

**Tax Map/Block/Parcel
No. 72-1-3**

**Building Permit/Zoning
Certificate No. 01-4020**

Case 4649

**OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND**

APPLICANT: American Tower, L.P.
8258 Veterans Highway, Suite 8A
Millersville, Maryland 21108

ATTORNEY: Patrick T. Welsh II

REQUEST: An application for a conditional use to install a 190 ft. monopole (with a 5 ft. lightning rod) and telecommunications facility surrounded by an 8 ft. high chain link fence and variances from the required minimum setback from existing mobile homes shown on the plan submitted as Lots 32 through 53, of 200 ft. plus the height of the tower, to 182 ft.

LOCATION: The site is located at 5934 Woodbine Road, Woodbine, MD 21797, on property zoned "A" Agricultural District in Election District 14.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-15 C and 223-182 B

HEARING HELD: February 27, 2002

FINDINGS AND CONCLUSION

On February 27, 2002, the Board of Zoning Appeals (the Board) convened to hear the request to install a 190 ft. monopole (with a 5 ft. lightning rod) and telecommunications facility surrounded by an 8 ft. high chain link fence and variances from the required minimum setback from existing mobile homes shown on the plan submitted as Lots 32 through 53, of 200 ft. plus the height of the tower, to 182 ft. Based on the testimony and evidence presented, the Board makes the following findings and conclusion:

The Applicant conducted a search of the area and determined there was a gap in coverage for their wireless communications service in the area of Route 94 north of the Carroll County border to Route 26. There are no suitable existing structures or antennas to support the Applicant's equipment. The Applicant selected the "Ashley Property" at 5934 Woodbine Road to meet its needs. There is no feasible location on the Ashley property for the tower for which

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a variance would not be necessary. This evidences the requisite hardship for the variances. The proposed location is screened in part by an existing stand of trees measuring 60 to 70 feet.

The proposed use will not result in a reduction of property values or the price at which they sell. No credible evidence to the contrary was produced at the hearing.

The Board finds that the tower at this location will not generate adverse effects above and beyond those normally associated with such a use. In addition, the topography and configuration of this property and its relation to adjoining properties render it impossible to locate a tower here without infringing on setbacks. The tower will still be a considerable distance from adjoining lots. Accordingly, the conditional use and variances are granted.

3/19/02

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman