

### MORGAN COUNTY COMMISSION A G E N D A April 02, 2024 10:00 AM 150 East Washington Street, Madison, GA 2<sup>nd</sup> Floor Board Room

**Pledge and Invocation** 

### Agenda Approval

### **Scheduled Public Comments**

1. Paula Sellers-pg. #2

### Minutes

2. March 19, 2024 BOC Meeting-pg. #3

### **Planning Commission New Business**

- 3. Georgia Investment Group, LLC is requesting a zoning map amendment, from AG/C1 to C1, for 3.39 acres located at 4821 Seven Islands Road (Tax Parcel 055-038)-**pg. #5**
- 4. Tillman Infrastructure is requesting conditional use approval for a telecommunications tower on 33.69 acres located at 4200 Brownwood Road (Tax Parcel 030-030B)-pg. #15

### **New Business**

- 5. County Manager Report
- 6. Public Comments on Agenda Items
- 7. Commissioner Comments



### AGENDA ITEM REQUEST FORM FOR BOC MEETING

Requests to add an agenda item must be received by the County Clerk <u>five (5) full</u> <u>business days</u> prior to the public meeting. The Chairperson of the Board of Commissioners will review your request in order to best provide information and prioritize <u>your item on the agenda</u>. The decision to allow you to address the Board and be on the agenda will be at the discretion of the Board Chairperson. Your request to address the Board will be acknowledged forty-eight (48) hours prior to the Board meeting. Unless additional time is requested by the Board, any citizen speaking on an issue will be allotted five (5) minutes to address the Board for public comment only. Please complete the information listed below and your request will be processed accordingly.

First Name	Last Name
	Primary Phone
Email:	
Date of Meeting to Speak: April 2	2-2024
Please summarize the subject of	your request below:
Pay increase for poll workers and poll n I have already spoken with the BOARD Last pay increase was 2018	nanagers OF ELECTION MEMBERS ON 3-18-2024
Thanking you in advance	
Paula Sellers	
Completed forms can be submit	ted via:

Email: lbrandt@morgancountyga.gov

Mail: 150 East Washington Street, Madison, GA 30650

Fax: 706-343-6450

This form is intended to effectuate reasonable and controlled access to the public meetings held by the Morgan County Board of Commissioners. The Georgia Open Meetings Act, O.C.G.A. § 50-14-1, give "the public" the right to attend the meetings of governing bodies of agencies, with exceptions for closed meetings as outlined in O.C.G.A. § 50-14-3. Georgia law allows the governing body conducting the meeting to administer and effectuate any rules necessary for comments at their own meetings.

THE HONORABLE BOARD OF COUNTY COMMISSIONERS, MADISON, GEORGIA, MET THIS DAY IN REGULAR SESSION.

### MEETING WAS HELD ON THE SECOND FLOOR OF THE ADMINISTRATION BUILDING.

- **PRESENT:** Chairman Bill Kurtz, Vice-Chair Blake McCormack, Commissioners Philipp von Hanstein, Donald Harris, and Ben Riden, Jr.
- **STAFF:** County Manager Adam Mestres, County Attorney Christian Henry, and County Clerk Leslie Brandt.

### The meeting was called to order at 5:00 p.m., followed by the Pledge of Allegiance and Invocation.

### AGENDA APPROVAL

<u>Motion</u> by Commissioner Riden, Seconded by Commissioner McCormack to approve the agenda with the following modification, add Recycling Discussion under New Business. Motion Passed Unanimously.

### **MINUTES**

March 05, 2024 BOC Meeting

<u>Motion</u> by Commissioner Riden, Seconded by Commissioner McCormack to approve the minutes as presented. Motion Passed Unanimously.

### <u>PRESENTATION - COST OF COMMUNITY SERVICES (COCS) STUDY AND</u> <u>CRITICAL MASS STUDY</u>

Tom Daniels presented the Morgan County Critical Mass Study and Jeff Dorfman presented the Cost of Community Services Study.

### **2024 ROAD RESURFACING**

RFP's were received for resurfacing approximately 8 miles of roadway throughout Morgan County. Pittman Construction Company is the lowest bid at \$1,796,327.94. East Coast Grading is a local Morgan County company with a bid of \$1,845,288.90 which is \$48,960.96 higher than Pittman. The county does provide a 5% local bidder preference which is approximately \$90,000.00. Pittman Construction does have personal property located in Morgan County at the rock quarry, but the principal business is located outside of the county.

RFP's Rec	eived
Pittman Construction	\$1,796,327.94
East Coast Grading	\$1,845,288.90
MHB Paving	\$1,928,816.97
Vertical Earth, Inc.	\$1,951,354.44

<u>Motion</u> by Commissioner Harris, Seconded by Commissioner McCormack to award the 2024 county road resurfacing contract to East Coast Grading for an amount not to exceed \$1,845,288.90. Motion Passed Unanimously.

### **2024 ROAD PATCHING AND REPAIR**

RFP's were received for patching and repairing approximately 9.3 miles of roadway throughout Morgan County.

RFP's R	eceived
East Coast Grading	\$872,500.00
Pittman Construction	\$950,895.00
MHB Paving	\$1,112,554.00
Vertical Earth, Inc.	\$1,199,574.22

<u>Motion</u> by Commissioner Riden, Seconded by Commissioner von Hanstein to award the 2024 road patching and repair contract to East Coast Grading for an amount not to exceed \$872,500. Motion Passed Unanimously.

### **BUDGET AMENDMENT**

This request is for a budget amendment not to exceed \$29,500 from Contingency to Human Resources – Professional Services to fund an update to the County's compensation plan. As previously discussed with the Commission, staff is seeking to update the compensation plan. Staff is currently seeking qualified firms to conduct a review/update of job descriptions, market analysis of compensation with up to 15 organizations, revision of compensation chart, and cost estimations.

<u>Motion</u> by Commissioner von Hanstein, Seconded by Commissioner Harris to table the budget amendment request. Commissioner Riden voted in favor of the motion and Commissioner McCormack voted in opposition. Motion Passed 3-1.

### **RECYCLING DISCUSSION**

Members of the 5<sup>th</sup> Street Community Garden recently met with County Manager Adam Mestres regarding recycling in Morgan County. Mestres read a letter submitted by the 5<sup>th</sup> Street group to the Board with their recommendations for recycling in Morgan County.

### PUBLIC COMMENTS ON AGENDA ITEMS

Morgan County resident Chas Moore commented on the closed dump site that was located on Fairplay Road.

### **COMMISSIONER COMMENTS**

Commissioners made comments and gave updates on liaison assignments.

<u>MOTION</u> by Commissioner Riden, seconded by Commissioner von Hanstein to exit regular session and adjourn at 6:39 p.m. Motion Passed Unanimously.

Bill Kurtz, Chairman

ATTEST:

Leslie Brandt, County Clerk



### STAFF REPORT morgan county planning commission

### PETITION FOR: ZONING MAP AMENDMENT

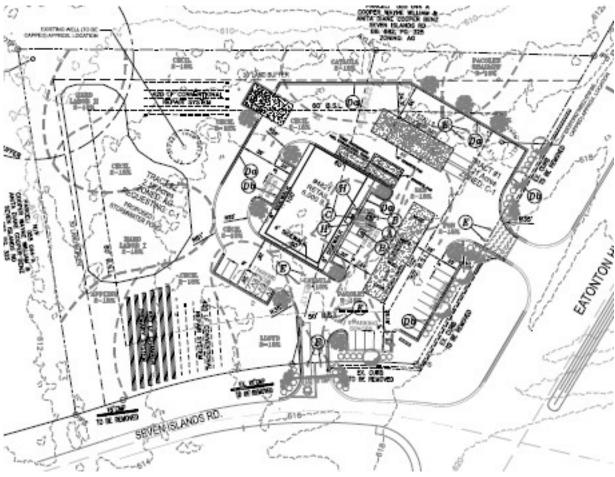
Property location:	4821 Eatonton Highway
Property tax parcel:	055-038
Acreage:	3.39 acres
Applicant:	Khan Nahidul/GA Investment Group
Applicant's Agent:	Thiep Huynh
Property Owner:	Georgia Investment Group, LLC
Existing Zoning:	AG (Agricultural) and C1 (Neighborhood Commercial
Proposed Zoning:	C1 (Neighborhood Commercial)

### Summary



Khan Nahidul/GA **Investment Group** is requesting a Zoning Map Amendment, from AG/C1 to C1 for 3.39 acres located at the corner of Highway 441 and Seven Islands Road. The site is known locally as the old Joe's Store location. Joe's Store was a gas station on 1.21 acres that was zoned C1. The store closed years ago and the buildings were removed. A 2.18

acre parcel was behind it that was zoned AG but used residentially. The current owner combined the parcels but did not address the different zoning designations, resulting in a split zoned parcel. The parcel is located on Highway 441 and the property size has been reduced by the increased right-of-way for the newly widened highway. GDOT installed two entrances for the parcel, one on the highway and one on Seven Islands Road. Both are located on the portion of the parcel that is zoned commercial.



The applicant proposes to use the parcel as a convenience store with fuel pumps, with four 2-sided passenger vehicle pumps and 2 semi-truck pumps. A 6,000 square retail space is proposed supported by 35 parking spaces. Three underground tanks are located on the north side of the building. The plan shows one entrance directly off the south-bound side of Highway 441 and one entrance off of Seven Islands Road. Vehicles heading north on the highway must turn on Seven Islands. Passenger vehicles will have no navigation issues with the plan as shown, however, trucks could encounter issues going around the passenger vehicle pumps to access the truck pumps, and then going around the building to leave. There is also concern that a truck could not turn in off of Seven Islands Road if a car is waiting to pull out.

Further concern regarding to the truck pumps is related to the definition of Neighborhood Commercial:

The Neighborhood Commercial District is intended for the development of small nodes of retail sales and service establishments which, when appropriately located, are designed to provide limited convenience shopping and services for surrounding areas.

These districts are not intended for auto-oriented business or strip center development, Neighborhood Commercial Districts should provide access to pedestrians and vehicles.

Staff is concerned that limited convenience services for surrounding areas and lack of auto-oriented business would exempt truck traffic. A convenience store and passenger gas pumps, however, could be construed as a small node of development for the surrounding area.



The applicant's property is identified by the yellow circle. The closest commercial zoning is the new ACE Hardware (red arrow), which is over 4 miles from the subject parcel and is zoned C2. The next closest is at Exit 121 on Interstate 20 at Buckhead (red circle)(C2 and C3).



The Morgan County Comprehensive Plan Character Area Map shows the area is forecast to be Rural Living, as indicated by the light green color. The existing C1 parcel is not indicated on the Comprehensive Plan, as spot-zoned, individual parcels were not identified on the map. The existing C1 parcel is grandfathered. Planning Commission should discuss whether the grandfathered status of the one parcel justifies zoning approval of the adjacent parcel, which is larger than the existing commercial parcel,

particularly in light of the County's adherence to the Character Area Map of the Comprehensive Plan.

### **Previous Request**

The applicant came before the Planning Commission in October of 2023 with a proposal for the same property, which included a strip center, convenience store and passenger vehicle fuel pumps. Planning Commission discussed the application, reasoning that the information provided was inadequate to determine if the property was large enough for septic drain fields. No uses were identified for the proposed strip center units. It was noted that a fuel station could be considered an appropriate use for the commercially zoned part of the property, but a single-family residence could be considered equally appropriate for the AG portion. Discussion highlighted that the use of the area could change in the future, given the newly widened highway, but that growth on the highway in recent years did not indicate change was immediately forthcoming. The members also felt the applicant was simply trying to put too much on the property. The Planning Commission recommended denial of the presented application, but suggested that the Board of Commissioners examine the appropriateness of zoning the entire parcel C1 for a gas station only, without the strip center. The Board of Commissioners expressed opposition to the application and the applicant withdrew the application at the meeting.

### Criteria for Consideration

From the Morgan County Zoning Ordinance, Section 19.3.1. Staff comments are in blue.

- The zoning proposal is suitable in view of the use of adjacent and nearby property and the zoning
  proposal will not affect the existing uses or usability of adjacent or nearby uses;. The property is
  already spot-zoned due to the previous gas station. Hours of operation should be discussed, as
  24 hour lights and increased traffic could pose a nuisance to nearby houses. The appropriateness
  of truck pumps should also be discussed in relation to C1 zoning.
- 2. The property to be affected by the zoning proposal has a reasonable and economic use as currently zoned;. A smaller gas station or other small commercial business could possibly be placed on the commercially zoned portion of the property. Smaller lots are in great demand for housing and could probably be sold for a residential use, provided the residence was placed on the AG zoned side.
- 3. The zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing transportation facilities, utilities, educational facilities or public safety; The Seven Islands intersection has had numerous accidents in the past. It remains to be seen if the realignment of the intersection will decrease accidents at the location, especially since the wider highway has created a longer crossing. Pulling into or out of the location is concerning, especially turning left onto the highway, but the danger of the new intersection is yet to be determined.
- 4. The zoning proposal is in conformity with the policies and intent of the Comprehensive Plan; The proposal does not meet the Comprehensive Plan, which does not support commercial activity in the area. The existing parcel is grandfathered.
- 5. There are existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; and Staff is assuming that the convenience store will not include food service uses, which would increase the size of the septic tank and drain field. The applicant's representative was asked in an email what the 6,000 square feet would entail, but no response was received.

6. Granting the request would not have a "domino effect," in that it becomes the opening mechanism for further rapid growth, urbanization or other land-use change beyond what is indicated in the Comprehensive Plan. Certainly, the requested zoning designation has fewer and less concerning uses than the previous request for C3. However, it is still the introduction of a commercial use in an area that is not supported by the Comprehensive Plan. Any commercial on the highway could encourage further commercial.

### Staff Comments

Discussion is needed to determine whether the existing parcel justifies the additional zoning of an adjacent larger parcel, whether the use, including truck pumps, are appropriate for the C1 zoning district and whether trucks can navigate the plan as shown. The applicant should also describe the intended uses for the building and whether food service will be included. The development potential of the highway and whether the use could encourage additional growth should also be examined.



### MORGAN COUNTY PLANNING COMMISSION

Submit to: Morgan County Planning & Development 150 E. Washington Street, Suite 200 Madison, Georgia 30650

### APPLICATION FOR ZONING ACTION: ZONING MAP AMENDMENT

Applicant Information (same as owner Yes Nop)	Property Information
Name: Khan Nahidul / GA Truestment Gous	Address: 49 21 Seven Ishad Rd
Address: 32.53 Backy Passage	Tax Parcel: 05 5038
Dulath G.4 30097	Zoning Designation: <u>AG/C-I</u>
Phone: <u>770-722 - 5369</u>	Acreage: 3,39
Fax:	Current Zoning: Acr - C-1
Email: Khannahidul @ gmail. Com	Proposed Zoning:

Submission of inaccurate information may be cause for denial of the request or, if discrepancies are realized after the approval for the petition or issuance of the relevant local permits, cause for the revocation of the approval and any related permits by the Board of Commissioners. The following documents <u>must</u> be submitted with this application prior to the application deadline. **Partial applications will not be accepted**.

- 1. Payment of appropriate fee (please make checks payable to Morgan County).
- 2. Recorded plat of property. If no plat has been recorded, a copy of the recorded deed may be submitted in lieu of the plat.
- 3. If the zoning map amendment is requested for property that is being split, a plat drawn by a Georgia registered Land Surveyor must be submitted showing the proposed new parcel.
- 4. Written description of your request in letter format, addressed to the Morgan County Planning Commission. All required criteria (attached) must be addressed in the written description.
- 5. A concept plan, when applicable. If a concept plan is necessary, the plan must meet all the requirements listed in the Morgan County Zoning Ordinance, Section 19.2.2.

The documents listed above are the minimum requirements. Staff may require additional documentation depending on the nature of the Conditional Use request. All submitted documents are public records and subject to Opens Records Law.

Has applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application?  $Y_{\Box} N_{\Box}$  if yes, please complete contribution affidavit.

I have reviewed the application procedures and all applicable criteria and regulations in the Morgan County Zoning Ordinance for the above requested Conditional Use. I hereby claim that this application fulfills said procedures and meets the criteria for approval.

Applicant Signature: Nahidul Khan

09/08/2023 Date:

### **Morgan County Planning Commission**

Submit to: Morgan County Planning & Development 150 E. Washington Street, Suite 200 Madison, Georgia 30650 Criteria for Zoning Map Approval

From the Morgan County Zoning Ordinance, Section 19.3.1 Required Findings for Zoning Map Approval

1. Compatibility with Adjacent Uses and Districts: Existing uses and use districts of surrounding and nearby properties, whether the proposed use district is suitable in light of such existing uses and use districts of surrounding and nearby properties, and whether the proposal will adversely affect the existing use or usability of adjacent or nearby properties.

The existing uses of nearby property are C1 commercial for the existing tract 1 and AG north and west of the subject property. The proposed request is simply an expansion of the existing use that was on the tract #1. Hwy 441 is a major highway with many similar commercial activities along it to support vehicular traffic on such hwy. We do not believe that our request is out of character with the current use along Hwy 441 within Morgan and other counties along Hwy 441.

2. Property Value: The existing value of the property contained in the petition under the existing use district classification, the extent to which the property value of the subject property is diminished by the existing use district classification, and whether the subject property has a reasonable economic use under the current use district.

There was a commercial building that was previously existing on Tract #1 of this 2 tracts property. The owner wished to reestablish that same use for this combined larger tract. Without the approval of this request, the owner cannot rebuild the similar use that previously existed on the property. Furthermore, this is a growing area along the expanding Hwy, which we will believe result in many commercial developments coming along this Hwy, therefore what is being requested will not result in a pocket zoning in the near future.

3. Suitability: The suitability of the subject property under the existing use district classification, and the suitability of the subject property under the proposed use district classification.

The proposed zoning is consistent with the trend of nearby property. If approved, this property will be used as gas station with retail and restaurant like the property along Hwy 441.

4. Vacancy and Marketing: The length of time the property has been vacant or unused as currently used under the current use district classification; and any efforts taken by the property owner(s) to use the property or sell the property under the existing use district classification.

The property has once been a commercial and a residential until 2021 which were then demolished and is in the current vacant state since then.

5. Evidence of Need: The amount of undeveloped land in the general area affected which has the same use district classification as the map change requested. It shall be the duty of the applicant to carry the burden of proof that the proposed application promotes public health, safety, morality or general welfare.

The property cannot reasonably be used as a rural agriculture tract due to increasing land prices and relative size of the existing property. The property also doesn't have a reasonable economic use in comparison to nearby property that is zoned Highway commercial along Hwy 441.

6. Public Facilities Impacts: Whether the proposal will result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks or other public facilities and services.

The proposed zoning is consistent with the trend of nearby property. If approved, this property will be used as a gas station with office, retail and restaurant. The existing street is being improved GA DOT, the facility will be served by private well and septic systems, and no impact to schools or utilities anticipated.

7. Consistency with Comprehensive Plan: Whether the proposal is in conformity with the policy and intent of the locally adopted comprehensive plan.

If rezoned, the property will be developed in accordance with the C1 zoning standard, which will create additional jobs, promote growth of this region, and better meet the demand for commercial services of this region, especially the corridor along Hwy 441.

8. Other Conditions: Whether there are any other existing or changing conditions affecting the use and development of the property that give supporting grounds for either approval or disapproval of the proposal.

The proposed land use change represents a fair balance. This area is emerging as a highway commercial corridor along Hwy 441.



January 8, 2024

TO: Morgan County Planning and Development 150 E Washington Street Suite 200 Madison, GA 30650

SUBJECT: Letter of Intent, 4821 Seven Island Rd. Madison, GA 30650

To Whom It May Concern,

A change of existing split zoning of AG and C1 is requested for the subject property located at 4821 Seven Island Rd. Madison, GA 30650. – Parcel number 055038 to C1 to allow for the construction of a gas station.

We look forward to developing this project in Morgan County, as we feel it fits with the current development patterns in the area and will complement the needs of both Morgan County and our client's proposed business.

For questions or further information please contact me 770-466-4002.

Sincerely,

Thiestight

Thiep Huynh Consultant

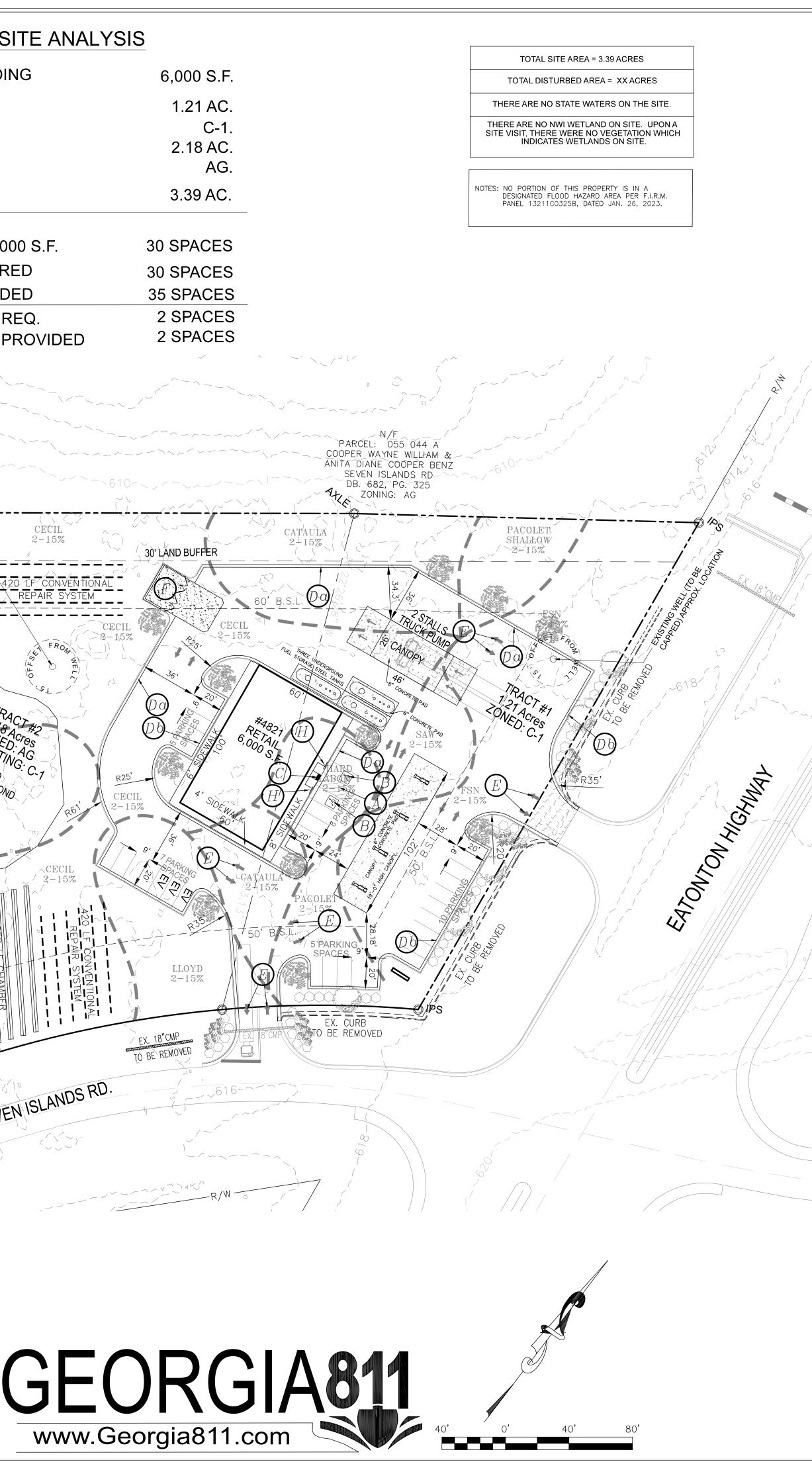
485 Edwards Rd. Oxford, Georgia 30054 Phone: 770-466-4002 TIPACELLC@GMAIL.COM

"NOT FOR FINAL RECORDING"	SIT
TOTAL TRACT #1& #2 AREA = 3.3	
PARCEL: 055 038 ZONED: AG & C-1	TRACT #1
	ZONED
REZONE REQUEST: CURRENTLY ZONED AG	TRACT #2
AND C-1 REQUESTING C-1 ZONING TO	ZONED
<u>allow for the gas station</u> development.	TOTAL AREA
TOTAL TRACT #1 & #2 SITE AREA = $3.39$	REQUIRED
± ACRES	5 SPACES/ 1,000
PROPOSED USE = GAS STATION	TOTAL REQUIRED
NOTES:	TOTAL PROVIDED
<ol> <li>BOUNDARY SURVEY INFORMATION TAKEN FROM A SURVEY BY BOLDWIN ENGINEERING SERVICES, DATED 07/05/2001</li> </ol>	H.C. SPACES REC
2. THERE ARE NO NWI WETLAND ON THE SITE.	H.C. SPACES PRO
3. UN-NAMED TRIBUTARY OF BRANCH BIG INDIAN CREEK IS LOCATED ALONG THE WEST SIDE OF THE SITE.	
4. NO PORTION OF THIS PROPERTY IS IN A DESIGNATED FLOOD HAZARD AREA PER F.I.R.M. PANEL	
13211C0325B DATED JAN. 26, 2016. 5. There are no state water on site.	
6. THE PROJECT WILL BE SERVED BY MORGAN COUNTY	
WATER.	EXISTING WELL (TO BE
7. THE PROJECT WILL BE SERVED BY SEPTIC SYSTEM.	
	PROPOSED
SITE PLAN KEYED NOTES	WELL LOCATION
$\widehat{A}$ area striped with swsl/4"acmp @ 45° at 2'-0" o.c.	HARD 420 T
B accessible parking space typical. See detail sheet.	
$\widehat{C}$ accessible ramp. See detail sheet	
$\mathcal{D}_{\alpha}$ 24" concrete curb and gutter (type a) typical. See detail shee	T. JOO, WELL BUFFER
(Db) 24" concrete curb and gutter (type b) typical. See detail shee	
(E) painted directional arrow (typical). See detail sheet.	$\begin{array}{c} \begin{array}{c} \\ \\ \\ \\ \end{array} \end{array} = \begin{array}{c} \\ \\ \\ \\ \end{array} \\ \begin{array}{c} \\ \end{array} \\ \end{array} \\ \begin{array}{c} \\ \\ \end{array} \\ \begin{array}{c} \\ \\ \end{array} \\ \end{array} \\ \begin{array}{c} \\ \end{array} \\ \begin{array}{c} \\ \\ \end{array} \\ \end{array} \\ \begin{array}{c} \\ \end{array} \\ \end{array} \\ \begin{array}{c} \\ \end{array} \\ \begin{array}{c} \\ \end{array} \\ \end{array} \\ \end{array} \\ \begin{array}{c} \\ \end{array} \\ \end{array} \\ \end{array} \\ \begin{array}{c} \\ \end{array} \\ $
(F) 6" concrete frame.	2.10 Acres Acres
H handicap sign. see detail sheet.	STORNOPOOL
$\overbrace{I}$ 6" concrete driveway apron.	ARCEL: BE. ORN DB. ORN NWATER POND
	NING: PANESS
	NING: AG 325 AG 325 NING: AG BUFFEFF BER BEN
	25 B BAAA EN & B.S.
CALCULATIONS:	
GAS STATION WITH FOOD SERVICE.	
	TO BE REMOVED
PRIMARY SYSTEM	TO BE REMOVED
* CECIL SOIL PERCOLATION RATE FOR CUT AREA= 45 MIN/IN	R/W SI
- 5,500 S.F. CONVENIENCE STORE 400/RESTROOMWITH 2 RESTROOMS2 RESETROOMS X 400 = 800 G- CAFE WITH 20 SEATS50/SEAT = 1,000 GD	
SQR(PERC. RATE)/5) X GALLONS PER DAY SQR(45)/5) X 1,800 = 2,415 S.F.	
LINEAR FEET OF LINE = 2,415 SF / 3 FT = 805 FT OF REQUIRED CONVENTIONAL LINE	
= 523 FT OF CHAMBER SYSTEM (WITH 35% REDUCTIO (REQUIRED PRIMARY SYSTEM)	Ν
PROPOSED 552 LF PRIMARY SYSTEM	

