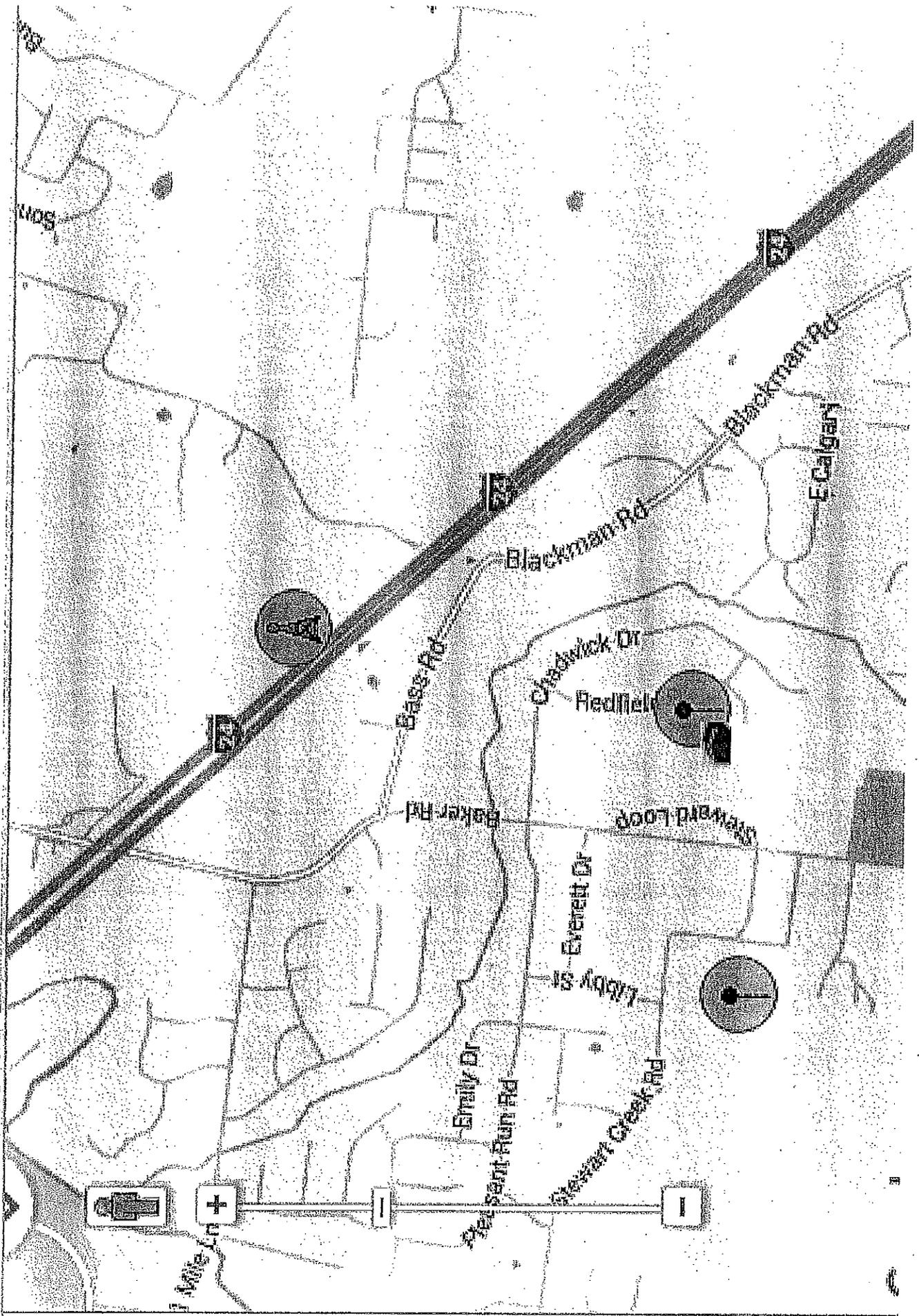


## • Ownership Info

Owner	Company: FULCRUM TOWERS Contact: Not Recorded Phone: Not Recorded Email: Not Recorded	Address: Not Recorded
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## • Structure Characteristics

Filing #:	2001-ASO-6552-OE	Ground Elev:	651.9 feet
Latitude:	35.906	Height Of Structure:	299.9 feet
Longitude:	-86.526	Overall Height:	952.1 feet
Structure Type:	Tall Structure	Structure Address:	Not Recorded



W05

Blackman Rd

E Calgary

Blackman Rd

Base Rd

Chiswick Dr

Redfield

Baker Rd

OVERLAND LOOP

Everett Dr

Lybby St

Emily Dr

West Run Rd

West Creek Rd



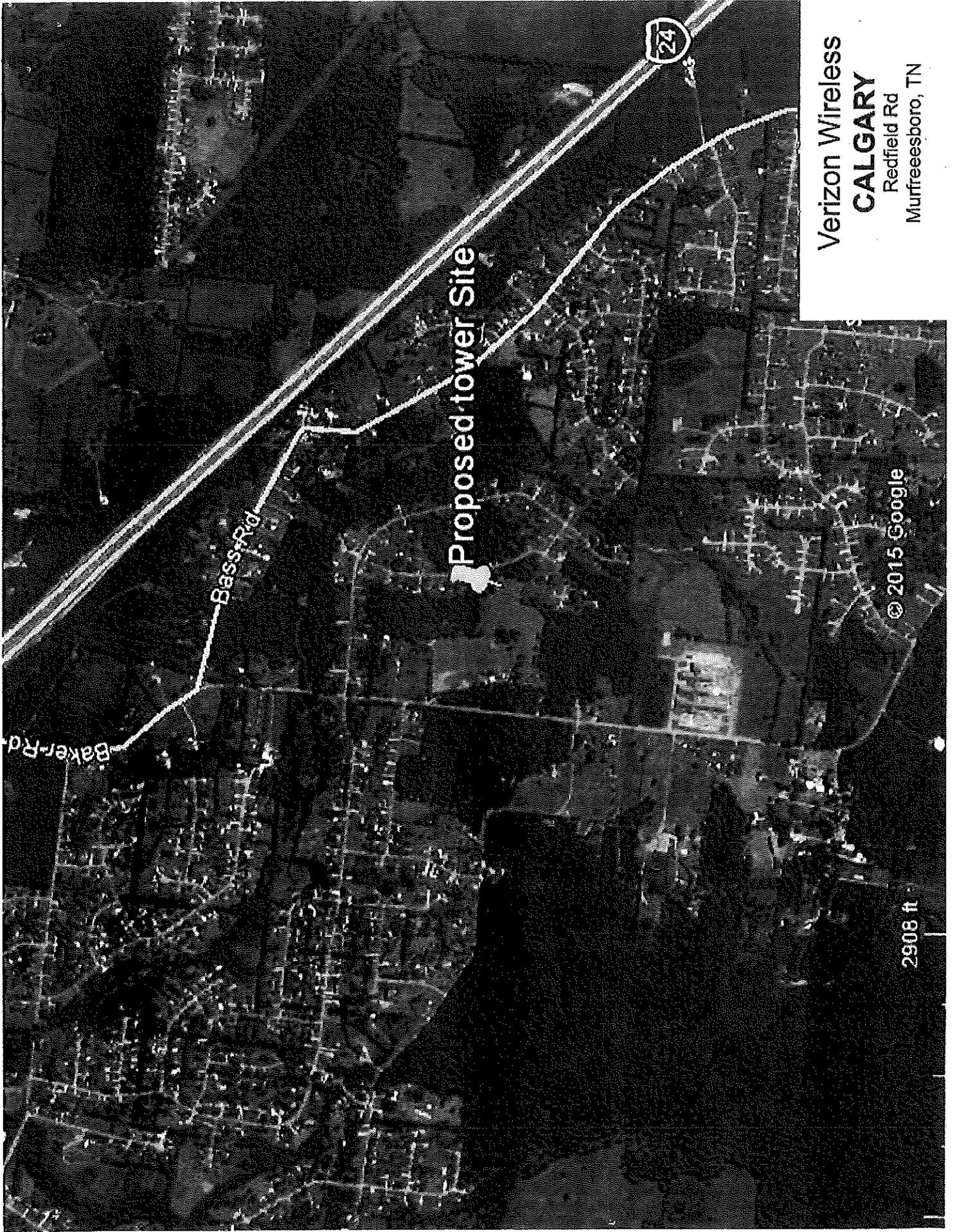
0 1 2 3 4 5  
km

0 1 2 3 4 5  
mi

# ADJACENT SITES



The two adjacent sites owned by Crown Castle and Fulcrum Towers are within a mile of the proposed site but both appear to be fully loaded and cannot accept any other equipment.



Verizon Wireless  
**CALGARY**  
Redfield Rd  
Murfreesboro, TN

Proposed tower Site

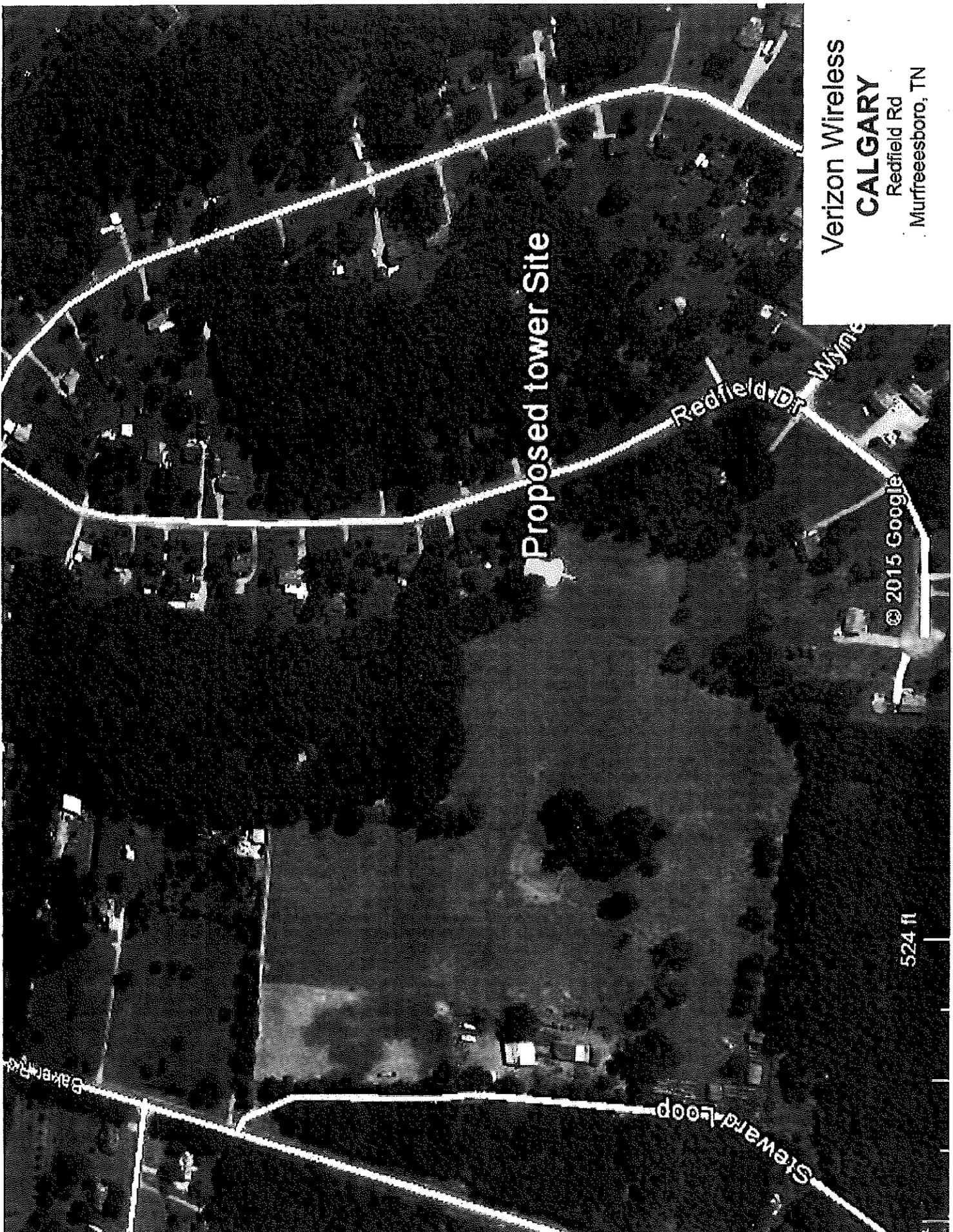
Bass Rd

Baker Rd

© 2015 Google

2908 ft





Proposed tower Site

Redfield Dr  
Wynne

© 2015 Google

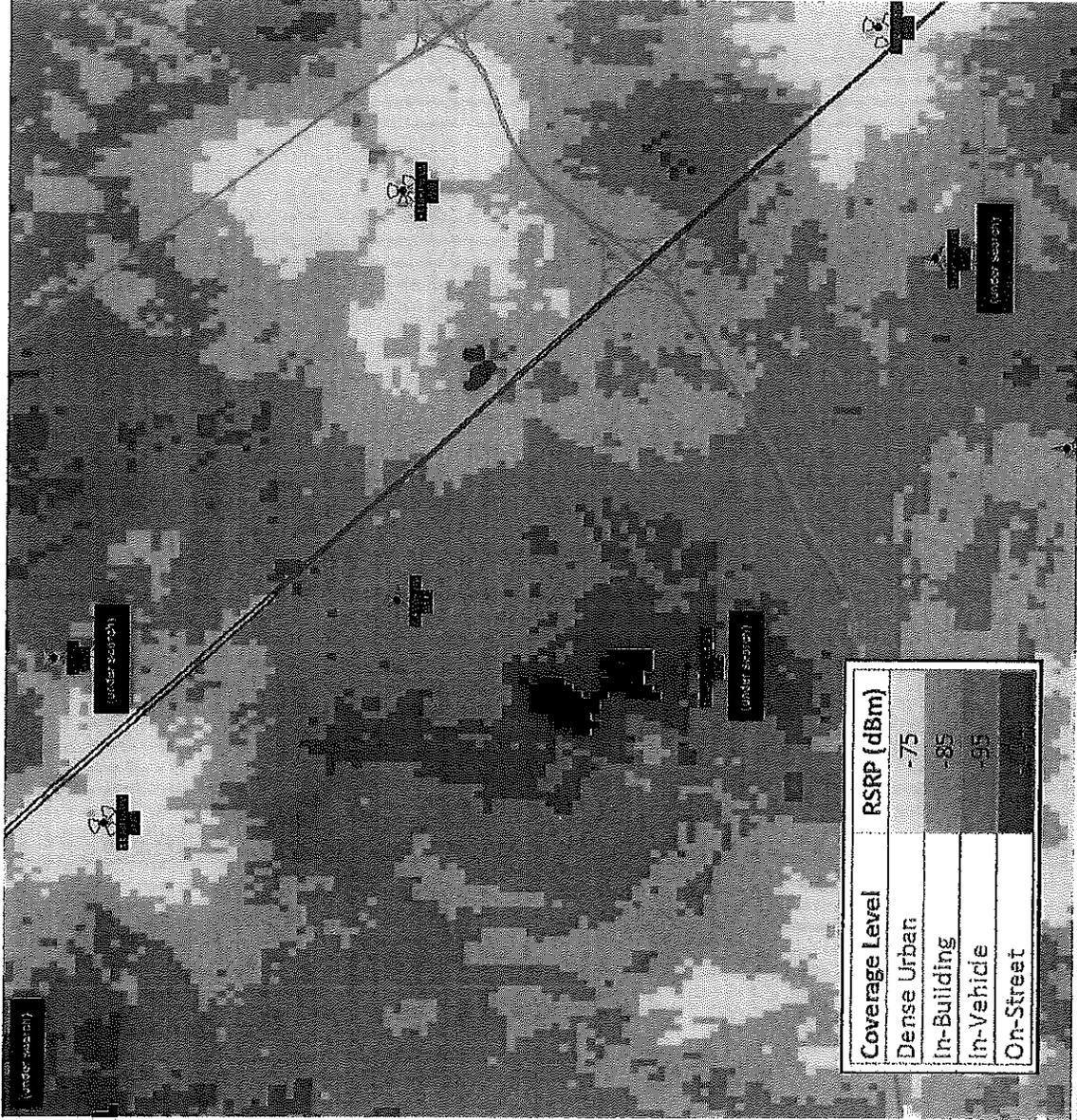
Steward-Loop

Baker Rd

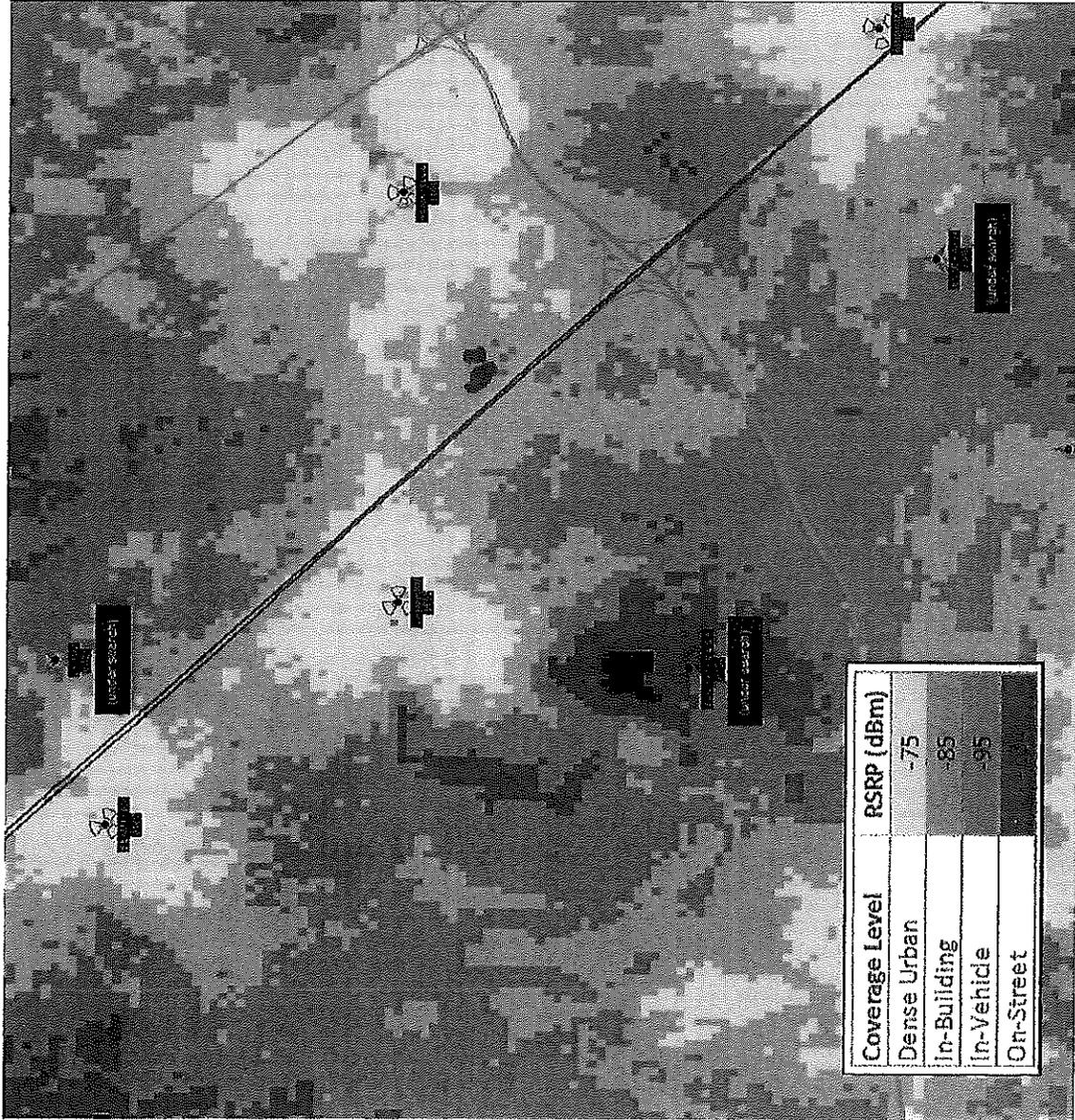
524 ft

Verizon Wireless  
**CALGARY**  
Redfield Rd  
Murfreesboro, TN

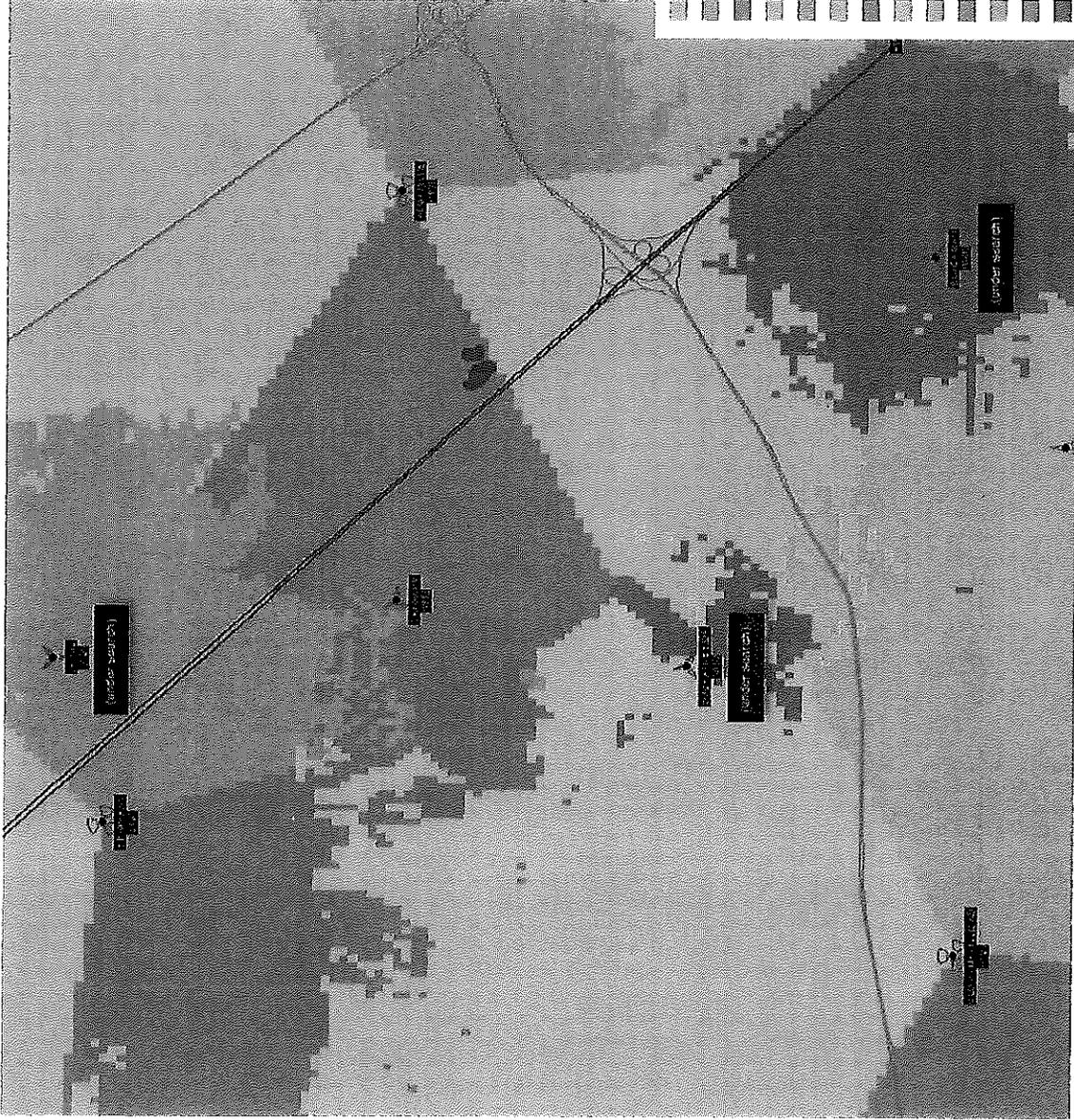
# 700MHz 4G LTE Coverage: Existing



# 700MHz 4G LTE coverage: Proposed

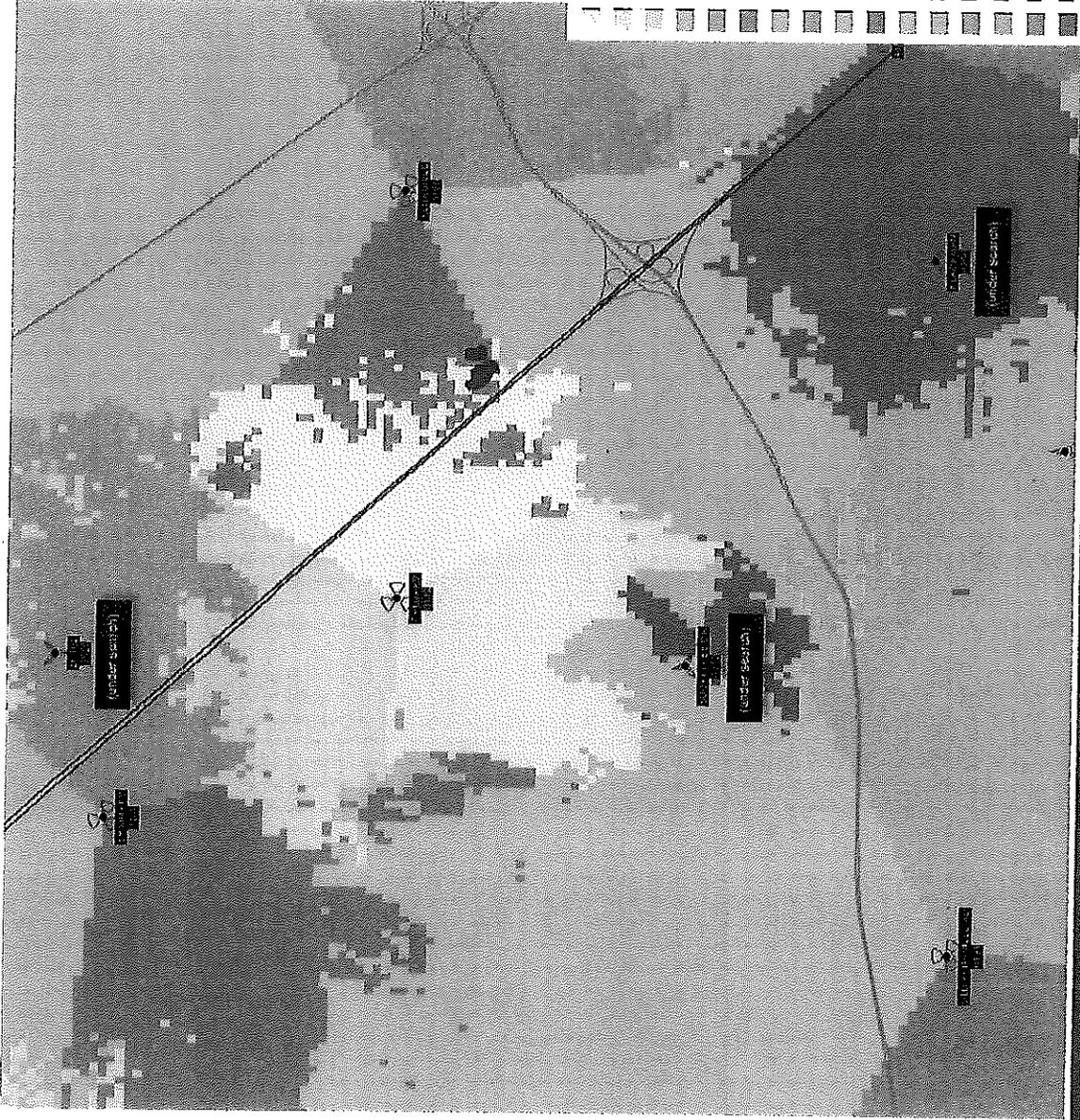


# 700MHz 4G LTE Coverage: Existing



- N-0187-0000-D1 SEMINARY
- N-0187-0000-D2 SEMINARY
- N-0187-0000-D3 SEMINARY
- N-0188-0000-D1 ALMAVILLE
- N-0188-0000-D2 ALMAVILLE
- N-0188-0000-D3 ALMAVILLE
- N-0188-0000-D6 ALMAVILLE
- N-0191-0000-D1 OLD ALMAVILLE
- N-0191-0000-D2 OLD ALMAVILLE
- N-0191-0000-D3 OLD ALMAVILLE
- N-0578-0000-D1 AVENUES
- N-0578-0000-D2 AVENUES
- N-0578-0000-D3 AVENUES

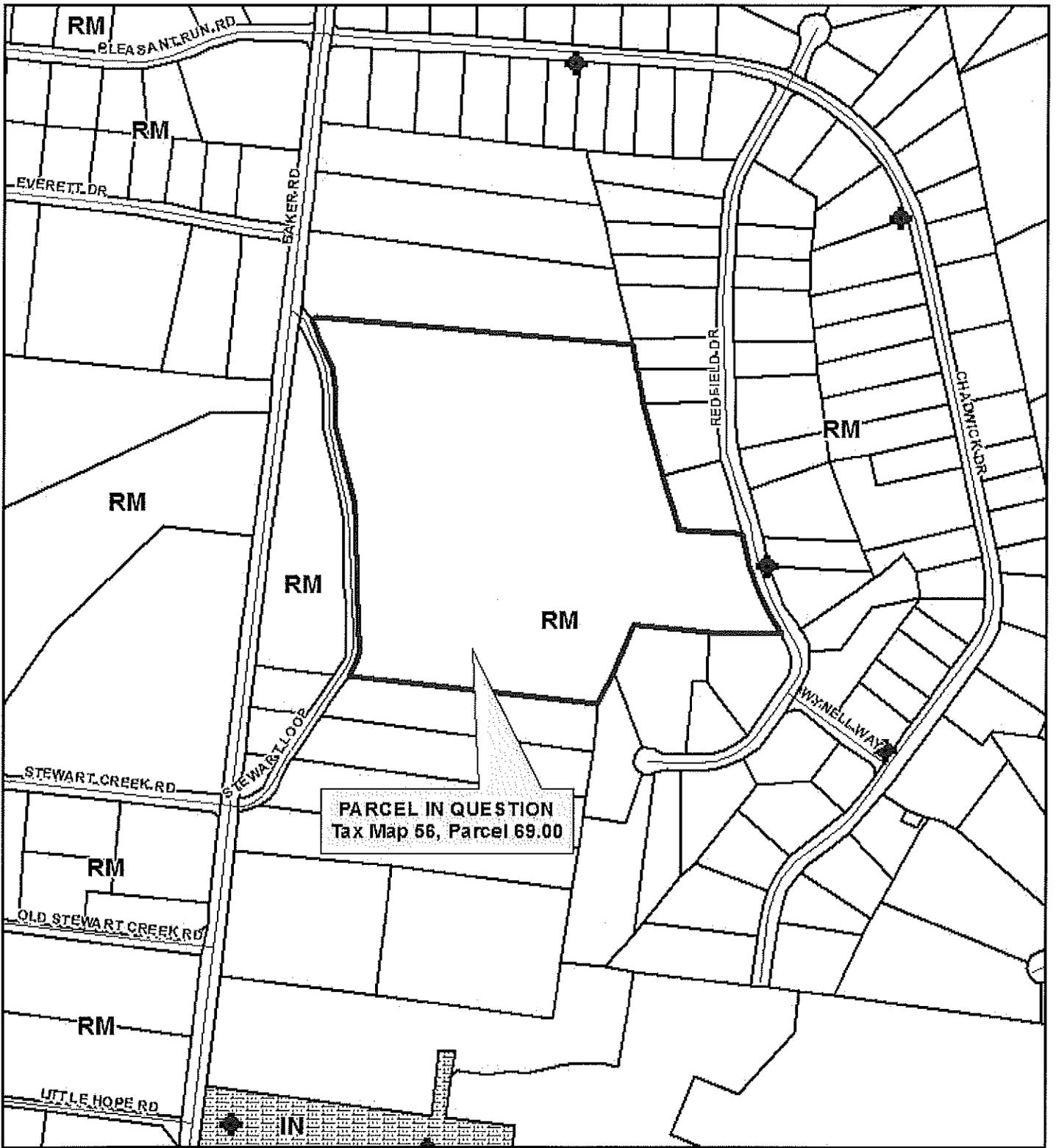
# 700MHz 4G LTE Coverage: Proposed



- 1 N-0112-0002-D1 CALGARY
- 2 N-0112-0002-D2 CALGARY
- 3 N-0112-0002-D3 CALGARY
- 4 N-0187-0000-D1 SEMINARY
- 5 N-0187-0000-D2 SEMINARY
- 6 N-0187-0000-D3 SEMINARY
- 7 N-0188-0000-D1 ALMAVILLE
- 8 N-0188-0000-D2 ALMAVILLE
- 9 N-0188-0000-D3 ALMAVILLE
- 10 N-0188-0000-D6 ALMAVILLE
- 11 N-0191-0000-D1 OLD ALMAVILLE
- 12 N-0191-0000-D2 OLD ALMAVILLE
- 13 N-0191-0000-D3 OLD ALMAVILLE
- 14 N-0578-0000-D1 AVENUES
- 15 N-0578-0000-D2 AVENUES
- 16 N-0578-0000-D3 AVENUES

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# 2016-008



0 100 200 400 600 800  
Feet

 RM - Medium Density Residential  
 IN - Institutional

 Property In Question  
 Hydrants

