

PETITION FOR ZONING VARIANCE 84-177-XA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, 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 hereof, hereby petition for a Variance from Section _____

238.2 to allow sideyard setbacks of 25 feet and 15 feet in lieu of the required 30 feet.

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

The parcel of leased property is of insufficient size and is too irregular in shape to allow for the setbacks required by the Baltimore County Zoning Regulations.

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

I or we, agree to pay expenses 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 Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s) Twenty-First Century Properties
BY: Jack Luskin, General Partner

Signature: Signature

Address: Address
City and State: City and State

Attorney for Petitioner: Keith E. Ronald
7540 Washington Boulevard 799-8000
Address Phone No.
Baltimore, Maryland 21227
City and State

409 Washington Ave., Suite 314
Address
Towson, MD 21204
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Keith E. Ronald
Name Suite 314, 409 Washington Ave.,
Towson, MD 21204 296-6777
Address Phone No.

Attorney's Telephone No.: 296-6777
Towson, MD 21204 296-6777
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of December, 1983, 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 16th day of January, 1984, at 10:45 o'clock A.M.

Keith E. Ronald
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR SPECIAL EXCEPTION 84-177-XA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, 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 hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for the installation of a wireless transmitting and receiving structure (a monopole antenna).

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

I or we, agree to pay expenses of above 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 County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s) Twenty-First Century Properties
BY: Jack Luskin, General Partner

Signature: Signature

Address: Address
City and State: City and State

Attorney for Petitioner: Keith E. Ronald
7540 Washington Boulevard 799-8000
Address Phone No.
Baltimore, Maryland 21227
City and State

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Keith E. Ronald
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER

PETITION FOR VARIANCES
Beginning 781 S of Cromwell Bridge Rd., 860' NE of Gleneagles Ct., 9th District

OF BALTIMORE COUNTY
TWENTY-FIRST CENTURY PROPERTIES : Case No. 84-177-XA
Petitioner

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 therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
John W. Hession, III
Deputy People's Counsel
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 30th day of December, 1983, a copy of the foregoing Order was mailed to Keith E. Ronald, Esquire, 409 Washington Ave., Suite 314, Towson, MD 21204, Attorney for Petitioner.

John W. Hession, III
John W. Hession, III

**BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE**



**PETITION AND SITE PLAN
EVALUATION COMMENTS**

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

November 8, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #87 (1983-1984)
Property Owner: Twenty-First Century Properties
674 corner Loch Raven Blvd. & I-695
(rear parking lot - Luskin's)
Acres: 11,386 sq. ft.
District: 9th

Dear Mr. Jablon:
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.

General:
Baltimore County highway and utility improvements are not directly involved, as stated in conjunction with the Zoning Advisory Committee review for Item 234 (1981-1982).

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 87 (1983-1984).

Very truly yours,
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:RAM:FW:iss
N-W Key Sheet 38 NE 10 Pos. Sheet
NE 10 C Topo 70 Tax Map
Attachment

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 10, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

600
Nicholas B. Commodari
Chairman

- MEMBERS
- Bureau of Engineering
 - Department of Traffic Engineering
 - State Roads Commission
 - Bureau of Fire Prevention
 - Health Department
 - Project Planning
 - Building Department
 - Board of Education
 - Zoning Administration
 - Industrial Development

Keith E. Ronald, Esquire
409 Washington Avenue
Suite 314
Towson, Maryland 21204

RE: Case No. 84-177-XA (Item No. 87)
Petitioner - Twenty-First Century Properties
Special Exception & Variance Petition

Dear Mr. Ronald:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plan or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your client's proposal to construct a wireless transmitting and receiving structure to the rear of the existing Luskin building, located on Cromwell Bridge Road, this combination hearing is required.

For further information on the comments from the Department of Permits and Licenses, you may contact Mr. Ted Burnham at 494-3987.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari, per
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENCLOSURE

cc: Weller & Assoc.
101 North Center Street
Westminster, Maryland

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: January 9, 1984

Norman E. Gerber, Director
FROM: Office of Planning and Zoning

Twenty-First Century Property
SUBJECT: 84-177-XA

A CRG meeting is required. This is a portion of the overall Luskins property; consequently, an overall site plan is required. Information concerning the necessary access easement and agreement must be provided.

Norman E. Gerber
Director of Planning and Zoning

NEG/JGH/sf

Keith E. Ronald, Esquire
409 Washington Avenue
Suite 314
Towson, Maryland 21204

cc: Weller & Assoc.
101 North Center Street
Westminster, Maryland

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 21st day of December, 1983.

ARNOLD JABLON
Zoning Commissioner
Petitioner: Twenty-First Century Properties
Petitioner's Attorney: Keith E. Ronald
Received by: Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Special Exception

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #234 (1981-1982)
Property Owner: 21st Century Properties
860' E. from centerline of Glenageles Ct. 565' S.
from centerline of Cromwell Bridge Rd.
Acres: 1,500 sq. ft. District: 9th

Dear Mr. Hammond:

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.

General:

Baltimore County highway and utility improvements are not directly involved.
This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 234 (1981-1982).

Very truly yours,
(SIGNED) ROBERT A. MORTON
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EM:FWR:ss
N-W Key Sheet
38 NS 9 Pos. Sheet
NE 10 C Topo
70 Tax Map



Lewell K. Bridwell
Secretary
M. S. Callider
Administrator

June 7, 1982

October 7, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204

Re: ZAC Meeting of 10-11-83
ITEM #87
Property Owner: Twenty-First Century Properties
Location: SW/Cor. Loch Raven Blvd., Route 542 and I-695 (rear parking lot Luskins)
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a front yard setback of 22.5' in lieu of the required 25' and to permit sideyard setbacks of 26' and 13.3' in lieu of the required 30'. Special Exception for the installation of a wireless transmitting and receiving structure (a monopole antenna).
Acres: 11,386 sq. ft.
District: 9th

Dear Mr. Jablon:

On review of the site plan of September 27, 1983 and field inspection, the State Highway Administration finds the plan generally acceptable.

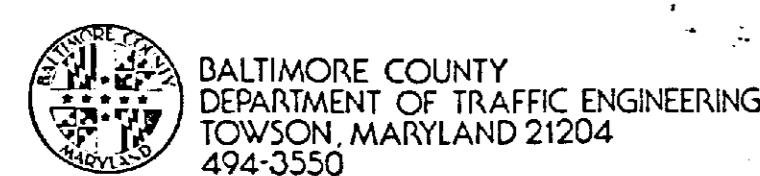
Very truly yours,
Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:masw

By: George Wittman

cc: Mr. J. Ogle

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 7171 707 North Calvert St., Baltimore, Maryland 21203-0717



STEPHEN E. COLLINS
DIRECTOR

November 14, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 85,86,87,91 ZAC Meeting of October 11, 1983.
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 85,86,87, and 91.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/ccm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

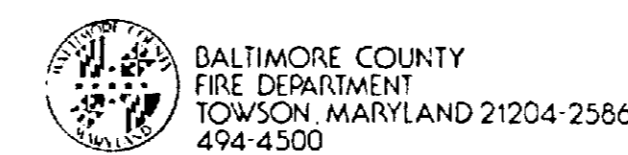
Arnold Jablon, Zoning Commissioner
TO: Office of Planning and Zoning Date: October 26, 1983
FROM: Ian J. Forrester
SUBJECT: Zoning Variance Items Meeting - October 11, 1983

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

- Item #85 - James A. & Mary J. Gaffney
- Item #86 - Jerry & Vlasta Babicka
- Item #87 - Twenty-First Century Properties
- Item #91 - Midland Farms, Inc.

Ian J. Forrester, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/fth



PAUL H. RENCKE
CHIEF

November 29, 1983

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Twenty-First Century Properties

Location: SW/Cor. Loch Raven Blvd. & I-695 (rear parking lot Luskins)

Item No.: 87 Zoning Agenda: Meeting of October 11, 1983

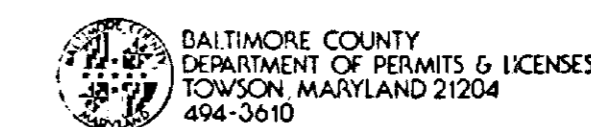
Gentlemen:

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.

- () 1. Fire 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 Public 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 operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: George M. Hegon
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



TED ZALESKI, JR.
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 87 Zoning Advisory Committee Meeting are as follows:

Property Owner: Twenty-First Century Properties
Location: SW/Cor. Loch Raven Blvd. & I-695 (rear parking lot Luskins)
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a front yard setback of 22.5' in lieu of the required 25' and to permit sideyard setbacks of 26' and 13.3' in lieu of the required 30'. Special Exception for the installation of a wireless transmitting and receiving structure (a monopole antenna).
Acres: 11,386 sq. ft. District: 9th.

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1901/Unenforced Bill and State of Maryland Code for the Building and Code; and other applicable Codes.
- X B. A building other _____ permit shall be required before beginning construction.
- X C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot lines, see Table 401, Line 2, Section 1407 and Table 1402, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code, Section 503.2.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered or Licensed Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
- X I. Comments - Comply with Section 625.0. Section 111.0-111.7 A Structural Engineers Seal and Signature is required on the Plans and Engineering Data, and certification by the Engineer will be required on completion.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Service) at 111 N. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burbanck
Charles E. Burbanck, Chief
Plans Service

CEB:es

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent Towson, Maryland - 21204

Date: October 12, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: October 11, 1983

RE: Item No: 85, 86, 87, 88, 89, 90 and 91
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

The above mentioned item numbers have no adverse effect on student population.

Very truly yours,

Wm. Nick Petrowich, Assistant
Department of Planning

NVP/bp

IN RE: PETITIONS SPECIAL EXCEPTION AND ZONING VARIANCES
BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 84-177-XA

Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner, by its Lessee, Be. Atlantic Mobil Systems, Inc., a wholly owned subsidiary of Bell Atlantic, requests a special exception to construct a wireless transmitting and receiving structure (a monopole antenna) and, additionally, variances to permit side yard setbacks of 25 feet and 13 feet instead of the required 30 feet, as more fully described on Petitioner's Exhibit 1.

The Lessee appeared and was represented by Counsel. Testifying for the Lessee was Harry Fisher, general manager, system designer, and real estate manager for the Lessee. No Protestants appeared.

The subject property is zoned B.R. Testimony indicated that the Lessee intends to construct a 100-foot-high monopole structure with 17-foot antennae for the purpose of establishing a cellular mobile telephone system in the Baltimore area. The Lessee has been authorized by the FCC to construct the system and has been reserved specific frequencies which will not obstruct or interfere with any other frequencies, e.g., television or radio communications. In addition to the tower, a 22' x 26' accessory building would be constructed to house the various equipment necessary to operate the tower.

After investigating numerous other sites, the Lessee chose this site because it met all of its engineering requirements. The property is triangular in shape and, in fact, could be utilized for little else due to its shape and size. The tower and accessory building will be well maintained and constantly supervised by the Lessee's central office. See Petitioner's Exhibit 2.

ORDER RECEIVED FOR FILING

DATE January 24, 1984

BY [Signature]

Due to the configuration of the lot, variances are also necessary to permit a side yard setback from the tower to the northern property line of 13 feet instead of the required 30 feet and a side yard setback of 25 feet from the edge of the proposed building to the nearest property line to the south (a perpendicular line drawn from the building to the property line identified on Petitioner's Exhibit 1 as "N 26 54' 00" W").

Mr. Fisher testified that in his opinion no adverse effect to the surrounding community would occur if the special exception and variances were granted and that the spirit and intent of the Baltimore County Zoning Regulations (BCZR) would be met. Certainly, it would be a practical difficulty to the Lessee if they were not granted. It should be noted that the building size is based on the amount and size of equipment necessary to be housed therein and could not possibly be smaller.

The Petitioner seeks relief from Section 236.4, pursuant to Section 502.1, BCZR, for a special exception to construct a wireless transmitting and receiving structure and from Section 238.2, pursuant to Section 307, BCZR, for the requested variances.

It is clear that the BCZR permit the use requested by the Petitioner in a B.R. Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity of the proposed use. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception as applied for by the Petitioner should be granted, with certain restrictions as more fully described below.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements

ORDER RECEIVED FOR FILING

DATE January 24, 1984

BY [Signature]

PETITION FOR SPECIAL EXCEPTION AND VARIANCES

9th Election District

ZONING: Petition for Special Exception and Variances
LOCATION: Beginning 781 ft. South of Cromwell Bridge Road, 860 ft. Northeast of Gleneagles Court
DATE & TIME: Monday, January 16, 1984 at 10:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for the installation of a wireless transmitting and receiving structure (a monopole antenna) and Variances to allow side yard setbacks of 25 ft. and 13 ft. in lieu of the required 30 ft.

Being the property of Twenty-First Century Properties, as shown on plat plan filed with the Zoning Department.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 494-3353

ARNOLD JABLON ZONING COMMISSIONER

January 24, 1984

Keith E. Ronald, Esquire 409 Washington Avenue, Suite 314 Towson, Maryland 21204

IN RE: Petitions Special Exception and Zoning Variances Beginning 781' S of Cromwell Bridge Road, 860' NE of Gleneagles Court - 9th Election District Twenty-First Century Properties, Petitioner Case No. 84-177-XA

Dear Mr. Ronald:

I have this date passed my Order in the above-referenced matter in accordance with the attached.

Sincerely, [Signature] ARNOLD JABLON Zoning Commissioner

AJ/srl

Attachments

cc: People's Counsel

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement the Petitioner seeks relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception and variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of January, 1984, that the Petition for Special Exception for a wireless transmitting and receiving structure (a monopole antenna) and, additionally, the Petition for Variances to permit side yard setbacks of 25 and 13 feet instead of the required 30 feet, in accordance with the site plan introduced and accepted into evidence as Petitioner's Exhibit 1, be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- 1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for retaining, said property to its original condition.
2. A detailed landscaping plan shall be submitted to the Zoning Office and shall include, but not necessarily be limited to, a fence at least seven feet in height surrounding the structure and appropriate shrubbery or trees.

[Signature] Zoning Commissioner of Baltimore County

Description of 11,386 Square Foot Parcel of Property owned by Twenty-First Century Properties, leased to AMPS, Inc., for Installation of a Monopole Antenna. (Site C).

BEGINNING FOR THE SAME at a point being located northeasterly along the centerline of Cromwell Bridge Road 860 feet from the centerline of Gleneagles Court, thence leaving Cromwell Bridge Road South 24° East 417 feet more or less; thence South 74°09'30" East 364.33 feet more or less to a point marked by an iron pin now set, thence running from said point the following three courses and distances, thereby encompassing the area which is the subject matter of these petitions for special exception and variance:

- (1) South 74°09'30" East 271.22 feet; thence
(2) South 82°23'58" West 211.05 feet; thence
(3) North 26°54'00" West 114.32 feet to the aforesaid iron pin set.

Ronald #86 12-11-83

[Signature]

ORDER RECEIVED FOR FILING

DATE January 24, 1984

BY [Signature]

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

Keith E. Ronald, Esquire
409 Washington Avenue
Suite 314
Towson, Maryland 21204

January 13, 1984

Re: Petitions for Special Exception & Variances
Beg. 781' S of Cromwell Bridge Rd., 860' NE
of Cleneagles Court
21st Century Properties - Petitioner
Case No. 84-177-XA

Dear Mr. Ronald:

This is to advise you that \$52.94 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 124086

DATE: 1-16-84 ACCOUNT: R-01-615-000

AMOUNT: \$52.94

RECEIVED FROM: *Keith E. Ronald, Esquire*
FOR: *Advertising & Posting 84-177-XA*
(21st Century Properties)

C 06D*****6294FD 5174A

VALIDATION OR SIGNATURE OF CASHIER

December 21, 1983

Keith E. Ronald, Esquire
409 Washington Avenue
Suite 314
Towson, Maryland 21204

NOTICE OF HEARING
Re: Petition for Special Exception & Variances
Beginning 781' S of Cromwell Bridge Rd.,
860' NE of Cleneagles Court
Twenty-First Century Properties - Petitioner
Case No. 84-177-XA

TIME: 10:45 A.M.
DATE: Monday, January 16, 1984
PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 121957

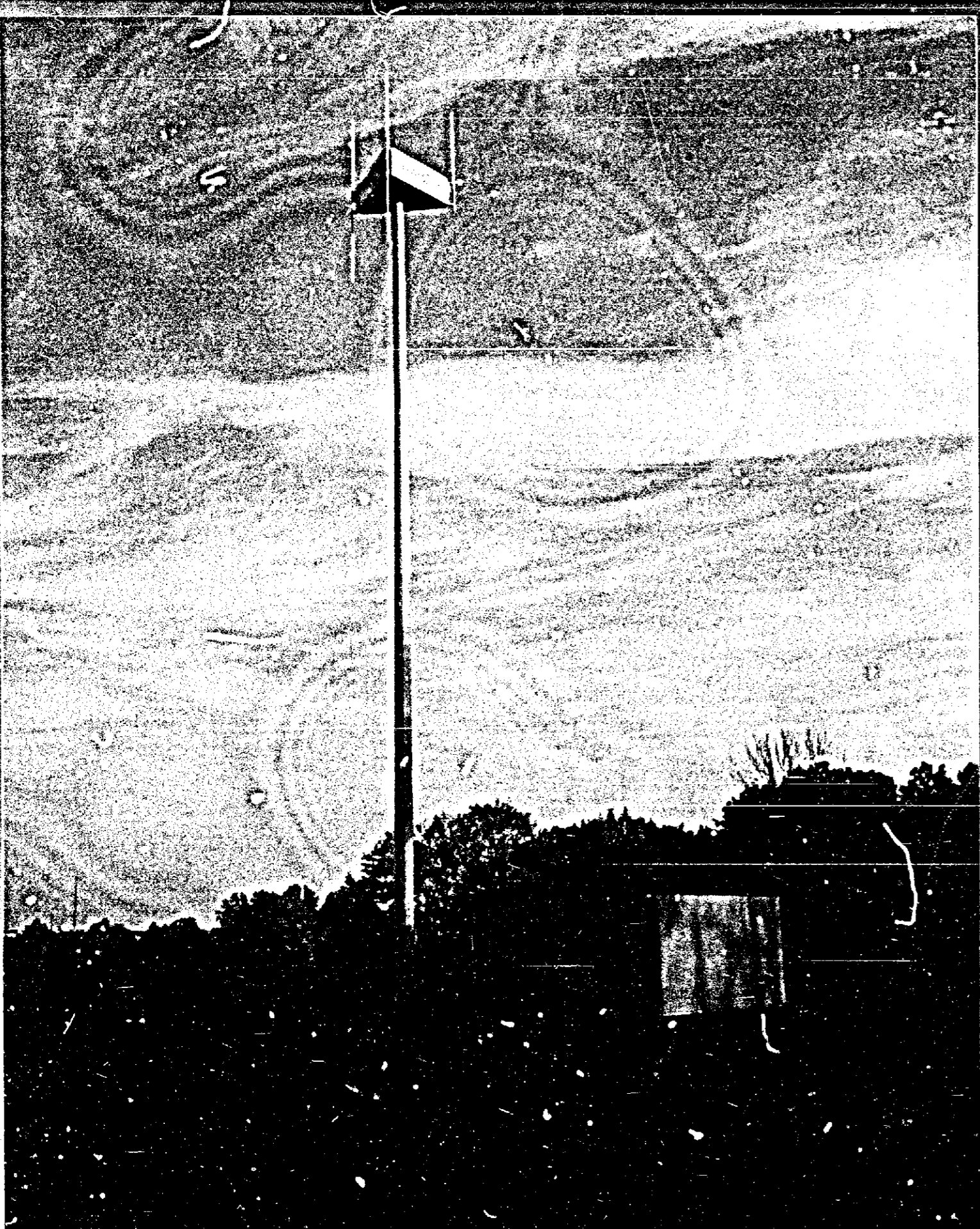
DATE: 1-24-83 ACCOUNT: R-01-615-500

AMOUNT: 200.00

RECEIVED FROM: *Keith E. Ronald, Esquire*
FOR: *Advertising & Posting 84-177-XA*
(21st Century Properties)

C 034*****200001D 4286A

VALIDATION OR SIGNATURE OF CASHIER



1541647 p400/28 84-177-44

PETITION FOR SPECIAL EXCEPTION AND VARIANCES
FOR SPECIAL EXCEPTION AND VARIANCES
ZONING: Petition for Special Exception and Variances
LOCATION: Beginning 781' S. of Cromwell Bridge Road,
860' NE of Cleneagles Court, Towson, Maryland
PUBLIC HEARING: Room 106, County Office Building,
111 West Chesapeake Avenue, Towson, Maryland

CERTIFICATE OF PUBLICATION

Towson, Md. 1/20 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for consecutive weeks, the first publication appearing on the 22nd day of DEC 1983

The TOWSON TIMES
Arnold Jablon
Cost of Advertisement: \$25.44

84-177-44

PETITION FOR SPECIAL EXCEPTION AND VARIANCES
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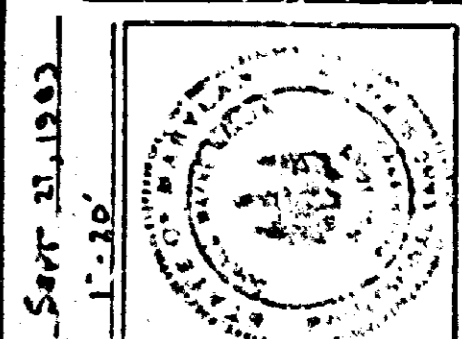
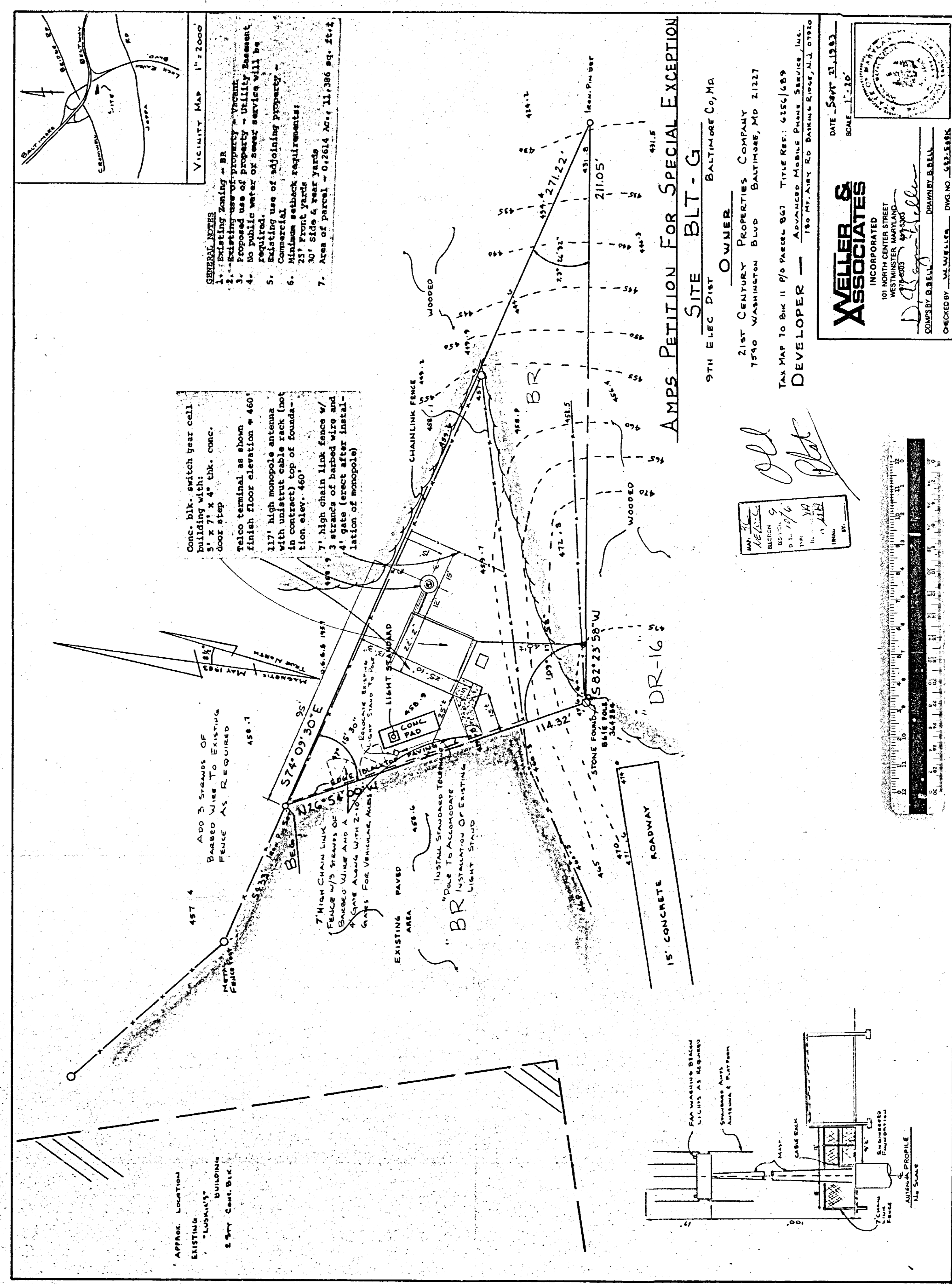
CERTIFICATE OF PUBLICATION

TOWSON, MD., December 22, 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week for one time, the first publication appearing on the 22nd day of January 1984, the last publication appearing on the 29th day of December 1983.

THE JEFFERSONIAN
Frank Smith
Manager

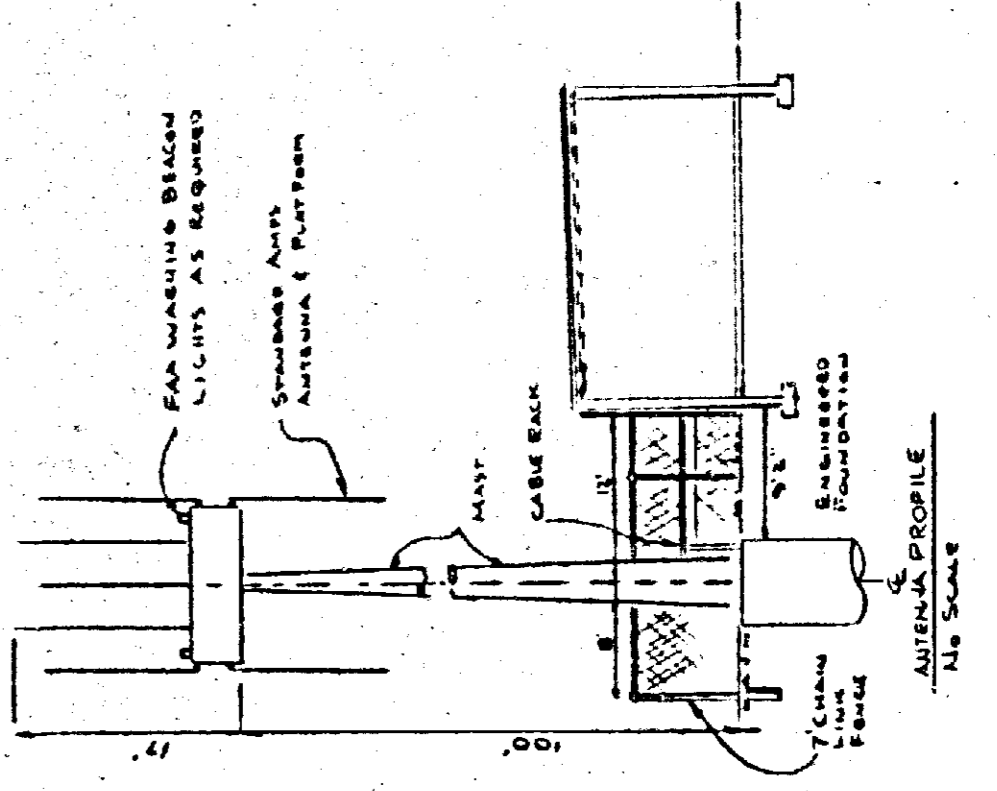
Cost of Advertisement, \$ 17.50



DATE: SEPT 21, 1983
SCALE: 1"=20'

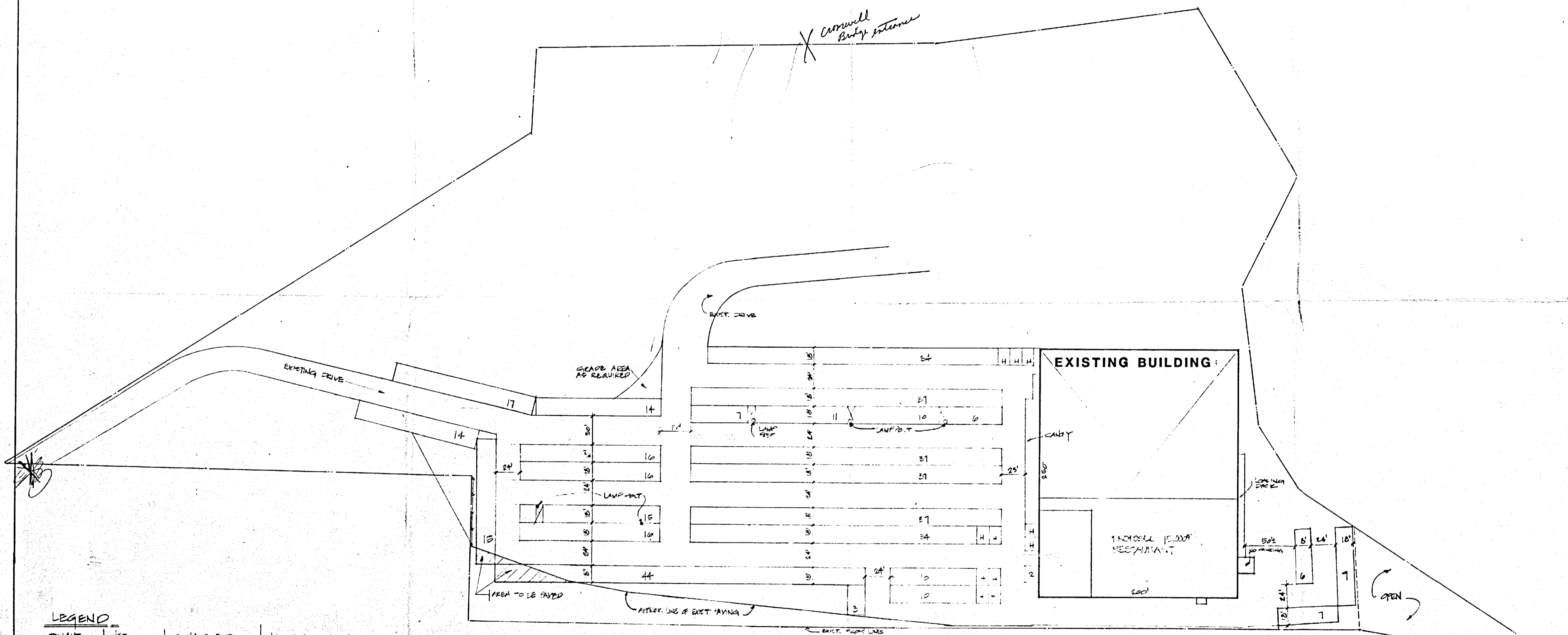
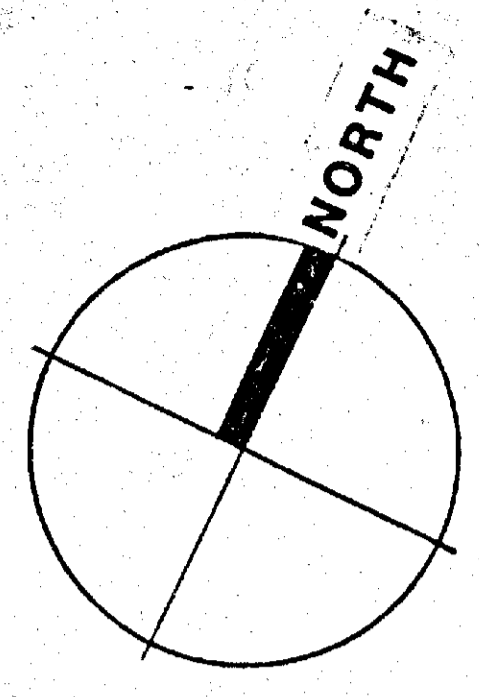
VELLER & ASSOCIATES
INCORPORATED
101 NORTH CENTER STREET
WESTMINSTER, MARYLAND
D. J. VELLER
COMPUTER: D. BEALL
CHECKED BY: M. WELLES DWG NO. 531-EMK

MAX. 12.5%
SECTION 9
D.T. 1/16
1"=100'
SCALE



CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 9 Date of Posting: 12/31/83
 Posted for: Petition for Variance to Special Exception
 Petitioner: Towson Trust Company Properties
 Location of property: beginning 781' S. of Cromwell Bridge
at 460' N.E. of Ellen Ingles Dr.
 Location of Signs: at Cromwell Bridge entrance to property
 Remarks: Sign posted on existing wood sign post. is only
 Posted by: Robert J. Coleman Date of return: 1/4/84
 Number of Signs: 2 one B.C. Zoning Dept. post
will.



LEGEND

TENANT	USE	SQUARE FOOTAGE	NO. OF SPACES REQUIRED
PIE ONE	MERCANTILE	10,000	50
LUSKINS	MERCANTILE	20,000	100
BULL'S CRYPT	MERCANTILE	5,000	25
PIFF'S	RESTAURANT	15,000	300
TOTAL		50,000	475

S I T E P L A N
 SCALE: 1" = 50'-0"

PARKING LEGEND

FRONT PARKING AT HANDICAPPED FACILITY	442 SPACES
REAR PARKING LOT (EMPLOYEES ONLY)	11 SPACES
TOTAL SITE PARKING	22 SPACES
TOTAL SITE PARKING	475 SPACES - PROVIDED

25,000 sq ft 1 car/200 sq ft = 175 SPACES
 15,000 sq ft 1 car/200 sq ft = 300 SPACES
TOTAL PARKING REQUIRED = 475 SPACES

PARKING TO BE PROVIDED FOR NEW TENANTS. 8-14-84

KANN + AMMON + ING.
 ARCHITECTS - PLANNERS - RESERVATIONISTS
 1012 SOUTH MARYLAND AVENUE
 BALTIMORE, MARYLAND 21204
 301-838-4061
 CONSULTANTS

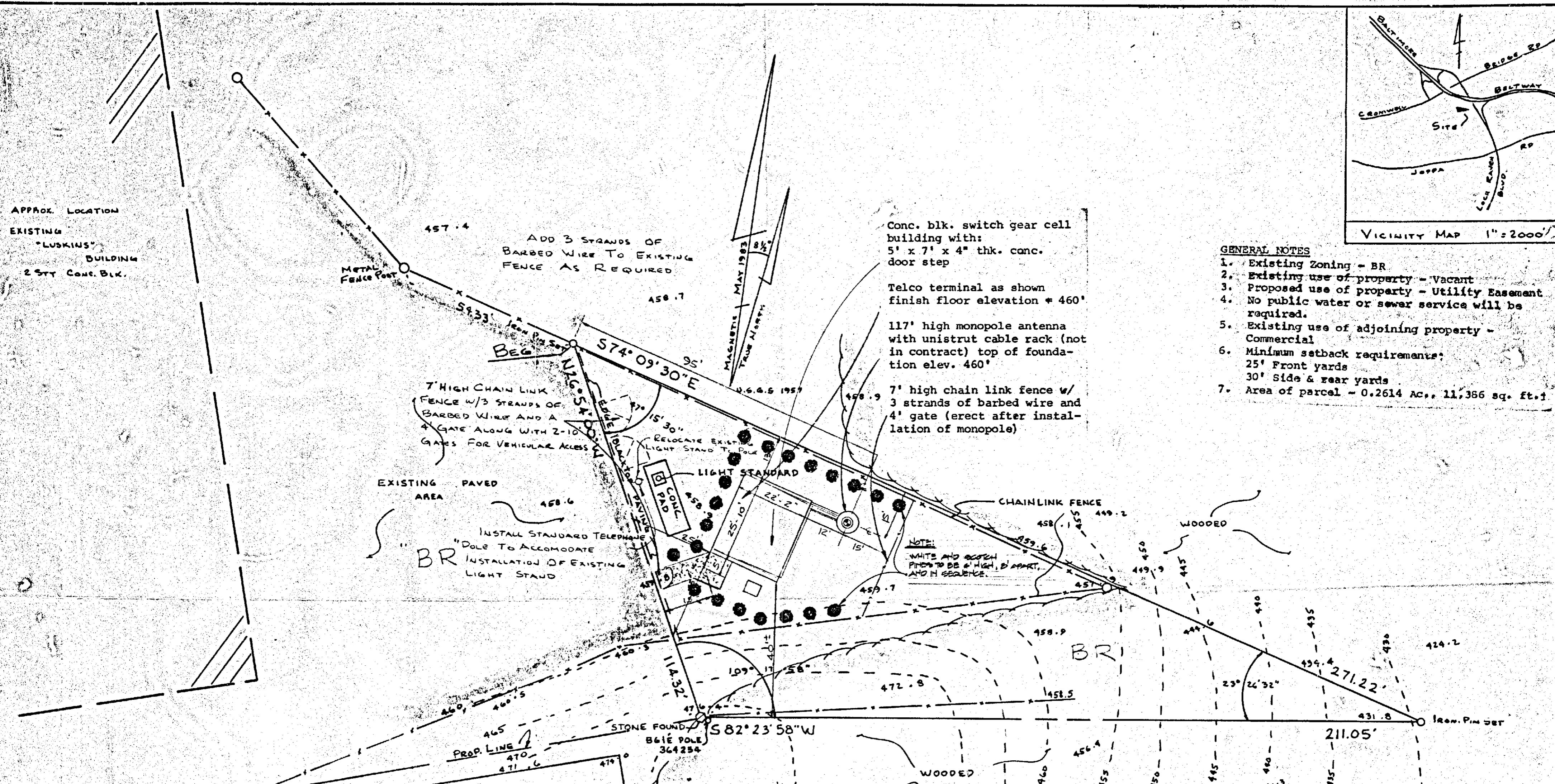


LUSKINS - TOWSON

REVISIONS

NO.	DATE	DESCRIPTION

DATE: 12/31/83
DRAWN BY: [Signature]
CHECKED BY: [Signature]
TITLE: SITE PLAN
DRAWING NO.: [Number]
SHEET NO.: [Number]

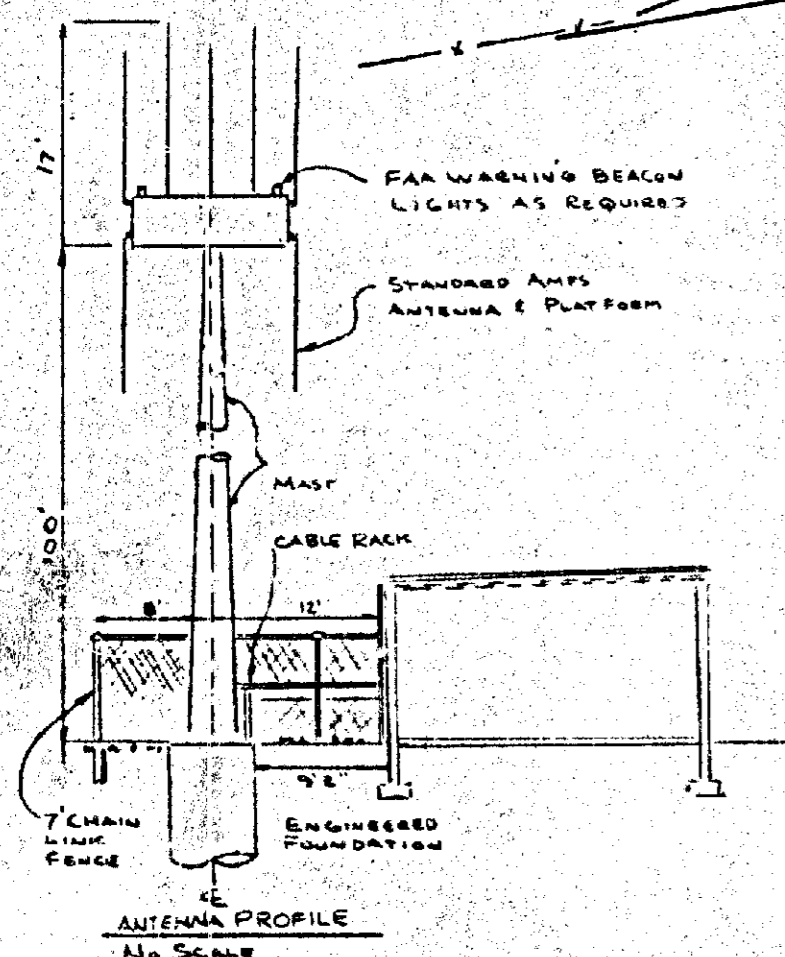


- GENERAL NOTES**
1. Existing zoning - BR
 2. Existing use of property - Vacant
 3. Proposed use of property - Utility Easement
 4. No public water or sewer service will be required.
 5. Existing use of adjoining property - Commercial
 6. Minimum setback requirements:
25' Front yards
30' Side & rear yards
 7. Area of parcel - 0.2614 Ac., 11,386 sq. ft.

