BOARD OF APPEALS

October 30, 2024

County Administration Building, 100 W. Washington St., Meeting Room 2000, Hagerstown, at 6:00 p.m.

AGENDA

AP2024-039: An appeal was filed by Milestone Tower Limited Partnership for a special exception for proposed monopole-style commercial communications facility on property owned by Cool Brook Lands Inc and located at 20026 Lehmans Mill Road, Hagerstown, Zoned Agricultural Rural.-GRANTED

AP2024-048: An appeal filed by Jose Antonio Villalobos for a variance from the required 15 ft. rear yard setback to 3 ft. for constructed carport on property owned by the appellant and located at 11433White Hall Road, Smithsburg, Zoned Agricultural Rural.- **DENIED**

AP2024-049: An appeal was filed by Benjamin Hull & Tamalae Burnette for a variance from the required 12 ft. side yard setback to 8 ft. for constructed pool on property owned by the appellants and located at 19803 Spring Creek Road, Hagerstown, Zoned Residential Suburban. - **GRANTED**

AP2024-050: An appeal was filed by Joshua & Meagan Martin for a variance from the required 40 ft. rear yard setback to 33 ft. for proposed roof over the existing patio on property owned by the appellants and located at 10516 Connor Drive, Williamsport, Zoned Residential Transition. - **GRANTED**

Pursuant to the Maryland Open Meetings Law, notice is hereby given that the deliberations of the Board of Zoning Appeals are open to the public. Furthermore, the Board, at its discretion, may render a decision as to some or all of the cases at the hearing described above or at a subsequent hearing, the date and time of which will be announced prior to the conclusion of the public hearing. Individuals requiring special accommodations are requested to contact Katie Rathvon at 240-313-2464 Voice, 240-313-2130 Voice/TDD no later than October 21, 2024. Any person desiring a stenographic transcript shall be responsible for supplying a competent stenographer.

The Board of Appeals reserves the right to vary the order in which the cases are called. Please take note of the Amended Rules of Procedure (Adopted July 5, 2006), Public Hearing, Section 4(d) which states:

Applicants shall have ten (10) minutes in which to present their request and may, upon request to and permission of the Board, receive an additional twenty (20) minutes for their presentation. Following the Applicant's case in chief, other individuals may receive three (3) minutes to testify, except in the circumstance where an individual is representing a group, in which case said individual shall be given eight (8) minutes to testify.

Those Applicants requesting the additional twenty (20) minutes shall have their case automatically moved to the end of the docket.

For extraordinary cause, the Board may extend any time period set forth herein, or otherwise modify or suspend these Rules, to uphold the spirit of the Ordinance and to do substantial justice.

Tracie Felker, Chairman

Board of Zoning Appeals



WASHINGTON COUNTY BOARD OF ZONING APPEALS 747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

ZONING APPEAL

Property Owner:	Cool Brook Lands Inc C/O Sheldon Shank 20026 Lehmans Mill Ro	ad		Docket No: Tax ID No:	AP2024-039 09001700
Appellant:	Hagerstown MD 21742 Milestone Tower Limite 12110 Sunset Hills Road Suite 600	d Partners	ship	Zoning: RB Overlay: Zoning Overlay:	A(R) No
	Reston VA 20190			Filed Date: Hearing Date:	07/26/2024 10/30/2024
Property Location:	20026 Lehmans Mill Ro Hagerstown, MD 21742				
Description Of Appeal:	Special exception for prop	osed mond	opole-style c	commercial commun	ications facility.
Appellant's Legal Inter	est In Above Property:	Owner:	No	Contract to Rent/Lease:	No
		Lessee:	Yes	Contract to Purchase:	No
		Other:			
Previous Petition/Appe	eal Docket No(s):				
Applicable Ordinance S	ections:	Washing	ton County	Zoning Ordinance	e Table 3.3 (1) R
Reason For Hardship:					
If Appeal of Ruling, Dat	e Of Ruling:				
Ruling Official/Agency:					
Existing Use: Res	sidential	Propose	d Use:	Commerical Com Compound	muinication Tower &
Previous Use Ceased For Area Devoted To Non-		Existing: Propose		Date Ceased:	

I hearby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Stevella

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this

day of Octob 20

Kathryn B Rathvon NOTARY PUBLIC WASHINGTON COUNTY My Commission EXPARED AND MY COMMISSION EXPIRES NOVEMBER 07, 2025

Notary Public



WASHINGTON COUNTY BOARD OF ZONING APPEALS 747 Northern Avenue | Hagerstown, MD 21742-2723 | P-240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2024-039

State of Maryland Washington County, To Wit:

On 7/26/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Hellman & Yates PA and made oath in due form of law as follows:

Hellman & Yates PA will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 10/30/2024, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

Sign(s) will be posted on 10/15/2024 and will remain until after the above hearing date.

Startin

Hellman & Yates PA

Sworn and subscribed before me the day and year first above written.

MA 3 AD	
Kathryn B Rathvon NOTARY PUBLIC WASHINGTON COUNTY MARYLAND MY COMMISSION EXPIRES NOVEMBER 07, 2025	Notary Public

Seal

My Commission Expires



WASHINGTON COUNTY BOARD OF ZONING APPEALS 747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

BOARD OF ZONING APPEALS

ATTENTION!

Posting Instructions

The premises MUST be posted in accordance with the following rules:

- The sign must be posted a minimum of fourteen (14) days prior to the public hearing Section 25.51(c) Property upon which the application or appeal is concerned shall be posted conspicuously by a zoning notice no less in size than twenty-two (22) inches by twenty-eight (28) inches at least fourteen (14) days before the date of the hearing.
- 2. The sign must be placed on the property within ten (10) feet of the property line which abuts the most traveled public road.
- 3. The sign must be posted in a conspicuous manner not over six (6) feet above the ground level, and affixed to a sturdy frame where it will be clearly visible and legible to the public.
- 4. The sign shall be maintained at all times by the applicant until after the public hearing. If a new sign is needed or required, please contact the Plan Review Department at 240-313-2460.
- 5. An affidavit certifying the property will be posted for the minimum of fourteen (14) days prior to the public hearing date.

Proper posting of the sign will be spot checked by the Zoning Inspector. IF SIGN IS NOT IN COMPLIANCE, IT MAY RESULT IN RESCHEDULING OF THE HEARING.



BOARD OF ZONING APPEALS

80 West Baltimore Street | Hagerstown, MD 21740 | P. 240.313.2460 | F: 240.313.2461 | Hearing Impaired: 7-1-1

WWW.WASHCO-MD.NET

Appeal for Special Exception

Appeal is hereby made for a special exception under 20026 Lehman Mill Road, Hagerstow	n. MD 21742	ty Zoning Ordinance as follows:
Appellant's present legal interest in above property	(Check One)	
Owner (Including Joint Ownership) X	_Lessee	Contract to rent/lease
Contract to PurchaseOther		
Use Proposed:155' monopole wireless commun	ications facility	
Zoning Ordinance section and subsection(s) provid	ing for proposed use:	Sect ion 4. 2 2 Comme ird Communications Tower
If filing functionally similar to a principal permitted u describe the use similarities:		use, please list the use and se see attached warranty
	planation on Separate	
Has any previous petition or appeal involving this p Yes No	roperty been made to the	e Board?
If yes, give docket number(s):		
Additional comments, if any:Please.see.attached	narrative	
L boroby portify that I have to the best of my knowle		d the information required for the
I hereby certify that I have, to the best of my knowle above referenced appeal.	edge, accurately supplied	a the information required for the
257410	105 Broad St, Third F	loor, Charleston, SC 29401
Signature of Appellant	Address of Appellant	н <u>об</u> т.
JLY@hellmanyates.com	843-414-9754	
Email of Appellant	Phone Number of Appe	illant

This appeal form is to be used to assist the customer in gathering the information necessary to submit an application. However, the application shall be processed in person.

Revised April 7, 2021



Division of Planning & Zoning OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that Jonathan L.	Yates
is authorized to file an administrative adjustre the proposed 155-foot monopole located at 20026 Lehmans Mill The said work is authorized by <u>Cool</u> Br	nent with the Division of Plan Review & Permitting for -style Wireless telecommunications facility on property Road, Hagerstown, MD 21.742 cok Lands Inc.
the property owner in fee.	
	PROPERTY OWNER
- K	Sheldon Shank, President of Cool Brook Lands Inc.
	Name 20026 Lehmans Mill Road
	Address Hagerstown, MD 21742
	City, State, Zip Code
	Shown shank
	Owner's Signature
Sworn and subscribed before me this $\frac{15}{15}$	day of July, 2024.
My Commission Expires: 9/25/217	Notary Public And Jones
7 7 7	AUTHORIZED REPRESENTATIVE
MICHELLE JANET JONES Notary Public-Maryland Washington County My Commission Expires September 25, 2027	Jovietnan L. Yotes Name Broad St. Third Floor
September 25, 2027	Address Jon, SC, 29401 Chavleston, SC, 29401 City, State, Zip Code
	Authorized Representative's Signature
Sworn and subscribed before me this	day of July, 2024.
C	
My Commission Expires: $\frac{5}{2}/34$	Notary Public for South CAROUNA BRIAN A. HELLMON
	742 P: 240.313.2430 F: 240.313.2461 Hearing Impaired: 7-1-1

HELLMAN YATES

JONATHAN L. YATES DIRECT VOICE 843 414-9754 JLY@HELLMANYATES.COM

Hellman & Yates, pa 105 Broad Street, third floor Charleston, South Carolina 29401 v 843 266-9099 f 843 266-9188

October 7, 2024

VIA HAND DELIVERY

Katie Rathvon Zoning Coordinator 80 West Baltimore Street Hagerstown, MD 21740

Re: Proposed 155 foot Monopole-Style Communications Facility located at 20026 Lehman's Mill Road, Hagerstown, MD 21742 by Milestone Towers for Verizon Wireless.

Dear Ms. Rathvon,

Enclosed, please find the application of Milestone Towers for a proposed 155 foot monopole style communications facility, to be located at 20026 Lehman's Mill Road, Hagerstown, MD 21742, parcel number 0011-0022-0013, on the property of Cool Brook Lands, Inc. by Milestone Towers for Verizon Wireless. In support of this application, we have taken the liberty of recasting the relevant sections of Washington County Zoning Ordinance, with our answer to the relevant section in bold beneath. As will be evident from a review of the attached, Milestone Towers has not only met, but has exceeded, all the necessary requirements for approval under the Washington County Zoning Ordinance.

Section 4.22 Commercial Communication Towers

The purpose of this section is to regulate the placement, construction, and modification of commercial communications towers as defined in Article 28A (hereinafter "towers") and commercial communications equipment as defined in Article 28A (hereinafter "equipment"). It is the intent of these regulations to minimize the visual impact of towers and equipment, to minimize the number of towers through shared use and colocation, to encourage utilization of technological designs that will either eliminate or reduce the need for new towers to support equipment and to ensure that all towers and equipment are compatible with surrounding land uses while assuring wireless communications service to the citizens of Washington County.

Equipment proposed to be located on an existing tower or antenna support structure as defined in Article 28A shall be allowed in any district provided that the height from grade of the equipment shall not exceed the height from grade of the antenna support structure by more than twenty (20) feet.

The Applicant accepts and acknowledges this provision. This is an application for a new tower. Please see the Site Drawings by Maryland Professional Engineer Camille Shabshab attached hereto as Exhibit "1" and incorporated herein by reference.

No permit to construct a tower may be issued unless the applicant demonstrates to the Planning Commission, or where applicable, to the Board of Zoning Appeals, need for the tower and that the applicant has exhausted all alternatives to constructing a tower. Applicants are required to prove need by:

a. demonstrating via statement or other evidence that, in terms of location and construction, there are no existing towers, buildings, elevated tanks or other structures able to provide the antenna platform required.

The Applicant accepts and acknowledges this provision. Milestone Towers was able to confirm that there are no existing towers, buildings, elevated tanks, or other structures able to provide the antenna platform required. Please see the Alternative Candidate Analysis by Rick Novak of Site Link Wireless attached as Exhibit "2" and incorporated herein by reference.

b. providing evidence, including coverage diagrams and technical reports, demonstrating that co-location on existing sites is not technically possible in order to serve the desired need.

Please see Exhibit "2"

A. Design requirements

In addition to the applicable requirements for a site plan as specified in Section 4.11, the applicant shall provide the following information as part of the site plan submittal. These provisions shall apply to towers in all districts where permitted as a principal permitted or special exception use:

1. Subject to a minimum setback of a distance equaling the total height of the tower and equipment. The setback shall be measured from the base of the tower to the boundary line of the property owned, leased, or controlled by easement by the applicant.

The proposed monopole style communications facility will meet the setback requirements of tower height. The proposed setbacks for the 155ft tower are: 184 feet to the front, 1, 306 feet to the rear, 1,484 feet to the east, and 995 feet to the west.

2. Subject to a minimum distance requirement of a distance equaling the height of the tower and equipment plus 200 feet from the RT, RS, RU, RM and R V

districts or the nearest part of any existing dwelling, school, church, or institution for human care, in any other district.

As shown on Sheet Z-1 of Exhibit "1", we will meet this requirement of a 355ft distance from these districts, existing dwellings, schools, churches, or institutions for human care.

3. Subject to a minimum setback from all overhead transmission lines of a distance equaling two times the height of the tower and equipment.

There are no overhead transmission lines within 310 ft of the proposed facility.

4. Subject to a height not to exceed 200 feet. Measurement of tower height shall include the tower structure itself, the base pad, and any other equipment attached thereto which extends more than twenty (20) feet over the top of the tower structure itself. The tower height shall be measured from grade.

The proposed monopole style communications facility will not exceed 200 feet. Please see Sheet Z-5 of Exhibit "1" for the proposed monopole elevation of 155 feet with a two-foot lightning rod for a total height of 157 feet.

- 5. Proposed towers shall meet the following separation requirements from existing towers or towers which have been issued a permit but are not yet constructed.
 - a. Monopole towers shall be separated from al other towers, whether monopole, self-supporting lattice, or guyed, by a minimum of seven hundred and fifty (750) feet.

Please see Exhibit "2". Pursuant to the Alternative Candidate Analysis, there are no existing structures within a 750ft radius of the proposed facility. The closest facility is 1.93 miles from the proposed facility and will not cover the intended area for Verizon.

b. Self-supporting lattice or guyed towers shall be separated from all other self- supporting or guyed towers by a minimum of fifteen hundred (1,500)feet.

The provision does not apply to this application as this is for a monopole style communications facility.

c. Self-supporting lattice or guyed towers shall be separated from all monopole towers by a minimum of seven hundred and fifty (750) feet.

The provision does not apply to this application as this is for a monopole style communications facility.

6. All towers shall be designed for co-location, which shall mean the ability of the structure to allow for the placement of comparable equipment for other carriers. An application for a tower shall be accompanied by an affidavit from the applicant stating that one ten (10) foot space on the proposed tower will be specifically reserved for use by the County, and that other spaces will be made available to other future users, when possible.

Please see the Affidavit from Matthew Penning of Milestone Towers attached hereto as Exhibit "3" and incorporated herein by reference. One ten (10) foot space on the proposed tower will be specifically reserved for use by Washington County, and other spaces will be made available to other future users, when possible. The proposed monopole style facility has been designed for Verizon and colocation by at least four additional broadband carriers as shown on the Structural Design Report Maryland Professional Engineer Keith J. Tindall attached hereto as Exhibit "4" and incorporated herein by reference. In addition, please see the ANSI/ Fall Zone letter by Maryland professional engineer Keith J. Tindall attached hereto as Exhibit "5" and incorporated herein by reference.

7. Fencing shall be provided around the base of the tower and any associated equipment buildings.

Please see Sheet Z-7 of Exhibit "1" for the fencing plan. The fifty foot by fifty foot compound will be secured by an 8 foot chain link fence.

8. All sites shall be identified by means of a sign no longer than two square feet affixed to the fence identifying the entity using the site and shall provide the telephone number of a contact person in the event of an emergency.

The Applicant accepts and acknowledges this provision. Please see Sheet Z-8 in Exhibit "1".

9. Towers not requiring FAA painting or marking shall have an exterior finish which enhances compatibility with adjacent land uses, as approved by the Planning Commission or Board of Zoning Appeals. Towers shall not be lighted unless specifically required by the FAA.

The Applicant accepts and acknowledges this provision. Due to its de minimis height, the FAA will not likely require illumination. Please see the FAA Notice of Proposed Construction or Alteration attached hereto as Exhibit "6" and incorporated herein buy reference. Please see Sheet Z-5 of Exhibit "1" as the Hagerstown Reginal Airport has requested that the facility be illuminated. 10. In order to protect the natural skyline, towers should be sited within areas of mature vegetation and should be located down slope from ridge lines, and toward the interior of the parcel whenever possible. Placement should only be considered elsewhere on the property when valid technical dates supplied by the applicant indicates that there is no other suitable location.

The Applicant accepts and acknowledges this provision. Please see the Photo Simulations by Gould Digital Imaging attached hereto as Exhibit "7" and incorporated herein by reference. In addition, please also see Sheet L-1 of Exhibit "1". Milestone will plant 18 American Hollys around the compound fence line to provide effective vegetative cover and protect the natural skyline.

11. Towers proposed to be located within the Appalachian Trail corridor special planning area as identified in the adopted Comprehensive Plan for the County, any "AO" Antietam Overlay zoning district or "HP" Historic Preservation zoning district shall utilize stealth technology as defined in Article 28A to minimize visual impact.

The Applicant accepts and acknowledges this provision. Please see Note #1 on Sheet Z-1 in Exhibit "1", the proposed facility is not to be located within the Appalachian Trail corridor special planning area as identified in the adopted Comprehensive Plan for the County, any "AO" Antietam Overlay zoning district or "HP" Historic Preservation zoning district

12. (a) A Commercial Communication Tower that is out of service for a continuous six (6) month period will be deemed to have been abandoned. The Zoning Administrator may issue a Notice of Abandonment to the Owner of the Tower that is deemed to be abandoned. The Owner shall have the right to respond in writing to the Notice of Abandonment setting forth the reasons for operation difficulty and providing a reasonable timeframe for correction action, within thirty (30) days from the date of the Notice. The Administrator shall withdraw the Notice of Abandonment and notify the Owner that the Notice has been withdrawn if the Owner provides information that demonstrates the Tower has not been abandoned.

The Applicant accepts and acknowledges this provision. Please see the Tower Removal Letter by Matthew Penning of Milestone Towers attached hereto as Exhibit "8" and incorporated herein by reference

(b)If the Tower is determined to be abandoned, the Owner of the Tower shall remove the Tower, and all related equipment at the Owner's sole expensed within three (3) months of the Date of Notice of Abandonment. If the Owner fails to remove the Tower and related equipment, the Administrator may pursue legal action to have the Tower removed at the Owner's expense.

The Applicant accepts and acknowledges this provision. Please see Exhibit "8".

B. Additional Provisions for Towers Permitted by Special Exception

In addition to the limitations, guides and standards enumerated in Section 25.6, the Board of Zoning Appeals shall consider the following provisions when considering a request for a special exception for a commercial communications tower.

1. In those cases where a proposed tower is part of a grid or network, the applicant shall provide a map indicating the location of any existing or proposed towers in the grid or network within Washington County and within one (1) mile of the County boundary.

Please see the Letter of Hamed Semati of Verizon Wireless and proposed coverage studies attached hereto as Exhibit "9" and incorporated herein by reference.

2. The tower shall be compatible with and shall not adversely impact the character and integrity of surrounding properties. Consideration shall be given to the view shed associated with scenic and historic areas and to the use of stealth technology to minimize the visibility of the proposed tower.

Due to its strategic placement on the Cool Brook Lands, Inc property, the proposed facility shall not adversely impact the character and integrity of surrounding properties.

3. The applicant shall submit a visual analysis which may include, photo simulation, field mock-up, elevations or other visual or graphic illustrations to determine visual impact. Consideration shall be given to views from public areas as well as from private residences. The analysis shall assess the cumulative impacts of the proposed facility and other existing and foreseeable towers in the area and shall identify and include all feasible mitigation measures.

Please see Exhibit "7".

4. The Board may include conditions on the site where the tower is to be located if such conditions are necessary to preserve the character and integrity of the area affected by the proposed tower and mitigate any adverse impacts which arise in connection with approval of the special exception.

Applicant accept and acknowledges this provision.

In addition, please find the following: and incorporated herein by reference; Survey by Maryland Professional Land Surveyor Fitzroy Jerry Bertrand attached hereto as Exhibit "10" and incorporated by reference; and the Deed attached hereto as Exhibit "11" and incorporated herein by reference; and the Owners Representative Affidavit attached hereto as Exhibit "12" and incorporated herein by reference.

We would respectfully request to be placed on the agenda of the Washington County Board of Appeals August 21, 2024 scheduled meeting.

If you have any questions or concerns, please do not hesitate to contact me at 843-414-9754, or via email at jly@hellmanyates.com

Thank you for all your help with this.

With warmest regards, I am

Yours very truly,

The Z.

Jonathan L. Yates

Exhibit "1"

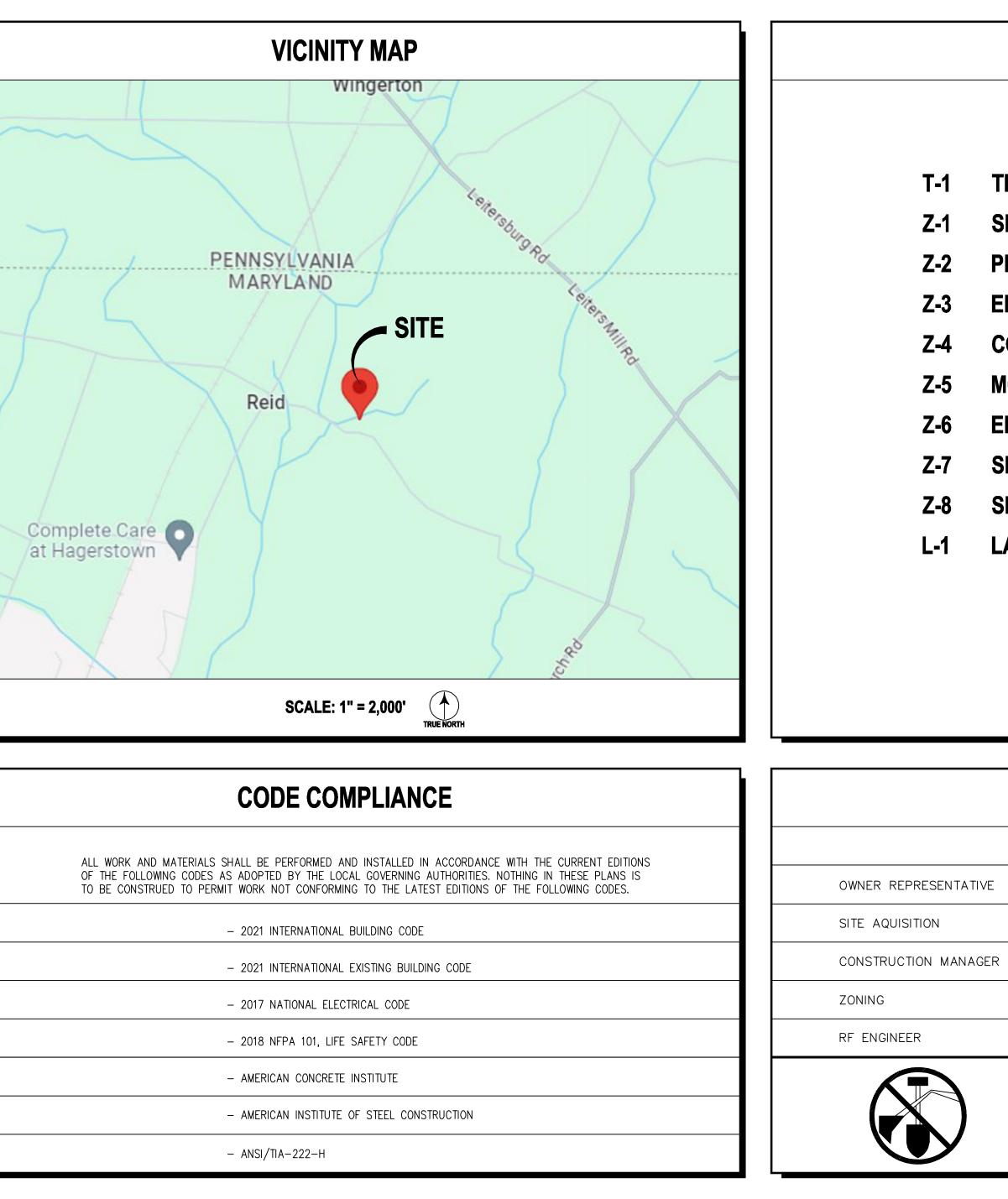


verizon

	SITE INFORMATION	
 INSTALL TEMPORARY (CLEAR AND GRADE SI INSTALL MONOPOLE F(INSTALL GROUNDING, ⁻ INSTALL VERIZON WIRE INSTALL ELECTRICAL A INSTALL FENCE AND S 	CONSTRUCTION ENTRANCE. GRAVEL ACCESS ROAD TO COMPOUND. TE TO FINAL SUBGRADE ELEVATION. DUNDATION AND MONOPOLE. TELCO PULL BOXES, UTILITY WIREWAY. LESS EQUIPMENT SLAB AND CARRIER EQUIPMENT. IND TELEPHONE CONDUIT AND HAND HOLES.	
JURISDICTION:	WASHINGTON COUNTY	
PARCEL:	0011/0022/0013	
PARCEL AREA:	225.2500 A.C.	
PARCEL OWNER:	COOL BROOK LANDS INC	
PREMISES ADDRESS:	20026 LEHMANS MILL ROAD, HAGERSTOWN, MD 21742	
MAILING ADDRESS:	20026 LEHMANS MILL ROAD, HAGERSTOWN, MD 21742	
TAX ACCOUNT NUMBER:	09-001700	
NEIGHBORHOOD:	N/A	
ZONING:	A (R)	
STRUCTURE TYPE:	RAWLAND	
GROUND ELEVATION:	623.0' NAVD	
LATITUDE:	N 39 42' 32.782"	
LONGITUDE:	W 77° 40' 14.495"	

PROJECT TEAM	
APPLICANT:	MILESTONE TOWER LIMITED PARTNERSHIP IV D/B/A MILESTONE TOWERS 12110 SUNSET HILLS RD, SUITE 600, RESTON, VA 20190 MR. LEN FORKAS (703) 620–2555
ARCHITECT/ENGINEER:	ENTREX COMMUNICATION SERVICES, INC. 6100 EXECUTIVE BLVD, SUITE 430, ROCKVILLE, MD 20852 CAMILLE SHABSHAB (202) 408–0960

REID 20026 LEHMAN MILL ROAD HAGERSTOWN, MD 21742 NEW 155' MONOPOLE

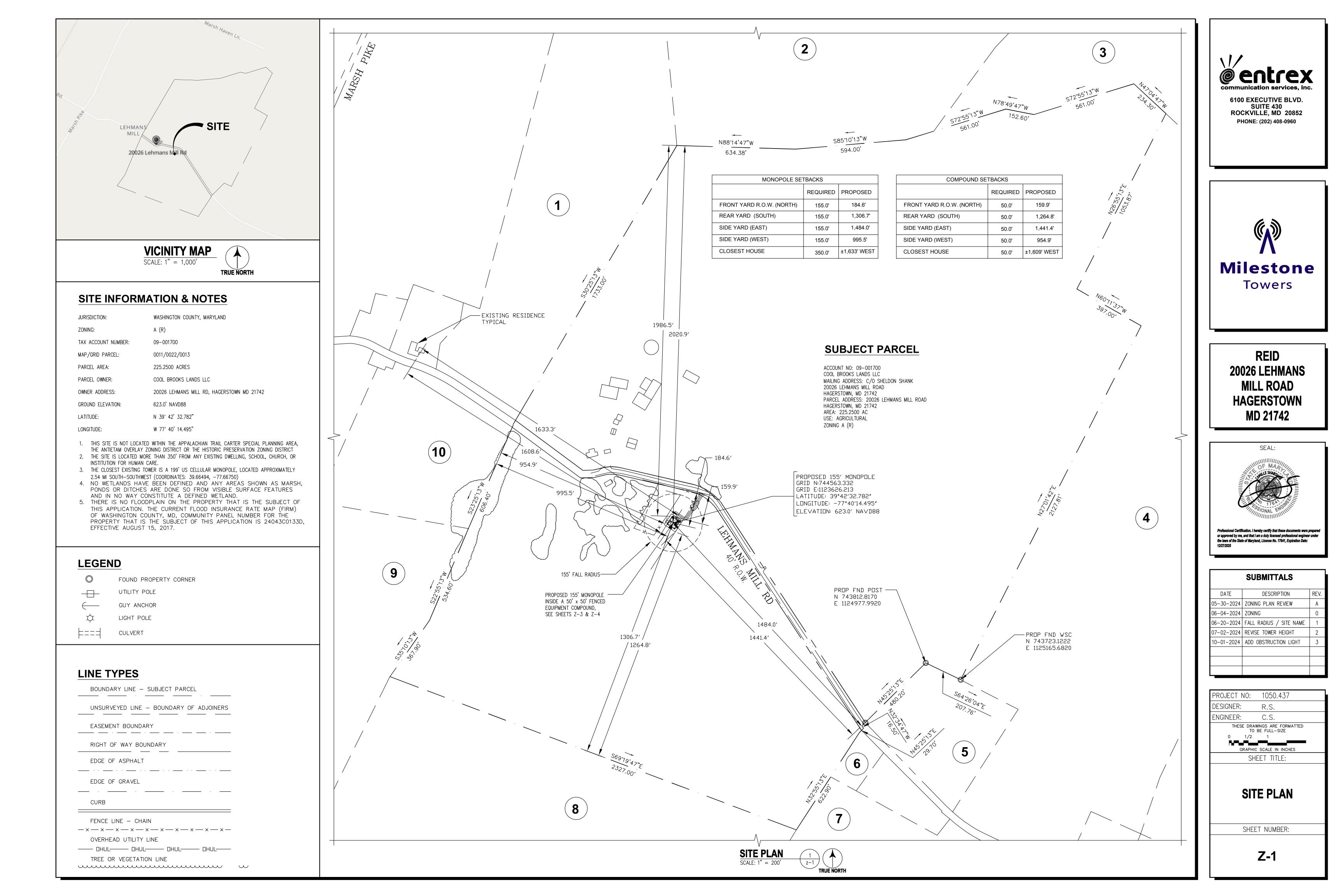


SHEET INDEX

- TITLE SHEET
- SITE PLAN
- PROPERTY ADJOINERS
- ENLARGED SITE PLAN
- COMPOUND PLAN
- MONOPOLE ELEVATION
- **EROSION AND SEDIMENT CONTROL DETAILS**
- SITE DETAILS
- SIGNAGE PLAN
- LANDSCAPE PLAN & DETAILS

C	DRAWING APPROVALS		
	SIGNATURE	DATE	
	<u>CALL</u> UTILITIES NOTIFICATION MISS UTILITY 1–800–257–7777 3 WORKING DAYS PRIOR TO DIGGING	Know what's below. Call before you dig.	

V V V Construction services, intervices, in	
Milestone Towers	9
REID 20026 LEHMANS MILL ROAD HAGERSTOWN MD 21742	
SEAL:	
SUBMITTALS	
DATEDESCRIPTION05-30-2024ZONING PLAN REVIEW	REV.
06-04-2024 ZONING 06-20-2024 FALL RADIUS / SITE NAME	0
07-02-2024 PALL RADIOS / SITE NAME 07-02-2024 REVISE TOWER HEIGHT 10-01-2024 ADD OBSTRUCTION LIGHT	2 3
PROJECT NO: 1050.437 DESIGNER: C.S.	
 ENGINEER: M.A.	
THESE DRAWINGS ARE FORMATTED TO BE FULL-SIZE 0 1/2 1	
GRAPHIC SCALE IN INCHES SHEET TITLE:	
TITLE SHEET	
SHEET NUMBER: T-1	
1-1	



SUBJECT PARCEL

ACCOUNT NO: 09-001700 N/F COOL BROOK LANDS INC MAILING ADDRESS: C/O SHELDON SHANK 20026 LEHMANS MILL ROAD HAGERSTOWN, MD 21742 PARCEL ADDRESS: 20026 LEHMANS MILL ROAD HAGERSTOWN, MD 21742 AREA: 225.2500 AC PRESENT USE: AGRICULTURAL ZONING A (R)

ADJOINERS



ACCOUNT NO: 09-014446 N/F HORST LLOYD E & BETTY JANE MAILING ADDRESS: 4442 SHEELY RD WAYNESBORO, PA 17268 PARCEL ADDRESS: LEHMANS MILL RD HAGERSTOWN, MD 21742 AREA: 40.6900 AC PRESENT USE: AGRICULTURAL ZONING A(R)

(2)

ACCOUNT NO: 09-007938 N/F PRIEST GERALD L & HEIDI M MAILING ADDRESS: 20207 MARSH HAVEN LN HAGERSTOWN, MD 21742 PARCEL ADDRESS: 20207 MARSH HAVEN LN HAGERSTOWN, MD 21742 AREA: 107.0000 AC PRESENT USE: AGRICULTURAL ZONING A(R)

(3)

ACCOUNT NO: 09-006338 N/F HORST HAROLD L & JUDITH A MAILING ADDRESS: 20612 LEITERS MILL ROAD HAGERSTOWN, MD 21742 PARCEL ADDRESS: 20322 MARSH HAVEN LANE HAGERSTOWN, MD 21742 AREA: 81.2700 AC PRESENT USE: AGRICULTURAL ZONING: A(R)

(4)

ACCOUNT NO: 09-004432 N/F HORST JACOB E & MAY A MAILING ADDRESS: 20807 LEITERS MILL ROAD HAGERSTOWN, MD 21742 PARCEL ADDRESS: 20224 LEHMANS MILL ROAD HAGERSTOWN, MD 21742 AREA: 94.0000 AC PRESENT USE: AGRICULTURAL ZONING: A(R)

(5)

ACCOUNT NO: 09-009027 N/F RÉEVES MARCO O MONNETT EVELYN R MAILING ADDRESS: 13063 HAWKINS CIRCLE HAGERSTOWN, MD 21742 PARCEL ADDRESS: LEHMAN MILL ROAD HAGERSTOWN, MD 21742 AREA: 8.0500 AC PRESENT USE: RESIDENTIAL ZONING: A(R)



ACCOUNT NO: 09-000968 N/F FÍLUCCI JULIE K YEATES STEPHEN J MAILING ADDRESS: 20205 LEHMANS MILL ROAD HAGERSTOWN, MD 21742 PARCEL ADDRESS: 20205 LEHMANS MILL ROAD HAGERSTOWN, MD 21742 AREA: 41,120 SF PRESENT USE: RESIDENTIAL ZONING A(R)



ACCOUNT NO: 09-001719 NF

SHANKI I DAVID L/E MAILING ADDRESS: 20225 LEHMANS MILL ROAD HAGERSTOWN, MD 21742 PARCEL ADDRESS: 20225 LEHMANS MILL ROAD HAGERSTOWN, MD 21742 AREA: 77.3800 AC PRESENT USE: AGRICULTURAL ZONING A(R)

(8)

ACCOUNT NO: 09-006257 N/F H LYNN MARTIN IRREVOCABLE TRUST ETAL CLIFFORD E MARTIN IRREVOCABLE TRUST MAILING ADDRESS: 15625 PENNSYLVANIA AVE GREENCASTLE, PA 17225 PARCEL ADDRESS: 14035 MARSH PIKE HAGERSTOWN, MD 21742 AREA: 100.0000 AC PRESENT USE: AGRICULTURAL ZONING A(R)

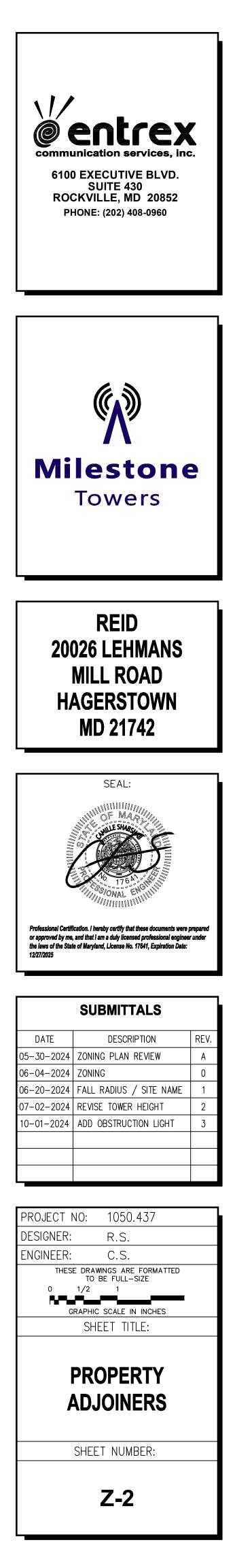
(9)

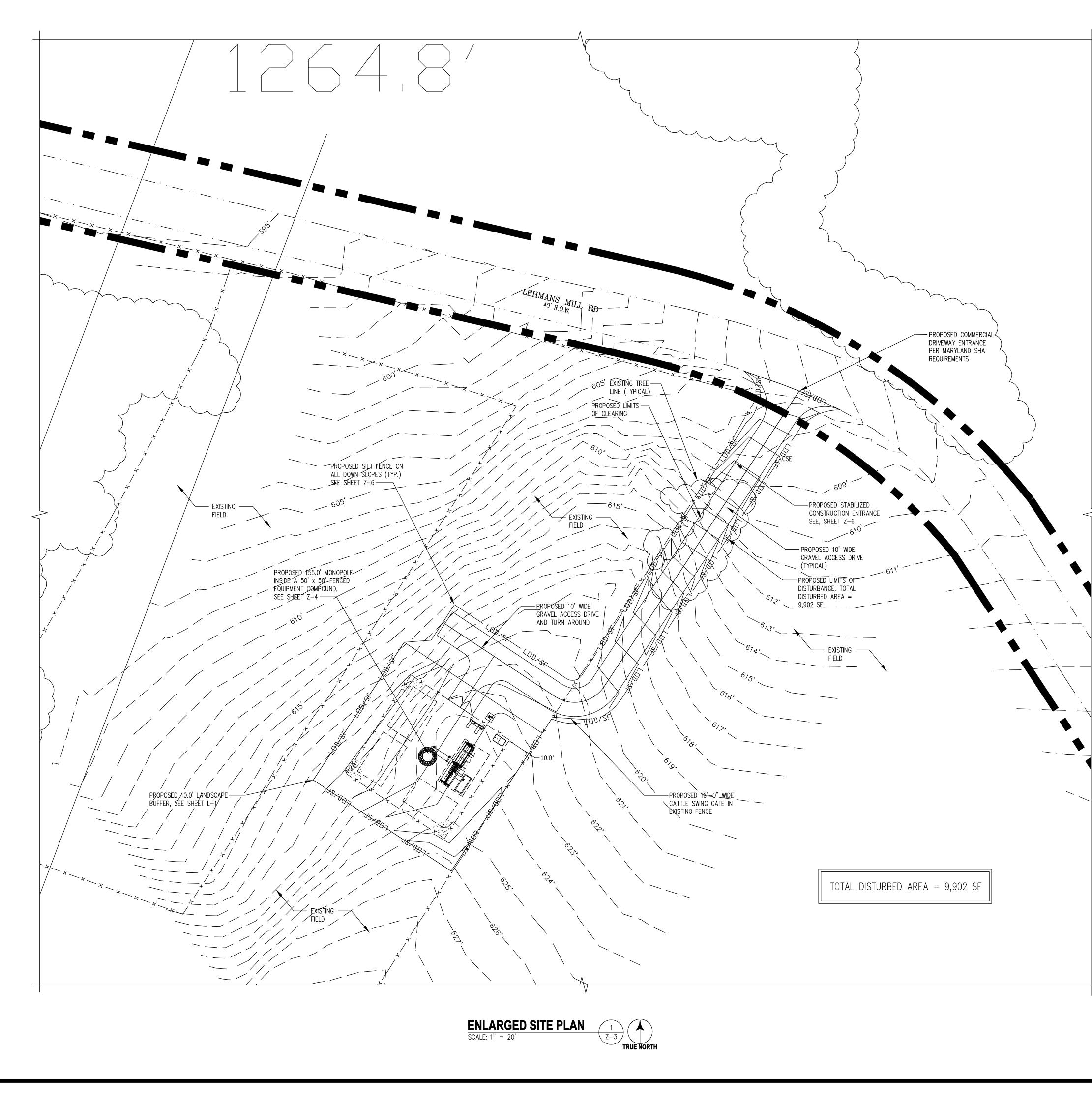
ACCOUNT NO: 09-006176 N/F KÉNNETH MARTIN FARMS MAILING ADDRESS: 4847 IRON BRIDGE ROAD WAYNESBORO, PA 17268 PARCEL ADDRESS: 14249 MARSH PIKE HAGERSTOWN, MD 21742 AREA: 115.2700 AC

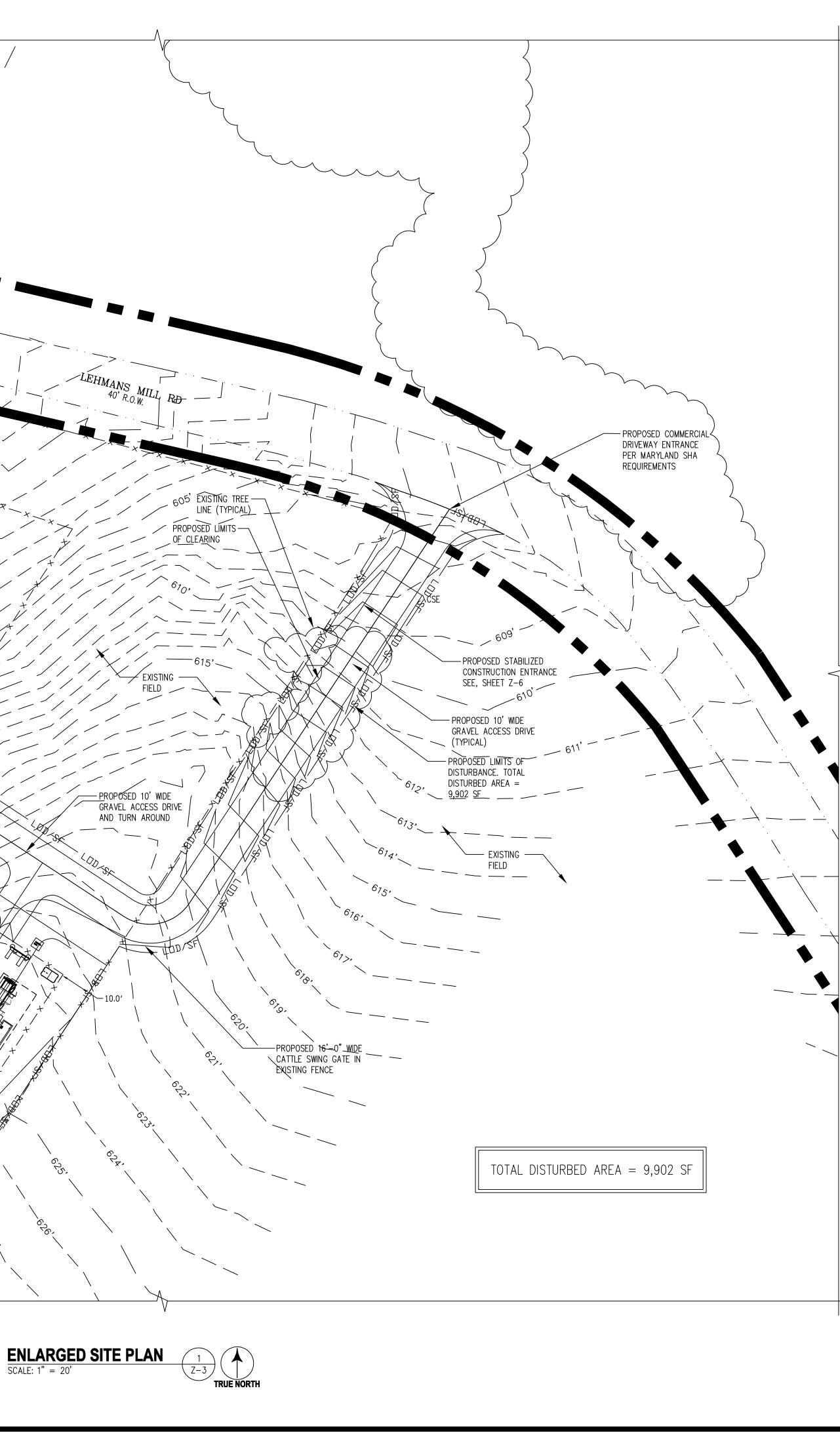
PRESENT USE: AGRICULTURAL ZONING: A(R)

(10)

ACCOUNT NO: 09-006249 N/F MÁRTIN GARY R & ESTHER M MAILING ADDRESS: 19717 REIDTOWN ROAD HAGERSTOWN, MD 21742 PARCEL ADDRESS: LEHMANS MILL ROAD HAGERSTOWN, MD 21742 AREA: 13.8200 AC PRESENT USE: AGRICULTURAL ZONING: A(R)

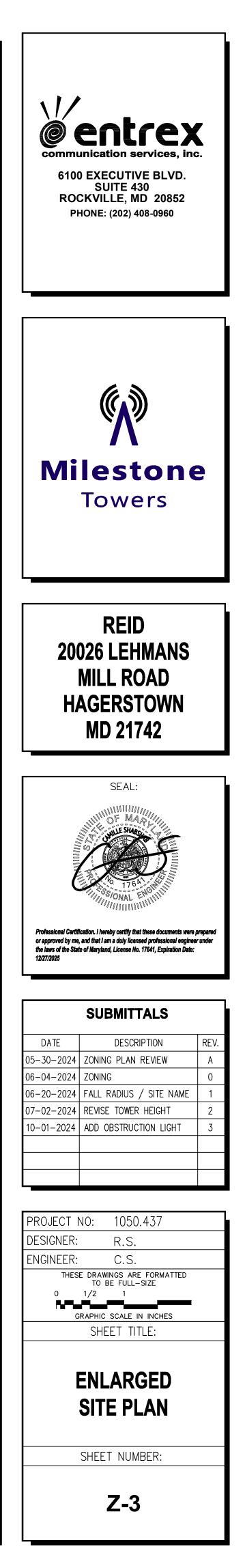


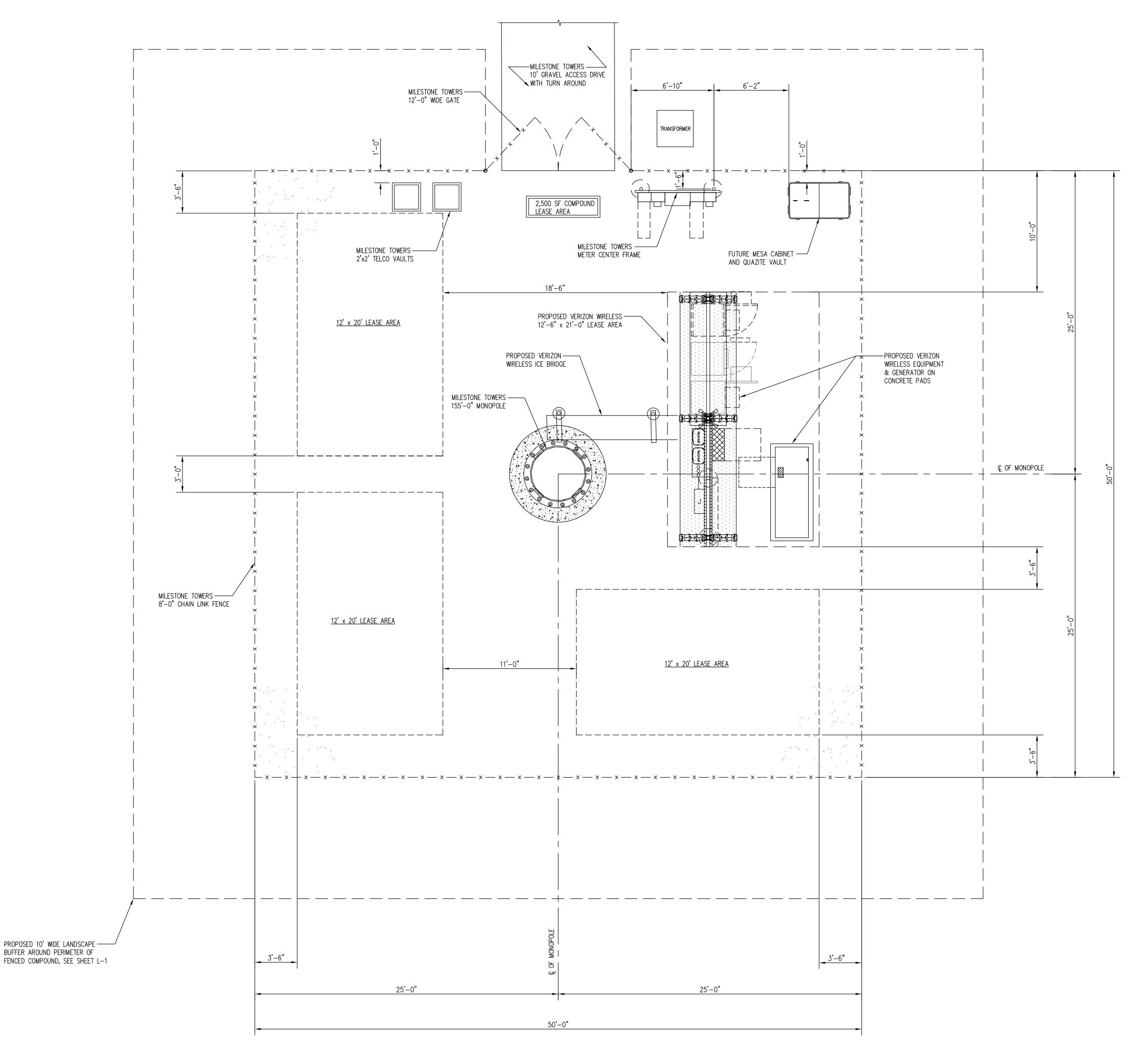




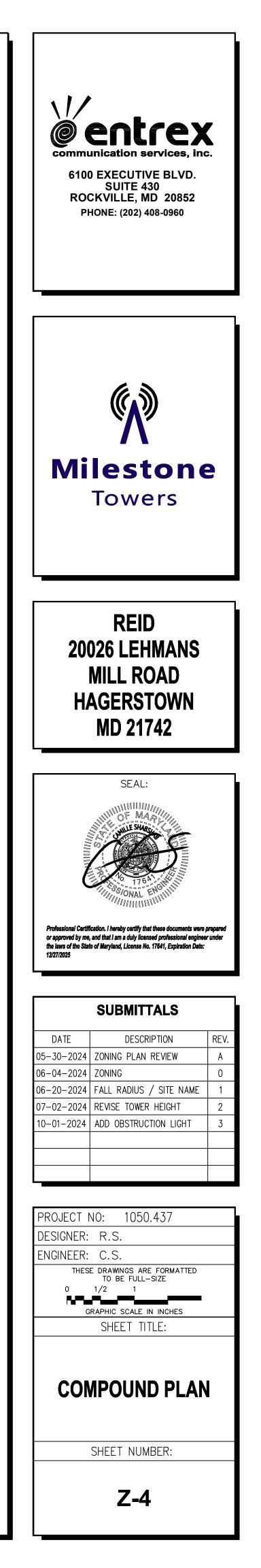
	LINE TYPES
	BOUNDARY LINE – SUBJECT PARCEL
_	UNSURVEYED LINE - BOUNDARY OF ADJOINERS
_	EASEMENT BOUNDARY
	RIGHT OF WAY BOUNDARY
-	EDGE OF ASPHALT
-	EDGE OF GRAVEL
-	CURB
-	FENCE LINE – CHAIN
-	- × = × × × × × × = × = × × × = × = × = × = × = × = × = × = × = × = × - = = = =
-	5' CONTOUR LINE
-	OVERHEAD UTILITY LINE DHUL DHUL DHUL SWALE
<u> </u>	TREE OR VEGETATION LINE
	PROPOSED EDGE OF ASPHALT
-	PROPOSED EDGE OF CONCRETE
-	PROPOSED EDGE OF GRAVEL
-	FENCE LINE - CHAIN
-	$- \times - \times$
_	PROPOSED 5' CONTOUR LINE
_	LIMITS OF DISTURBANCE
	SILT FENCE
-	SF SF SF LOD/ SILT FENCE
-	

TREE PROTECTION FENCE

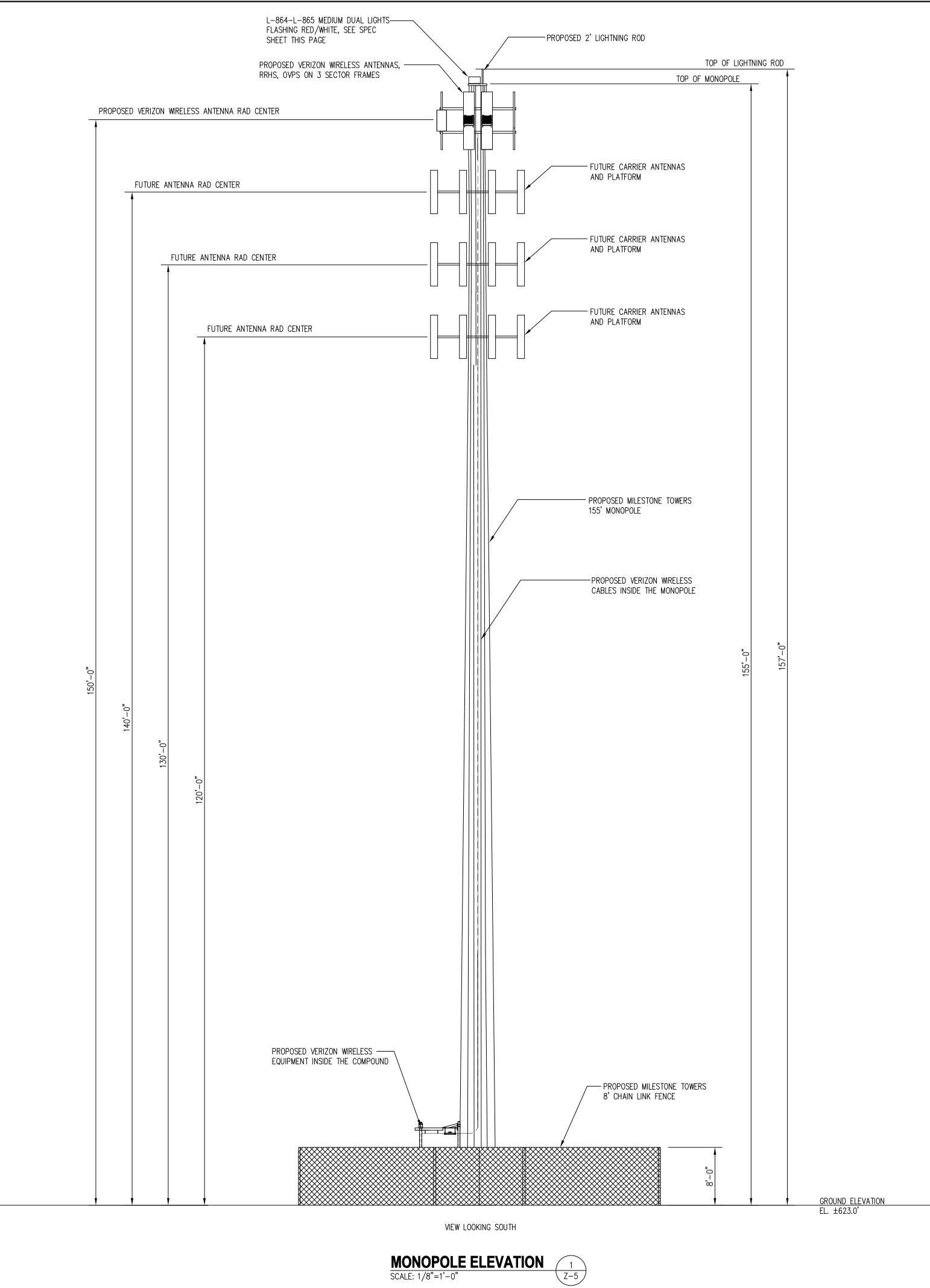








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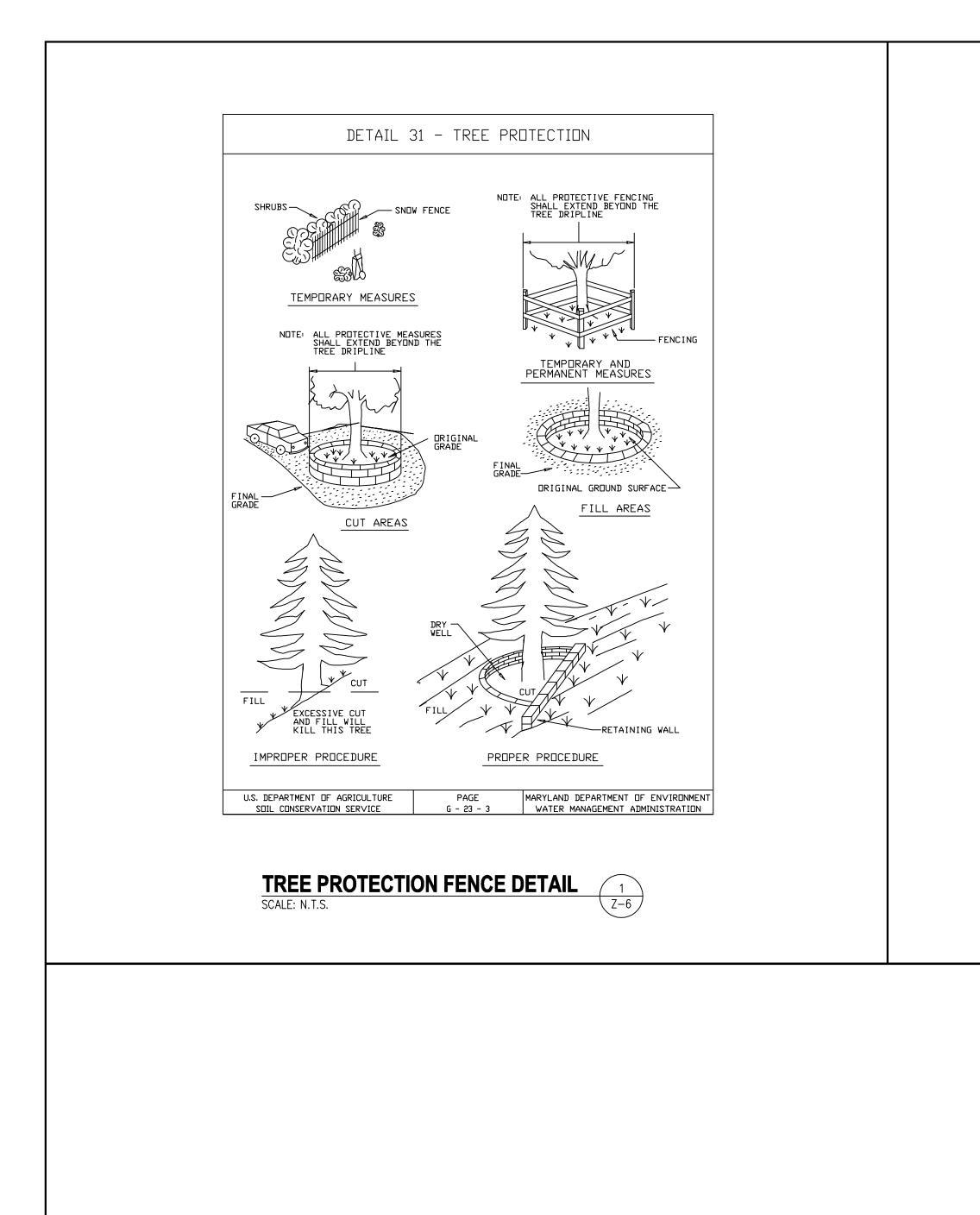


DESIGN NOTES

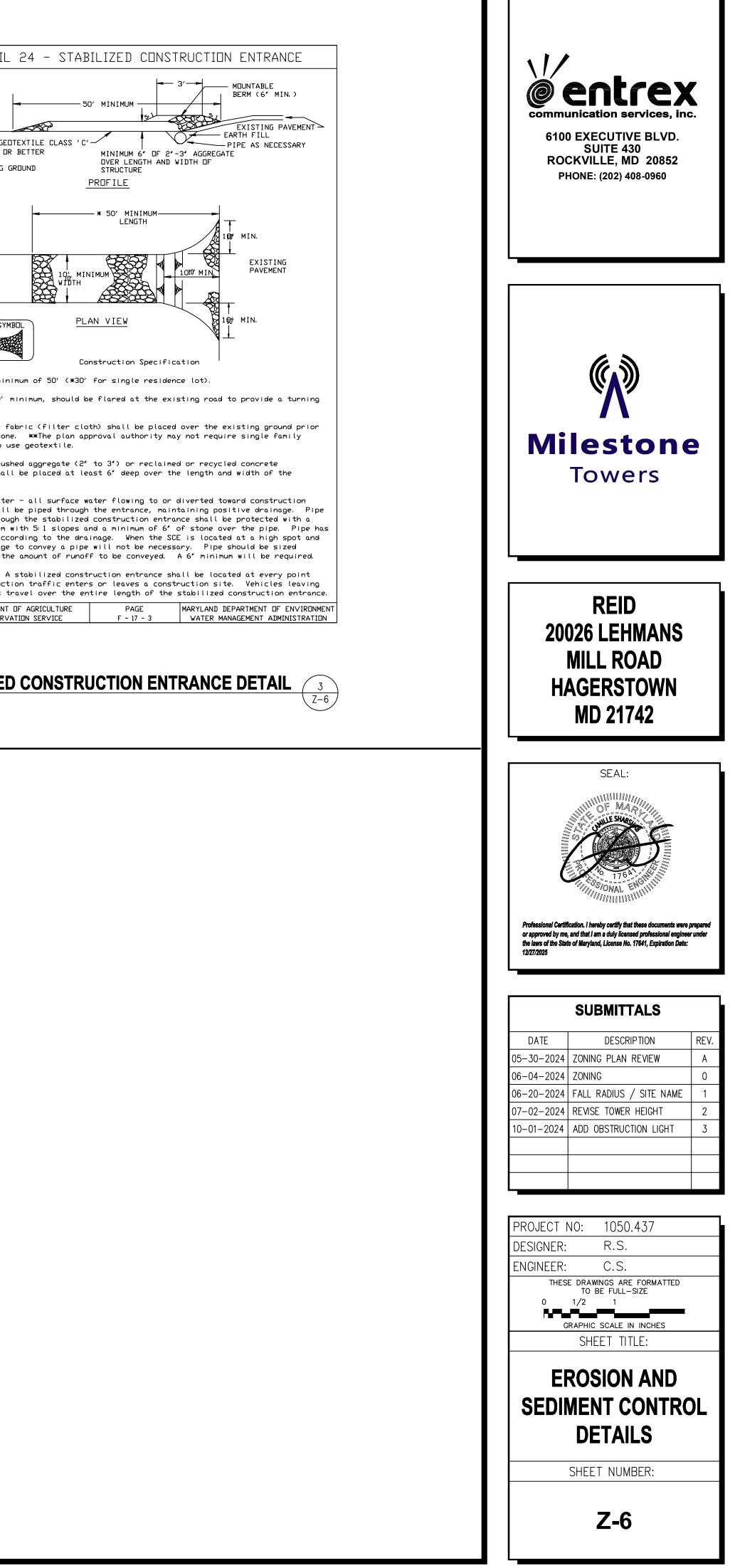
PROPOSED ANTENNA, ANTENNAS ARRAYS, CABLES, AND OTHER MONOPOLE ATTACHMENTS WILL BE PAINTED GRAY TO BETTER BLEND WITH GALVANIZED METAL MONOPOLE AND FURTHER MINIMIZE THE VISUAL IMPACT.

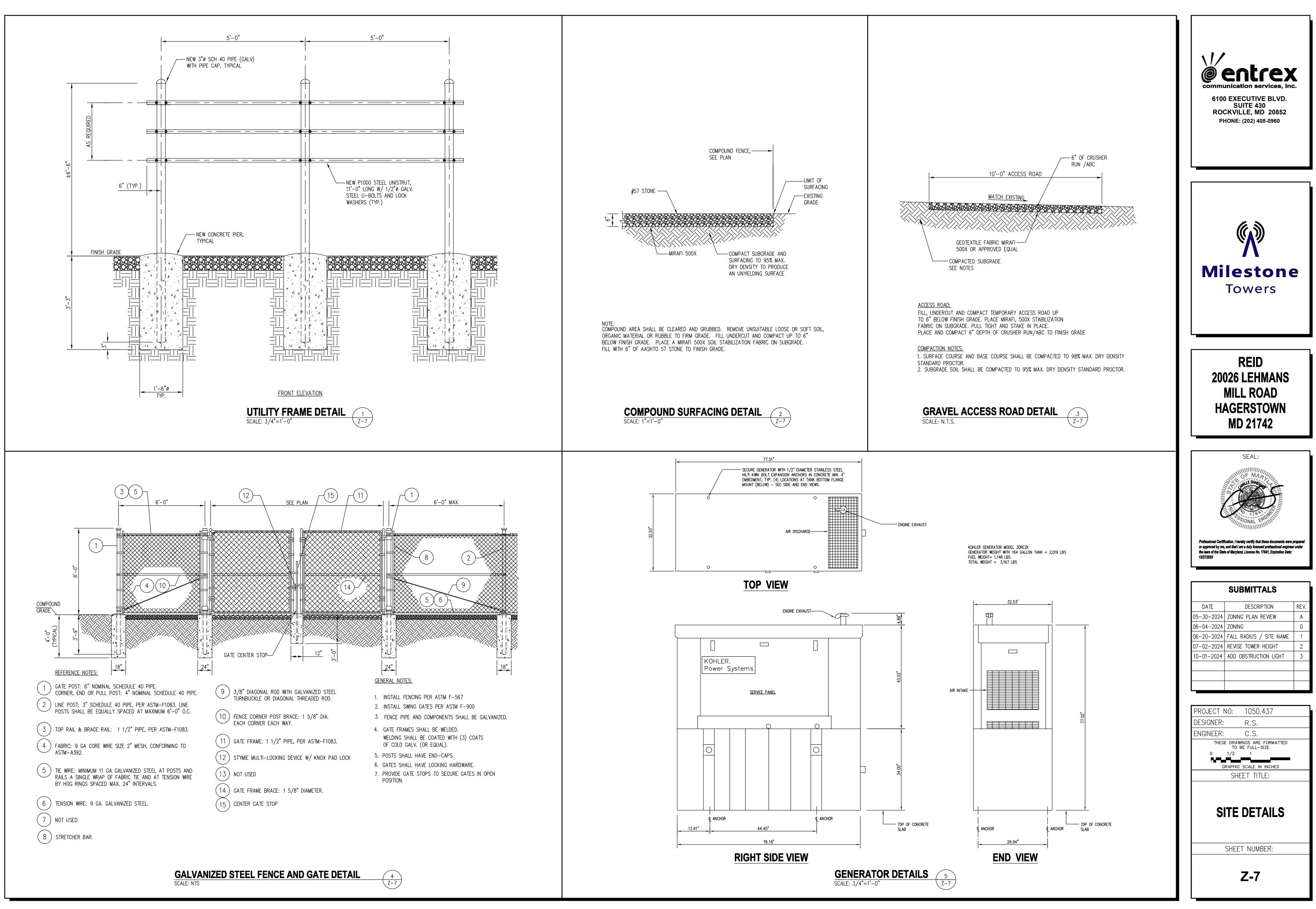


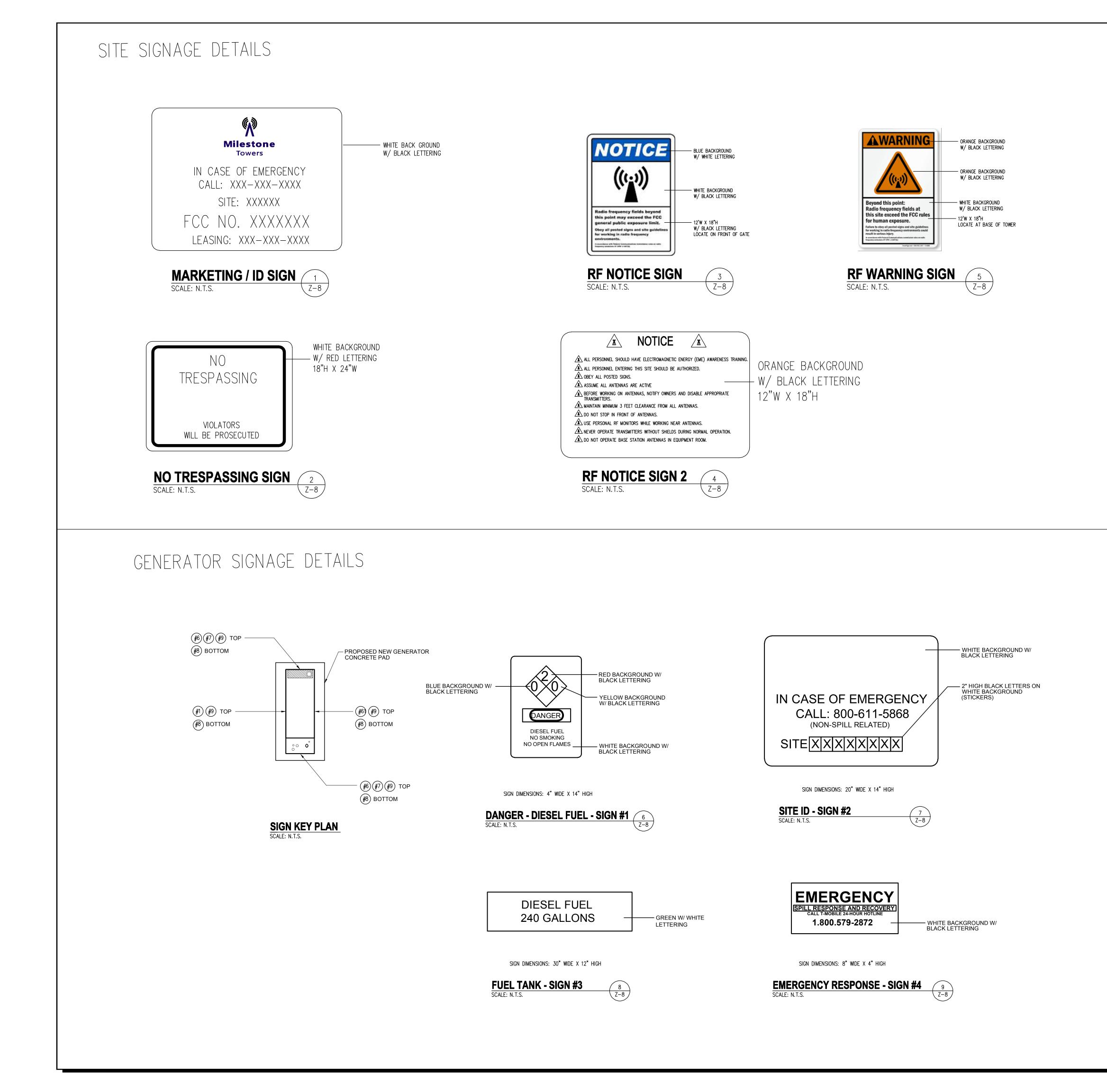




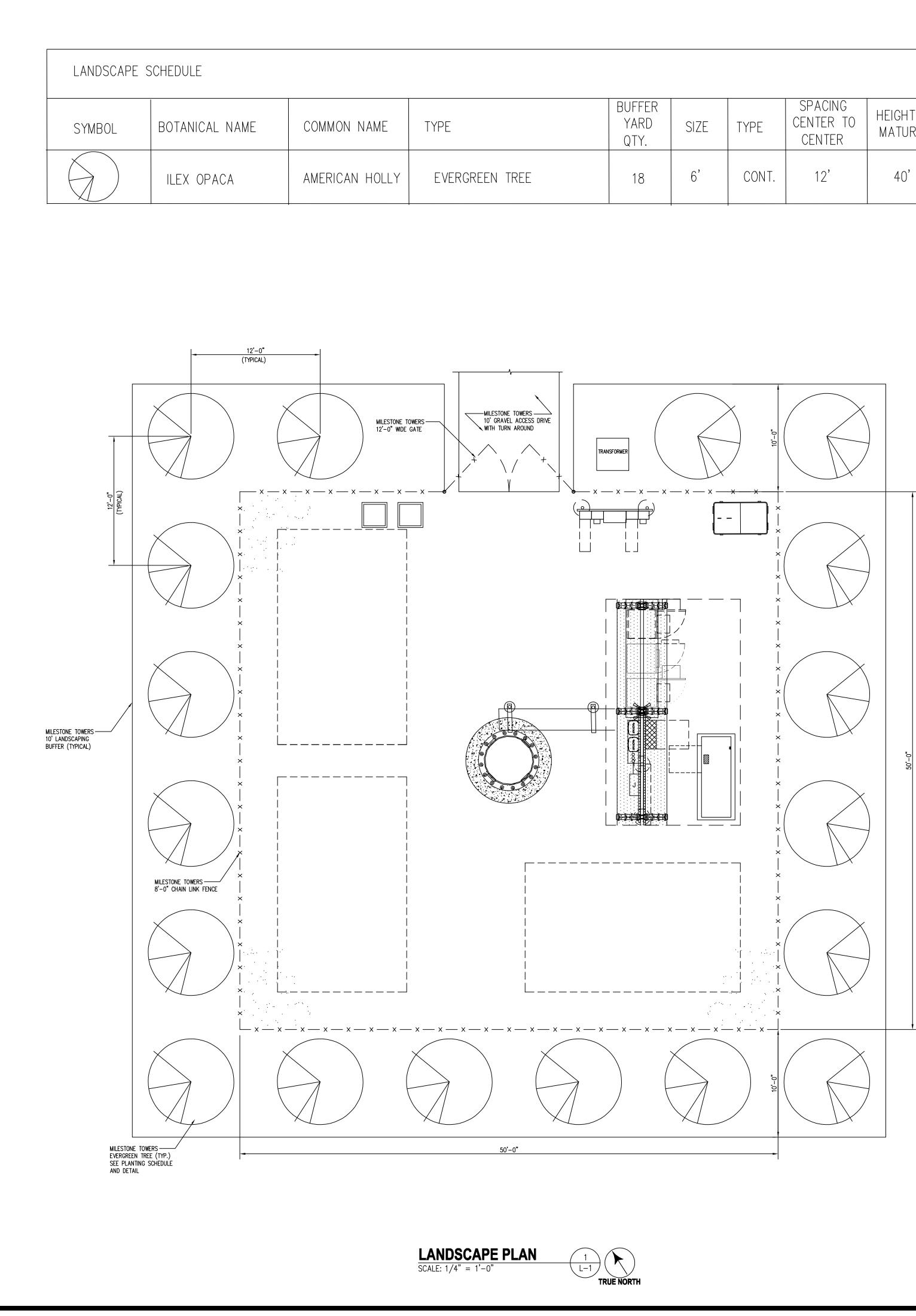
DETAIL 22 - SILT FENCE	DETA
10' MAXIMUM CENTER TO CENTER	EXISTIN
PERSPECTIVE VIEW Sé' MINIMUM FENCE PDST LENGT FLDV FLDV FLDV FLDV FLDV FLDV EMBED GEDTEXTILE CLASS F FDP VIEW A MINIMUM DF G' VERTICALLY FIND THE GROUND FENCE PDST DRIVEN A MINIMUM DF G' VERTICALLY FENCE PDST DRIVEN A MINIMUM DF G' VERTICALLY FIND THE GROUND SECTION A SECTION F CROSS SECTION SECTION Section A SECTION F Construction Specifications STANDARD SYMBOL 1. Fence posts shall be 1/2' x 11/2' square (ninium) cut, or 13/4' dianeter (minium) round and shall be of sound quality hardwood. Steel posts will be standard T ou Section and shall neet the following requirements for Geotextile Class F Tensile Modulus <td>STANDARD STANDARD STANDARD 1. Length - r 2. Width - 10 radius. 3. Geotextile to placing si residences to 4. Stone - cr equivalent si entrance. 5. Surface We entrances sho installed the mountable been to be sized of has no draino according to 6. Location - where construct the site must U.S. DEPARTME SDIL CONSE</td>	STANDARD STANDARD STANDARD 1. Length - r 2. Width - 10 radius. 3. Geotextile to placing si residences to 4. Stone - cr equivalent si entrance. 5. Surface We entrances sho installed the mountable been to be sized of has no draino according to 6. Location - where construct the site must U.S. DEPARTME SDIL CONSE



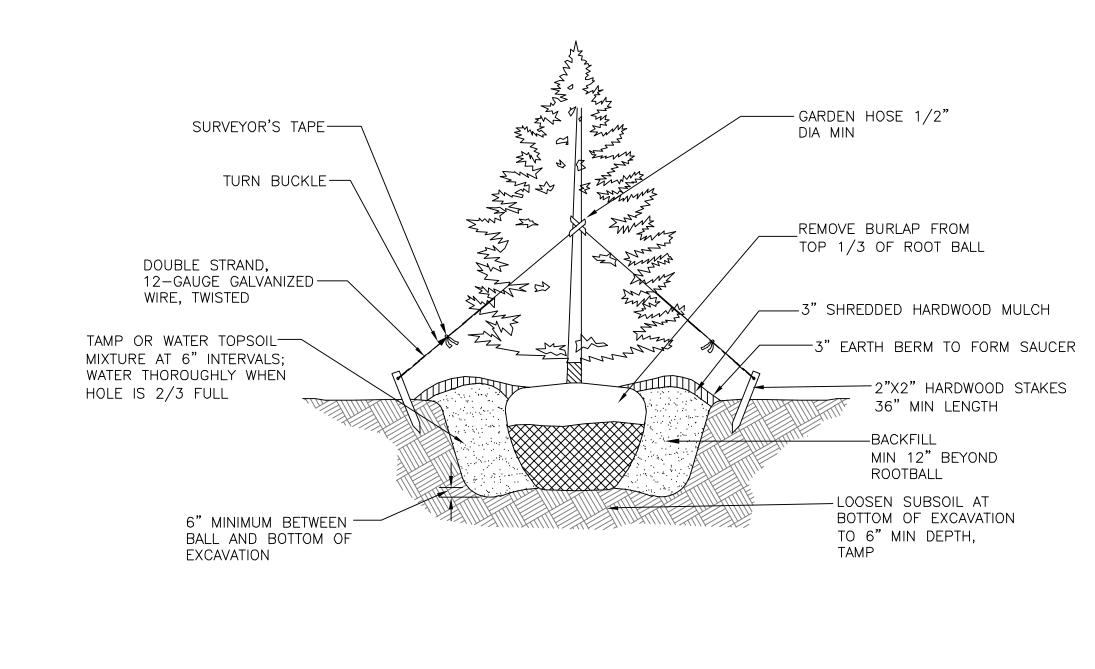




Visit<
Milestone Towers
REID 20026 LEHMANS MILL ROAD HAGERSTOWN MD 21742
SEAL: Image: State of Maryland, License No. 17641, Expiration Date: 1227/2025
SUBMITTALS
DATEDESCRIPTIONREV.05-30-2024ZONING PLAN REVIEWA06-04-2024ZONING006-20-2024FALL RADIUS / SITE NAME107-02-2024REVISE TOWER HEIGHT210-01-2024ADD OBSTRUCTION LIGHT3
PROJECT NO: 1050.437 DESIGNER: R.S. ENGINEER: C.S. THESE DRAWINGS ARE FORMATTED TO BE FULL-SIZE 0 1/2 1 GRAPHIC SCALE IN INCHES SHEET TITLE:
SIGNAGE
SHEET NUMBER: Z-8



BUFFER YARD QTY.	SIZE	TYPE	SPACING CENTER TO CENTER	HEIGHT AT MATURITY
18	6'	CONT.	12'	40'



TREE PLANTING DETAIL SCALE: NOT TO SCALE





L-1

Exhibit "2"

MILESTONE/ VERIZON WIRELESS-REID: ALTERNATIVE TOWERS AND STRUCTURES ANALYSIS

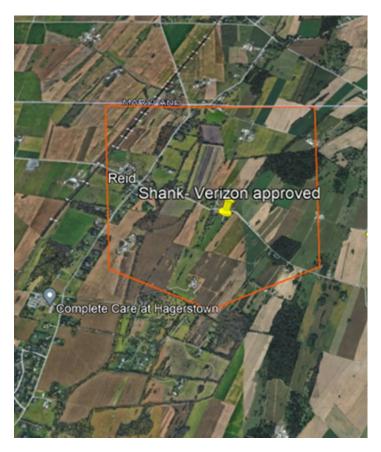
Site Address: 20026 Lehman Mills Road Hagerstown MD 217429

1.0 SEARCH AREA PARAMETERS: NO EXISTING APPROPRIATE TALL STRUCTURES FOUND.

Section 4.22 5(a): 5. Proposed towers shall meet the following minimum separation requirements from existing towers or towers which have been issued a permit but are not yet constructed. (a) Monopole towers shall be separated from all other towers, whether monopole, self-supporting lattice, or guyed, by a minimum of seven hundred and fity feet.

Site Link reviewed the area and found no suitable existing tower or structure within the search polygon in which Verizon could collocate.

Image 1: Reid Search Area Map.



2.0 EXPANDED AREA OF SEARCH: NO EXISTING APPROPRIATE TALL STRUCTURES FOUND

Site Link conducted a search within an expanded search area outside of the RF polygon provided by the Verizon RF engineer. . Image 2.below depicts the expanded search area

examined by Site Link. No existing towers or other tall structures fit Verizon's requirments and coverage objectives. The Hege 72 Ft Silo is too short and too east for RF.



Image 2: Reid- Expanded Search Area Map candidates.

3.0 NEAREST EXISTING TOWERS

Site linkidentifed the closest existing <u>wireless facilities</u>. There is a 128ft tall Eco Site(Vertical Bridge) Silo with a available RAD center of 105 ft that is 1.93 Miles from the proposed facility and is too far to the west. The coordinates below are approximate.



CONCLUSION:

To conclude, no existing towers/structures are close enough to the search area provided by Verizon Wireless for the collocation of its communication facilities. Site Link searched an expanded search area and found no suitable alternative towers or tall structures on which Verizon could collocate their equipment and meet their coverage objectives.

We confirm that the foregoing statement is correct.

Rick Novak

Rick Novak, Site Link Wireless

Exhibit "3"



STATE OF MARYLAND **COUNTY OF WASHINGTON**

AFFIDAVIT OF MATTHEW PENNING

I, Matthew Penning, being duly sworn, hereby state and affirm as follows:

))

)

- 1. This affidavit is based on my knowledge and I am competent to testify regarding those things about which I have knowledge.
- 2. I am the Director of Development for Milestone Towers.
- 3. Milestone Towers will be applying to Washington County for a proposed telecommunications facility at 20026 Lehmans Mill Road, Hagerstown, MD 21742, the property of Cool Brook Lands Inc., Account # 09001700 for Verizon Wireless.
- 4. Pursuant to Section 4.22.6 of the Washington County Zoning Ordinance, I confirm and agree that one ten (10) foot space on the proposed tower will be specifically reserved for use by Washington County, and that other spaces will be made available to other future users, when possible.

Further affiant sayeth not.

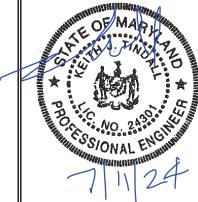
Matthew Penning

SWORN to me this <u>10</u> day of <u>July</u> 2024	SHM ALEKHYA OC
Alt	NOTARYPUBL
Notary public for Heuron Fairfax	OT REG. #808359
My Commission Expires Feb 28 20 23	_



Exhibit "4"

Sabre Industries
Structural Design Report
155' Monopole
Site: Reed, MD
Prepared for: MILESTONE COMMUNICATIONS, INC. by: Sabre Industries [™]
Job Number: 25-0551-JSS-R1
July 11, 2024
Monopole Profile 1
Pole Calculations 2-17



Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No.24301, Expiration Date: 5/24/2025

Designed Appurtenance Loading

Length (ft)	53'-3"	/	53'-6"	¥ /	10-0-	53'-3"	3"	
Number Of Sides			18					
Thickness (in)	7/16"		3/8"			1/4"		
Lap Splice (ft)		6' - 3"		5' - 0" 4'	4' - 9''			
Top Diameter (in)	42.3"		33.65"	33.15"		24"		
Bottom Diameter (in)	52.9"		44.29"	35.14"		34.6"		
Taper (in/ft)			0.199					
Grade			A572-65					
Weight (lbs)	14323		8879	985		4924		
Overall Steel Height (ft)			154					
G.L								
-								
	0				0:	CC CC	α	
	-8				3 0			
2								

		Elev			Des	cription				Tx-Line
П		157	(1) 2 sq.	ft. EPA						
		151			,000 lb Weight				16	6) 1 5/8"
		141								-
	145' ↑ 8" x 12"				500 lb Weight					6) 1 5/8"
ф е	@ 60°,180°,300°	131			,500 lb Weight					6) 1 5/8"
		121	(1) 100 s	q. ft. EPA (4	500 lbs)				(6	6) 1 5/8"
æ	139' ↑ 8" x 12" @ 60°,180°,300°			De	sign Crite	eria - AN	ISI/T	TIA-222	-Н	
		Wind Spee	ed (No Ice)					112 mp	h
		Wind Spee	ed (Ice)						40 mpł	h
0.08	129' ↑ 8" x 12" @ 60°,180°,300°	Design Ice	Thicknes	6					1.00 in	1
	@ 00 ,100 ,500	Risk Categ	gory						II	
		Exposure (Category						С	
		Topograph	ic Factor	Procedure					Method 1 (Sin	nplified)
a n a	119' ↑ 8" x 12" @ 60°,180°,300°	Topograph	nic Catego	ry					1	
	0	Ground Ele	evation						624 ft	
		Seismic Im	nportance	Factor, le					1.00	
		0.2-sec Sp	ectral Res	ponse, Ss					0.121 g	g
0\$8	109' ↑ 8" x 12" @ 60°,180°,300°	1-sec Spec	ctral Resp	onse, S1					0.042 g	9
		Site Class							D (DEFAL	JLT)
		Seismic De	esign Cate	gory					В	
				-Resisting S	ystem			Telecom	munication To	wer (Pole: Steel
				1	4-4-1	Combi		D		
					tate Load	Shear (kips				*) (da
			I Combina + 1.0 Wo	auon	Axial (kips) 59.26	38.96	·	4948.9	12.8	t) Sway (deg 8.75
							_			_
			+ 1.0 Wo	1.0.14/:	44.48	39.14	_	4847.87	12.45	8.49
			+ 1.0 Di +		91.06	8.05	_	1065.81	2.85	1.94
			+ 1.0 Ev +		60.48	1.49	_	210.18	0.57	0.39
		0.9 D -	• 1.0 Ev +		43.13 49.42	1.48	_	203.96 1264.57	0.55	0.37
		1.0 0 1 1.0 1	10 (001100	(@ 00 mpn)	49.42	10.00		1204.37	3.32	2.24
					Base P	late Dim	nens	ions		
		Sha		Diamet	er Thick	ness I	Bolt Ci		Bolt Qty	Bolt Diamete
		Sha Rou		Diamet 65.5"		ness I			Bolt Qty 18	Bolt Diamete 2.25"
					er Thick	ness I	Bolt Ci 59.7	5"	-	
		Rou Length	ind	65.5" liameter	er Thicki 2.23 Anchor Hole Diam	Bolt Dir	Bolt Ci 59.7 nen s Weigh	5" sions	18 Type	2.25" Finish
		Rou	ind	65.5"	er Thicke 2.23 Anchor	Bolt Dir	59.7 59.7	5" sions	18	2.25"
		Rou Length	ind	65.5" liameter	er Thicki 2.23 Anchor Hole Diam	Bolt Dir	Bolt Ci 59.7 mens Weigh 2179.8	5" sions	18 Type	2.25" Finish
		Rou Length 84"	nd E	65.5" liameter 2.25"	er Thicki 2.23 Anchor Hole Diam	Bolt Dir	Bolt Ci 59.7 mens Weigh 2179.8	5" sions	18 Type	2.25" Finish
		Length 84"	nna Fee	ed Lines I	er Thicki 2.24 Anchor Hole Diam 2.625"	Bolt Dir Bolt Dir eter Notes Pole	Bolt Ci 59.7 nens Weigh 2179.8	sions nt	18 Type A615-75	2.25" Finish Galv
		Length 84" 1) Anter 2) All di	nd C nna Fee mensio	65.5" Diameter 2.25" ed Lines I ns are ab	Anchor Hole Diam 2.625°	Bolt Dir Bolt Dir eter Notes Pole d level, ur	Bolt Ci 59.7 nen: Weigh 2179.8	5" sions It 3 otherwis	18 Type A615-75	2.25" Finish Galv
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	-9'↑ 12" × 24" @ 45°,135°,225°,315°	Length 84* 1) Anter 2) All di 3) Weig 4) This follow Interr 5) Full F	nna Fee mensio jhts sho tower d ving pa national Height S	65.5" iameter 2.25" ed Lines I ns are at wn are e esign an- ge(s) also Building Step Bolts	er Thicke 2.22 Anchor Hole Diam 2.625" Run Inside I pove ground stimates. F d, if applica b meet or e Code.	Bolt Dir Bolt Dir eter Notes Pole d level, ur inal weig ble, the fi	Bolt Ci 59.7 nens Weigh 2179.8 hless hts m ound	5" sions tt otherwis hay vary. ation des	18 Type A615-75 Se specified sign(s) sho	2.25" Finish Galv I. wn on the
	-9'↑ 12" x 24" @ 45°,135°,225°,315°	Length 84* 1) Anter 2) All di 3) Weig 4) This follow Interr 5) Full F	nna Fee mensio jhts sho tower d ving pa national Height S	65.5" iameter 2.25" ed Lines I ns are at wn are e esign an- ge(s) also Building Step Bolts	er Thicke 2.22 Anchor Hole Diam 2.625" Run Inside I pove ground stimates. F d, if applica b meet or e Code.	Bolt Dir Bolt Dir eter Notes Pole d level, ur inal weig ble, the fi	Bolt Ci 59.7 nens Weigh 2179.8 hless hts m ound	5" sions tt otherwis hay vary. ation des	18 Type A615-75 Se specified sign(s) sho	2.25" Finish Galv I. wn on the
	-9'↑ 12* x 24* @ 45*,135*,225*,315*	Length 84* 1) Anter 2) All di 3) Weig 4) This follow Interr 5) Full F	nna Fee mensio jhts sho tower d ving pa national Height S	65.5" iameter 2.25" ed Lines I ns are at wn are e esign an- ge(s) also Building Step Bolts	er Thicke 2.22 Anchor Hole Diam 2.625" Run Inside I pove ground stimates. F d, if applica b meet or e Code.	Bolt Dir Bolt Dir eter Notes Pole d level, ur inal weig ble, the fi	Bolt Ci 59.7 nens Weigh 2179.8 hless hts m ound	5" sions tt otherwis hay vary. ation des	18 Type A615-75 Se specified sign(s) sho	2.25" Finish Galv I. wn on the
	•9'↑ 12" × 24" @ 45°,136°,225°,315°	Length 84* 1) Anter 2) All di 3) Weig 4) This follow Interr 5) Full F	nna Fee mensio jhts sho tower d ving pa national Height S	65.5" iameter 2.25" ed Lines I ns are at wn are e esign an- ge(s) also Building Step Bolts	er Thicke 2.22 Anchor Hole Diam 2.625" Run Inside I pove ground stimates. F d, if applica b meet or e Code.	Bolt Dir Bolt Dir eter Notes Pole d level, ur inal weig ble, the fi	Bolt Ci 59.7 nens Weigh 2179.8 hless hts m ound	5" sions tt otherwis hay vary. ation des	18 Type A615-75 Se specified sign(s) sho	2.25" Finish Galv I. wn on the



Tel:(41	16)736-74	453		Fax: (41	6)736-4	372		Web	: www .	guyma	st.com
Process	sed under	r lice	nse at:								
Sabre '	lowers an	nd Pol	e s				on•11	jul 20	24 =	+ · 11	· 51 · 11
			========								
* All po		eters	, MD shown on q for wid				re acro	oss cor	ners.		
POLE GE											
ELEV ft	SECTION NAME		OUTSIDE DIAM in	-NESS	RESIST •*Pn kip f	•*Mn	TYPE		H RA		w/t
154.0											
	A	18		0.250							15.7
105.5				0.250							
	A/B		34.16				SLTI	P 4	.75	1.67	
100 7			34.63	0.250	1802.6						
100.7	в		34.63	0.250							22.8
100 E				0.250	1803.8	L258.0					22.0
100.5				0.250	1803.8	L258.0				4 = 0	
		18		0.375	3030.9	2130.3	SLI	P 5	.00	1.73	
95.5	•••••			0.375	3030.9	 2130.3					
	с			0.375							15.4
53.2			43.70	0.375	 3596.9	 3153.6					
	C/D			0.438			SLI	P 6	. 25	1.72	
47.0	•••••		44.23	0.438	 4405.7	 3898.6					
	D	18	53.71	0.438	5069.9	5468.0					16.7
0.0	•••••										
POLE AS	SSEMBLY										
SECTION NAME			 BER TYP		T BASE DIAM		STH TI	HREADS	IN	BA	SE
	ft				in	3	si	_			ft
A B C D	100.750 95.500 47.000 0.000))	0 A32 0 A32 0 A32 0 A32	5 5	0.00 0.00 0.00 0.00	92 92	2.0 2.0 2.0 2.0		0 0	100.7 95.5 47.0 0.0	00 00
	ECTIONS										
	No.of 1 SIDES	LENGTH	OUTSIDE. BOT	TOP	RAD			LANGE.II OT TO	Р.,		.ID
		ft								201	101
A	18	53.2	5 35.13 0 35.68	24.37	0.62	5	1 0			0	0
в											

MATERIAL TYPES _____

TYPE OF SHAPE	TYPE NO	NO OF ELEM.	OR	IENT	HEIGHT	WIDTH	.THI WEB	CKNESS. FLANGE		ULARITY ECTION. ORIENT
			&	deg	in	in	in	in		deg
PL PL PL PL	1 2 3 4	1		0.0 0.0 0.0 0.0	35.13 35.68 44.98 53.71	0.25 0.25 0.38 0.44	0.250 0.250 0.375 0.438	0.250 0.250 0.375 0.438	0.00 0.00 0.00 0.00	0.0 0.0 0.0 0.0

& - With respect to vertical

MATERIAL PROPERTIES -----

MATERIAL TYPE NO.	ELASTIC MODULUS ksi	UNIT WEIGHT pcf	STRI Fu ksi	ENGTH Fy ksi	THERMAL COEFFICIENT /deg
1	29000.0	490.0	80.0	65.0	0.00001170
2	29000.0	490.0	80.0	65.0	0.00001170
3	29000.0	490.0	80.0	65.0	0.00001170
4	29000.0	490.0	80.0	65.0	0.00001170

* Only 5 condition(s) shown in full * Some concentrated wind loads may have been derived from full-scale wind tunnel testing

LOADING CONDITION A ------

112 mph wind with no ice. Wind Azimuth: 0. (1.2 D + 1.0 Wo)

LOADS ON POLE _____

LOAD	ELEV	APPLYLC	AD.AT	LOAD	FORC	ES		ENTS
TYPE		RADIUS	AZI	AZI	HORIZ	DOWN	VERTICAL	TORSNAL
	ft	ft			kip	kip	ft-kip	ft-kip
					-	-	-	-
С	156.000	0.00	0.0	0.0	0.0913	0.0180	0.0000	0.0000
С	152.000	0.00	0.0	0.0	0.0132	0.0067	0.0000	0.0000
С	150.000	0.00	0.0	0.0	0.0000	1.1232	0.0000	0.0000
С	150.000	0.00	0.0	0.0	9.0572	8.4000	0.0000	0.0000
С	145.000	0.00	0.0	0.0	0.0328	0.0168	0.0000	0.0000
С	140.000	0.00	0.0	0.0	0.0000	1.0483	0.0000	0.0000
С	140.000	0.00	0.0	0.0	6.6956	5.4000	0.0000	0.0000
С	135.000	0.00	0.0	0.0	0.0323	0.0168	0.0000	0.0000
С	130.000	0.00	0.0	0.0	0.0000	0.9734	0.0000	0.0000
С	130.000	0.00	0.0	0.0	6.5927	5.4000	0.0000	0.0000
С	125.000	0.00	0.0	0.0	0.0318	0.0168	0.0000	0.0000
С	120.000	0.00	0.0	0.0	0.0000	0.8986	0.0000	0.0000
С	120.000	0.00	0.0	0.0	4.3223	5.4000	0.0000	0.0000
c c	115.000	0.00	0.0	0.0	0.0312	0.0168	0.0000	0.0000
С	105.000	0.00	0.0	0.0	0.0306	0.0168	0.0000	0.0000
С	95.000	0.00	0.0	0.0	0.0300	0.0168	0.0000	0.0000
С	85.000	0.00	0.0	0.0	0.0293	0.0168	0.0000	0.0000
С	75.000	0.00	0.0	0.0	0.0285	0.0168	0.0000	0.0000
C C	65.000	0.00	0.0	0.0	0.0277	0.0168	0.0000	0.0000
С	55.000	0.00	0.0	0.0	0.0267	0.0168	0.0000	0.0000
С	45.000	0.00	0.0	0.0	0.0256	0.0168	0.0000	0.0000
С	35.000	0.00	0.0	0.0	0.0243	0.0168	0.0000	0.0000
С	25.000	0.00	0.0	0.0	0.0226	0.0168	0.0000	0.0000
С	15.000	0.00	0.0	0.0	0.0204	0.0168	0.0000	0.0000
D	154.000	0.00	180.0	0.0	0.0599	0.0793	0.0000	0.0000
D	105.500	0.00	180.0	0.0	0.0747	0.1059	0.0000	0.0000
D	105.500	0.00	180.0	0.0	0.0751	0.2110	0.0000	0.0000
D	100.500	0.00	180.0	0.0	0.0751	0.2110	0.0000	0.0000
D	100.500	0.00	100.0	0.0	0.0751	0.2110	0.0000	0.0000

D	100.500	0.00	180.0	0.0	0.0765	0.2758	0.0000	0.0000
D	95.500	0.00	180.0	0.0	0.0765	0.2758	0.0000	0.0000
D	95.500	0.00	180.0	0.0	0.0773	0.1697	0.0000	0.0000
D	53.250	0.00	180.0	0.0	0.0840	0.2043	0.0000	0.0000
D	53.250	0.00	180.0	0.0	0.0839	0.4514	0.0000	0.0000
D	47.000	0.00	180.0	0.0	0.0839	0.4514	0.0000	0.0000
D	47.000	0.00	180.0	0.0	0.0839	0.2479	0.0000	0.0000
D	11.750	0.00	180.0	0.0	0.0761	0.2808	0.0000	0.0000
D	11.750	0.00	180.0	0.0	0.0760	0.2874	0.0000	0.0000
D	0.000	0.00	180.0	0.0	0.0778	0.2939	0.0000	0.0000
=====		=======	=======	======	=========	=========	========	=======
LOAD	DING CONDITION	M =	=======	======	=========	=========	========	=======

112 mph wind with no ice. Wind Azimuth: 0. (0.9 D + 1.0 Wo)

LOADS ON POLE

LOAD	ELEV	APPLYLO	AD.AT	LOAD	FORC	ES	MOMI	ENTS
TYPE		RADIUS	AZI	AZI	HORIZ	DOWN	VERTICAL	TORSNAL
	ft	ft			kip	kip	ft-kip	ft-kip
с	156.000	0.00	0.0	0.0	0.0913	0.0135	0.0000	0.0000
c	152.000	0.00	0.0	0.0	0.0132	0.0050	0.0000	0.0000
Ċ	150.000	0.00	0.0	0.0	0.0000	0.8424	0.0000	0.0000
C	150.000	0.00	0.0	0.0	9.0572	6.3000	0.0000	0.0000
C	145.000	0.00	0.0	0.0	0.0328	0.0126	0.0000	0.0000
С	140.000	0.00	0.0	0.0	0.0000	0.7862	0.0000	0.0000
С	140.000	0.00	0.0	0.0	6.6956	4.0500	0.0000	0.0000
С	135.000	0.00	0.0	0.0	0.0323	0.0126	0.0000	0.0000
С	130.000	0.00	0.0	0.0	0.0000	0.7301	0.0000	0.0000
С	130.000	0.00	0.0	0.0	6.5927	4.0500	0.0000	0.0000
С	125.000	0.00	0.0	0.0	0.0318	0.0126	0.0000	0.0000
С	120.000	0.00	0.0	0.0	0.0000	0.6739	0.0000	0.0000
С	120.000	0.00	0.0	0.0	4.3223	4.0500	0.0000	0.0000
С	115.000	0.00	0.0	0.0	0.0312	0.0126	0.0000	0.0000
С	105.000	0.00	0.0	0.0	0.0306	0.0126	0.0000	0.0000
С	95.000	0.00	0.0	0.0	0.0300	0.0126	0.0000	0.0000
С	85.000	0.00	0.0	0.0	0.0293	0.0126	0.0000	0.0000
С	75.000	0.00	0.0	0.0	0.0285	0.0126	0.0000	0.0000
С	65.000	0.00	0.0	0.0	0.0277	0.0126	0.0000	0.0000
С	55.000	0.00	0.0	0.0	0.0267	0.0126	0.0000	0.0000
С	45.000	0.00	0.0	0.0	0.0256	0.0126	0.0000	0.0000
С	35.000	0.00	0.0	0.0	0.0243	0.0126	0.0000	0.0000
С	25.000	0.00	0.0	0.0	0.0226	0.0126	0.0000	0.0000
С	15.000	0.00	0.0	0.0	0.0204	0.0126	0.0000	0.0000
D	154.000	0.00	180.0	0.0	0.0599	0.0595	0.0000	0.0000
D	105.500	0.00	180.0	0.0	0.0747	0.0794	0.0000	0.0000
D	105.500	0.00	180.0	0.0	0.0751	0.1582	0.0000	0.0000
D	100.500	0.00	180.0	0.0	0.0751	0.1582	0.0000	0.0000
D	100.500	0.00	180.0	0.0	0.0765	0.2069	0.0000	0.0000
D	95.500	0.00	180.0	0.0	0.0765	0.2069	0.0000	0.0000
D	95.500	0.00	180.0	0.0	0.0773	0.1272	0.0000	0.0000
D	53.250	0.00	180.0	0.0	0.0840	0.1533	0.0000	0.0000
D	53.250	0.00	180.0	0.0	0.0839	0.3385	0.0000	0.0000
D	47.000	0.00	180.0	0.0	0.0839	0.3385	0.0000	0.0000
D	47.000	0.00	180.0	0.0	0.0839	0.1860	0.0000	0.0000
D	11.750	0.00	180.0	0.0	0.0761	0.2106	0.0000	0.0000
D	11.750	0.00	180.0	0.0	0.0760	0.2155	0.0000	0.0000
D	0.000	0.00	180.0	0.0	0.0778	0.2204	0.0000	0.0000
======			======				=======	

40 mph wind with 1 ice. Wind Azimuth: 0• (1.2 D + 1.0 Di + 1.0 Wi)

LOADS ON POLE

LOAD	ELEV	APPLY LOAD	DAT	LOAD	FORCES	3	MOMI	ENTS
TYPE		RADIUS	AZI	AZI	HORIZ	DOWN	VERTICAL	TORSNAL
	ft	ft			kip	kip	ft-kip	ft-kip

C 15.000 0.00 0.0 0.0121 0.0288 0.0000 0.0000 D 154.000 0.00 180.0 0.0 0.0146 0.1167 0.0000 0.0000 D 105.500 0.00 180.0 0.0 0.0178 0.1537 0.0000 0.0000 D 105.500 0.00 180.0 0.0 0.0178 0.2597 0.0000 0.0000 D 100.500 0.00 180.0 0.0 0.0178 0.2597 0.0000 0.0000 D 100.500 0.00 180.0 0.0 0.0181 0.3253 0.0000 0.0000 D 95.500 0.00 180.0 0.0 0.0181 0.3253 0.0000 0.0000 D 95.500 0.00 180.0 0.0 0.0183 0.2198 0.0000 0.0000 D 53.250 0.00 180.0 0.0 0.0196 0.5093 0.0000 0.0000 D 53.250	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	$\begin{array}{c} 156.000\\ 152.000\\ 150.000\\ 140.000\\ 145.000\\ 140.000\\ 140.000\\ 135.000\\ 130.000\\ 130.000\\ 120.000\\ 120.000\\ 120.000\\ 125.000\\ 105.000\\ 95.000\\ 85.000\\ 75.000\\ 65.000\\ 55.000\\ 45.000\\ 35.000\\ 25.000\\ 25.000\end{array}$	$\begin{array}{c} 0.00\\$	$\begin{array}{c} 0 . 0 \\$	$\begin{array}{c} 0 & . & 0 \\$	0.0211 0.0095 0.0000 1.6933 0.0233 0.0000 1.2490 0.0228 0.0000 1.2270 0.0223 0.0000 0.8024 0.0212 0.0218 0.0212 0.0218 0.0212 0.0218 0.0199 0.0192 0.0184 0.0176 0.0166 0.0140	$\begin{array}{c} 0.0648\\ 0.0187\\ 1.1232\\ 16.5498\\ 0.0288\\ 1.0483\\ 10.6033\\ 0.0288\\ 0.9734\\ 10.5652\\ 0.0288\\ 0.8986\\ 10.5244\\ 0.0288\\ 0.0$	0.0000 0.0000	0.0000 0.0000
	D D D D D D D D D D D D D D	$154.000 \\ 105.500 \\ 105.500 \\ 100.500 \\ 95.500 \\ 95.500 \\ 53.250 \\ 53.250 \\ 47.000 \\ 47.000 \\ \end{array}$	$\begin{array}{c} 0.00\\ 0.00\\ 0.00\\ 0.00\\ 0.00\\ 0.00\\ 0.00\\ 0.00\\ 0.00\\ 0.00\\ 0.00\\ 0.00\\ 0.00\\ 0.00 \end{array}$	180.0 180.0 180.0 180.0 180.0 180.0 180.0 180.0 180.0 180.0 180.0 180.0	0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	0.0146 0.0178 0.0178 0.0181 0.0181 0.0183 0.0196 0.0196 0.0195	$\begin{array}{c} 0.1167\\ 0.1537\\ 0.2597\\ 0.3253\\ 0.3253\\ 0.2198\\ 0.2615\\ 0.5093\\ 0.5093\\ 0.3062 \end{array}$	0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000	0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000

Seismic - Azimuth: 0• (1.2 D + 1.0 Ev + 1.0 Eh)

LOADS ON POLE

LOAD	ELEV	APPLYLOA	DAT	LOAD	FOR	CES	MOME	ENTS
TYPE		RADIUS	AZI	AZI	HORIZ	DOWN	VERTICAL	TORSNAL
	ft	ft			kip	kip	ft-kip	ft-kip
С	156.000	0.00	0.0	0.0	0.0009	0.0184	0.0000	0.0000
С	152.000	0.00	0.0	0.0	0.0003	0.0068	0.0000	0.0000
С	150.000	0.00	0.0	0.0	0.0536	1.1473	0.0000	0.0000
С	150.000	0.00	0.0	0.0	0.4007	8.5806	0.0000	0.0000
С	145.000	0.00	0.0	0.0	0.0007	0.0172	0.0000	0.0000
С	140.000	0.00	0.0	0.0	0.0436	1.0708	0.0000	0.0000
С	140.000	0.00	0.0	0.0	0.2244	5.5161	0.0000	0.0000
С	135.000	0.00	0.0	0.0	0.0006	0.0172	0.0000	0.0000
С	130.000	0.00	0.0	0.0	0.0349	0.9943	0.0000	0.0000
С	130.000	0.00	0.0	0.0	0.1935	5.5161	0.0000	0.0000
С	127.380	0.00	0.0	0.0	0.1719	5.1061	0.0000	0.0000
С	125.000	0.00	0.0	0.0	0.0006	0.0172	0.0000	0.0000
С	120.000	0.00	0.0	0.0	0.0274	0.9179	0.0000	0.0000
С	120.000	0.00	0.0	0.0	0.1649	5.5161	0.0000	0.0000
С	115.000	0.00	0.0	0.0	0.0005	0.0172	0.0000	0.0000
С	105.000	0.00	0.0	0.0	0.0004	0.0172	0.0000	0.0000
С	100.500	0.00	0.0	0.0	0.0235	1.1187	0.0000	0.0000
С	95.000	0.00	0.0	0.0	0.0003	0.0172	0.0000	0.0000
С	85.000	0.00	0.0	0.0	0.0003	0.0172	0.0000	0.0000
С	75.000	0.00	0.0	0.0	0.0002	0.0172	0.0000	0.0000
С	73.750	0.00	0.0	0.0	0.1154	10.2254	0.0000	0.0000
С	65.000	0.00	0.0	0.0	0.0002	0.0172	0.0000	0.0000
С	55.000	0.00	0.0	0.0	0.0001	0.0172	0.0000	0.0000
С	45.000	0.00	0.0	0.0	0.0001	0.0172	0.0000	0.0000
С	35.000	0.00	0.0	0.0	0.0000	0.0172	0.0000	0.0000
С	26.620	0.00	0.0	0.0	0.0213	14.5078	0.0000	0.0000

C	25.000	0.00	0.0	0.0	0.0000	0.0172	0.0000	0.0000
C	15.000	0.00	0.0	0.0	0.0000	0.0172	0.0000	
D	154.000	0.00	180.0	180.0	0.0000	0.0000	0.0000	0.0000
D	0.000	0.00	180.0	180.0	0.0000	0.0000	0.0000	0.0000
=====			======			=========	=========	=======

LOADING CONDITION AL ------

Seismic - Azimuth: 0• (0.9 D - 1.0 Ev + 1.0 Eh)

LOADS ON POLE

LOAD TYPE	ELEV	APPLYLO RADIUS	ADAT AZI	LOAD AZI	FOR HORIZ	CES DOWN	MOME	INTS TORSNAL		
IIFE	ft	ft	AUT	A21	kip	kip	ft-kip	ft-kip		
0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	$\begin{array}{c} 156.000\\ 152.000\\ 150.000\\ 140.000\\ 145.000\\ 140.000\\ 135.000\\ 130.000\\ 130.000\\ 130.000\\ 127.380\\ 125.000\\ 120.000\\ 120.000\\ 120.000\\ 115.000\\ 105.000\\ 100.500\\ 95.000 \end{array}$	$\begin{array}{c} 0.00\\$			0.0009 0.003 0.0536 0.4007 0.0436 0.2244 0.0006 0.0349 0.1935 0.1719 0.0006 0.0274 0.1649 0.0005 0.0004 0.0235 0.0003	0.0131 0.0049 0.8183 6.1194 0.0122 0.7637 3.9339 0.0122 0.7092 3.9339 3.6414 0.0122 0.6546 3.9339 0.0122 0.0122 0.0122	$\begin{array}{c} 0.0000\\ 0.000\\ $	0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000		
							0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000			
							17			
	22-н) - м 16)736-74	Ionopole Spa		-	736-4372	(c)20	Web:www.gu	mast Inc.		
-	-	license a		A. (410)	50 4572		neb	zymase.com		
Sabre Towers and Poles on: 11 jul 2024 at: 11:51:11										
155' Monopole / Reed, MD										
MAXIMUM POLE DEFORMATIONS CALCULATED(w.r.t. wind direction)										
ELEV	MAST DEFLECTIONS (ft) ROTATIONS (deg) ELEV HORIZONTAL DOWN TILT TWIST ft ALONG ACROSS ALONG ACROSS									

154.0	12.80A	0.03R	1.44H	8.75A	0.02R	0.001
147.1	11.76A	0.03R	 1.29H	8.74A	0.02R	0.00L

140.1	10.74A	0.03R	1.13H	8.66A	0.02R	0.001
133.2	9.72A	0.02R	0.98н	8.50A	0.02R	0.001
126.3	8.73A	0.02R	0.83H	8.23A	0.02R	0.001
119.4	7.77A					0.001
112.4	6.86A	0.02R	0.58н	7.42A	0.02R	0.001
105.5	6.01A	0.02R	0.47н	6.89A	0.02R	0.001
100.5	5.44A	0.02R	0.41H	6.47A	0.01R	0.001
95.5	4.89A	0.01R	0.35H	6.16A	0.01R	0.001
89.5	4.27A			5.76A		0.001
83.4	3.69A	0.01R				0.001
77.4	3.16A			4.92A		0.001
71.4	2.66A		0.14A	4.49A	0.01R	0.001
65.3	2.22A	-0.01H	0.10A	4.06A	0.01R	0.001
59.3	1.81A	-0.01H	0.08A	3.63A	-0.01H	0.001
53.2	1.45A	0.00н	0.05A	3.20A	-0.01H	0.001
47.0	1.13A	0.00н	0.04A	2.82A	-0.01H	0.001
41.1	0.86A	0.00н	0.03A	2.44A	-0.01H	0.001
35.2	0.63A	0.00н	0.02A	2.08A	-0.01H	0.001
29.4	0.43A	0.00н	0.01A	1.72A	-0.01H	0.001
23.5	0.28A	0.00н	0.00A	1.36A	0.00н	0.001
17.6	0.15A	0.00н	0.00A	1.01A	0.00н	0.001
11.7	0.07A	0.00н	0.00F	0.67A	0.00н	0.001
5.9	0.02A		0.00AA	0.33A	0.00н	0.001
0.0	0.00A		0.00A	0.00A	0.00A	0.00A

MAXIMUM POLE FORCES CALCULATED (w.r.t. to wind direction)

MAST ELEV ft	TOTAL AXIAL kip	SHEAR.w.r.t ALONG kip	.WIND.DIR ACROSS kip	MOMENT.w.r.t ALONG ft-kip	ACROSS	TORSION ft-kip
154.0	0.07 AF	0.11 U	-0.01 B	-0.25 K	-0.04 в	0.01 B
147.1	18.58 AF	9.60 U	-0.01 B	-32.70 I	0.05 B	-0.01 E
147.1	18.58 AB	9.62 U	-0.03 E	-32.70 E	-0.05 N	0.02 N
140.1	19.48 AB	10.09 U	-0.03 E	-109.93 C	0.18 E	-0.05 L
140.1	19.48 AA	10.10 W	0.03 R	-109.98 C	0.22 E	-0.05 E
133.2	32.06 AA	17.27 W	0.03 R	-241.65 A	-0.31 R	-0.11 L
133.2	32.06 AA	17.34 N	-0.05 E	-241.67 H	-0.31 R	-0.11 L
126.3	44.54 AA	24.39 N	-0.05 E	-405.61 A	-0.52 R	-0.18 L
120.5	44.54 AA	24.34 N	-0.04 B	-405.67 A	-0.48 T	-0.18 L
119.4	56.96 AA	29.17 N	-0.04 B	-599.92 A	-0.71 T	-0.27 L
119.4	56.96 AA	29.19 B	0.07 K	-599.96 A	-0.73 T	-0.27 L

COMPLIANCE WITH 4.8.2 & 4.5.4

ELEV ft	AXIAL	BENDING	SHEAR + TORSIONAL		SATISFIED	D/t(w/t)	MAX ALLOWED
154.00	0.00AF		0.00U			15.69A	45.2
147 07	0.01AF	0.041	0.010			16.67A	45.2
147.07	0.01AB	0.04E	0.010		YES	16.67A	45.2
140.14		0.13C	0.01U				45.2
140.14	0.01AA	0.13C	0.01W			17.64A	45.2
133.21	0.02AA		0.02₩	0.28A			45.2
155.21	0.02AA	0.27н	0.02N	0.28н	YES	18.61A	45.2
126.29	0.03AA		0.03N		YES		45.2
120.25	0.03AA	0.41A	0.03N	0.43A	YES	19.58A	45.2
119.36	0.03AA	0.56A	0.03N		YES	20.56A	45.2
	0.03AA	0.56A	0.03B			20.56A	45.2
112.43	0.03AA	0.72A	0.03B		YES		45.2
	0.03AA	0.72A	0.03H			21.53A	45.2
105.50	0.03AA		0.03н				
	0.03AA	0.86A	0.03н	0.88A	YES	22.50A	45.2
100.50	0.03AA	0.98A	0.03н	1.00A	YES	22.85A	45.2
	0.02AA	0.60A	0.02₩	0.61A	YES	15.12A	45.2
95.50	0.02AA	0.64A	0.02W	0.65A		15.58A	45.2
	0.02AA	0.66A	0.02₩	0.67A	YES	15.35A	45.2
89.46	0.02AA		0.02₩				45.2
	0.02AA		0.02A				45.2
83.43	0.02AA		0.02A				45.2
			0.02W			16.48A	
77.39	0.02AA	0.79A	0.02W		YES 		
	0.02AA		0.02A				
71.36	0.02AA		0.02A 02A 0.02A	0.84A		17.61A	
65.32			0.02A				
			0.02A				45.2
59.29			0.02A				
			0.02A				
53.25			0.02A				
			0.02P				
47.00	0.02AA	0.78A	0.02P 02P 0.02P	0.79A	YES	17.00A	
	0.02AA	0.81A					45.2
	0.02AA	0.83A	0.02P	0.84A	YES	17.16A	45.2

41.12 .								
	0.02AA	0.83A	0.02H	0.84A	YES	17.16A	45.2	
35.25 .						17.64A		
						17.64A		
29.37 .						18.11A		
		0.85A					45.2	
23 50						18.58A		
10.00	0.02AA	0.87A	0.02P	0.88A	YES	18.58A	45.2	
17 62	0.02AA					19.05A		
17.02 .	0.02AA	0.88A	0.02P	0.89A	YES	19.05A	45.2	
11 75						19.52A		
11.75 .		0.89A						
5 99	0.02AA	0.90A	0.02P	0.91A	YES	19.99A	45.2	
J.00 .	0.02AA	0.90A	0.02P	0.91A	YES	19.99A	45.2	
0.00 .	0.02AA			0.92A		20.46A		
	OADS ONTO F							
DOWN	SHEAR.w.	r.t.WIND.D	IR MOME	NT.w.r.t.W ALONG	IND.DIR	TORSION		
kip	kip	k k	ip f	t-kip	ft-kip	ft-kip		
91.06 AA	39.14 P		22 –49 H	48.90 A	17.87 Н	-1.09 L		
=========	==========		=========	========				
	======================================)17 Guym		
Tel:(416)	736-7453	:	Fax: (416)	736-4372		Web:www.guy	mast.com	
Processed	under lice	ense at:						
	ers and Pol					11 2024 at:		
155' Monoj	pole / Reed	l, MD						
	* * * * * * * * * * * * * * * * * * *					*************		
*******	*******	*****	*******	*******	*******	*********	*****	
	ondition(s) centrated w			been deriv	ed from fu	111-scale win	d tunnel test	ting
LOADING CO	ONDITION A							
60 mph wind	d with no i	ce. Wind A	zimuth: 0	• (1.0 D +	1.0 Wo)			
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LOADS ON I				(
	ELEV APPL	YLOAD.A UIUS AZ			CES DOWN		TS TORSNAL	

C 156.000 0.00 0.0 0.0 0.0234 0.0150

0.0000 0.0000

	$\begin{array}{c} 152.000\\ 150.000\\ 150.000\\ 145.000\\ 140.000\\ 140.000\\ 135.000\\ 130.000\\ 130.000\\ 120.000\\ 120.000\\ 120.000\\ 125.000\\ 105.000\\ 95.000\\ 85.000\\ 75.000\\ 65.000\\ 55.000\\ 45.000\\ 35.000\\ 25.000\\ 15.000\\ 15.000\\ 25.000\\ 1$	$\begin{array}{c} 0.00\\$	$\begin{array}{c} 0 & . & 0 \\$		0.0034 0.0000 2.3257 0.0084 0.0000 1.7193 0.0083 0.0000 1.6929 0.0082 0.0082 0.0080 0.0079 0.0079 0.0075 0.0071 0.0071 0.0069 0.0062 0.0052	0.0056 0.9360 7.0000 0.0140 0.8736 4.5000 0.0140 0.8112 4.5000 0.0140 0.0100 0.0000 0.00000000000000000000000000000000	0.0000 0.0000	0.0000 0.0000
0 0 0 0 0 0 0 0 0 0 0 0	$\begin{array}{c} 154.000\\ 105.500\\ 105.500\\ 100.500\\ 95.500\\ 95.500\\ 53.250\\ 53.250\\ 47.000\\ 47.000\\ 11.750\\ 11.750\\ 0.000\end{array}$	$\begin{array}{c} 0.00\\$	180.0 180.0 180.0 180.0 180.0 180.0 180.0 180.0 180.0 180.0 180.0 180.0 180.0 180.0 180.0	0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	0.0154 0.0192 0.0193 0.0197 0.0197 0.0197 0.0216 0.0216 0.0216 0.0215 0.0195 0.0195 0.0195	0.0661 0.0883 0.1758 0.2298 0.2298 0.1414 0.1703 0.3762 0.3762 0.2066 0.2340 0.2395 0.2449	0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000	0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000

MAXIMUM POLE DEFORMATIONS CALCULATED (w.r.t. wind direction)

MAST ELEV ft	DEFLECTIO HORIZONTAL ALONG		DOWN			TWIST
154.0				2.24L		
147.1				2.24L		
140.1				2.22L		
133.2				2.18L		
126.3				2.11L		
119.4				2.021		
112.4				1.90L		
105.5				1.76L		
100.5				1.65L		
95.5				1.58L		
89.5	1.10L	0.01C		1.47L		0.001
83.4	0.95L	0.00C		1.37L		0.001
77.4	0.81L	0.00C	0.01L	1.26L	0.01C	0.001
71.4	0.681	0.00C	0.01L	1.15L	0.01C	0.001
65.3	0.571	0.00C	0.01L	1.04L	0.01C	0.001
59.3	0.46L	0.00C	0.01L	0.931	0.00C	0.001

53.2	0.37L	0.00C	0.001	0.821	0.00C	0.001	
47.0	0.29L	0.00C	0.001	0.721	0.00C	0.001	
41.1	0.221	0.00C	0.001	0.621	0.00C	0.001	
35.2	0.16L	0.00C	0.001	0.531	0.00C	0.001	
29.4		0.00C	0.001	0.44L	0.00C	0.001	
23.5		0.00C	0.001		0.00C	0.001	
17.6	0.04B	0.00C	0.001	0.26B	0.00C	0.00C	
11.7	0.02B	0.00C	0.001	0.17B	0.00C	0.00C	
5.9	0.00B	0.00C	0.00D	0.08B	0.00C	0.00C	
0.0	0.00A	0.00A	0.00A	0.00A	0.00A	0.00A	

MAXIMUM POLE FORCES CALCULATED (w.r.t. to wind direction)

MAST ELEV ft		SHEAR.w.r. ALONG kip	ACROSS	MOMENT.w.r. ALONG ft-kip	ACROSS	TORSION ft-kip
154.0				-0.06 в		
147.1				-8.39 L		
				-8.39 L		
140.1				-28.22 L		
				-28.21 L		
133.2				-62.01 F		
				-62.00 L		
126.3				-104.00 F		
				-104.00 F -153.71 F		
119.4						
				-212.31 L		
112.4				-212.31 L		
	27.70 A	7.76 L	0.02 L	-271.62 L	-0.50 L	-0.03 I
105.5				-271.62 L		
				-314.81 L		
100.5				-314.80 L		
95.5				-358.49 L		
95.5	29.74 A	8.00 н	0.05 C	-358.52 L	-0.85 L	-0.04 I
89.5				-411.98 L		
05.0				-411.95 L		
83.4		8.26 L		-466.01 L	-1.26 C	
				-466.00 L		
77.4				-520.55 L		
				-520.56 L		
	33.40 A	8.51 B	0.07 C	-575.61 L	-2.04 C	-0.05 I

71.4	33.40 A	8.51 L	0.07 C	-575.58 L	-2.06 C	-0.05 I
65 0			0.07 C	-631.24 L	-2.49 C	-0.05 I
65.3	34.36 A		0.07 C	-631.21 L	-2.50 C	-0.05 I
59.3				-687.47 L		
59.5	35.37 A			-687.45 L		
53.2				-744.09 L		
55.2		8.92 L		-744.10 L	-3.33 C	
47.0			0.06 C	-803.40 L	-3.73 C	
47.0	38.75 A		0.07 C	-803.39 L	-3.73 C	-0.06 I
41.1	39.99 A			-859.67 L		-0.06 I
71.1				-859.66 L		-0.06 I
35.2	41.24 A			-916.38 L		-0.06 I
33.2				-916.38 L		-0.06 I
29.4	42.54 A	9.46 B	0.07 C	-973.49 L	-5.01 C	-0.06 I
29.4		9.46 B	0.07 C	-973.49 L	-5.01 C	-0.06 I
23.5	43.86 A		0.07 C	-1030.97 L	-5.42 C	-0.06 I
23.5			0.07 C	-1030.97 L	-5.42 C	-0.06 I
17.6	45.20 A			-1088.75 L		-0.06 I
27.0				-1088.76 L		-0.06 I
11.7	46.57 A			-1146.97 L		0.06 C
				-1146.97 L		0.06 C
5.9	47.99 A		0.07 C	-1205.58 B	-6.62 C	
0.0			0.07 C	-1205.58 B		
	49.42 A	10.06 B	0.07 C	-1264.57 B	-7.02 C	0.06 C
base reaction				1264.57 B		

COMPLIANCE WITH 4.8.2 & 4.5.4

ELEV ft	AXIAL	BENDING	SHEAR + TORSIONAL	TOTAL	SATISFIED	D/t(w/t)	MAX ALLOWED
154.00	0.00F	0.00B	0.00K	0.00E	YES	15.69A	45.2
1 4 5 6 5	0.01F	0.01L	0.00K	0.021	YES	16.67A	45.2
147.07	0.01L	0.01L	0.00E	0.021	YES	16.67A	45.2
140.14	0.01L	0.031	0.00E	0.041	YES	17.64A	45.2
140.14	0.01L	0.031	0.00F	0.04L	YES	17.64A	45.2
133.21	0.01L	0.07F	0.01F	0.08F	YES	18.61A	45.2
133.21	0.01L	0.071	0.01F	0.08L	YES	18.61A	45.2
126.29	0.01L	0.11F	0.01F	0.12F	YES	19.58A	45.2
120.29	0.01A	0.11F	0.01L	0.12F	YES	19.58A	45.2
	0.02A	0.14F	0.01L	0.16F	YES	20.56A	45.2

119.36	0.02A	0 145		0 165		20 563	
						20.58A 21.53A	
112.43							
105.50	0.02A	0.221	0.01L	0.241	 VFC	22.50A 22.50A	
						22.30A 22.85A	
100.50							
						15.12A 15.58A	
95.50							
						15.35A	
89.46						15.91A	
						15.91A	
83.43	0.01A	0.19L	0.01L	0.20L	YES	16.48A 16.48A	45.2
77.39						17.04A	
						17.04A	
71.36						17.61A	
						17.61A	
65.32						18.17A	
				0.231	YES	18.17A	
59.29						18.74A	
	0.01A	0.231	0.00B	0.241	YES	18.74A	45.2
53.25	0.01A			0.251		19.30A	45.2
			0.001	0.201	YES	16.49A	
47.00	0.01A	0.201	0.001	0.21L	YES	17.00A	45.2
		0.211	0.001	0.21L	YES	16.69A	45.2
41.12	0.01A	0.211	0.001		YES	17.16A	45.2
	0.01A	0.211	0.001	0.221	YES	17.16A	45.2
35.25	0.01A					17.64A	
00120	0.01A	0.21L	0.00B	0.221	YES	17.64A	45.2
29.37	0.01A		0.00B		YES		
			0.00B				
23.50	0.01A			0.231	YES	18.58A	
20.00	0.01A	0.221	0.00B	0.231	YES	18.58A	45.2
17.62	0.01A	0.221	0.00B	0.231	YES	19.05A	45.2
17.02	0.01A	0.221	0.00B	0.231	YES	19.05A	45.2
11.75	0.01A					19.52A	
11.73	0.01A	0.231	0.00B	0.24L	YES	19.52A	
5.88						19.99A	
5.00			0.00B		YES	19.99A	
0.00						20.46A	
0.00		••••		•••••	• • • • • • • • • •		

MAXIMUM LOADS ONTO FOUNDATION (w.r.t. wind direction)

DOWN	SHEAR.w.r.t	.WIND.DIR	MOMENT.w.r.t	.WIND.DIR	TORSION
le é es	ALONG	ACROSS	ALONG	ACROSS	ft him
kip	kip	kip	ft-kip	ft-kip	ft-kip
49.42	10.06	0.07	-1264.57	-7.02	0.06
A	В	С	В	С	С

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Seismic Load Effects Equivalent Lateral Force Procedure ANSI/TIA-222-H Vertical Distribution of Seismic Forces

