



Planning and Development Department

305 Young Street – Suite B, HENDERSON, NC 27536
(252) 738-2080/FAX 738-2089

Staff Report

Vance County Board of Adjustment

Case# BOA23-004

Owner: JDRF LLC

Applicant: Southern
Towers BTS

Parcel Number: 0526
02005

Location: 171 N.
Cokesbury Road

Current Zoning: AR

Hearing: December 14,
2023

Prepared by: Vance
County Planning

PURPOSE: To hold an evidentiary hearing, receive evidence and sworn testimony, and act on a Special Use Permit (SUP) application proposing a WIRELESS COMMUNICAITON TOWER (CELL TOWER) land use in accordance with the following sections of the Vance County Zoning Ordinance (hereafter 'Ordinance'):

- *Table of Uses – Special Uses;* and
- *Section 6 Special Use Permits;* and
- *Section 6.10 (O) Wireless Communication Tower (Cell Tower)*

of the Ordinance.

BACKGROUND: The Basic facts of the application are as follows:

- a. Owner/Applicant: JDRF LLC
- b. Location: 171 N. Cokesbury Road (PIN 0526-02005)
- c. Size of Parcel: 142.9 acres
- d. Zoning of Parcel: Agricultural Residential (AR)
- e. Existing Conditions/Features: The parcel is partially wooded with variable topography. Portions of the parcel appear to have been cleared and may have been used for pasture/crop production.
- f. Roads/Access: Access is off Cokesbury Road, a State maintained roadway.
- g. Surrounding Zoning:
 - North: Warrenton Road, R-20, R-30, and AR general use zoning;
 - South: AR general use zoning, S. Cokesbury Road, R-30 and AR general use zoning;
 - West: AR general use zoning;
 - East: R-30 general use zoning.

PROPOSAL: Erection of a 195 ft. tall monopole telecommunication tower (190 ft. tall tower with a 4 ft. lightning rod at the top of the tower) with a 60 foot by 60 foot fenced in equipment compound at the base. Vehicular access would be off Cokesbury Road. The applicant is not proposing any outdoor lighting or other structures other than equipment cabinets supporting the proposed telecommunication tower (hereafter 'the Project').

Per Section 12 *Definitions* of the Ordinance, a *telecommunication tower* is defined as follows:

Any structure designed and built to support one or more antennae, including self-supporting and guyed lattice/cage towers, or monopole towers used for the support of PCS and cellular mobile services. This definition does not address commercial radio and television towers and does not include personal satellite dishes or amateur radio antennas.

In addition to the development standards of the Ordinance (parking, signage, etc.), per Section 6.10 (O) the land uses are required to abide by the following development standards:

2. General Requirements. When allowed, such towers and associated equipment shall be subject to the following additional requirements:

- a. Towers shall not interfere with normal radio and television reception in the vicinity. Commercial messages shall not be displayed on any tower. Violations shall be considered zoning violations and shall be corrected under the enforcement provisions.*
- b. Lighting shall not exceed the Federal Aviation Administration (FAA) minimum if lighting is required by the FAA. The lights shall be oriented so as not to project directly onto surrounding residential property, consistent with FAA requirements. Prior to issuance of a building permit, the applicant shall be required to submit documentation from the FAA that the lighting is the minimum lighting required by the FAA.*
- c. Towers shall be constructed and maintained in conformance with all applicable building code requirements.*
- d. In order to protect the public from unnecessary exposure to electromagnetic radiation, the tower owner shall provide appropriate Federal Communications Commissioner (FCC) documentation indicating that the power output levels do not exceed federally approved levels.*
- e. In allowed districts, towers of 75 feet or more require that a Special Use Permit be granted by the Board of Adjustment. The Board of Adjustment may consider variances up to 10 % of the setback requirements for such towers as a part of the Special Use Permit approval.*
- f. To encourage shared use of towers, the applicant for new wireless facilities shall be required to evaluate the reasonable feasibility of collocating new antennas and equipment on an existing wireless support structure or structures within the applicant's search ring. The Board of Adjustment may allow a new wireless facility to be placed within their search ring which includes existing wireless facilities upon being presented with written documentation that (1) appropriate space on the tower is not available, (2) the petitioner has made good faith efforts to negotiate an agreement with the owner of the existing wireless facility, or (3) equipment currently on the tower is not compatible with the proposed equipment. If the petitioner cannot locate on an existing tower and a new tower has to be constructed, the height of the tower cannot exceed two hundred feet (200'). The new tower cannot be located closer than one mile from an existing tower.*

- g. All new towers shall be constructed to be able to accommodate at least two or more users so that future co-location will be available. In addition, reasonable accommodation for public service uses is also suggested.*
- 3. When permitted, towers shall conform to the following dimensional requirements:*
- a. On top of structures: Towers (with the exception of concealed towers) may not be located on top of structures in any residential district. Towers which are located on top of structures in nonresidential districts (which are not tower accessory structures) shall not be more than 75 feet above the top of the structure. The structure shall meet the normal setbacks of the zone.*
- b. Setbacks: Towers located on the ground or top of a tower accessory structure:*
- a. If the tower is more than 75 feet high and adjacent to, inside, or separated by a public right of way from property that is residentially zoned or used, the setback shall be one foot (1') for every foot in height, or the setback of the zoning district, whichever is greater. If the tower is more than 75 feet in height and adjacent to, inside, or separated by a public right of way from nonresidential property, the setbacks shall be one foot (1') for every two feet in height or the setback in the zoning district, whichever is greater, and in no case less than fifty feet (50').*
- b. To encourage shared use of towers, applications for towers which will operate with more than one user immediately upon completion may reduce setbacks from adjacent nonresidential property. The setback from adjacent nonresidential property may be reduced by 25% when two users commit to occupy the tower immediately upon its completion, or reduced by 50% when three or more users commit to occupy the tower immediately upon its completion. However, the required setback distance may not be reduced to less than fifty feet (50'). The reductions do not apply if the tower adjoins a residential zone on any side.*
- c. No setbacks shall be required if the tower is to be located on an existing structure.*
- 4. Residential District. Towers (with the exception of concealed towers) where allowed in residential districts shall conform to the following setbacks:*
- a. Where allowed, towers 75 feet or more in height may be permitted subject to the issuance of a Special Use Permit. A tower shall have a setback from all property lines that is in compliance with this section.*
- b. To prevent a clear view of the base of the tower, the setback shall contain an established forested area with a depth of at least 100 feet. When the 100 foot forested area requirement cannot be met, a natural buffer shall be provided as required in Section 6.10.K.5 below.*

The Board of Adjustment, when deciding the Special Use Permit, may reduce the setback adjacent to nonresidential property upon consideration of circumstances which reduce the offsite effects of the tower such as topography, berms, the proximity of other existing or potential uses, and existing vegetation and improvements made to the site to obscure or reduce the visibility of the tower. The Board of Adjustment shall not reduce the required setback from adjacent property which has residential use.

- c. No outdoor storage yards shall be allowed on tower sites, storage buildings that are secondary and/or incidental to the primary use of the site are allowed within the provisions of the designated zoning category.*

5. Buffers.

- a. The base of the tower, any guy wires, and any associated structures, walls, or fences shall be surrounded by a landscaped buffer. The site developer may have the option of: (a) providing a buffer around the tower base and associated items individually or (b) providing a buffer around the perimeter of the entire site.*
- b. A 10 foot buffer shall be provided between the tower and the property boundaries in all zones other than residential. In all residential zones, the buffer shall be a minimum of 25 feet in width.*
- c. The planting shall consist of a mix of deciduous or evergreen trees and evergreen shrubs. Trees shall be planted along the full length of the buffer strip in a triangular pattern with a maximum spacing of 25 feet on centers. The minimum height at planting for trees shall be six feet, and they shall have an expected minimum maturity height of 35 feet under normal growing conditions. There shall also be one row of dense shrubs, spaced not more than eight feet on centers. Shrubs shall be a minimum of two feet high at planting and shall have a minimum expected maturity height of eight feet under normal growing conditions. It is the intent of this section to encourage the use of existing vegetation in whole or in part to meet this requirement.*

6. Site Plan Requirements. *The following information must be supplied with the site plan or building permit application for towers that are 75 feet in height or more prior to any approval:*

- a. Identification of the intended user(s) of the tower.*
- b. Documentation provided by registered engineer that the tower has sufficient structural integrity to accommodate more than one user.*
- c. Documentation by the applicant that no suitable existing facilities within the coverage area are available to the applicant.*
- d. A statement indicating the owner's intent to allow shared use of the tower and how many other users can be accommodated.*

7. *Co-Location.* To further encourage co-location, additional users and associated equipment that do not add to the tower's height may be added without additional approval. However, additional building code regulations may apply. Site plans must show the locations for at least two equipment buildings, even if the tower is proposed for a single user.

8. *Collocation of small wireless facilities:*

- a. *Small wireless facilities that meet the height requirements of G.S. 160D-936(b)(2) shall only be subject to administrative review and approval under subsection (d) of this section if they are collocated outside of city rights-of-way on property other than single-family residential property.*
- b. *In no instance in an area zoned single-family residential where the existing utilities are installed underground may a utility pole, public utility pole, or wireless support structure exceed 40 feet above ground level, unless the Board of Adjustment grants a waiver or variance approving a taller utility pole, public utility pole, or wireless support structure.*

9. *Removal of Towers.* Towers that are not used for a period of six (6) months or more shall be removed by the owner within one hundred eighty (180) days after receiving notice from the County to remove the tower. To assure the removal of towers that do not meet requirements for use or maintenance, this section serves as notice that the County may remove said tower and may file a lien collectable as taxes against the property.

10. *Additional Requirements for Special Use Permits for Telecommunication Towers and Equipment:*

- a. *When considering a Special Use Permit request, the Board of Adjustment shall be required to make a determination of the electromagnetic field (EMF) effects of the tower on the health of the public.*
- b. *All property owners within a 1,500 foot radius and/or adjoining the property where the tower is proposed shall be notified, in writing, of the hearings at which the application will be considered.*
- c. *Special Use Permits for all towers shall expire unless documentation, including but not limited to an FCC license, is submitted each January to the Board of Adjustment indicating that the tower is being utilized.*
- d. *The tower shall meet all other applicable supplementary requirements*

STAFF COMMENTS:

- A. Required advertising per the Ordinance and State law (i.e., mailing of letters informing property owners of the date, time, location of the Evidentiary Hearing and the posting of the property advertising the hearing) was completed by staff;
- B. Staff does not make a formal recommendation, or provide comment on, the approval of the application or its compliance with the general standards in Section 6.3 of the Ordinance reading as follows:

- *That the use will not materially endanger the public health or safety if located according to the plan submitted and approved.*
- *That the use meets all required conditions and specifications.*
- *That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.*
- *That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Vance County Land Use Plan. In granting the Special Use Permit the Board of Adjustment may designate only those conditions, in addition to those stated herein, which, in its opinion, assure that the use in its proposed location will be harmonious with the area and with the spirit of this Ordinance and clearly in keeping with the public welfare. All such additional conditions shall be entered in the minutes of the meeting, at which the Special Use Permit is granted, on the Special Use Permit itself, and on the approved plans submitted therewith. All specific conditions shall run with the land and shall be binding on the original applicants for the Special Use Permit, their heirs, successors and assigns. The Special Use Permit shall be signed and dated by the applicant and recorded in the Vance County Register of Deeds.*

C. Review of SUP applications are carried out in a *quasi-judicial* format.

Decisions relating to the approval or denial of an application are based solely on the sworn testimony of all parties involved with the case, both those for and against an application, as well as the review of the competent, material, and substantial evidence submitted into evidence during the evidentiary hearing;

D. The applicant has the burden of establishing, by the submission of competent, material, and substantial evidence, the existence of facts and conditions that demonstrate the project complies with the various requirements and standards of the Ordinance.

Those opposing approval of the application shall have the burden of establishing, also through the submission of competent, material, and substantial evidence, the specific way the proposal does not satisfy the requirements for approval of the application;

E. Individuals asserting they have standing are required to present evidence/testimony supporting this claim. Persons who can claim standing include:

1. A person with legal interest in the subject parcel including:

- i. Property owner;
 - ii. An individual who has an ownership or leasehold interest;
 - iii. An individual who has an option or contract to purchase the subject property; or
 - iv. An interest created by an easement, restriction, or covenant.
2. A person who will suffer special damages as the result of a decision;

STAFF COMMENT: Individuals are required to substantiate what special damages they will suffer for the Board to consider if they have standing. This typically includes proximity to the subject parcel, action on the proposal could result in economic damages such as a decrease in property values, or action on the proposal could result in direct adverse impacts on their property.

Individuals asserting standing are required to do more than simply state that they live in the vicinity of the subject property and allege action on a proposal will harm property values. The party asserting standing must allege secondary impacts providing documentation of same.

3. An association organized to promote the interests of a particular area, such as a homeowner's association, so long as at least one member of the group would have standing as an individual and the association was not created in response to the development/application being acted upon by the Board of Adjustment.

STAFF COMMENT: Standing is a legal question to be determined by the Board of Adjustment. Staff does not have the discretion to make this determination.

The simple receipt of a meeting notice from the County is not a basis to assert 'standing'.

- F. The Board of Adjustment shall render a decision **only** on the sworn testimony of all parties and on the competent, material, and substantial evidence submitted during the hearing relating to the approval or denial of the application;
- G. Every decision of the Board of Adjustment shall be subject to review at the request of any aggrieved party by the Superior County by proceedings in the nature of certiorari. Appeals have to be submitted with the Superior Court within 30 days of the availability of notice of decision.
- H. Approval of this request by the Board does not exempt the applicant from securing all necessary permits authorizing commencement of land disturbing activities, which may include but are not limited to the following:

1. Erosion Control and Stormwater permits;
2. Environmental Health permits;
3. Building permits, including the review and approval of the County Fire Marshal;
4. A Solid Waste Management Permit;
5. A Zoning Compliance Permit; and/or
6. NCDOT Driveway Permits.

- I. The approval of the Special Use Permit establishes that the proposed land use is permitted to be developed consistent with the proposal.

If the applicant cannot secure required permits authorizing the physical development of the project, as detailed herein, the Special Use Permit may expire.

ATTACHMENTS: Staff has attached a FINDINGS OF FACT script to aid the Board in its deliberations.

Staff has also attached the Affidavit of Service attesting to our advertising the Evidentiary Hearing consistent with the requirements of the Zoning ordinance.

**SCRIPT
FOR VANCE COUNTY NC BOARD OF ADJUSTMENT
FINDINGS OF FACT
SPECIAL USE PERMIT**

**FINDINGS OF THE VANCE COUNTY BOARD OF ADJUSTMENT
PERTAINING TO A REQUEST SUBMITTED BY
SOUTHERN TOWERS
FOR THE DEVELOPMENT OF A
WIRELESS COMMUNICATION TOWER (CELL TOWER)
OFF NORTH CORKSBURY ROAD**

PARCEL IDENTIFICATION NUMBER (PIN): 0526-02005

In accordance with Section 6 *Special Uses* and the *Table of Uses* of the Vance County Zoning Ordinance (Ordinance), a Special Use Permit is required for the construction of a *Wireless Communication Tower (Cell Tower)* as a permitted use of property within the Agricultural Residential (AR) general use zoning district. Such permits shall comply with general and specific standards as set forth in the Ordinance, specifically Section(s) 2.2 (C) *Site Plan Requirements*, 6.3 *Board of Adjustment Action*, and 6.10 (O) *Special Use Minimum Development Requirements – Wireless Communication Towers (“Cell Towers”)*. Section 6.3 requires written findings certifying compliance with the following:

- (1) *That the use will not materially endanger the public health or safety, if located according to the plan submitted and approved;*
- (2) *That the use meets all required conditions and specifications;*
- (3) *That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and*
- (4) *That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Vance County Land Use Plan. In granting the Special Use Permit the Board of Adjustment may designate only those conditions, in addition to those stated herein, which, in its opinion, assure that the use in its proposed location will be harmonious with the area and with the spirit of this Ordinance and clearly in keeping with the public welfare. All such additional conditions shall be entered in the minutes of the meeting, at which the Special Use Permit is granted, on the Special Use Permit itself, and on the approved plans submitted therewith. All specific conditions shall run with the land and shall be binding on the original applicants for the Special Use Permit, their heirs, successors and assigns. The Special Use Permit shall be signed and dated by the applicant and recorded in the Vance County Register of Deeds.*

In addition, the Board shall make findings certifying that the application is compliant with the following specific standards:

- (1) Specific standards for the submission of Special Use Permit applications as outlined within Section 2 of the Ordinance.
- (2) Specific regulations governing the development of a Wireless Communication Towers (Cell Towers) as set forth in Section 6.10 (O) of the Ordinance.
- (3) The general findings as outlined within Section 6.3 of the Ordinance.

