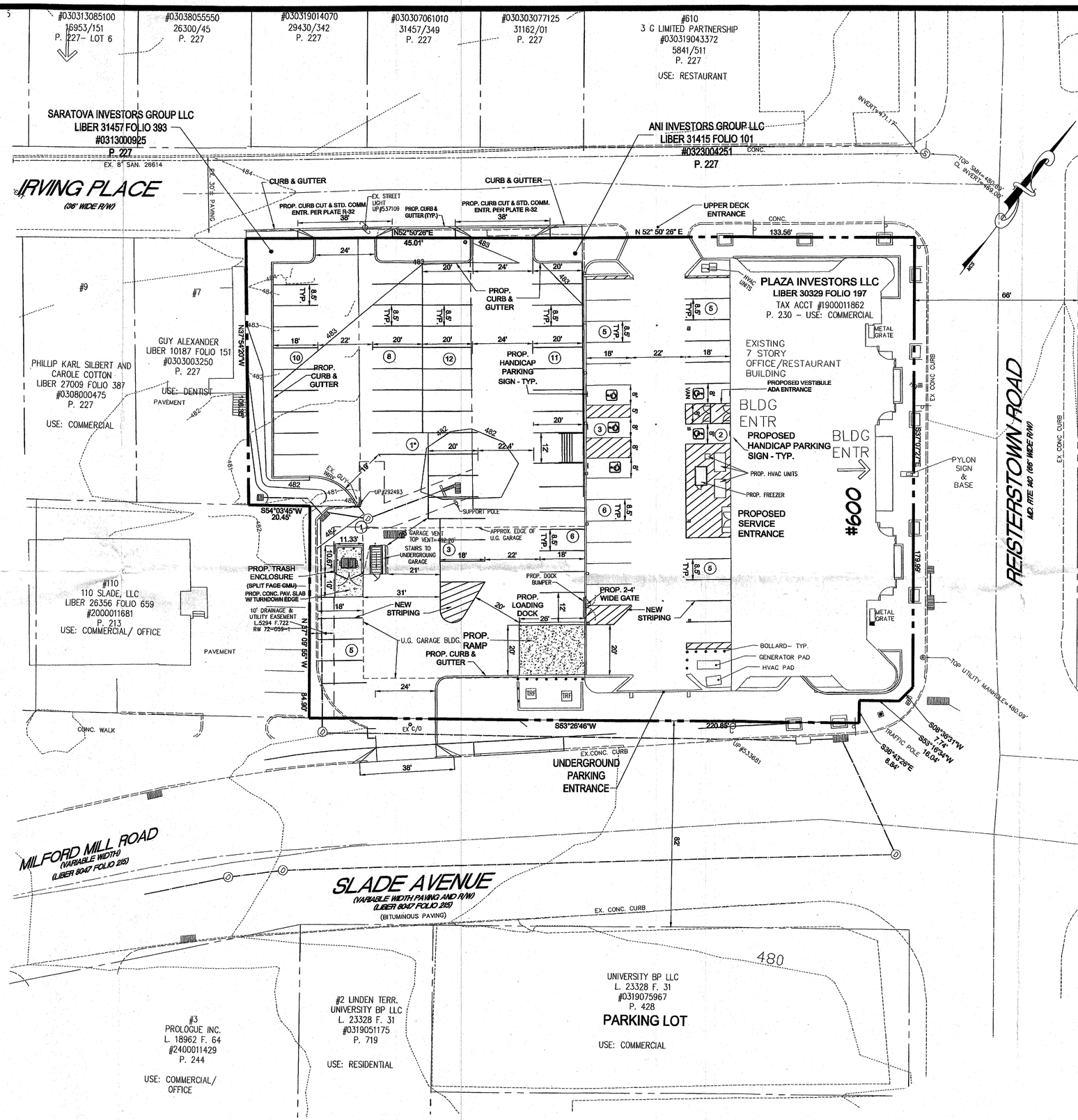
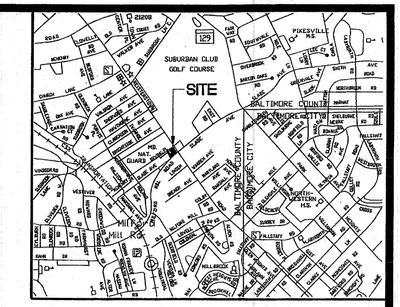
CONSTRUCTION NOTES

1. CONTRACTOR SHALL MEET ALL EXISTING IMPROVEMENTS SMOOTHLY FOR LINE, GRADE AND FINISH.
2. ALL WORK SHOWN ON THESE PLANS SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST STANDARDS AND SPECIFICATIONS OF THE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS AND OF THE MARYLAND STATE HIGHWAY ADMINISTRATION AND THE BALTIMORE COUNTY PLUMBING CODE, UNLESS OTHERWISE NOTED.
3. IT SHALL BE DISTINCTLY UNDERSTOOD THAT FAILURE TO MENTION SPECIFICALLY ANY WORK WHICH WOULD NORMALLY BE REQUIRED TO COMPLETE THIS PROJECT SHALL NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY TO PERFORM SUCH WORK. THE COST OF SUCH WORK SHALL BE INCLUDED IN THE BASE BID.
4. CONTRACTOR SHALL MAINTAIN TRAFFIC IN REISTERSTOWN ROAD, IRVING PLACE, SLADE AVENUE AND MILFORD MILL ROAD AT ALL TIMES DURING CONSTRUCTION.
5. THE CONTRACTOR SHALL NOTE THAT IN CASE OF DISCREPANCY BETWEEN ANY SCALED DIMENSIONS AND THE FIGURED DIMENSIONS SHOWN ON THESE PLANS, THE FIGURED DIMENSIONS SHALL GOVERN. ALL QUANTITIES SHOWN ARE FOR THE CONVENIENCE OF THE CONTRACTOR ONLY AND MUST BE VERIFIED BEFORE FINALIZING BIDS OR ORDERING ANY MATERIALS.
6. THE LOCATIONS OF EXISTING AND PROPOSED UNDERGROUND UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE AND ARE PROVIDED FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. THE LOCATIONS ARE TAKEN FROM EXISTING RECORDS OR SITE PLANS AND DO NOT REPRESENT FIELD-VERIFIED LOCATIONS. THE CONTRACTOR SHALL NOTIFY MISS UTILITY AT 1-800-257-7777 A MINIMUM OF 5 WORKING DAYS PRIOR TO DIGGING. THE CONTRACTOR SHALL CONFIRM TO HIS OWN SATISFACTION THE LOCATION OF ALL UTILITIES PRIOR TO PLACEMENT OF ANY MATERIALS. IF ANY CONFLICT IS FOUND BETWEEN UNDERGROUND UTILITIES AND THE PROPOSED LOCATION OF ANY CONSTRUCTION, THE CONTRACTOR SHALL CONTACT COLBERT MATZ ROSENFELT, INC., THE OWNER/DEVELOPER AND THE OWNER OF THE UTILITY IMMEDIATELY. ANY DAMAGE OR DISRUPTION OF SERVICE SHALL BE AT THE EXPENSE OF THE CONTRACTOR. RELOCATION OF ANY SUCH DISCOVERED EXISTING UTILITIES, IF NECESSARY, SHALL BE AT THE EXPENSE OF THE OWNER. THE CONTRACTOR SHALL COORDINATE RELOCATION OF THESE FACILITIES, IF NECESSARY.
7. CONTRACTOR SHALL PROTECT ALL EXISTING TREES OUTSIDE THE LIMIT OF DISTURBANCE AT ALL TIMES DURING CONSTRUCTION. WHERE NOTED, TREE PROTECTION FENCE SHALL BE ERECTED AS SHOWN AROUND EACH TREE DESIGNATED FOR PROTECTION PRIOR TO BEGINNING ANY CONSTRUCTION.
8. THE CONTRACTOR SHALL INSPECT THE SITE TO DETERMINE IF ANY TREES, PAVING, ETC. ARE TO BE REMOVED AS PART OF THIS PROJECT. SAID REMOVAL SHALL BE INCLUDED IN THE BASE BID.
9. CONTRACTOR SHALL PROTECT ALL EXISTING IMPROVEMENTS NOT SCHEDULED FOR REMOVAL OR DEMOLITION. COST OF REPAIR TO ANY DAMAGED EXISTING IMPROVEMENTS SHALL BE INCLUDED IN THE BASE BID. THE CONTRACTOR SHALL CLEAR THE PROJECT SITE OF ALL EXISTING TREES, PAVING, STRUCTURES, ETC. WITHIN THE CONSTRUCTION AREA UNLESS OTHERWISE NOTED ON THE PLAN. ALL DEMOLITION/REMOVED MATERIALS SHALL BE DISPOSED OF AT AN APPROVED LOCATION. ANY DAMAGE TO OFFSITE ROADS, RIGHTS OF WAY, OR ADJACENT PROPERTY SHALL BE REPAIRED IMMEDIATELY AT THE EXPENSE OF THE CONTRACTOR.
10. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY COLBERT MATZ ROSENFELT, INC. OF ANY DEVIATION FROM THIS PLAN PRIOR TO ANY CHANGE BEING MADE. ANY DEVIATION FROM THIS PLAN WITHOUT WRITTEN AUTHORIZATION FROM COLBERT MATZ ROSENFELT, INC. WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
11. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FOR THE COMPLETION OF THIS PROJECT, UNLESS DIRECTED OTHERWISE.
12. LIGHTING SHALL BE IN ACCORDANCE WITH THE LATEST LIGHTING PLAN.
13. PREFORMED ELASTOMERIC COMPRESSION JOINT MATERIAL SHALL BE INSTALLED AT ALL MEETINGS OF EXISTING AND/OR PROPOSED CONCRETE CONSTRUCTION, INCLUDING CURBS, PAVING AND SIDEWALKS, AND AS NOTED HEREON.
14. CONTRACTOR SHALL PROVIDE ALL PAVEMENT MARKINGS AND SIGNAGE FOR HANDICAP PARKING SPACES INDICATED ON THESE PLANS IN ACCORDANCE WITH ALL APPLICABLE CODES AND THE DETAILS SHOWN ON THESE PLANS. PAVEMENT MARKINGS TO MEET SHA STANDARD FOR TRAFFIC PAINT. ALL PAINTED HANDICAPPED SYMBOLS SHALL BE BLUE. ALL OTHER PAVEMENT MARKINGS TO BE TRAFFIC WHITE AND SHALL BE APPLIED IN TWO COATS. PAVEMENT MARKINGS TO MEET SHA STANDARD FOR TRAFFIC PAINT.
15. CONTRACTOR SHALL PLACE MINIMUM 4 INCHES TOPSOIL IN ALL LANDSCAPE AREAS. TOPSOIL SHALL MEET MDSHA STD. 920.01 AND SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO PLACEMENT.
16. EARTHWORK:
    ALL EARTHWORK SHALL BE AS DIRECTED BY GEOTECHNICAL ENGINEER OR AS OUTLINED IN THE GEOTECHNICAL REPORT. IF NO GEOTECHNICAL REPORT IS AVAILABLE AND NO GEOTECHNICAL ENGINEER IS ENGAGED FOR THIS PROJECT, ALL EXCAVATED AREAS SHALL BE BACKFILLED AND COMPACTED TO 90 PERCENT DENSITY AS DETERMINED BY ASTM D-1557 (MODIFIED PROCTOR). ANY AREAS TO BE PAVED WHICH EXHIBIT UNSTABLE SUBGRADE CONDITIONS SHALL BE EXCAVATED TO BEARING SOIL, REFILLED AND COMPACTED. ONLY SUITABLE MATERIAL SHALL BE USED AS FILL AND PLACEMENT OF ALL FILL MATERIAL SHALL BE IN 8 IN THICK LOOSE COURSES AND COMPACTED. COMPACTION UNDER PARKING SURFACE SHALL BE TO A MINIMUM OF 95 PERCENT DENSITY AS DETERMINED BY ASTM D-1557. COMPACTION WITHIN BUILDING AREAS AND UNDER ALL UTILITY STRUCTURES SHALL BE TO A MINIMUM OF 95 PERCENT DENSITY AS DETERMINED BY ASTM D-1557.
17. CONTRACTOR SHALL PLACE SURFACE COURSE OVERLAY 5 FEET BEYOND LIMITS OF REPLACEMENT PAVING, UNLESS DIRECTED OTHERWISE BY THE ENGINEER IN THE FIELD. ALL OVERLAYS SHALL HAVE SMOOTH, STRAIGHT EDGES. STRIP, MILL AS NEEDED AND RESURFACE EXISTING PAVING AS NEEDED TO PROVIDE SMOOTH TRANSITION.
18. THE TOPS OF ALL VALVE BOXES, VAULTS, INLETS, MANHOLES AND OTHER PROPOSED UTILITY STRUCTURES SHALL BE SET TO FINISH GRADE.
19. CONTRACTOR SHALL PROVIDE A MINIMUM OF 1 FOOT OF PROTECTIVE FILL OVER ALL STORM DRAIN PIPES DURING CONSTRUCTION.
20. THE CONTRACTOR SHALL GRADE ALL AREAS WITHIN THE LIMITS OF CONSTRUCTION AND SHALL WARP ALL PAVING AS NECESSARY TO ENSURE POSITIVE DRAINAGE IN THE DIRECTION INDICATED ON THE PLAN. CONTRACTOR SHALL PROVIDE SMOOTH TRANSITIONS BETWEEN CONVENTIONAL AND REVERSE SLOPE CURB SO AS TO CREATE POSITIVE DRAINAGE AT ALL TIMES.
21. CONTRACTOR SHALL COORDINATE ANY ADJUSTMENT AND/OR RELOCATION OF SIGNAL, UTILITY AND/OR LIGHT POLES AND/OR STRUCTURES WITH PROPER UTILITY COMPANY. BRACING OF POLES TO BE PROVIDED DURING CONSTRUCTION AS NEEDED. SAID RELOCATION AND/OR POLE BRACING TO BE COORDINATED WITH OWNER OF UTILITY, OWNER'S ENGINEER AND COLBERT MATZ ROSENFELT, INC. ALL SUCH RELOCATION, ADJUSTMENT AND/OR POLE BRACING SHALL BE INCLUDED IN BASE BID.
22. CONTRACTOR SHALL PROVIDE FULL TRENCH COMPACTION FOR ALL SITE UTILITIES, UNLESS OTHERWISE NOTED.
23. THE TOP ELEVATION OF ALL EXISTING WATER METERS, VALVES, FIRE HYDRANTS, HANDBOXES, MANHOLES AND OTHER UTILITIES WITHIN THE WORK AREA WHICH ARE INTENDED TO REMAIN SHALL BE ADJUSTED AS NECESSARY TO MATCH PROPOSED GRADE SMOOTHLY AND FLUSH WITH SURFACE SO AS TO NOT CREATE ANY TRIPPING HAZARD OR OTHER IMPEDIMENT TO PEDESTRIAN PASSAGE. CONTRACTOR SHALL COORDINATE ADJUSTMENTS WITH THE OWNER OF EACH EXISTING UTILITY PRIOR TO MAKING ANY ADJUSTMENTS TO THE UTILITY.
24. FILTER CLOTH SHALL BE MIRAFI 140S OR APPROVED EQUAL.
25. RIPRAP SHALL MEET ALL REQUIREMENTS OF THE MARYLAND SOIL CONSERVATION SERVICE AND THE MARYLAND STATE HIGHWAY ADMINISTRATION.
26. CONCRETE WHEEL STOPS SHALL BE TYPE I, IN ACCORDANCE WITH MD SHA STD MD 634.04.
27. TOPOGRAPHY WITHIN LIMITS OF FIELD RUN TOPO AND PROPERTY BOUNDARY SHOWN ON THESE PLANS IS BASED ON SURVEY PREPARED BY COLBERT MATZ ROSENFELT. TOPOGRAPHY (OUTSIDE TOPO LIMITS) IS TAKEN FROM GIS, PUBLIC RECORDS AND SITE PLANS AND DOES NOT REPRESENT A FIELD SURVEY. ALL PROPERTY BOUNDARY INFORMATION IS TAKEN FROM RECORDED DEEDS AND PLATS AND DOES NOT REPRESENT A FIELD SURVEYED BOUNDARY.





VICINITY MAP
SCALE: 1"=2000'

BENCHMARK DATA

COORDINATE AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE MARYLAND COORDINATE SYSTEM NAD83/91 DATUM AND ARE BASED ON THE FOLLOWING

STATION	NORTHING	EASTING	ELEVATION
BALT. CO. GIS - 517	619564.88	1391533.13	489.54'
BALT. CO. GIS - 518	618937.27	1390712.57	467.71'

GENERAL NOTES

1. OWNER/ DEVELOPER:
   PLAZA INVESTORS LLC
   104 CHURCH LANE SUITE 100
   BALTIMORE, MARYLAND 21208
2. SITE DATA:
   MAP 0078, PARCEL 0230
   TAX ACCOUNT NO. 1900011862
   DEED REFERENCE 30329 / 197
   SITE AREA: 39,818 SQ. FT. (0.91 ACRES)
   EXISTING USE: PLAZA
   PROPOSED USE:
3. ZONING AND DEVELOPMENT HISTORY:
   -SEE GRD-3 FOR ZONING LETTER DATED FEB. 3, 2000.
4. OFF STREET PARKING CALCULATIONS:
   -SEE PARKING TABULATION CHART ON GRD-3

   -ALL PARKING SPACES ARE DURABLE, DUST-FREE AND PERMANENTLY STRIPED.
5. ZONING: RO, OR1 AND BL
   ZONING MAP NO.: 78-B2
6. F.A.R. CALCULATION - BUILDING: 59,180 SQ. FT.
   SITE AREA: 39,818 SQ. FT.
   PROPOSED FAR- 0.67
   MAX. PERMITTED FAR- 3.0
7. SITE IS NOT IN THE CRITICAL AREA, HAS NO HISTORIC BUILDINGS AND IS NOT IN A 100-YEAR FLOOD PLAIN.
8. PREVIOUS COMMERCIAL PERMITS: B728619, B732894, B750873, B769270, E730533, E743142, E752109, P729776
9. ALL SIGNS WILL MEET THE REQUIREMENTS OF SEC. 450, BCZR.
10. UPPER DECK TO BE RESTRIPED AT A LATER DATE.

STORMWATER MANAGEMENT NOTE

THE SUBJECT SITE IS EXEMPT FROM THE REQUIREMENTS OF STORMWATER MANAGEMENT IN ACCORDANCE WITH SECTION 1.2 (2.) OF THE 2000 STORMWATER DESIGN MANUAL, VOLUME 1 & 2.

DRAWING LIST

GRD-1	SITE GRADING PLAN
GRD-2	SITE DETAILS
GRD-3	SITE NOTES
S-1	RAMP DETAILS

SCAN TO file 1974-0232-A, RESPONSE APPLICATION of "PIKESVILLE OVERLAY DISTRICT" AND 5/1000 PKG. CALC. FOR RESTAURANT.

SITE PLAN
600 REISTERSTOWN ROAD

TAX MAP 78 - GRID 09 - PARCEL 230
3RD ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

STATE OF MARYLAND REGISTERED PROFESSIONAL ENGINEER No. 13203 KEVIN L. MATZ
9/3/2014

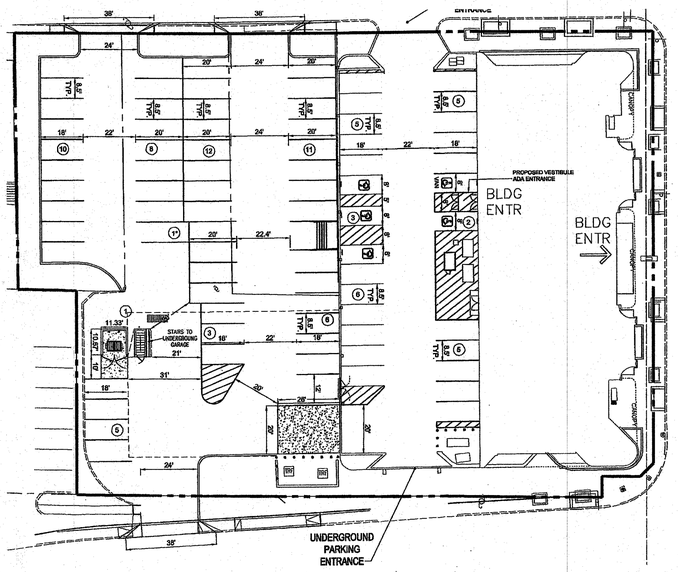
Colbert Matz Rosenfelt, Inc.
*Engineers * Surveyors * Planners*
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No. 13203 Expiration Date: 11-2-14.

NO.	DATE	REVISIONS:	BY
5	9/03/14	ISSUE FOR PERMIT & CONSTRUCTION	KML
4	8/27/14	REV STEPS & PARKING PER CLIENT DIR.	KML
3	5/12	REV GRD, ADD NOTES, DUMPSTER; ADJ RAMP	
2	3/12	REV PER DRP	

SCALE:	1"=20'
DATE:	11/02/11
JOB NO.:	2010-285.1
DESIGNED:	
DRAWN:	AKC/ASH
CHECKED:	KML/REM
FILE:	20102851 BASE.dwg
DRAWING NUMBER:	GRD-1
SHEET	1 OF 4

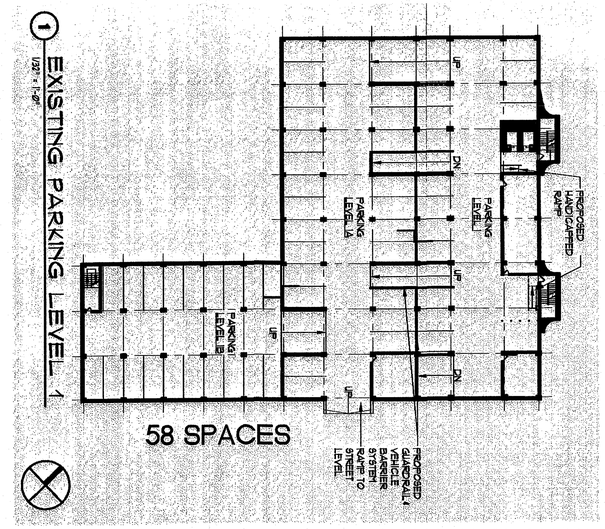
N:\d2\project\2010\2010285\Project Directories\CMR\CD's (Current)\20102851 REVISED PARKING_recover.dwg, 9/4/2014 9:12:33 AM

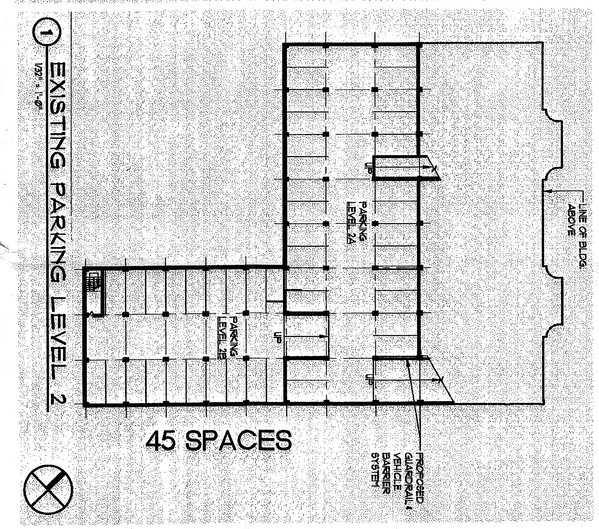


SURFACE PARKING PLAN
83 SPACES

Pikesville Plaza - Parking Tabulation:

USE	AREA (Sq Ft)	PARKING REQUIREMENT	CALCULATION	REQUIREMENT
Office (floors 2-7)	51,180	3.3 / 1,000 sq ft of gross floor area	3.3 x 51.08	168.86 parking spaces
Restaurant * (1st floor)	8,000	5 / 1,000 sq ft of gross floor area	5 x 8	40 parking spaces
* for the restaurant use this calculation is based on parking requirement for standard restaurants in the Pikesville Revitalization Area. To apply this requirement, the project must have an investment of $100,000 and the work must be done within 6 months				
			TOTAL PARKING SPACES REQUIRED (#'s are rounded up):	209 parking spaces
			NUMBER OF SPACES GRANTED (PER VARIANCE 74-232-A IN LIEU OF 218 REQ.D'	**172 parking spaces
			TOTAL PROVIDED	188 SPACES





UNDER BUILDING PARKING PLANS

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 3, 2000

Column Financial, Inc., its successors and/or assigns
c/o Donaldson, Lufkin & Jenerette
277 Park Avenue, 10th Floor
New York, NY 10172
Attn: Susana Iannicelli

Dear Ms. Iannicelli:

RE: Pikesville Plaza Building Co., Norwest Corner Reisterstown Rd. and Slade Ave., 600 Reisterstown Rd., 3rd Election District

Your letter to Arnold Jablon, Director of Permits and Development Management has been referred to me for reply. The zoning of this site per the 1"=200' scale zoning map #NW, 7-E (high-lighted copy enclosed) is Business Local-Automotive Service (BL-Aa) along Reisterstown Road with a depth of approximately 130 feet +/- with the rear portion split Business Local (BL) and Residential Office (RO). The use of this 7 story professional office building is permitted as of right in the business zones.

This site has been the subject of numerous zoning hearings, which are listed as follows:

#68-50-RXA Special Exception for an automotive service station and a variance from Section 405.2.B, paragraph 5 granted by the Board of Appeals

#74-113-SPH A Special Hearing to approve a use permit for commercial parking in a residential zone granted by the Zoning Commissioner on December 12, 1973

#74-232-A A Variance to allow 172 parking spaces in lieu of the required 218 spaces for a professional building granted by the Deputy ZC May 7, 1974.

#95-296-A A Variance to permit a setback of 95 feet from the RO zone for a roof mounted wireless transmitting and receiving facility in lieu of required 200 feet granted by Zoning Commissioner on March 30, 1995.

#96-319-SPH A Special Hearing to allow massage services as accessory to an existing beauty salon granted by the Deputy Zoning Commissioner May 20, 1996

#96-320-SPH A Special Hearing to approve an amendment to the site plan to allow 161 parking spaces in lieu of me 172 spaces granted in case #74-232-A and to permit 12 of those spaces to be utilized for the storage and parking of ambulances and limousines and a Special Exception to permit a Service Garage use on the subject property granted by the Deputy Zoning Commissioner on April 10, 1996

#97-59-A A Variance to permit a setback of 71 feet from an RO zone in lieu of the required 200 feet for a roof mounted wireless transmitting and receiving facility and to amend the previously approved slt plan in case #95-296-A to reflect this proposed improvements granted by the Deputy Zoning Commissioner on September 17, 1996.

Original occupancy certificates are no longer available. A review of files in the Code Enforcement Office found no current violations.

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

Sincerely,

John J. Sullivan, Jr.
Planner II
Zoning Review

SITE NOTES

600 REISTERSTOWN ROAD

TAX MAP 78 – GRID 09 – PARCEL 230
3RD ELECTION DISTRICT – BALTIMORE COUNTY, MARYLAND

Colbert Matz Rosenfelt, Inc.
*Engineers * Surveyors * Planners*
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

STATE OF MARYLAND — KEVIN L. MATZ — No. 13203 — PROFESSIONAL ENGINEER

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No. 13203 Expiration Date: Nov 2, 2014

NO.	DATE	REVISIONS:	BY
1	9/03/14	ISSUE FOR PERMIT & CONSTRUCTION	KML

SCALE:	AS NOTED'
DATE:	5/18/12
JOB NO.:	2010-285.1
DESIGNED:	REM/KL
DRAWN:	AKC/KL
CHECKED:	
FILE:	2010285.1 BASE.dwg
DRAWING NUMBER:	GRD-3
SHEET	3 OF 4

N:\kl2\project\2010\2010285\Project Directories\CMR\CD's (Current)\2010285.1 REVISED PARKING_recover.dwg, 9/3/2014 3:31:06 PM

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 3, 2000

Column Financial, Inc., its successors and/or assigns
c/o Donaldson, Lufkin & Jenerette
277 Park Avenue, 10th Floor
New York, NY 10172
Attn: Susana Iannicelli

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MICROFILMED

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

Sincerely,

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:kew

IN RE: PETITION FOR ZONING VARIANCE SW/S Reisterstown Rd. & NW/S of Slade Avenue 600 Reisterstown Rod 3rd Election District 2nd Councilmanic District Frank Scarfield Sr., et al Petitioners	* * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 95-296-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance for the property located at 600 Reisterstown Road in the Pikesville area of Baltimore County. The Petition is filed by Frank Scarfield, Sr., on behalf of Pikesville Plaza Building Company, property owner, and Margaret C. Ruggieri, Esquire on behalf of American PCS, L.P., (hereinafter known as APC) Lessee. Variance relief is requested from Section 426.1.B of the Baltimore County Zoning Regulations (BCZR) to permit a setback of 95 ft. from an R.O. zone for a roof mounted wireless transmitting and receiving facility in lieu of the required 200 ft. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the site plan.

This matter came in for public hearing with a companion case, case No. 95-298X. As was the situation in that matter, the subject Petition involves a wireless transmitting facility for the business known as APC. APC is a new entrant in the field of cellular communications in the Baltimore Metropolitan area. The company specializes in communications of all types, not just wireless telephone, and includes fax transmission and similar information systems.

The Petitioners propose installing 6 panel antennas to the existing penthouse structure on top of the Pikesville Plaza Office Building. The office building is located on Reisterstown Road near that road's intersec-

tion with Milford Mill Road and Slade Avenue in Pikesville. In addition to the installation of the panel antennas, the Petitioners will also install two equipment cabinets to serve the antennas.

Appearing at the requisite public hearing held for this case was Christine K. McSherry, Esquire who represented the Petitioners. Appearing on behalf of APC was Margaret C. Ruggieri, Esquire. A number of other expert witnesses appeared and were prepared to present testimony on behalf of the Petition. There were no Protestants or other interested persons present.

The uncontradicted proffered testimony presented was that the proposed panel antennas are necessary to complete the cell system for the Pikesville area. As is well known to this Zoning Commissioner, the cellular communication industry relies on a series of interlocking grids and cells to provide uninterrupted communications to its customers. Cells are comprised of a given geographic area and it is necessary to install antennas and related equipment to serve a particular cell. Testimony on behalf of the Petitioners was that the subject antennas were necessary at the subject property to serve the Pikesville area. The subject building was proposed for installation of the antennas because of its height and location within the cell.

The Zoning Commissioner's consideration of a zoning variance is governed by Section 307 of the BCZR. Therein, it is provided that the Petitioners must establish that a practical difficulty would be suffered if the requested relief were denied. Moreover, the Petitioners must show that the grant of the variance is consistent with the spirit and intent of the BCZR and will not detrimentally affect the surrounding locale.

As to the practical difficulty test, the Petitioners' proffered testimony was that its business requires the installation of the described anten-

nas within the Pikesville area in order to accomplish the mission mandated by the FCC and provide the required levels of service. It was noted that there are few, if any, locations within the Pikesville area in which the 200 ft. setback could be maintained. Moreover, the subject building is one of the few high rise buildings in the vicinity. The Petitioners argued that the installation of the antennas to the building is much less obtrusive to the community than the construction of a tower. Thus, the Petitioners believe that they would suffer practical difficulty if the subject site could not be utilized for their wireless communication antennas.

The Petitioners further argue that a grant of the relief is consistent with the BCZR. The BCZR does, indeed, provide that construction of wireless transmission equipment towers is to be discouraged when high rise buildings are available. Thus, it is clear that the proposed Petition and use of the subject building is preferable and entirely consistent with the BCZR.

As to the potential effect on the surrounding locale, the uncontradicted testimony of the Petitioners' experts was that a grant of the variance will not adversely affect the community. The testimony proffered was that the proposed use does not adversely affect other forms of communication nor present any health hazard to the community.

Based upon the testimony and evidence offered, all of which was uncontradicted, I am persuaded that the Petitioners have satisfied its burden at law. Thus, the Petition for Variance should and must be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 30th day of March, 1995 that a variance from Section 426.1.B of

the Baltimore County Zoning Regulations (BCZR) to permit a setback of 95 ft. from an R.O. zone for a roof mounted wireless transmitting and receiving facility, in lieu of the required 200 ft., be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted:

> 1. The Petitioners are 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

Petition for Variance

95-296-A

to the Zoning Commissioner of Baltimore County

for the property located at 600 Reistertown Road
Pikesville, MD 21209

which is presently zoned BL-CS1/RO

This Petition shall be filed with the Office of Zoning Administration & Development Management.
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(s) SECT. 426.1B

To permit a setback of 95 feet from an R-O zone for a roof mounted wireless transmitting and receiving facility in lieu of the required 200 feet.

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

To be presented at the hearing.

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.

XXXXXXXXX
Contract Purchaser/Lessee:

Margaret C. Ruggieri, Esq. for
(Type or Print Name)

Signature

One Democracy Center
6901 Rockledge Drive, Suite 600
Address

Bethesda MD 20817
City State Zipcode

Attorney for Petitioner:

G. Scott Barhight, Esq.
(Type or Print Name)

Signature

c/o Whiteford, Taylor & Preston
500 Court Towers, 210 Penn. Ave
Address Phone No.

(410) 832-2000

City State Zipcode
Towson MD 21286

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.

Legal Owner(s):

Frank Scarfield, Sr.
(Type or Print Name)

Signature

Frank Scarfield
(Type or Print Name)

Signature

Pikesville Plaza Building Co.
/c/o Holabird Management Co.
Address Phone No.

6610 Holabird Avenue
Baltimore, MD 21224 633-2262
City State Zipcode

Name, Address and phone number of representative to be contacted.

G. Scott Barhight, Esq.
Name

500 Court Towers 210 W. Penn. Ave
Address Phone No.

Towson, MD 21204 (410) 832-2000

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: R.J. DATE 2-21-95

ITEM #290

Printed with Soybean Ink on Recycled Paper

MICROFILMED

ITEM # 290

95-296-A

Description

To Accompany Petition for Zoning Variance

0.93 Acre Parcel

Pikesville Plaza Building Company Property

Southwest Side of Reisterstown Road, Northwest of Slade Avenue

Second Election District, Baltimore County, Maryland

DMW

Daft·McCune·Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
410 296 3333
Fax 296 4705

A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals

Beginning for the same at the point formed by the intersection of the southwest side of Reisterstown Road with the northwest side of Slade Avenue at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Reisterstown Road with the centerline of Irving Place (1) Southeasterly along said centerline of Reisterstown Road 220 feet, more or less, thence (2) Southwesterly 32 feet, more or less, to the point of beginning, thence leaving said beginning point and binding on the northwest side of Slade Avenue (1) South 54 degrees 14 minutes 40 seconds West 245.00 feet, thence leaving Slade Avenue and running the three following courses and distances, viz: (2) North 37 degrees 22 minutes 30 seconds West 84.69 feet, thence (3) North 53 degrees 59 minutes 50 seconds East 20.00 feet, and thence (4) North 37 degrees 18 minutes 50 seconds West 107.11 feet to the southeast side of Irving Place, thence running and binding thereon (5) North 52 degrees 41 minutes 10 seconds East 45.00 feet, thence leaving Irving Place and running the three following courses and distances, viz: (6) South 37 degrees 18 minutes 50 seconds East 108.14 feet, thence (7) North 53 degrees 59 minutes 50 seconds East 45.01 feet, and thence (8) North 37 degrees 18 minutes 50 seconds West 109.17 feet to the aforesaid southeast side of Irving Place, thence running and binding thereon (9)

ITEM #290

95-296-A

North 52 degrees 41 minutes 10 seconds East 134.75 feet to intersect the aforesaid southwest side of Reisterstown Road, thence running and binding thereon (10) South 37 degrees 18 minutes 50 seconds East 198.00 feet to the point of beginning; containing 0.93 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 6, 1995

Project No. 94123.09 (L94123.09)

STATE OF MARYLAND
MICHAEL T. MAGUIRE
No. 23578
REGISTERED
PROPERTY LINE SURVEYOR

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & 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:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 290

Petitioner: MARGARET C. RUGGIERI, ESQ.

Location: ONE DEMOCRACY CENTER, 6901 ROCKLEDGE DR. STE. 600 BETHESDA MD 20817

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DMW c/o BRENDA PRICE

ADDRESS: 200 E. PENN AVE.
TOWSON MD. 21286

PHONE NUMBER: 296-3333

AJ:ggs

(Revised 04/09/93)

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 95-296-A

Towson, Maryland

District 3rd Date of Posting 3/3/95

Posted for: Variance

Petitioner: Frank Scarfield - P.R. v. Wilmon - American POS, L.P.

Location of property: 600 Reisterstown Rd., SW/S

Location of Signs: Facing roadway, on property being zoned

Remarks:

Posted by M. Hedy Signature Date of return: 3/10/95

Number of Signs: 1

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, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:
95-296-A (Item 290)
600 Reisterstown Road
SW/S Reisterstown and NW/S Slade Avenue
3rd Election District
2nd Councilmanic
Legal Owner:
Frank Scarfield, Sr., Frank Scarfield & Pikesville Plaza Building Company
Lessee:
American PCS, L.P.
HEARING: MONDAY, MARCH 27, 1995 at 9:00 a.m. in Rm. 118, Old Courthouse.

Variance: to permit a setback of 95 feet from a R.O. zone for a roof-mounted wireless transmitting and receiving facility in lieu of the required 200 feet.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1)Hearings are Handicapped accessible; for special accommodations Please Call 887-3353.

(2)For information concerning the File and/or Hearing, Please Call 887-3391.

3/112 March 9.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/9, 1995

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 3/9, 1995.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

Publisher

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

receipt

95-296-A

Account: R-001-6150

Number 290
K.T.

Date 2/21/95

MARGARET RUGGIERI
600 REGISTERSTOWN RD
PIKESVILLE, MD. 21209

OZA - COM. VAR. — $ 250.00
OCA - 2 SIGNS — $ 70.00

TOTAL - $ 320.00

03A03#0125M1CHRC $320.00
BA C009:37AM02-21-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

TO: PUTUXENT PUBLISHING COMPANY
March 9, 1995 Issue - Jeffersonian

Please foward billing to:

Daft McCune Walker, Inc.
200 E. Pennsylvania Avenue
Towson, Maryland 21286

ATTN: BRENDA PRICE
410-296-3333

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Variance to permit a setback of 95 feet from a R.O. zone for a roof-mounted wireless transmitting and receiving facility in lieu of the required 200 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 2, 1995

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Arnold Jablon
Director

cc: Frank Scarfield, Sr., et al
American PCS, L.P, c/o Margaret C. Ruggieri, Esq.
G. Scott Barhight, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

American Personal Communications

AMERICAN PERSONAL COMMUNICATIONS (APC)
HEARING BEFORE THE BALTIMORE COUNTY ZONING COMMISSIONER
March 27, 1995

TABLE OF CONTENTS

PETITIONER'S EXHIBIT No 2

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 20, 1995

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

RE: Item No.: 290
Case No.: 95-296-A
Petitioner: Frank Scarfield, Sr.

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on February 21, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

B A L T I M O R E C O U N T Y, M A R Y L A N D

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

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

March 9, 1995

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #290 - Wireless T/R Facility
600 Reisterstown Road
Zoning Advisory Committee Meeting of March 6, 1995

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

Air Quality

The site must comply with ANSI Standard C95.1-1982 at all times, including during reasonable roof access for maintenance/custodial personnel. We recommend that Caution/Warning signs be placed at all roof access doors.

JLP:SR:sp

c: D. Filbert
S. Reekie

WIRELESS/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: March 8, 1995

SUBJECT: 600 Reistertown Rd.

INFORMATION:

Item Number: 290

Petitioner: Scarfield Property

Property Size:

Zoning: BL-CS1

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Variance to permit a setback of 95' from an R.O. zone for a roof mounted wireless transmitting and recieving facility in lieu of the required 200'.

Based upon review of the information provided, staff does not oppose the applicant's request. However, the Petitioner will need to prove hardship or practical difficulty to justify the location of the proposed facility.

Prepared by: Jeffrey W. Long

Division Chief: Carl L. Klaus

PK/JL

to zoning

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: March 10, 1995

FROM Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for March 13, 1995
Items 290, 291, 292, and 294

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:sw

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

3-8-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: #290 (RT)

Dear Ms. Watson:

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 project.

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

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

3/17/95 1135-95

RE: PETITION FOR VARIANCE 600 Reisterstown Road, SW/S Reisterstown and NW/S Slade Avenue, 3rd Election District, 2nd Councilmanic	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	OF BALTIMORE COUNTY
Frank Scarfield, Sr., Frank Scarfield & Pikesville Plaza Building Company Petitioners	*	CASE NO. 95-296-A

* * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of March, 1995, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

IN RE: PETITION FOR ZONING VARIANCE
SW/S Reisterstown Rd. & NW/S of Slade Avenue
600 Reisterstown Rod
3rd Election District
2nd Councilmanic District
Frank Scarfield Sr., et al
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-296-A

* * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance for the property located at 600 Reisterstown Road in the Pikesville area of Baltimore County. The Petition is filed by Frank Scarfield, Sr., on behalf of Pikesville Plaza Building Company, property owner, and Margaret C. Ruggieri, Esquire on behalf of American PCS, L.P., (hereinafter known as APC) Lessee. Variance relief is requested from Section 426.1.B of the Baltimore County Zoning Regulations (BCZR) to permit a setback of 95 ft. from an R.O. zone for a roof mounted wireless transmitting and receiving facility in lieu of the required 200 ft. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the site plan.

This matter came in for public hearing with a companion case, case No. 95-208X. As was the situation in that matter, the subject Petition involves a wireless transmitting facility for the business known as APC. APC is a new entrant in the field of cellular communications in the Baltimore Metropolitan area. The company specializes in communications of all types, not just wireless telephone, and includes fax transmission and similar information systems.

The Petitioners propose installing 6 panel antennas to the existing penthouse structure on top of the Pikesville Plaza Office Building. The office building is located on Reisterstown Road near that road's intersec-

tion with Milford Mill Road and Slade Avenue in Pikesville. In addition to the installation of the panel antennas, the Petitioners will also install two equipment cabinets to serve the antennas.

Appearing at the requisite public hearing held for this case was Christine K. McSherry, Esquire who represented the Petitioners. Appearing on behalf of APC was Margaret C. Ruggieri, Esquire. A number of other expert witnesses appeared and were prepared to present testimony on behalf of the Petition. There were no Protestants or other interested persons present.

The uncontradicted proffered testimony presented was that the proposed panel antennas are necessary to complete the cell system for the Pikesville area. As is well known to this Zoning Commissioner, the cellular communication industry relies on a series of interlocking grids and cells to provide uninterrupted communications to its customers. Cells are comprised of a given geographic area and it is necessary to install antennas and related equipment to serve a particular cell. Testimony on behalf of the Petitioners was that the subject antennas were necessary at the subject property to serve the Pikesville area. The subject building was proposed for installation of the antennas because of its height and location within the cell.

The Zoning Commissioner's consideration of a zoning variance is governed by Section 307 of the BCZR. Therein, it is provided that the Petitioners must establish that a practical difficulty would be suffered if the requested relief were denied. Moreover, the Petitioners must show that the grant of the variance is consistent with the spirit and intent of the BCZR and will not detrimentally affect the surrounding locale.

As to the practical difficulty test, the Petitioners' proffered testimony was that its business requires the installation of the described antennas within the Pikesville area in order to accomplish the mission mandated by the FCC and provide the required levels of service. It was noted that there are few, if any, locations within the Pikesville area in which the 200 ft. setback could be maintained. Moreover, the subject building is one of the few high rise buildings in the vicinity. The Petitioners argued that the installation of the antennas to the building is much less obtrusive to the community than the construction of a tower. Thus, the Petitioners believe that they would suffer practical difficulty if the subject site could not be utilized for their wireless communication antennas.

The Petitioners further argue that a grant of the relief is consistent with the BCZR. The BCZR does, indeed, provide that construction of wireless transmission equipment towers is to be discouraged when high rise buildings are available. Thus, it is clear that the proposed Petition and use of the subject building is preferable and entirely consistent with the BCZR.

As to the potential effect on the surrounding locale, the uncontradicted testimony of the Petitioners' experts was that a grant of the variance will not adversely affect the community. The testimony proffered was that the proposed use does not adversely affect other forms of communication nor present any health hazard to the community.

Based upon the testimony and evidence offered, all of which was uncontradicted, I am persuaded that the Petitioners have satisfied its burden at law. Thus, the Petition for Variance should and must be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 30th day of March, 1995 that a variance from Section 426.1.B of

the Baltimore County Zoning Regulations (BCZR) to permit a setback of 95 ft. from an R.O. zone for a roof mounted wireless transmitting and receiving facility, in lieu of the required 200 ft., be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted:

> 1. The Petitioners are 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

Petition for Variance

95-296-A

to the Zoning Commissioner of Baltimore County

for the property located at 600 Reistertown Road
Pikesville, MD 21209

which is presently zoned BL-CS1/RO

This Petition shall be filed with the Office of Zoning Administration & Development Management.
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(s) SECT. 426.1B

To permit a setback of 95 feet from an R-O zone for a roof mounted wireless transmitting and receiving facility in lieu of the required 200 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
To be presented at the hearing.

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/Lessee:
Margaret C. Ruggieri, Esq. for
(Type or Print Name)
Signature
One Democracy Center
6901 Rockledge Drive, Suite 600
Address
Bethesda MD 20817
City State Zipcode

Attorney for Petitioner:
G. Scott Barhight, Esq.
(Type or Print Name)
Signature
c/o Whiteford, Taylor & Preston
500 Court Towers, 210 Penn. Ave
Address (410) 832-2000
Phone No.
Towson MD 21286
City State Zipcode

Legal Owner(s):
Frank Scarfield, Sr.
(Type or Print Name)
Signature
Frank Scarfield
(Type or Print Name)
Signature
Pikesville Plaza Building Co.
c/o Holabird Management Co.
Address
6610 Holabird Avenue 633-2262
Baltimore, MD 21224
City State Zipcode
Name, Address and phone number of representative to be contacted.
G. Scott Barhight, Esq.
Name
500 Court Towers 210 W. Penn. Ave
Address
Towson, MD 21204 (410) 832-2000

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
Unavailable for Hearing
the following dates _____ Next Two Months
ALL _____ OTHER _____
REVIEWED BY: R.T. DATE 2-21-95

ITEM #290

Printed with Soybean Ink on Recycled Paper

ITEM #290
95-296-A

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To Accompany Petition for Zoning Variance

0.93 Acre Parcel

Pikesville Plaza Building Company Property

Southwest Side of Reisterstown Road, Northwest of Slade Avenue

Second Election District, Baltimore County, Maryland

DMW

Daft McCune Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
410 296 3333
Fax 296 4705

A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals

Beginning for the same at the point formed by the intersection of the southwest side of Reisterstown Road with the northwest side of Slade Avenue at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Reisterstown Road with the centerline of Irving Place (1) Southeasterly along said centerline of Reisterstown Road 220 feet, more or less, thence (2) Southwesterly 32 feet, more or less, to the point of beginning, thence leaving said beginning point and binding on the northwest side of Slade Avenue (1) South 54 degrees 14 minutes 40 seconds West 245.00 feet, thence leaving Slade Avenue and running the three following courses and distances, viz: (2) North 37 degrees 22 minutes 30 seconds West 84.69 feet, thence (3) North 53 degrees 59 minutes 50 seconds East 20.00 feet, and thence (4) North 37 degrees 18 minutes 50 seconds West 107.11 feet to the southeast side of Irving Place, thence running and binding thereon (5) North 52 degrees 41 minutes 10 seconds East 45.00 feet, thence leaving Irving Place and running the three following courses and distances, viz: (6) South 37 degrees 18 minutes 50 seconds East 108.14 feet, thence (7) North 53 degrees 59 minutes 50 seconds East 45.01 feet, and thence (8) North 37 degrees 18 minutes 50 seconds West 109.17 feet to the aforesaid southeast side of Irving Place, thence running and binding thereon (9)

ITEM #290
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February 6, 1995

Project No. 94123.09 (L94123.09)

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 95-296-A
Towson, Maryland

District 3rd
Date of Posting 3/3/95
Posted for: Variance
Petitioner: Frank Scarfield - Pikesville Plaza Building Co. & A
Location of property: 600 Reisterstown Rd. S/W/S
Location of Signs: Facing roadway on property being zoned
Remarks:
Posted by [signature] Signature
Date of return: 3/10/95
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/9, 1995

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 3/9, 1995

THE JEFFERSONIAN,
LEGAL AD. - TOWSON
Publisher

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

receipt
95-296-A

Account: R-001-6150

Number 290
RTT

Date 3/21/95

MARGARET RUGGIERI
600 REISTERSTOWN RD
PIKESVILLE, MD. 21209

CBA - COM. VAR. -- $ 250.00
NOA - 2 SIGNS -- $ 70.00
TOTAL - $ 320.00

03403B01:PZ01CHRG $320.00
Bal Cnty:3774502-03-21-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

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PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 290

Petitioner: MARGARET C. RUGGIERI, ESQ.

Location: ONE DEMOCRACY CENTER, 6901 ROCKLEDGE DR STE 600 BETHESDA MD 20817

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DMW c/o BRENDA PRICE

ADDRESS: 200 E. PENN AVE.
TOWSON MD. 21286

PHONE NUMBER: 296-3333

AJ:ggs

(Revised 04/09/93)

TO: PATUXENT PUBLISHING COMPANY
March 9, 1995 Issue - Jeffersonian

Please foward billing to:

Daft McCune Walker, Inc.
200 E. Pennsylvania Avenue
Towson, Maryland 21286

ATTN: BRENDA PRICE
410-296-3333

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: 95-296-A (Item 290)
600 Reisterstown Road
SW/S Reisterstown and NW/S Slade Avenue
3rd Election District - 2nd Councilmanic
Legal Owner: Frank Scarfield, Sr., Frank Scarfield & Pikesville Plaza Building Company
Lessee: American PCS, L.P.
HEARING: MONDAY, MARCH 27, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to permit a setback of 95 feet from a R.O. zone for a roof-mounted wireless transmitting and receiving facility in lieu of the required 200 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 2, 1995

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Arnold Jablon
Director

cc: Frank Scarfield, Sr., et al
American PCS, L.P. c/o Margaret C. Ruggieri, Esq.
G. Scott Barhight, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
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Printed with Soybean Ink on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

11 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 20, 1995

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

RE: Item No.: 290
Case No.: 95-296-A
Petitioner: Frank Scarfield, Sr.

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on February 21, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

Printed with Soybean Ink on Recycled Paper

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

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

March 9, 1995

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #290 - Wireless T/R Facility
600 Reisterstown Road
Zoning Advisory Committee Meeting of March 6, 1995

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

Air Quality

The site must comply with ANSI Standard C95.1-1982 at all times, including during reasonable roof access for maintenance/custodial personnel. We recommend that Caution/Warning signs be placed at all roof access doors.

JLP:SR:sp

c: D. Filbert
S. Reekie

WIRELESS/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: March 8, 1995

SUBJECT: 600 Reistertown Rd.

INFORMATION:

Item Number: 290

Petitioner: Scarfield Property

Property Size:

Zoning: BL-CS1

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Variance to permit a setback of 95' from an R.O. zone for a roof mounted wireless transmitting and recieving facility in lieu of the required 200'.

Based upon review of the information provided, staff does not oppose the applicant's request. However, the Petitioner will need to prove hardship or practical difficulty to justify the location of the proposed facility.

Prepared by: Jeffrey W. Long

Division Chief: Carl L. Kess

PK/JL

ITEM290/PZONE/TXTJWL

Pg. 1

---

to Zoning

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: March 10, 1995

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for March 13, 1995
Items 290, 291, 292, and 294

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:sw

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

3-8-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: #290 (RT)

Dear Ms. Watson:

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 project.

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
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

3/15/95 Y

11:35-95 MS

RE: PETITION FOR VARIANCE 600 Reisterstown Road, SW/S Reisterstown and NW/S Slade Avenue, 3rd Election District, 2nd Councilmanic	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	OF BALTIMORE COUNTY
Frank Scarfield, Sr., Frank Scarfield & Pikesville Plaza Building Company Petitioners	*	CASE NO. 95-296-A

* * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of March, 1995, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