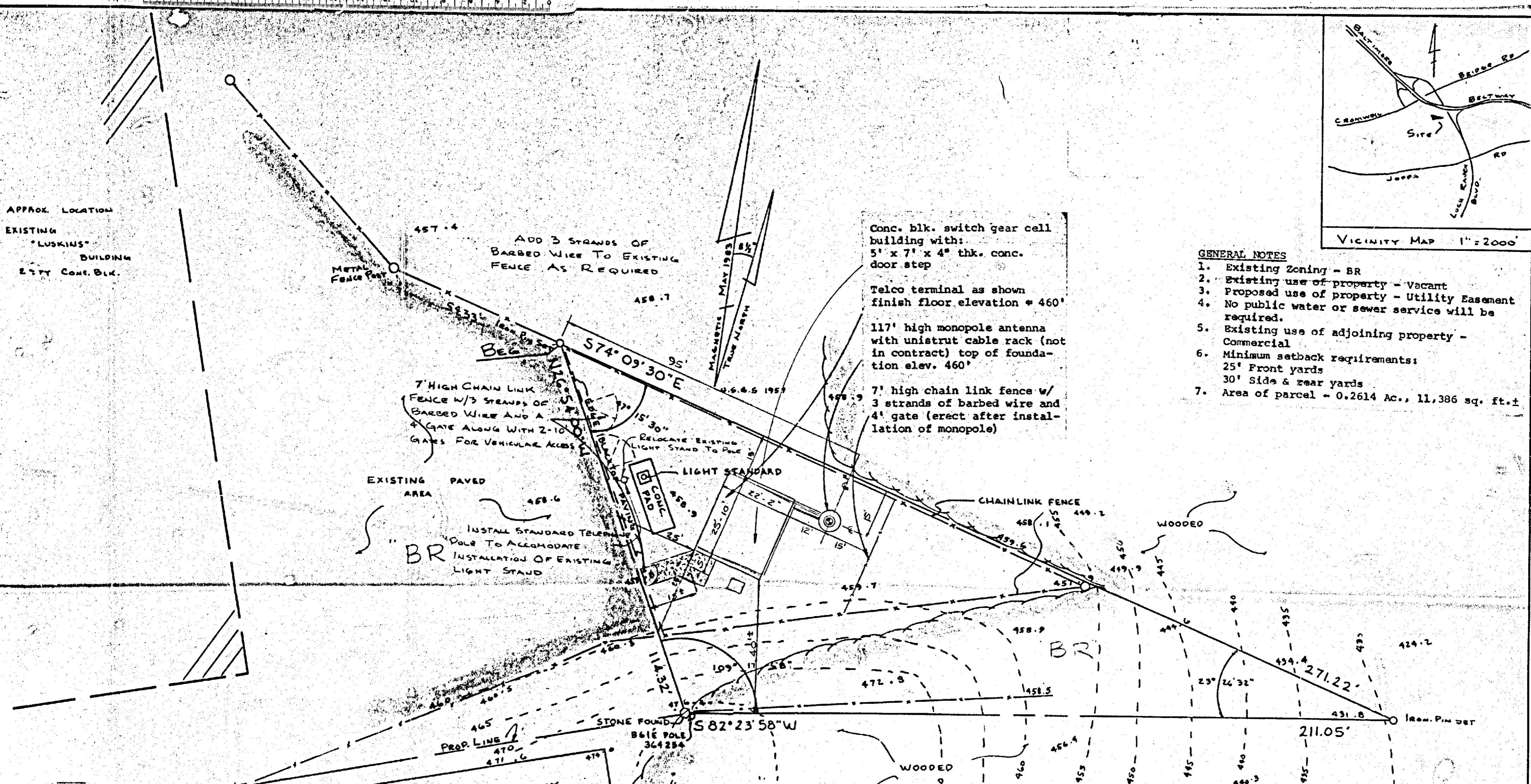
AMPS PETITION FOR SPECIAL EXCEPTION
SITE BLT-G

9TH ELEC DIST BALTIMORE Co, MD
OWNER
21ST CENTURY PROPERTIES COMPANY
7590 WASHINGTON BLVD BALTIMORE, MD 21227
TAX MAP TO Bk II P/O PARCEL 867 TITLE REF.: 6256/689
DEVELOPER - ADVANCED MOBILE PHONE SERVICE, INC.
180 Mt. Airy Rd. Basking Ridge, N.J. 07810

DATE Sept 21, 1983
SCALE 1" = 20'
WELER & ASSOCIATES
INCORPORATED
101 NORTH CENTER STREET
WESTMINSTER, MARYLAND
875-6333 857-5300
D. Bell
COMPS BY B. BELL DRAWN BY B. BELL
CHECKED BY W. WELER DWG NO. 683-568K



11/28/83 - Revised Per County Comments
Landscaping Plan EHH-00039-11



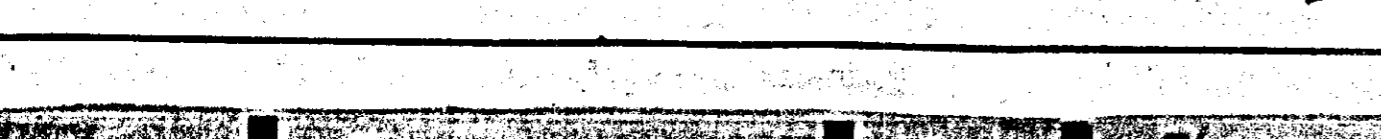
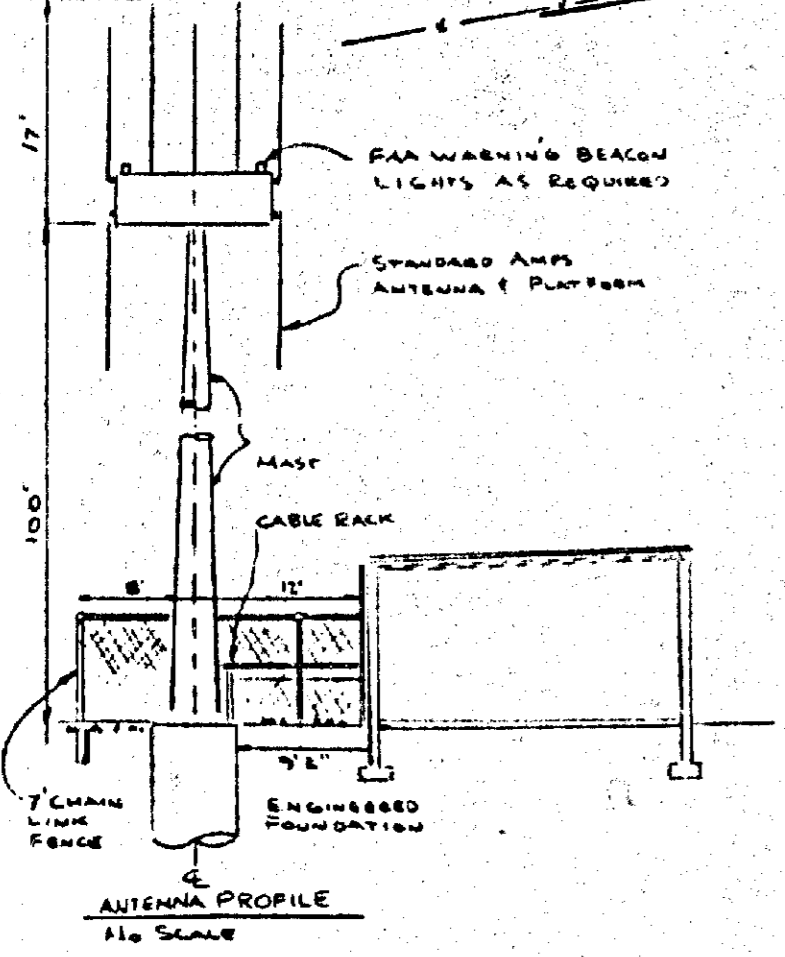
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180 Mt. Airy Rd. Basking Ridge, N.J. 07810

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *[Signature]*
DATE: 9/21/83
BY: *[Signature]*
PLANNING COMMISSIONER
DATE: 9/27/83
84-17-A
C-132-84

DATE Sept 21, 1983
SCALE 1" = 20'
WELER & ASSOCIATES
INCORPORATED
101 NORTH CENTER STREET
WESTMINSTER, MARYLAND
875-6333 857-5300
D. Bell
COMPS BY B. BELL DRAWN BY B. BELL
CHECKED BY W. WELER DWG NO. 683-568K



MICROFILMED

EHH-00039-11