Listed below are the findings of the Vance County Planning staff regarding the subject application in question related to compliance with the Ordinance. Required findings, applicable Ordinance section, supporting evidence provided herein to assist the Board of Adjustment in its deliberations.

REQUIREMENT	Ordinance	SUPPORTING EVIDENCE	Staff	BOA
APPLICATION COMPONENTS				
Proper forms	Sec. 2.1	Application Package	Yes	
Full description of use Location Appearance Operational characteristics	Sec 2.1 (C) Section 6 inclusive (Special Use Permit)	Application Package including a detailed narrative, impact study (property analysis), Verizon FCC licenses in the area, FAA determination of no hazard to air navigation, RF safety report, 1-mile radius FCC antenna search, site plan, aerial photo of property, co-location letter.	Yes	
Fees paid	Section 2 inclusive Sec. 6.2	Required review fees paid in accordance with the adopted fee schedule	Yes	
Owner Information	Sec. 2.1 and Section 6 (Special Use Permit)	Application Package	Yes	
Information needed for Use Standards	Section 6 inclusive	Application Package including a detailed site plan outlining the proposed use, project narrative, and traffic impact analysis.	Yes	
Site Plans	Sec 2.2 (C) Sec. 6.2	Required number of site plans provided	Yes	
NOTIFICATION REQUIREMENTS:				
Public Notice Date, Time, Place of the quasi-judicial evidentiary public hearing	Sec. 6.3 NCGS 160D-406	Evidentiary hearing advertised consistent with applicable standards/requirements	Yes	
SITE PLAN:				
A site plan shall be prepared containing all required information as detailed in 2.2(C) of the Ordinance	Sec 2.2 (C)	Site plan provided.	Yes	

REQUIREMENT	Ordinance	SUPPORTING EVIDENCE	Staff	BOA
SITE SPECIFIC DEVELOPMENT STANDARDS – Wireless Communication Towers (Cell Towers)				
2 a. Towers shall not interfere with normal radio and television reception in the vicinity. Commercial messages shall not be displayed on any tower. Violations shall be considered zoning violations and shall be corrected under the enforcement provisions.	6.10 (O) (2) (a)	Applicant states that the tower will not interfere with radio and television reception as they operate at different frequencies (Exhibit B)	Yes	
b. Lighting shall not exceed the Federal Aviation Administration (FAA) minimum if lighting is required by the FAA. The lights shall be oriented so as not to project directly onto surrounding residential property, consistent with FAA requirements. Prior to issuance of a building permit, the applicant shall be required to submit documentation from the FAA that the lighting is the minimum lighting required by the FAA.	6.10 (O) (2) (b)	The FAA does not require lighting (Exhibit C)	Yes	
c. Towers shall be constructed and maintained in conformance with all applicable building code requirements.	6.10 (O) (2) (c)	Applicant agrees to condition (Ordinance Compliance Statement - narrative)	Yes	
d. . In order to protect the public from unnecessary exposure to electromagnetic radiation, the tower owner shall provide appropriate Federal Communications Commissioner (FCC) documentation indicating that the power output levels do not exceed federally approved levels	6.10 (O) (2) (d)	Applicant states that the tower will not create unnecessary exposure to electromagnetic radiation (Exhibit D)	Yes	
e. In allowed districts, towers of 75 feet or more require that a Special Use Permit be granted by the Board of Adjustment. The Board of Adjustment may consider variances up to 10 % of the setback requirements for such towers as a part of the Special Use Permit approval.	6.10 (O) (2) (e)	Applicant agrees to condition (Ordinance Compliance Statement - narrative)	Yes	

<p>f. To encourage shared use of towers, the applicant for new wireless facilities shall be required to evaluate the reasonable feasibility of collocating new antennas and equipment on an existing wireless support structure or structures within the applicant's search ring. The Board of Adjustment may allow a new wireless facility to be placed within their search ring which includes existing wireless facilities upon being presented with written documentation that (1) appropriate space on the tower is not available, (2) the petitioner has made good faith efforts to negotiate an agreement with the owner of the existing wireless facility, or (3) equipment currently on the tower is not compatible with the proposed equipment. If the petitioner cannot locate on an existing tower and a new tower has to be constructed, the height of the tower cannot exceed two hundred feet (200'). The new tower cannot be located closer than one mile from an existing tower.</p>	<p>6.10 (O) (2) (f)</p>	<p>Applicant states there are no wireless support structures within a 1 mile radius (Exhibit E)</p>	<p>Yes</p>	
<p>g. All new towers shall be constructed to be able to accommodate at least two or more users so that future co-location will be available. In addition, reasonable accommodation for public service uses is also suggested.</p>	<p>6.10 (O) (2) (g)</p>	<p>Sheet C-13 of the site plan as well as Exhibit H</p>	<p>Yes</p>	
<p>3.a. On top of structures: Towers (with the exception of concealed towers) may not be located on top of structures in any residential district. Towers which are located on top of structures in nonresidential districts (which are not tower accessory structures) shall not be more than 75 feet above the top of the structure. The structure shall meet the normal setbacks of the zone.</p>	<p>6.10 (O) (3) (a)</p>	<p>N/A</p>	<p>N/A</p>	

<p>b.(a).If the tower is more than 75 feet high and adjacent to, inside, or separated by a public right of way from property that is residentially zoned or used, the setback shall be one foot (1') for every foot in height, or the setback of the zoning district, whichever is greater. If the tower is more than 75 feet in height and adjacent to, inside, or separated by a public right of way from nonresidential property, the setbacks shall be one foot (1') for every two feet in height or the setback in the zoning district, whichever is greater, and in no case less than fifty feet (50').</p>	<p>6.10 (O) (3) (b) (a)</p>	<p>Setbacks met per Exhibit F</p>	<p>Yes</p>	
<p>b.(b) To encourage shared use of towers, applications for towers which will operate with more than one user immediately upon completion may reduce setbacks from adjacent nonresidential property. The setback from adjacent nonresidential property may be reduced by 25% when two users commit to occupy the tower immediately upon its completion or reduced by 50% when three or more users commit to occupy the tower immediately upon its completion. However, the required setback distance may not be reduced to less than fifty feet (50'). The reductions do not apply if the tower adjoins a residential zone on any side</p>	<p>6.10 (O) (3) (b) (b)</p>	<p>Setbacks met per Exhibit F</p>	<p>Yes</p>	
<p>b. (c) No setbacks shall be required if the tower is to be located on an existing structure.</p>	<p>6.10 (O) (3) (b) (c)</p>	<p>N/A</p>	<p>N/A</p>	
<p>4. a. Where allowed, towers 75 feet or more in height may be permitted subject to the issuance of a Special Use Permit. A tower shall have a setback from all property lines that is in compliance with this section.</p>	<p>6.10 (O) (4) (a)</p>	<p>Applicant agrees to condition (Ordinance Compliance Statement - narrative)</p>	<p>Yes</p>	

<p>b. To prevent a clear view of the base of the tower, the setback shall contain an established forested area with a depth of at least 100 feet. When the 100-foot forested area requirement cannot be met, a natural buffer shall be provided as required in Section 6.10.K.5 below. The Board of Adjustment, when deciding the Special Use Permit, may reduce the setback adjacent to nonresidential property upon consideration of circumstances which reduce the offsite effects of the tower such as topography, berms, the proximity of other existing or potential uses, and existing vegetation and improvements made to the site to obscure or reduce the visibility of the tower. The Board of Adjustment shall not reduce the required setback from adjacent property which has residential use.</p>	<p>6.10 (O) (4) (b)</p>	<p>Although the applicant misstates within the narrative, they are not obligated to meet this requirement, which they are required to do, Sheet L-1 of the Site Plan (Exhibit F) and the provided narrative indicate the applicant will comply with the landscaping requirement.</p> <p>The staff determined the applicant is required to abide by the landscaping standards of Section 6.10 (O) (5) (a) of the Ordinance.</p> <p>Submittal demonstrates compliance.</p>	<p>Yes</p>	
<p>c. No outdoor storage yards shall be allowed on tower sites, storage buildings that are secondary and/or incidental to the primary use of the site are allowed within the provisions of the designated zoning category.</p>	<p>6.10 (O) (4) (c)</p>	<p>Compliance demonstrated per Exhibit F (Site Plan) and language contained within the project narrative.</p>	<p>Yes</p>	
<p>5. a The base of the tower, any guy wires, and any associated structures, walls, or fences shall be surrounded by a landscaped buffer. The site developer may have the option of: (a) providing a buffer around the tower base and associated items individually or (b) providing a buffer around the perimeter of the entire site.</p>	<p>6.10 (O) (5) (a)</p>	<p>Sheet L-1 of the Site Plan (Exhibit F) and the provided narrative indicate the applicant will comply with the landscaping requirement.</p>	<p>Yes</p>	
<p>b. A 10-foot buffer shall be provided between the tower and the property boundaries in all zones other than residential. In all residential zones, the buffer shall be a minimum of 25 feet in width.</p>	<p>6.10 (O) (5) (b)</p>	<p>Sheet L-1 of the Site Plan (Exhibit F) and the provided narrative indicate the applicant will comply with the landscaping requirement.</p>	<p>Yes</p>	

<p>c. The planting shall consist of a mix of deciduous or evergreen trees and evergreen shrubs. Trees shall be planted along the full length of the buffer strip in a triangular pattern with a maximum spacing of 25 feet on centers. The minimum height at planting for trees shall be six feet, and they shall have an expected minimum maturity height of 35 feet under normal growing conditions. There shall also be one row of dense shrubs, spaced not more than eight feet on centers. Shrubs shall be a minimum of two feet high at planting and shall have a minimum expected maturity height of eight feet under normal growing conditions. It is the intent of this section to encourage the use of existing vegetation in whole or in part to meet this requirement</p>	<p>6.10 (O) (5) (c)</p>	<p>Sheet L-1 of the Site Plan (Exhibit F) and the provided narrative indicate the applicant will comply with the landscaping requirement.</p>	<p>Yes</p>	
<p>6.a. Identification of the intended user(s) of the tower</p>	<p>6.10 (O) (6) (a)</p>	<p>Applicant has identified initial user (Ordinance Compliance Statement)</p>	<p>Yes</p>	
<p>b. Documentation provided by registered engineer that the tower has sufficient structural integrity to accommodate more than one user.</p>	<p>6.10 (O) (6) (b)</p>	<p>Exhibit H and the Site Plan</p>	<p>Yes</p>	
<p>c. Documentation by the applicant that no suitable existing facilities within the coverage area are available to the applicant.</p>	<p>6.10 (O) (6) (c)</p>	<p>Applicant states there are no wireless support structures within a 1-mile radius (Exhibit E)</p>	<p>Yes</p>	
<p>d. A statement indicating the owner's intent to allow shared use of the tower and how many other users can be accommodated.</p>	<p>6.10 (O) (6) (d)</p>	<p>Exhibit H and the Site Plan</p>	<p>Yes</p>	
<p>7. To further encourage co-location, additional users and associated equipment that do not add to the tower's height may be added without additional approval. However, additional building code regulations may apply. Site plans must show the locations for at least two equipment buildings, even if the tower is proposed for a single user.</p>	<p>6.10 (O) (7)</p>	<p>Exhibit H and the Site Plan</p>	<p>Yes</p>	

<p>8.a. Small wireless facilities that meet the height requirements of G.S. 160D-936(b)(2) shall only be subject to administrative review and approval under subsection (d) of this section if they are collocated outside of city rights-of-way on property other than single-family residential property.</p>	<p>6.10 (O) (8) (a)</p>	<p>N/A</p>	<p>N/A</p>	
<p>b. In no instance in an area zoned single-family residential where the existing utilities are installed underground may a utility pole, public utility pole, or wireless support structure exceed 40 feet above ground level, unless the Board of Adjustment grants a waiver or variance approving a taller utility pole, public utility pole, or wireless support structure.</p>	<p>6.10 (O) (8) (b)</p>	<p>There is no evidence this standard is applicable in this instance.</p>	<p>N/A</p>	
<p>9. Towers that are not used for a period of six (6) months or more shall be removed by the owner within one hundred eighty (180) days after receiving notice from the County to remove the tower. To assure the removal of towers that do not meet requirements for use or maintenance, this section serves as notice that the County may remove said tower and may file a lien collectable as taxes against the property</p>	<p>6.10 (O) (9)</p>	<p>This needs to become a condition of approval.</p>	<p>Yes, as a condition.</p>	
<p>10. a. When considering a Special Use Permit request, the Board of Adjustment shall be required to make a determination of the electromagnetic field (EMF) effects of the tower on the health of the public.</p>	<p>6.10 (O) (10) (a)</p>	<p>Applicant has provided a statement in Exhibit D. Staff is not convinced the County has the authority to address this issue per Federal Law.</p>	<p>N/A</p>	
<p>b. All property owners within a 1,500-foot radius and/or adjoining the property where the tower is proposed shall be notified, in writing, of the hearings at which the application will be considered</p>	<p>6.10 (O) (10) (b)</p>	<p>Adjacent property owners where notified consistent with the Ordinance and State law.</p>	<p>Yes</p>	
<p>c. Special Use Permits for all towers shall expire unless documentation, including but not limited to an FCC license, is submitted each January to the Board of Adjustment indicating that the tower is being utilized.</p>	<p>6.10 (O) (10) (c)</p>	<p>This needs to become a condition of approval.</p>	<p>Yes, as a condition.</p>	
<p>d. The tower shall meet all other applicable supplementary requirements</p>				

REQUIREMENT	Ordinance	SUPPORTING EVIDENCE	Staff	BOA
<p>GENERAL SPECIAL USE PERMIT FINDINGS OF FACT: Per Section the Ordinance, the Board of Adjustment shall make the following findings.</p> <p>(NOTE: Staff does not offer a recommendation or comment on these items until the public hearing)</p>				
<p>(1) That the use will not materially endanger the public health or safety, if located according to the plan submitted and approved</p>	<p>Sec. 6.3 (A)</p>	<p>Application Package including a detailed narrative, impact study (property analysis), Verizon FCC licenses in the area, FAA determination of no hazard to air navigation, RF safety report, 1-mile radius FCC antenna search, site plan, aerial photo of property, co-location letter.</p>		
<p>(2) That the use meets all required conditions and specifications</p>	<p>Sec. 6.3 (B)</p>	<p>Application Package including a detailed narrative, impact study (property analysis), Verizon FCC licenses in the area, FAA determination of no hazard to air navigation, RF safety report, 1-mile radius FCC antenna search, site plan, aerial photo of property, co-location letter.</p>		
<p>(3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity</p>	<p>Sec. 6.3 (C)</p>	<p>Application Package including a detailed narrative, impact study (property analysis), Verizon FCC licenses in the area, FAA determination of no hazard to air navigation, RF safety report, 1-mile radius FCC antenna search, site plan, aerial photo of property, co-location letter.</p>		
<p>(4) <i>That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Vance County Land Use Plan.</i></p>	<p>Sec. 6.3 (D)</p>	<p>Application Package including a detailed narrative, impact study (property analysis), Verizon FCC licenses in the area, FAA determination of no hazard to air navigation, RF safety report, 1-mile radius FCC antenna search, site plan, aerial photo of property, co-location letter.</p>		

RECOMMENDATION:

Staff has reviewed the application, the site plan, and all supporting documentation and has found that the application **does not comply** with the specific development requirements for a **WIRELESS COMMUNICATION TOWER (CELL TOWER)** as a principal use of property as outlined within the Vance County Zoning Ordinance as noted herein.

If the Board makes an affirmative finding and issues the permit, staff recommends the attachment of the following conditions:

CONDITIONS OF APPROVAL:

1. Special Use Permits for all towers shall expire unless documentation, including but not limited to an FCC license, is submitted each January of the new calendar year to the Board of Adjustment indicating that the tower is being utilized.
2. Towers not used for a period of six (6) months or more shall be removed by the owner within one hundred eighty (180) days after receiving notice from the County to remove the tower. The County may remove said tower, in cases where it is not used or otherwise abandoned, and may file a lien collectable as taxes against the property.
3. In accordance with the Ordinance, the applicant shall apply for and obtain a Zoning Compliance Permit prior to the commencement of land disturbing activities. The applicant shall assume responsibility for securing all other required permits for the project including, but not limited to:
 - A. Vance County Building Permit;
 - B. NC Department of Transportation Driveway Permit (if required);
 - C. Erosion Control and Stormwater Permit (State) if required.
4. The Special Use Permit shall expire automatically within 12 months of the date of approval if the use has not commenced or construction has not commenced or proceeded unless a timely application for extension of this time limit is approved by the Board of Adjustment.

STATE OF NORTH CAROLINA
COUNTY OF VANCE

VANCE COUNTY BOARD OF ADJUSTMENTS
Case # BOA23-004 171 N. Cokesbury Road

RE:

SPECIAL USE PERMIT
PIN 0526 02 005
171 N. Cokesbury Road
OWNER: JDRF LLC
APPLICANT: Southern Towers BTS

AFFIDAVIT OF SERVICE

NOW COMES the undersigned and deposes and says:

1. I am the Vance County Planning and Development Director.
2. On November 28, 2023, I issued the attached Notice of EVIDENTIARY HEARING to the property owner, the applicant, and to the additional property owners advertising the date, time, and location of the Hearing as required by the Vance County Zoning Ordinance, as shown on the attached Exhibit "A".
The above notices were sent by first class mail, postage prepaid and deposited in the mail on November 28, 2023, **16 days** prior to the date of the EVIDENTIARY HEARING.
3. Additionally, on Friday December 1, 2023 I did personally place/post on the subject property, 171 N. Cokesbury Road (PIN 0526 02 005) a sign giving prominent notice of the EVIDENTIRARY HEARING for the Special Use Permit request. The sign was posted **13 days** prior to the date of the EVIDENTIARY HEARING.


Further your Affiant saith not.

This the ____ day of December 5, 2023.



Michael D. Harvey AICP, CFM, CZO
Planning Director

Sworn and subscribed to before me
this 5th day of December, 2023.



Name: Kelly H. Grissom, Notary Public
My commission expires: 9-24-26





COUNTY OF VANCE, NORTH CAROLINA

122 YOUNG STREET, SUITE B
HENDERSON, NORTH CAROLINA 27536

Exhibit A

C. RENEE PERRY
COUNTY MANAGER
(252) 738 - 2002

KELLY H. GRISSOM
CLERK TO BOARD
(252) 738 - 2003

November 28, 2023

VANCE COUNTY, NC - BOARD OF ADJUSTMENT
Notice of EVIDENTIARY HEARING
Review of a SPECIAL USE PERMIT APPLICATION (SUP)
For a WIRELESS COMMUNICAITON TOWER (CELL TOWER)

To Whom It May Concern:

In accordance with the provisions of the Vance County Zoning Ordinance (hereafter 'the Ordinance') this letter is being sent to inform you of a pending EVIDENTIARY HEARING by the Vance County Board of Adjustment.

The HEARING is scheduled to occur on **Thursday December 14, 2023 at 4:00 p.m.** The HEARING will be held in the Commissioners Meeting Room at 122 Young Street in downtown Henderson.

Specifically, the Board of Adjustment will review a SPECIAL USE PERMIT (hereafter 'SUP') proposing development of a WIRELESS COMMUNICAITONS TOWER, specifically the development of a 195 ft. tall monopole cellular tower at 171 N. Cokesbury Road (Parcel Number 0526 02005) in accordance with:

- Permitted Use Table – Special Uses;
- Section 6 Special Use Permits inclusive; and
- Section 6.10 (O) Special Use Minimum Development Requirements – Wireless Communications Tower

of the Ordinance.

The subject parcel is approximately 142.9 acres in area and zoned Agricultural Residential (AR). A Wireless Communication Towner land use is a permitted use of property within the AR general use zoning district subject to the issuance of the SUP.

WHAT IS BEING PROPOSED? The proposal involves the erection of a 195 ft. tall monopole telecommunication tower (190 ft. tall tower with a 4 ft. lightning rod at the top of the tower) with a 60 foot by 60 foot fenced in equipment compound at the base. Vehicular access would be off Cokesbury Road. The applicant is not proposing any outdoor lighting or other structures other than equipment cabinets supporting the proposed telecommunication tower (hereafter 'the Project').

Staff has attached a vicinity map of the property, as well as a copy of the site plan denoting the proposed location of the wireless communication tower on the property.

HOW THIS PROCESS WORKS: The Ordinance requires SUP applications to go before the Board of Adjustment for review and decision. Per the Ordinance, the Board of Adjustment reviews these applications during an evidentiary hearing in a "quasi-judicial" format. In other words, the Board hears evidence and makes a decision much like a panel of judges.

The Board hears factual evidence and sworn testimony from the applicant(s) and supporting/opposing parties who establish they have standing (i.e. have the legal ability to present testimony and evidence) then decide to approve or deny the request based on the evidence submitted during the hearing. Only competent, substantial, and material evidence will be considered. In other words, the Board will not consider personal opinions when making its decision.

While this meeting is open to the public, only those individuals with standing are allowed to be sworn and present evidence and testimony on the request. Individuals asserting they have standing are required to submit evidence supporting this claim including:

1. A person with legal interest in the subject parcel (Property owner, individual who has an ownership or leasehold interest, individual with an option to purchase the subject property);
2. A person who will suffer special damages as the result of a decision;

NOTE: Individuals must substantiate what 'special damages' they will suffer for the Board to consider if they have standing. This typically includes proximity to the subject parcel, action on the proposal could result in economic damages such as a decrease in property values, or action on the proposal could result in direct adverse impacts on their property.

Please note that you must have appropriate experts on-hand to offer testimony substantiating claims to a reduction in property values.

3. An association organized to promote the interests of a particular area, such as a homeowners association, so long as at least one member of the group would have standing as an individual and the association was not created in response to the development/application being acted upon by the Board of Adjustment.

NOTE: Individuals need to be prepared to provide evidence of standing to the Board for consideration prior to being able to offer testimony or evidence on this request.


WHY ARE YOU RECEIVING THIS LETTER? Your property is adjacent to the parcel subject to the request. Per Section 6.3 of the Ordinance staff is required to send written notice, via first class mail, to adjacent property owners of the subject parcel informing them of the date/time of the **EVIDENTIARY HEARING**.

In accordance with Section 6.3 of the Ordinance, and consistent with the provisions of NC General Statute 160D-406 (b), this letter serves as your official notice of the EVIDENTIARY HEARING. This notice is required in order for the Board to conduct the HEARING.

Please note receipt of this notice is not an indication of 'standing'. It is designed to comply with County advertising and notification requirements consistent with the Ordinance and with State law.

If you have any questions, or require assistance, please contact staff at (252) 738-2091 or via email at: nfocus@vancecounty.org.

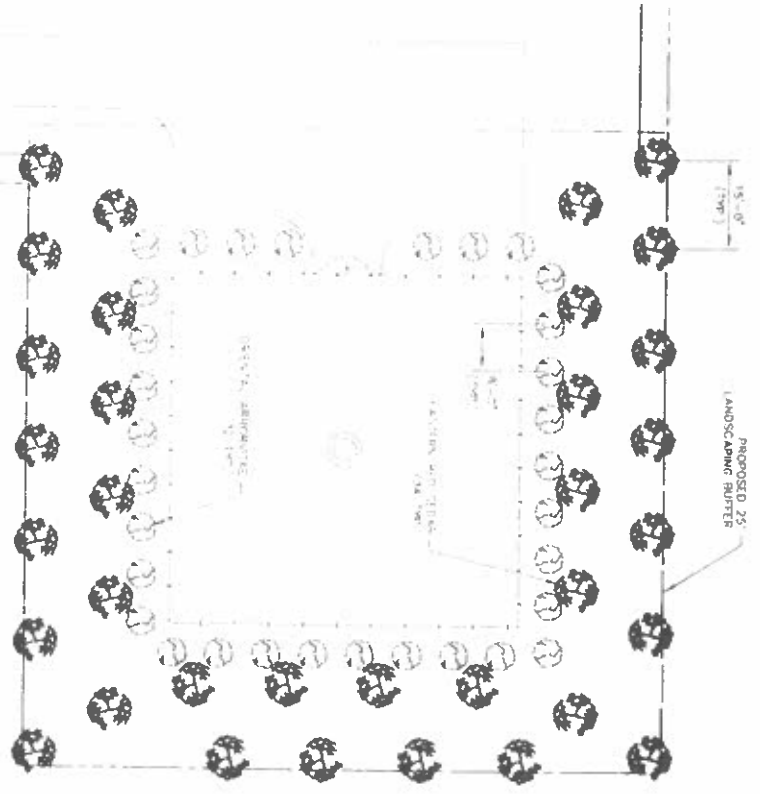
Sincerely,


Michael D. Harvey AICP, CFM, CZO
Interim Planner
Vance County

CC: Vance County Board of Adjustment

LEGEND	
	EXISTING SITE FEATURES
	PROPOSED LANDSCAPING

LANDSCAPING PLAN
SCALE: 1" = 20'



