Tax Map/Block/Parcel
No. 68-13-188

Building Permit/Zoning
Certificate 98-0421

Case ZA-383

OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

APPLICANT: American Tower Systems
8100 Beechberry Ct. #1120
Pasadena, MD 21122

REQUEST: A variance reducing the minimum fall zone requirements property lines and overhead transmission lines for a communications tower.

LOCATION: 120 Liberty Road, in E.D. 14.

APPLICABLE REGULATIONS: Article 4, Section 4.11(c)(3), Article 15, Section 15.5; Zoning Ordinance 1E.

HEARING HELD: May 6, 1998

FINDINGS AND CONCLUSION

Based on the testimony and evidence presented at the hearing, the variance is granted.

Facts which support the request for relief from the strict terms of the Ordinance, in this case a reduction in the minimum required property lines and overhead transmission lines for a communications tower, are as follows:

Approval of this site for this type of use would have been an easy task even for someone who is critical of or objects to communication towers. Fall danger on adjoining structures or dwellings, viewscape or objectional presence and the mirad of other objections that are normally present by opponents to communication towers do not apply to this 21 plus acre site.

The property currently is occupied by the Carroll County Gun Club, Inc. Which operates a skeet shooting range that covers about one half of the 21 acres due to the setbacks necessary for this type of use. The area where the tower is proposed is to the rear of the site and surrounded for about 350 degrees by tall long standing trees.

A row of trees separates the tower area from the range firing line and then the open space for the range and propellant fall area combine for a large buffer from the adjoining industrial park.

The property lines where the fall area variances are requested border open farm fields and no buildings or dwellings are within a thousand plus feet. All of this area of the property is bordered by the aforementioned tree line where the height of the trees varies up to about eighty feet plus.

From the adjacent industrial park, and the adjoining properties along with MD Routes 26 and 97, only approximately the top one-third of the tower will be visible.

Documentation was provided by the applicant showing the need for a tower due to lack of coverage in the proposed area and that there were no structures to locate on or towers to co-locate on. The design of the applicants tower will allow for five providers to locate on the tower. The applicant adequately met all the requirements for this permitted use in I-R zoning.

The location, height or design will have no adverse affect on the adjoining properties or surrounding communities.

5/11/98 George L. Beisser

George L. Beisser, Zoning Administrator

cc: Zoning Enforcement

Code: Case 383.DOC