

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed Special Exception Application No. 4470 requesting a Telecommunications Monopole in the R-R Zone in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on June 5, 2003, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The subject property is located on the east side of Laurel-Bowie Road approximately 238 feet north of Rustic Hill Drive. The property is a 2,500-square-foot enclosure that is reached via a 12-foot-wide driveway from Laurel-Bowie Road (MD 197). The site is part of a larger "parent parcel" that contains a residence, a garage, and a shed. Most of the parent parcel, including the area proposed for the monopole, is heavily wooded with many trees exceeding 50 feet in height.

- B. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-R	R-R
Use(s)	None	Telecommunications Monopole
Acreage	0.3±	0.3±
Gross Floor Area	0 square feet	0 square feet

- C. **History:** The subject site was retained in the R-R Zone in the 1991 *Sectional Map Amendment for Bowie-Collington-Mitchellville*.
- D. **Master Plan Recommendation:** *The Bowie-Collington-Mitchellville Master Plan* recommends Low-Suburban residential land use (1.6–2.6 dwellings per acre) for the site.
- E. **Request:** The applicant requests permission to erect a 135-foot-high cellular telephone monopole within a 50 foot by 50 foot area enclosed by a sight-tight, board-on-board fence.
- F. **Neighborhood and Surrounding Uses:** The neighborhood boundaries in this case are defined as:

North and East:	Race Track Road
South:	Old Chapel Road
West:	Laurel-Bowie Road (MD 197)

The subject property sits at a dividing line as far as neighborhood uses are concerned. To the south are residential subdivisions at suburban densities, including several schools. To the north, west and east are scattered residences on large wooded lots, several private clubs, and vacant woodland.

G. Specific Special Exception Requirements—Sec. 27-416. Tower, Pole, Monopole, or Antenna:

(a) A tower, pole, monopole, or antenna (electronic, radio, television, transmitting, or receiving) may be permitted, subject to the following:

- (1) In the Commercial and Industrial Zones, and for land in a Residential Zone owned by a public entity, the structure shall generally be set back from all property lines and dwelling units a distance equal to the height of the structure (measured from its base). The District Council may reduce the setback to no less than one-half (1/2) the height of the structure based on certification from a registered engineer that the structure will meet the applicable design standards for wind loads of the Electronic Industries Association (EIA) for Prince George's County. In the Residential Zones, on privately owned land, the structure shall be set back from all property lines and dwelling units a distance equal to the height of the structure (measured from its base);**

The proposed use conforms to this requirement. The height of the proposed tower will be 135 feet. The tower is proposed in a location that will be set back over 138 feet from all property lines and dwelling units.

- (2) The structure shall not be used to support lights or signs other than those required for aircraft warning or other safety purposes;**

Sheet No. Z-1A of the site plan at Zoning Note 10 contains this information.

- (3) Any tower or monopole which was originally used, but is no longer used, for telecommunications purposes for a continuous period of one (1) year shall be removed by the tower or monopole owner at the owner's expense;**

This information is contained on sheet No. Z-1A in Zoning Note 12 on the proposed site plan.

- (4) Any related telecommunication equipment building shall be screened by means of landscaping or berming to one hundred percent (100%) opacity.**

The elevation detail on the site plan shows a six-foot-high, board-on-board fence to provide 100 percent opacity screening of any equipment cabinets that may be placed on the

site. In addition, the proposed location of the tower is on a portion of the property that is wooded, providing additional screening for the base of the tower.

- H. **Parking Regulations:** There are no parking requirements for an unmanned tower facility. However, sheet No. Z-1 of the proposed site plan shows a driveway 12 to 20 feet wide and truck turn-around area incorrectly identified as a parking space for occasional maintenance visits by authorized personnel. The site plan should be revised to indicate that this area is a vehicle turn-around area. Otherwise, departures will be required for the driveway width and possibly for the space size.
- I. **Landscape Manual Requirements:** The proposed use is technically exempt from the requirements of the *Landscape Manual* since no building square footage is proposed to be added to the site. However, the District Council may require additional landscaping, screening or buffering if it determines that the amount required by the *Landscape Manual* is insufficient to adequately protect adjacent uses, in accordance with Section 27-328.02. The proposed tower location is a small area within a larger 6.7± acre site. The area around the tower is currently wooded, well in excess of the 30 feet of landscaping that would ordinarily be required. Although some trees will be removed to permit construction of the tower, the vast majority of trees will remain. In addition, the base of the tower and equipment cabinets will be screened by a six-foot-high, board-on-board fence. No additional landscaping, buffering or screening is required to adequately protect adjacent uses.
- J. **Zone Standards:** The proposed site plan meets all of the requirements of the R-R Zone.
- K. **Sign Regulations:** No signs are proposed for the site.
- L. **Other Issues:** The applicant has referenced Section 27-445.04 of the Zoning Ordinance both in the statement of justification and on the site plan. This section relates to the requirements for a monopole permitted by right. This section does not apply to this application and should be removed.
- M. **Required Findings:**

Section 27-317(a) of the Zoning Ordinance provides that a special exception may be approved if:

- (1) **The proposed use and site plan are in harmony with the purposes of this Subtitle.**

The purposes of the Zoning Ordinance listed in Section 27-102(a) are to promote the health, safety and welfare of county residents by providing for the orderly growth and development of the county and promoting the most beneficial relationship between the uses of land and buildings. The proposed use provides a service that is beneficial to the general public including emergency service personnel, business operation, and private individuals. The monopole compound is set back 390 feet from Laurel-Bowie Road with little surrounding development. Most of the surrounding

properties are wooded. The proposed tower will have little visual impact on the surrounding area and is, therefore, in harmony with the purposes of Subtitle 27.

(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.

With the recommended conditions, the proposed use and site plan are in conformance with all applicable requirements of the Zoning Ordinance.

(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Map Plan, the General Plan.

According to a referral reply from the Community Planning Division dated March 10, 2003, the proposed use will not impair the integrity of the 1991 *Bowie-Collington-Mitchellville Master Plan*. The land surrounding this site is wooded and the proposed tower will be set back a significant distance from Laurel-Bowie Road (MD 197). Its base will also be screened by trees. The impact of the proposed monopole on the mostly undeveloped landscape will therefore be minimal, and the Master Plan recommendations for low suburban land uses will not be impaired.

(4) The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.

The section of the parent parcel in which the subject property lies is heavily wooded, as are much of the surrounding properties. The nearest residence is over 350 feet away from the proposed tower. The proposed use meets all regulations of the Zoning Ordinance and will not have a negative impact on the health, safety or welfare of nearby residents or workers in the area.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.

The base of the proposed tower will be screened from the view of nearby properties. The closest nearby uses are of an agricultural nature, with the exception of the sawmill on the adjoining property. The mostly rural nature of the surrounding area, the generous setback, and the screening of the base of the tower, ensure that the proposed use will not be detrimental to adjacent properties or the general neighborhood.

(6) The proposed site plan is in conformance with an approved Tree Conservation Plan.

The site plan is in conformance with TCPII/20/92, as revised on November 20, 2002.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and recommends to the District Council for Prince George's County, Maryland that the above-noted application be APPROVED, subject to the following conditions:

1. The applicant shall remove references to Section 27-445.04 from the site plan and statement of justification since they do not apply in this case.
2. Sheet No. Z-1 of the site plan shall be revised to indicate that the parking space is actually a vehicle turn-around area.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Scott, seconded by Commissioner Eley, with Commissioners Scott, Eley, and Hewlett voting in favor of the motion, with Commissioner Vaughns opposing the motion, and with Commissioner Lowe absent at its regular meeting held on Thursday, June 5, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 3rd day of July 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:TL:rmk

(Revised 8/9/01)