GENERAL LANDSCAPE NOTES

1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF HIS WORK WITH THAT OF ALL OTHER CONTRACTORS AND UTILITIES FOR THE EXISTENCE OF NON-EXISTING OR ANY UTILITIES PRIOR TO COMMENCEMENT OF ANY WORK. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL ABOVE GROUND AND UNDERGROUND UTILITIES.
2. THE QUALITY AND SORT OF ALL PLANT MATERIAL SHALL CONFORM TO THE MOST CURRENT STANDARDS AS SET FORTH IN ANSI AP-100 - AMERICAN STANDARD FOR NURSERY STOCK.
3. ALL DISTURBED AREAS NOT COVERED BY LANDSCAPE OR PLANT MATERIALS SHALL BE COVERED WITH SEED AND STRAW.
4. PLANT SUBSTITUTION MAY BE PERMITTED ONLY AFTER PROOF THAT SPECIFIED PLANTS ARE UNAVAILABLE AND THE NEAREST EQUIVALENT OR AVAILABLE SIZE AND VARIETY OF THE SAME HAVING THE SAME ESSENTIAL CHARACTERISTICS AS THE PLANT SPECIFIED.
5. MAJOR PLANT LOCATIONS AND SPECIES MAY BE MAJOR IN THE FIELD. THE CONTRACTOR SHALL VERIFY THE LOCATION AND SPECIES OF ALL PLANTS BEFORE ANY PLANTING AND ALL INFORMATION PROVIDED SHALL BE VERIFIED BY THE CONTRACTOR.
6. ALL SHIRAZ VARIETY OF WOOD MULCH SHALL BE APPLIED IN A 2" DEEP LAYER. MULCH SHALL BE APPLIED TO ALL EXPOSED SOILS AND SHOULD BE MAINTAINED AT ALL TIMES. MULCH SHALL BE APPLIED TO ALL EXPOSED SOILS AND SHOULD BE MAINTAINED AT ALL TIMES.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND PLANTS.

PLANTING LIST

SYM	QTY	BOTANICAL NAME	COMMON NAME	SPECIFICATION		
				HEIGHT	PLANTING	SPACING
04	12	JANPERUS VIRGINIANA	EASTERN RED CEDAR	6'x6'	6'	15' O.C.
04	12	PLA. VACCINIUS DRUMSTALIS	ARRIVYVAL	6'x6'	6'	15' O.C.

Kimley-Horn

1170 North 1st Street, Suite 200
Raleigh, NC 27601
Phone: 919.978.1000
Fax: 919.978.1001
www.kimley-horn.com

Project Information

PROJECT NUMBER: 1170

SITE NAME: NCDCS DATA CENTER

SITE NO: NCDCS

PROJECT #: 140319

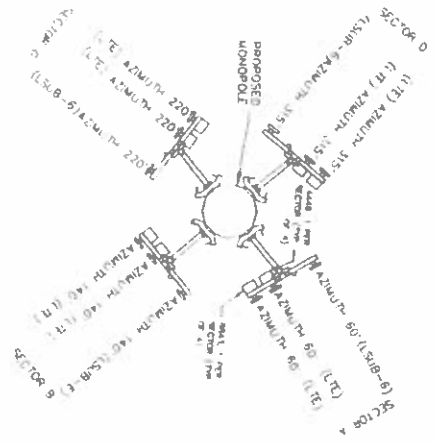
DATE: 08/14/19

DESIGNED BY: J. W. HARRIS

CHECKED BY: J. W. HARRIS

SCALE: 1" = 20'

DATE: 08/14/19



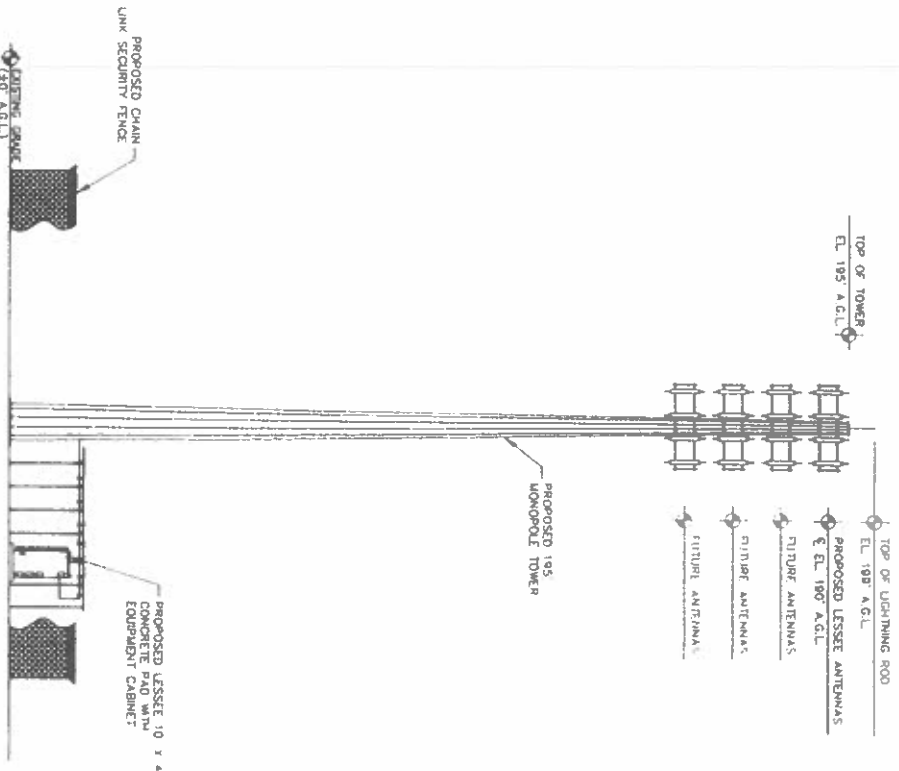
1 ANTENNA ORIENTATION PLAN
 C13

NOTE:
 REFER TO RFD'S PROVIDED BY VERIZON
 CONTRACTOR TO CONTACT THE VERIZON
 WIRELESS CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION
 FOR THE CONSTRUCTION RFD'S

NOTE:
 1. ALL INFORMATION ON THIS PAGE IS PROVIDED BY VERIZON
 WIRELESS AND/OR OTHERS AND IS SHOWN FOR ILLUSTRATIVE
 PURPOSES ONLY. CONTRACTOR SHALL CONTACT THE VERIZON
 WIRELESS CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION
 FOR ALL DETAILED ANTENNA AND COAX CABLE INFORMATION
 ANALYSIS OF PROPOSED TOWER.
 2. REFER TO STRUCTURAL ANALYSIS BY TOWER OWNER FOR
 WARRANTY. EITHER EXPRESSED OR IMPLIED. FINISHES, DESIGN
 AND CONSTRUCTION SPECIFICATIONS, OPINION, OR PROFESSIONAL
 ADVICE SHALL BE THE RESPONSIBILITY AND LIABILITY OF THE
 PROPOSED TOWER OR ATTACHMENT OF ANTENNAS OR OTHER
 APPURTENANCES.

NOTE: GENERAL CONTRACTOR TO
 INSTALL RAYCAP OVER NUMBER
 AND TOP PER VERIZON
 CONSTRUCTION MANAGER.

2 MONOPOLE TOWER ELEVATION
 C13



NOTES:
 1. ALL PROPOSED ATTACHMENTS TO TOWER BASED ON TOWER DESIGN
 DRAWINGS BY OTHERS (SEE GENERAL NOTE 1.07, SHEET M1)
 2. THE TOWER ELEVATION SHOWN IS FOR REFERENCE ONLY.
 3. COAX/FIBER CABLE LENGTHS ARE APPROXIMATE. CONTRACTOR TO VERIFY
 CORRECT LENGTH IN FIELD AT TIME OF CONSTRUCTION.
 4. PROPOSED TOWER WILL BE GALVANIZED STEEL-GRAY IN COLOR.

Staff Report 26

Squib
 PROJECT NO.
 DAN
 SIT
 PROJ
 NORTH
 2000

Kimli
 1120
 1120
 1120

REV DATE
 1
 2
 3
 4
 5
 6
 7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33
 34
 35
 36
 37
 38
 39
 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50
 51
 52
 53
 54
 55
 56
 57
 58
 59
 60
 61
 62
 63
 64
 65
 66
 67
 68
 69
 70
 71
 72
 73
 74
 75
 76
 77
 78
 79
 80
 81
 82
 83
 84
 85
 86
 87
 88
 89
 90
 91
 92
 93
 94
 95
 96
 97
 98
 99
 100

FOR ILL
 PURPO
 NOS
 RE

THIS PROJECT
 DRAWN BY
 DATE
 SHEET TITLE
 ANTI
 TOWER
 SHEET NUMBER

THOMAS AND JENNIFER SHAW III
1025 TOWER ROAD
HENDERSON, NC 27537

LORETTA ESTHER LIN
424 10TH AVE N
ST. CLOUD MI, 56303

PREMIER INVESTMENTS
PO BOX 1076
HENDERSON, NC 27536

VICTOR HORTON
1296 DANIEL HARRIS ROAD
HENDERSON, NC 27537

GEORGE AND CAROLYN PEGRAM
905 DANIEL-HARRIS ROAD
HENDERSON, NC 27537

FLORA B. SLATE
2965 WEDGEVIEW DR
FAYETTEVILLE, NC 28306

CAROLINA QUALITY RENTALS LLC
PO BOX 279
MIDDLEBURG, NC 27556

JEAN A. HENDRICK
3764 WARRENTON RD
HENDERSON, NC 27537

AMER PROPERTIES LLC
246 KELLY RD
HENDERSON, NC 27537

SELWYN EVANS
106 N. COKESBURY ROAD
HENDERSON, NC 27536

BARBARA L. STAINBACK
420 ALLISON COOPER RD
HENDERSON, NC 27537

KIMBERLEY N AND DENISE BOYD
3657 WARRENTON RD
HENDERSON, NC 27537

LORD OF LANDS INC
1724 PINE CREST RD
HENDERSON, NC 27536

JEROME AND ELLA BOYD JR
3657 WARRENTON RD
HENDERSON, NC 27537

VERNICE EVANS
3733 WARRENTON RD
HENDERSON, NC 27537

JOSEPH AND LINDA YANCEY
3765 WARRENTON RD
HENDERSON, NC 27537

GREENWAY INVESTMENTS PROP LLC
205 BOYD LANE
HENDERSON, NC 27537

EMANUEL JOE SEWARD
73 NAN'S LANE
HENDERSON, NC 27537

STEPHEN DALE REAVIS
3424 WARRENTON RD
HENDERSON, NC 27537

WILLIAM N. VAUGHAN III
261 VAUGHAN RD
HENDERSON, NC 27537

JDRF LLC
PO BOX 192
HENDERSON, NC 27536

SOUTHERN TOWERS
250 SIGNAL MOUNTAIN ROAD
SUITE B
CHATTANOOGA, TN 37405

VERNICE M. VENABLE
PO BIOC 434
HENDERSON, NC 27536

THOMAS AND BRENDA MUSTAIN
1212 DANIEL-HARRIS ROAD
HENDERSON, NC 27537

MICHAEL AND DEBORAH COGHILL
1021 DANIEL-HARRIS ROAD
HENDERSON, NC 27537

LAWRENCE AND ANGELA
HARGROVE
101 PETE ABBOTT RD
HENDERSON, NC 27537

EDUARDO CALLES
VERONICA FLORES
3699 WARRENTON RD
HENDERSON, NC 27536

CURRWOOD PROPERTIES LLC
PO BOX 693
OXFORD, NC 27565

JEFFREY SCOTT POWELL
3549 WARRENTON RD
HENDERSON, NC 27537

KATHRYN P. ADCOCK
934 DANIEL-HARRIS ROAD
HENDERSON, NC 27537

MONICA ZAVALETS AVILES
1196 DANIEL-HARRIS ROAD
HENDERSON, NC 27537

BRUCE HARTNESS
2805 S. COKESBURY RD
HENDERSON, NC 27537

Amanda PEGRAM
905 DANIEL-HARRIS ROAD
HENDERSON, NC 27537

Jean Betty White
3144 Warrenton Road
Henderson, NC 27537

Christopher Davis
Patrice Shavone Brown Trust
48 Allison Cooper Road
Henderson, NC 27537

Linda Clark
1860 Old Epsom Road
Henderson, NC 27537

Limer Properties LLC
250 Tower Road
Henderson, NC 27537

Larry and Sara Hawkins
2810 Cokesbury Road
Henderson, NC 27537

John Williams
PO Box 443
Henderson NC 27536

Ronald and Nancy Stainback
PO Box 41
Middleburg, NC 27556

Mary Harris
3005 Warrenton Road
Henderson, NC 27537

Joseph T. Shaw III
1025 Tower Road
Henderson, NC 27537

Dennis and Amy Williamson Jr.
PO Box 1076
Henderson, NC 27536

Nancy Saunders
3890 Warrenton Road
Henderson, NC 27537

Greenway Investment Prop LLC
205 Boyd Lane
Henderson, NC 27537

Cynthia Kee
PO Box 421
Henderson, NC 27536

Kevin and Sylvia Gales
56 Nan's Lane
Henderson, NC 27537

Ricky Fuller
35 Nan's Lane
Henderson, NC 27537

Dean Select Properties LLC
PO Box 131
Henderson, NC 27536

Latonya Henderson
141 Pine Forest Drive
Henderson, NC 27536

Carolina Quality Rentals LLC
PO Box 279
Middleburg, NC 27556

Lawrence and Angela Hargrove Jr.
101 Pete Abbott Road
Henderson, NC 27537

William Vaughan III
261 Vaughan Road
Henderson, NC 27537

William Vaughan IV
365 Vaughan Road
Henderson, NC 27537

William and Sandra Vaughan III
224 Vaughan Road
Henderson, NC 27537

Algene Reid
3803 Warrenton Road
Henderson, NC 27537

Tyrone Williams
3841 Warrenton Road
Henderson, NC 27537

Dorothy Seiple
3899 Warrenton Road
Henderson, NC 27537

Dana Quinn and Mercedes Roberson
4109 Warrenton Road
Henderson, NC 27537

Eddie and Jayne Harris
150 Peebles Lane
Henderson, NC 27537

Stephen Deck
175 Peebles Lane
Henderson, NC 27537

TFG Rentals LLC
925 Meadow Lane
Henderson, NC 27536

Katrina and John Burwell
176 Peebles Lane
Henderson, NC 27537

Orlando Arias
206 Peebles Lane
Henderson, NC 27537

Cindy Blanks
231 Peebles Lane
Henderson, NC 27537

James and Mary Hargrove
232 Peebles Lane
Henderson, NC 27537

Dallas Boyd
275 Peebles Lane
Henderson, NC 27537

Eddie Avant
275 Peebles Lane
Henderson, NC 27537

Sonny Peoples
PO Box 1251
Norlina, NC 27563

Danny and Cheryl Harris
69 Old Warrenton Road
Henderson, NC 27536

Earleen Stainback
2525 S. Cokesbury Road
Henderson, NC 27537

Bonnie Davis
326 Allison Cooper Road
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VANCE COUNTY PLANNING AND DEVELOPMENT

305 Young Street, Suite B
Henderson, NC 27536

VAI VANCE COUNTY PLANNING AND DEVELOPMENT ENT
305 Young Street, Suite B
Henderson, NC 27536

JOSEPH AND LINDA YANCEY
3765 WARRENTON RD
HENDERSON, NC 27537

V VANCE COUNTY PLANNING AND DEVELOPMENT MENT
305 Young Street, Suite B
Henderson, NC 27536

TFG Rentals LLC
925 Meadow Lane
Henderson, NC 27536

VAI VANCE COUNTY PLANNING AND DEVELOPMENT ENT
305 Young Street, Suite B
Henderson, NC 27536

CURRWOOD PROPERTIES LLC
PO BOX 693
OXFORD, NC 27565

VAI VANCE COUNTY PLANNING AND DEVELOPMENT ENT
305 Young Street, Suite B
Henderson, NC 27536

WILLIAM N. VAUGHAN III
261 VAUGHAN RD
HENDERSON, NC 27537

V/ VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

LORD OF LANDS INC
1724 PINE CREST RD
HENDERSON, NC 27536

V/ VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

JEROME AND ELLA BOYD JR
3657 WARRENTON RD
HENDERSON, NC 27537

VAN VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

BARBARA L STAINBACK
420 ALLISON COOPER RD
HENDERSON, NC 27537

VAI VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

SELWYN EVANS
106 N COKESBURY ROAD
HENDERSON, NC 27536

VA DEVELOPMENT ENT
305 Young Street, Suite B
Henderson, NC 27536

JEFFREY SCOTT POWELL
3549 WARRENTON RD
HENDERSON, NC 27537

VI VANCE COUNTY PLANNING AND DEVELOPMENT ENT
305 Young Street, Suite B
Henderson, NC 27536

Joseph T. Shaw III
1025 Tower Road
Henderson, NC 27537

VAI VANCE COUNTY PLANNING AND DEVELOPMENT ENT
305 Young Street, Suite B
Henderson, NC 27536

Ricky Fuller
35 Nan's Lane
Henderson, NC 27537

VII VANCE COUNTY PLANNING AND DEVELOPMENT ENT
305 Young Street, Suite B
Henderson, NC 27536

Carolina Quality Rentals LLC
PO Box 279
Middleburg, NC 27556

VAN DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

11/15/15
11:15

GREENWAY INVESTMENTS PROP LLC
205 BOYD LANE
HENDERSON, NC 27537

VANCE COUNTY PLANNING AND
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

MICHAEL AND DEBORAH COGHILL
1021 DANIEL-HARRIS ROAD
HENDERSON, NC 27537

VANCE COUNTY PLANNING AND
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

SOUTHERN TOWERS
250 SIGNAL MOUNTAIN ROAD
SUITE B
CHATTANOOGA, TN 37405

VANCE COUNTY PLANNING AND
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

VICTOR HORTON
1296 DANIEL HARRIS ROAD
HENDERSON, NC 27537

W DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

GEORGE AND CAROLYN PEGRAM
905 DANIEL HARRIS ROAD
HENDERSON, NC 27537

V VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

THOMAS AND JENNIFER SHAW III
1025 TOWER ROAD
HENDERSON, NC 27537

VAI VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

LORETTA ESTHER LIN
424 10TH AVE N
ST CLOUD MI, 56303

VA VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Eddie and Jayne Harris
150 Peebles Lane
Henderson, NC 27537

VAI VANCE COUNTY PLANNING AND ENT
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Eddie Avant
275 Peebles Lane
Henderson, NC 27537

VAN VANCE COUNTY PLANNING AND ENT
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

James and Mary Hargrove
232 Peebles Lane
Henderson, NC 27537

VAN VANCE COUNTY PLANNING AND ENT
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Tyrone Williams
3841 Warrenton Road
Henderson, NC 27537

VAI VANCE COUNTY PLANNING AND ENT
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

William Vaughan IV
365 Vaughan Road
Henderson, NC 27537

VAN: DEVELOPMENT NT
305 Young Street, Suite B
Henderson, NC 27536

Orlando Arias
206 Peebles Lane
Henderson, NC 27537

VANCE COUNTY PLANNING AND
DEVELOPMENT MENT
305 Young Street, Suite B
Henderson, NC 27536

Katrina and John Burwell
176 Peebles Lane
Henderson, NC 27537

VA VANCE COUNTY PLANNING AND
DEVELOPMENT IENT
305 Young Street, Suite B
Henderson, NC 27536

Cindy Blanks
231 Peebles Lane
Henderson, NC 27537

V/ VANCE COUNTY PLANNING AND
DEVELOPMENT IENT
305 Young Street, Suite B
Henderson, NC 27536

Stephen Deck
175 Peebles Lane
Henderson, NC 27537

VA DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

STEPHEN DALE REAVIS
3424 WARRENTON RD
HENDERSON, NC 27537

VA VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Jean Betty White
3144 Warrenton Road
Henderson, NC 27537

VA VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

FLORA B SLATE
2965 WEDGEVIEW DR
FAYETTEVILLE, NC 28306

VA VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

AMER PROPERTIES LLC
246 KELLY RD
HENDERSON, NC 27537

V. VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

VERNICE EVANS
3733 WARRENTON RD
HENDERSON NC 27537

VANCE VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

KIMBERLEY N AND DENISE BOYD
3657 WARRENTON RD
HENDERSON, NC 27537

VAN VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

EMANUEL JOE SEWARD
73 NAN'S LANE
HENDERSON, NC 27537

VA VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

JDRF LLC
PO BOX 192
HENDERSON, NC 27536

VAN VANCE COUNTY PLANNING AND NT
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

THOMAS AND BRENDA MUSTAIN
1212 DANIEL HARRIS ROAD
HENDERSON, NC 27537

VANC VANCE COUNTY PLANNING AND IT
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

EDUARDO CALLES
VERONICA FLORES
3699 WARRENTON RD
HENDERSON, NC 27536

V VANCE COUNTY PLANNING AND MENT
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Dorothy Seiple
3899 Warrenton Road
Henderson, NC 27537

VA VANCE COUNTY PLANNING AND IENT
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

William and Sandra Vaughan III
224 Vaughan Road
Henderson, NC 27537

VA VANCE COUNTY PLANNING AND ENT
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Kevin and Sylvia Gales
56 Nan's Lane
Henderson, NC 27537

VAN VANCE COUNTY PLANNING AND ENT
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Latonya Henderson
141 Pine Forest Drive
Henderson, NC 27536

VAN VANCE COUNTY PLANNING AND ENT
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Algene Reid
3803 Warrenton Road
Henderson, NC 27537

VA VANCE COUNTY PLANNING AND ENT
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Dana Quinn and Mercedes Roberson
4109 Warrenton Road
Henderson, NC 27537

V# VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Christopher Davis
Patrice Shavone Brown Trust
48 Allison Cooper Road
Henderson, NC 27537

VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Larry and Sara Hawkins
2810 Cokesbury Road
Henderson, NC 27537

V. VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Mary Harris
3005 Warrenton Road
Henderson, NC 27537

V# VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Nancy Saunders
3890 Warrenton Road
Henderson, NC 27537

VAN VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

BRUCE HARTNESS
2805 S COKESBURY RD
HENDERSON, NC 27537

VAN VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

VERNICE M VENABLE
PO BOX 434
HENDERSON, NC 27536

VANC VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

LAWRENCE AND ANGELA
HARGROVE
101 PETE ABBOTT RD
HENDERSON, NC 27537

V VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

John Williams
PO Box 443
Henderson NC 27536

VAN DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Dennis and Amy Williamson Jr
PO Box 1076
Henderson, NC 27536

VAN VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Cynthia Kee
PO Box 421
Henderson, NC 27536

VAN VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Amanda PEGRAM
905 DANIEL-HARRIS ROAD
HENDERSON, NC 27537

V VANCE COUNTY PLANNING AND DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

Linda Clark
1860 Old Epson Road
Henderson, NC 27537

VANCE COUNTY PLANNING AND
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

AGENT

JEAN A HENDRICK
3764 WARRENTON RD
HENDERSON, NC 27537

VANCE COUNTY PLANNING AND
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

AGENT

Bonnie Davis
326 Allison Cooper Road
Henderson, NC 27536

VANCE COUNTY PLANNING AND
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

AGENT

Ronald and Nancy Stanback
PO Box 41
Middleburg, NC 27556

VANCE COUNTY PLANNING AND
DEVELOPMENT
305 Young Street, Suite B
Henderson, NC 27536

AGENT

Limer Properties LLC
250 Tower Road
Henderson, NC 27537

305 Young Street, Suite B
Henderson, NC 27536

Danny and Cheryl Harris
69 Old Warrenton Road
Henderson, NC 27536

VAI VANCE COUNTY PLANNING AND DEVELOPMENT ENT
305 Young Street, Suite B
Henderson, NC 27536

Dallas Boyd
275 Peebles Lane
Henderson, NC 27537

VAI VANCE COUNTY PLANNING AND DEVELOPMENT ENT
305 Young Street, Suite B
Henderson, NC 27536

Earleen Stainback
2525 S Cokesbury Road
Henderson, NC 27537

V VANCE COUNTY PLANNING AND DEVELOPMENT MENT
305 Young Street, Suite B
Henderson, NC 27536

Sonny Peoples
PO Box 1251
Norlina, NC 27563

COUNTY PLANNING AND DEVELOPMENT
MENT
ng Street, Suite B
son, NC 27536



KATHRYN P. ADCOCK
934 DANIEL-HARRIS ROAD
HENDERSON, NC 27537

COUNTY PLANNING AND DEVELOPMENT
MENT
ng Street, Suite B
erson, NC 27536



MONICA ZAVALETS AVILES
1196 DANIEL-HARRIS ROAD
HENDERSON, NC 27537

Pictures of Sign – Posted December 1, 2023:

