

Case No.: S.E. 4434

Applicant: APC Realty & Equipment
Company, LLC t/a Sprint PCS

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 8 - 2003

AN ORDINANCE to approve a special exception, with conditions.

WHEREAS, Application No. S.E. 4434 was filed for property described as approximately 28.67 acres of land in the O-S Zone, east of Routes 301 and 381, identified as 23550 Aquasco Road, Aquasco, for approval of a special exception for a tower, pole, monopole, or antenna; and

WHEREAS, the application was advertised and the property posted prior to public hearing, in accordance with all requirements of law; and

WHEREAS, the application was reviewed by the Technical Staff, which filed recommendations with the District Council; and

WHEREAS, a public hearing on the application was held before the Zoning Hearing Examiner, whose recommendations were filed with and considered by the District Council; and

WHEREAS, having reviewed the record, the District Council has determined that the application should be approved; and

WHEREAS, to protect adjacent properties and the surrounding neighborhood, this special exception is granted subject to conditions; and

WHEREAS, as the basis for this action, the District Council adopts the decision and recommendations of the Zoning Hearing Examiner as its findings of fact and conclusions of law in this case.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

Section 1. The Zoning Map of the Maryland-Washington Regional District in Prince George's County, Maryland, is hereby amended to show an approved special exception for a tower, pole, monopole, or antenna on the property which is the subject of Application No. S.E. 4434. All development and use of the subject property under this special exception shall conform to the revised site plan to be filed in accordance with this decision.

Section 2. The special exception approved herein is subject to the following conditions:

1. Prior to the issuance of any permits, Applicant shall submit to the Office of the Zoning Hearing Examiner a revised special exception site plan that correctly outlines the boundaries of the special exception in red, documentation that the private road/easement was

established in accordance with the Subdivision Regulations, or documentation that the access to Aquasco Road is under the same ownership as the remainder of the property within the boundaries of the Special Exception.

2. The monopole approved in this special exception is limited to four carriers and four antennas. No additional antennas may be placed on the monopole without District Council approval of an amendment to the special exception.

Section 3. This Ordinance shall take effect on the date of its enactment.

Enacted this 21st day of July, 2003, by the following vote:

In Favor: Council Members Shapiro, Bland, Dean, Dernoga, Exum, Harrington, Hendershot and Knotts

Opposed:

Abstained:

Absent: Council Member Peters

Vote: 8-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF THE
MARYLAND-WASHINGTON REGIONAL DISTRICT

IN PRINCE GEORGE'S COUNTY, MARYLAND

By: _____
Peter A. Shapiro, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council