**REPAIR SYSTEM** 

LINEAR FEET OF LINE = 2,415 SF / 3 FT = 805 FT OF REQUIRED CONVENTIONAL LINE (REQUIRED REPAIR SYSTEM)

PROPOSED 840 LF CONVENTIONAL REPAIR SYSTEM



SITE SELENIES PO SELENIES PO S	A.C.E. ALCOVY CONSULTING ENGINEERING AND ASSOCIATES, LLC. P.O.C. TIP HUYNH, P.E. 485 Edwards Rd. Oxford, Georgia 30054 Phone: 770-466-4002 tipacellc@gmail.com © 2023 Acovy Consulting Engineering and Associates LLC ALL RIGHTS RESERVED This drawing and any permitted reproductions, in whole or part, are the sole property of Alcovy Consulting Engineering and Associates LLC. and shall not be reproduced or conveyed in any way without the written permission of Alcovy Consulting Engineering and Associates LLC.
VICINITY MAP N.T.S.	CONCEPTUAL PLAN
	PROPOSED SEVEN ISLANDS FOOD MART
	LAND LOT: 124 &147 DISTRICT : 4th 4821 SEVEN ISLANDS RD MORGAN COUNTY, GA DATE: 08/21/2023 SCALE:1"=40'
A. 1.5 INCH ASPHALT TOPPING – TYPE "E" OR "F" B. 3 INCH ASPHALT BINDER – TYPE "B"	OWNER GEORGIA INVESTMENT GROUP, LLC. 3253 BAGLEY PASSAGE DULUTH, GA 30097 DEVELOPER/PRIMARY PERMITTEE GA INVESTMENT GROUP, LLC. 3253 BAGLEY PASSAGE DULUTH, GA 30097 SHAMUN H TOUFIQ (770) 313-3755 shamun20@gmail.com 24 HOUR - EMERGENCY CONTACT SHAMUN H TOUFIQ (770) 313-3755 shamun20@gmail.com
C. 8.0 INCHES OF CRUSHED STONE BASE COURSE D. STABILIZED SUBGRADE RAW SUBGRADE SOIL (IN SITU OR COMPACTED FILL) COMPACTED TO A MINIMUM OF 95% OF ASTM D 698 DENSITY A C D D D D D D D D D D D D D	REVISIONS   NO. DATE   DESCRIPTION   JOB No. # 23-027
(FOR INTERIOR DRIVEWAY) NO SCALE	REZONE



10300 Old Alabama Rd Connector Alpharetta, GA 30022 M 404.844.6179

January 11, 2024

Attn: Mr. Chuck Jarrell, Director of Planning and Development Morgan County 150 E Washington Street Madison, GA 30650

RE: Special Use Permit Application by Tillman Infrastructure LLC ("Tillman") for new cellular tower ("Tillman Tower Application"). Site Location: 2811 Fears Road, Rutledge, Morgan County, GA

Dear Mr. Jarrell:

I am employed by Verizon and serve on its Network Real Estate Team. My job duties include oversight of high rent tower sites in the State of Georgia. Please accept this letter on behalf of Verizon to serve as substantiation for the above referenced cellular tower application.

Verizon presently leases space on an existing cellular tower, owned and/or operated by American Tower Corporation and located at 2811 Fears Road, Rutledge, Morgan County, GA (the "ATC Tower"). Verizon desires to relocate its wireless facilities from the existing ATC Tower to the proposed new cellular tower to be owned and operated by Tillman, which is the subject Tillman Application (the "Tillman Tower"). This letter evidences Verizon's intent to relocate and collocate its wireless facilities onto the proposed Tillman Tower for the reasons set forth herein.

Specifically, pursuant to Chapter 7.26 of the Morgan County Zoning Ordinance, "the Director of Planning and Development Director will review with special care justifications that appeal only to undue expense and/or undue difficulties in entering into a lease agreement. . .and shall carefully weigh such claims, and the evidence presented in favor of them, against a project's negative impacts at the proposed site." The collocation of Verizon's wireless facilities on the existing ATC Tower is commercially infeasible, because ATC, as the owner/operator of the existing tower, is unwilling to enter into a contract for such use with fair market rates and commercially reasonable terms and conditions, as further described below. Accordingly, the Tillman Application should be approved.

Verizon does not pursue relocation from existing sites without a considerable amount of careful and deliberate consideration, given the additional time, costs and effort required for relocating a site. This is particularly the case when it determines that a site relocation is necessary due to unreasonable economic conditions at existing sites that far exceed market conditions, commonly referred to as "high rent relocations". In such instances, the high costs have a limiting impact on carriers' financial resources to serve a particular community, which then limits a carriers' ability to expand and improve wireless services needed to meet the demands of its customers. In some instances, a single cell tower in a jurisdiction can create an anti-competitive, monopolistic condition, where the tower owner controls the entire local market and leaves carriers with no other feasible option.

In this case, Verizon requests approval of the Tillman Application, because of ATC's economically unreasonable and economically burdensome costs, which is supported by the following:

### Rental Fees and Escalations:

- Based upon Verizon's current market rates paid for similar towers, the market rate for this location supports a monthly rental rate of (\$3,923.50) with a 1.95% annual escalator.
- By way of illustration, ATC's current rental fee charged to Verizon is nearly 300% higher than the rent Verizon would pay on the Tillman Tower, a price difference that would significantly grow over the years, given Tillman's far more flexible terms.

### Equipment Modification Costs.

- Tillman's prices are all-inclusive, whereas ATC charges additional, unreasonable fees and rental increases for almost every technological upgrade or modification - whether Verizon seeks to add or replace its equipment. Due to ATC's cost-prohibitive rental rates, escalation terms and other costs, Verizon has held off on modifications or upgrades to its equipment on the ATC Tower.
- In contrast, the Tillman Tower and lease terms would immediately offer dedicated space to accommodate Verizon's needs to improve and modify the wireless technology serving the Morgan County community for many years.
- Furthermore, the ATC Tower may require costly structural tower modifications to accommodate new Verizon equipment, which also has a chilling effect on making improvements. The Tillman Tower is designed to provide ample structural support for future wireless equipment needed to meet the growing needs and demands of the Morgan County community.

In summary, under the existing lease for the ATC Tower, Verizon would be forced to spend over \$325,000.00 more than what Verizon would pay under its agreement for the Tillman Tower. This amount assumes that Verizon would perform <u>no</u> technological upgrades to its current equipment on the ATC Tower. Verizon continuously works to make upgrades to its equipment on towers to improve service for its customers. Verizon seeks to relocate its facilities to the proposed Tillman Tower, which will provide a new tower option and opportunity to make needed technical improvements with economically reasonable rates and fees, consistent with market rates, in accordance with Section 7.26 of the Morgan County Zoning Ordinance.

Thank you in advance for your consideration of the Tillman Application.

Sincerely,

Hartley

**Matthew Hartley** 

Associate Director Network Engineering/GA-AL M 770.880.0649 matthew.hartley@verizonwireless.com



### STAFF REPORT morgan county planning commission

PETITION FOR: CONDITIONAL USE - TELECOMMUNICATION TOWER

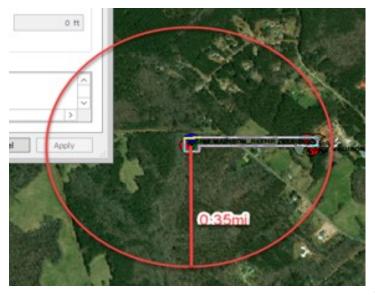
Property location:	4200 Brownwood Road
Property tax parcel:	030-030B
Acreage:	33.69 acres
Applicant:	Tillman Infrastructure
Applicant's Agent:	Towersource, LLC
Property Owner:	James & Joyce McClure
Existing Use:	Vacant
Proposed Use:	Telecommunications Tower

### Summary



Tillman Infrastructure is requesting conditional use approval for a telecommunications tower on 33.69 acres located at 4200 Brownwood Road (please note the Planning Office has no record of assigning this address). The property is currently vacant with a heavy tree canopy.

Typically, a tower application is received when there is insufficient provider coverage in an area. In this case, the proposed tower (red star) is close to an existing tower (yellow star).



This image, from the applicant's application, shows the towers .35 miles apart. Staff measurements show the towers approximately 1,550 feet, or .29 miles, apart. The existing tower is located at 2803 Fears Road on property owned by Alan Ward. Section 7.26.3 of the Morgan County Zoning Ordinance states: *No new cell tower may be established if there is a technically suitable space available on an existing tower within the search area that the new cell tower is to serve. The search area is defined as the grid for the placement of the antenna.* 

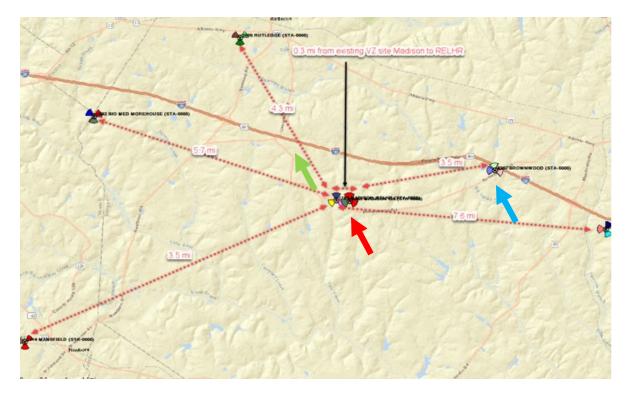
The applicant represents Verizon in this application. Verizon is located on the existing tower on Fears Road, however, the applicant is requesting approval of the new tower due to an economic hardship. Specifically, the applicant states in their letter that "a site relocation is necessary due to unreasonable economic conditions at existing sites that far exceed market conditions, commonly referred to as "high rent locations'." The applicant further explains that the monthly market rent for this location is \$3,923.50, but the existing tower site is charging 300% higher than what would be charged on the new tower. The market rate given above implies that the existing rent could be \$11,769 per month, but no actual numbers for the existing or proposed rent were given.

Per staff research, lease rents charged to sell companies average from \$34,000/yr (\$2,833/mo) to \$61,000/yr (\$5,083/mo), although some were reported as high as \$80,000/yr (\$6,666/mo). These are national figures, meaning the above information provided by the applicant suggests that a local tower charges significantly more than the national average.

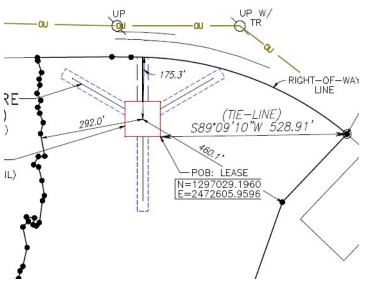
The applicant based their request for an economic hardship on language in Section 7.26.5 of the Morgan County Zoning Ordinance:

The applicant must provide evidence of the lack of space on all suitable existing towers to locate the proposed antenna and the lack of space on all existing tower sites to construct a tower for the proposed antenna. If co-location on any such towers would result in less visual impact than the visual impact of the proposed tower, the applicant must justify why such co-location is not being proposed. <u>The Director of Planning and Development will review with special care justifications that appeal only to undue expense and/or undue difficulties in entering into a lease agreement.</u> The Director of Planning and Development shall carefully weigh such claims, and the evidence presented in favor of them, against a project's negative impacts at the proposed site.

The applicant admits that the nearby tower contains a Verizon antenna and did not provide further justification for the new tower other than the financial information given in the applicant letter.

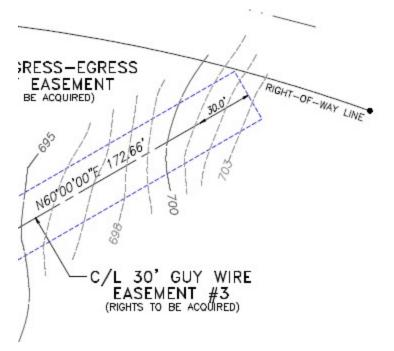


The applicant provided a map of nearby towers. The existing tower and the proposed tower are shown in the middle (red arrow), with the next nearest tower on Brownwood Road near the Interstate (blue arrow) which is 3.5 miles away. However, there is a tower that is not represented on the map that is 1.75 miles from the existing tower on Fears Road, located at 5071 Brownwood Road (green arrow). No information was provided regarding this tower, its rental rates or how co-location on it would suit the desired coverage area.



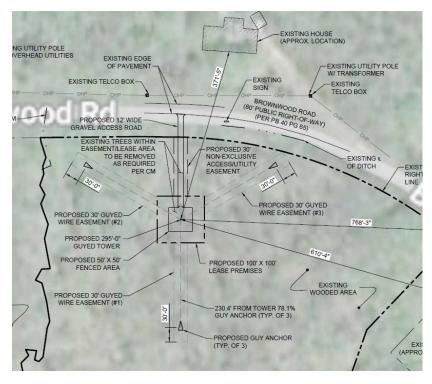
The applicant proposes a 295' guyed tower with space for four carrier antennas. The tower is shown 175.3 feet from the front property line on the submitted site plan. Section 7.26.4 states: *Telecommunications facilities must be set back from any property line a sufficient distance to protect adjoining property from the potential impact of telecommunications facility failure by being large enough to accommodate such failure on the site, based on the engineer's analysis required in this* 

*Section.* The distance of 175.3 feet may be acceptable with an engineer's analysis, which was not include in the application.



Section 7.26.4 also states: *Towers, guy* wires and accessory facilities must satisfy the minimum zoning district setback requirements;

The adjacent image shows the right guy wire and its surrounding easement, indicated by the dotted line. The easement description says it extends 30' beyond the termination of the guy wire, shown by the 30' measurement on the drawing. This shows that the guy wire is within the 75' front setback required in the Agricultural Residential (AR) Zoning District. (See easement descriptions on page 3 of the construction drawings.)

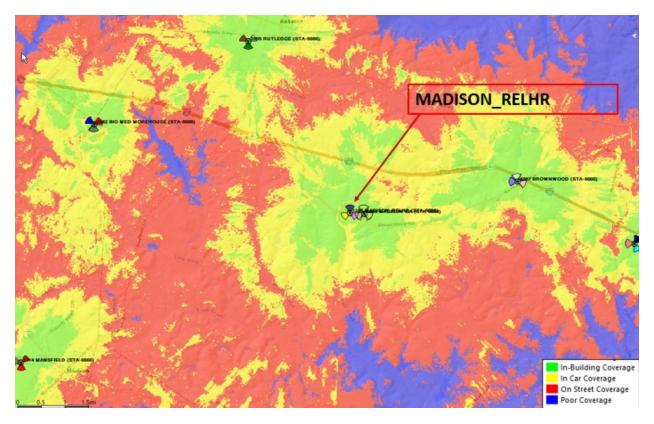


Section 7.26.4 also states: Telecommunications towers must be setback a distance equal to the height of the tower from any offsite residential structure;

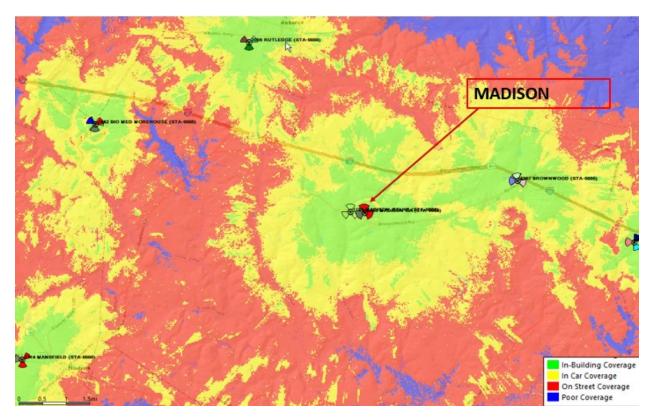
### and

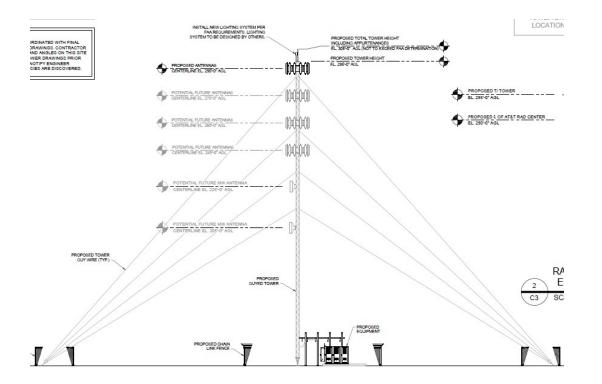
When a tower is adjacent to a residential use, it must be set back from the nearest residential lot line a distance at least equal to its total height;

The applicant depicts the nearest residence across Brownwood Road and shows a 371 foot distance from the tower to the house.

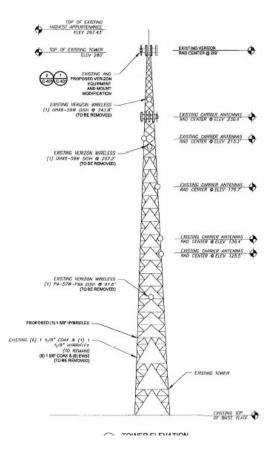


A map above shows the coverage with the proposed tower location. The map below shows the coverage with the existing tower. Green is the best signal; blue is the poorest.

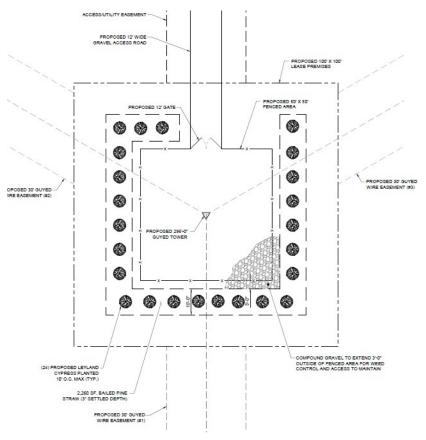




The proposed tower above with the Verizon antenna at 295'. The existing tower below, with the Verizon antenna at 280'. Verizon is the top antenna on both towers.



Morgan County Planning & Development 150 E. Washington Street, Suite 200 Madison, Georgia 30650 The applicant's letter states that the rent forced on Verizon prevents any technological upgrades on the existing tower. However, the drawing above of the existing tower was obtained by a Verizon permit for antenna upgrades, issued on May 2023. (See attached cover page from construction drawings with Director stamp and approval date May 10, 2023).



The applicant's construction drawings show the required landscaping around the tower enclosure, but does not indicate how the surrounding tree canopy will be addressed. Section 7.26.4 states:

Site location and development shall preserve the preexisting character of the surrounding buildings and land uses and the zoning district as much as possible;

Leaving as much of the tree canopy as possible would preserve the existing character of the parcel, especially for the house directly across Brownwood Road.

### Criteria for Consideration

Section 21.3.1 Required Findings from Conditional Use Approval from the Morgan County Zoning Ordinance (Staff comments in blue):

- The proposed use is suitable in view of the use of adjacent and nearby property and the proposed use will not affect the existing uses or usability of adjacent or nearby uses;. The question is whether the proposed tower would have a negative impact on the neighborhood, given that a tower is already existing within the viewshed. Per the Zoning Ordinance, co-location is required to prevent a negative visual impact.
- 2. The proposed use will not cause an excessive or burdensome use of public facilities or services, current or planned, including but not limited to transportation facilities, utilities, educational facilities or public safety; If the application is denied, will Verizon abandon the existing tower on Fears Road?

- 3. Off street parking and loading will be adequate, ingress and egress are suitable and safe, and vehicular traffic and pedestrian movement on adjacent streets is not substantially hindered; The ingress/egress easement appears to be suitable.
- 4. Adequate provision is made by the applicant to reduce any adverse environmental impacts of the proposed use; and Cell tower sites have little erosion due to the small footprint, but no mention has been made regarding the number of trees to be removed.
- 5. The hours and manner of operation, including noise, lighting, glare, odor, site design and scale are consistent with adjacent and nearby uses, as long as the manner of operation complies with all applicable ordinances and does not constitute a nuisance to nearby and adjacent properties. Cell towers are never consistent with surrounding scale and site design, however, traffic, noise and lighting are minimal after construction is complete.

### Staff Comments

Language in Chapter 7.26 of the Morgan County Zoning Ordinance emphasizes co-location of antennas on towers to protect the viewshed in Morgan County. There is language that the Director may consider undue expense, but justification has not been adequately provided. While the applicant's letter implies that the monthly lease on the existing tower will be over \$11,000 per month, no proof has been provided in the manner of a lease agreement or other such contracts. The letter ends with a statement that the existing lease will cost Verizon over \$325,000 more than the new tower agreement, but again, no contract or agreement is provided. Staff can only assume that the \$325,000 figure is a multi-year contract, as the math does not equal a yearly amount.

Morgan County has not heard complaints from other carriers on the exiting tower, so is Verizon the only carrier having issues with the rent amount? If other carriers are already on the existing tower and do not need to relocate, is one carrier's concern enough to justify the construction of a new tower in violation of the Zoning Ordinance's mandates related to co-location?



### MORGAN COUNTY PLANNING COMMISSION

Submit to: Morgan County Planning & Development 150 E. Washington Street, Suite 200 Madison, Georgia 30650

### APPLICATION FOR ZONING ACTION: CONDITIONAL USE

Applican	t Information (same as owner Yes□ No🗹)
Name:	Tillman Infastructure
Address:	152 West 57th Street
	New York, NY 10019
Phone:	803-727-0811
Fax:	
Email:	sdye@towersourceinc.com

**Property Information** 

 Address:
 4200 Brownwood Road Rutledge, GA 30663

 Tax Parcel:
 030 030 B

 Zoning Designation:
 AR

 Acreage:
 33.69

 In Conservation Use:
 Yes□ No

 State Waters on Property:
 Yes□ No

Briefly describe the nature of the Conditional Use request: \_\_\_\_\_

	A 30663. The proposed wireless facility will consist of a 295' guyed tower, ground equipment,
--	---

Submission of inaccurate information may be cause for denial of the request or, if discrepancies are realized after the approval for the petition or issuance of the relevant local permits, cause for the revocation of the approval and any related permits by the Board of Commissioners. The following documents <u>must</u> be submitted with this application prior to the application deadline. **Partial applications will not be accepted**.

- 1. Payment of appropriate fee (please make checks payable to Morgan County).
- 2. Recorded plat of property. If no plat has been recorded, a copy of the recorded deed may be submitted in lieu of the plat.
- 3. Concept plan or site plan drawn to scale. See Section 21.2.2 of the Morgan County Zoning Ordinance for plan requirements.
- 4. Written description of your request in letter format, addressed to the Morgan County Planning Commission. All required criteria (attached) must be addressed in the written description.

The documents listed above are the minimum requirements. Staff may require additional documentation depending on the nature of the Conditional Use request. All submitted documents are public records and subject to Opens Records Law.

Has applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes□ No⊄ If yes, please complete contribution affidavit.

I have reviewed the application procedures and all applicable criteria and regulations in the Morgan County Zoning Ordinance for the above requested Conditional Use. I hereby claim that this application fulfills said procedures and meets the criteria for approval.

Applicant Signature: <u>Sana Dye</u>

\_\_\_\_\_ Date: 1/12/2024



### MORGAN COUNTY PLANNING COMMISSION

Submit to: Morgan County Planning & Development 150 E. Washington Street, Suite 200 Madison, Georgia 30650

### **OWNER AUTHORIZATION**

Owner Information	Property Information
Name: A Mcs L. & Elaine J. McClure	Address: ler lover surce Hop
Address: 4191 Brown wood Rd	Tax Parcel:
Rutledge, 69.30663	Acreage:
Phone: 706-557-2259	
Email: ACCI4424022 South NC	F

I swear that I am the owner of the property listed above. I authorize \_\_\_\_\_\_ (applicant's name) to apply for a zoning action (zoning map amendment, conditional use, variance) at the above listed address, as identified on the attached application.

R

Owner signature

Notary Public	
Sworn and subscrib	ed before me this
day of	20 .

### CAMPAIGN CONTRIBUTION DISCLOSURE

If the business of the applicant or owner, or the applicant or owner individually, have made contributions or gifts having a total value of over \$250 or more to any elected official in Morgan County within two (2) years preceding the date of this application, the following must be completed:

Name of Recipient	Date	Contribution Amount	Description of Gift	Value of Gift
· · · · · · · · · · · · · · · · · · ·				

Name of Business:

Business Ownership Interest: \_\_\_\_\_ Property Ownership Interest: \_\_\_\_\_

I hereby depose and say that all statements herein are true, correct and complete to the best of my knowledge and belief.

**Owner or Applicant Signature** 

Notary Public Sworn and subscribed before me this \_\_\_\_\_day of \_\_\_\_\_\_20\_\_\_\_. ON BEHALF OF:



SUBMITTED BY:



### TABLE OF CONTENTS

- 1. LETTER OF APPLICATION
- 2. CONDITIONAL/SPECIAL USE PERMIT APPLICATION
- 3. SUPPLEMENTAL NARRATIVE
- 4. EXHIBITS
  - A. ZONING DRAWINGS
  - B. ECONOMIC HARDSHIP LETTER
  - C. PROPAGATION MAPS

### LETTER OF APPLICATION Special Use Permit

### **GENERAL INFORMATION**

Applicant:	Tillman Infrastructure, LLC 152 West 57 <sup>th</sup> Street New York, NY 10019
Applicant's Representative:	Towersource, LLC 1080 Holcomb Bridge Road Building 100, Suite 350 Roswell, GA 30076
Project Address:	Approx. 4200 Brownwood Road Rutledge, GA 30663 Lat/Long: 33.564478, -83.588967
Property Owner:	James L. McClure & Joyce Elaine J. McClure 4191 Brownwood Road Rutledge, GA 30663
Map/Tax Lot Number:	SITE: DB 443 PG 1075 Tract 3 PIN# 030 030 B
Land Use Designation:	Agricultural
Zoning Classification:	AR
Parcel Size:	33.69 acres
RE:	Proposed Telecommunication Facility

Tillman proposes to construct a new wireless telecommunication facility at the address Brownwood Road Rutledge, GA 30663. The proposed wireless facility will consist of a 295' guyed tower, ground equipment, and six-foot-high security fence within a 2,500 sq. ft. leased area. The property will be accessible via a 30' access/utility easement.

Additional information on this proposal can be found in the Supplemental Narrative below and in the attached exhibits.

### SUPPLEMENTAL NARRATIVE

### INTRODUCTION

Tillman Infrastructure, LLC (Tillman) proposes constructing a new telecommunications facility in Morgan County, GA. The new proposed site aims to improve the quality of service for wireless customers in the area and provide wireless carriers with a cost-effective solution to deploy wireless technologies.

The proposed site is the best feasible location to maximize coverage, network density and increase network compacity within the carrier's designed search radius. The proposed site has been designed to minimize impact on neighboring properties by utilizing less intrusive design elements such as non-reflective galvanized steel finishes, landscape screening, installing artificial lighting only when required, and preserving existing vegetation as much as feasibly possible. Such efforts help to maintain the character of the surrounding community and mitigate the impacts of the proposed tower. Tillman respectfully requests approval of the new wireless telecommunications facility as it meets all required criteria for development.

### PROPOSAL

The proposed telecommunications facility will be located at address **4200 Brownwood Road Rutledge**, **GA 30663**. The proposed site will consist of a 295' guyed tower, lightning rod, 2,500 sq. ft. fenced compound, ground equipment, and a 30' wide access/utility easement from **Brownwood Road**. The tower compound will be secured by a six-foot steel fence with an anti-climb device at the top and covered with a 2'x2' fence fabric. Additional fence details can be found on *Sheet C6 of Exhibit A* – *Zoning Drawing*. The proposed tower can accommodate up to four (4) wireless carriers. Power and fiber for the site will run underground from the nearest utility pole.

