



**APPLICANT:** Verizon Wireless  
404-885-3061

**REPRESENTATIVE:** Troutman Sanders, LLP  
Jennifer Blackburn 404-285-2211

**TITLEHOLDER:** Marvin and Theresa Adams

**PROPERTY LOCATION:** Located on the northwesterly side of  
Factory Shoals Road, north of Interstate 20.

**ACCESS TO PROPERTY:** Factory Shoals Road

**PHYSICAL CHARACTERISTICS TO SITE:** Two existing cell  
towers and equipment compounds

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** OI/ wooded
- SOUTH:** Interstate 20
- EAST:** R-20/ Cobb County Fire Station #9
- WEST:** FST-10/ Crestview Townhomes

**PETITION NO:** SLUP-20

**HEARING DATE (PC):** 10-07-08

**HEARING DATE (BOC):** 10-21-08

**PRESENT ZONING:** OI

**PROPOSED ZONING:** Special Land Use  
Permit

**PROPOSED USE:** Expansion Of An  
Existing Cell Tower Equipment Compound

**SIZE OF TRACT:** 2.9 acres

**DISTRICT:** 18

**LAND LOT(S):** 588

**PARCEL(S):** 5

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 4

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

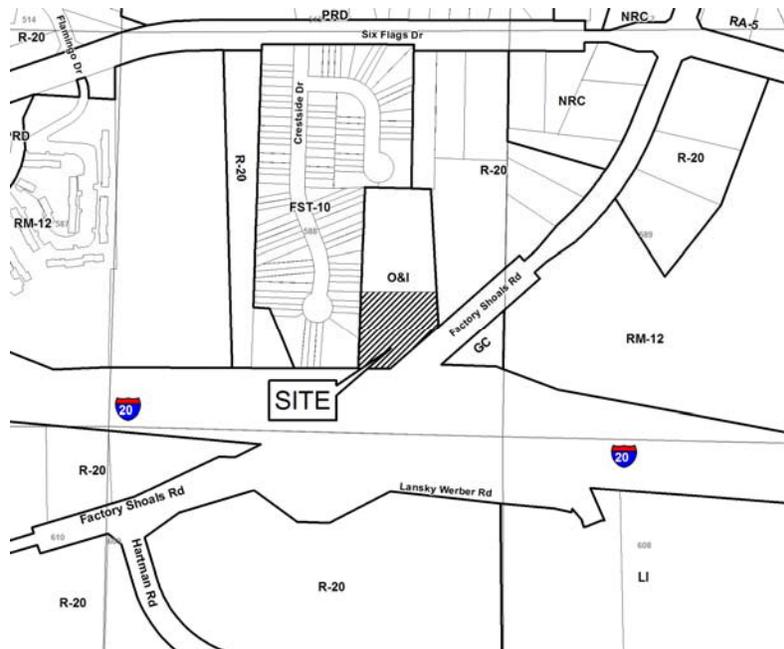
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

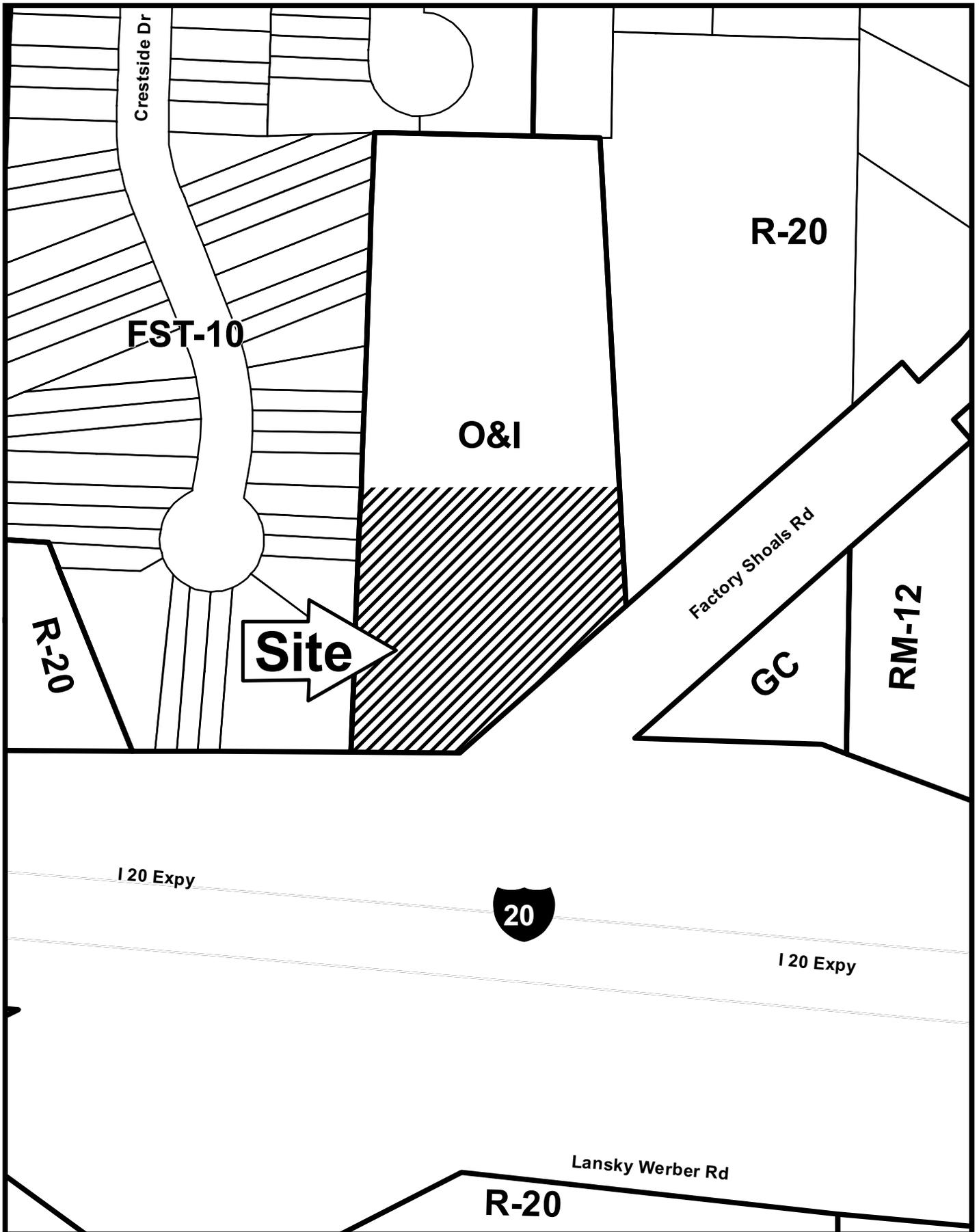
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

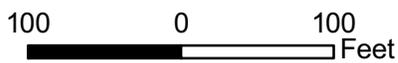
**STIPULATIONS:**



# SLUP-20



This map is provided for display and planning purposes only. It is not meant to be a legal description.



 City Boundary  
 Zoning Boundary

APPLICANT: Verizon Wireless

PETITION NO.: SLUP-20

PRESENT ZONING: OI

PETITION FOR: SLUP

\*\*\*\*\*

**PLANNING COMMENTS:** Staff Member Responsible: John P. Pederson, AICP

The applicant is requesting a Special Land Use Permit to expand the existing cell tower equipment compound by 800 square-feet (20-feet x 40-feet). The compound expansion is needed for Verizon’s equipment shelters. Verizon will co-locate telecommunication antennae on an existing cell tower. The applicant has submitted a letter explaining their position (see Exhibit “A”).

**Historic Preservation:** No comment.

**Cemetery Preservation:** No comment.

\*\*\*\*\*

**WATER & SEWER COMMENTS:**

Water and sewer not necessary.

\*\*\*\*\*

**DEPARTMENT OF TRANSPORATION COMMENTS:**

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

\*\*\*\*\*

APPLICANT: Verizon Wireless

PETITION NO.: SLUP-20

PRESENT ZONING: OI

PETITION FOR: SLUP

\*\*\*\*\*

**FIRE DEPARTMENT COMMENTS:**

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

Commercial: Cul-d-sac without an island to have a 60 foot paved radius **or** Hammerhead turn-around – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

Fire Hydrant

Commercial: Fire hydrant within 500 feet of most remote part of structure.

Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. Gate shall be swing or slide type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Cobb County Fire Marshal's office.

APPLICANT: Verizon Wireless

PETITION NO.: SLUP-20

PRESENT ZONING: OI

PETITION FOR: SLUP

\*\*\*\*\*

**DRAINAGE COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Unnamed Trib to Chattahoochee River FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS:  YES  NO  POSSIBLY, NOT VERIFIED

Location: \_\_\_\_\_

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE:  YES  NO  POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (\_\_\_\_\_ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream \_\_\_\_\_.  
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream \_\_\_\_\_.

APPLICANT: Verizon Wireless

PETITION NO.: SLUP-20

PRESENT ZONING: OI

PETITION FOR: SLUP

\*\*\*\*\*

DRAINAGE COMMENTS CONTINUED

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill \_\_\_\_\_ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown \_\_\_\_\_
- Copy of survey is not current - Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. The proposed expansion of the lease area compound should not result in any significant stormwater management impact.

## STAFF RECOMMENDATIONS

### **SLUP-20 VERIZON WIRELESS**

The applicant's proposal is located in an area designated as a Neighborhood Activity Center on the Future Land Use Map. The applicant's proposal is located on property that is zoned OI. For cell towers, non-residential sites are encouraged, and the use of platted lots in residential subdivisions are discouraged, which this proposal complies. The tower is setback its full height from all off-site residential structures, and is designed for additional co-locations, as required by code. The height of the existing tower will remain the same; the only change is to expand the ground compound to allow for additional equipment. The proposed use would not adversely affect any adjacent or nearby residential properties due to the character of the area, and placement along an Interstate highway. Based on the above analysis, Staff recommends APPROVAL subject to the following conditions:

- Site plan received by the Zoning Division on August 8, 2008;
- Fire Department comments;
- Stormwater Management comments and recommendations; and
- DOT comments and recommendations.

**The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.**

# TROUTMAN SANDERS LLP

A T T O R N E Y S A T L A W  
A LIMITED LIABILITY PARTNERSHIP

BANK OF AMERICA PLAZA  
600 PEACHTREE STREET, N.E. - SUITE 5200  
ATLANTA, GEORGIA 30308-2216  
www.troutmansanders.com  
TELEPHONE: 404-885-3000  
FACSIMILE: 404-885-3900

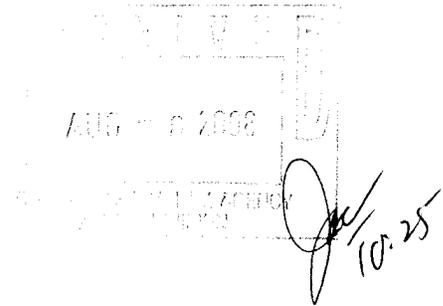
Jen Blackburn  
jennifer.blackburn@troutmansanders.com

Direct Dial: 404-885-3061  
Direct Fax: 404-962-6574

August 6, 2008

## VIA HAND DELIVERY

Rob Hosack, AICP  
Cobb County Community Development Department  
191 Lawrence Street  
Marietta, Georgia 30060



**RE: Verizon Wireless' Special Land Use Permit Application to allow for the Expansion of an Existing Telecommunications Compound on Property Located at 7312 Factory Shoals Road, Cobb County, Georgia**

Dear Mr. Hosack:

On behalf of Verizon Wireless (VAW), LLC ("Verizon Wireless"), I am pleased to submit for Cobb County's review and consideration this Special Land Use Permit Application to allow for the expansion of an existing tower compound on property located at 7312 Factory Shoals Road, Cobb County, Georgia. This compound expansion is needed in order to allow for the co-location of Verizon Wireless' antennas onto the existing tower located on the subject property. Pursuant to the requirements of Section 134-273 of the Cobb County Code of Ordinances (the "Ordinance"), this Letter of Intent and the attached exhibits provide all basic and supplementary information requested by the County for consideration of this request. Included among these exhibits are the following:

- Notarized Authorization by Property Owner (Exhibit "A");
- Application for Special Land Use Permit (Exhibit "B");
- Construction Design package which includes a Detailed Site Plan, Tower Elevation and Antenna Schedule, Grading and Sediment Control Plan, Electrical Site Plan, and Grounding Site Plan (Exhibit "C");
- Survey and Legal Descriptions of the Subject Property, Existing Lease Area, Proposed Lease Area, and Ingress-Egress and Utility Easement (Exhibit "D");
- A copy of the Warranty Deed for the subject property (Exhibit "E");

TROUTMAN SANDERS LLP  
ATTORNEYS AT LAW  
A LIMITED LIABILITY PARTNERSHIP

Mr. Rob Hosack  
August 6, 2008  
Page 2

- A copy of the paid tax receipt for 2007 for the subject property (Exhibit "F");
- A copy of the letters sent to all adjacent property owners requesting signature of the Consent of Contiguous Occupants or Land Owners to Accompany Application for Special Land Use form (Exhibit "G"); and
- A check in the amount of \$150.00 for the application fee.

For this proposed facility, Verizon Wireless intends to co-locate onto an existing 140-foot telecommunications tower owned by Crown Castle and to lease a 18' x 34' parcel on which to locate a 11.5' x 30' equipment shelter. Access to the leased premises will be provided via an existing access and utility easement running from Factory Shoals Road to the existing site. Section 134-273(6)(c) of the Ordinance allows for administrative approval of the co-location of additional antennas on existing towers. However, Section 134-273(2) of the Ordinance requires a Special Land Use Permit for the expansion of the existing tower compound be approved by the Cobb County Board of Commissioners at a public hearing.

The compound expansion is needed to allow for the location of Verizon Wireless' equipment shelter. Currently there is not enough ground space within the existing compound to allow for the equipment shelter. The requested Special Land Use Permit would expand the existing compound 20 x 39 feet to the east and would allow Verizon Wireless to locate an equipment shelter within this expanded area. The proposed compound meets all other setbacks required under the Ordinance.

The proposed co-location supports the County's preference for co-location of antennas onto existing tower versus the construction of new towers. Verizon Wireless has selected this site to ensure that increasingly relied upon wireless telecommunications service is provided in a safe and uniform manner throughout this portion of Cobb County and the surrounding area. This portion of the County currently has inadequate coverage resulting in frequently dropped calls or no service at all. This co-location will allow Verizon Wireless to provide suitable coverage to this portion of the County.

Verizon Wireless ensures that the proposed co-location will be maintained in compliance with the standards contained in applicable local building codes and the applicable standards for such telecommunications facilities. Verizon Wireless will obtain all necessary Federal Communications Commission ("FCC") and Federal Aviation Administration ("FAA") approvals for construction and operation at this location. As with all its facilities, Verizon Wireless will construct and operate this facility in accordance with all applicable FCC and FAA regulations.

TROUTMAN SANDERS LLP  
ATTORNEYS AT LAW  
A LIMITED LIABILITY PARTNERSHIP

Mr. Rob Hosack  
August 6, 2008  
Page 3

I appreciate your thoughtful consideration of this request, I encourage you to contact me should you have any questions or require any additional information, and I look forward to working with you on this important matter.

Very truly yours,



Jennifer A. Blackburn

/jab  
Enclosures