

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS Case No. 10900 – 2011

A hearing was held after due notice on November 21, 2011. The Board members present were: Mr. Dale Callaway, Mr. Ronald McCabe, Mr. John Mills, Mr. Brent Workman, and Mr. Jeff Hudson.

Nature of the Proceedings

This is an application for a special use exception for a telecommunications tower.

Finding of Facts

The Board found that the Applicant was seeking a special use exception for a telecommunications tower on a parcel east of Road 494 (Dickerson Road), approximately .75 miles north of Road 501 (St. George Road), and approximately 6 miles south of Route 24. After a hearing, the Board made the following findings of fact:

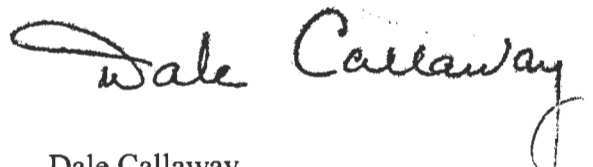
1. The Applicant wishes to construct a telecommunications tower 140' high, with a 5' lightning rod. A special use exception is necessary because the property is zoned AR-1.
2. The tower will be located on a 104 acre active farm, and will be roughly 2200' from the nearest residence.
3. The tower is necessary to provide reliable coverage, and the Applicant testified that there are no other sites available for co-location.
4. The tower will be within a 50'x50' fenced compound, and will not impact the existing irrigation system. The height of the tower was reduced at the direction of the FAA.
5. The Application met the technical requirements of the Ordinance, and has sufficient setbacks, as well as the ability for at least two other companies to co-locate.
6. The Applicant submitted an appraisal indicating that there would be no adverse effect on property values.
7. Numerous individuals appeared in support of the Application, and no persons appeared in opposition.

The Board granted the special use exception, finding that it would not affect adversely the uses of neighboring and surrounding properties.

Decision of the Board

Upon motion duly made and seconded, the application was granted. The Board members voting in favor were: Mr. Callaway, Mr. McCabe, Mr. Mills, Mr. Workman, and Mr. Hudson; voting against – none.

**BOARD OF ADJUSTMENT
OF SUSSEX COUNTY**



Dale Callaway
Chairman

If the use is not established within one (1) year from the date below the application becomes void.

Date January 10, 2012