Department of Permits and Development Management

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

April 24, 2006

Ms. Margaret Smith MediaFlo USA 76 Vanderbilt Avenue, Saratoga Springs, NY 12866

Dear Ms. Smith

RE: 1200 North Rolling Road. Spirit and Intent Case No. 69-269-RX, 77-122-SPH

1st Election District

Your letters addressed to Mr. Kotroco, dated April 5th and 18th, 2006, have been referred to me for reply. After careful review of the materials included with the letters and the zoning records for this property the following has been determined.

The grant of Special Exception in Zoning Case 77-122-SPH was specific to heights of between 850 feet up to 1099 feet. The proposed extension is located between heights of 664 feet up to 688 feet. Your proposed height has no impact upon what was granted in said Zoning Case 77-122-SPH and therefore will not be considered within the context of that case. The grant of Special Exception in Zoning Case 69-269-RX was specific to heights of between 0 feet up to 850 feet. Your proposed extension of the existing 664 foot tower to a height of 688 feet for the purpose of wireless transmitting and receiving is considered to be within the "Sprit and Intent" of the Special Exception granted in Zoning Case 69-269-RX.

You must furnish a copy of this letter when applying for any and all Baltimore County permits. Further, a structural report confirming that the existing tower can safely accommodate the proposed extension must be prepared by a structural engineer registered within the State of Maryland and submitted to Baltimore County at the time of the building permit application.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Lloyd 7. Mokley Planner II.

Zoning Review

LTM



MediaFLO[™]USA

A QUALCOMM COMPANY 9940 Barnes Canyon Road, San Diego, CA 92121



April 18, 2006

Timothy Kotroco, Director
Department of Permit and Development Management
111 West Chesapeake Avenue
Towson, MD 21204

commi

RE:

Media FLO USA application for Zoning review of the proposed installation of broadcast communication equipment on the existing tower located at 1200 North Rolling Rd., Baltimore, MD – Parcel ID# 0119512230.

Dear Mr. Kotroco:

Thank you very much for your attention to the matter referenced above. MediaFLO USA is requesting the Development Review Committee to view the proposed installation as non-substantial and approve as a Limited Exemption. Additionally, as directed by Lloyd Moxley at the County, we are seeking county zoning approval for the proposed co-location. As such, we have researched the previous zoning cases for this tower site. This site has had multiple zoning cases and approvals that allowed for the construction and subsequent expansion of the tower site. Our review of the previous case history has facilitated our conclusion that the proposed installation completely complies with the spirit and intent of the previous renderings of the Zoning Commissioner. Below are the specific cases and findings that support our conclusions:

CASE 69-269Rx – The original zoning case that approved the location of this tower provided the tower height to be 660' with extensions up to 850'.

CASE 77-122-SPH – This case allowed the tower to be extended beyond 850' to 1009'.

Enclosed for your review are the previous zoning decisions and associated site plans. We have red-lined these site plans to highlight our proposed equipment location.

We are scheduled for a May 1, 2006 review by the DRC. If at all possible we would like to submit your findings to the committee at that hearing. Please evaluate and respond to me at your first opportunity.

If you have any questions or concerns regarding this matter please do not hesitate to contact me anytime.

Best regards,

Margaret Smith

Agent for MediaFLO USA

76 Vanderbilt Avenue

Saratoga Springs, NY 12866,

(518)588-9800 phone

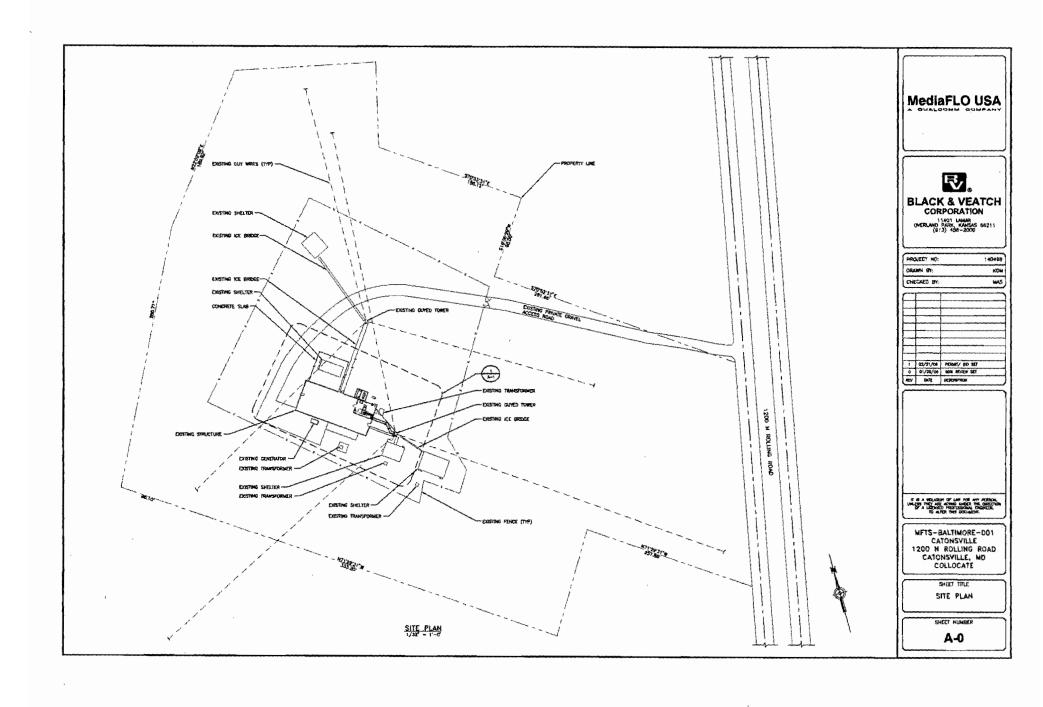
(518)691-8220 fax

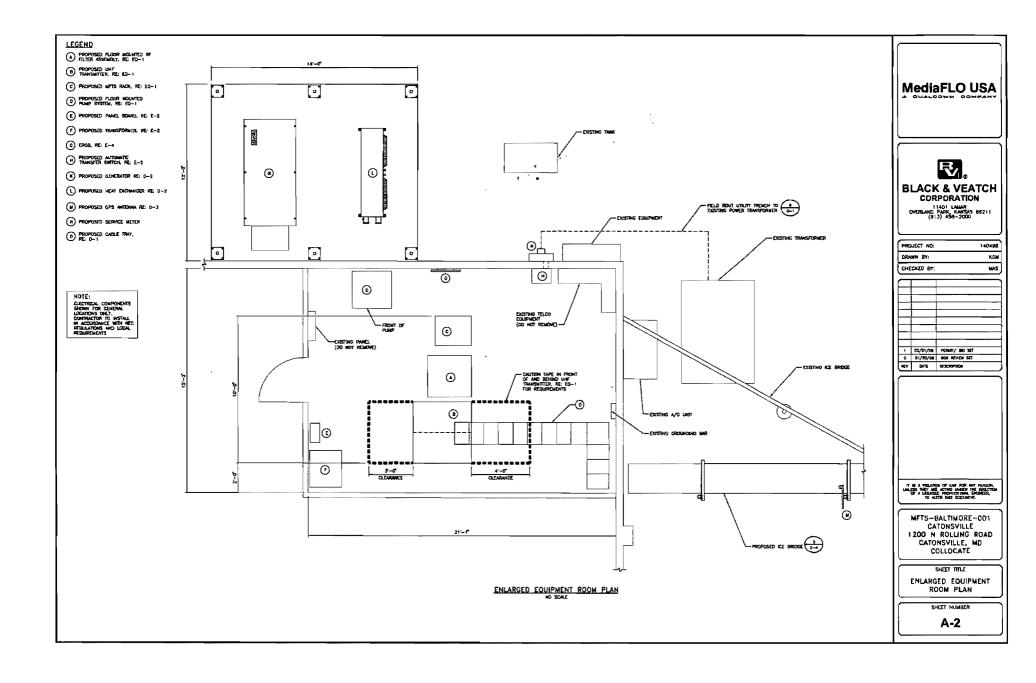
RECEIVED

APR 1 9 2006

OG GO

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT





MediaFLO USA

A QUALCOMM COMPANY

MFTS-BALTIMORF-001 CATONSVILLE 1200 N ROLLING ROAD CATONSVILLE, MD 21228



PROJECT ADDRESS: 1200 N ROLLING ROAD CATGMESVILLE, MD 21228

LATITUDE:

39° 17° 13.0° N

LONGITUDE:

ACCESSIBILITY DISCLAIMER

THIS PROJECT IS AN UNOCCUPED TELECOMMUNICATIONS FACILITY AND IS EXEMPT FROM DISABLED ACCESS REQUIREMENTS.

CONSULTANT TEAM

ARCHITECT/ENGINEER:

BLOCK & VEATCH 11401 LAMAR AVENUE OVEREAND PARK, KS 88211 (913) 458-2000 (913) 458-8136 (FAX)

CONTACT: MICHAEL SARTAIN

EQUIPMENT SUPPLIER: ROHDE AND SCHMARY BIG. 8681 ROBERT FULTON DRIVE COLLINEA, ND 21048 (360) 817-5887

CONTACT: RICHARD SWETTZER

CONSTRUCTION MANAGER:

BLACK & WEATER 11401 LAMAR AMERIUE (MERLAND PARK, KS 68211 (913) 458-2000 (913) 458-8136 (FAX)

CONTACT: MARK TURNER

SCALE

THE DRAWING SCALES SHOWN IN THIS SET REPRESENT THE CORRECT SCALE CHAY WHEN THESE DRAWINGS ARE PRINTED IN A 24 $^{\prime}$ x 36 TORBAIL IF THIS DRAWING SET IS NOT 24 $^{\prime}$ x 36", THIS STEEL IS NOT 25 SCALE.

PROJECT SUMMARY

APPLICANT:

DEVELOPMENT SUMMARY:

INSTALL BROADCAST EQUIPMENT INSIDE AN EXISTING STRUCTURE AND INSTALL (1) LIKE BROADCAST ANTENNA TO AN EXISTING TOWER AND (3) KUI-BIND ANTENNA MOUNTED AN EXISTING TOWER, IN ADDITION, INSTALL (2) OF 3 ANTENNAS IMPLANTED TO A PROPOSED FOR BROAD STRUCTURE.

OCCUPANCY GROUP:

TENANT OCCUPANCY LOAD:

TYPE II CONSTRUCTION:

BUILDING HEIGHT:

TOWER HEIGHT WITH ANTENNAS:

3 SECOND GUST WIND SPEED:

SHEET SCHEDULE

TIFLE SHEET & PROJECT DATA

A-Q SITE PLAN

T-1

PARTIAL SITE PLAN

ENLARCED EQUIPMENT PLANS

EXTERIOR ELEVATIONS A-3

SITE DETAILS

D-2 SITE DETAILS

ANTENNA DETAILS

0-38 ANTENNA DETAILS 0-4 COAY DETAILS

COAX DIAGRAM

ELECTRICAL NOTES

£-2 ELECTRICAL ONE-LINE DIACRAM

C-3 PANEL SCHEDULES E-4 GROUNDING DETAILS

5-5 GROUNDING DETAILS

E-6 EQ-1 EQUIPMENT LAYOUT AND ELEVATIONS

EQUIPMENT DETAILS

TRANSMITTER MOUNTING OFFICES

TRANSMITTER COOLING SCHEMATIC

APPLICABLE CODES

MediaFLO USA



BLACK & VEATCH CORPORATION

PROJECT NO 140498 DRAWN BY KDM, CHECKED BY: MAS.

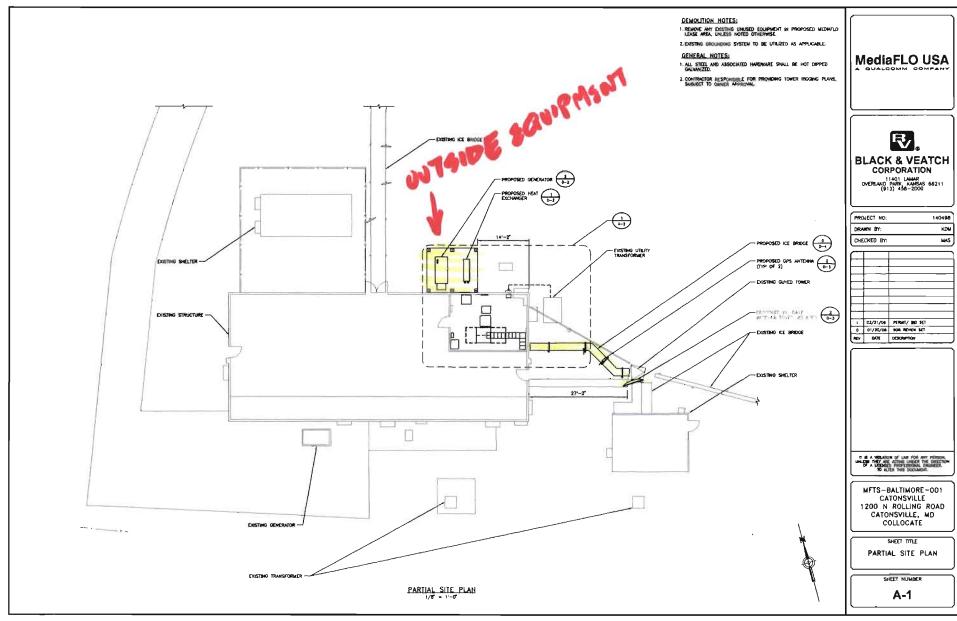
1	02/31/04	PENAT/ 80 SET
٥	01/20/08	DOM PREVIEW SICT
NEV	CATE	DESCRIPTION
_		

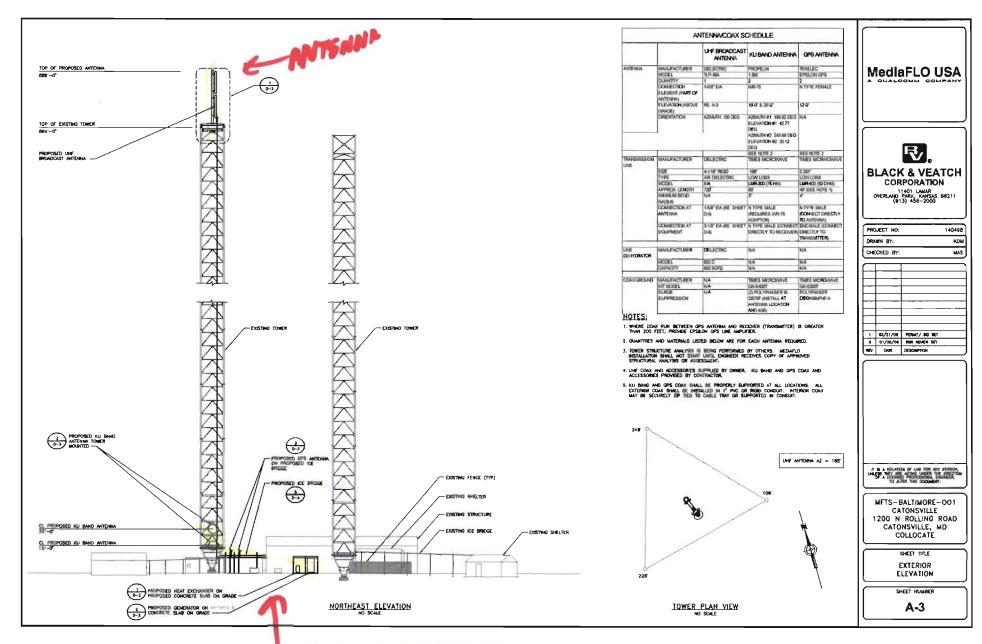
MFTS-BALTIMORE-001 CATONSVILLE 1200 N ROLLING ROAD CATONSVILLE, MD COLLOCATE

> SHEET TITLE TITLE SHEET & PROJECT DATA

SHEET NUMBER

T-1





OUTSIDE SOUPE GOT

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

19-269 RX

	leich and Commercial Radio Ins	111 (A)21.1 Tric 1 (A)21.1 Tric
I or we William E. Reich/	_legal owner of the property siturte in	,
County and which is described in the description		
hereby petidon (I) that the zoning status of the l	herein described property be re-classified	, pursuant
to the Zoning Law of Baltimore County, from a	,	one to an
	1	IW-1-6
R-6 zone; for the f	outowing realions:	5~ 2-6
		, K- 5
Error in original zoning and a	genuine change in condition.	×
See attached descripions	•	,
	•	
•		
and (2) for a Special Exception, under the said Z	oning Law and Zoning Regulations of	Baltimore
County, to use the herein described property, fo	n Radio and Television Wire	less Trasmittin
and Receiving Structure		
	ibad bu Zania Bandatian	
Property is to be posted and advertised as		dvertising
I, or , agree to pay expenses of above re-c	classification and/or Special Exception a	
I, or e. agree to pay expenses of above re-c posting, E., upon filing of this petition, and fu	classification and/or Special Exception a orther agree to and are to be bound by	the zoning
I, or the agree to pay expenses of above re-consting, it, upon filing of this petition, and fur regulations and restrictions of Baltimore County	classification and/or Special Exception a orther agree to and are to be bound by	the zoning
I, or e. agree to pay expenses of above re-c posting, E., upon filing of this petition, and fu	classification and/or Special Exception a orther agree to and are to be bound by	the zoning
I, or the agree to pay expenses of above re-consting, it, upon filing of this petition, and fur regulations and restrictions of Baltimore County	riassification and/or Special Exception a rither agree to and are to be bound by adopted pursuant to the Zoning Law.for William E. Reich	the zoning
I, or the agree to pay expenses of above re-consting, it, upon filing of this petition, and fur regulations and restrictions of Baltimore County	riassification and/or Special Exception a rither agree to and are to be bound by adopted pursuant to the Zoning Law.for William E. Reich	Baltimore
I, or the agree to pay expenses of above re-consting, it, upon filing of this petition, and fur regulations and restrictions of Baltimore County	riassification and/or Special Exception a rither agree to and are to be bound by adopted pursuant to the Zoning Law.for William E. Reich	Baltimore
I, or he, agree to pay expenses of above re-consting, he, upon filing of this petition, and furegulation and restrictions of Baltimore County County	classification and/or Special Exception a arther agree to and are to be bound by adopted pursuant to the Zoning Law.for William E. Reich Commencial Radio Institute Allian Smith Legal	Baltimore , Inc.
I, or e, agree to pay expenses of above re-consting. The position of this petition, and furegulation and restrictions of Baltimore County County Contract purchaser Address	classification and/or Special Exception a arther agree to and are to be bound by adopted pursuant to the Zoning Law.for William E. Reich Commencial Radio Institute Address 906 W. Toppen Address 906 W. Toppen	Baltimore , Inc. Owner ROAP
I, or he, agree to pay expenses of above re-consting, he, upon filing of this petition, and furegulation and restrictions of Baltimore County County	classification and/or Special Exception a arther agree to and are to be bound by adopted pursuant to the Zoning Law.for William E. Reich Commencial Radio Institute Allian Smith Legal	Baltimore , Inc. Owner ROAP
I, or e, agree to pay expenses of above re-consting. The position of this petition, and furegulation and restrictions of Baltimore County County Contract purchaser Address	classification and/or Special Exception a arther agree to and are to be bound by adopted pursuant to the Zoning Law.for William E. Reich Commencial Radio Institute Address 906 W. Toppen Address 906 W. Toppen	Baltimore , Inc. Owner ROAP
I, or he, agree to pay expenses of above re-consting, it, upon filing of this petition, and furegulation and restrictions of Baltimore County County County Contract purchaser Address	classification and/or Special Exception a arther agree to and are to be bound by adopted pursuant to the Zoning Law.for William E. Reich William E. Reich Commencial Radio Institute Address 906 W. Toppen Towers, MD.	Baltimore TMC. Owner Rosp 21204
I, or re, agree to pay expenses of above re-consting. The posting of this petition, and furegulation and restrictions of Baltimore County County Contract purchaser Address Lee Harrison Petitioner's Attorney	classification and/or Special Exception a arther agree to and are to be bound by adopted pursuant to the Zoning Law.for William E. Reich William E. Reich Commencial Radio Institute Address 906 W. Toppen Towers, MD. Protestant's	Baltimore , Inc. Owner Rosp 21204 Attorney
I, or re, agree to pay expenses of above re-consting. The posting of this petition, and furegulation and restrictions of Baltimore County County Contract purchaser Address Petitioner's Attorney Address 306 W. Joppa Road, Tow	classification and/or Special Exception a arther agree to and are to be bound by adopted pursuant to the Zoning Law.for William E. Reich William E. Reich Commencial Radio Institute Address 906 W. Toppen Towers, MD.	Baltimore , Inc. Owner Rosp 21204 Attorney
Lee Harrison Petitioner's Attorney Address 306 W. Joppa Road, Tow 21204823-1200	classification and/or Special Exception a rither agree to and are to be bound by adopted pursuant to the Zoning Law.for William E. Reich William E. Reich Commencial Radio Institute Address 906 W. Toppen Towers, MD. Protestant's	the zoning Baltimore The. Owner Roso 21204 Attorney
Lee Harrison Petitioner's Attorney Address 306 W. Joppa Road, Tow 21204-823-1200 ORDERED By The Zoning Commissioner of	classification and/or Special Exception a rither agree to and are to be bound by adopted pursuant to the Zoning Law.for William E. Reich William E. Reich Commencial Radio Institute Address 906 W. Toppen Towers, MD. Protestant's	Baltimore , Inc. Owner Rosp 21204 Attorney
Lee Harrison Petitioner's Attorney Address 306 W. Joppa Road, Tow 21204-823-1200 ORDERED By The Zoning Commissioner of	classification and/or Special Exception a rither agree to and are to be bound by adopted pursuant to the Zoning Law.for William E. Reich William E. Reich Commencial Radio Institute Address 906 W. Toppen Towers, MD. Protestant's	the zoning Baltimore The. Owner Road 2120 4 Attorney
Lee Harrison Petitioner's Attorney Address 306 W. Joppa Road, Tow 21204-823-1200 ORDERED By The Zoning Commissioner of	rither agree to and are to be bound by adopted pursuant to the Zoning Law for William E. Reich William E. Reich Commencial Radio Institute Commencial Radio Institute Address 306 W Topper Protestant's Protestant's Address 29th Saltimore County, this 29th Subject matter of this petition be adversed.	the zoning Baltimore Conner
Lee Harrison Petitioner's Attorney Address 306 W. Joppa Road, Tow 21204-823-1200 ORDERED By The Zoning Commissioner of April 1989, that the state of this petition, and further records the petition of above records the petition, and further records the petition of the peti	rither agree to and are to be bound by adopted pursuant to the Zoning Law for William E. Reich William E. Reich Commencial Radio Insertute Address 906 W Toppy Protestant's Son, Md. Baltimore County, this 29th Subject matter of this petition be adver, in two newspapers of general circulations.	Baltimore Baltimore Dic. Owner Roso 21204 Attorney day ertised, as on through-
Lee Harrison Petitioner's Attorney Address 306 W. Joppa Road, Tow 21204-823-1200 ORDERED By The Zoning Commissioner of April 1, 198 9, that the streeting of this petition, and further the property of the petition of above re-county for the petition, and further the petition of	classification and/or Special Exception a rither agree to and are to be bound by adopted pursuant to the Zoning Law for William E. Reich Commencial Radio Institute Address 906 W Topen Protestant's Protestant's Address 29th Baltimore County, this 29th subject matter of this petition be adver, in two newspapers of general circulation and that the public hearing be had before	Baltimore Baltimore Compr C

PETITION FOR SPECIAL HEARING

77-122-5P+1 (Dan-76. 99)

HE ZONING COMMISSIONER OF BALTIMORE COUNTY: COMMERCIAL RADIO INSTITUTION, INC.

I, or we, legal owner___of the property ate in Baltimore County and which is described in the description and : attached hereto and made a part hereof, hereby petition for a special ing Under Section 500.7 of the Zoning Regulations of Baltimore County, letermine whether or not the Zoning Commissioner and/or Deputy Zoning missioner should approve an Amendment to a Special Exception granted the case No. 69-269RX by the Zoning Commissioner of Baltimore County to end the approved height of the radio and television wireless transmitting i receiving structure by 159 feet, from 850 feet to 1,009 feet.

See attached description

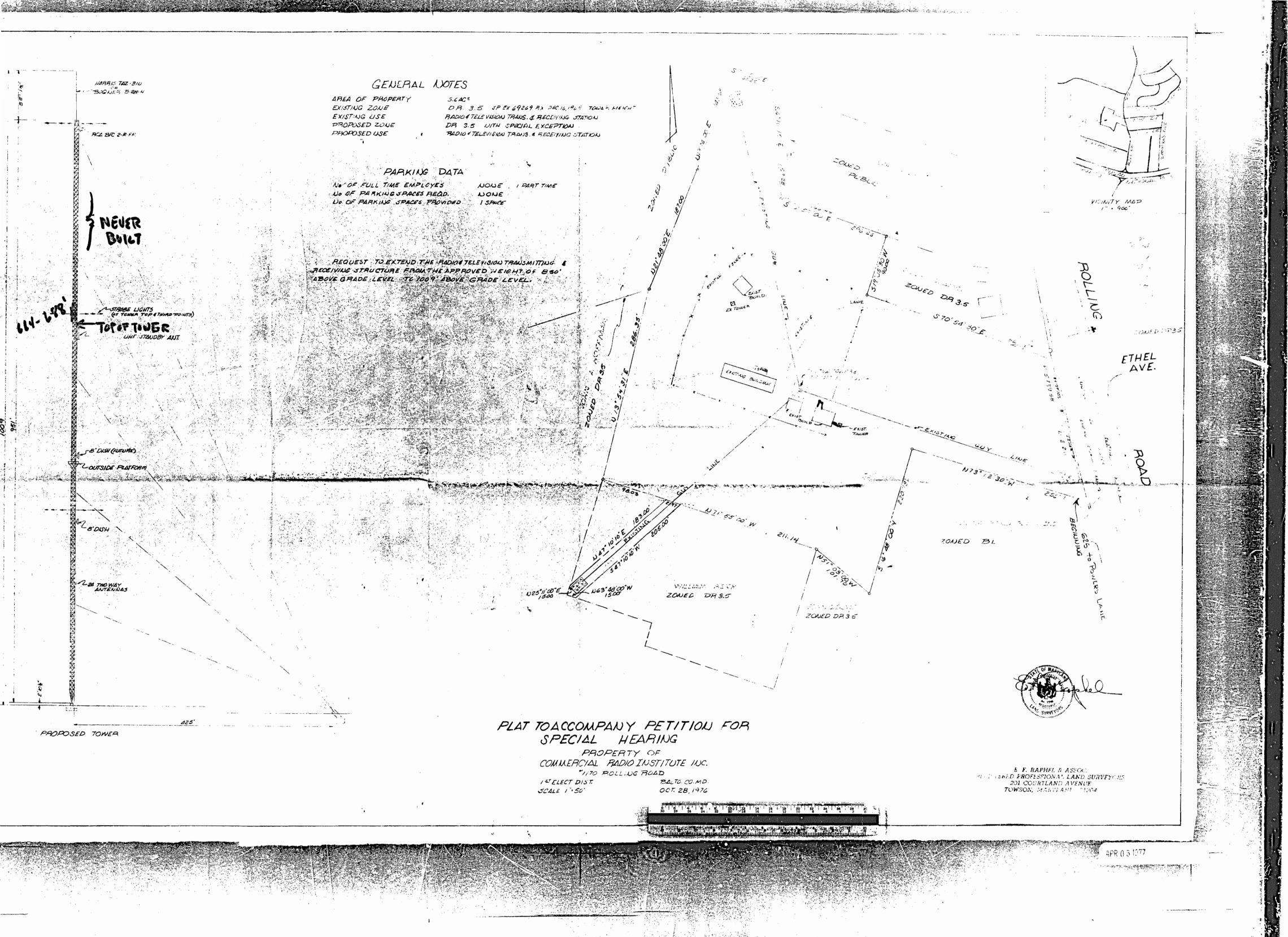
Property is to be posted and advertised as prescribed by Zoning ulations. I, or we, agree to pay expenses of above Special Hearing advertising, ting, etc., upon filing of this petition, and further agree to and are be bound by the zoning regulations and restrictions of Baltimore County pted pursuant to the Zoning Law for Baltimore Count COMMERCIAL HAPTO INSTITUTION INC. SMITH. PRESIDENT Legal Owner Address 3500 Parkdale Avenue Baltimore, Maryland 21211 Protestant's Attorney BROOKS 610 Bosley Avenue Towson, Maryland 21204 ORDERED By the Zoning Commissioner of Baltimore County, this 13th y of knownber , 196 76, that the subject matter of this petition be

Wertised, as required by the Zoning Law of Baltimore County, in two wspapers of general circulation throughout Baltimore County that operty be posted, and that the public hearing be had before the Soning mmissioner of Baltimore County in Room 106, County Office Building in wson, Baltimore County, on the 17th __day of___lamary___

Lifets o'clock_L___M.

Zoning Commissioner of Baltimore County

(over)



Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

February 14, 1992

Stephen J. Nolan, Esquire Nolan, Plumhoff & Williams Suite 700 Court Towers 210 W. Pennsylvania Avenue Towson, MD 21204-5340

RE: Request for Advisory Opinion
1170/1200 North Rolling Road
600-800 ft. N of Powers Lane
1st Election District
Zoning: D.R.-3.5
Zoning Cases: 69-269-RX, 75-181-X,
77-122-SPH

Dear Mr. Nolan:

Reference is made to your letter of January 18, 1992 to Arnold Jablon, Director of Zoning Administration and Development Management, which has been referred to me for reply. You have requested an investigation on behalf of your client, Scripps Howard Broadcasting Company, regarding an existing tower at the above referenced location including confirmation of zoning requirements, State and Federal requirements for the existing structure and an anticipated addition to the height.

It is my understanding that you have also sent correspondence to the Building Engineer of Baltimore County regarding this matter. Assuming that he will address the structural, Federal and State requirements which are beyond the scope of review of this office, I will defer to him regarding the same.



Stephen J. Nolan, Esquire February 14, 1992 Page 2

As to your zoning inquiries, please be advised this office confirms three zoning cases on the subject site:

- 1. 69-269-RX -- Reclass public unzoned land to R.-6 and a Special Exception for a radio and T.V. wireless transmitting and receiving structure (5.6 acres) for Commercial Radio Institute, Inc. Granted 6/12/69 by Zoning Commissioner Rose 660 foot tower height indicated on plan with an ultimate height of 850 feet shown.
- 75-181-X -- Special Exception for a 75 foot self-supporting receiving tower on 0.001 acre (25 feet x 25 feet) for Commercial Radio Institute, Inc.; Lessee - Nationwide Communications, Inc. (WPOC-FM). Granted by Zoning Commissioner DiNenna on 2/27/75.
- 3. 77-122-SPH -- Special Hearing to approve an amendment to the special exception granted in case 69-269-RX to extend the approval height of the tower by 159 feet, from 850 to 1009 feet high (5.6 acres) for Commercial Radio Institution, Inc. Granted on 1/20/77 by Zoning Commissioner DiNenna.

Additionally, you have stated the existing tower was only built to a height of 666 feet and that it is anticipated that an addition might soon be requested to extend the height. This office would confirm and agree with your conclusion that the additional height granted in 1977 has in fact lapsed under Section 502.3 (B.C.Z.R.) provided that the following "reasonable diligence" standard two prong test established by the courts would fail:

- 1. The commencement of some readily identifiable work and
- 2. The work begun with the intention then formed to continue said work to its completion.

Obviously, if no work was commenced to extend the height, which appears to be the case, the second prong of the test would not have been met. Further, should the Building Engineer or State or Federal agency confirm the safety hazards of the existing 666 foot tower, this office would not approve any additional height without the benefit of another zoning hearing even though the original plan allowed 850 feet.

Stephen J. Nolan, Esquire February 14, 1992 Page 3

Although the Development Control section of this office may agree that the full development process, including a community input meeting and hearing officer hearing would be appropriate upon considering an additional height and possible safety hazards, it is suggested that you contact Donald Rascoe in the Development Management section for information regarding any development and/or waiver procedures as reviewed by all agencies.

If I can be of any further assistance at this time or if you are updated with any additional information and need additional zoning clarification, please do not hesitate to contact me in this office at 887-3391.

Very truly yours,

W. Carl Richards, Jr. Zoning Coordinator

u. Carl Males

WCR:scj

cc: John Reisinger, Building Engineer
 Permits and Licenses
 Lawrence Schmidt, Zoning Commissioner
 William Hughey, Area Planner, Office of Planning & Zoning
 Donald T. Rascoe, Z.A.D.M.

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Stephen J. Nolan, Esquire Nolan, Plumboff & Milliama Suite 700 Court Towers 210 W. Pennsylvania Avenue Towson, MD 21204-5340

RE: Request for Advisory Opinion 1170/1200 North Rolling Road 600-800 ft. N of Powers Lame lat Election District Zoning: D.R.-3.5 Zoning Casses: 69-269-RX, 75-181-X, 77-122-8FW

Dear Mr. Nolan:

Jablon, Director of zoning Administration and Development Management, which has been referred to see for reply. You have requested an investigation on behalf of your client. Scripps Howard Stroddessing Company, reparting an existing tower at the above referred Administration of the properties of the satisfies structure and an anticipated addition to the beight.

It is my understanding that you have also sent correspondence to the Building Engineer of Baltimore County regarding this matter. Assuming that he will address the structural. Federal and State requirements which are beyond the scope of review of this office, I will defer to him

- 69-269-RK -- Reclass public unsomed land to R.-6 and a My Exception for a radio and T.V. wireless transmitting and reco-structure (5.6 acres) for Commencial Radio Institute, Granted 6/12/99 by Roning Commessioner Ross 660 foot height indicated on plan with an ultimate height of 505 feet a
- 75-181-X -- Special Exception for a 75 foot self-supporting receiving tower on 0.001 erro (25 feet x 25 feet) for Commercial Redio Institute, Inc.; Lesses Nationatic Communications, Inc. (MPCC-FB). Created by Moning Commissioner Different on 2/27/75.

Additionally, you have reinded the entering tomer one only built to a height of 66 feat and that it a materia, and that an additional might now he requested to extend the height. This office sould confirm and agree out your conclusion that the additional height quested in 1977 has in fact "examinated all lights," and the second of the contravel of the contravel

- ment of some readily identifiable work and

Obviously, if we work was commoned to entend the height, which appears to be the case to be seen of the test would not have been mer, the contract of the seen that the seen that the seen that the sector that agreement the sector product of th

u. Calabelo

Reciding

9

LAW OFFICES HOLAN, PLUMBOFF & WILLIAMS CHARTERE SUITE 700. COURT TOWERS 210 WEST PENNSYLVANIA AVENUE TOWSON MARYLAND 21204-5340

The There have

RALPH F. DEITZ

T BAYARD WILLIAMS JR

and Licenses e Schmidt, Zoning Cos Hughey, Ares Planses T. Rascos, S.A.D.M.

Mashington Square Suite 1100 1050 Connecticut Ave ., N.W. Washington, DC 20036 Donald P. Zeifang TRANSMITTAL LETTER TITLE Showing Tower Elevations 1 sketch Copy Topo Sheet of Baltimore Co. with tower plotted Very truly yours

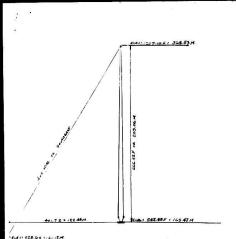
DLD, CROSS & ETZEL

301-823-4470

1

RE. Tower at 1200 N. Rolling Road

B ----



NOTE: ELEVATIONS BASED ON BALTIMORE COUNTY CONTROL MONUMENTS

12/30/91 NOT TO SCALE SKETCH OF TOWER Q 1200 N. ROLLING ROAD, CATOMS VILLE, MO. GÉRNOLD, CROSS & ETZEL



K MP	W CUMMAN E	TELEFAX (410) 29C	2765	40	RICHARD L SCHAEP
				28.50	443 785
		January 28	1007		785
		Danisacy 20		100	
	VIA HAND DELIVERY				
	Arnold Jablon, Es	ouire	Mr. Je	ohn Reisi	nger
	Director				Engineer for
	Office of Zoning	Administration	Balt	imore Cou	nty Department
	and Development	Management	of Pe	ermits an	d Licenses
	County Office Bui	lding		y Office	
	Towson, Maryland	21204	Towson	n, Maryle	nd 21204
	Re: Request	for Advisory Op	inion Le	tter and	Investigations
	8 50				
	Gentlemen:				
	We serve as	special counsel	to Scrip	pps Howar	d Broadcasting
	Company, the 1	icensee of tel	evision	station	MMAR-TV in
	Baltimore, Maryl	end. In that co	nnection	, it has	s come to our
	attention that r	ecently, Four Ja	cks Bro	adcasting	, Inc. ("Four
	Jacks") has pet	tioned the Fede	ral Com	muricatio	ns Commission
	for a constructi	on permit for Ch	annel 2	in Balti	more. If the
	authorization wer	e to be approved	by the	Commissi	on, Four Jacks
	would use and op	erato a 666 foot	, guyed	tower th	nat is located
	in the northwest	quadrant of Ro	nte 40 V	dest and	North Rolling
	Road, known as 1	200 North Rollin	g Road,	Catonsvi	lle, Maryland.
	The tower's pres	ence is based u	pon thre	ee known	cases that a
	diligent search	has disclosed, n	amely: C	ase No.	69-269RX: Case
	No. 75-181X; an	d Case No. 77	-122SPH.	Case	No. 77-1228PH
	allowed an extens	ion to 1009 feet	, but th	is 15 ye	ar old special
	exception has ne	ver been utilize	d, and	according	ly has lapsed
	under Section 50	2.3 of the Regul	ations.	Nonethe.	less, a review
	of Four Jacks'	application befo	re the	Federal	Communications
	Commission indic	ates that they	might	need to	increase the
	height of the tow	er.			
	It is our	opinion that any	increa	se in he	ight over the
	hearing/special	exception under	all the	e tower	rules in the
	Zonina Populati	ons and Develo	opment	Regulation	ons; and 3)
	Compliance with	all state and i	ederal	requireme	ents including
	FCC, FAA and all	applicable envir	onmental	regulati	ons.

89-4P4-584 VA

4-152-40

Arnold Jablon, Esquire Mr. John Reisinger January 28, 1992 page two

In addition to our review of tower height and zoning inner, a consultant was retained to evaluate the safety and communitaries, and the safety and communitaries report by Villasides Enterprises, dated January, 1992, is enclosed for your information. You will note that the consultant has concluded that 'the tower legs are overstressed to the safety of the safety of

Putterrors, the consultant noted that significant loing the reason its own calles in addition to the wind loading capacities specified for Baltimore County will put the lower and the surrounding area in damper. Not only is the case of the surrounding area in damper. Not only is the a shopping center (tax map 94, p.165) and the Jahovah Witnessen roperty (tax map 14, p.1147. In summary, according to the possibly unsafe and cannot support any additional new transmitting facilities.

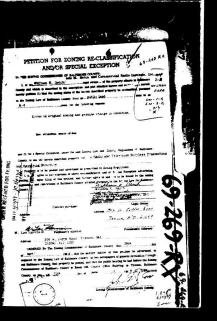
Since the tower's safety and integrity are of the utmost concern to the public health, safety and welfare, and since innocent people on adjoining properties could be at risk, we ask that your Department and the Building Engineer immediately conduct an investigation.

Finally, we include a \$15.00 zoning consultation fee to continue the CRG and zoning approvals or appecial exception/special hearing requirements, under all curtent requirements. including environmental regulations. An early rely will be appreciated.

Very truly yours, Stephen Nolan

enclosure (Vlissedes Report, January 1992)

cc: Baltimore County Zoning Commissioner Mr. William Hughey Area Planner, OPZ



PETITION FOR SPECIAL EXCEPTION

TO THE EXCEPTION

SHE ARRIVAGE AREA TO THE AREA TO THE ARRIVAGE AREA

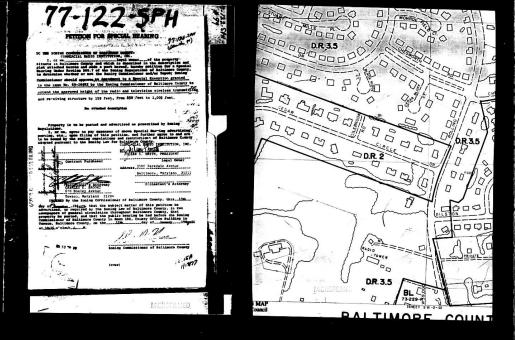
TO THE EXCEPTION

SHE AREA TO THE AREA TO

COMPUTER STRUCTURAL ANALYSIS S ENGINEERING EVALUATION OF THE 666 FT. GUYED TOWER CATONSVILLE, MARYLAND REVISED JANUARY 1992

FOR SCRIPPS HOWARD BROADCASTING COMPANY

BY VLISSIDES ENTERPRISES, INC. 7601 BURFORD DRIVE McLEAN, VIRGINIA 22102 (703) 356-9504



PETITION FOR SPECIAL HEARING

TO THE ZOHING COMMISSIONER OF BAISTHORE COUNTY:
COMMERCIAL BADIO INSTITUTION, INC.
SILVED IN THE PROPERTY OF T Commissioner should approve an Amendment to a Special Exception granted

in the case No. 69-269RX by the Zoning Commissioner of Baltimore County to extend the approved height of the radio and television wireless transmitting and receiving structure by 159 feet, from 850 feet to 1,009 feet.

See attached description

Property is to be posted and advertised as prescribed by Zoning Property is to be posted and sover-see as presented as property is to be posted and sover-see as property in the property of the property of the posting etc., upon the property of this potition, and further agree to and are to be bounded by the color regulations and restrictions of Saltiance Communications of the property of the property is to be bounded by the property of the property is to be bounded by the property of the property is to be property in the property in the property is to be posted and the property in the property is to be posted and the property in the property is to be posted and sover-see as you will be property in the property in the property is to be posted and sover-see as you will be property in the property in the property in the property is the property in the property in the property is the property in the property in the property is the property in the property in the property is the property in the property in the property is the property in the property in the property is the property in the property in the property in the property is the property in the p

Contract Purchaser

Legal Owner

Address 3500 Parkdale Avenue Baltimore, Maryland 21211

---- Protestant's Attorney

92

27-132-5011

610 Bosley Avenue Towson, Maryland 21204
ORDERED By the Zoning Commissioner of Baltimore County, this _11th__

at_10:15_0'clock_4___M.

Zoning Commissioner of Baltimore County

111777

314

Charles E. Brooks, Esq. Re: Item 99 January 10, 1977 Page 2

10/ 30 70 8H

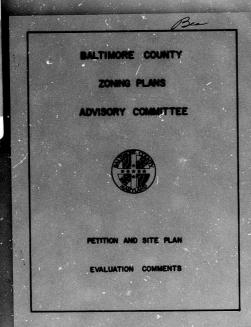
Farticular attention should be afforded the comments of Charles E. Burnham, Plans Review Chief, of the Department of Permits and Licenses.

This petition is accepted for filling on the date of the exclosed filling certificate. Notice of the hearing date and time, which will be held not less than 30 more more than 30 days after the date will be forextracted to you in the near future.

Very truly yours,

Mult B. Granden NICHOLAS B. COMMODARI, Acting Chairman, Zoning Plans Advisory Committee

cc: E. F. Raphel & Associates 201 Courtland Avenue Towson, Md. 21204



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenu Towson, Haryland 21204

Planning & Zoning Associate III

January 10, 1977

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Nicholas B. BANKS SERVICE Acting Chairman Charles E. Brooks, Esq. 610 Bosley Avenue Towson, Maryland 21204

BUREAU OF

DEPARTMENT OF TRAFFIC ENGINEERIN

STATE BOADS COMM BUREAU OF HEALTH DEPARTMENT

MITTONG DEBANTURY ZONING APMINISTRATIO INDUSTRIAL DEVELOPMENT

RE: Special Hearing
Item 99
Commercial Radio Institution, Inc. -

Dear Mr. Brooks:

The Zoning Plans 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 apprint the specific property of plans or problems with all parties are made ware of plans or problems. The problems with a partie of plans that may have a bearing on this case. The present plans that may have a bearing on this case. The property of the zonemendations as to the appropriateness of the requested zoning.

The subject property, located on the west side of Rolling Boal opposite Ethel Avenue, is currently improved with opposite Ethel Avenue, is currently improved with opposite Ethel Avenue, is currently improved with an associated buildings. Property immediately to the northwest of this site is improved with a single family decling, while vacant land exists to the west.

This site was the subject of ε number of previous Special Exception requests for towers in excess of 50 feet, the most recent being Case No. 75-181-X. This request is to add an additional 159 feet to the existing 850 foot antenna.

TOWERS MARYLAND 21204

THORNTON M. MOURING, P.E.

December 15, 1976

Time #99 (1971-1971)
Proper USA
Proper USA
Proper USA
Proper USA
Propered Zoning: OB 1.5
Proposed Zoning: OB 1.5
Proposed Zoning: Special Hearing to amend Case
No. 64-20-84 to extend the approved healph of a
radio town from.

The following exements are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Comments were supplied in connection with the Loning Advisory Committee review of this site for Item #257 (1968-1969) and Item #134 (1974-1975).

Baltimore County utilities and highway improvements are not directly involved.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards. The construction of any sideals, orth and gutter, entrance, apron, etc. will be the full responsibility of the Petitions.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #99 (1976-1977).

Very truly yours,

When, the M. Love Commercial
ELLSWORM N. DIVER, P.E.

Chief, Barcau of Engineering



December 21, 1976

Mr. S. Eric DiHenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 2120h

Comments on Item 99, Zoning Advisory Committee Meeting, November 30, 1976, are as follows:

Property Owner: Location: Existing Zoning: Proposed Zoning:

Compercial Radio Institution, Inc. VS Rolling Ra. 695' N Powers La. D.R. 3-5 Special Hearing to amend Case No. 69-269-RX to extend the approved beight of a radio tower from 550' to 1,009'.

No. of Acres:

Since this is a variance for the extension of a radio tower, no health hazard is anticipated

Very truly yours,

Cohora n xanha Thomas H. Devlin, Director SUREAU OF ENVIRONMENTAL SERVICES

RJW/THD/fthe



Office of Flamming and Zoning Baltimore County Office Building Towson, Maryland 21204

Zoning Advisory Committee

le: Property Owner Connercial Radio Institution, Inc. Location: W/S Holling Rd. 625' " Powers Dr.

Zoning Agenda 11/30/7

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an x" are applicable and required to be corrected or incorporated into the final plans for the property.

Pire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Pablic Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead-end condition shown at EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations

The buildings and atmostures existing or proposed on the site shall comply with all applicable requirements of the National Pire Pro-tection Association Standard Rs. 101 Life Safety Code, 1970 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

($\bar{\lambda}$) 7. The Firs Prevention Duregu has no comments, at this time. Planning Group Special Inspection Division

Foted and Approved Retailon Chief
Fire Provention Bureau

Overtisement, posting of property, and public hearing on the shown Petition and it appearing that by reason of the following finding of facts that, in accordance with the power granted unto the Zoning Commissioner by Fection 500.7 of the Baltimore County Zoning Regulations, it is hereby determined that the use, as berein requested, will not be detrimental to the health, safety, and general welfare of the community and would be within the spirit and intent of said Regulations, and, therefore, the Special Hearing to approve an amendment for the Special Exception granted under Case No. 69-269-RX, to extend the approved height of the radio and television wireless tragemitting and receiving atructure by 159 (est, from 850 (est to 1,009 feet. should be granted.

IS ORDERED by the Soning Commissioner of Baltimore County, this 20 E day cf January ... 19 77, that the herein Petition for entioned Special Hearing should be and the same is GRANTED, from the date of this Order, subject to the approval of site plan by the at of Public Works and Softing Commissioner of Baltimore County the Office of Planning and Zoning Co

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of_____

the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____day of_____, 196__, that the above Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



y Committee ing and Zoning y Office Building

ents on Item #99, Zoning Advisory Committee Meeting, November 30, 1976, are as follows:

Property Owner: Commercial Radio Institution, Inc.
Location: W/S Rolling Boad 629' N Powers Lame
Estiring Zonling: 0.1.3.5
Proposed Zonling: Special Intering to amend Case No. 69-269-RX to extend the approved height of
a route for the control form RSO' to 1,009'

This office has reviewed the subject partition and offers the following comments. These comments are not intended to indicate the 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

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

December 17, 1976

Item 99 - SAC - November 13, 1976
Property Owner: Commercial Medio Institution, Inc.
Essisting Soning: D.R. 3.5
Proposed Tooling: D.R. 3.5
Proposed Tooling: Special Hearing to manned Case No. 69-269-NX to extend
the agground height of a radio tower from 850' to 1,009'

Dear Mr. DiMenna

No traffic engineering problems are anticipated by the proposed extension of a radio tower;

Very truly yours Twicharfs. How Michael S. Flarigan Traffic Engineer Associate

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON MARYLAND - 21204

Date: November 29, 1976

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

Z.A.C. Meeting of: November 30, 1976

Re: Item No.: 99 Property Owner: Commercial Radio Institution, Inc. Location: W/S Rolling Road 625' N. Powers Lane Present Zoning: D.R. 3.5

Proposed Zoning: Decida Hearing to amend Case No. 69-269-RX to extend the approved height of a radio tower from 850' to 1,000'.

District: 1st No. Acres: 5.6

WNP/ml

Dear Mr. DiNenna: No bearing on student population.

Very truly yours. W. Nick Petrovich.

Which tetword.

TOWSON, MARYLAND 21204

November 24. 1976

Mr. S. Eric Dikenna, Zoning Commissioner Office of Flamming and Zoning County Office Building Towson, Maryland 21204

Comments on Item # 99 Zoning Advisory Committee Meeting, November 30, 1976 are as follows:

Property Owner: Commercial Eddio Institution, Inc.
Locations 1978 Rolling Road 655' N. Powers La
Location 2018, 15, 15
Proposed Zoning: Special Energy to mend Case No. 69-269-NX to extend the
Approved Location 2018 of a redict lower From 559' to 1,009'.

The items checked below are applicable:

(X) A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.

(X) B. A building permit shall be required before construction can begin. C. Three sets of construction drawings will be required to file an application for a building permit.

(Y) D. Three sets of construction drawings with a registered Maryland serie of construction drawings with a registered Navyland Register of Engineer's original west will be required to file an application for a building permit. P.E. supervisor infield required with coeffication of completion. "Or of a property line. Contact hilding Department if distance is between 3'0" and 6'0" of property line.

G. Requested setback variance conflicts with the Baltimore County Building Code. See Section ______.

Mark E. Sunham

January 20, 1977

Charles E. Brooks, Esquire 610 Bosley Avenue Towson, Maryland 21204

> RE: Polition for Special Hearing W/S of Rolling Road, 625' N of Powers Lane - 1st Election Dis-Commercial Radio Listitution Inc. - Patitioner NO. 77-122-SPH (Item No. 99)

Dear Mr. Brooks:

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

S. ERIC DI NENNA Zoning Commissione

SED/erl

cc: John W. Hessian, III, Esquire

P. P. BARHEL & ASSOCIATES

November 1, 1976

DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL MEARING PROPERTY OF COMMERCIAL RADIO INSTITUTE. INC.

Recipning for the same at a point in the 4th or 573*12*30"E 317.96* line of the 1st parcel of land which by deci dated March 18. 1959 and recorded among the Land Records of Baltimore County in WJR 3503, folio 80 was conveyed by J. Jelet Christopher, trustee, to Commercial Radio Institute, Inc. said beginning point being on the west Right of Way line of Rolling Road at a distance of 625.2 northwesterly from the Intersection formed by the center line of Powers Lane and the west Right of Way line of Rolling Road, running thence for the following 18 courses and distances: (1) N73°12'30"% 256.1: (2) S15*48.00"W 220.78: (3) N51*08.00"W 101.70: (4) N71*55.00"W 211.14'; (5) \$47*10*10"W 205.90'; (6) N63*48*00"W 15.00'; (7)N25*11*00"E 15.00 : (8) N47-10-10-E 183.00 : (9) N71-55-00-W 50.03 : (10) N13-54-31-1 286.35; (11) N21*48*00"E 187.00; (12) N19*24*00"E 143.68; (13) 571*10*00"E 61.25*; (14) 56*10*15"E 153.28*; (15) 570*57*00"E 166.44'; (16) S19*05'30"W 90.00'; (17) S70°54'30"E 281.9' to the west Right of Way line of Rolling Road, running thence on the west Right of Way line of Rolling Road; (18) by curve to the left with a radius of 5739.58' for a distance of 212.11' to the place of

Containing 5.6 Acres of land more or less.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO. S. Eric DiNenna, Zoning Commissioner Date January 6, 1977

Morman E. Gerber, Acting Director of Planning

Petition #77-122-SPH. Petition for Special Hearing to approve an

amendment to a Special Exception to extend the approved height of the radio and television wireless transmitting and receiving the radio and television wireless transmitting and receiving structure. West side of Rolling Road 625 feet, wore or less, North of Powers Lane Petitioner - Commercial Radio Institution, Inc.

Ist District

HEARING: Monday, January 17, 1977 (10:15 A.M.)

In the event that the appropriate County agency is satisfied that an antenna of this heighth (in such close proximity to adjacent dwellings and Rolling Road) would under no circumstances become a safety hazard, then this office would not be opposed to the granting of the petitioner's

RE: PETITION FOR SPECIAL HEARING W/S of Rolling Road 625' N of Powers Lane, 1st District

: BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

COMMERCIAL RADIO INSTITUTION, INC., Petitioners

: Case No. 77-122-SPH

..... ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kountz, Jr., Doputy People's Counsel

John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204 494-2188

! HEREBY CERTIFY that on this 12th day of January, 1977, a copy of the aforegoing Order was mailed to Charles E. Brooks, Esquire, 610 Bosley Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Hessian, III









CERTIFICATE OF PUBLICATION

TOWSON, MD...... December 30..... THIS IS TO CERTIFY, that the annexed advertisement was ablished in THE JEFFERSONIAN, a weekly newspaper printed

Cost of Advertise

6 BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this _____/6_ Mr 1974 Filing Fee \$ 2) . Received Check

Potitioner Min 5 Soith Submitted by Andr. Petitioner's Attorney Charles Barts Reviewed by Lats This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

D.F D.W. 2. RECOLIFFE DOB 00 MIVALE D.R. 3.5 PUB. 0 00 PRIVATE TO MOND D.R. 5.5 PLOTOCOALITERNI

1-8,60

CERTIFICATE OF POSTING NT OF BALTIMORE CO

Posted for: _[ION FOR SPECIA	Date of Posting TR	·
reduoner: . CHIDIC.	RCIAL TIDAL TO		
Location of property:	18 CE BELLING RO	6. 625' Nest Peren	(DN .
Location of Signe: 4	of Rolling Rd	775 to Net Pen ous L	
Remarks:			
Posted by Land	To Stole at	. Date of return: TAR 7	

