

**Tax Map/Block/Parcel
No. 74-9-613**

**Building Permit/Zoning
Certificate No. 02-0217**

Case 4659

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

APPLICANT: Nextel Communications
4340 East West Highway, Ste. 800
Bethesda, Maryland 20814

ATTORNEY: Clark R. Shaffer

REQUEST: An application for a conditional use to install a 135 ft. monopole (with a 5 ft. lightning rod) communications tower and accessory structures surrounded by a 100 ft. by 100 ft. fence.

LOCATION: The site is located at 2421 Arthur Avenue, Sykesville, MD 21784, on property zoned "C" Conservation District in Election District 5.

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

HEARING HELD: July 30, 2002

FINDINGS AND CONCLUSION

On July 30, 2002, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use to install a 135 ft. monopole (with a 5 ft. lightning rod) communications tower and accessory structures surrounded by a 100 ft. by 100 ft. fence. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant is a telecommunications company specializing in wireless communications technology. There is a gap in coverage in the subject area, leading to "blackouts" in cellular phone calls. The Applicant conducted an unsuccessful search of available facilities or tall structures to accommodate an antennae. It was decided to erect the tower on the property at issue, which is heavily wooded and has a natural screen of dense vegetation.

The proposed tower is a monopole, which is less tall and less obtrusive than the traditional lattice tower. It can accommodate up to four other antennae. The Applicant will also need an equipment shed which will be erected on a concrete slab and be 6 ft. high x 10 ft. x 20 ft. The site will be surrounded by a 100 ft. x 100 ft. chain link fence.

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No sound, smoke or vibrations will be generated by the proposed use. Based upon the testimony of a qualified appraiser, the Board finds that property values will not be affected by the proposed use. Nextel employees will visit the site for maintenance approximately 12 times per year for short periods.

The Board finds that the proposed use at this location will not generate harmful affects above and beyond those inherent in such a use. Accordingly, a conditional use is granted, with the following condition, which is designed to provide additional screening of the facility:

A tree screen shall be planted on the northeast side of the site consisting of a staggered double row of 6 ft. or greater evergreens along the 100 ft. fence line.

8/12/02

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman