

Tax Map/Block/Parcel  
No. 58-24-129

Building Permit/Zoning  
Certificate No. 01-0033

Case 4561

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

**APPLICANT:** Aaron E. Green, Sr. and Ruth E. Green  
Sprint PCS/SPC Realty and Equipment Co., LLC  
6905 Rockledge Drive, Suite 300  
Bethesda, Maryland 10817

**ATTORNEY:** John T. Maguire

**REQUEST:** An application for a conditional use for the construction of a 199 Ft. self-supporting monopole telecommunications tower.

**LOCATION:** The site is located at 2907 Bird View Road, Westminster, MD 21157, on property zoned "A" Agricultural District in Election District 4.

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

**HEARING HELD:** November 27, 2001

**FINDINGS AND CONCLUSION**

On November 27, 2001, the Board of Zoning Appeals (the Board) convened to hear the request by Aaron E. Green, Sr. and Ruth E. Green, Sprint PCS/SPC Realty and Equipment Company, LLC for a conditional use for a 199 Ft. self-supporting monopole telecommunications tower to be located at 2907 Bird View Road, on property zoned "A" Agricultural District in Election District 4. The Board's findings and conclusions follow.

An independent consultant hired by the County has reviewed the facts and radio frequency issues in the case. The consultant has concurred that there is a need for this tower. It was determined that there is a large gap in this area, since there are no towers or large structures in the immediate vicinity. There are also no existing structures on which to erect the tower.

The site selected is the highest elevation of land on the property, which allows for best coverage. The site has an access road, which is a common use driveway used by four potential properties. The coverage area will encompass Route #32, and the surrounding areas of Deer Park Road. The tower is to be placed along a wooded line on top of a hill on the edge of the woods. The surrounding properties are open farm and woodland. The surrounding neighbors would not

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be able to see the base of the tower due to the ridge and tree line. No light will be necessary on this particular tower. In the event that Sprint would cease using the tower, it would be taken down with the land being restored to its condition prior to construction. The tower would have no adverse effects on the use of adjacent properties in the area.

Mr. Terrence W. McPherson, MAI, SRA, a real estate appraiser, testified for Sprint that the installation of the tower facility would have no effect on the land values in the surrounding residential area. Mr. McPherson prepared a report in which he analyzed the impact of other cellular, communication and water towers to residential houses, lots, and farms in Carroll, Howard and Frederick Counties in Maryland. Mr. McPherson stated that he could find no measurable impact in the sales or property values due to the existence or non-existence of towers.

The Board had considered all of the testimony and makes the following conclusions. The Board finds that Sprint PCS has proven a need for the proposed telecommunications tower, which will greatly facilitate wireless phone service in the area and will meet the demands of the public. The Board finds that property values in the area will not be detrimental if the request is granted. The Board also finds that there would be no advantage to moving the tower further into the woods, since it would involve destroying large maturing trees. This use will not generate adverse effects greater than those ordinarily associated with this use irrespective of its location within the zone. The Board hereby grants the conditional use request for the construction of a 199 Ft. self supporting monopole telecommunications tower to be constructed on a site located at 2907 Birdview Road, Westminster, MD on property zoned "A" Agricultural District.

12/26/01  
Date

Karl V. Reichlin  
Karl V. Reichlin, Chairman