<u>1.2 D + 1.0 Ev</u> 0.9 D - 1.0 Ev 0.0122 7.2924 0.3464 0.0122 0.0049 6.1194 0.8183 0.0122 3.9339 0.0122 3.9339 0.7092 3.6414 0.0122 3.9339 0.6546 0.0122 0.0122 0.7979 0.0122 0.0122 0.0122 0.0122 0.0122 0.0122 0.0122 0.0131 0.7637 43.13 (kips) 10.2254 14.5078 0.0184 0.0068 1.1473 0.0172 5.5161 1.0708 0.0172 0.9943 0.0172 5.5161 0.9179 0.0172 0.0172 1.1187 0.0172 0.0172 0.0172 0.0172 0.0172 0.0172 0.0172 0.0172 8.5806 5.5161 5.1061 60.48 (kips) 0.0172 E_v (kips) 0.0209 0.1075 0.0193 0.0004 0.0004 0.0004 0.0004 0.2152 0.0001 0.1806 0.0225 0.0004 0.1161 0.0004 0.1161 0.0235 0.0004 0.0004 0.0004 0.0004 0.0004 0.0004 0.0004 0.0004 0.0241 0.0004 0.1161 0.3054 1.27 F_{sz} or E_h 0.0349 0.1719 0.1649 0.0005 0.0004 0.0003 0.0003 0.0003 0.0436 0.0006 0.1935 0.0006 0.0274 0.0235 0.0002 0.0002 0.0001 0.0001 0.0213 0.0000 0.0000 0.0536 0.2244 0.1154 0.0000 0.0007 (kips) 0.4007 1.48 294.3500 88,200.0000 57,500.0000 76,050.0000 13,709.2800 64,800.0000 45,371.5716 21,060.0000 17,122.5600 10,782.7200 9,218.4982 126.3500 67,588.0051 218.7500 185.1500 154.3500 101.1500 581,856.74 255.1500 8,386.7824 365.0400 129.3824 59.1500 42.3500 28.3500 78.7500 17.1500 8.7500 3.1500 w;h^{ke} W_u (kips) 0.0000 0.0000 4.5000 4.5000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0150 0.0000 0.0000 0.0000 0.0000 4.5000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 20.5150 7.0000 0.0000 0.0000 0.0000 11.8353 w_i (kips) 0.0056 7.0000 0.9360 0.0140 4.5000 0.8736 0.0140 4.5000 4.1655 0.0140 4.5000 0.7488 0.0140 0.0140 0.9127 0.0140 0.0140 0.0140 8.3418 0.0140 0.0140 0.0140 0.0140 0.0140 0.0150 0.8112 0.0140 49.34 145.00 140.00 140.00 135.00 130.00 130.00 127.38 125.00 120.00 120.00 115.00 105.00 152.00 150.00 150.00 100.50 h; (ft.) 156.00 95.00 85.00 75.00 73.75 65.00 55.00 45.00 25.00 35.00 26.62 15.00 М Antenna Load Step Bolts/Safety Climb Load Structure - Section 2 Structure - Section 3 Structure - Section 4 Structure - Section 1 Line Deadload Line Deadload Line Deadload Antenna Load Line Deadload Antenna Load Antenna Load Antenna Load Description D (default) 49.342 20.515 0.030 29,000 25,393 13,370 1.500 0.121 0.042 8.000 28.827 1.600 2.400 0.129 0.519 1.000 1.500 1,346 386.4 2.0000 0.194 0.101 0.067 1848 0.257 3.892 Parameters Risk Category Site Class T_L (sec) W_u (kips) I_{avg} (in⁴) W_L (kips) f₁ (Hertz) V_s (kips) W_t (kips) I_{bot} (in⁴) g (in/s²) L_p (in) I_{top} (in⁴) T (sec) E (ksi) S_{MS} S_{M1} S_{DS} S_{D1} ပိ လိ လ် ŕ щ ∟> G ſ _0 ¥

Seismic Design Category

1.480 B



SO#: 25-0551-JSS-R1 Site Name: Reed, MD Date: 7/11/2024

Round Base Plate and Anchor Rods, per ANSI/TIA 222-H

Pole Data

Diameter:	52.900	in (flat to flat)
Thickness:	0.4375	in
Yield (Fy):	65	ksi
# of Sides:	18	"0" IF Round
Strength (Fu):	80	ksi

Reactions

Moment, Mu:	4948.9	ft-kips
Axial, Pu:	59.26	kips
Shear, Vu:	38.96	kips

Anchor Rod Data

Quantity:	18		
Diameter:	2.25	in	
Rod Material:	A615		
Strength (Fu):	100	ksi	
Yield (Fy):	75	ksi	
BC Diam. (in):	59.75	BC Override:	

Plate Data

Diameter (in):

Eff Width/Rod:

Drain Location:

Thickness:

Yield (Fy):

Drain Hole:

Center Hole:

Dia. Override:
in
ksi
in
in. diameter

Base Plate Interaction Ratio:

41.3 ksi 45.0 ksi (per AISC) 91.8% Pass

24.25 in. center of pole to center of drain hole40.5 in. diameter

Anchor Rod Results

Tension Interaction Ratio:

Compression Interaction Ratio:

Maximum Interaction Ratio:

Base Plate Results

Base Plate (Mu/Z):

Allowable Φ^*Fy :

Maximum Put:

Maximum Puc:

Φt*Rnt:

Φv*Rnv:

Φc*Rnc:

Φc*Rnvc:

Vu:

Vu:

(per 4.9.9)

218.40 Kips

243.75 Kips

149.10 Kips

224.16 Kips

268.39 Kips

120.77 Kips

0.84 83.6% Pass

2.16 Kips

0.80

2.16 Kips

Exhibit "5"



July 11, 2024

Matt Penning Milestone Communications, Inc. 12110 Sunset Hills Road #600 Reston, VA 20190

RE: Proposed 155' Monopole for Reed, MD (Sabre #25-0551-JSS-R1)

Dear Mr. Penning,

As shown in our Structural Design Report #25-0551-JSS-R1 dated July 11, 2024, the above referenced Sabre monopole has been designed for an Ultimate Wind Speed of 112 mph with no ice and 40 mph with 1" ice, Risk Category II, Exposure Category C, and Topographic Category 1 in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-H, "Structural Standard for Antenna Supporting Structures, Antennas and Small Wind Turbine Support Structures".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the monopole will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within the monopole shaft, above the base plate. Assuming that the wind pressure profile is similar to that used to design the monopole, the monopole will buckle at the location of the highest combined stress ratio within the monopole shaft. This is likely to result in the portion of the monopole above leaning over and remaining in a permanently deformed condition. *Please note that this letter only applies to the above referenced monopole designed and manufactured by Sabre Industries.* This would effectively result in a fall radius within 155 ft at ground level.

Sincerely,

Keith J. Tindall, P.E., S.E. Vice President, Telecom Engineering



Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No.24301, Expiration Date: 5/24/2025

Exhibit "6"



The FAA is currently experiencing delays in processing off-airport aeronautical studies. These delays are currently resulting in an approximate 15 additional days in processing time. The FAA will continue to work aeronautical studies on a first come, first served basis. Please take this possible delay into consideration when determining when to submit your case. If your submitted aeronautical study requires priority and 60 days has elapsed since submission, please contact the OEG Specialist for your state with the rationale for your request and it will be reviewed for escalation. The issue causing these delays is actively being mitigated and is expected to be resolved around August.

Notice of Proposed Construction or Alteration - Off Airport

Add a New Case (Off Airport) - Desk Reference Guide V_2018.2.1

Add a New Case (Off Airport) for Wind Turbines - Met Towers (with WT Farm) - WT-Barge Crane - Desk Reference Guide V_2018.2.1

Project Name: ENTRE-000869897-24

Sponsor: ENTREX

Details for Case : MILESTONE AT REID

Show Project Summary

Case Status							
ASN:	2024-AEA-7350-OE		Date Accepted:	07/02/202	24		
Status:	Accepted		Date Determined:				
			Letters:	None			
			Documents:	None			
Public Comments:	None			Project Do None	cuments:		
Construction / Alterat	ion Information		Structure Summ	ary			
Notice Of:	Construction		Structure Type:	POLE Mo	nopole		
Duration:	Permanent		Structure Name:	MILESTONE	AT REID		
if Temporary	Months: Days:		FDC NOTAM:				
Work Schedule - Start:			NOTAM Number:				
Work Schedule - End:			FCC Number:				
To find out, use the Notic	ooes the permanent structure require s ce Criteria Tool. If separate notice is re tate the reason in the Description of Pro	uired, please ensure it is filed.	Prior ASN:	2024-AEA-6	6647 - 0E		
State Filing:							
Structure Details			Proposed Freque	ency Bands			
Latitude:		39° 42' 32,78" N	Low Freq	High Freq	Freq Unit GHz	ERP 55	ERP Unit dBW
Longitude:		77° 40' 14.50" W	6 10	7	GHz	42	dBW dBW
Horizontal Datum:		NAD83	10	11.7 11.7	GHz GHz	55 42	dBW
Site Elevation (SE):		623 (nearest foot) PASSED	17.7 17.7	19.7 19.7	GHz GHz	55 42	dBW dBW
Structure Height (AGL):		157 (nearest foot)	21.2 21.2	23.6 23.6	GHz GHz	55 42	dBW dBW
Current Height (AGL):		(nearest foot)	614	698 698	MHz MHz	1000	W
* For notice of alteration AGL height of the existin	or existing provide the current		614 698	806	MHz	1000	W W
Include details in the De			806 806	901 824	MHz MHz	500 500	W W
			824 851	849 866	MHz MHz	500 500	W
Minimum Operating Heig * For aeronautical study	ht (AGL): of a crane or construction equipment	(nearest foot)	869 896	894 901	MHz	500	Ŵ
the maximum height sho	uld be listed above as the		901	902	MHz MHz	500 7	W W
	Additionally, provide the minimum I delays if impacts are identified that		929 930	932 931	MHz MHz	3500 3500	W W
require negotiation to a	reduced height. If the Structure Height		931	932 932.5	MHz	3500	W dBW
value in both fields.	height are the same enter the same		932 935	940	MHz MHz	17 1000	W
			940 1670	941 1675	MHz MHz	3500 500	W
Requested Marking/Ligh	ting:	None	1710	1755	MHz	500	Ŵ
	Other :		1850 1850	1910 1990	MHz MHz	1640 1640	W W
Recommended Marking/	Lighting:		1930 1990	1990 2025	MHz MHz	1640 500	W W
Current Marking/Lightin		N/A Proposed Structure	2110	2200	MHz	500	W
	Other :		2305 2305	2360 2310	MHz MHz	2000 2000	W W
Nearest City:		HAGERSTOWN	2345 2496	2360 2690	MHz MHz	2000 500	W W
Nearest State:		Maryland	Low Freq	High Freq	Freq Unit	ERP	ERP Uni
Description of Location:	page upload any certified survey.	20026 LEHMANS MILL ROAD HAGERSTOWN, MD 21742	3700	3980	MHz	1640	V EKP OIII
Description of Proposal:		NEW 155' HIGH MONOPOLE PLUS 2' LIGHTNING ROD FOR CELLULAR ANTENNAS. NOTE HEIGHT WAS REVISED.					

 $^{+}$ Previous

Back to Search Next Result

Exhibit "7"

REID SITE SIMULATION MAP

F

6

5

3

Site

2

8

10 Site Photograph # mage Landsat / Copernicus



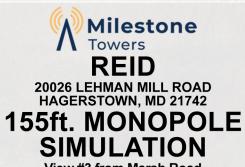
EXISTING VIEW

View #1 from Lehman Mill Road approximately 435ft. northwest of site



View #2 from Marsh Pike approximately 2,940ft. northwest of site





-

EXISTING VIEW

View #3 from Marsh Road approximately 4,325ft. north of site



EXISTING VIEW

View #4 from Leighters Mill Road approximately 6,700t. northeast of site



EXISTING VIEW

View #5 from Millers Church Road approximately 6,600ft. east of site



View #6 from Lehman Mill Road approximately 4,090ft. southeast of site

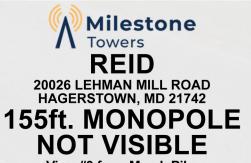


EXISTING VIEW

Lin

View #7 from Lehman Mill Road approximately 1,530ft. southeast of site





View #9 from Marsh Pike approximately 3,325ft. west of site



all and

View #10 from Marsh Pike approximately 4,950ft. southwest of site



Exhibit "8"



Via Supplemental Information to Zoning Application

July 5, 2024

Katherine Rathvon Zoning Coordinator Washington County Division of Planning & Zoning 80 West Baltimore Street, Hagerstown, MD 21740 (240) 313-2464 krathvon@washco-md.net

Re: Proposed Telecommunications Facility at 20026 Lehman Mill Road, Hagerstown, MD 21742, the property of Cool Brook Lands Inc., Account # 09001700 by Milestone Towers for Verizon Wireless-Telecommunications Facility Application- Tower Removal Letter

Dear Ms. Rathvon,

Milestone Towers, its successors and assigns, provides this statement declaring itself, its successors and assigns of being responsible for compliance with Section 4.22.12 of the Washington County Zoning Ordinance, which requires the following:

- A. A Commercial Communication tower that is out of service for a continuous six (6) month period will be deemed to have been abandoned. The Zoning Administrator may issue a Notice of Abandonment to the Owner of the tower that is deemed to be abandoned. The Owner shall have the right to respond in writing to the Notice of Abandonment setting forth the reasons for operation difficulty and providing a reasonable timeframe for correction action, within thirty (30) days from the date of the Notice. The Administrator shall withdraw the Notice of Abandonment and notify the Owner that the Notice has been withdrawn fi the Owner provides information that demonstrates the Tower has not been abandoned.
- B. If the Tower is determined to be abandoned, the Owner of the Tower shall remove the Tower and all related equipment at the Owner's sole expensed within three (3) months of the Date of Notice of Abandonment. If the Owner fails to remove the Tower and related equipment, the Administrator may pursue legal action to have the Tower removed at the Owner's expense.

Please contact me should you have any questions.

Muth

Matthew Penning Director of Development Milestone Towers matt@milestonetowers.com 703.865.4697 (office)

Exhibit "9"



July 2, 2024

Statement of Certified Engineer Site Selection and Performance Standards

Site Name:ReidSite Address:20026 Lehmans Mill Road, Hagerstown, MD 21742

Latitude: 39.711694 Longitude: -77.666389

The proposed communications tower was selected by Verizon Wireless (VZW) to improve wireless coverage in Reid, MD.

The main coverage objective is to bridge the coverage gap between Hagerstown airport and Leitersburg, MD and enhance wireless coverage on Reidtown Rd, Marsh Pike and north of the MD border in PA. In addition, the site will help offload existing VZW sites in the area which will in turn improve in-building coverage for residents and businesses in the area. Verizon Wireless is committed to providing state of the art wireless services that benefit your community.

Sincerely

Hamed Semati

Hamed Semati RF Engineer – Washington/Baltimore/Virginia 10170 Junction Drive Annapolis Junction, MD 20701

Exhibit "10"

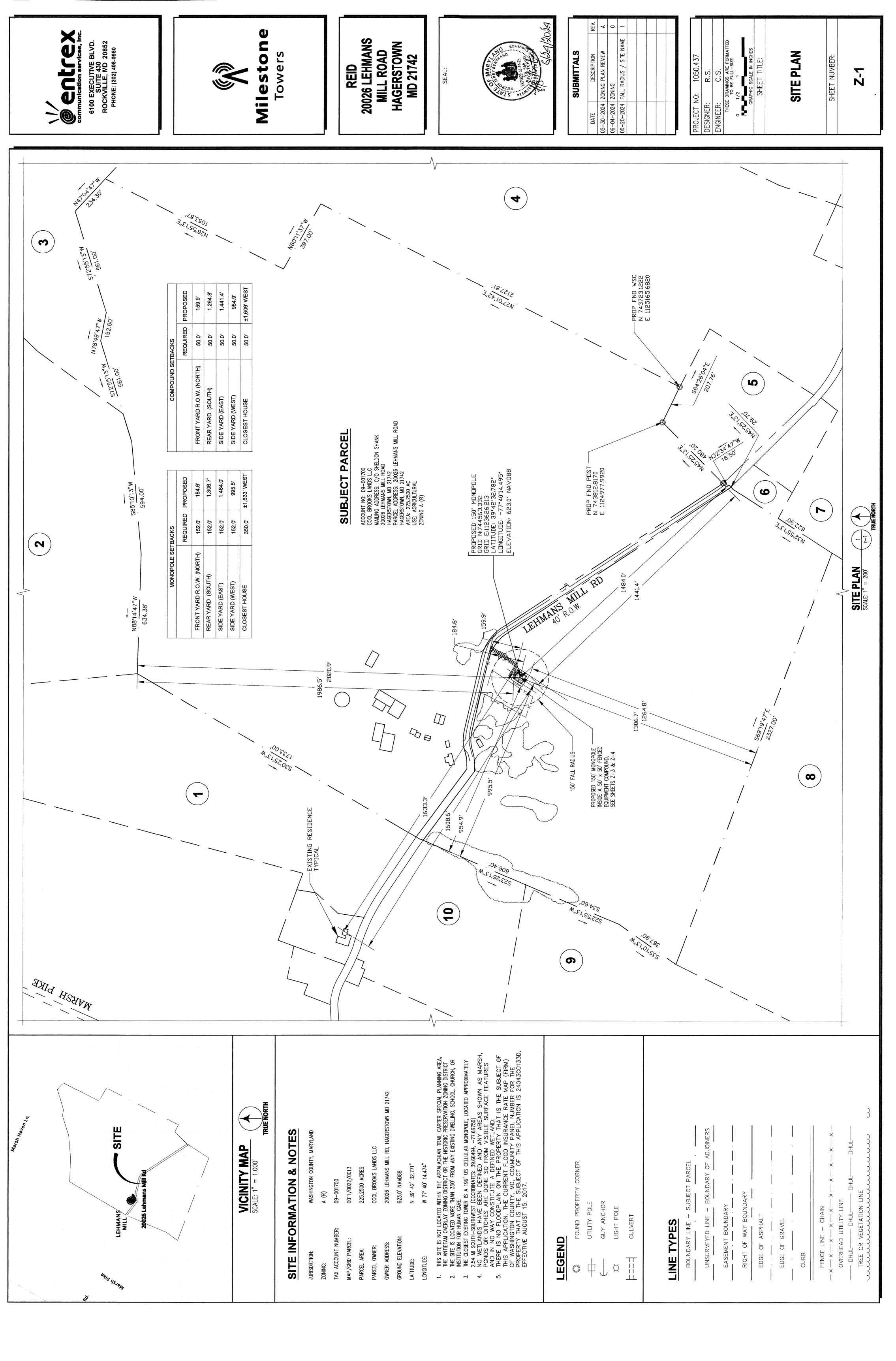


Exhibit "11"

3416 0134

CLERK OF CIRCUIT COURT WASHINGTON COUNTY

NO TITLE EXAMINATION

THIS DEED, Made this 7th day of April, 2008, by **RALPH E. HORST and DORCAS E. HORST, his wife, of** Bradford County, State of Pennsylvania.

WITNESSETH: That for and in consideration of the sum of ONE HUNDRED SIXTY THOUSAND (\$160,000.00) DOLLARS, the receipt of which is hereby acknowledged, the said RALPH E. HORST and DORCAS E. HORST, his wife, do hereby grant and convey unto COOL BROOK LANDS, INC., a Maryland corporation, all that lot or parcel of land, situate approximately 400 feet north of Lehman's Mill Road and approximately 0.85 miles east of the Marsh Pike in Election District No. 9, Washington County, Maryland, and being more particularly described, in accordance with a survey dated January, 2008, by Frederick, Seibert & Associates, Inc., as follows:

BEGINNING at a recovered corner fence post located at the most northwestern corner of lands now or formerly of Stephen and Rebecca Shank and recorded at Liber 796, folio 235, thence running in a clockwise direction and running along adjoining lands of Cool Brook Lands, Inc., (Liber 622, folio 537) North 64 degrees 27 minutes 46 seconds West 186.98 feet to a corner fence post, thence continuing along the lands of Cool Brook Lands, Inc. and running with the following five courses and distances: North 26 degrees 19 minutes 38 seconds East 440.44 feet to a fence post, thence North 27 degrees 02 minutes 02 seconds East 494.64 feet to a fence post, thence North 27 degrees 03 minutes 14 seconds East 812.39 feet to a fence post, thence North 27 degrees 54 minutes 25 seconds East 252.77 feet to a fence post, thence North 26 degrees 29 minutes 15 seconds East 201.97 feet to a corner fence post, thence leaving the lands of Cool Brook Lands, Inc. and running along remaining lands of Ralph Horst (Liber 650, folio 408) and running with an existing fence line South 60 degrees 13 minutes 19 seconds East 397.00 feet to an iron pin and cap set, thence leaving said fence line and running with a new line of division South 27 degrees 00 minutes 00 seconds West 2172.81 feet to an iron pin and cap set along the northern boundary of lands now or formerly of Stephen and Rebecca Shank (Liber 796, folio 235), thence with a portion of the northern boundary of said lands North 64 degrees 27 minutes 46 seconds West 207.76 feet to the place of beginning; CONTAINING 20.00 acres of land, more or less.

BEING part of the same property which was conveyed unto Ralph E. Horst and Dorcas E. Horst, his wife, from Mable H. Horst, also known as Mabel H. Horst, widow, by deed dated December 5, 1977, and recorded among the Land Records of Washington County, Maryland, in Liber 650, folio 408.

Said lands being all of Parcel A as shown on a plat of subdivision for Ralph Horst and recorded at Washington County Plat folio 9418, among the Land Records of Washington County, Maryland.

3476 0735

CLERK OF CIRCUIT COURT WASHINGTON COUNTY

The above described property is hereby conveyed subject to the conditions, restrictions and notes shown on said plat as well as to any and all other conditions, restrictions, easements and rights of way of record applicable thereto.

And the Grantor herein does hereby covenant that, except as to the aforesaid conditions, restrictions, easements and rights of way, they will warrant specially the property hereby conveyed and that they will execute such other and further assurances of title as may be legally requisite.

WITNESS the hands and seals of the Grantors.

<u>Ralph E. Horst</u> (SEAL) Ralph E. Horst <u>Dorcas E. Horst</u> (SEAL) Dorcas E. Horst

STATE OF MARYLAND, WASHINGTON COUNTY, to-wit:

I HEREBY CERTIFY, on this 7th day of April, 2008, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Ralph E. Horst and Dorcas E. Horst, his wife, known to me to be the persons whose names are subscribed to the aforegoing instrument, who did each acknowledge that they executed the same for the purposes therein contained; and at the same time they acknowledged that the consideration set forth in said deed is correct.

WITNESS my hand and Official Notarial Seal. Notary Public

My Commission Expires: 3-1- 3011

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an Attorney, or by a Party to this instrument.

Robert B. Stone, Attorney

3416 0136

CLERK OF CIRCUIT COURT WASHINGTON COUNTY

MAIL TO: Cool Brook Lands, Inc c/o David Shank 10900 Burkett Road Greencastle, PA 17255

rls\F:wpdocs\deeds\Cool Brook Lands from Horst

RECEIVED FOR TRANSFER State Department of Assessments & Taxation for Washington County MM 47/08 By Date

AGRICULTURE TAX Tale ACREAGE 20 AC CLERK

C., F 23 87, 280 83 HID TT

TODO L. HERSHEY, TREASURER TAXES PAID 4-708 pu

Exhibit "12"



Division of Planning & Zoning OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that Jonathan L.	Yates
is authorized to file an administrative adjustre the proposed 155-foot monopole located at 20026 Lehmans Mill The said work is authorized by <u>Cool</u> Br	nent with the Division of Plan Review & Permitting for -style Wireless telecommunications facility on property Road, Hagerstown, MD 21.742 cok Lands Inc.
the property owner in fee.	
	PROPERTY OWNER
- K	Sheldon Shank, President of Cool Brook Lands Inc.
	Name 20026 Lehmans Mill Road
	Address Hagerstown, MD 21742
	City, State, Zip Code
	Shown shank
	Owner's Signature
Sworn and subscribed before me this $\frac{15}{15}$	day of July, 2024.
My Commission Expires: 9/25/217	Notary Public And Jones
7 7 7	AUTHORIZED REPRESENTATIVE
MICHELLE JANET JONES Notary Public-Maryland Washington County My Commission Expires September 25, 2027	Jovietnan L. Yotes Name Broad St. Third Floor
ooptember 25, 2027	Address on, SC, 29401 Chavleston, SC, 29401 City, State, Zip Code
	Authorized Representative's Signature
Sworn and subscribed before me this	day of July, 2024.
C	
My Commission Expires: $\frac{5}{2}/34$	Notary Public for South CAROUNA BRIAN A. HELLMON
	742 P: 240.313.2430 F: 240.313.2461 Hearing Impaired: 7-1-1

BEFORE THE BOARD OF APPEALS FOR WASHINGTON COUNTY, MARYLAND

						*						
MILESTONE TOWER LIMITED							Appeal No.: AP2024-039					
PARTNERSHIP						*						
						*						
Appellant						*						
						*						
*	*	*	*	*	*	*	*	*	*	*	*	*

OPINION

Milestone Tower Limited Partnership (hereinafter "Appellant") requests a special exception for a proposed monopole-style commercial communications facility at the subject property. The subject property is located at 20026 Lehmans Mill Road, Hagerstown, Maryland and is zoned Agricultural, Rural. The Board held a public hearing in this matter on October 30, 2024. Appellant was represented by Jonathan Yates, Esq. at the hearing.

This appeal was heard pursuant to Article 25 of the Zoning Ordinance for Washington County and upon proper notice to the parties and general public as required.

Findings of Fact

Based upon the testimony given, all information and evidence presented, and upon a study of the specific property involved and the neighborhood in which it is located, the Board makes the following findings of fact:

Cool Brook Lands, Inc. is the owner of the subject property located 20026
 Lehmans Mill Road, Hagerstown, Maryland. The subject property is zoned Agricultural,
 Rural.

2. Appellant is the contract lessee for a portion of the subject property to be used as a commercial communications facility.

3. The subject property consists of approximately 225 acres which has been owned in the same family since 1865.

4. Appellant proposes to construct a 155-foot monopole-style commercial communications tower with a 2-foot lightning rod on top. The facility will consist of the monopole and an accessory building.

5. Appellant expects construction to take approximately sixty (60) days. The facility will be accessed eight (8) to ten (10) times per year for maintenance and repairs as necessary.

6. The facility will be accessed by a 10-foot gravel driveway extending from Lehmans Mill Road and completely contained within the subject property.

7. There are no commercial communication towers within two (2) miles of the subject property. There is a significant gap in communications service within the area to be served by the proposed facility. There are no other towers located sufficiently to meet the existing communication needs.

8. The closest residence is approximately 1,633 feet from the proposed location of the commercial communications facility on the subject property.

9. Appellant has agreed to install an air navigation light on the monopole as requested by the Hagerstown Regional Airport.

10. Jacob Horst testified in opposition to this appeal and raised concerns There was opposition presented to this appeal by several witnesses.

Rationale

The Board has authority to grant a special exception pursuant to Section 25.2(b) of the Zoning Ordinance for Washington County, Maryland. A special exception is defined as "a grant of a specific use that would not be appropriate generally or without restriction; and shall be based upon a finding that the use conforms to the plan and is compatible with the existing neighborhood." Article 28A. In addition, Section 25.6 sets forth the limitations, guides, and standards in exercise of the board's duties and provides:

2

Where in these regulations certain powers are conferred upon the Board or the approval of the Board is required before a permit may be issued, or the Board is called upon to decide certain issues, the Board shall study the specific property involved, as well as the neighborhood, and consider all testimony and data submitted, and shall hear any person desiring to speak for or against the issuance of the permit. However, the application for a permit shall not be approved where the Board finds the proposed building, addition, extension of building or use, sign, use or change of use would adversely affect the public health, safety, security, morals or general welfare, or would result in dangerous traffic conditions, or would jeopardize the lives or property of people living in the neighborhood. In deciding such matters, the Board shall consider any other information germane to the case and shall give consideration to the following, as applicable:

- (a) The number of people residing or working in the immediate area concerned.
- (b) The orderly growth of a community.
- (c) Traffic conditions and facilities
- (d) The effect of such use upon the peaceful enjoyment of people in their homes.
- (e) The conservation of property values.
- (f) The effect of odors, dust, gas, smoke, fumes, vibrations, glare and noise upon the use of surrounding property values.
- (g) The most appropriate use of the land and structure.
- (h) Decision of the courts.
- (i) The purpose of these regulations as set forth herein.
- (j) Type and kind of structures in the vicinity where public gatherings may be held, such as schools, churches, and the like.

For the reasons set forth herein, the Board concludes that the special exception should be granted.

Appellant presented evidence related to the need for additional communication infrastructure in the area of the subject property. Area residents often complain of dropped connections or lack of service altogether. Appellant's goal is to fill the void in a 2-mile radius between communication facilities and improve connectivity. Mr. Horst testified in opposition raising questions about the project. He was concerned about the possibility of radiation or EMF emissions and the aesthetics of the monopole in the middle of farmland and residences.

The subject property will continue to be used for agricultural purposes. Appellant testified that the proposed facility will not produce any noise, odor, gas, smoke, fumes, or vibrations upon the surrounding properties. There was no evidence presented that the proposed use would have any effect on property values or the peace and enjoyment of nearby homes.

The Board finds that the proposed use is an appropriate use of land and/or structure. The Board recognizes there may be other appropriate uses for the property, but the proposed use is permitted by special exception. There is an inherent appropriateness to such use as deemed by the Board of County Commissioners, subject to review of the criteria to evaluate the impact on surrounding properties.

Notwithstanding the analysis pursuant to *Schultz v. Pritts* and the related appellate opinions, there are no judicial decisions directly affecting the subject property.

The proposed project is consistent with the orderly growth of the community. There is no evidence that it will create dangerous traffic or other safety concerns within the surrounding area. Although, there were questions about EMF and radiation output, Appellant presented testimony that the emissions were lower and less risk than using a cellular phone. The proposed use has adequate buffering from adjacent property owners and does not require any variances for setback requirements. Thus, the proposed project can be completed and still maintain the other requirements of the Ordinance. The Board finds that the proposed use is consistent with the purpose and vision of the Ordinance.

The nearest school is Paramount Elementary which is approximately three (3) miles away and will not be affected by this project. Although there are a number of churches in the general surrounding area, the proposed facility does not create additional traffic to the area or impact access to gatherings or events that may be held at locations in the surrounding area.

Having considered the testimony and evidence presented and having further considered the criteria set forth in the Ordinance, the Board finds that the proposed use at the subject property will have no greater "adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone." *Schultz v. Pritts*, 291 Md. 1, 15 (1981). For all these reasons, we conclude that

this appeal meets the criteria for a special exception, and Appellant's request should be granted.

Accordingly, the request for a special exception for a proposed monopole-style commercial communications facility at the subject property is hereby GRANTED, by a vote of 5 to 0. The special exception is granted subject to the standard condition that the use is consistent with the testimony and evidence presented during the hearing before the Board.

BOARD OF APPEALS By: Tracie Felker, Chair

Date Issued: November 27, 2024

Notice of Appeal Rights

Any party aggrieved by a final order of the Authority in a contested case, whether such decision is affirmative or negative in form, is entitled to file a petition for judicial review of that order to the Circuit Court for Washington County within thirty (30) days of the date of the order.



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

ZONING APPEAL

Property Owner:	Jose Antonio Villalobos 11433 White Hall Road Smithsburg MD 21783			Docket No: Tax ID No: Zoning:	AP2024-048 18004755 A(R)		
Appellant:	Jose Antonio Villalobos 11433 White Hall Road			RB Overlay: Zoning Overlay:	No		
	Smithsburg MD 21783			Filed Date:	10/01/2024		
Property Location:	11433 White Hall Road Smithsburg, MD 21783			Hearing Date:	10/30/2024		
Description Of Appe	al: Variance from the required	15 ft. setb	back to 3 ft.	from the rear proper	ty line for carport structure.		
Appellant's Legal Int	erest In Above Property:	Owner:	Yes	Contract to Rent/Lease:	No		
		Lessee:	No	Contract to Purchase:	No		
		Other:					
Previous Petition/A	opeal Docket No(s):						
Applicable Ordinanc	e Sections:	Washington County Zoning Ordinance Section 5A.5					
Reason For Hardship	: Moving structures would	d be costly and would require tree removal					
If Appeal of Ruling,	Date Of Ruling:						
Ruling Official/Agen	cy:						
Existing Use:	Detached Structure	Proposed	d Use:	Detached Structu	ire		
Previous Use Ceased	For At Least 6 Months:			Date Ceased:			
Area Devoted To No	on-Conforming Use -	Existing: Proposed					

I hearby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

se Intere Ul **Appellant Signature**

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this _____

Ictobe, day of , 20

My Commission Expires Rathyon NOTARY PUBLIC WASHINGTON COUNTY MARYLAND MY COMMISSION EXPIRES NOVEMBER 07, 2025

Notary Public



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2024-048

State of Maryland Washington County, To Wit:

On 10/1/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Jose Antonio Villalobos and made oath in due form of law as follows:

Jose Antonio Villalobos will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 10/30/2024, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

Sign(s) will be posted on 10/15/2024 and will remain until after the above hearing date.

Jose Antonio Villalobos

Sworn and subscribed before me the day and year first above written.

Notary Public

Kathryn B Rathvon NOTARY PUBLIC WASHINGTON COUNTY MARYLAND MY COMMISSION EXPIRES NOVEMBER 07, 2025

My Commission Expires

Seal



WASHINGTON COUNTY BOARD OF ZONING APPEALS 747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

BOARD OF ZONING APPEALS

ATTENTION!

Posting Instructions

The premises MUST be posted in accordance with the following rules:

- The sign must be posted a minimum of fourteen (14) days prior to the public hearing Section 25.51(c) Property upon which the application or appeal is concerned shall be posted conspicuously by a zoning notice no less in size than twenty-two (22) inches by twenty-eight (28) inches at least fourteen (14) days before the date of the hearing.
- 2. The sign must be placed on the property within ten (10) feet of the property line which abuts the most traveled public road.
- 3. The sign must be posted in a conspicuous manner not over six (6) feet above the ground level, and affixed to a sturdy frame where it will be clearly visible and legible to the public.
- 4. The sign shall be maintained at all times by the applicant until after the public hearing. If a new sign is needed or required, please contact the Plan Review Department at 240-313-2460.
- 5. An affidavit certifying the property will be posted for the minimum of fourteen (14) days prior to the public hearing date.

Proper posting of the sign will be spot checked by the Zoning Inspector. IF SIGN IS NOT IN COMPLIANCE, IT MAY RESULT IN RESCHEDULING OF THE HEARING.

Kathryn B Rathvon NoTARY PUBLIC WASHINGTON COUNTY MY COMMISSION EXPIRES NOVEMBER 07, 2025



BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 |F: 240.313.2461 | Hearing Impaired:

7-1-1 WWW.WASHCO-MD.NET

Appeal for Variance

Appeal is hereby made for a variance from a requirement of the Washington County Zoning Ordinance as follows:

Location 11433 White Hall Road

Appellant's present legal interest in above property: (Check One)

X Owner (Including Joint Ownership) Lessee

____ Contract to rent/lease

Contract to Purchase Other

Specify the Ordinance section and subsection from which the variance is desired. Artical 5A Section 5A.5

Specify the particular requirement(s) from which a variance is desired in that section or subsection: 15 ft. side yard setback

Describe the <u>nature</u> and extent of the desired variance from Ordinance requirements: listed above: stt trom rear property line could

Describe reason(s) why the Ordinance requirement(s) in question would result in peculiar and/or unusual practical difficulties to or would impose exceptional or undue hardship upon the owner of the property if the requested variance were not granted:

Provide Detailed Explanation on Separate Sheet

Has any previous petition or appeal involving this property been made to the Board? ____Yes X No

If yes, list docket number(s):

I hereby certify that I have, to the best of my knowledge, accurately supplied the information required for the above referenced appeal.

Antoni villaldes

Address and of Appellant

Email of Appellant

Phone Number of Appellant

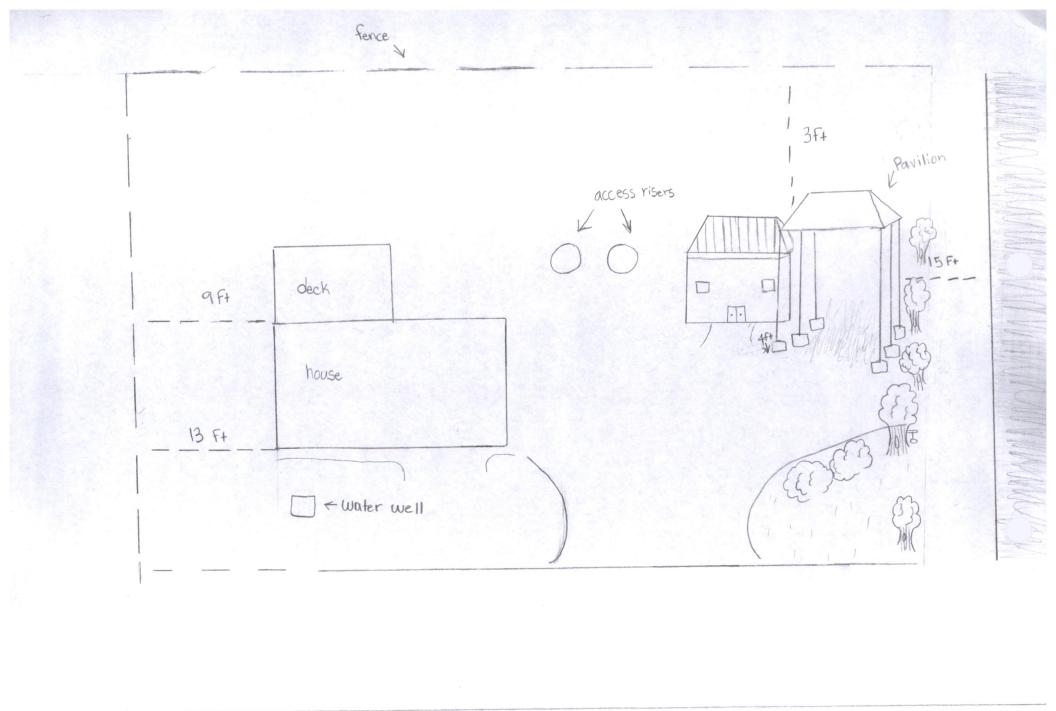
This appeal form is to be used to assist the customer in gathering the information necessary to submit an application. However, the application shall be processed in person.

Revised May 24, 2022

I made the Pavilion in that corner to protect my stuff. First of all my land is small and the house is in front of the street White Hall rd Not that long ago I had a incedent where I had my trailer and Machines that I used and got stolen due to the fact that it was in plain sight towards the road making it to where all of the cars that past by had a clear view. I ended up calling the cops and reported that it was stolen, I went to go and -talk to one of my other neighbor and ask them if they saw anything but the ended up telling me that they went through the same Situation that we are going through not that long ago. That is why I decided to make the pavilion in the back corner with out thinking that it would affect me or affect others.

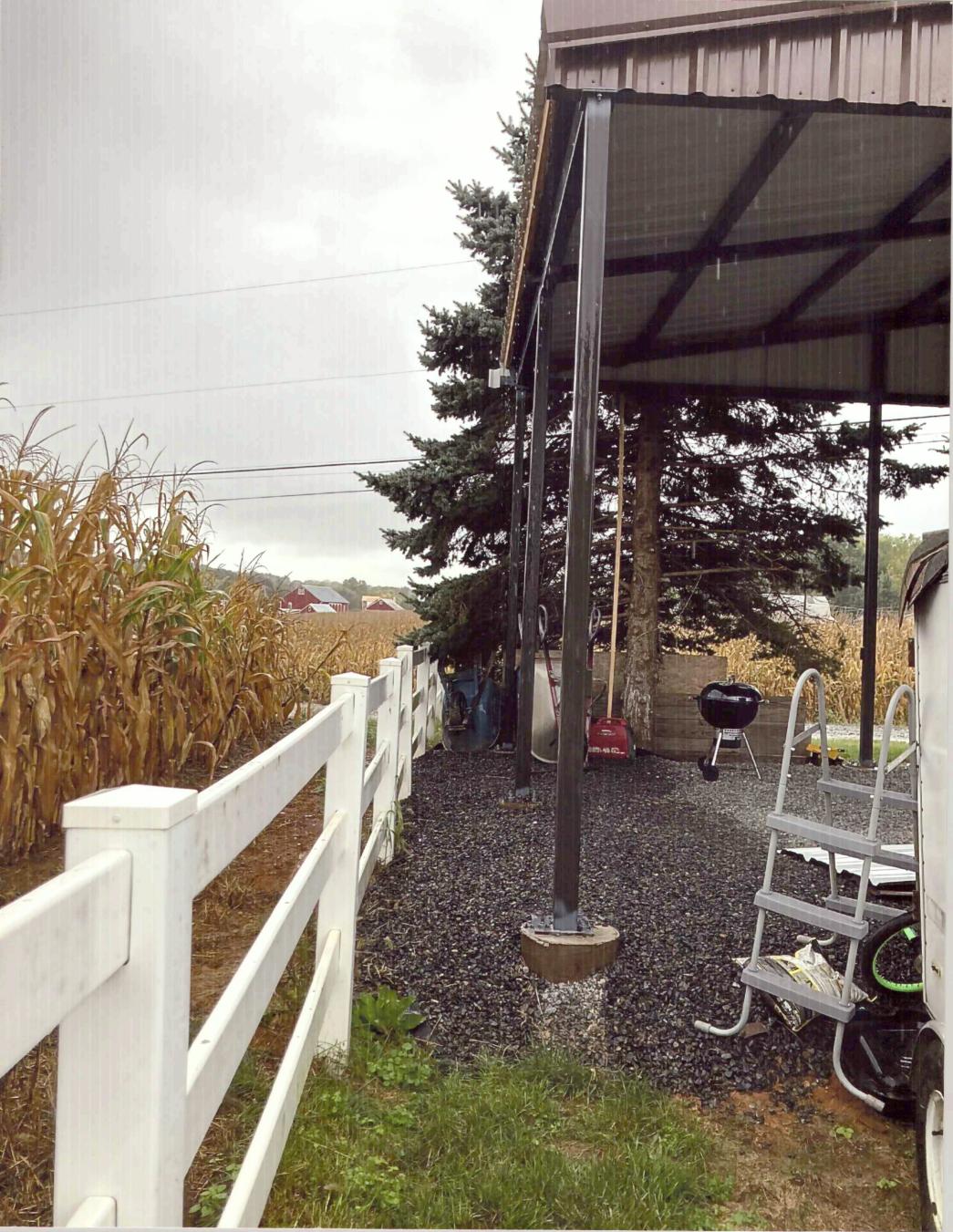
Also I was not aware that there was a certain distance that needed to be required from the Fence to the pavilion.

My lost motive in why I did what I did is because it's a place that brings me peace of mind and being able to spend time with my kids and family with out climate having to be a factor like Surrows and rain day.



White Hall Rd.







BEFORE THE BOARD OF APPEALS FOR WASHINGTON COUNTY, MARYLAND

						*						
Jose	ANTO	DNIO VI	LLALO	BOS		*	App	peal No	o.: AP2	2024-04	8	
	Appellant					*						
						*						
*	×	*	*	*	*	*	×	*	*	*	*	

OPINION

Jose Antonio Villalobos (hereinafter "Appellant") requests a variance from 15 feet to 3 feet from the rear yard property line for a carport structure at the subject property. The subject property is located at 11433 White Hall Road, Smithsburg, Maryland and is zoned Agricultural, Rural. The Board held a public hearing in this matter on October 30, 2024, with the assistance of a Spanish language interpreter who was duly sworn on the record.

This appeal was heard pursuant to Article 25 of the Zoning Ordinance for Washington County and upon proper notice to the parties and general public as required.

Findings of Fact

Based upon the testimony given, all information and evidence presented, and upon a study of the specific property involved and the neighborhood in which it is located, the Board makes the following findings of fact:

1. Appellant is the owner of the subject property, located at 11433 White Hall Road, Smithsburg, Maryland. The subject property is zoned Agricultural, Rural.

2. The subject property consists of approximately .22 acres improved by a dwelling, small shed and now a carport structure. It is bounded to the rear (east), north side and south side by farmland. The subject property is located at the corner of White Hall Road and a farm lane extending east onto the adjoining farm.

3. The original dwelling at the subject property was demolished and the

existing dwelling was constructed in 2005.

4. Appellant has constructed an 18-foot by 34.5-foot carport structure at the subject property to secure his equipment and tools. Appellant plans to construct sides to enclose the carport structure.

5. Appellant has had equipment, tools and personal property stolen from the property because of its proximity to the road and adjoining farm lane.

6. The carport structure and a small shed are constructed over the septic drain field and septic lines serving the subject property.

7. The County received a complaint for construction of the carport without permits and subsequently issued a Stop Work Order to Appellant.

8. The carport structure is approximately 52 inches from the side yard property line which runs parallel to the farm lane on the adjoining property.

9. Appellant's neighbor, Michael Martz is the owner of the adjoining farm to the rear which uses the farm lane for access. Mr. Martz opposes the variance relief requested.

Rationale

The Board has authority to grant a variance upon a showing of practical difficulty or undue hardship as set forth in Section 25.2 and 25.56 of the Ordinance.¹ "Practical Difficulty" may be found by the Board when: (1) strict compliance would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome; and (2) denying the variance would do substantial injustice to the applicant and a lesser relaxation than that applied for would not give substantial

¹ "When the terms unnecessary hardship (or one of its synonyms) and practical difficulty are framed in the disjunctive ("or"), Maryland courts generally have applied the more restrictive hardship standard to use variances, while applying the less restrictive practical difficulty standard to area variances because use variances are viewed as more drastic departures from zoning requirements." *Belvoir Farms Homeowners Ass'n, Inc. v North*, 355 Md. 259, 276 n. 10 (1999) (citations omitted)

relief; and (3) granting the variance would observe the spirit of the Ordinance and secure public safety and welfare. Section 25.56(A).

Practical difficulty and undue hardship are typically the result of a property being unique. "'Uniqueness' of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions." *North v St. Mary's Cnty.*, 99 Md.App. 502, 514 (1994).

Appellant requests variance relief for an existing carport structure that was constructed without proper permits. Section 5A.5 generally requires the rear yard setback for an accessory structure to be 15 feet. Appellant requests that the setback be relaxed to 3 feet to accommodate the already constructed carport structure.

Appellant testified that he had been storing his equipment and tools along the side of the property but approximately six (6) months ago, he had items stolen. Appellant noted that property was visible from the road and out in the open, making it easy to steal. As a result, Appellant decided to construct a structure to house the equipment and tools. Appellant acknowledged that he did not have a survey completed before construction and that he was not aware of the setback requirements for the structure. In addition to the roof and supports, Appellant's plans include constructing sides to enclose the area. The subject property is somewhat small in size and the dwelling occupies much of area, leaving only the small rear yard or the side yard available for accessory structures. Appellant submitted that these conditions result in practical difficulty as it relates to construction of a single-family dwelling.

Michael Martz testified in opposition to the variance relief as the adjoining owner. He noted that the carport structure was excessively big and encroached into both the rear and side yard setback areas. Mr. Martz testified that the farm property was surveyed approximately five (5) years ago at which time the white fence was confirmed to be on the property line. The survey also confirmed that the pine trees which line the side of the subject property are on his land as well. Mr. Martz believed that construction of the carport continued after the complaint was made and the Stop Work Order was issued.

Appellant's real practical difficulty in this case is that he has expended considerable time, effort and money to construct a carport without permits or necessary variance relief. Typically, the septic areas on a property are referenced as limitations on an appellant's ability to build and thus form the basis for their request. In the instant case, Appellant has simply constructed over those areas, further complicating the issues. Moreover, Appellant did not sufficiently address the reason for not moving the structure forward or downsizing to avoid or minimize the setback issues.

The Board tends to agree with Mr. Martz that the structure is too big, given the limitations imposed by the setbacks. Perhaps more importantly, Appellant would need additional variance relief for the side yard which is not part of this appeal. The Board is not persuaded that the evidence supports practical difficulty in this case. Based on the testimony and evidence, the Board is unable to find that the variance request is the minimum necessary to afford relief. The Board further finds that granting the variance would not be consistent with the spirit and intent of the Zoning Ordinance.

Accordingly, the request for a variance from 15 feet to 3 feet from the rear yard property line for a carport structure at the subject property is hereby DENIED, by a vote of 5 to 0.

BOARD OF APPEALS By: Tracie Felker, Chair

Date Issued: November 26, 2024

Notice of Appeal Rights

Any party aggrieved by a final order of the Authority in a contested case, whether such decision is affirmative or negative in form, is entitled to file a petition for judicial review of that order to the Circuit Court for Washington County within thirty (30) days of the date of the order.



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

ZONING APPEAL

Property Owner: Appellant:	Benjamin Hull & Tamala 19803 Spring Creek Roa Hagerstown MD 21742 Benjamin Hull & Tamala 19803 Spring Creek Roa Hagerstown MD 21742	d e Burnette d		Docket No: Tax ID No: Zoning: RB Overlay: Zoning Overlay: Filed Date: Hearing Date:	AP2024-049 09010629 RS No 10/02/2024 10/30/2024			
Property Location:	19803 Spring Creek Roa Hagerstown, MD 21742			hearing Date.	10/30/2024			
Description Of Appea	I: Variance from the required	d 12 ft. side	yard setbad	ck to 8 ft. for constru	icted pool.			
Appellant's Legal Inte	rest In Above Property:	Owner:	Yes	Contract to Rent/Lease:	No			
		Lessee:	No	Contract to Purchase:	No			
		Other:						
Previous Petition/App								
Applicable Ordinance	Sections:	Washington County Zoning Ordinance Section 8.5 (b)						
Reason For Hardship:	Septic tank and septic re boundary pin was not a			of the back yard ar	nd iron pipe thought to be			
If Appeal of Ruling, Da	ate Of Ruling:							
Ruling Official/Agency	y:							
Existing Use: Si	ngle Family Dwelling	Proposed	d Use:	Pool				
Previous Use Ceased Area Devoted To Non	Existing: Proposed	1:	Date Ceased:					

I hearby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Julis Klinie

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this <u>2nd</u> day of <u>Octuber</u>, 2024. <u>4-11-25</u> <u>Av Commission Expires</u> <u>Notary Pl</u>

Notary Public



WASHINGTON COUNTY BOARD OF ZONING APPEALS

47 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2024-049

Seal

State of Maryland Washington County, To Wit:

On 10/2/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Julie Kline and made oath in due form of law as follows:

Julie Kline will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 10/30/2024, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

Sign(s) will be posted on 10/15/2024 and will remain until after the above hearing date.

Juli Ken Julie Kline

Sworn and subscribed before me the day and year first above written.

Debra Sue Eckard

Notary Public

<u>M-11-25</u> My Commission Expires



BOARD OF ZONING APPEALS

OWNER REPRESENTATIVE AFFIDAVIT Grove Pools This is to certify that Grove's Groundwurk LLC dba: is authorized to file an appeal with the Washington County Board of Appeals for ariance on property 50 Or MO 5 0 50. located acerstown. 21742 The said work is authorized by the property owner in fee. PROPERTY OWNER and Name 1980 Address 1747 City, State, Zip Code 0 Owner's Signature Sworn and subscribed before me this 30-10 day of Septemb Notary P My Commission Expires: march 10, 2028 AUTHORIZED REPRESENTATIVE Name WHITNEY FOSTER 044 Notary Public - State of Maryland Address Washington County Commission Expires Mar 10, 2028 nerstown City, State, Zip Code 10 Authorized Representative's Signature Sworn and subscribed before me this 30^{th} day of September WHITNEY FOSTER Notary Public - State of Maryland Washington County My Commission Expires Mar 10, 2028 Notary Public My commission Expires. March 10, 2028 747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | Hearing Impaired: 7-1-1

Grove's GroundWurx

WV61068

PA165933

October 3, 2024

MHIC#8076

Katie Rathvon Zoning Coordinator Washington County Board of Zoning 747 Northern Ave Hagerstown, MD 21742-2723

Subject: Changing setback from 12' to 8'.

To whom it may concern,

We are asking for a variance request because of the following reasons. The pool could not be installed anywhere else on the property except where it is located now. The septic tank and field take up much of the back yard (please see photo supplied), which we must stay 10' off the Septic Tank and 20' off the septic field. When selecting the area where the pool is located – the owner and the next-door neighbor (who has lived there all his life) both stated the "iron pipe" was the property line (see survey provided).

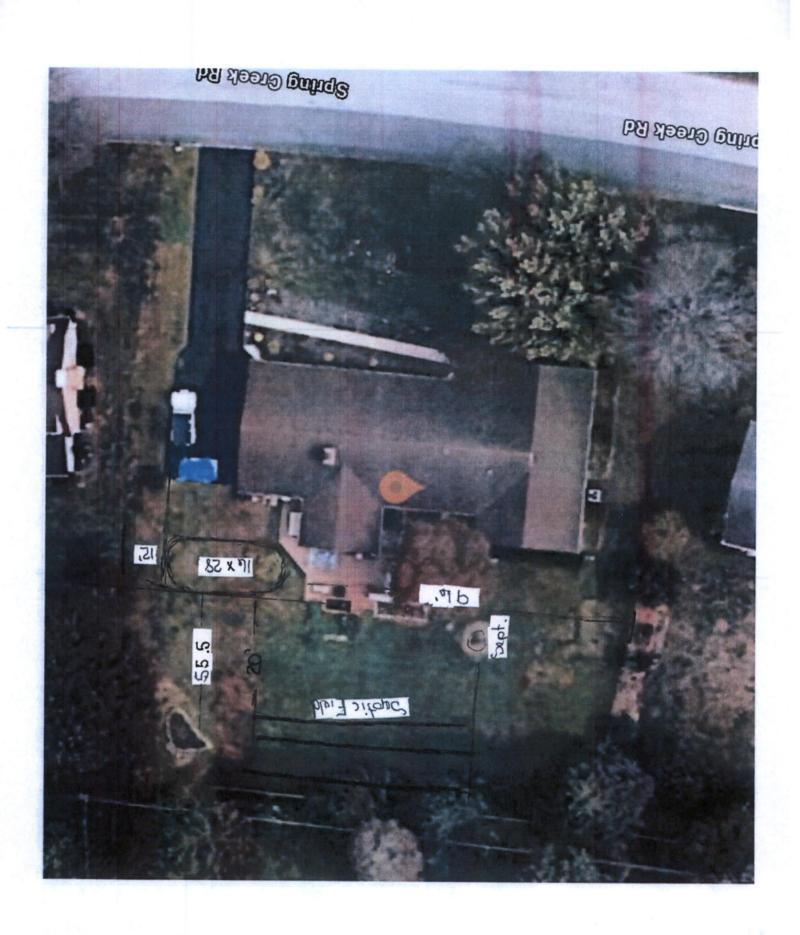
We laid out the pool location for the 16 x 28 Semi according to that information Inground (we had to go with this size to fit in the space available to us). We had 2 Setback Inspections done and approved in this location (see copies provided). We moved forward with the project using the "iron pipe" marker. Upon getting the pool site plan for the Location Survey (Dustin, the surveyor, was having problems finding the property lines on any connecting properties) the surveyor concluded the "iron pipe" was not the property line and it was 4' over, which now made our set back 8' not 12'. If this property had public water and sewer, the setback would have been 8'. The neighbor that the property connects with has no issues with changing the set back to 8' and has a letter for the board members stating that.

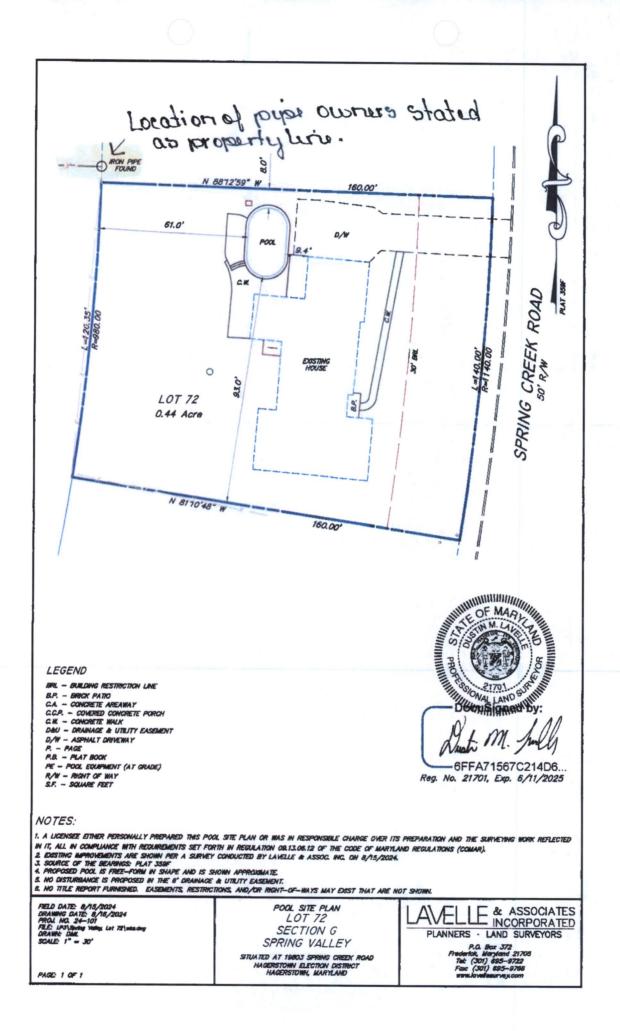
We appreciate your time and consideration in this matter.

Sincerely,

SRA

Douglas Grove Grove Pools





10/3/24, 8:12 AM

200: Setbacks (2516201, Optional)

19803 SPRING CREEK Road, HAGERSTOWN, MD 21742

Status

Partial Approval 6/17/2024 9:57 AM Desired Date: TBD

Last updated L 6/17/2024 10:24 AM

Result Comments

Showing 1-1 of 1

L (6/17/2024 10:24 AM) Proposed location appears to meet setbacks. Need to confirm when pool is in place

Related Inspections

Showing 0-0 of 0

1D Inspection Name

No records found.

Details

Record 2024-01866 Residential New Construction Permit

Print Inspection

Contact Doug Grove 3019916018 Doug Grove

3019916018

Relationship

Status

10/3/24, 8:19 AM

200: Setbacks (2550323, Optional)

19803 SPRING CREEK Road, HAGERSTOWN, MD 21742

Status

Approved 6/25/2024 12:58 PM Desired Date: TBD

Last updated Rodney Smith 6/25/2024 12:58 PM

Result Comments

Showing 1-1 of 1

Rodney Smith (6/25/2024 12:58 PM) Setbacks appeared to be within approved parameters.

Related Inspections

Showing 0-0 of 0

ID Inspection Name

No records found.

Details

Record 2024-01866 Residential New Construction Permit

Print Inspection

Contact Doug Grove

3019916018 Doug Grove 3019916018

Relationship

Status

https://accela.washco-md.net/CitizenAccess/Inspection/InspectionPrint.aspx

BEFORE THE BOARD OF APPEALS FOR WASHINGTON COUNTY, MARYLAND

						<i>т</i>						
BENJAMIN HULL & TAMALAE BURNETTE							Appea	al No.:	AP202	24-049		
	Appe	llants				*						
						*						
N L		st.	st.	*	*	*	*					

OPINION

Benjamin Hull and Tamalae Burnette (hereinafter "Appellants") request a variance from 15 feet to 12 feet for the required side yard setback for a constructed pool at the subject property. The subject property is located at 19803 Spring Creek Road, Hagerstown, Maryland 21742 and is zoned Residential, Suburban. The Board held a public hearing in this matter on October 30, 2024.

This appeal was heard pursuant to Article 25 of the Zoning Ordinance for Washington County and upon proper notice to the parties and general public as required.

Findings of Fact

Based upon the testimony given, all information and evidence presented, and upon a study of the specific property involved and the neighborhood in which it is located, the Board makes the following findings of fact:

 Appellants are the owners of the subject property, located at 19803 Spring Creek Road, Hagerstown, Maryland 21742. The subject property is zoned Residential, Suburban.

2. The subject property consists of approximately .44 acres improved by a residence in the subdivision of Spring Valley. The subject property is 140 feet wide at its widest point along the front boundary line, and 160 feet deep on both sides.

3. A significant portion of the backyard area is encumbered by the septic

system and septic reserve area.

4. Appellants contracted Grove's GroundWurx to install a 16-foot by 28-foot pool to the rear of the home at the head of the driveway.

5. During construction, the contractor relied upon the iron pipe corner boundary marker to pull distances and setbacks for the pool. Once the pool was essentially constructed, the corner marker was discovered to be 4 feet inside of the original measurements.

6. Due to the setback encroachment, Appellants were not able to obtain permits or further approvals for the pool. They were directed to request a variance for the side yard setback.

7. Appellants' immediate neighbors who share the boundary line closest to the pool were also unaware of the 4-foot difference discovered during construction. They indicated no objection to the variance relief requested.

8. There was no opposition presented to this appeal.

Rationale

The Board has authority to grant a variance upon a showing of practical difficulty or undue hardship as set forth in Section 25.2 and 25.56 of the Ordinance.¹ "Practical Difficulty" may be found by the Board when: (1) strict compliance would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome; and (2) denying the variance would do substantial injustice to the applicant and a lesser relaxation than that applied for would not give substantial

¹ "When the terms unnecessary hardship (or one of its synonyms) and practical difficulty are framed in the disjunctive ("or"), Maryland courts generally have applied the more restrictive hardship standard to use variances, while applying the less restrictive practical difficulty standard to area variances because use variances are viewed as more drastic departures from zoning requirements." *Belvoir Farms Homeowners Ass'n, Inc. v North*, 355 Md. 259, 276 n. 10 (1999) (citations omitted)

relief; and (3) granting the variance would observe the spirit of the Ordinance and secure public safety and welfare. Section 25.56(A).

Practical difficulty and undue hardship are typically the result of a property being unique. "'Uniqueness' of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions." *North v St. Mary's Cnty.*, 99 Md.App. 502, 514 (1994).

Appellant requests variance relief to ratify the location of already-constructed pool at the subject property. Section 8.5(b) generally requires the side yard setback to be 12 feet in the Residential, Suburban zoning district. Appellant is asking for four (4) feet of relief so that the pool can remain in its current location.

Appellant's contractor, Douglas Grove testified in support of the variance request. He noted that due to the location of the septic tank and septic reserve area, there is no place in the backyard area to construct a pool. The property dimensions are also small, with the residence and rear deck occupying most of the buildable area in the center of the property. As a result of these conditions, Appellants chose to construct the pool in the only place available which was in close proximity to the deck and located at the head of the driveway but to the rear of the home. Based on the iron pipe discovered during preconstruction, the contractor believed that the pool was clear of the setback area. Mr. Grove testified that it would be disastrous to remove the pool and rebuild, not to mention costly and burdensome. Appellants submitted that these conditions result in practical difficulty and warrant a relaxation of the setback requirement.

The Board takes note of the significant unbuildable area in the backyard due to the septic and reserve area. Although the measurements were ultimately incorrect, they appear to be based in good faith on the location of an iron pipe marker. This is further underscored by the fact that the adjoining neighbors believed the boundary to be in the same place as the contractor. Appellants and the contractor proceeded in good faith and reasonably with construction only to learn that the boundary was incorrect by four (4) feet. If the setback requirements were imposed on Appellants, they would expend considerable effort and expense to demolish the existing pool in order to rebuild in the proper location. This would be unjust and unnecessarily burdensome and therefore creates a practical difficulty justifying variance relief. Based on the testimony and evidence, Appellant's request appears to be the minimum necessary to afford relief and permit construction of the pool. The Board finds that granting the variance is consistent with the spirit and intent of the Zoning Ordinance and will not confer any special benefit upon Appellant.

Accordingly, the request for a variance from 15 feet to 12 feet for the required side yard setback for a constructed pool at the subject property is hereby GRANTED, by a vote of 5 to 0. The variance is granted subject to the standard condition that the use is consistent with the testimony and evidence presented during the hearing before the Board.

BOARD OF APPEALS

By: Tracie Felker, Chair

Date Issued: November 27, 2024

Notice of Appeal Rights

Any party aggrieved by a final order of the Authority in a contested case, whether such decision is affirmative or negative in form, is entitled to file a petition for judicial review of that order to the Circuit Court for Washington County within thirty (30) days of the date of the order.



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

ZONING APPEAL

Property Owner: Appellant:	Joshua & Megan Mart 10516 Connor Drive Williamsport MD 217 Joshua & Megan Mart 10516 Connor Drive	95		Docket No: Tax ID No: Zoning: RB Overlay: Zoning Overlay:	AP2024-050 26039657 RT No		
Property Location:	Williamsport MD 217 10516 Connor Drive Williamsport, MD 217			Filed Date: Hearing Date:	10/03/2024 10/30/2024		
Description Of Appe			r yard setb	ack to 33 ft. for propo	osed roof over existing rear patio.		
Appellant's Legal Int	erest In Above Property:	Owner:		Contract to Rent/Lease:	No		
		Lessee:	No	Contract to Purchase:	No		
		Other:					
Previous Petition/Ap	opeal Docket No(s):						
Applicable Ordinanc	e Sections:	Washington County Zoning Ordinance Section: 7A.5 (a)					
Reason For Hardship	Shape of the lot and constraints patio.				o keep water from pooling on		
If Appeal of Ruling, D	Date Of Ruling:						
Ruling Official/Agend	cy:						
Existing Use:	Rear Patio	Propose	d Use:	Roof Over Existin	ng Patio		
Previous Use Ceased	For At Least 6 Months:			Date Ceased:			
Area Devoted To No	n-Conforming Use -	Existing: Propose					

I hearby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Joshua

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this

day of 20

Kathryn B Rathvon My Commission Etablics ON COUNTY MARYLAND MY COMMISSION EXPIRES NOVEMBER 07, 2025

Notary Public



WASHINGTON COUNTY BOARD OF ZONING APPEALS 747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2024-050

State of Maryland Washington County, To Wit:

On 10/3/2024, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Joshua & Megan Martin and made oath in due form of law as follows:

Joshua & Megan Martin will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 10/30/2024, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

Sign(s) will be posted on 10/15/2024 and will remain until after the above hearing date.

Joshua & Megan Martin

Sworn and subscribed before me the day and year first above written.

Kathryn B Rathvon ARY PUBLIC NOT WASHINGTON COUNTY MARYLAND MY COMMISSION EXPIRES NOVEMBER 07, 2025

Notary Public

My Commission Expires

Seal



WASHINGTON COUNTY BOARD OF ZONING APPEALS

47 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

BOARD OF ZONING APPEALS

ATTENTION!

Posting Instructions

The premises MUST be posted in accordance with the following rules:

- The sign must be posted a minimum of fourteen (14) days prior to the public hearing Section 25.51(c) Property upon which the application or appeal is concerned shall be posted conspicuously by a zoning notice no less in size than twenty-two (22) inches by twenty-eight (28) inches at least fourteen (14) days before the date of the hearing.
- 2. The sign must be placed on the property within ten (10) feet of the property line which abuts the most traveled public road.
- 3. The sign must be posted in a conspicuous manner not over six (6) feet above the ground level, and affixed to a sturdy frame where it will be clearly visible and legible to the public.
- 4. The sign shall be maintained at all times by the applicant until after the public hearing. If a new sign is needed or required, please contact the Plan Review Department at 240-313-2460.
- 5. An affidavit certifying the property will be posted for the minimum of fourteen (14) days prior to the public hearing date.

Proper posting of the sign will be spot checked by the Zoning Inspector. IF SIGN IS NOT IN COMPLIANCE, IT MAY RESULT IN RESCHEDULING OF THE HEARING.



BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | Hearing Impaired:

7-1-1 WWW.WASHCO-MD.NET

Appeal for Variance

Appeal is hereby made for a variance from a requirement of the Washington County Zoning Ordinance as follows:

Location 10516 Conner Drive Williamsport

Appellant's present legal interest in above property; (Check One)

X Owner (Including Joint Ownership) Lessee Contract to rent/lease

Contract to Purchase Other

Specify the Ordinance section and subsection from which the variance is desired: Section 7A.5 (a)

Specify the particular requirement(s) from which a variance is desired in that section or subsection: Rear yard setback 40 ft.

Describe the nature and extent of the desired variance from Ordinance requirements; listed above; Reduce the rear yard setback requirement of 40 ft. to 35 ft. for roof over existing rear patio

Describe reason(s) why the Ordinance requirement(s) in question would result in peculiar and/or unusual practical difficulties to or would impose exceptional or undue hardship upon the owner of the property if the requested variance were not granted:

Provide Detailed Explanation on Separate Sheet

Has any previous petition or appeal involving this property been made to the Board? Yes X No

If yes, list docket number(s):

I hereby certify that I have, to the best of my knowledge, accurately supplied the information required for the above referenced appeal.

_____ ignature of Appellant

105/6 Connor Dr, Williamsport MD 21795 Address and of Appellant

joshua. martin 50@ yahoo.com 301-991-6292 mail of Appellant Phone Number of Appellant Email of Appellant

This appeal form is to be used to assist the customer in gathering the information necessary to submit an application. However, the application shall be processed in person.

Revised May 24, 2022

Dear Board of Zoning Appeals,

I am requesting a variance approval due to a hardship created by the peculiar angular shape of my lot. I would like to cover my existing 11 foot deep concrete back porch with a roof. The porch is located between my home and my existing in-ground pool. The odd angular shape of my rear property line will not allow for a 40 foot setback from my back property line to be maintained for the entirety of the roof that I want to have built. I am requesting a 5 foot variance, thereby reducing the setback requirement to 35 feet, that will allow me to cover the entire depth of my back concrete porch with a roof. The previous owner of the home did not adequately slope the concrete porch, this causes water to pool in numerous spots, creating slipping hazards from rain and ice. It is impractical for me to maintain the 40 foot offset as it would only allow me to build a 6 foot deep roof. A 6 foot roof is not large enough to provide protection from rain to prevent water from pooling and is too small provide adequate shade for a table for my family of four to sit at. Thus, a hard ship is created preventing me from the reasonable use of my existing porch. Thank you for taking the time to review my application. Please approve my zoning variance request.

Respectfully,

oshua Martin

Home Owner 10516 Connor Dr Williamsport, MD 21795

SPURRIER & COMPANY

RESIDENTIAL CONSTRUCTION SPEALISTS

10516 Hershey Drive Williamsport, Maryland 21795 301-739-8877/240-675-0875 MHBR 930 MHIC 16000

September 8, 2024

Mr. and Mrs. Josh Martin 10516 Connor Drive Williamsport, Maryland 21795

Description: Rear porch covering, possible variance

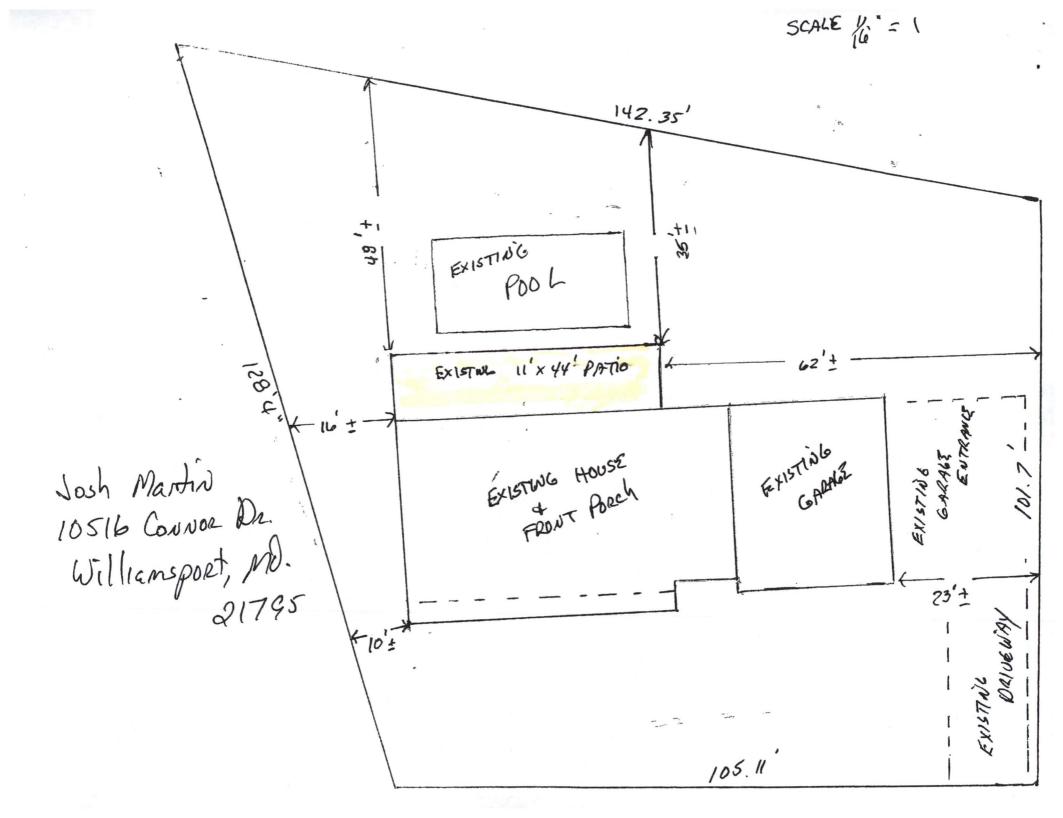
Mr. and Mrs. Martin,

As we have discussed, your backyard is certainly a perfect location for the existing pool given the fact that you have sun the majority of the time in the backyard. I also whole heartedly agree that the rear 2 story brick home as the back drop provides quite an intense solar gain on anyone sitting on the rear patio. I also agree the existing retractable awning that accompanied the house with its size and projection is almost worthless as a heat/sun shade for individuals whom are not in the pool. As we had discussed, the patio that you inherited with the purchase of the house has absolutely no slope, and the undulations in the poor/finish itself do provide quite a hazard in the winter with ice forming in those pockets. Although the proposed porch covering will have a dramatic effect on the winter problem, it will not completely solve it. However, the summertime relief on the intensity of the sun's rays should be quite helpful with your extended family and friends' visits to your home/pool.

With that being said, please be advised that the existing building of the house utilized the lot to the fullest extent, and left little room to add a permanent roof structure facilitating the existing patio/pool area. As per the local codes pertaining to "setback" requirements, the right 2/3rds of the patio (as viewed from the rear) do meet that requirement of 40' setback to the property line. Unfortunately, the approximate left of the proposed 1/3 patio covering fails, in descending order, to approximately 36'. These are good approximations based on the fact I was the homeowner adjacent to the property for 20 years, and I, as a builder, developed over 25 lots in that development and have access to the development plot prints in my possession for lot sizes and locations. I trust this helps explain the possible variance requirement to meet the county's setback ordinance for this development.

Respectfully,

Steven J. Spurrier, owner Spurrier & Company



BEFORE THE BOARD OF APPEALS FOR WASHINGTON COUNTY, MARYLAND

						*							
Joshua Martin & Megan Martin							* Appeal No.: AP2024-0						
Appellants				*									
						*							
*	*	*	*	*	*	*	*	*	*	*			

OPINION

Joshua Martin and Megan Martin (hereinafter "Appellants") request a variance from the required rear yard setback of 40 feet to 33 feet for a proposed roof over an existing rear patio at the subject property. The subject property is located at 10516 Connor Drive, Williamsport, Maryland 21795 and is zoned Residential, Transition. The Board held a public hearing in this matter on October 30, 2024.

This appeal was heard pursuant to Article 25 of the Zoning Ordinance for Washington County and upon proper notice to the parties and general public as required.

Findings of Fact

Based upon the testimony given, all information and evidence presented, and upon a study of the specific property involved and the neighborhood in which it is located, the Board makes the following findings of fact:

 Appellants are the owners of the subject property, located at 10516 Connor Drive, Williamsport, Maryland 21795. The subject property is zoned Residential, Transition.

2. The subject property consists of approximately .36 acres improved by a residence with a pool which connects to the home by an existing 11-foot by 44-foot rear patio.

3. The subject property has irregular shape as it extends to a sharp angle in

the left rear corner but is shallow in depth across the rear.

4. Appellants have owned the subject property since 2015. The pool and patio were installed prior to their ownership, and they have not changed the boundaries or dimensions of the property.

5. Appellants propose to construct a roof over the existing patio area.

6. The patio was originally constructed in a way that does not allow for proper run-off of water when it rains. Rain and pool water will sit in areas along the patio due its incorrect slope.

7. There are other properties in the surrounding neighborhood that have covered patios or porches similar to what Appellants have proposed.

8. There was no opposition presented to this appeal.

Rationale

The Board has authority to grant a variance upon a showing of practical difficulty or undue hardship as set forth in Section 25.2 and 25.56 of the Ordinance.¹ "Practical Difficulty" may be found by the Board when: (1) strict compliance would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome; and (2) denying the variance would do substantial injustice to the applicant and a lesser relaxation than that applied for would not give substantial relief; and (3) granting the variance would observe the spirit of the Ordinance and secure public safety and welfare. Section 25.56(A).

Practical difficulty and undue hardship are typically the result of a property being unique. "'Uniqueness' of a property for zoning purposes requires that the subject

¹ "When the terms unnecessary hardship (or one of its synonyms) and practical difficulty are framed in the disjunctive ("or"), Maryland courts generally have applied the more restrictive hardship standard to use variances, while applying the less restrictive practical difficulty standard to area variances because use variances are viewed as more drastic departures from zoning requirements." *Belvoir Farms Homeowners Ass'n, Inc. v North*, 355 Md. 259, 276 n. 10 (1999) (citations omitted)

property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions." *North v St. Mary's Cnty.*, 99 Md.App. 502, 514 (1994).

Appellant requests variance relief to construct a roof over the rear patio at the subject property. Section 7A.5 generally requires the rear yard setback to be 40 feet in the Residential, Transition zoning district. Appellant is asking for seven (7) feet of relief so that the roof can be constructed over the entirety of the patio area.

Appellant Joshua Martin testified in support of the variance request. He explained that he was trying to resolve the drainage issue on his rear patio by covering it with a roof. Mr. Martin testified that the property is oddly shaped, and the back yard is shallow. Most of the back yard is occupied by the pool and rear patio which were there when Appellants moved into the home. Due to the skewed boundary lines, Mr. Martin testified that the property meets the setback on one side of the patio but not the other. He was able to identify several other properties on his street and in the neighborhood that have covered patios or porches. Appellants submitted that the conditions result in practical difficulty and warrant a relaxation of the setback requirement.

The Board finds that strict compliance with the setback would unreasonably prevent the property from being used for a permitted purpose that is enjoyed by other neighboring properties. As a result, the Board finds that practical difficulty has been established. Based on the testimony and evidence, Appellant's request appears to be the minimum necessary to afford relief and permit construction of the pool. The Board finds that granting the variance is consistent with the spirit and intent of the Zoning Ordinance and will not confer any special benefit upon Appellant.

Accordingly, the request for a variance from the required rear yard setback of 40 feet to 33 feet for a proposed roof over an existing rear patio at the subject property is

hereby GRANTED, by a vote of 5 to 0. The variance is granted subject to the standard condition that the use is consistent with the testimony and evidence presented during the hearing before the Board.

BOARD OF APPEALS

By: Tracie Felker, Chair

Date Issued: November 27, 2024

Notice of Appeal Rights

Any party aggrieved by a final order of the Authority in a contested case, whether such decision is affirmative or negative in form, is entitled to file a petition for judicial review of that order to the Circuit Court for Washington County within thirty (30) days of the date of the order.