The proposed site is in rural Morgan County, GA. The area is characterized by large, wooded parcels and a mix of agricultural, and residential uses near Interstate 20. The proposed site is zoned AR agricultural, and it's primarily unused. Telecommunication facilities in the AR agricultural zoning district are approved by a conditional use permit. Conditional use permits require a public hearing and board approval.

The proposed tower is setback 175' 4" from the northern property line/right of way, 460' 1" from the east property line, 292' from the west property line. The closest residential structures are located 379' and 713' northeast of the proposed site. There is another residential structure, located off Brownwood Road, that is 993' from the proposed site. All three houses are separated by a dense tree line that provides a natural buffer from the tower. Other surrounding uses include Alan Ward Grading company, timber cultivation, and other residential and commercial uses.

Verizon Wireless's Finance hardship is consistent with Morgan County's Code of Ordinance Section 7.26.5 "Additional Information Requirements for Towers: The Director of Planning and Development will review with special care justifications that appeal only to undue expense and/or undue

difficulties in entering into a lease agreement". As evidenced in Exhibit B – Economic Hardship Letter, the rent increases, fees, and costs required to continue maintaining equipment on the ATC site are economically burdensome for Verizon Wireless and would not result in the same cost-effective operation as compared to what Verizon Wireless could achieve if it relocated to the new proposed tower. Verizon Wireless desires to relocate its wireless facilities equipment from the ATC site to the new proposed tower because the ATC site has become a high-cost antenna structure for Verizon Wireless. Co-locating on any of the existing sites within the search ring will result in the same high rent and adverse coverage changes in some areas.

The new proposed site can accommodate up to four carries with Verizon Wireless as the anchor tenant at the top of the tower. The new tower will service Verizon Wireless residential customers and traffic along Interstate 20 and Reese Road.

The proposed site satisfies all criteria for approval under the conditional use permit. The tower is designed to blend into the surrounding environment and mitigate the impact on adjacent parcels. The proposed tower is needed to continue to provide the best possible service to residents and visitors in this part of Madison County, GA.

	Proposed Site						
Tower	295' guyed tower with a 5' lightning rod						
Location	33.564478, -83.588967						
Colocation	Four (4) carrier antenna arrays supported						
Lease area	2,500 Square feet						
Fencing	Six feet chain link fence with anti-climbing device						
Access	30' wide access/utility easement						
Utilities	Power and fiber will run underground within an easement.						

The proposed site will include:

# MADISON\_RELHR - Zoning Presentation

5<sup>th</sup> May 2023

Radio Frequency Engineer Verizon Wireless

Kamran Naqvi

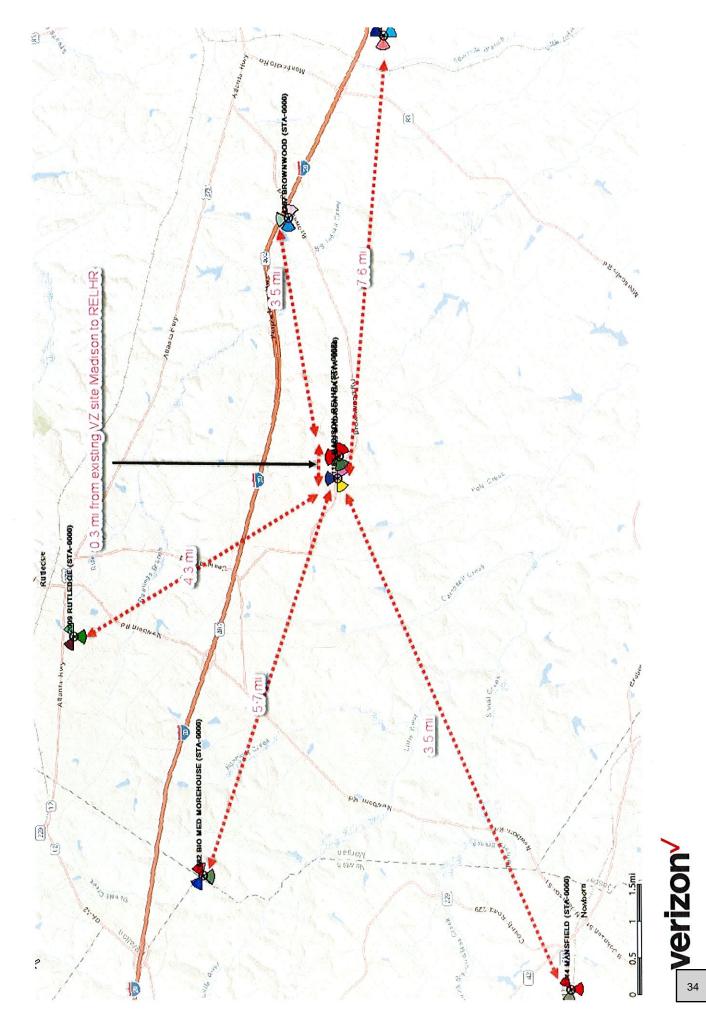
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Confidential and proprietary materials for authorized Verizon personnel and outside agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

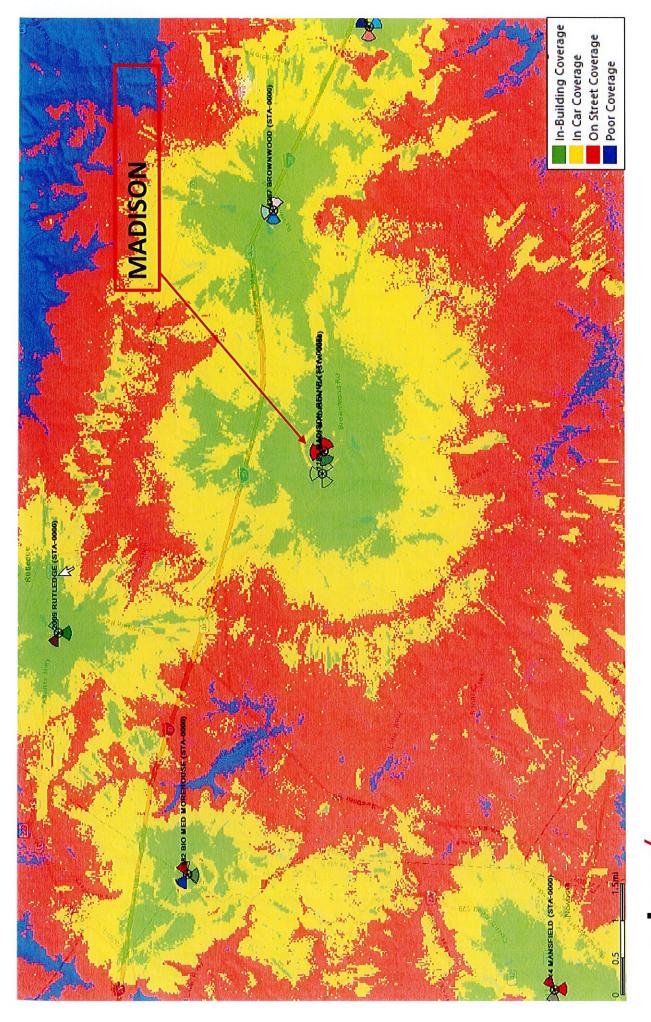
### MADISON\_RELHR in Map

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## Distance from Current VZ sites to MADISON\_RELHR



### **Existing LTE coverage**

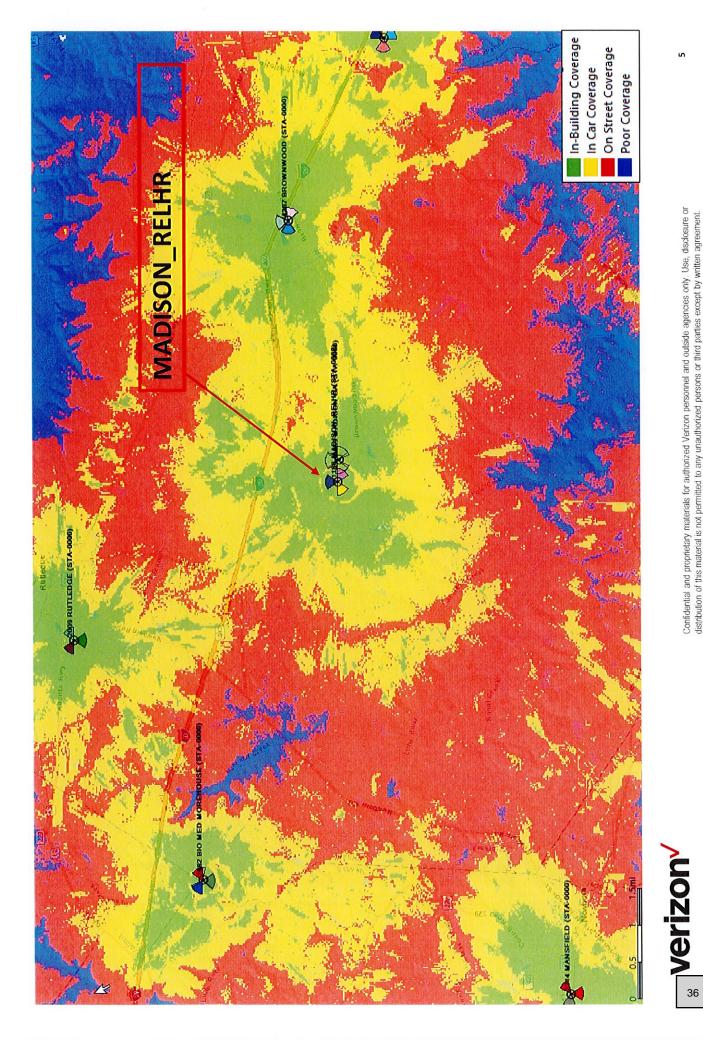


verizon

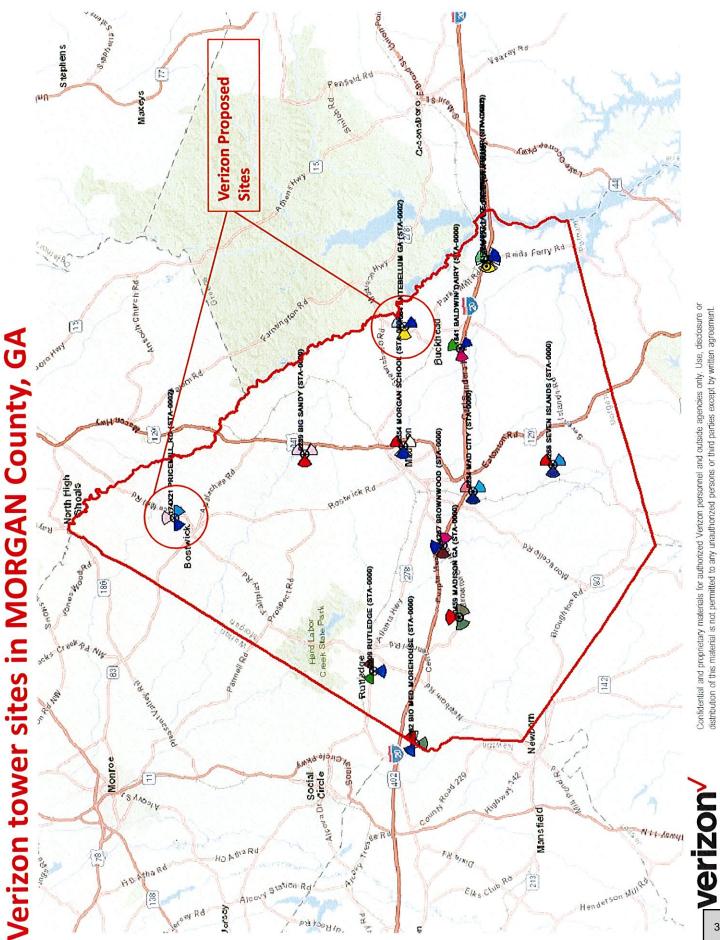
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## Proposed LTE coverage with MADISON\_RELHR



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# **Existing Verizon Tower Location Information**

33.55175         -83.486472         MAD CITY         1500 Indian Creek Road         GA         Madison         Morgan           33.55175         -83.453167         BIG SANDY         1230 Holland Springs Rd         GA         Madison         Morgan           33.564167         -83.453167         BIG SANDY         1230 Holland Springs Rd         GA         Madison         Morgan           33.564167         -83.453869         MADISONGA         2805 Fears Road         GA         Madison         Morgan           33.556167         -83.449861         MADISONGA         2265 Fears Road         GA         Madison         Morgan           33.556167         -83.449861         MADISONGA         1253 College Drive         GA         Morgan         Morgan           33.556316         -83.449861         BIO MED MOREHOUSE         2111 Swords Road         GA         Morgan         Morgan           33.556314         BIS 68069444         BIO MED MOREHOUSE         1650 Sewell Road         GA         Morgan         Morgan           33.556314         -83.53595         BALDWIN DAIRY         1540 Baldwin Dairy Road         GA         Morgan         Morgan           33.556314         -83.523844         BIO MED MOREHOUSE         215 Nunnally Street         GA <td< th=""><th>Latitude</th><th>Longitude</th><th>Site Friendly Name</th><th>Street Address</th><th>State</th><th>City</th><th>County</th><th>Overall Structure Height (ft)</th></td<>	Latitude	Longitude	Site Friendly Name	Street Address	State	City	County	Overall Structure Height (ft)
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-83.468258 SEVEN ISLANDS 2781 Pierce Dairy Road GA Madison	33.57301667	-83.52794722	BROWNWOOD	2261 Brownwood Rd	ВA	Madison	Morgan	235
	33.498847	-83.468258	SEVEN ISLANDS	2781 Pierce Dairy Road	GA	Madison	Morgan	199



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## Verizon Legal Disclaimer

shown, there are many factors, including but not limited to, usage volumes, service within all three categories, however, these Factors will likely have greater impact in is available. [When digital service is not available your device will not operate or be there are many factors that can influence coverage and service availability. These areas of "fair" coverage. You can only make and receive calls when digital service strength at the network facilities level. Generally, calls can be made and received weather that may impact service ("Factors"). The representations of "fair", "good" factors vary from location to location and change over time. The coverage areas may include locations with limited or no coverage. Even within a coverage area service. These maps reflect a depiction of predicted and approximate wireless coverage. The depictions of coverage do not guarantee service availability as These maps are not a guarantee of coverage and may contain areas with no coverage of the network and is intended to provide a relative comparison of and "best" are qualitative representations of relative wireless outdoor signal outages, customer's equipment, terrain, proximity to buildings, foliage, and able to make 911 calls.



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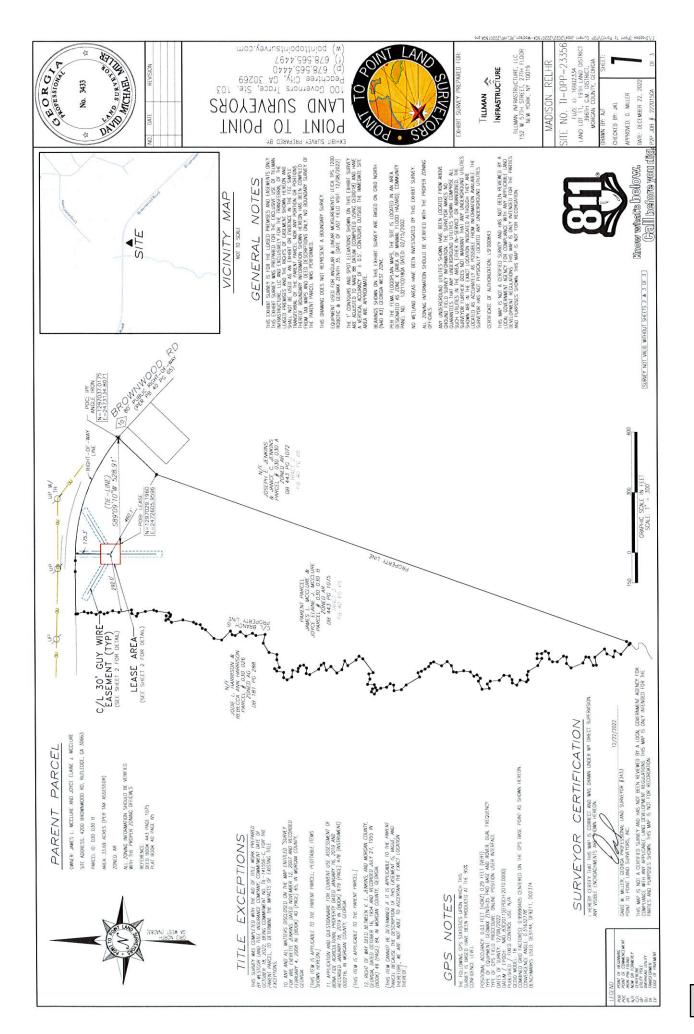
### Thank you.

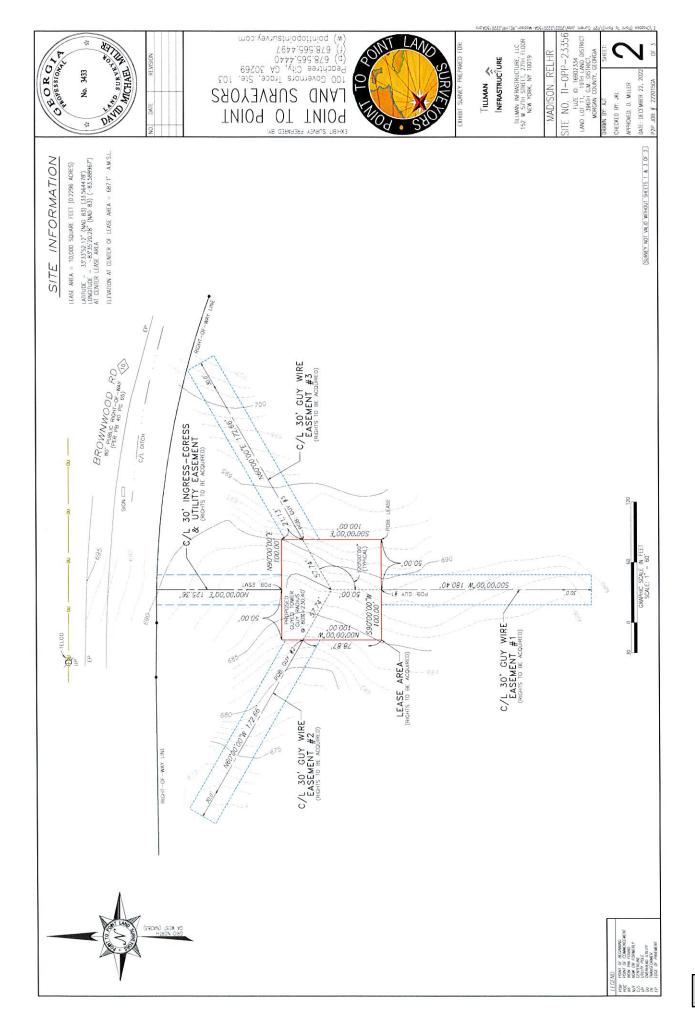
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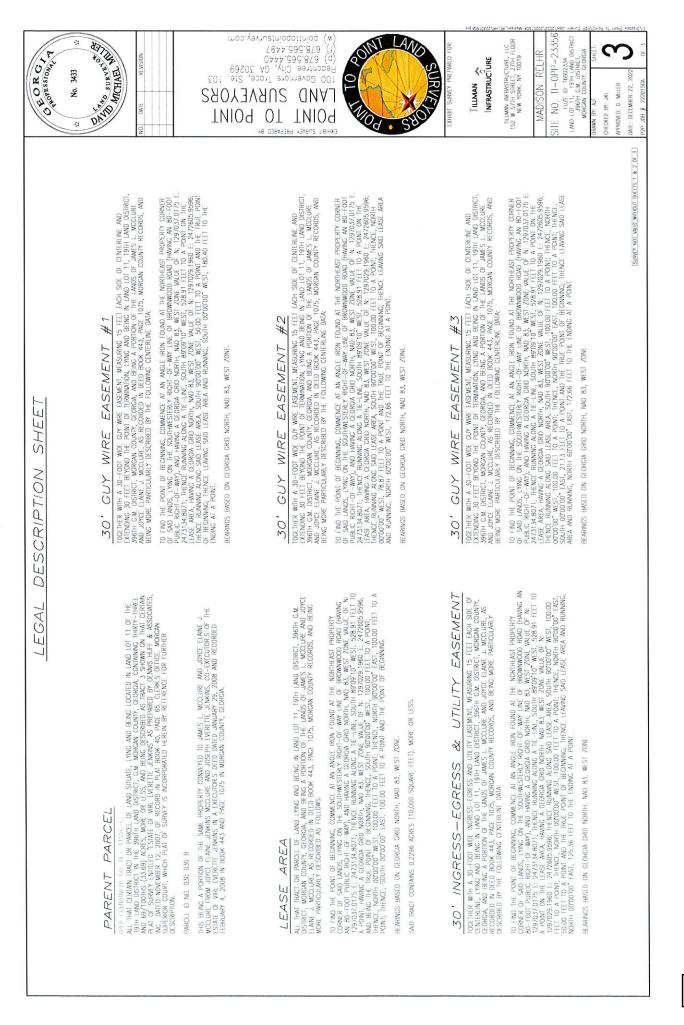
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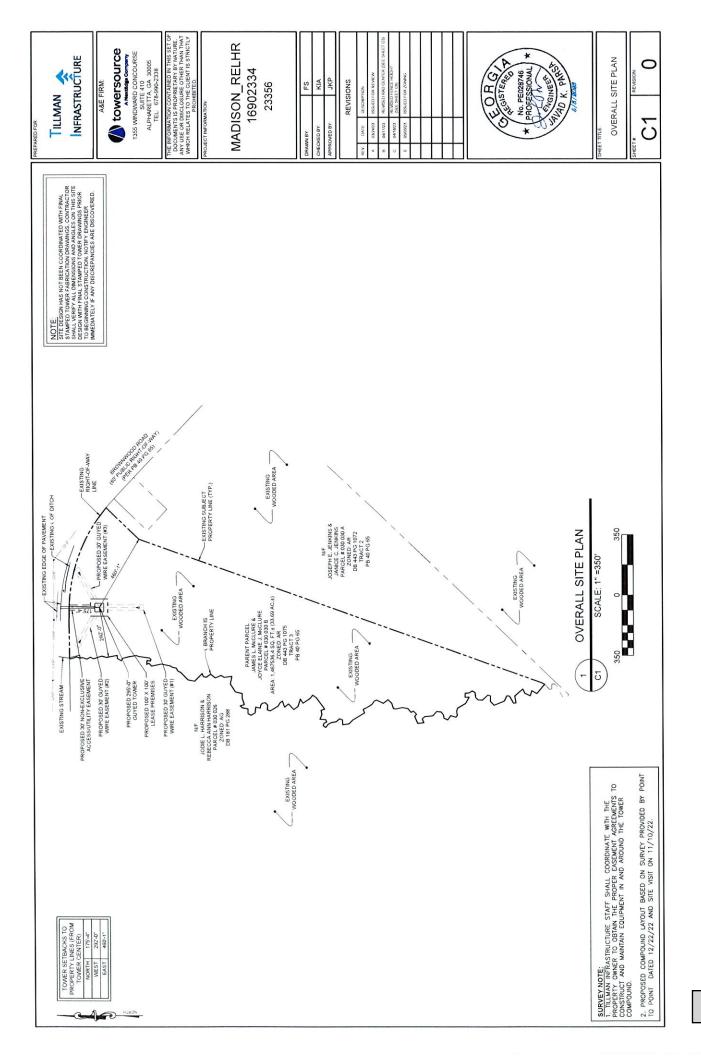


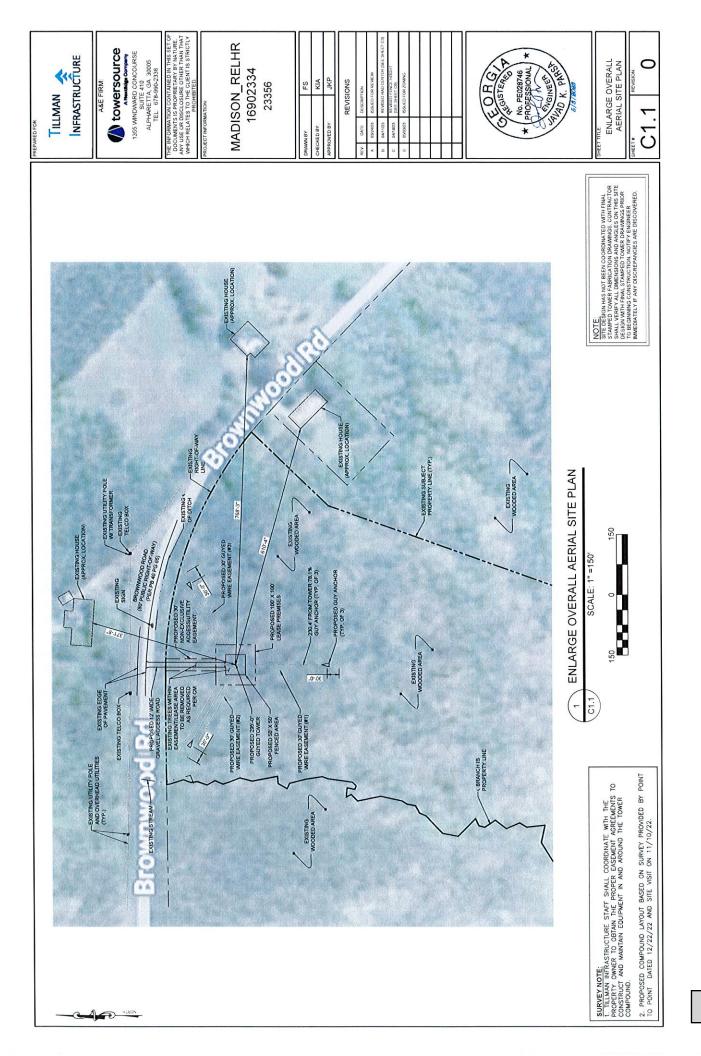
PREPARED FOR		A&E FIRM:		1355 WINDWARD CONCOURSE SUITE 410	ALPHARETTA, GA 30005 TEL 678-990-2338	THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE.	ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE CLIENT IS STRICTLY PROHIBITED.		MADISON_RELHR	10902334 22356	00007		DRAWN BY FS		REVISIONS	KEY, DATE DESCRIPTION A 03/24/23 ISSUED FOR REVIEW	B 04/11/23 REVISED PAD CENTER (SEE SHEET C3) C 04/4/202 REVISED FENCE HEIGHT	05403423				(	EORC)	A 9303100326	X (No. PE028746) X	Rent A	AND A DAY	5/2/BORD	SHEET TILE	COVER SHEET	SHEET #: REVISION	>
SHEET INDEX	T SHEET TILE TITLE SHEET SURVEY (BY OTHERS)	C1         OVERALL SITE PLAN         0           C1:1         ENLARGE OVERALL AERIAL SITE PLAN         0	C2         SITE PLAN         0           C3         TOWER ELEVATION         0	CONSTRUCTION DETAILS	C10A ACCESS ROAD DETAILS 0	L1 LANDSCAPE PLAN 0																										
	ILLMAN (NFRASTRUCTURE	RAWLAND CONSTRUCTION DRAWINGS	295'-0" GUYED TOWER	SITE NAME	MADISON RFI HR (16902334)		<u>SITE ID</u> TI-OPP- 23356		<u>5115 COORDINATES</u> 52.12"N. 83° 35' 20.28"W	33.564478, -83.588967		SI I E ADDRESS		GE, GA 30000			FLOOD PLAIN NOTE	PER THE FEMA FLOOD PLAIN MAP. THE SITE IS LOCATED IN AN AREA DESIGNATED AS ZONE "X" COMMUNITY PAREL # 1221 100 804, DATED 00152006.	040041000	CONTACTS	LAND OWNER: JAMES I. McCLURE & JOYCE ELAINE J. McCLURE (706) 557-2259	TOWER OWNER. TILLMAN INFRASTRUCTURE, LLC 152 WEST 57TH STRFET	27TH FLOOR NY, NY 10019		ENGINEER TOWERSOURCE 1555 WINWARD CONCOURSE SUITE 410	ALPHAETTA, GA 30005 (678) 990-2338	POWER COMPANY: CENTRAL GEORGIA EMC					
			295'-0" G						33° 33' 52.12'	33.5644					E			Know what's below. Call before you dig.		PROJECT SUMMARY	CCUPANCY:	SITE TYPE RAMLAND	s);		JURISDICTION: MORGAN COUNTY	COUNTY: MORGAN	DEED BOOK & PAGE 443, PAGE 1075	PARCEL ID: 030 030 B				
BUILDING CODES	<ul> <li>INTERNATIONAL BULDING CODE, 2018 EDITION, WTH GEORGIA AMERIDMENTS (2020), (2022)</li> <li>INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION, WTH GEORGIA AMERIDMENTS (2020)</li> </ul>	<ul> <li>INTERVATIONAL FIRE CODE, 2018 EDITION (CONTACT STATE FIRE MARSHAL INTERVATIONAL PLUMBING CODE, 2018 EDITION, WITH GEORGIA</li> </ul>	AMENDIANEL (2020), (2022), (2022) INTERNATIONAL MECHANICAL CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)	INTERNATIONAL FUEL GAS CODE, 2018 EDITION, WITH GEORGIA     AMENDMENTS (2020), (2022)	<ul> <li>NATIONAL ELECTRICAL CODE, 2020 EUTION, WITH GEORGIA AMENDMENTS (2021)</li> <li>INTERNATIONAL ENERGY CONSERVATION CODE 2015 EDITION WITH</li> </ul>	GEORGIA SUPPLEMENTS AND AMENDMENTS (2020), (2022), (2023)		HANDICAP REQUIREMENTS	FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAP ACCESS IS NOT REQUIRED	PLUMBING REQUIREMENTS	FACILITY HAS NO SANITARY OR POTABLE WATER.	VICINITY MAP		Sould Click	() Rutledge		~/?	tainalise Neucosa			A fairs				A STATE OF S		Manage Revenues R					Сооре и по саме сооз начие сооз начие технование и 5 соозона балер. Обдор на соо

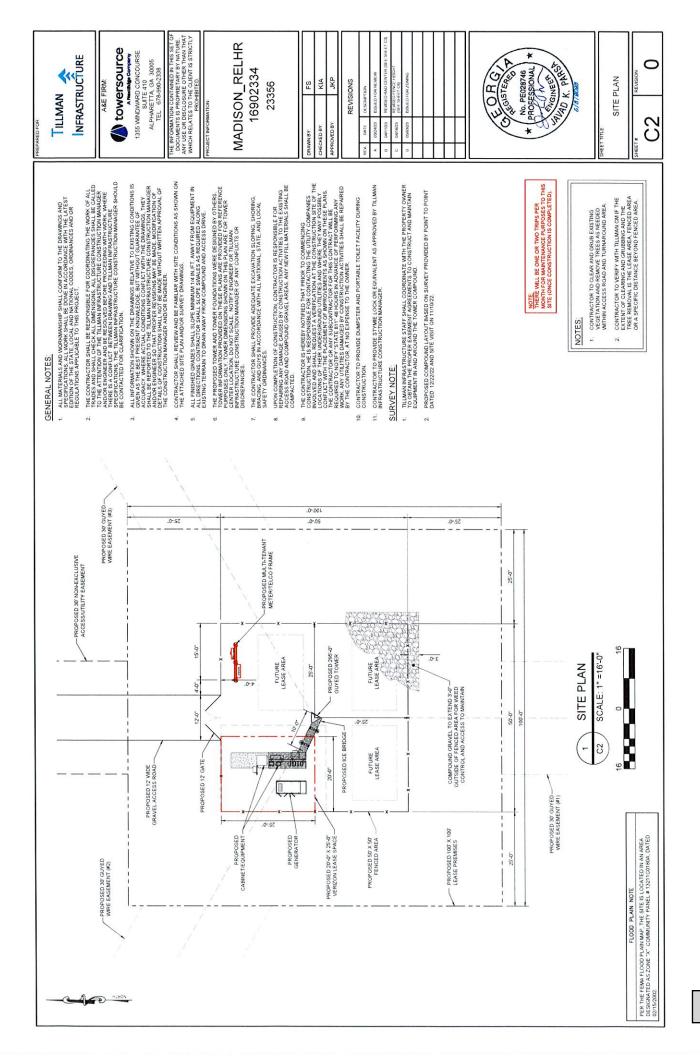


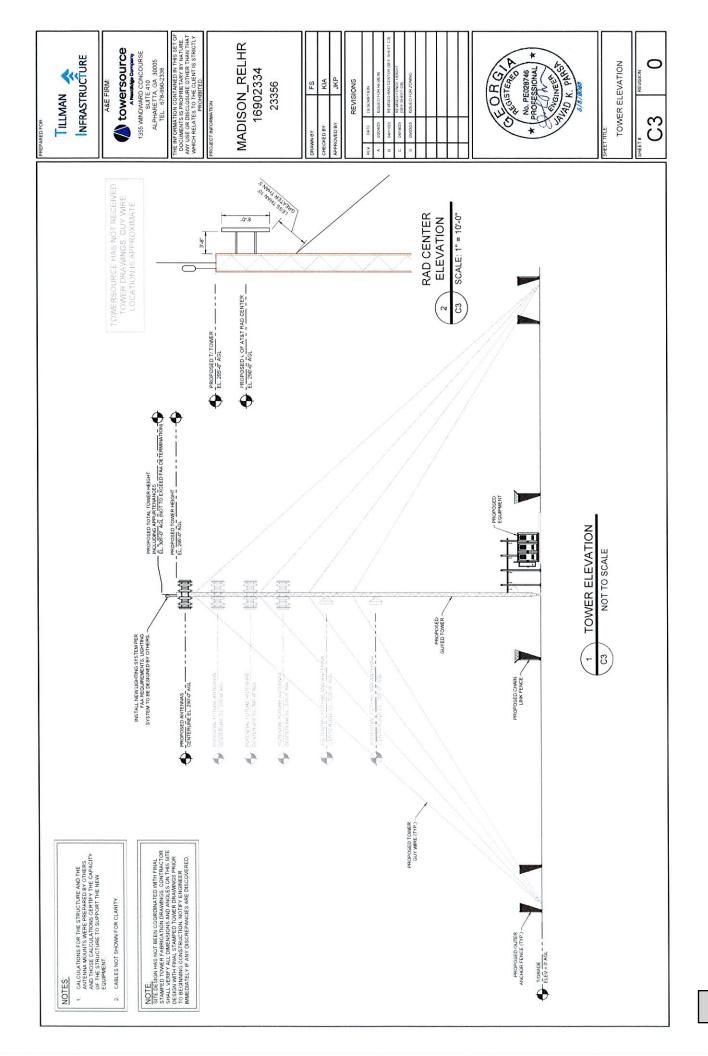


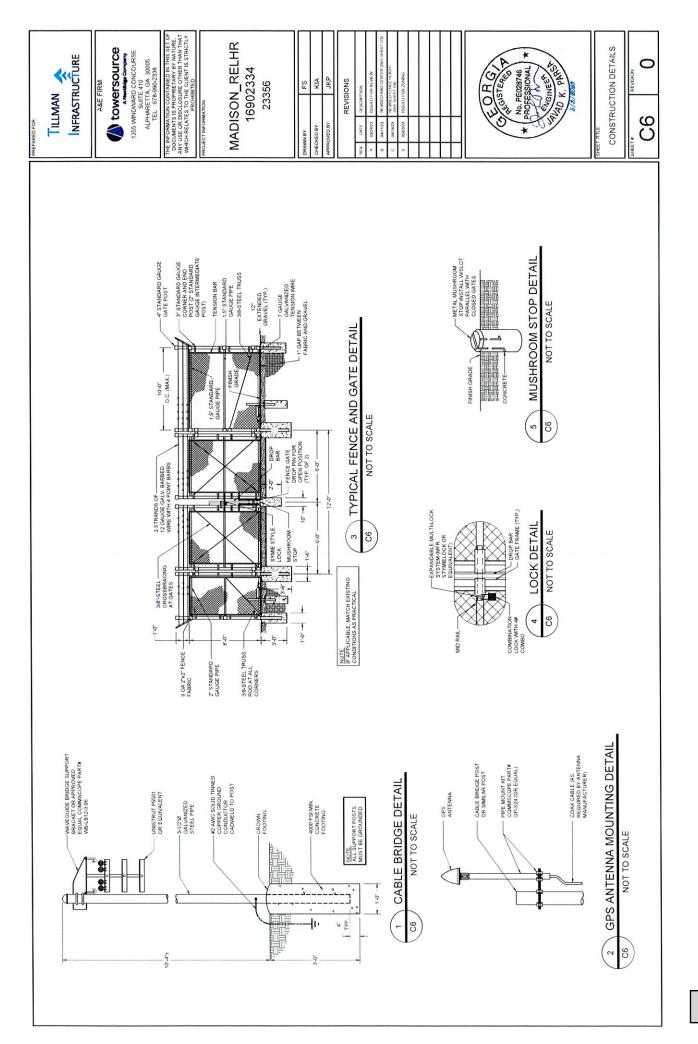


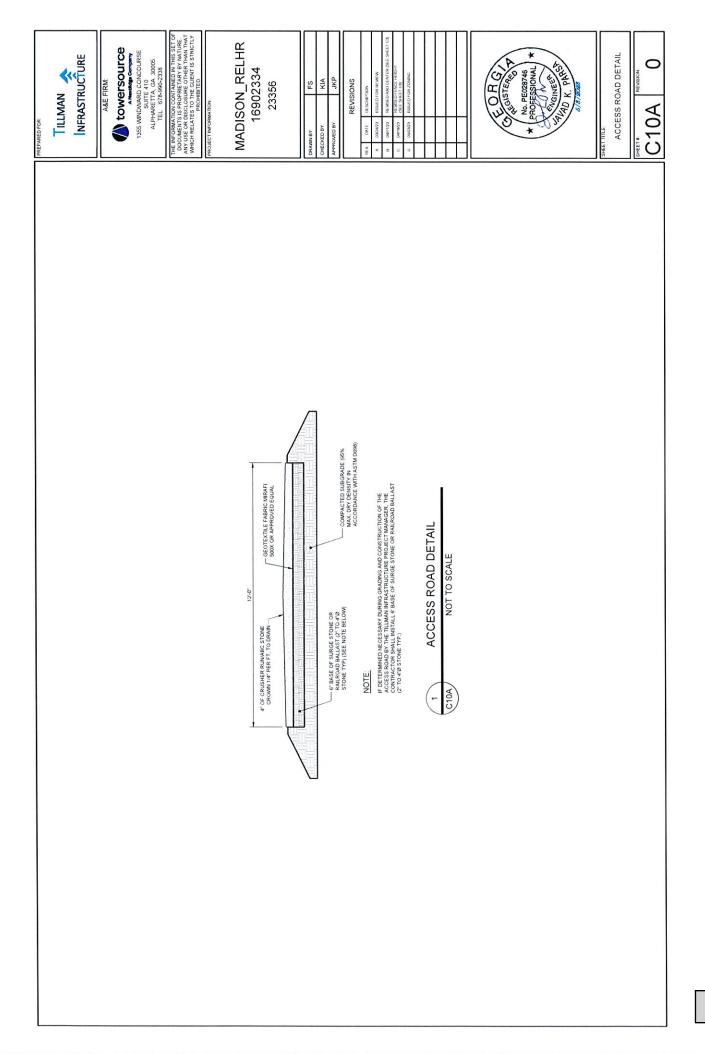


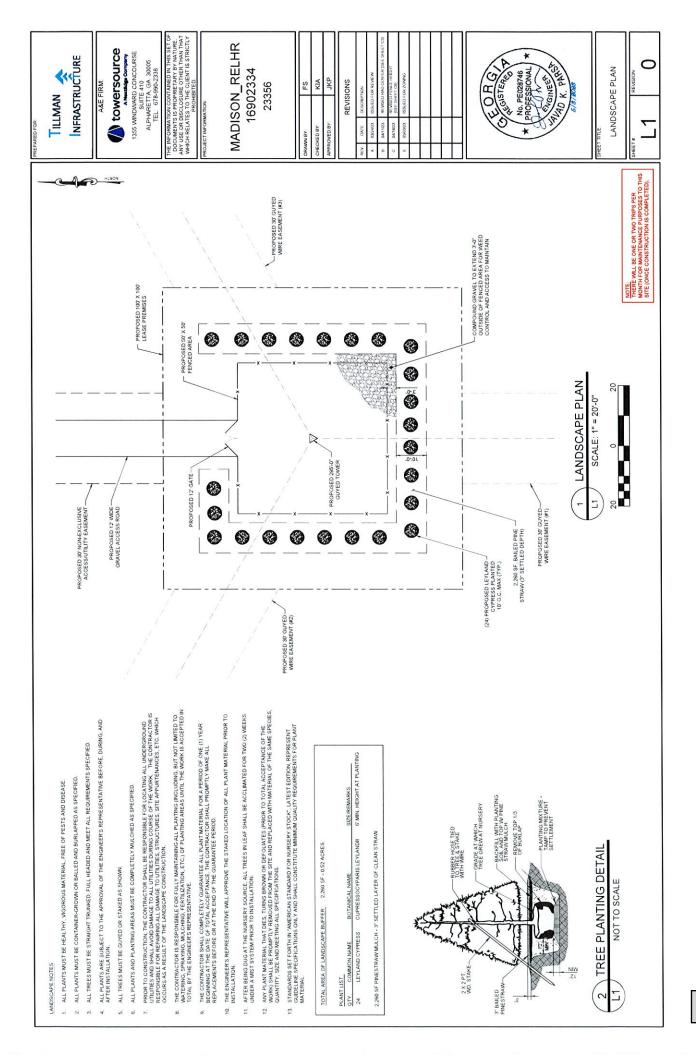












ON BEHALF OF:



SUBMITTED BY:



### **TABLE OF CONTENTS**

- 1. LETTER OF APPLICATION
- 2. CONDITIONAL/SPECIAL USE PERMIT APPLICATION
- 3. SUPPLEMENTAL NARRATIVE
- 4. EXHIBITS
  - A. ZONING DRAWINGS
  - B. ECONOMIC HARDSHIP LETTER
  - C. PROPAGATION MAPS

### LETTER OF APPLICATION Special Use Permit

### **GENERAL INFORMATION**

RE:

Applicant:	Tillman Infrastructure, LLC 152 West 57 <sup>th</sup> Street New York, NY 10019
Applicant's Representative:	Towersource, LLC 1080 Holcomb Bridge Road Building 100, Suite 350 Roswell, GA 30076
Project Address:	Approx. 4200 Brownwood Road Rutledge, GA 30663 Lat/Long: 33.564478, -83.588967
Property Owner:	James L. McClure & Joyce Elaine J. McClure 4191 Brownwood Road Rutledge, GA 30663
Map/Tax Lot Number:	SITE: DB 443 PG 1075 Tract 3 PIN# 030 030 B
Land Use Designation:	Agricultural
Zoning Classification:	AR
Parcel Size:	33.69 acres

Tillman proposes to construct a new wireless telecommunication facility at the address Brownwood Road Rutledge, GA 30663. The proposed wireless facility will consist of a 295' guyed tower, ground equipment, and six-foot-high security fence within a 2,500 sq. ft. leased area. The property will be accessible via a 30' access/utility easement.

**Proposed Telecommunication Facility** 

Additional information on this proposal can be found in the Supplemental Narrative below and in the attached exhibits.

### SUPPLEMENTAL NARRATIVE

### **INTRODUCTION**

Tillman Infrastructure, LLC (Tillman) proposes constructing a new telecommunications facility in Morgan County, GA. The new proposed site aims to improve the quality of service for wireless customers in the area and provide wireless carriers with a cost-effective solution to deploy wireless technologies.

The proposed site is the best feasible location to maximize coverage, network density and increase network compacity within the carrier's designed search radius. The proposed site has been designed to minimize impact on neighboring properties by utilizing less intrusive design elements such as non-reflective galvanized steel finishes, landscape screening, installing artificial lighting only when required, and preserving existing vegetation as much as feasibly possible. Such efforts help to maintain the character of the surrounding community and mitigate the impacts of the proposed tower. Tillman respectfully requests approval of the new wireless telecommunications facility as it meets all required criteria for development.

### **PROPOSAL**

The proposed telecommunications facility will be located at address **4200 Brownwood Road Rutledge**, **GA 30663**. The proposed site will consist of a 295' guyed tower, lightning rod, 2,500 sq. ft. fenced compound, ground equipment, and a 30' wide access/utility easement from **Brownwood Road**. The tower compound will be secured by a six-foot steel fence with an anti-climb device at the top and covered with a 2'x2' fence fabric. Additional fence details can be found on *Sheet C6 of Exhibit A – Zoning Drawing*. The proposed tower can accommodate up to four (4) wireless carriers. Power and fiber for the site will run underground from the nearest utility pole.

The proposed site is in rural Morgan County, GA. The area is characterized by large, wooded parcels and a mix of agricultural, and residential uses near Interstate 20. The proposed site is zoned AR agricultural, and it's primarily unused. Telecommunication facilities in the AR agricultural zoning district are approved by a conditional use permit. Conditional use permits require a public hearing and board approval.

The proposed tower is setback 175' 4" from the northern property line/right of way, 460' 1" from the east property line, 292' from the west property line. The closest residential structures are located 379' and 713' northeast of the proposed site. There is another residential structure, located off Brownwood Road, that is 993' from the proposed site. All three houses are separated by a dense tree line that provides a natural buffer from the tower. Other surrounding uses include Alan Ward Grading company, timber cultivation, and other residential and commercial uses.

Verizon Wireless's Finance hardship is consistent with Morgan County's Code of Ordinance Section 7.26.5 "Additional Information Requirements for Towers: The Director of Planning and Development will review with special care justifications that appeal only to undue expense and/or undue

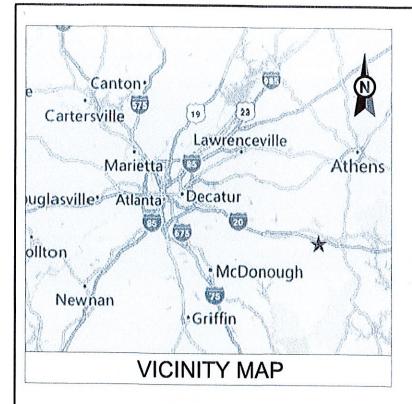
difficulties in entering into a lease agreement". As evidenced in Exhibit B – Economic Hardship Letter, the rent increases, fees, and costs required to continue maintaining equipment on the ATC site are economically burdensome for Verizon Wireless and would not result in the same cost-effective operation as compared to what Verizon Wireless could achieve if it relocated to the new proposed tower. Verizon Wireless desires to relocate its wireless facilities equipment from the ATC site to the new proposed tower because the ATC site has become a high-cost antenna structure for Verizon Wireless. Co-locating on any of the existing sites within the search ring will result in the same high rent and adverse coverage changes in some areas.

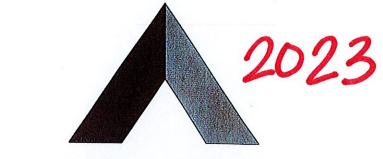
The new proposed site can accommodate up to four carries with Verizon Wireless as the anchor tenant at the top of the tower. The new tower will service Verizon Wireless residential customers and traffic along Interstate 20 and Reese Road.

The proposed site satisfies all criteria for approval under the conditional use permit. The tower is designed to blend into the surrounding environment and mitigate the impact on adjacent parcels. The proposed tower is needed to continue to provide the best possible service to residents and visitors in this part of Madison County, GA.

	Proposed Site						
Tower	295' guyed tower with a 5' lightning rod						
Location	33.564478, -83.588967						
Colocation	Four (4) carrier antenna arrays supported						
Lease area	2,500 Square feet						
Fencing	Six feet chain link fence with anti-climbing device						
Access	30' wide access/utility easement						
Utilities	Power and fiber will run underground within an easement.						

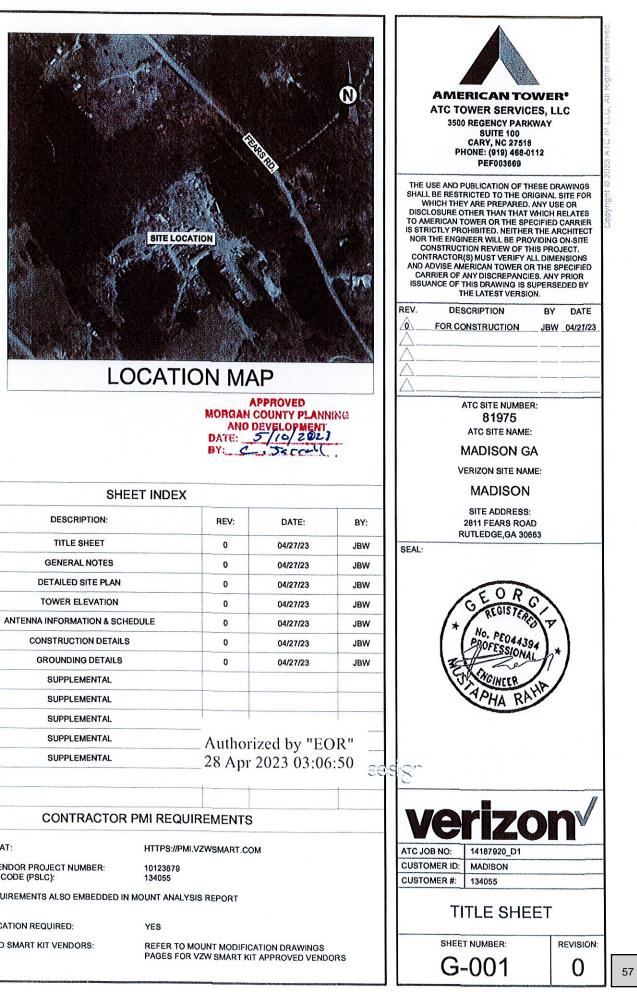
The proposed site will include:





### **AMERICAN TOWER®**

ATC SITE NAME: MADISON GA ATC SITE NUMBER: 81975 VERIZON SITE NAME: MADISON VERIZON SITE NUMBER: 134055 **VERIZON FUZE PID: 16729762** SITE ADDRESS: 2811 FEARS ROAD RUTLEDGE, GA 30663



	VERIZ	ON AMENDMENT DRAWINGS								
COMPLIANCE CODE	PROJECT SUMMARY	PROJECT DESCRIPTION		SHEET INDEX						
ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL	SITE ADDRESS: 2811 FEARS ROAD	THE PROPOSED PROJECT INCLUDES MODIFYING GROUND BASED AND TOWER MOUNTED EQUIPMENT AS INDICATED PER BELOW:	SHEET NO:	DESCRIPTION:	REV:					
GOVERNMENT AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO	RUTLEDGE,GA 30663	TOWER WORK: REMOVE (3) DISHES, (9) ANTENNA(s), (6) TTA(s), (1) OVP(s), (6) 1 5/8"	G-001	TITLE SHEET	0					
THESE CODES.	COUNTY: MORGAN	COAX & (9) EW52 CABLE(s)	G-002	GENERAL NOTES	0					
<ol> <li>INTERNATIONAL BUILDING CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)</li> </ol>	GEOGRAPHIC COORDINATES:	INSTALL MOUNT MODIFICATIONS, (8) ANTENNA(8), (6) RRH(8), (1) OVP(8), AND (1) 1 5/8 HYBRIFLEX CABLE(8) EVIDENTIA (2) ANTENNA(5), (2) CABLE(6)	C-101	DETAILED SITE PLAN	0					
2. INTERNATIONAL MECHANICAL CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)	LATITUDE: 33.56447723 LONGITUDE: -83.58405948	EXISTING (3) ANTENNA(8), (6) 1 5/8" COAX & (1) 1 5/8" HYBRIFLEX CABLE(8) TO REMAIN	C-201	TOWER ELEVATION	0					
<ol> <li>INTERNATIONAL FUEL GAS CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)</li> </ol>	GROUND ELEVATION: 742' AMSL	GROUND WORK: REMOVE (3) TRIPLEXERS	C-401	ANTENNA INFORMATION & SCHEDULE	Ξ 0					
<ol> <li>INTERNATIONAL PLUMBING CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)</li> </ol>		REMOVE (3) IRIPLEXERS	C-501	CONSTRUCTION DETAILS	0					
<ol> <li>NATIONAL ELECTRICAL CODE 2020 EDITION</li> <li>INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION, WITH GEORGIA AMENDMENTS (2020)</li> <li>STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURE (TIA/EIA-222-H)</li> </ol>			E-501	GROUNDING DETAILS	0					
			R-601	SUPPLEMENTAL						
		PROJECT NOTES	R-602	SUPPLEMENTAL	-					
	PROJECT TEAM	THE FACILITY IS UNMANNED.     A TECHNICIAN WILL VISIT THE SITE APPROXIMATELY ONCE A	R-603	SUPPLEMENTAL						
	TOWER OWNER: APPLICANT:	MONTH FOR ROUTINE INSPECTION AND MAINTENANCE. 3. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT LAND	R-604	SUPPLEMENTAL	Authori					
	AMERICAN TOWER VERIZON WIRELESS 10 PRESIDENTIAL WAY	DISTURBANCE OR EFFECT OF STORM WATER DRAINAGE. 4. NO SANITARY SEWER, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED.	R-605	SUPPLEMENTAL	28 Apr					
	WOBURN, MA 01801 ENGINEER:	<ol> <li>HANDICAP ACCESS IS NOT REQUIRED.</li> <li>THE PROJECT DEPICTED IN THESE PLANS QUALIFIES AS AN ELIGIBLE FACILITIES REQUEST ENTITLED TO EXPEDITED</li> </ol>								
	ATC TOWER SERVICES, LLC 3500 REGENCY PKWY STE 100	REVIEW UNDER 47 U.S.C. § 1455(A) AS A MODIFICATION OF AN EXISTING WIRELESS TOWER THAT INVOLVES THE COLLOCATION, REMOVAL, AND/OR REPLACEMENT OF	CONTRACTOR PMI REQUIREMENTS							
UTILITY COMPANIES	CARY, NC 27518	TRANSMISSION EQUIPMENT THAT IS NOT A SUBSTANTIAL CHANGE UNDER CFR § 1.61000 (B)(7).	PMI AG	CCESSED AT: HT	HTTPS://PMI.VZWSMART.CO 10123679 134055					
PHONE: (770) 287-2505	PROPERTY OWNER: LEIGH AND ROBERT WARD	PROJECT LOCATION DIRECTIONS	SMAR VZW L							
TELEPHONE COMPANY: BELL SOUTH / AT&T PHONE: (866) 620-6900	2011 FEARS ROAD MADISON ,GA 30650		***PMI AND REQUIREMENTS ALSO EMBEDDED IN MOUNT ANALYSIS REPO							
811		I-20 EAST OF ATLANTA/I-285. EXIT 50, GO RIGHT TURN RIGHT ON SPEARS (TURNS INTO FEARS) SITE WILL BE ON RIGHT IN BACK OF	MOUN	T MODIFICATION REQUIRED: YE	ES					
Know whate below, Call before you dig.		AN CONSTRUCTION EQUIPMENT YARD.	VZW .		REFER TO MOUNT MODIFICA PAGES FOR VZW SMART KIT					

### VEDIZONI AMENIDMENIT DDAMINOO

EQUIPMENT.

