#### PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Deborah Caplan

We or we, Edward, B., Caplan, and

Legal owner S. of the property situate in Baltimore

County and which is described in the description and plat attached hereto and made a part her of, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant

to the Zoning Law of Baltimore County, from an-\_zone; for the following reasons

Legal owner is connected with Hilitary Affiliate Radio System. Wireless transmission of will be used for the benefit of the general public in time of emergency, and as provided a means of communication for overseas stationed service men to their family.

See attached description

IVED FOR FR.

ORBER

and (2) for a Special Exception, under the raid Zoning Law and Zoning Regulation County, to use the herein described property, for. Wireless transmitting and receiving

Property is to be posted and advertised as prescribed by Zoning Regulations

I, or we, agree to pay expense of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

Elwand B Caple

Alberta Capter Address 9103 Meadow Heights Road

Randallstown, Maryland 21133

Protestant's Attorne

ORDERED By The Zoning Commissioner of Baltimore County, this 17th ..., 1974..., that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 23rd day of October 197 4 at 10:30 clock SER 17 MA DA Alui la ferra

Zoning Commissioner of Baltimore County.

10/23/74

SPELLMAN, LARSON & ASSOCIATES, INC.

SCRIPTION FOR SPECIAL EXCEPTION AND VARIANCE TO SCRING 8613 Keller Avenue WHIRD DISTRICT SALELORS COUNTY, MARYIA D

Weing on the North side of Weller Avenue and being lot #3 as shown sub-division Plat of Hockcrest. Said Plat being recorded emong the Fint Records of Baltimore County in Pint Book Elm, JR. 37, Folio Cé.



# PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

a principle structure of 12 feet, in liqu of the required 40 feet, and a rear

Applicant believes that this petition should be granted for the following reas

Continued on attached page
Property is to be posted and advertised as prescribed by Zoning Regulations.

1, or we, agree pay expresses of above Variance advertising posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Ballmore County adopted pursuant to the Zoning Law For Baltimore County.

Petitioner's Attorney

-A---M.

#### BATIMORE COUNTY, MARRAND

INTER-OFFICE CORRESPONDENCE

TO. S. Eric DiNenna, Zoning Commissioner Date October 22, 1974 FROM William D. Fromm, Director of Planning

SUBJECT. Petition #75-91-X. North side of Keller Avenue 610 feet, more or less South of Millside Road.

Petition for Special Exception Streeties Transmitting and Receiving Streeties Transmitting and Receiving Petition for Variance for Side and Rear Yacks.

Petitioners - Edward B Caplan and Deborah Caplan

3rd District

HEARING: Wednesday, October 23, 1974 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comment to offer.

The staff is concerned with the safety factors in the event that the structure should fall. It appears that the structure may impact surrounding properties.

William D. From

## FROM AREA AND HEIGHT REGULATIONS

We or we, Esteurd. 8. Deborah. Caplan.....legal owner Sof the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof.

hereby petition for a Variance from Section. 1 802,28 (Y.B.2) to permit a side yard for yard of 12 feet in lieu of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Applicant desires to erect a permanent wireless transmitting and receiving structure, (Turther described in applicant's Petition for Special Exception filed concurrently herealth, within 12 feet of side yard and within 12 feet of the bank yard boundaries of said property.

- The requested location of the structure is the highest point of such property and would permit the maximum utilization of the structure.
- Construction of the structure at the requested location would eliminate even the slightest question of potential hazard to surronding dwellings

- Albarah Caplan Legal Owner Address 9103 Meadow Heights Road Randallstown, Maryland 21133

Protestant's Attorney

CRDERED By The Zoning Commissioner of Baltimore County, this .... 17th. dispetcher 197 l-that the subject mitter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and the bearing be had before the Zoning Countilationer of Baltimore County in Room 106, County Office Building in Toward, Baltimore County, on the 23rd - day of October .... 197 4, at 10:30 clock

#### BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Mr. Edward B. Caplan 9103 Mcadow Heights Road Randallstown, Maryland 21133 ames B. Syrnes, III

ING ADMINISTRAT STALTS DEPARTMENT BUREAU OF FIRE PREVENTION DEPARTMENT OF TRAFFIC ENGINEERIN

MINNERS

STATE HIGHWAY ADMINISTRATION BUREAU OF ENGINEERING

INCOSTRIAL DEVELOPMENT COTTLASION BUAND OF EDUCATION CTRICK OF THE RE: Special Exception Petition Item 48 Edward B. Caplan and Deborah Caplan - Petitioners

October 24, 1974

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

15/

S. ERIC DI NENNA

RE: Petitions for Special Exception and

trict Edward B. Caplan, et ux -

Petitioners NO. 75-91-XA (Item No. 48)

Variances
N/S of Keller Avenue, 610' S of
Hillside Avenue - 3rd Election Dis-

Mr. & Mrs. Edward B. Caplan 9103 Meadow Heights Road Randellstown, Maryland 21133

Dear Mr. & Mrs. Caplan

SED/art

Dear Mr. Caplan:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made sware of plans or problems with regard at the description of plans or bearing on the call of the plans that may have a bearing on the call of the plans that may have a bearing on the call of the plans that commendations are to the appropriateness of the requested zoning.

The subject property is located north of the termination of Keller Avenue, said Keller Avenue being at the termination of the location of the termination of the term

Surrounding properties exist as part of the subdivision of Rockcrest, and as of the date of the field inspection, construction of dwellings had not yet begun.

The petitioner is requesting a Special Exception for a wireless transmitting and receiving structure, and, additionally, a Variance to permit a side yard of 12 feet and a rear yard of 12 feet instead of the required 40 feet and 50 feet, respectively.

Paragraph (com

Baltimore County, Margland OFFICE OF THE BUILDINGS ENGINEER
DEPARTMENT OF PERMITS AND LICENSES TOWSON, MARYLAND 21204

December 27, 1975

C. Elmer Hoppert, Jr.

75 81 34

EDWARD & THEYE.

Mr. W. James Price, President c/o Stevenson Improvement Association, Inc. Stevenson, Maryland 21153

Dear Mr. Frice:

I regret to inform you that the issuance of a permit for the "Caplan Tower" is not a matter of discression.

I have discussed the matter with the Office of Zoning who feels the site was properly posted and the time for filing an appeal to the decision of the Zoning Office has passed.

When we are assured that all structural require-ments in the Baltimore County Building Code will be not arm all other County Agencies involved have indicated approval, we will have no choice other than to issue the permit.

Very truly yours,

osepl m mil Joseph R. Nolan Deputy Buildings Engineer 49.-3949



Mr. Edward B. Caplan Re: Item 48 September 20, 1974

(8)

Page 2

(4)

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearth of the and time, which will be held not less than 30, nor most of the day after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Games 3. Exercist JAMES B. BYRNES, III Chairman, Zoning Advisory Committee

cc: Spellman, Larson & Associates, Inc. Suite 303, Investment Building Towson, Md. 21204

RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN - LAND SURVEYING AND PLANNING - SUBSIVISION LAYOUT - FEASIBLITY STUDIES - ESTIMATI

it appearing that by r	eason of the requirements of Section 502.1 of the Baltimore
County Zoning R	egulations baving been met.
the substrex libral assistica	tions should sheetends with the times appearing that the source affects as a first should be sho
Secial Proportion to	Wireless Transmitting or a and Receiving Structure should be granted.
	HOLEN SECTION STORES (1997년 1817년 - 1987년 1987년 1987년 - 1987년 1987년 - 1987년 1987년 1987년 1987년 1987년 - 1987년 1
1 1	by the Zoning Commissioner of Baltimore County, this 2.4.
day of Octobe	F, 197 A, that the chargin discribed sprayer ty-operators submit the soul
the game inducative or	wireless Transmitting
	Exception for a and Receiving Structure should be and the same is
General from and aft	ter the date of this Greer, subject to the Spproval of a site plan by
	of Public Works and
the Office of Plan	nning and Zoning.
5	Zoning Commissioner of Baltimore County
Pursuant to the	advertisement, posting of property and public hearing on the above retition
and it appearing that	by reason of
7	
he above re-classifica	tion should NOT BE HAD, and/or the Special Exception should NOT BE
GRANTED.	
OIL TED	
IT IS ORDERED I	by the Zoning Commissioner of Baltimore County, thisday
	, 197, that the above re-classification be and the same is hereby
	above described property or area be and the same is hereby continued as and
to remain a	zone; and/or the Special Exception for
	be and the same is hereby DENIED.
	Zoning Commissioner of Baltimore County
	commissioner of Baltimore County

Pursuant to the \_\_\_\_\_rtisement, posting of property, and p\_\_\_\_\_ic hearing on the above Betition. ring that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable bardship upon the Petitioners, the Variances should be had: and it further appearing that by reason of the granting of the Variances requested not adversely affecting the health, safety, and general welfare of the community, Variances to permit a side yard for a principle structure of twelve (12) feet in lieu of the required forty (40) feet and a rear yard of twelve (12) feet in lieu of the required fifty (50) feet should be granted. Figs ORDERED by the Zoning Commissioner of Baltimore County, this 27 October ...... 197 .4. that the herein Petition for Variances to permit a (50) thet should be and the same is
GRAFTED, from and after the date
of this Order, subject to the approval
of a site plan by the Department of
Public Works and the Office of Planning and Zoning. Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of... the above Variance should NOT BE CRANTED IT IS ORDERED by the Zoning Commissioner of Baltimore County this ......, 197 ..., that the above Variance be and the same is hereby DENIED. Zoning Commissioner of Baltimore County

BOARD OF EDUCATION

OF BALTIMORE COUNTY

Property Owner: Edward B. Caplan & Deborah Caplan

Dear Mr. DiNenna: No adverse effect on student population.

ALVIN LORECK

Location: N/S of Cul-De-Sac, N. of Keller Ave., S. of Hillside Rd.

Proposed Zoning: Special exception for wireless transmitting & receiving structure-Sec.200.15. Variance from Sec. 1 BO.2B (V.B.2) to prentl a side pard for a principle structure of 12 feat, in lieu of the required 10 ft, and a rear yard of 12 ft. in lieu of the required 50 ft.

Mr. S. Eric DiNenna Zoning Commissioner Baltimore County Office Building Towsen, Maryland 21204

Res Ttem 48

Present Zoning: D.R. 1

No. Acres: 1.05 Acres

Bultimore County, Maryland Bepartment Of Bublic Borks

COUNTY OFFICE BUILDING

September 20, 197

Mr. S. Bric DiNenna Zoning Commissioner County Office Building Towson, Maryland 2120k

Re: Item #48 (1974-1975) Hess 846 (1974-1975)
Property Owner: Edward B. Caplan & Deborah Caplan
M/S of Cul-De-Sac, N. of feller Ave., S. of Hillside Rd.
Existing Connige: D.R. 1
Proposed Zoning: Special Exception for wireless trensmitting and receiving structure - Sec. 200.15. Variance
from Sec. 1 E02.28 (V. H. 2) to persit a side yard for a
principle structure of 12 in lieu of the required 50'.
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The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Baltimore County utilities and highway requirements are as secured by Fublic Works Agreement #37305-Revised and/or as estpulated in the formal comments supplied the Developer, April 12, 1973 by the Bureau of Public Services, in connection with the development of the "Rockerest" subdivision, which are referred to for your consideration.

This property comprises Lot 3 of "Rockorest", recorded E.H.F., Jr. 37, Folio 85.
The Petitioner is cautioned that no encroschment by construction of any structure,
including footings, is permitted within County willily esseemits and rights-of-way,
The proposed wireless transmitting and receiving structure is indicated in close
proximity to such a 10-foot drainings and utility esseemit.

Very truly yours,

Soldwork of Diver ELLSWORTH N. DIVER, P.E. Chief, Bureau of Engineering

END: EAM: FWR: 88

cc: G. Reier (file in Rockcrest) C. Warfield

S-SW Key Sheet 41 & 42 NW 17 Pos. Sheets NW 11 E Topo 68 Tax Map

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-



JEFFERSON BUILDING TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.

September 4, 1974

Mr. S. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Comments on Item 48, Zoning Advisory Committee Meeting, August 27, 1974, are as follows:

7, 1974, are as incllows:
Property Owner: Edward B. Caplan & Deborah Caplan
Location: N/S of Cul-De-Sac, N. of Kellar Ave., S. of Hillstde,
Existing Zoning: D. R. 1
Proposed Zoning: Special exception for wireless
transmitting & receiving structure
Sec. 200. 15. Variance from Sec. 1 802.28
(V.B.2) to permit a side yard for a
principle structure of 12 feet, in lieu
of the required 40 feet, and a rear yard
of 12 feet in lieu of the required 50 feet.
District: 3rd

Comments: Since this is a transmitting and receiving structure, no health hazard is .nticipated.

Very truly yours.

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

HVB/nc/

WILLIAM D. FROMM

S. ERIC DINENNA ZONING COMMISSIONE



September 20, 1974

Mr. S. Eric DiNenna, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. DiNenna

SUITE 301 JEFFERSON BUILDING

Comments on Item #48, Zoning Advisory Committee Meeting, August 27, 1974, are as follows:

Property Owner: Edward B. Coplan and Debarah Caplan
Location: N/S of Cul-de-sac, N of Kellar Avenue, S of Hillside Road
Existing Zoning. D.R.1
Proposed Zoning: Special exception for wireless transmitting and receiving structure
Section 200.15. Variance from Section 1802.28 (V.B.2) to permit a
side year for a principle structure of Izer, in lieu of the required
Auf Geet and a rear year of 12 feet in lieu of the required 50 feet.

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate his appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours, John Levently John L. Wimbley Planning Specialist II

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

EUGENE C. HESS, HOLDERS MAS AGREST L BERNEY

WNP/ml

Wery truly yours, W. Nick Fetrovich., Field Representative. ARCUS M. BEITSARIS JOSEPH N. M.GOWAN

TOWSON, MARYLAND - 21204

Date: August 28, 1974

Z.A.C. Meeting of: August 27, 1974

RICHARD W. TRACEY, VIII

TO WHOM IT MAY CONCERN:

I, the undersigned, Joseph A. David, and the owner of Lot 4 as shown on the plat entitled "Bockcrest" in the Third Election District, Baltimore County 'Arryland and recorded aroung the Plat records of Baltimore County in Plat Book E.H.K.Jr., No. 37, Folio 86 (eald property being known as 8611 Keller Avenue).

This letter will acknowledge the fact that Mr. Caplan has exhibited to me pictures and other graphic materials relating to the exection of this cover, as well as the general location may property where he proposes to place the tower, and I have absolutely no objections to the erection of such a tower in the general location pointed out to my by Mr. Caplan in the morthwant corner of his lot.

Very truly yours, out a Sand JOSEPH A DAVID

Continued from Page - 1

Adhearance to the Zoning requiations would prohibit applicant from constructing a planned tennis court.

A test footing in the general area of the proposed structure showed the absence of solid rock formation whereas, solid rock has been evidenced in other areas of the subdivision. The dynamic ing of potential rock would cause structural damage to applicants dwelling.

19.74.

Cost of Advertisement, \$\_

## CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed October 19.74 the first publication appearing on the 3rd day of October THE JEEFERSONIAN,

The Street of 1	lithide Read
DATE & TI	HE: WEDNE
	ME: VEDME
PUBLIC NO	CARING . Bear
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Medring Date October 23, 1976 a Public Hearing	THE RESERVE OF THE PERSON NAMED IN
October 22, 1974	m comesday.
October 25, 1976 /	IL SO: TO A.M.
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Marketter	SMS-SS-Strategical
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ORIGINAL

OFFICE OF

### SCOMMUNITUMES

RANDALLSTOWN, MD. 21133 Oct. 7 - 19 74

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna Zoning Commissioner of Baltimore County was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week/before the 7th day of 6st. 19 74 that is to say, the same was inserted in the issue of October 2 - 1976.

STROMBERG PUBLICATIONS, Inc.

By Lancette Levet

Mr. Edward B. Caplan 9103 Meadow Heights Road Randallstown, Md. 21133

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received and accepted

for filing this\_\_\_

S. ERIC DINENNA. Zoning Commissioner

Petitioner Edward B. Caples and l'aborah Caples

Petitioner's Attorney\_

cc:Spellman, Larson & Associates, Inc. Suite 303, Investment Bldg. (21204)

Reviewed by Comitman,
Zoning Advisory Committee

LTIMORE	COUNTY	OFFICE	OF	PLANNING	AND	ZONING

County Office Building 111 W. Chesapeake Avenue

	, marjama 21204	
1 .	Your Petition has been received * this_	12th day
August	1974. Item #	

Petitioner's Attorney\_\_\_

This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

2-SIGNS

75-91-XA

#### CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY

District 7 rel	<u> </u>		Cht ~ 1971
Posted for: Petitions For (	D. ACCIAL EX	CEPTION (2	VARIANCE
Petitioner: EDWARD B. C	APLAN		•
Petitioner: FDWARD B. C. Location of property: M/S eF/			
Location of Signe: ON W/s Pi	Boferry, 50'	tas-NoF	Keller Ave
Remarks:	The second second		
Posted by Shockas A. B.	a land	Date of return O	CT. 10 1974

PETITION		MAPPING			PROGRESS			ET		
FUNCTION	Wall Map Original		gingl	Duplicate						
	date	by	date	by	date by		Tracing		200 Sheet	
Descriptions checked and outline plotted on map					uone	Бу	date	by	date	by
Petition number added to outline						-	$\vdash$			
Denied	1		1				$\vdash$			-
Granted by ZC, BA, CC, CA	1	1	1	-	+			-	-	-
Reviewed by: #			Re	vised	Plans	 `:	_			4
Previous case:			240	p #	0011	ine o	r descr	iption	Y	es o

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANC REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 16917 DATE October 1, 1974 ACCOUNT 01-662

WHITE - CASHIER

Edward B. Caplan 9103 Meadow Heights Rd.

Randallstown, Md. 2113) Petition for Special S

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT No. 16972 DATE Oct. 23, 1974 01-662





