

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION & ZONING VARIANCE * ZONING COMMISSIONER
NE/S Morgan Mill Rd., approx. *
1000' NW of Manor Road * OF BALTIMORE COUNTY
12000 Manor Road *
Election District * Case No. 93-348-SPHXA
6th Councilmanic District *
Legal Owner: William J. Smith *
Contract Purchaser: Southwest *
Bell Mobile Systems, Inc. *
Petitioner *

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing, Petition for Special Exception and Petition for Zoning Variance for the subject property located at 12000 Manor Road near Glen Arm. The Petitions are filed by the long term Lessee of a portion of the property, namely, Southwest Bell Mobile Systems, Inc., t/a Cellular One. When originally filed, the Petition was also signed by the then owner of the property, William J. Smith. However, testimony and evidence presented at the hearing was that the property is now owned by Mr. Smith's son, Richard Smith, as Trustee.

As to the Petition for Special Exception, the Petitioner seeks approval to construct a wireless transmitting and receiving facility on site, pursuant to Section 502.7 of the Baltimore County Zoning Regulations (B.C.Z.R.). As to the Petition for Special Hearing, approval is sought for use of the special exception area of the property not utilized by the transmitting and receiving facility improvements for actual agricultural purposes. Lastly, the Petitioner seeks a series of variances. The variances are filed in alternate form. That is, two options are proposed for the placement of the subject wireless transmitting and receiving facility. If the preferred option, known as Alternate "A", is accepted, certain variances from Sections

1A03.B.4.2 and 502.7.C.2 are requested. However, if Alternate "B" is approved, only variances from Section 502.7.C.2 are necessary and those from Section 1A03.B.4.2 are not needed.

Appearing at the requisite public hearing held for this case was Jeffrey Owens, on behalf of the Lessee/Petitioner, Southwest Bell Mobile Systems, Inc. Richard W. Smith, owner of the property as Trustee, was also present. Also appearing and participating at the hearing was Michael T. McGuire and George E. Gavrellis both from Daft, McCune and Walker, the engineers who prepared the site plan. Also appearing was Ed L. Howell, an expert in the construction and use of wireless transmitting/receiving facilities. The Petitioner was represented by G. Scott Barhight, Esquire. Although no Protestants appeared, Jerry Smith, the son/brother of the property owners, participated in the hearing as an interested person.

Proffered testimony and evidence presented was that the subject site is a substantially sized parcel (154.337 acres) and is zoned R.C.4. Presently, the tract is used as a working farm. As noted above, the property was originally owned by William J. Smith, but is now held by his son, Richard W. Smith, as Trustee. The site is presently improved with a two frame house, a tenant house and several out buildings related to the farm use of the property.

Mr. Barhight proffered that his client, Southwest Bell Mobile Systems, Inc., engages in the business of sales, service and communication through wireless and automobile telephones. The cellular communication offered by the Petitioner has become widely popular in recent years and the mobile, telephone technology has gained wide acceptance and use. As is well known, this system employs a network of cells, in the center of which are located transmission/receiving antenna. This cellular system allows the consumer to

utilize a mobile phone network. Moreover, in order for the cell system to be effective, Cellular One must strategically place its antenna at regular intervals throughout the service network area. In this respect, Mr. Barhight proffered that his client had undertaken an extensive study and concluded that an antenna was necessary near the Glen Arm area. The network of the Cellular One system is clearly demonstrated on computer produced documents offered as Petitioner's Exhibits Nos. 5A and 5B. Further, Mr. Barhight proffered that his client had investigated a number of sites near the subject property. This investigation was undertaken to comply with Section 502.7.C. of the B.C.Z.R. which requires placement of the wireless antennas on commercially zoned properties, if practical. The testimony and evidence presented, however, was that the subject site was the only alternative acceptable. Specifically, other locations tested were inappropriate and were found not to be suitable. Thus, the Petitioner comes before me under the Petition for Special Exception seeking permission to construct the wireless facility at the proposed location.

It is to be noted that the proposed improvements will occupy but a small portion of the entire tract. The B.C.Z.R. requires that the minimum size area for this special exception use is 5 acres. Thus, the Petitioner has carved out a 5 acre parcel from the tract on which the proposed facility will be located. However, the proffered testimony and evidence presented was that the property actually disturbed by the construction and maintenance of the proposed facility is smaller than 5 acres. Specifically, a report was submitted showing that approximately 2500 sq. ft. of the site will be cleared to accommodate the monopole and building. Thus, within the Petition for Special Hearing, the Petitioner seeks permission to continue to use the

balance of the 5 acre tract not utilized by the facility for agricultural purposes.

As noted above, a wireless transmitting and receiving facility is permitted on the subject site by special exception. A special exception use has been identified by the appellate courts of this State as a use which is presumptively valid, absent of showing that the proposed use will cause unique detriment to the health, safety or general welfare of the surrounding community. Further, the Petitioner must produce persuasive evidence that the standards enunciated in Sections 502.1 and 502.7 of the B.C.Z.R. are satisfied in order for the subject facility to be approved. Based on the uncontradicted evidence and testimony presented, I am persuaded that the Petitioner has met his burden. There is no evidence that the proposed use will, in any manner, adversely affect the health, safety or general welfare of the locale. Clearly, the area of the subject farm which is to be utilized by this operation will be minimal. Further, the height of the pole is reasonable (150 ft.) and will not visually dominate the surrounding landscape. Further, there will be minimal traffic produced by the proposed use. Indeed, once constructed, the pole and necessary outbuilding will be visited by the Petitioner's personnel only for maintenance purposes. Lastly, it is noted that the pole will not be lighted and will be painted so as to blend, as greatly as possible, with the surrounding locale. For all of these reasons, I am persuaded that the Petition for Special Exception should be granted.

For similar reasons, I will also approve the Petition for Special Hearing. Although the B.C.Z.R. requires a minimum 5 acre tract for the proposed facility, continued use of the balance of the tract for agricultural purposes is both warranted and preferred. Clearly, this is an agricultural commu-

nity and protection of the farming lands in the County is to be encouraged. There will be no detrimental effect on the surrounding community if the agricultural use of this property is preserved to the greatest extent possible. For these reasons, the Petition for Special Hearing will also be approved.

As to the Petition for Variance, I am persuaded that Alternate "A" is preferable. Although more variances will be needed if this option is adopted, the uncontradicted testimony and evidence presented was that Alternate "A" will cause less disturbance to the existing farm than Alternate "B". That is, Alternate "B" requires placement of the antenna and required maintenance building farther away from Morgan Mill Road and deeper into the interior of the tract. Therefore, more farm land will be lost to support the necessary road system to the building and facility. In my view, these considerations justify the approval of Alternate "A" in this case. Therefore, all of the necessary variances will be granted so as to permit Alternate "A" to be implemented. Further, it should be noted that the Petitioner produced substantial and uncontradicted testimony that a granting of the variances are justified based upon the parameters and standards enunciated in Section 307 of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 2nd day of June, 1993, that, pursuant to the Petition for Special Exception, approval to construct a wireless transmitting and receiving facility on site, pursuant to Section 502.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, permission for use of the special exception area of the property not covered by the transmitting and receiving facility improvements for actual agricultural purposes, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that variances from Sections 1A03.B.4.2 and 502.7.C.2, as more fully set forth on the Petition which is attached hereto and made a part hereof, in conjunction with Alternate "A", in lieu of Alternate "B", be and is hereby GRANTED, subject, however to the following restriction which are conditions precedent to the relief granted herein:

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 30 day 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 returning, said property to its original condition.

LES:mmm

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 1, 1993

G. Scott Barhight, Esquire
500 Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 93-348-SPHXA
Petitions for Special Hearing, Special Exception and Variances
Legal Owner: William J. Smith
Southwest Bell Mobile Systems, Inc., Contract Purchaser/Lessee

Dear Mr. Barhight:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing, Special Exception and Variances have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.

cc: Mr. Richard W. Smith
Mr. Jeffrey Owens
Mr. Jerry Smith

Petition for Special Hearing
to the Zoning Commissioner of Baltimore County
for the property located at 12000 Manor Road

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

The use of that portion of the special exception area not covered by actual transmitting and receiving facility improvements for actual agricultural purposes.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

When the necessary studies and other, under the purview of parties, that have are the legal owner(s) of the property, which is the subject of the Petition.

Legal Owner:
Southwest Bell Mobile Systems,
Inc., t/a Cellular One
7555 Walker Drive
Greenbelt, Maryland 20770

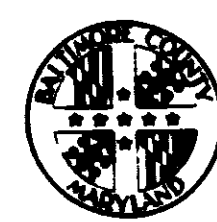
Legal Owner:
William J. Smith
12000 Manor Road
Glen Arm, Maryland 21057

Attorney for Petitioner:
G. Scott Barhight
500 Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204
832-2050

Attorney for Petitioner:
Glen Arm, Maryland 21057
City, Address and phone number of legal owner, contracted purchaser or representative
G. Scott Barhight
Whiteford, Taylor & Preston
500 Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204
832-2050

ESTIMATED LENGTH OF HEARING
On following date: _____
Revised Time: _____
ALL OTHER: _____
REVIEWED BY: _____ DATE: _____

No REVIEW
4/8/93 WCR



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 12000 Manor Road
which is presently zoned RC4

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner of the property situated 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 Regulations of Baltimore County, to use the herein described property for

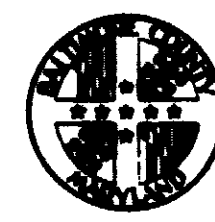
A wireless transmitting and receiving facility.

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.

Contract/Purchaser/Lessee:
Southwest Bell Mobile Systems, Inc.
c/o Cellular One
7855 Walker Drive
Greenbelt, Maryland 20770

Legal Owner:
G. Scott Barhight
500 Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204

No REVIEW
4/8/93 WCR



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 12000 Manor Road
which is presently zoned RC4

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner of the property situated 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(s)

See attached sheet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
The unique configuration of the property, and the existing uses of the property create practical difficulties and unreasonable hardship.

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.

Contract/Purchaser/Lessee:
Southwest Bell Mobile Systems, Inc.
c/o Cellular One
7855 Walker Drive
Greenbelt, Maryland 20770

Legal Owner:
G. Scott Barhight
500 Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204

No REVIEW
4/8/93 WCR

Requested Variance(s):

Alternate "A":

- Variance from B.C.Z.R. § 1A03.B.4.2 (as in Bill No. 113-92) to permit a wireless transmitting and receiving tower within 45 feet of the centerline of Morgan Mill Road in lieu of the required 100 feet.
- Variance from B.C.Z.R. § 1A03.B.4.2 (as in Bill No. 113-92) to permit a nonresidential principal building within 65 feet of the centerline of Morgan Mill Road in lieu of the required 100 feet.
- Variance from B.C.Z.R. § 502.7.C.2 to permit a 150 high transmitting and receiving tower within 45 feet of the nearest special exception line to the south in lieu of the required 300 feet.
- Variance from B.C.Z.R. § 502.7.C.2 to permit a 150 high transmitting and receiving tower within 230 feet of the nearest special exception line to the east in lieu of the required 300 feet.
- Variance from B.C.Z.R. § 502.7.C.2 to permit a 150 high transmitting and receiving tower within 230 feet of the nearest special exception line to west in lieu of the required 300 feet.

Alternate "B":

- Variance from B.C.Z.R. § 502.7.C.2 to permit a 150 high transmitting and receiving tower within 107 feet of the nearest special exception line to the north in lieu of the required 300 feet.
- Variance from B.C.Z.R. § 502.7.C.2 to permit a 150 high transmitting and receiving tower within 230 feet of the nearest special exception line to the east in lieu of the required 300 feet.
- Variance from B.C.Z.R. § 502.7.C.2 to permit a 150 high transmitting and receiving tower within 230 feet of the nearest special exception line to the west in lieu of the required 300 feet.

Alternate Site "A" 93-348-SPHXA

Description to Accompany Petition for Special Exception, Special Hearing and Variances

5,000 Acre Parcel, William J. Smith Property

Northeast Side of Morgan Mill Road

Northwest of Manor Road

Eleventh Election District, Baltimore County, Maryland



Dick M. Case, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21206

410 296 3333

Fax 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same in the bed of Morgan Mill Road at a point distant 944 feet, more or less, as measured northwesterly along the centerline of said road from its intersection with the centerline of Manor Road, thence running in the bed of Morgan Mill Road and referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District the following two courses, viz: (1) North 51 degrees 45 minutes 24 seconds West 305.59 feet, and thence (2) North 43 degrees 56 minutes 30 seconds West 166.76 feet, thence leaving the said centerline and running the three following courses, viz: (3) North 36 degrees 40 minutes 00 seconds East 438.22 feet, thence (4) South 53 degrees 20 minutes 00 seconds East 470.00 feet, and thence (5) South 36 degrees 40 minutes 00 seconds West 473.84 feet to the point of beginning; containing 5,000 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

February 19, 1993

Project No. 93004 (L93004)

Page 1 of 1



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 93-348-SPHXA

Towson, Maryland

District: 114 Date of Posting: 4/8/93

Posted for: Special Exception & Hearing & Variances

Petitioner: William J. Smith, Southwest Bell Mobile Systems, Inc.

Location of property: 12000 Manor Road, NE Side Morgan Mill Road, NW Side Manor Road

Location of Sign: Fourteen signs on property to be zoned

Remarks:

Posted by: [Signature] Date of return: 4/12/93

Number of Signs: 14

CERTIFICATE OF PUBLICATION

TOWSON, MD. 4/22/93

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/22/93.

THE JEFFERSONIAN,

S. Zeke Orlow
Publisher

receipt

Baltimore County
Zoning Administration &
Development Management
211 West Chesapeake Avenue
Towson, Maryland 21204

Date: 4/6/93

Account: R-001-6190

Number: 93-348-SPHXA

ITEM #359 (WCR)

#020 - VARIANCE \$250.00
#040 - SPECIAL HEARING \$250.00
#050 - SPECIAL EXCEPTION \$300.00
#070 - MAXIMUM FEE \$650.00

SIGN FEES PAID BY SEP. RECEIPT

Legal Owner: William J. Smith
Contract Purchaser: Southwest Bell Mobile Systems, Inc.
Cellular One

Location: 12000 Manor Road

Cashier Validation

Please Make Checks Payable To: Baltimore County

receipt

Baltimore County
Zoning Administration &
Development Management
211 West Chesapeake Avenue
Towson, Maryland 21204

Date: 4/6/93

Account: R-001-6190

Number: 93-348-SPHXA

ITEM #359 (WCR)

#080 - POSTING OF SIGNS
3 SIGNS (\$55 per sign) \$165.00

HEARING FEES PAID BY SEP. RECEIPT

Legal Owner: William J. Smith
Contract Purchaser: Southwest Bell Mobile Systems, Inc.
Cellular One

Location: 12000 Manor Road

Cashier Validation

Please Make Checks Payable To: Baltimore County

359

93-348-SPHXA

Alternate Site "B"

Description to Accompany Petition for Special Exception, Special Hearing and Variances

5,000 Acre Parcel, William J. Smith Property

Northeast Side of Morgan Mill Road

Northwest of Manor Road

Eleventh Election District, Baltimore County, Maryland



Dick M. Case, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21206

410 296 3333

Fax 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same in the bed of Morgan Mill Road at a point distant 1084 feet, more or less, as measured northwesterly along the centerline of said road from its intersection with the centerline of Manor Road, thence running in the bed of Morgan Mill Road and referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District the following two courses, viz: (1) North 51 degrees 45 minutes 24 seconds West 165.37 feet, and thence (2) North 43 degrees 56 minutes 30 seconds West 308.83 feet, thence leaving the said centerline and running the three following courses, viz: (3) North 36 degrees 40 minutes 00 seconds East 428.54 feet, thence (4) South 53 degrees 20 minutes 00 seconds East 470.00 feet, and thence (5) South 36 degrees 40 minutes 00 seconds West 483.49 feet to the point of beginning; containing 5,000 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

February 19, 1993

Project No. 93004 (L93004.1)

Page 1 of 1



Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

93-348-SPHXA

(410) 887-3355

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS AND PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

For newspaper advertising:

Case No.: Item No.: 359

Petitioner: William J. Smith

LOCATION: 12000 Manor Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME:

ADDRESS:

PHONE NUMBER:

AJ:ggg

(Revised 3/29/93)

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

APRIL 16, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-348-SPHXA (Item 359)
1200 Manor Road
W/S Morgan Hill Road, approximately 1000' W of Manor Road
11th Election District - 6th Councilmanic
Legal Owner(s): William J. Smith
Contract Purchaser(s): Southwest Bell Mobile Systems, Inc., t/a Cellular One
HEARING: TUESDAY, MAY 25, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Exception for a wireless transmitting and receiving facility. Special Hearing to approve the use of that portion of the special exception area not covered by actual transmitting and receiving facility improvements for actual agricultural purposes. Variance for Alternate "M" to permit a wireless transmitting and receiving tower within 45 feet of the centerline of Morgan Hill Road in lieu of the required 100 feet; to permit a non-residential principal building within 65 feet of the centerline of Morgan Hill Road in lieu of the required 100 feet; to permit a 150 high transmitting and receiving tower within 107 feet of the nearest special exception line to the east in lieu of the required 300 feet. Variance to Alternative "M" to permit a 150 high transmitting and receiving tower within 107 feet of the nearest special exception line to the north in lieu of the required 300 feet; to permit a 150 high transmitting and receiving tower within 230 feet of the nearest special exception line to the east in lieu of the required 300 feet; and to permit a 150 high transmitting and receiving tower within 230 feet of the nearest special exception line to the west in lieu of the required 300 feet.

Carl Jablon

Arnold Jablon, Director

cc: William J. Smith
Southwest Bell Mobile Systems, Inc.
G. Scott Barhight, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 20, 1993

G. Scott Barhight
500 Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Case No. 93-348-SPHXA, Item No. 359
Petitioner: William J. Smith, et al
Petition for Special Hearing, Special
Exception and Variance

Dear Mr. Barhight:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 April 8, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-15-93

HELEN KEARNEY
Ms. John Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: +359 (WCR)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 4, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 359, 360, 367, 368, 370, 381 and 382.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*

Division Chief: *Carol L. Keras*

PK/JL:lw

360.ZAC/ZAC1

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

May 11, 1993

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #359
Smith, William J.; 12000 Manor Road
Zoning Advisory Committee Meeting of April 19, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

1. Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.
2. Development of the property must comply with the Forest Conservation Act. Contact the Department of Environmental Protection and Resource Management at 887-3980 for details.

JLP:jbm

SMITHJ/TXTRMP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee

DATE: April 16, 1993

FROM: Jerry L. Pfeiffer, Captain
Fire Department

SUBJECT: Zoning Petitions

#352B	No comments
#353	No comments
#354	No comments
#355	No comments
#356	Building shall comply with the applicable provisions of the Life Safety Code and the Baltimore County Fire Prevention Code.
#357	No comments
#358	No comments
#359	No comments
#360	Building shall comply with the applicable provisions of the Life Safety Code and the Baltimore County Fire Prevention Code.

JLP:dal

cc: File

111 West Chesapeake Avenue
Towson, MD 21204

April 26, 1993

(410) 887-3353

G. Scott Barhight, Esquire
Whiteford, Taylor, Preston
210 West Pennsylvania Avenue
500 Court Towers
Towson, MD 21204-4515

RE: Preliminary Petition Review (Item #359)
Legal Owner: William J. Smith
Contract Purchaser/Lessee: Southwest
Bell Mobile Systems, Inc.; t/a Cellular
One
12000 Manor Road
11th Election District

Dear Mr. Barhight:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The petition was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. Tax records indicate Richard W. Smith is trustee for the property. Please submit papers that show William J. Smith has the authority to sign for this property.
2. Plat is not showing Parcel 436, which appears to be an undersized lot.

G. Scott Barhight, Esquire
April 26, 1993
Page 2

3. Councilmanic district needs to be placed on the plat.
4. Section number on both plat and petition should read "1A03.4.B.2".

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

Catherine A. Milton
By: Catherine A. Milton
Planner I

CAM:scj

cc: Zoning Commissioner

Enclosure: Receipt

LAW OFFICES
WHITEFORD, TAYLOR & PRESTON
500 COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515
FAX 410-832-1015
April 14, 1993

DELIVERY BY HAND
Arnold Jablon, Esquire
Director, Office of Zoning Administration
and Development Management
County Office Building
Towson, Maryland 21204

Re: Petitions for Special Exception, Special Hearing
and Variances
Property: 12000 Manor Road
Petitioner: Cellular One
Legal Owner: William J. Smith

Dear Mr. Jablon:
Enclosed is a check made payable to Baltimore County,
Maryland in the amount of \$105.00 as the posting fee for the
above-referenced case. If I can be of any additional assistance,
please feel free to contact me. Thank you for your kind
attention to this matter.

Sincerely,
G. Scott Barhight

GSB/slr
Enclosure
cc: Mr. Jeffery Owens

RECEIVED
APR 14 1993
ZADM

PLEASE PRINT CLEARLY
BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET
NAME ADDRESS
Karin Brown OF2 / P-9-

PLEASE PRINT CLEARLY
PETITIONER(S) SIGN-IN SHEET

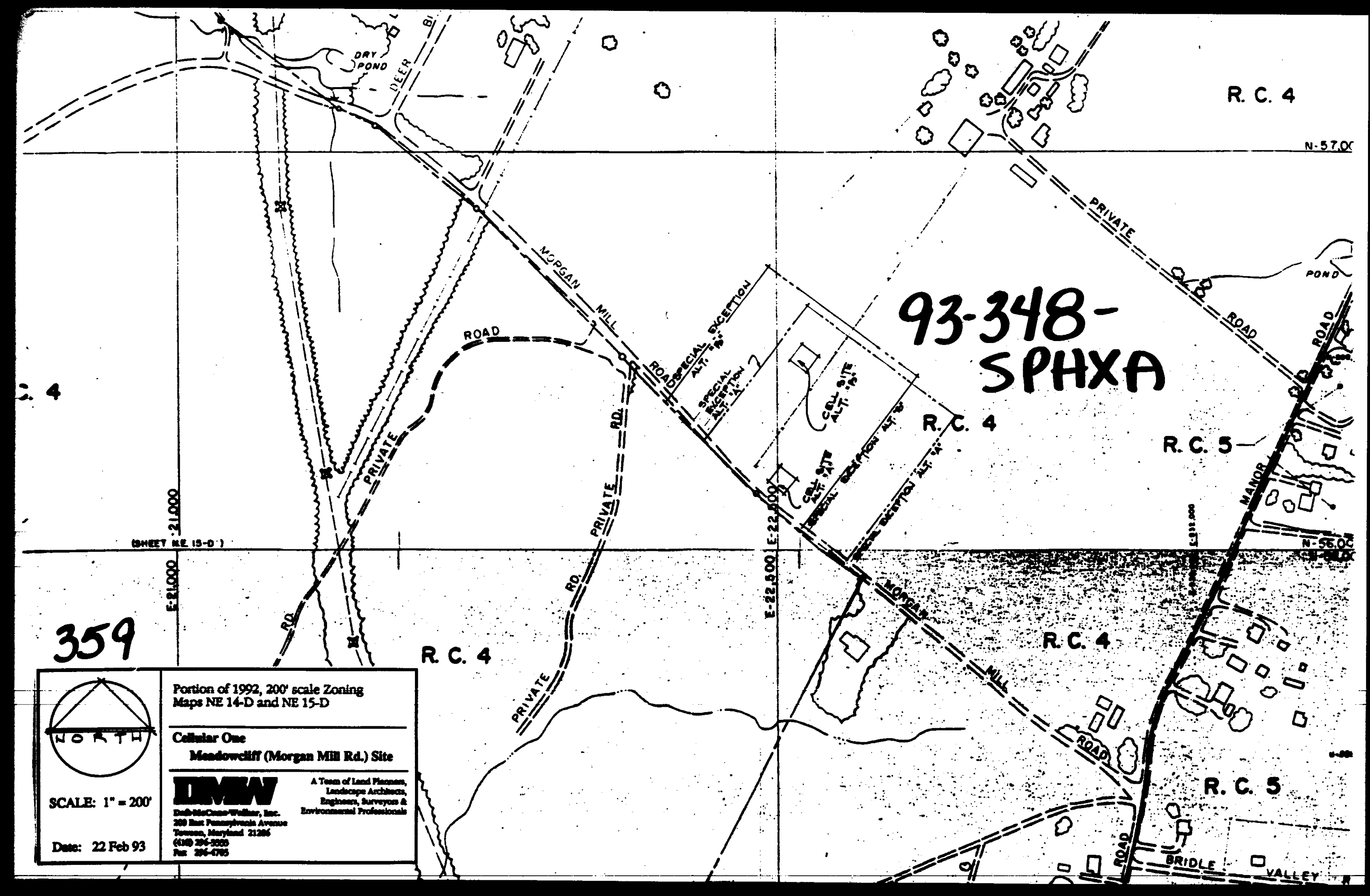
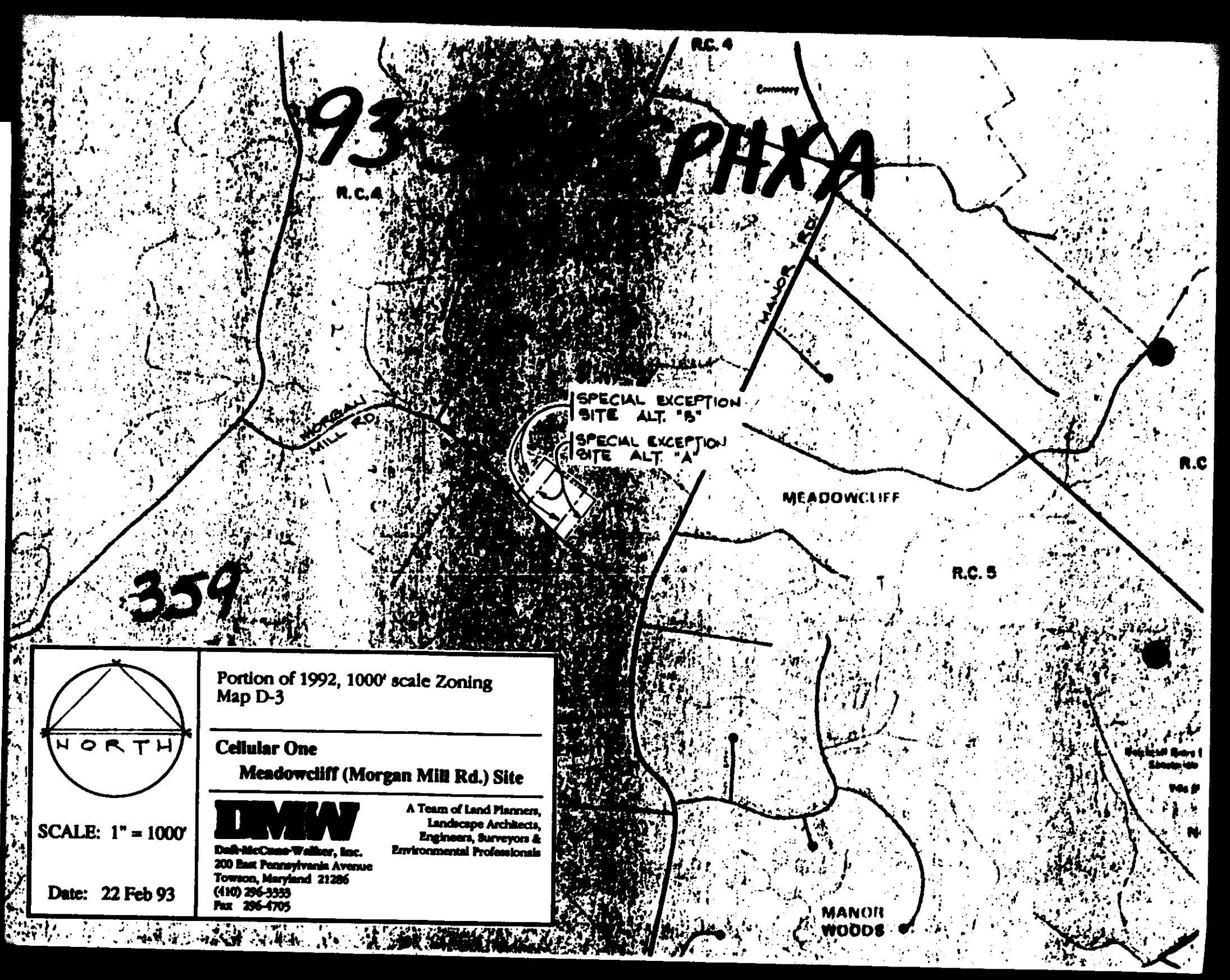
NAME ADDRESS
William J. Smith 12000 Manor Road Glen Arm, Md
Rock Smith 7855 Walker Dr Huntbelt 21057
Edlow Farm 7855 Walker Dr Greenbelt MD
Michael J. Maguire 9104 North Ave Suite 202 MD
George E. Glavin 200 E. PENNSYLVANIA AVE TOWSON 21204

PLEASE PRINT CLEARLY
CITIZEN SIGN-IN SHEET
NAME ADDRESS
Jerry Smith 13116 Manor Rd
Glen Arm MD 21057
NOV 04 '92 13:51 WPTT P.22

PETITION

WE, the undersigned, as residents of Baltimore County,
Maryland at the addresses indicated below, support the erection
of a 150 foot monopole, cellular communications tower and a 12 by
28 foot unmanned communications support building for the purpose
of providing cellular communications to our community, located on
a 155.43 acre parcel of property owned by William J. and Agatha
L. Smith, Edlow Farm, 12116 Manor Road, Glen Arm, Maryland 21057,
Tax Map #53, Block #20, Parcel #226, Account Identification #11-
19-052025. We, the undersigned, understand that the proposed
communications tower will have no effect on television or radio
signals.

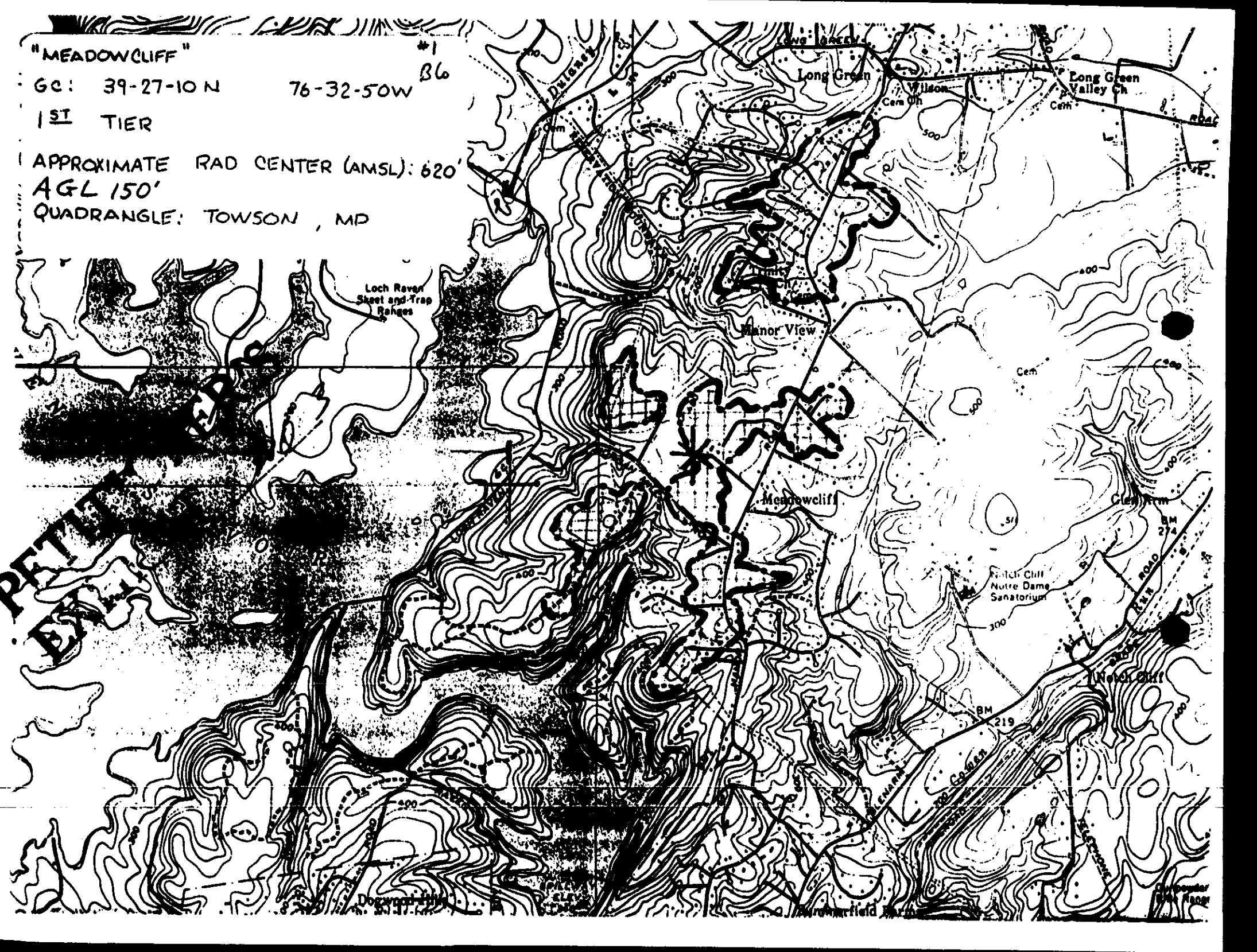
Signature Address
John P. ... 4407 Meadowcliff Rd
Betty G. Prasser 4407 MEADOWCLIFF RD
Betty G. Prasser GLEN ARM, MD, 21057
Paul M. ... 12270 MANOR RD
Paul M. ... Glen Arm, MD 21057
(name - please print)
(name - please print)
(name - please print)
(name - please print)
(name - please print)



PETITIONER'S
EXHIBIT No 1

WE, the undersigned, as residents of Baltimore County,
Maryland at the addresses indicated below, support the erection
of a 150 foot monopole, cellular communications tower and a 12 by
28 foot unmanned communications support building for the purpose
of providing cellular communications to our community, located on
a 155.43 acre parcel of property owned by William J. and Agatha
L. Smith, Edlow Farm, 12116 Manor Road, Glen Arm, Maryland 21057,
Tax Map #53, Block #20, Parcel #226, Account Identification #11-
19-052025. We, the undersigned, understand that the proposed
communications tower will have no effect on television or radio
signals.

Signature Address
Alison Smith 11823 Manor Road
Alison M. Smith Glen Arm, Md. 21057
Linda E. Minner 11824 Manor Rd
Linda E. Minner Glen Arm, Md 21057
Blanche Winkler 11818 Manor Rd
Blanche Winkler Glen Arm, Md 21057
Edlow Farm 11816 Manor Rd
Edlow Farm Glen Arm, Md 21057
William J. Smith 11823 Manor Rd
William J. Smith Glen Arm, Md 21057
Theresa L. ... #17 TAFE FALLS CT
Theresa L. ... GLEN ARM MD 21057
(name - please print)
(name - please print)



**PETITIONER'S
EXHIBIT** No 7

ENVIRONMENTAL IMPACT STATEMENT

FOR CASE NO. 93-348-SPHXA

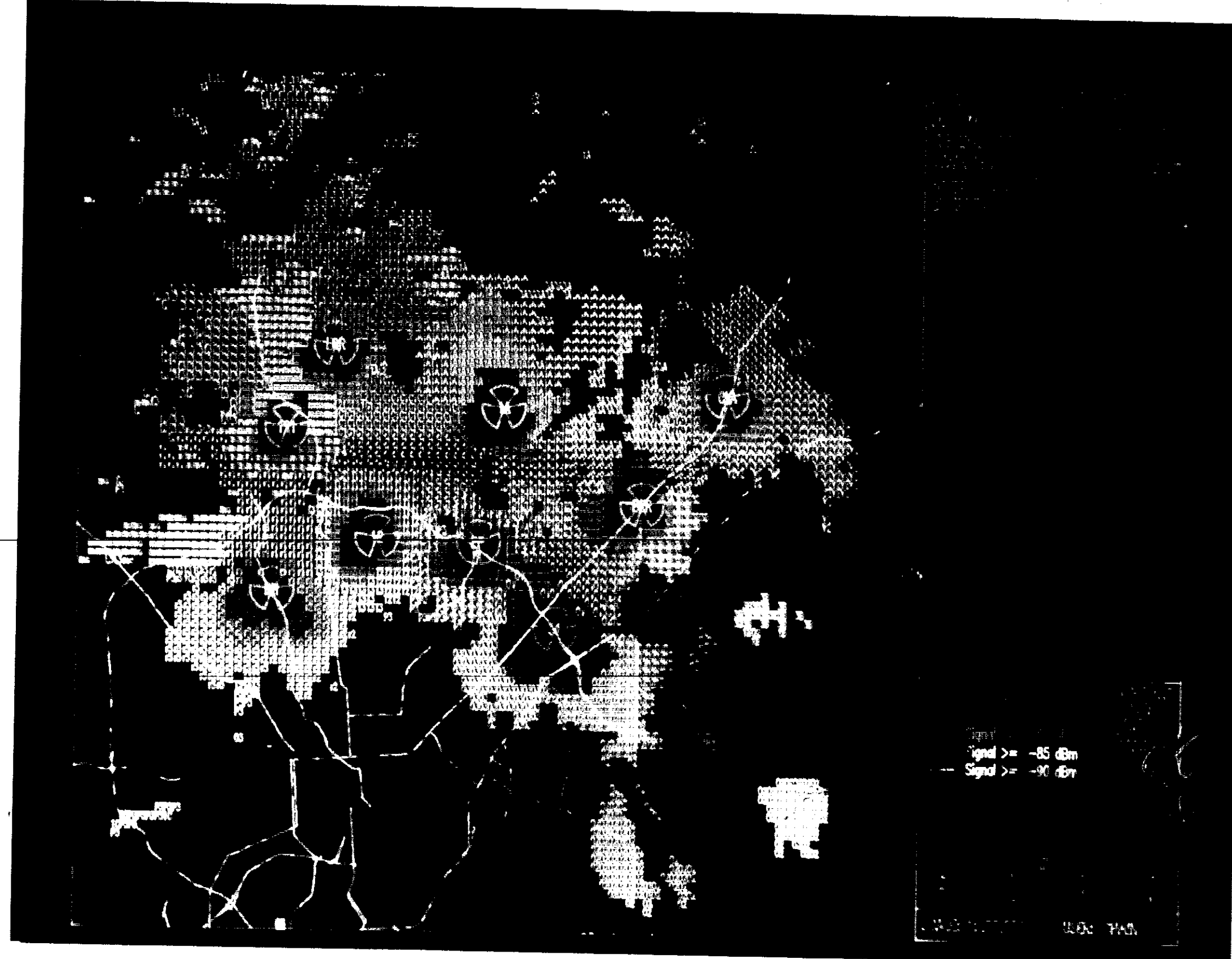
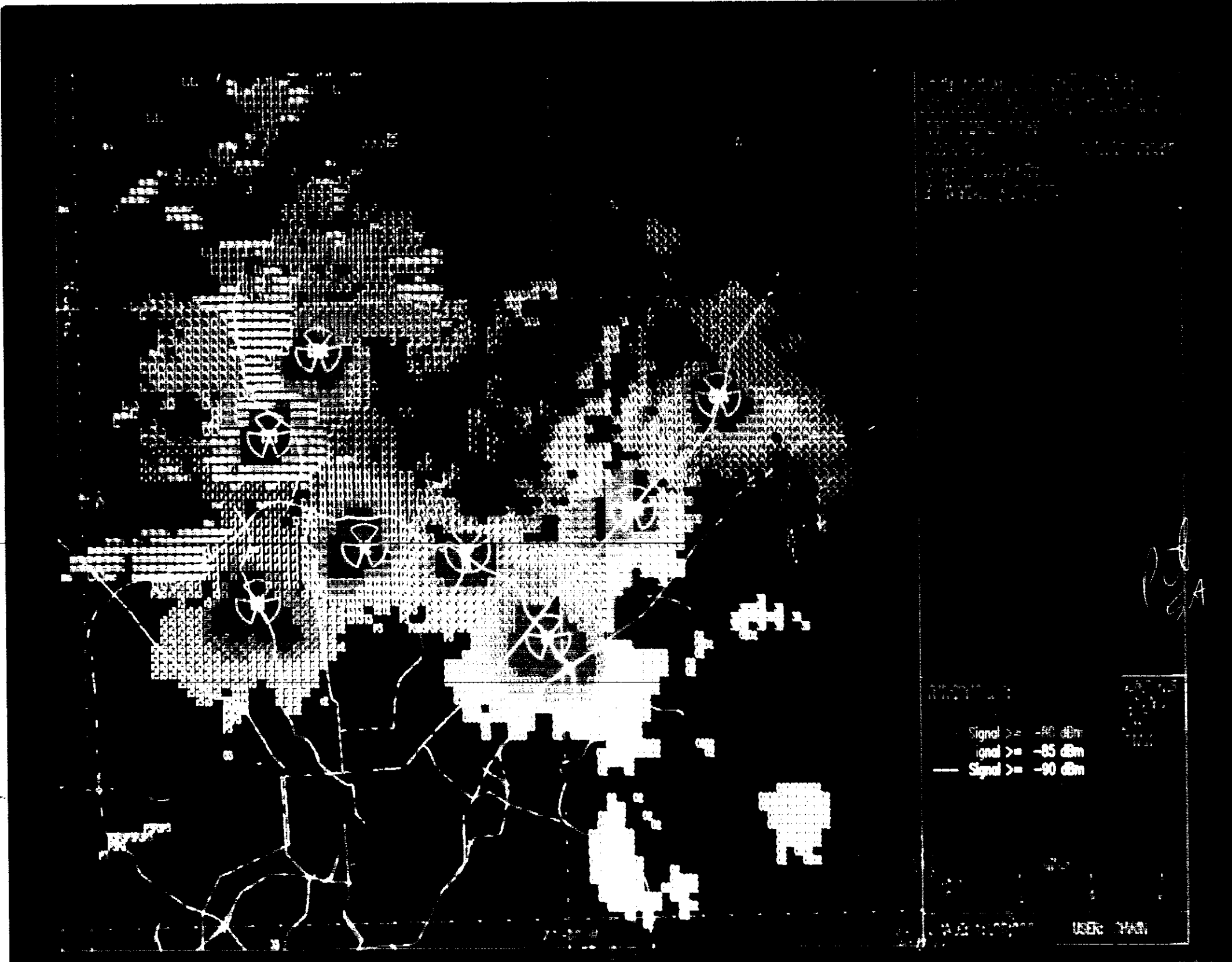
**PROJECT: PROPOSED 150' MONOPOLE TOWER AND
EQUIPMENT SHELTER**

LOCATION: LIBER 9614, FOLIO 240
12000 MANOR ROAD
GLEN ARM, BALTIMORE COUNTY,
MARYLAND

PREPARED BY: GEORGE E. GAVRELIS, AICP
DAFT-McCUNE-WALKER, INC.
200 EAST PENNSYLVANIA AVENUE
TOWSON, MD 21286

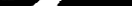
May 24, 1993

George E. Gavelis
George E. Gavelis, AICP



CELLULAR ONE

CELLULAR ONE



A Southwestern Bell Company

Ref No 6



CELLULAR ONE®

A Southwestern Bell Company

Proposed Monopole Location Map Meadowcliff Site

Legend

Zoning Classifications

- Residential/Resource Conservation
- BL, BM, BR
- O1, O2, OT, ROA, RO
- ML, MH, MR, MLR

Site Data

- Search Area
- Primary Level Grid Cell
- Second Level Grid Cell
- Proposed Monopole Site

Other County Data

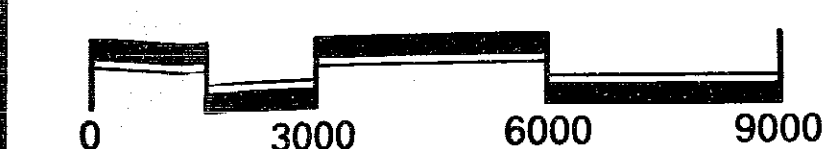
- Major Roads
- Election District
- Water
- Major Contours
- Long Green Valley National Register Historic District
- Reservation Boundary
- High Power Lines

Search Area Site Candidates

- ① Commercial Area
G.E. 500'
- ② Peeres Plantation Restaurant
G.E. 270'
- ③ BG&E Tower
G.E. 500'

PETITIONER'S
EXHIBIT No 4

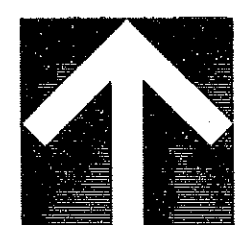
Scale in Feet

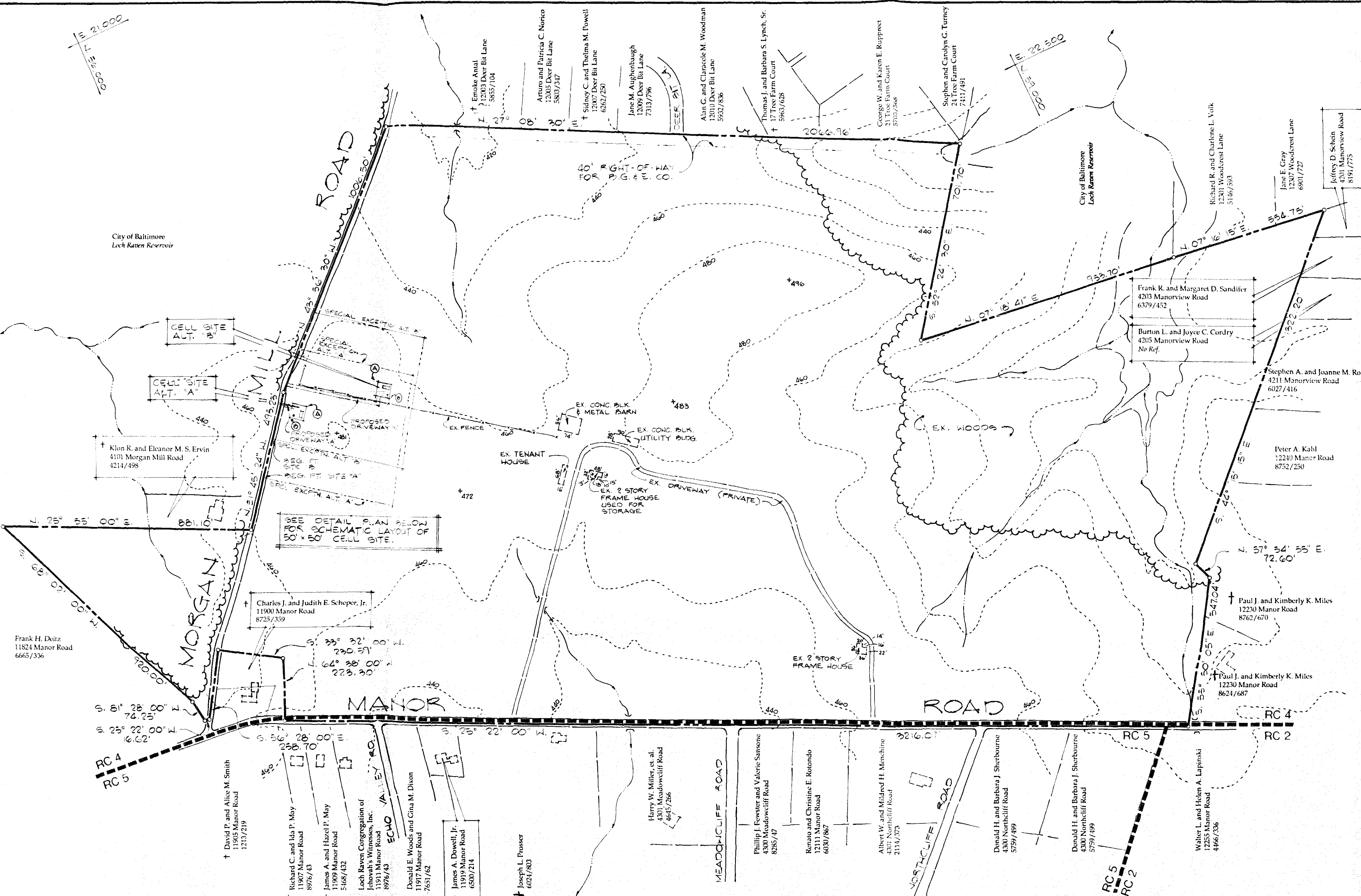


DMW

Daft · McCune · Walker, Inc.

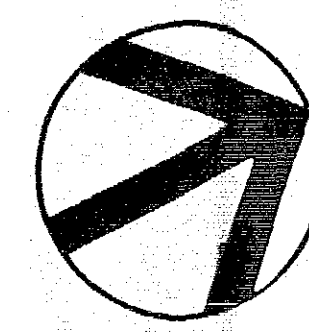
Land Planning · Landscape Architecture · Engineering
Applied Environmental & Computer Sciences





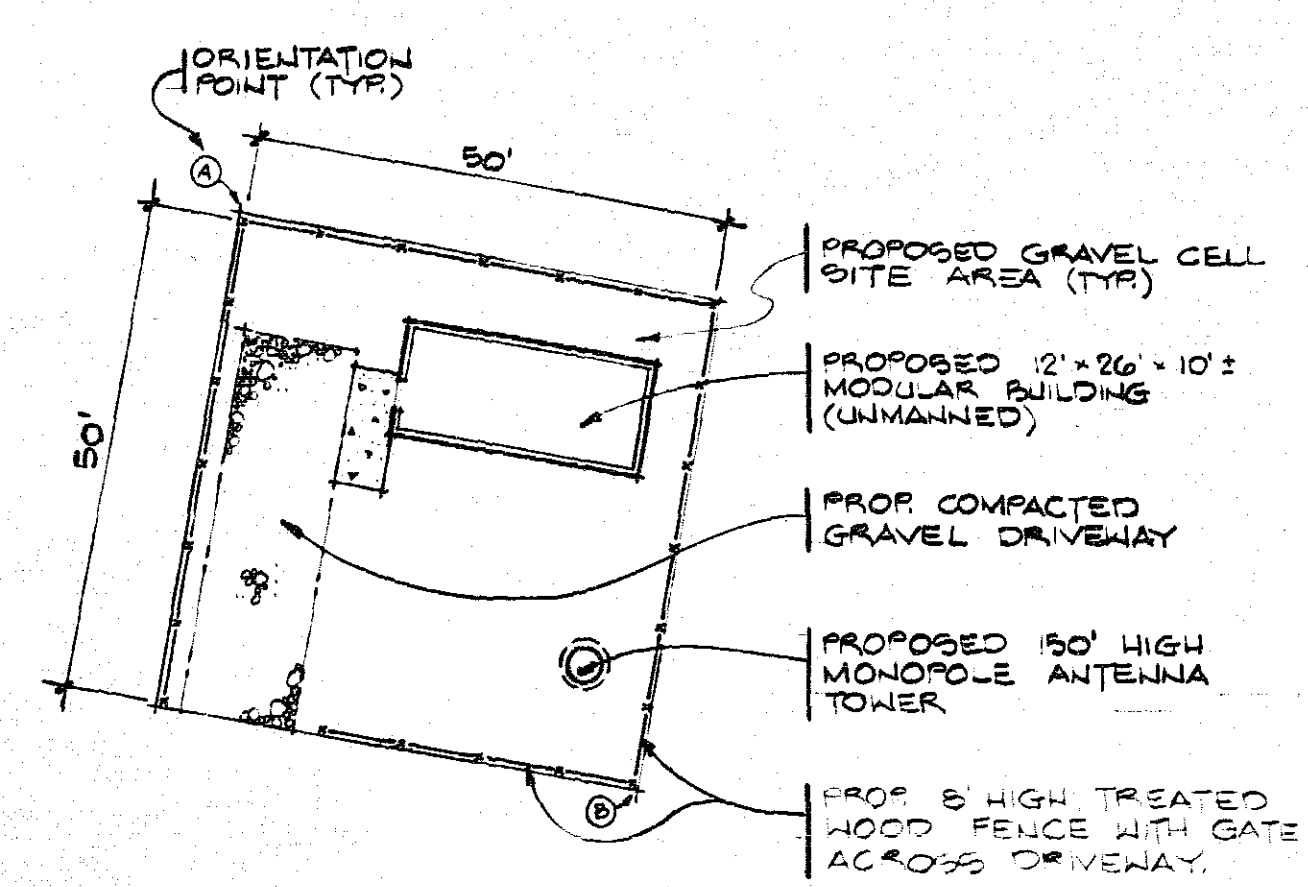
OVERALL SITE PLAN

SCALE: 1" = 200'



Setbacks	Required		Site "A"		Site "B"	
	RC4 Zone	BCZR 502.7C2	Tower	Building	Tower	Building
To overall tract						
Front	100'	300'	45'	65'	341'	318'
West side	50'	300'	855'	855'	940'	960'
East side	50'	300'	1063'	1040'	1165'	1133'
Rear	50'	300'	>2000'	>2000'	>2000'	>2000'
To 5 ac. Special Exception site						
Front	100'	300'	45'	65'	341'	318'
West side	50'	300'	230'	230'	230'	230'
East side	50'	300'	230'	207'	230'	199'
Rear	50'	300'	399'	367'	107'	107'

* 150' tower X 2 = 300'



DETAIL PLAN OF CELL SITE

SCALE: 1" = 20'

REQUESTED ZONING ACTIONS

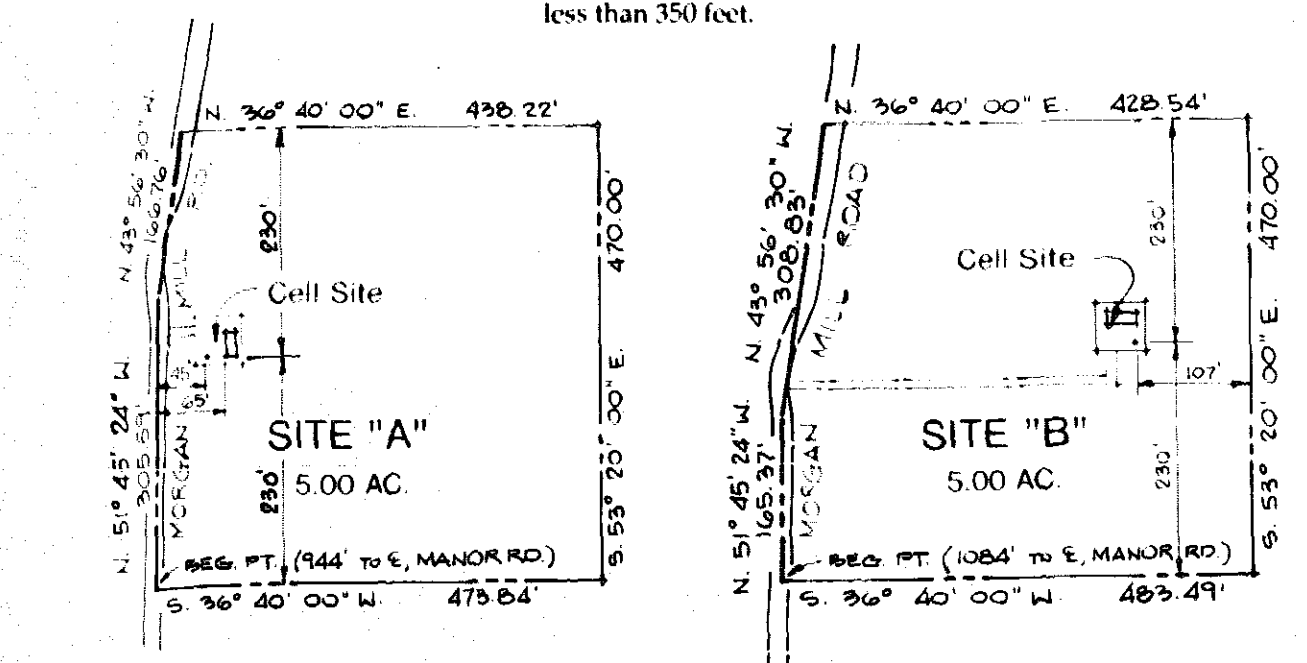
Alternate "A"

- Special Exception pursuant to B.C.Z.R. Section 1A03.3, B.14 to permit a wireless transmitting and receiving structure in an RC4 zone.
- Special Hearing pursuant to B.C.Z.R. Section 102.2 to permit that portion of the special exception area not covered by actual transmitting and receiving facility improvements to be used for active agricultural purposes.
- Variance from B.C.Z.R. Section 1A03.4, B.2 (as in Bill No. 113-92) to permit a wireless transmitting and receiving tower within 65 feet of the centerline of Morgan Mill Road in lieu of the required 100 feet.
- Variance from B.C.Z.R. Section 1A03.4, B.2 (as in Bill No. 113-92) to permit a wireless transmitting and receiving tower within 65 feet of the centerline of Morgan Mill Road in lieu of the required 100 feet.
- Variance from B.C.Z.R. Section 502.7, C.2 to permit a 150 foot high transmitting and receiving tower within 45 feet of the nearest special exception line to the south in lieu of the required 300 feet.
- Variance from B.C.Z.R. Section 502.7, C.2 to permit a 150 foot high transmitting and receiving tower within 230 feet of the nearest special exception line to the east in lieu of the required 300 feet.
- Variance from B.C.Z.R. Section 502.7, C.2 to permit a 150 foot high transmitting and receiving tower within 230 feet of the nearest special exception line to the west in lieu of the required 300 feet.

Alternate "B"

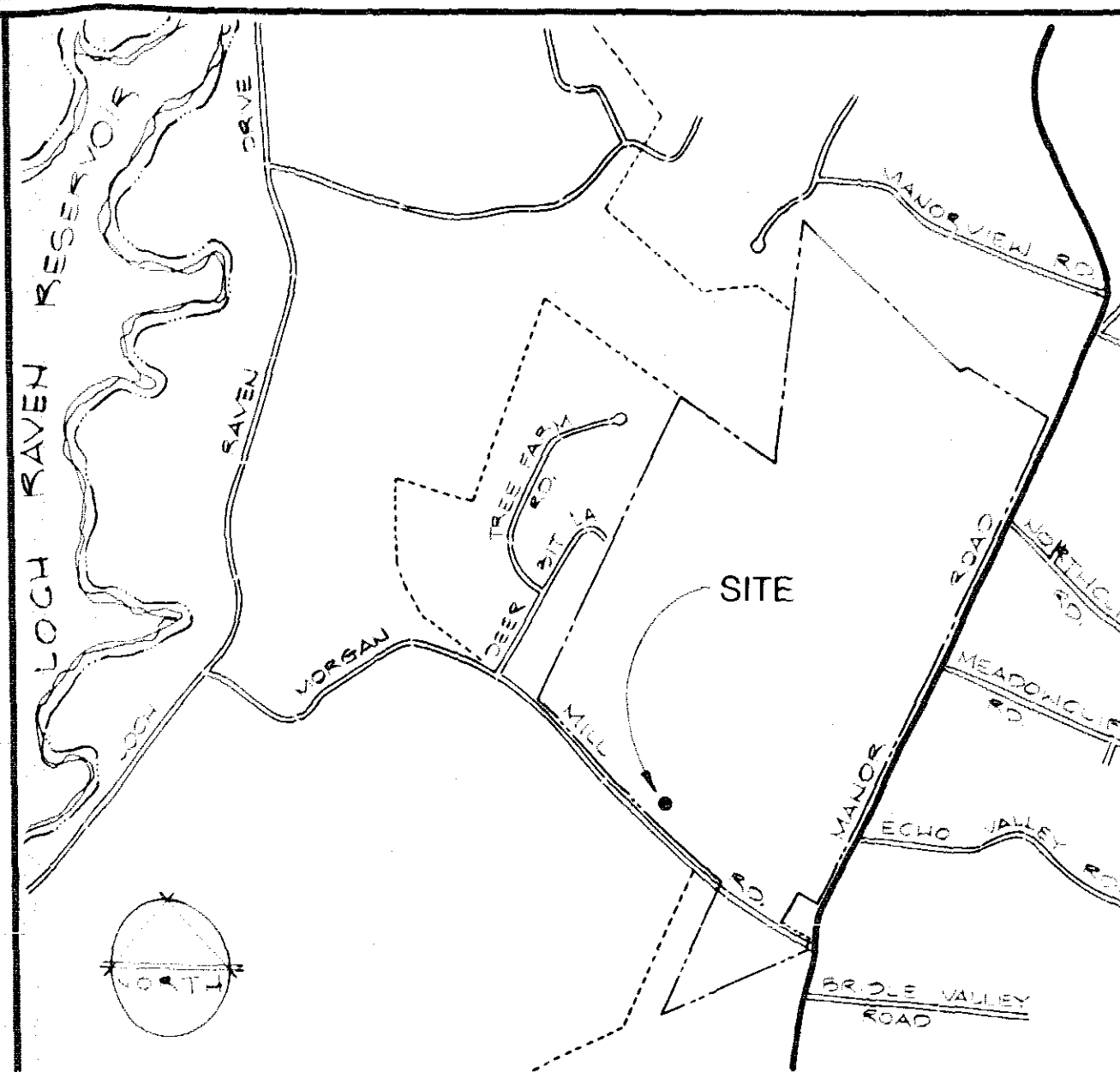
- Special Exception pursuant to B.C.Z.R. Section 1A03.3, B.14 to permit a wireless transmitting and receiving structure in an RC4 zone.
- Special Hearing pursuant to B.C.Z.R. Section 102.2 to permit that portion of the special exception area not covered by actual transmitting and receiving facility improvements to be used for active agricultural purposes.
- Variance from B.C.Z.R. Section 502.7, C.2 to permit a 150 foot high transmitting and receiving tower within 107 feet of the nearest special exception line to the north in lieu of the required 300 feet.
- Variance from B.C.Z.R. Section 502.7, C.2 to permit a 150 foot high transmitting and receiving tower within 230 feet of the nearest special exception line to the east in lieu of the required 300 feet.
- Variance from B.C.Z.R. Section 502.7, C.2 to permit a 150 foot high transmitting and receiving tower within 230 feet of the nearest special exception line to the west in lieu of the required 300 feet.

PETITIONER'S EXHIBIT NO 2



SPECIAL EXCEPTION SITE OUTLINES

SCALE: 1" = 200'



VICINITY MAP

SCALE: 1" = 1000'

NOTES:

- Current owner and street address: Richard W. Smith, Trustee, 12000 Manor Road, Glen Arm, MD 21057
- Contract lessee: Southwest Bell Mobile Systems, Inc., T/A Cellular One, 7855 Walker Drive, Greenbelt, MD 20770
- Site area: 154.337 Ac. Existing use: Agriculture
- Site data: Tax map 53, block 14, parcel 226, Deed reference: 9614/240, Zoning: RC 4, Councilmanic District: 6
- The proposed wireless transmitting and receiving facility will consist of a 150' high monopole antenna with a 12' x 26' x 10' modular accessory building for radio and telephone equipment. No water or sanitary utilities are required for the facility.
- The information and boundary location shown hereon have been compiled from deeds and other sources believed to be reliable; however their accuracy is not guaranteed and is subject to revision.
- The structure shall be enclosed within a locked, 8 feet high wood fence of treated material.
- A landscape plan, designed to minimize the visual impact of the accessory building and tower portion of the structure shall be submitted to and approved by Baltimore County.
- Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times.
- When the use is terminated, the structure shall be removed.
- Every five years, or sooner in the event of substantial damage, a certification by a professional engineer registered in Maryland shall be filed with the Department of Permits and Licenses indicating that the structure meets all safety requirements. Any upgrading or maintenance required to comply with any changes in safety requirements, or to maintain the safety thereof, shall be performed prior to the filing of such certification.
- No white strobeoscopic lights are permitted or proposed.
- An environmental impact statement, as defined in Section 101 of the Baltimore County Zoning Ordinance shall be submitted to the Zoning Commissioner.
- There are no previous zoning hearings applicable to this site.
- There are no signs proposed for this facility.
- Floor area ratio: N/A
- Amenity open space: N/A
- Surrounding landowners who have signed a petition in support of the proposed cellular phone tower are indicated on the plan thusly: 1
- The Long Green Valley National Register Historic District is within 1.5 miles of the subject site, but B.C.Z.R. Section 502.7, A does not apply because the total height of the proposed facility is less than 350 feet.

DMW

Draft: McCarroll Walker, Inc.
A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals
200 E. Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax: 296-4705

CELLULAR ONE

A Southwest Bell Company
Plan to Accompany Petition for Special Exception, Special Hearing & Variances
Meadowcliff (Morgan Mill Rd.) Site
11th Election District, Baltimore County, Maryland

No.	Description	Date
REVISIONS		
Proj. No.	93004	
Date	22-FEB-93	
Scale	As noted	
Last Rev.		

Sheet:

1 of 1

SURROUNDING PROPERTY INFORMATION

1. N/F HELEN R. ROWLAND DISTRICT #11 ACCOUNT #1119011410 DEED REF. #14314/ 453 MAP #53 GRID #14 PARCEL #339 GROUP #82 LOT #5
2. N/F JEFFERY D. SCHEIN DISTRICT #11 ACCOUNT #1119027960 DEED REF. #8191/ 775 MAP #53 GRID #15 PARCEL #317 GROUP #82 LOT #4 BLOCK D
3. N/F PAUL J. 3RD & KIMBERLY K. MILES DISTRICT #11 ACCOUNT #1700007506 DEED REF. #8624/ 687 MAP #53 GRID #15 PARCEL #344 GROUP #82
4. N/F A. RONALD MENCHIN, MENCHIN A. RONALD TRUSTEE DISTRICT #11 ACCOUNT #1113040952 DEED REF. #15068/ 259 MAP #53 GRID #15 PARCEL #163 GROUP #82
5. N/F PHILIP J. & VALERIE FENSTER DISTRICT #11 ACCOUNT #1120045180 DEED REF. #9591/ 221 MAP #53 GRID #21 PARCEL #165 GROUP #82
6. N/F GARY R. & KAREN MAZAN & AUGUSTINE & ANNETTE TAMBURELLO DISTRICT #11 ACCOUNT #2200020747 DEED REF. #10841/ 466 MAP #53 GRID #21 PARCEL #473 GROUP #82 LOT #2
7. N/F ROBERT W. & DEBORAH J. PAHR DISTRICT #11 ACCOUNT #2200022239 DEED REF. #10914/ 635 MAP #53 GRID #21 PARCEL #68 GROUP #82 LOT #3
8. N/F JAMES A. DOWELL JR. DISTRICT #11 ACCOUNT #1123051926 DEED REF. #6500/ 214 MAP #53 GRID #21 PARCEL #174 GROUP #82
9. N/F FRANCIS S. & MARGARET KEAY DISTRICT #11 ACCOUNT #2300001811 DEED REF. #13753/ 101 MAP #53 GRID #21 PARCEL #465 LOT #2A GROUP #82
10. N/F THOMAS A. & LINDA S. WILDER DISTRICT #11 ACCOUNT #2300001812 DEED REF. #14059/ 180 MAP #53 GRID #21 PARCEL #480 GROUP #82 LOT #2B
11. N/F FRANK JOHN & JENNIFER HIRSCH MUCHA DISTRICT #11 ACCOUNT #1600014699 DEED REF. #15033/ 366 MAP #53 GRID #21 PARCEL #106 GROUP #82
12. N/F FRANCES L. KOERMER DISTRICT #11 ACCOUNT #113020100 DEED REF. #12646/ 508 MAP #53 GRID #21 PARCEL #63 GROUP #82
13. N/F CHARLES J., JR. & JUDITH E. SCHEPER DISTRICT #11 ACCOUNT #1800013989 DEED REF. #8725/ 359 MAP #53 GRID #20 PARCEL #436 GROUP #82
14. N/F CHARLES J., JR. & JUDITH E. SCHEPER DISTRICT #11 ACCOUNT #1119008525 DEED REF. #8725/ 359 MAP #53 GRID #20 PARCEL #139 GROUP #82
15. N/F KLOD RANDOL & ELEANOR M. SCHEPER ERVIN DISTRICT #11 ACCOUNT #1105074240 DEED REF. #4214/ 498 MAP #53 GRID #20 PARCEL #329 GROUP #82
16. N/F ARTURO P. PATRICIA C. NORICO DISTRICT #11 ACCOUNT #1700011226 DEED REF. 5803/ 347 MAP #53 GRID #14 PARCEL #84 GROUP #82 LOT #2
17. N/F SIDNEY C. & THELMA M. POWELL DISTRICT #11 ACCOUNT #1700001870 DEED REF. #6362/ 250 MAP #53 GRID #14 PARCEL #84 GROUP #82 LOT #3
18. N/F KEVIN J. & AMY R. CORBETT DISTRICT #11 ACCOUNT #1700001871 DEED REF. #15308/ 180 MAP #53 GRID #14 PARCEL #84 GROUP #82 LOT #4
19. N/F THOMAS J., SR. & BARBARA S. LYNCH DISTRICT #11 ACCOUNT #1700001878 DEED REF. #5963/ 628 MAP #53 GRID #14 PARCEL #84 GROUP #82 LOT #1

SITE LEGEND

- SITE PROPERTY LINE
- BUILDING SETBACKS
- STREET OR ROAD
- RIGHT OF WAY
- OVERHEAD UTILITY LINES
- EXISTING TREES & SHRUBS
- UTILITY POLE

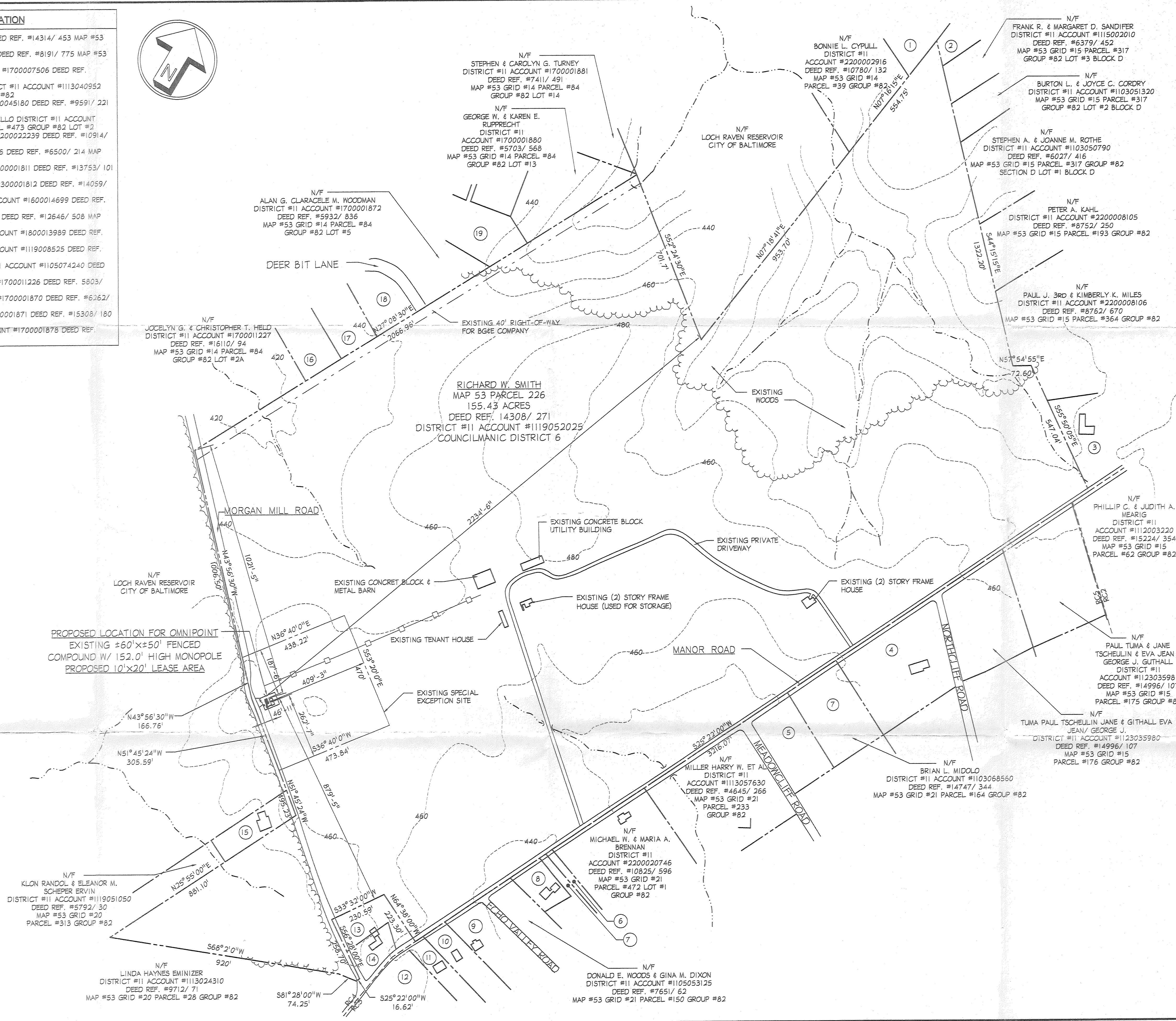
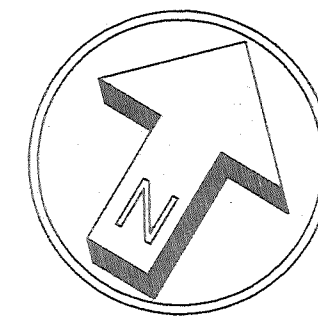
SITE DATA

LATITUDE N 39°-27'-05.00" (NAD83)
 LONGITUDE W 76°-32'-10.00" (NAD83)
 USGS MAP TOWSON, PA

PROPERTY OWNER:
 RICHARD W. SMITH
 12000 MANOR ROAD
 GLEN ARM, MARYLAND 21067
 SITE AREA:
 155.43 ACRES ± 677,053.0 SQ. FT.
 EXISTING USE:
 AGRICULTURAL
 SITE DATA:
 BALTIMORE COUNTY
 COUNCILMANIC DISTRICT #6
 DISTRICT #11 ACCOUNT #1119052025
 DEED REF. 14308/ 271
 MAP #53 PARCEL #226

ZONING TABLE:
 TO OVERALL TRACT:
 FRONT: REQUIRED (RC4) 100' (BCZR 502.7C2) 300'
 PROPOSED 46'-11"
 WEST SIDE: REQUIRED (RC4) 50' (BCZR 502.7C2) 300'
 PROPOSED 021'-5"
 EAST SIDE: REQUIRED (RC4) 50' (BCZR 502.7C2) 300'
 PROPOSED 87'-5"
 REAR: REQUIRED (RC4) 50' (BCZR 502.7C2) 300'
 PROPOSED 223'-1'-6"

TO 5 ACRE SPECIAL EXCEPTION SITE:
 FRONT: REQUIRED (RC4) 100' (BCZR 502.7C2) 300'
 PROPOSED 46'-11"
 WEST SIDE: REQUIRED (RC4) 50' (BCZR 502.7C2) 300'
 PROPOSED 87'-5"
 EAST SIDE: REQUIRED (RC4) 50' (BCZR 502.7C2) 300'
 PROPOSED 262'-6"
 REAR: REQUIRED (RC4) 50' (BCZR 502.7C2) 300'
 PROPOSED 409'-3"



Betzwood & Associates PC
 Architects & Engineers
 Robin J. Kohn, AIA
 523 Kimberton Road, Suite 118 Phoenixville, PA 19380
 Tel: (610) 974-8831 Fax: (610) 974-8836
 email: mail@betzwood.com http://www.betzwood.com

SEAL BLOCK
 I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR REVIEWED BY ME, AND THAT I AM A duly LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.

ROBIN J. KOHN, AIA
 9374
 STATE OF MARYLAND
 ROBIN J. KOHN AIA MD. #9374 01.19.03

OMNIPONT COMMUNICATIONS CAP OPERATIONS, LLC
 a subsidiary of VOICESTREAM WIRELESS CORPORATION

12450 BALTIMORE AVENUE BELTSVILLE, MD 20705
 Tel. (240) 264-8600 FAX (240) 264-8610

APPROVALS

OmniPoint _____
 LANDLORD _____
 LEASING _____
 R.F. _____
 ZONING _____
 CONSTRUCTION _____

PROJECT NO. OP-391 **DRAWN BY** DMT **CHECK BY** RJK

SUBMITTALS

NO.	DATE	ISSUE
0	07/09/02	ISSUED FOR CONST. REVIEW
1	07/23/02	ISSUED FOR CONSTRUCTION
2		
3		
4		
5		
6		
7		
8		
9		

NOTE

PROJECT

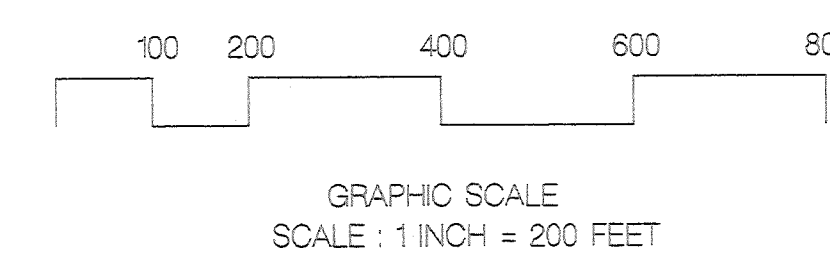
SPECTRASITE #MD-0033 SITE #BAN-276F
 EXISTING TELECOMMUNICATIONS FACILITY
 12116 MANOR ROAD
 GLEN ARM, MARYLAND 21057
 BALTIMORE COUNTY
 DISTRICT #11; ACCOUNT #1119052025

SHEET TITLE

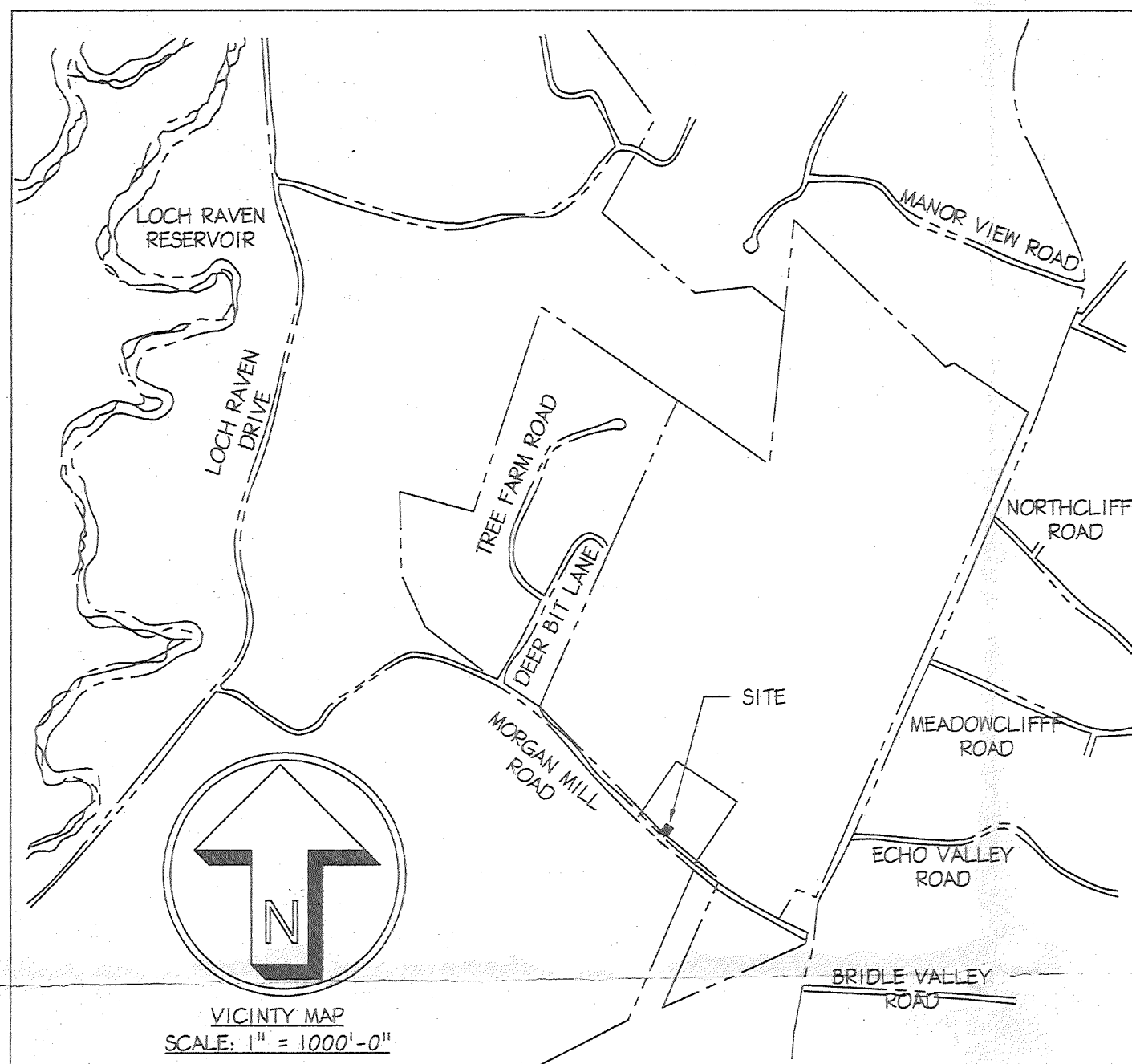
SITE PLAN AND NOTES

SHEET NUMBER

LS-1



1 SITE PLAN
 LS-1 SCALE: 1" = 200'-0"



SITE GENERAL NOTES

1. ALL EXISTING BUILDINGS, WATERCOURSES, MARSHES, ROCK OUTCROPS, WOODED AREAS, SINGLE TREES LARGER THAN 8" IN DIAMETER AT THREE FEET ABOVE GROUND LEVEL, AND ALL OTHER SIGNIFICANT FEATURES HAVE BEEN SHOWN WITHIN THE LIMITS OF DISTURBANCE. UNDERGROUND IMPROVEMENTS, IF ANY, & NOT VISIBLE OR MARKED BY "ONE CALL" ARE NOT SHOWN.
2. THE PROPOSED DEVELOPMENT IS UNMANNED AND THEREFORE DOES NOT REQUIRE A MEANS OF WATER SUPPLY OR SEWAGE DISPOSAL.
3. THE PROPOSED DEVELOPMENT WILL NOT IMPACT THE EXISTING STORM WATER DRAINAGE SYSTEM.
4. THE PROPOSED DEVELOPMENT DOES NOT INCLUDE SIGNS OF ADVERTISING.
5. THE PROPOSED DEVELOPMENT DOES NOT INCLUDE OUTDOOR STORAGE OR ANY SOLID WASTE RECEPTACLES.
6. NO LANDSCAPING WORK IS PROPOSED IN CONJUNCTION WITH THIS DEVELOPMENT OTHER THAN THAT SHOWN.
7. A COMPLETE BOUNDARY SURVEY OF THE HOST PARCEL HAS NOT BEEN PERFORMED BY BETZWOOD ASSOCIATES.
8. THERE IS NO GRADING WHICH SLOPES GREATER THAN 5% IN THE PROPOSED AREA OF DISTURBANCE.
9. THE INCREASE IN STORM WATER RUNOFF DUE TO THE INCREASE IN IMPERVIOUS AREA IS INSIGNIFICANT; EXISTING DRAINAGE PATTERNS WILL NOT BE ALTERED. THEREFORE, DRAINAGE STRUCTURES ARE NOT PROPOSED.
10. THERE IS NO OFF-STREET PARKING SPACE PROPOSED WITH THIS APPLICATION.
11. ALL CONSTRUCTION FOR SITE IMPROVEMENTS SHALL CONFORM TO APPLICABLE SPECIFICATIONS, STANDARDS AND REQUIREMENTS OF THE GOVERNMENTAL OR UTILITY AUTHORITY HAVING JURISDICTION.
12. EXISTING ON-SITE VEGETATION SHALL BE PRESERVED TO THE MAXIMUM EXTENT.
13. ALL INFORMATION ON THIS PLAN IS NOT TO BE USED FOR BOUNDARY, TITLE, OR CONSTRUCTION PURPOSES.
14. BOUNDARY INFORMATION WAS OBTAINED FROM A PLAN PREPARED BY DMW FOR CELLULAR ONE DATED JUNE 10, 1993 SITE PLAN AND FROM A FIELD INVESTIGATION PERFORMED BY BETZWOOD ASSOCIATES.
15. UTILITIES SHOWN ON PLAN ARE TAKEN FROM OWNERS RECORDS AND FIELD LOCATION OF VISIBLE SURFACE FEATURES. THE EXISTENCE, EXTENT AND EXACT HORIZONTAL AND VERTICAL LOCATIONS OF UTILITIES HAS NOT BEEN VERIFIED. ANY CONTRACTOR PERFORMING WORK ON THIS SITE MUST CONTACT MD ONE CALL UTILITY AT LEAST 48 HOURS PRIOR TO COMMENCING WORK.
16. FACILITY WILL BE INDEPENDENTLY POWERED WITH SEPARATE SERVICE & METER.
17. OUTDOOR STORAGE & SOLID WASTE CONTAINERS ARE NOT PROPOSED.
18. FACILITY WILL NOT BE LIGHTED WITH EXCEPTION OF EMERGENCY CONDITIONS. A SINGLE SWITCHED LIGHT LOCATED NEAR EQUIPMENT.
19. THE PROPOSED FACILITY IS UNMANNED & VISITED ONCE TO TWICE A MONTH FOR ROUTINE MAINTENANCE. THEREFORE, POTABLE WATER, GAS & SANITARY SEWER SERVICES ARE NOT REQUIRED OR PROPOSED.
20. APPLICANT PROPOSES AN UNMANNED, MODULAR, RADIO EQUIPMENT CABINETS & ASSOCIATED ANTENNAS MOUNTED TO AN EXISTING MONOPOLE.

ZONING HISTORY:

THIS PROPERTY WAS THE SUBJECT OF ZONING CASE NO. 93-348 SPHX-A INVOLVING A SPECIAL EXCEPTION FOR A WIRELESS TRANSMITTING AND RECEIVING FACILITY IN AN RC-4 ZONE. A SPECIAL HEARING TO PERMIT THAT PORTION OF THE SPECIAL EXCEPTION AREA NOT COVERED BY THE ACTUAL FACILITY TO BE USED FOR ACTIVE AGRICULTURAL PURPOSES AND VARIANCES TO REQUIRED SETBACKS FOR ALTERNATIVE SITES "A" AND "B".

IN AN ORDER DATED JUNE 2, 1993, THE ZONING COMMISSIONER:

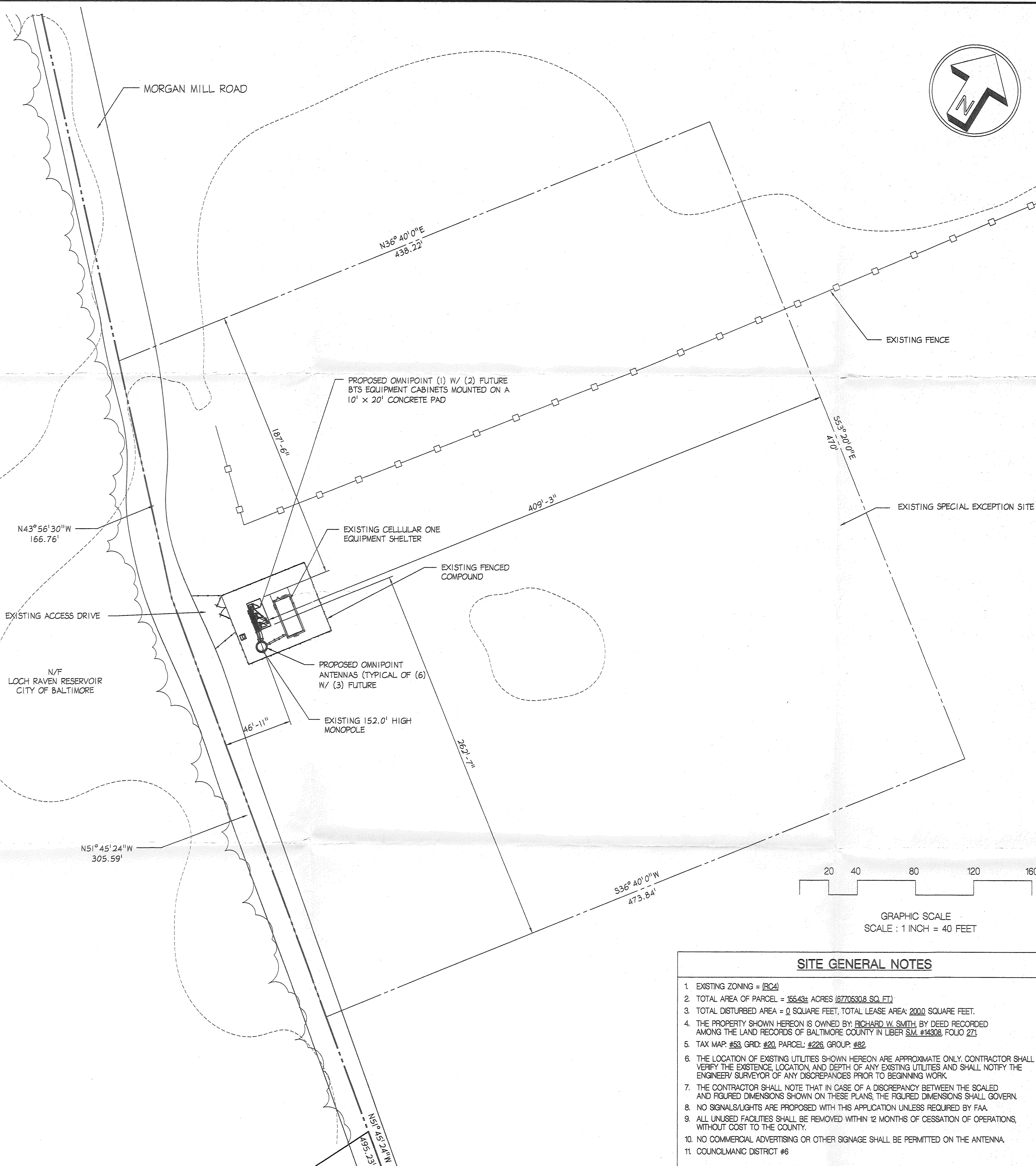
1. GRANTED THE SPECIAL EXCEPTION REQUEST.
2. GRANTED THE SPECIAL HEARING REQUEST.
3. GRANTED THE FOLLOWING VARIANCES IN CONJUNCTION WITH ALTERNATIVE SITE "A".
 - A) VARIANCE FROM B.C.Z.R. SECTION 1A03.4.B.2 (AS IN 80) NO. 113-92 TO PERMIT A WIRELESS TRANSMITTING AND RECEIVING TOWER WITHIN 45 FEET OF THE CENTERLINE OF MORGAN MILL ROAD IN LIEU OF THE REQUIRED 100 FEET.
 - B) VARIANCE FROM B.C.Z.R. SECTION 1A03.4.B.2 (AS IN BILL NO. 113-92) TO PERMIT A NONRESIDENTIAL PRINCIPAL BUILDING WITHIN 65 FEET OF THE CENTERLINE OF MORGAN MILL ROAD IN LIEU OF THE REQUIRED 300 FEET.
 - C) VARIANCE FROM B.C.Z.R. SECTION 502.7.C.2 TO PERMIT A 150 FOOT HIGH TRANSMITTING AND RECEIVING TOWER WITHIN 45 FEET OF THE NEAREST SPECIAL EXCEPTION LINE TO THE SOUTH IN LIEU OF THE REQUIRED 300 FEET.
 - D) VARIANCE FROM B.C.Z.R. SECTION 502.7.C.2 TO PERMIT A 150 FOOT HIGH TRANSMITTING AND RECEIVING TOWER WITHIN 230 FEET OF THE NEAREST SPECIAL EXCEPTION LINE TO THE EAST IN LIEU OF THE REQUIRED 300 FEET.
 - E) VARIANCE FROM B.C.Z.R. SECTION 502.7.C.2 TO PERMIT A 150 FOOT HIGH TRANSMITTING AND RECEIVING TOWER WITHIN 230 FEET OF THE NEAREST SPECIAL EXCEPTION LINE TO THE WEST IN LIEU OF THE REQUIRED 300 FEET.

THE FOLLOWING RESTRICTION WAS A CONDITION PRECEDENT TO THE RELIEF GRANTED:

1. THE PETITIONER MAY APPLY FOR ITS BUILDING PERMIT AND 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 30 DAY 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 RETURNING SAID PROPERTY TO ITS ORIGINAL CONDITION.

1 SPECIAL EXCEPTION AREA PLAN

LS-2 SCALE: 1" = 40'-0"



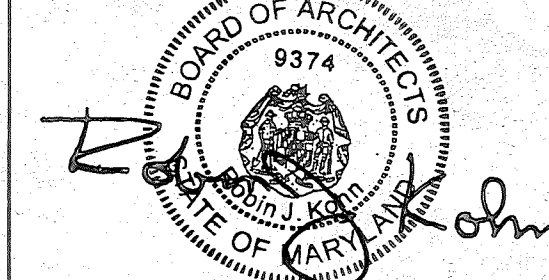
SITE GENERAL NOTES

1. EXISTING ZONING = (RC4)
2. TOTAL AREA OF PARCEL = 155.43± ACRES (6705308 SQ. FT.)
3. TOTAL DISTURBED AREA = 0 SQUARE FEET, TOTAL LEASE AREA: 2000 SQUARE FEET.
4. THE PROPERTY SHOWN HEREON IS OWNED BY: RICHARD W. SMITH BY DEED RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER S.M. #14308, FOLIO 221
5. TAX MAP: #53, GRD: #20, PARCEL: #226, GROUP: #82
6. THE LOCATION OF EXISTING UTILITIES SHOWN HEREON ARE APPROXIMATE ONLY. CONTRACTOR SHALL VERIFY THE EXISTENCE, LOCATION, AND DEPTH OF ANY EXISTING UTILITIES AND SHALL NOTIFY THE ENGINEER/SURVEYOR OF ANY DISCREPANCIES PRIOR TO BEGINNING WORK.
7. THE CONTRACTOR SHALL NOTE THAT IN CASE OF A DISCREPANCY BETWEEN THE SCALED AND FIGURED DIMENSIONS SHOWN ON THESE PLANS, THE FIGURED DIMENSIONS SHALL GOVERN.
8. NO SIGNALS/LIGHTS ARE PROPOSED WITH THIS APPLICATION UNLESS REQUIRED BY FAA.
9. ALL UNUSED FACILITIES SHALL BE REMOVED WITHIN 12 MONTHS OF CESSATION OF OPERATIONS, WITHOUT COST TO THE COUNTY.
10. NO COMMERCIAL ADVERTISING OR OTHER SIGNAGE SHALL BE PERMITTED ON THE ANTENNA.
11. COUNCILMANIC DISTRICT #6

Betzwood Associates PC
Architects & Engineers
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523 Kimberton Road, Suite 11B Phoenixville, PA 19460
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email mail@betzwood.com http://www.betzwood.com

SEAL BLOCK

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.



ROBIN J. KORN AIA - MD. #9374 01.19.03

**OMNIPOINT COMMUNICATIONS
CAP OPERATIONS, LLC**
a subsidiary of VOICESTREAM WIRELESS CORPORATION



12050 BALTIMORE AVENUE BELTSVILLE, MD 20705
Tel. (240) 264-8600 FAX (240) 264-8610

APPROVALS

Omnicom: _____
LANDLORD: _____
LEASING: _____
R.F.: _____
ZONING: _____
CONSTRUCTION: _____

PROJECT NO. OP-391 DRAWN BY DMT CHECK BY RJK

SUBMITTALS

NO.	DATE	ISSUE
0	07/09/02	ISSUED FOR CONST. REVIEW
1	07/23/02	ISSUED FOR CONSTRUCTION
2		
3		
4		
5		
6		
7		
8		
9		

NOTE

PROJECT

**SPECTRASITE #MD-0033
SITE #BAN-276F**
EXISTING TELECOMMUNICATIONS FACILITY
12116 MANOR ROAD
GLEN ARM, MARYLAND 21057
BALTIMORE COUNTY
DISTRICT #11; ACCOUNT #1119052025

SHEET TITLE

**SPECIAL EXCEPTION AREA PLAN
AND NOTES**

SHEET NUMBER

LS-2

1. SPECIFICATIONS / CODES

CONCRETE WORK SHALL BE PERFORMED IN ACCORDANCE WITH LATEST EDITION OF THE CODE. STEEL WORK SHALL BE PERFORMED IN ACCORDANCE WITH AISC STEEL CONSTRUCTION MANUAL, 9TH EDITION. WELDING SHALL BE PERFORMED IN ACCORDANCE WITH AMERICAN WELDING SOCIETY (AWS) D1.1-92 "STRUCTURAL WELDING CODE-STEEL. REINFORCING STEEL SHALL BE PLACED IN ACCORDANCE WITH THE CONCRETE REINFORCING STEEL INSTITUTE (CRSI), "MANUAL OF STANDARD PRACTICE"

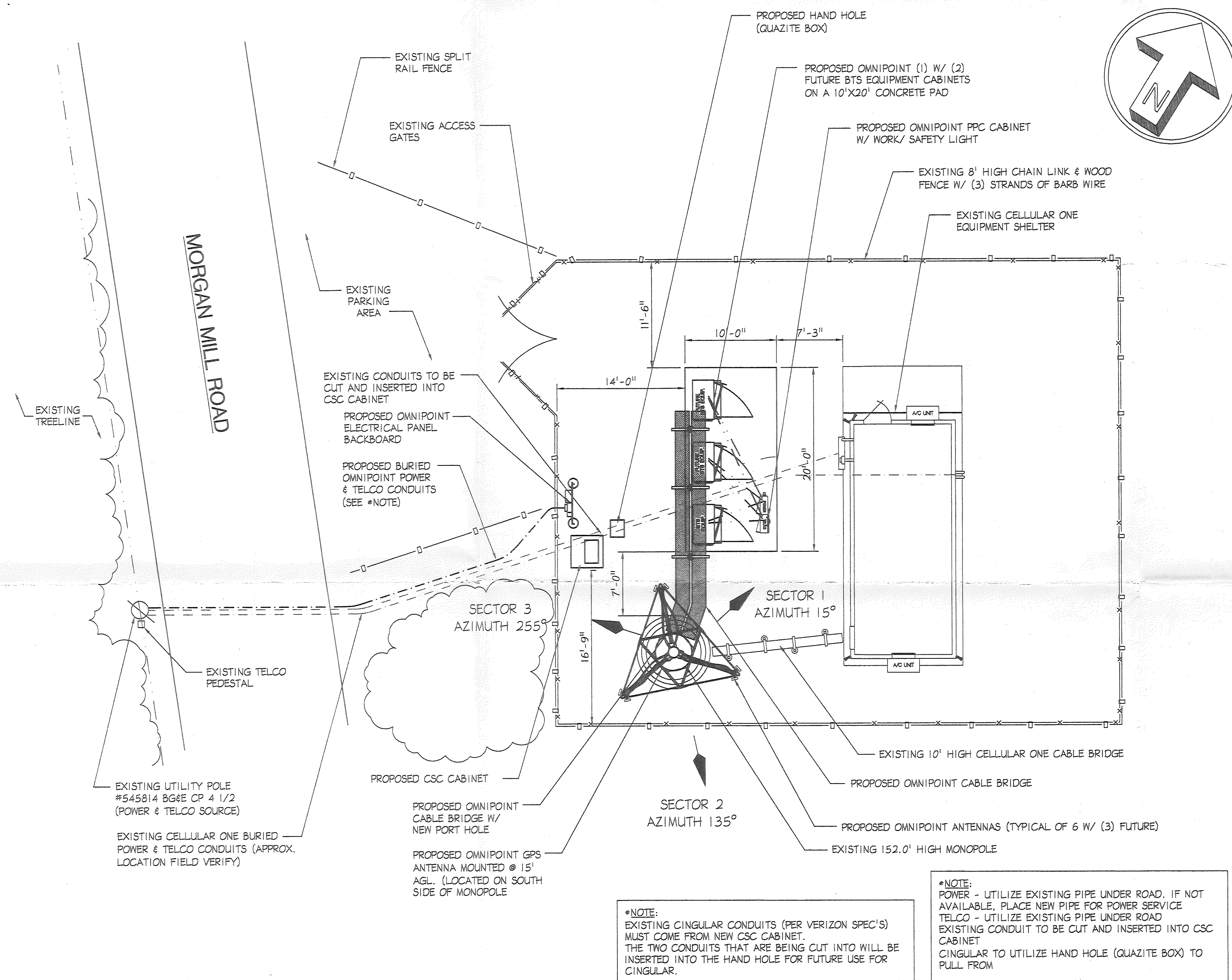
CONCRETE: FC = 3000 PSI
REINFORCING STEEL: ASTM A615, GRADE 60.
WIRE MESH: ASTM A 185
STRUCTURAL STEEL: ASTM A 36
ELECTRODES FOR WELDING: E 70xx
GALVANIZING: ASTM A 153
EXPANSION BOLTS: HILTI KWIK BOLT II, STAINLESS
STEEL, 3/4" EMBEDMENT, OR AN APPROVED EQUAL.

CONCRETE SLAB DESIGN IS BASED ON 2000 PSF SOIL BEARING CAPACITY. IF OTHER CONDITIONS EXIST, FOUNDATION SHALL BE REDESIGNED. CONTRACTOR SHALL HAVE SOIL BEARING CAPACITY VERIFIED BY A LICENSED PROFESSIONAL GEOTECHNICAL ENGINEER PRIOR TO INITIATION OF CONSTRUCTION ACTIVITIES.

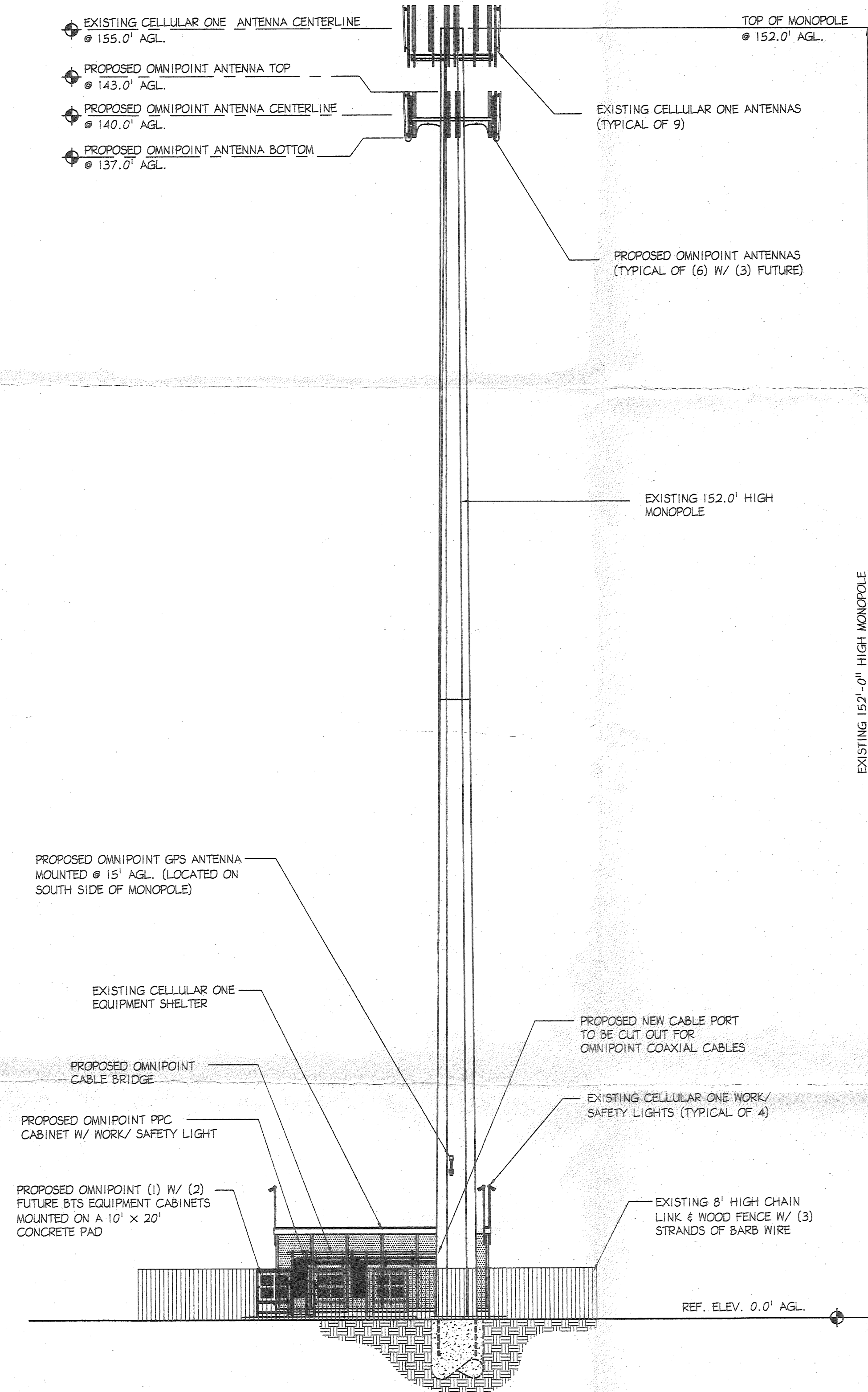
DL = 8,100 LBS.
LL = 100 PSF.

ALL BACKFILL SHALL BE THOROUGHLY COMPACTED
TO A MINIMUM OF 95% MODIFIED PROCTOR DENSITY.

1. THE GENERAL CONTRACTOR AND OR HIS SUB-CONSULTANT SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTION WHICH MAY BE REQUIRED FOR THE WORK BY THE ARCHITECT/ ENGINEER, THE STATE, COUNTY OR LOCAL GOVERNMENT AUTHORITY.
2. DESIGN REQUIREMENTS FOR THE ANTENNA SUPPORTING STRUCTURES ARE PER BOCA NATIONAL BUILDING CODE / 1996, AND THE EIA /71A-222-F STRUCTURAL STANDARDS FOR STEEL ANTENNA SUPPORTING STRUCTURES & 2000 IBC - STRUCTURAL WELDING STANDARDS AND ANTI-CORROSIONSHIP IN TIA/EIA 222.
3. ALL STRUCTURAL STEEL SHALL BE HOT-DIPPED GALVANIZED AFTER FABRICATION.
4. APPLICANT PROPOSES AN UN-MANNED, MODULAR, RADIO EQUIPMENT CABINETS & ASSOCIATED ANTENNAS MOUNTED TO AN EXISTING 150' HIGH MONOPOLE.
5. ANTENNA INSTALLATION SHALL BE CONDUCTED BY FIELD CREWS EXPERIENCED IN THE ASSEMBLY AND ERECTION OF RADIO ANTENNAS, TRANSMISSION LINES AND SUPPORT STRUCTURES.
6. STRUCTURAL STEEL SHALL CONFORM TO THE LATEST EDITION OF THE AISC SPECIFICATIONS FOR STRUCTURAL STEEL BUILDINGS - ALLOWABLE STRESS DESIGN AND PLASTIC DESIGN INCLUDING THE COMMENTARY AND THE CODE OF STANDARD PRACTICE.
7. STRUCTURAL STEEL PLATES AND SHAPES SHALL CONFORM TO ASTM A36. ALL STRUCTURAL STEEL PIPES SHALL CONFORM TO ASTM A53 GRADE B. ALL STRUCTURAL STEEL COMPONENTS AND FABRICATED ASSEMBLIES SHALL BE HOT-DIPPED GALVANIZED AFTER FABRICATION.
8. WELDING SHALL BE IN ACCORDANCE WITH THE AMERICAN WELDING SOCIETY (AWS) D.1.1-92 STRUCTURAL WELDING CODE - STEEL WELD ELECTRODES SHALL BE E70XX.
9. ALL THREADED STRUCTURAL FASTENERS FOR ANTENNA SUPPORT ASSEMBLIES SHALL CONFORM TO ASTM A325. FASTENERS SHALL BE 5/8" MINIMUM BEARING TYPE CONNECTIONS WITH THREADS INCLUDED IN THE SHEAR PLANE. ALL EXPOSED FASTENERS NUTS AND WASHERS SHALL BE GALVANIZED UNLESS OTHERWISE NOTED.
10. ALL COAXIAL CABLE CONNECTIONS AND TRANSMITTER EQUIPMENT SHALL BE AS SPECIFIED BY THE OWNER. THE CONTRACTOR SHALL FURNISH ALL CONNECTION HARDWARE REQUIRED TO SECURE THE CABLES.



1 ENLARGED EQUIPMENT PLAN



2 SITE ELEVATION
S-1 SCALE: 1" = 10'-0"

 **Betzwood Associates PC**
Architects & Engineers

Robin J. Kohn, AIA
Regis W. Kubit, PE

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email mail@betzwood.com <http://www.betzwood.com>

SEAL BLOCK

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ROBIN J. KOHN AIA MD-9374 01.19.03

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APPROVALS

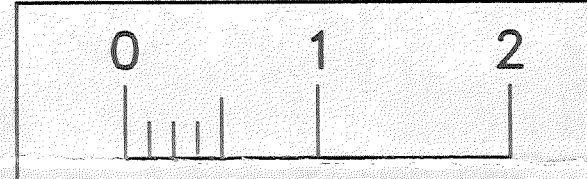
Omnipoint _____
LANDLORD _____
LEASING _____
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ZONING _____
CONSTRUCTION _____

PROJECT NO.	DRAWN BY	CHECK BY
OP-391	DMT	RJK

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GRAPHIC SCALE



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SITE #BAN-276F
EXISTING TELECOMMUNICATIONS FACILITY
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GLEN ARM, MARYLAND 21057
BALTIMORE COUNTY
DISTRICT #11; ACCOUNT #1119052025

SHEET TITLE

ENLARGED COMPOUND PLAN
SITE ELEVATION AND
STRUCTURAL NOTES

SHEET NUMBER

S-1