Commissioners

Randy T. Church, Chairman
Michael W. LaBrose, Vice Chairman
Jeff Branch
Donnie Potter
Robbie Wilkie

Donald Duncan, County Manager

County of Caldwell

PO Box 2200
Lenoir, NC 28645
Phone (828) 757-1300
Fax (828) 757- 1295
www.caldwellcountync.org

SPECIAL USE PERMIT

Caldwell County, North Carolina

Findings of Fact

SUP: 2024-02

Owner: Grace Chapel Volunteer Fire Department

The Caldwell County Board of Commissioners ("***Board***") met in regular session on August 12, 2024, to consider an application ("***Application***") for a Special Use Permit ("***SUP***") for a Wireless Telecommunications Facility ("***proposed Tower***") filed by Thomas H. Johnson, Jr. ("***Applicant***") for Towerco 2013 LLC ("***TowerCo***") for the proposed Tower to be located on the property located at 4548 Grace Chapel Road, Granite Falls, NC 28630, Parcel ID: 08-107-2-2-A, PIN: 2795-99-0822.

Having heard all the evidence and arguments presented at the hearing, the Board makes the following Findings of Fact based upon substantial evidence presented.

Findings of Fact

1. The Application was duly filed and complete. All materials required have been submitted to the Board and have been reviewed or are pending. Applicant is aware that the SUP will not be issued if all ordinance requirements are not met.
2. The Application is for the construction of a one hundred ninety-five foot (195') monopole-design communications tower to be located on a tract owned by the Grace Chapel Volunteer Fire Department.
3. Notice of the request was properly mailed to all adjoining property owners, and the public hearing was properly advertised.
4. At the public hearing, all witnesses were under oath and both sides were given opportunities to present evidence and to cross-examine witnesses. No parties appeared in opposition.
5. The Board finds that the application meets all of the standards in the Caldwell County Zoning Ordinance required for issuance of an SUP. This evidence was not overcome by other testimony and evidence presented at the hearing.

6. The Board finds that the proposed Tower will promote the public health, safety and general welfare of Caldwell County if located where proposed and operated according to the plans as submitted because cell towers do not produce chemicals or other toxins that would threaten public health or ground water. The proposed Tower will be built according to all applicable building codes and electrical code standards.
7. The Board finds that the proposed Tower will maintain or enhance the value of contiguous property.
8. There was no evidence before the Board that a cell tower at this location will prevent uses allowed on adjoining properties from occurring in their normal course, nor was there evidence that the construction of a cell tower at this location would impede the normal development and improvement of surrounding properties for all allowed uses.
9. The Board finds that the proposed Tower would be in compliance with the general plans for the development of the county as embodied in the Zoning Ordinance regulations and the Comprehensive Plan.
10. Based upon the foregoing Findings of Fact, the Board makes the following Conclusions of Law:

Conclusions of Law

1. The Applicant has presented competent, material and substantial evidence that their application complies with all standards and requirements in the Caldwell County Zoning Ordinance required for issuance of an SUP to construct the proposed Tower.
2. TowerCo, based upon these findings, is entitled to an SUP and its application is therefore approved.

SPECIAL USE PERMIT
[Signature Page]

Now, therefore, it is ordered that the SUP be and the same is hereby issued to the Applicant. Ordered this __ day of _____, 2024, and signed and filed after adoption by the Board on the ___day of ____, 2024.

_____[SEAL]
Name: _____

_____[SEAL]
Name: _____