RECEIVED
MAR 16 1995
ZADM

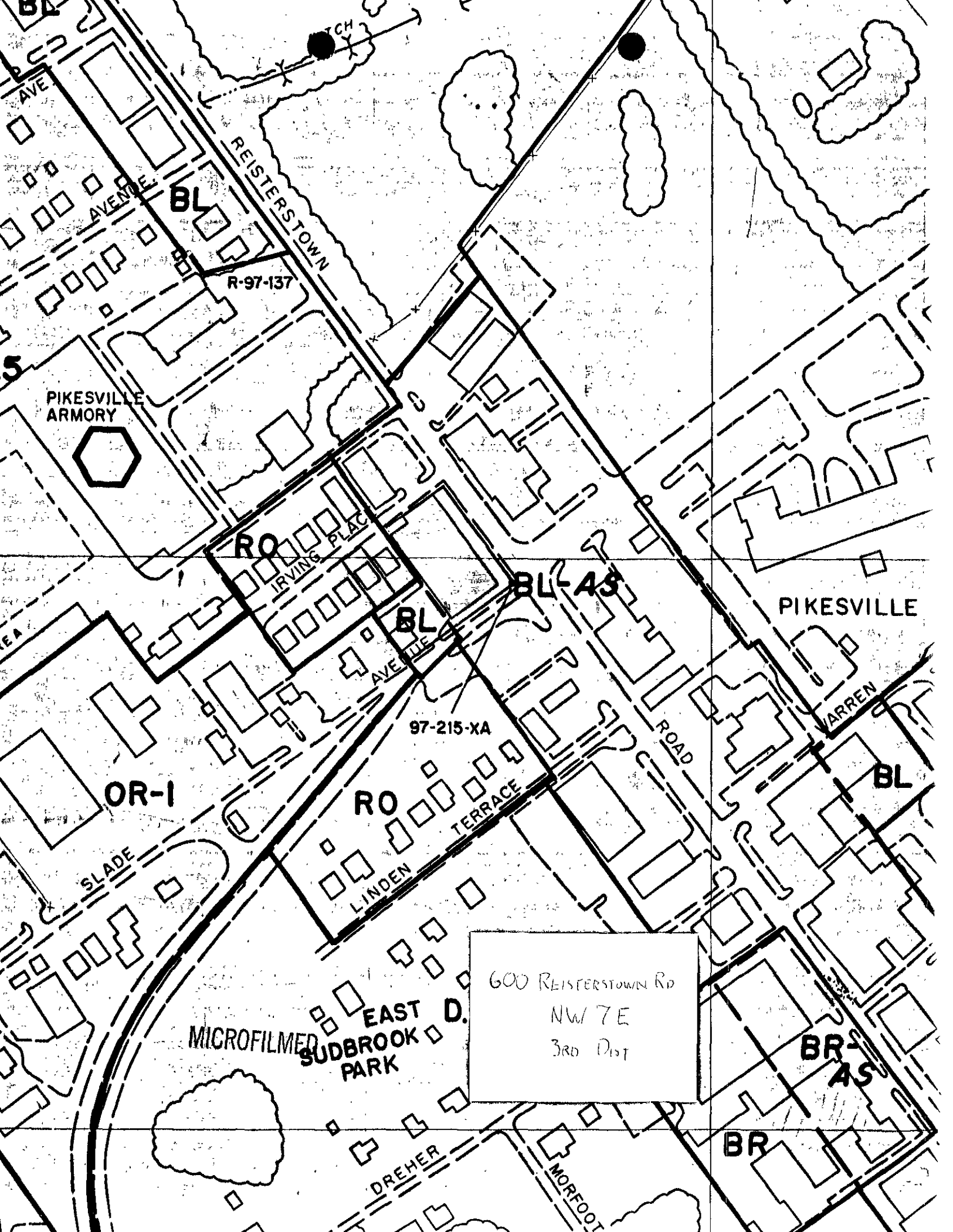
American Personal Communications

AMERICAN PERSONAL COMMUNICATIONS (APC)
HEARING BEFORE THE BALTIMORE COUNTY ZONING COMMISSIONER
March 27, 1995

TABLE OF CONTENTS

PETITIONER'S EXHIBIT No. 2

2212 Old Court Road, Baltimore, MD 21208-3432 (410) 825-4220 Fax: (410) 821-8630
One Democracy Center, 6901 Rockledge Drive, Suite 600, Bethesda, MD 20817 (301) 214-9200 Fax: (301) 214-9490
1-800-TALK-APC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REISTERSTOWN
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PIKESVILLE
ARMORY
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IRVING PLACE
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PIKESVILLE
ROAD
WARREN
BL
OR-1
RO
TERRACE
SLADE
LINDEN
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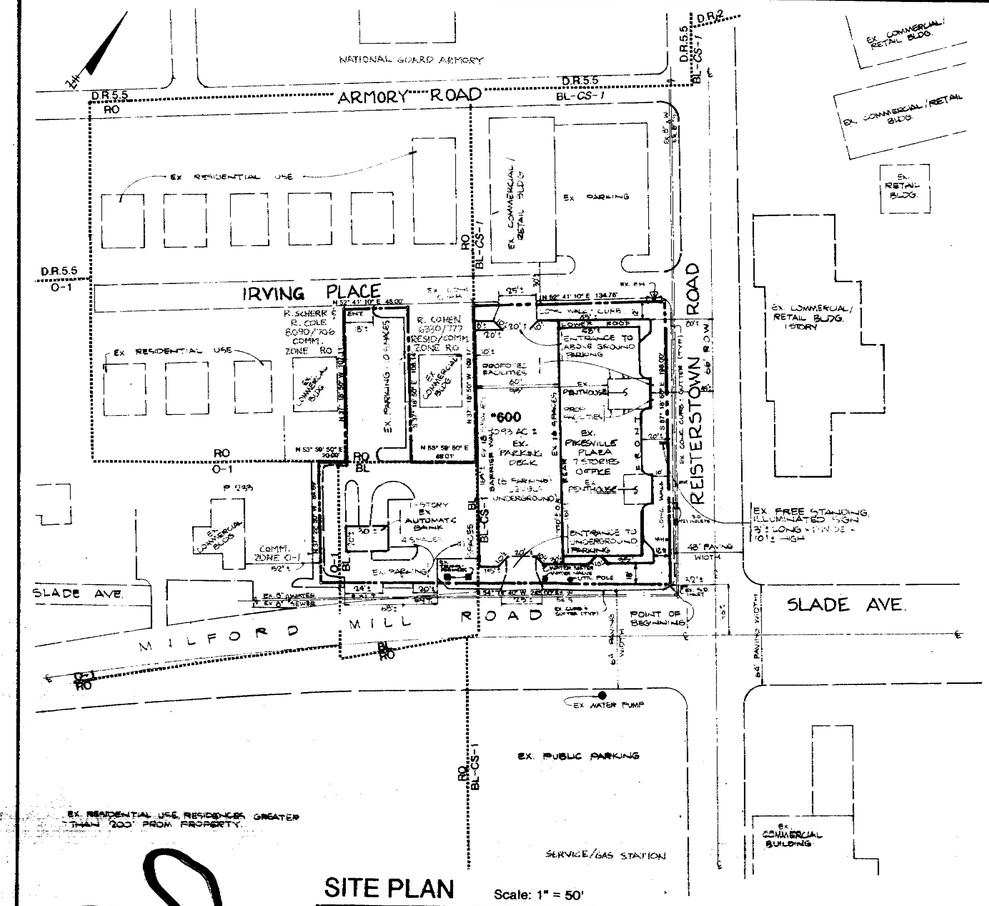
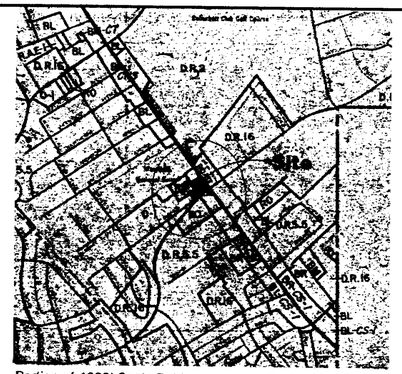
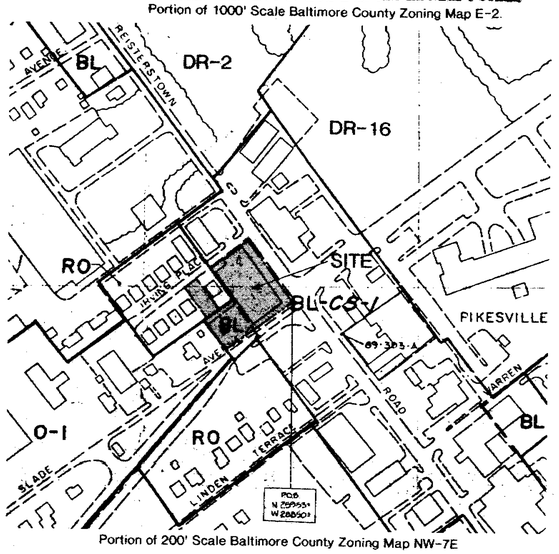


SITE PLAN

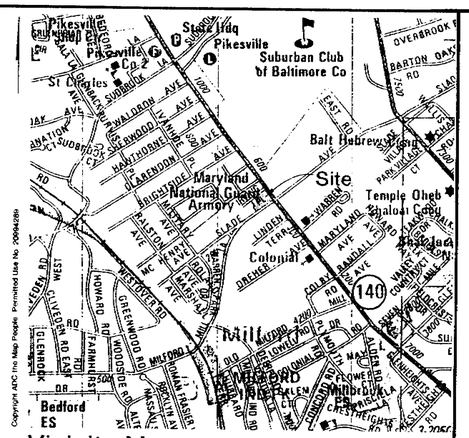
Scale: 1" = 50'



Portion of 1000' Scale Baltimore County Zoning Map E-2.



Portion of 200' Scale Baltimore County Zoning Map NW-7E



Vicinity Map

Scale: 1" = 1000'

NOTES:

1. Current owner and street address:
   Pikesville Plaza Building Co.
   6610 Holabird Avenue
   Baltimore, MD 21224
2. Contract lessee: American PCS, L.P.
   One Democracy Center
   6901 Rockledge Drive, Suite 600
   Bethesda, MD 20817
3. Site area: .93 Ac.±
4. Existing use: Commercial/Professional Offices, Retail Shops, Off -Street Parking
5. Street Address: 600 Reisterstown Rd.
   Baltimore, MD 21208
6. Site data: Tax map 78, block 9, parcel 230
   Deed reference: 6645/533
   Tax Account No. 1900011862
   Zoning: BL-CS-1
   Election District: 3
   Councilmanic District: 2
7. The proposed roof mounted wireless transmitting and receiving facility will consist of (6) 4.6' high x 8.7" wide x 2.5" deep panel antennas, (2) 24" diameter communication link dishes, and (2) 4'-5" high x 4'-11" wide x 1'-8" deep equipment cabinets.
8. No water or sanitary utilities are required for the facility.
9. The information and boundary location shown hereon have been compiled from sources believed to be reliable; however their accuracy is not guaranteed and is subject to revision.
10. Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times.
11. No additional site or antennae lights are proposed.
12. Zoning History:

    On May 7, 1974 the Deputy Zoning Commissioner for Baltimore County ordered that Petition for Variance, Case # 74-232-A (Item No. 149), be granted to permit a total of 172 parking spaces in lieu of the required 218 spaces.

    Case # 68-50-RX: No longer applicable
    Case # 67-20-XASPH: No longer applicable
13. There are no signs proposed for this facility.
14. Floor area ratio: Total Gross Floor Area ÷ Total Gross Site Area
    59,382 sq. ft.÷ 40,467 sq. ft. = 1.46
15. Setbacks:

	Required to Building	Provided to Building
Front:	10'	20' ±
Side (North):	0'	12' ±
Side (South):	10'	18' ±
Rear:	20'	60' ±

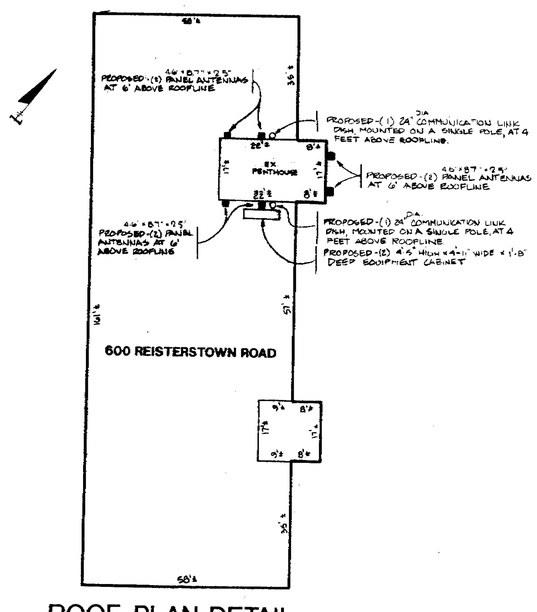
16. Amenity open space: N/A
17. Parking: Existing Spaces: 172
    Proposed Spaces: 0

    The proposed wireless transmitting and receiving facilities do not block or affect any existing parking spaces.
18. This site was the subject of the following Commercial Permits:

    1152-75: Change of Use to Mercantile
    79-74: Change of Occupancy
    526-71: Original Permit

Requested Zoning Action

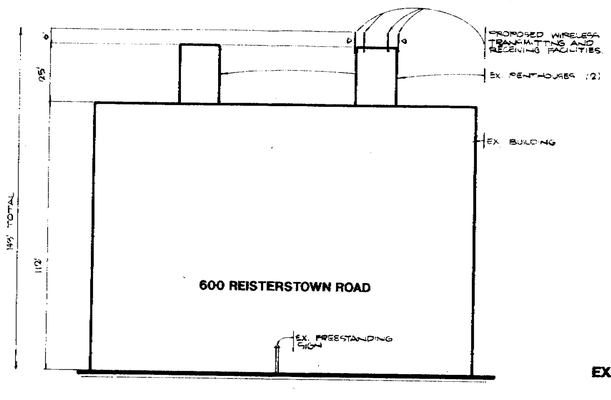
Variance from BCZR Section 426.1B to permit a setback of 95 feet from an R-O Zone for a roof-mounted wireless transmitting and receiving facility in lieu of the required 200 feet.



ROOF PLAN DETAIL

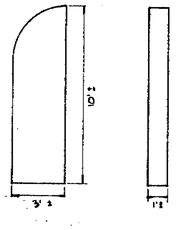
Scale: 1" = 20'

PETITIONER'S EXHIBIT No1



FRONT ELEVATION

Scale: 1" = 30'



EXISTING FREE-STANDING SIGN ELEVATION

Scale: 1" = 4'

.25 S.F. PER SIDE
.50 S.F. TOTAL

MICROFILMED

ITEM # 290

95-296-A

DMW
Daft McCune 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

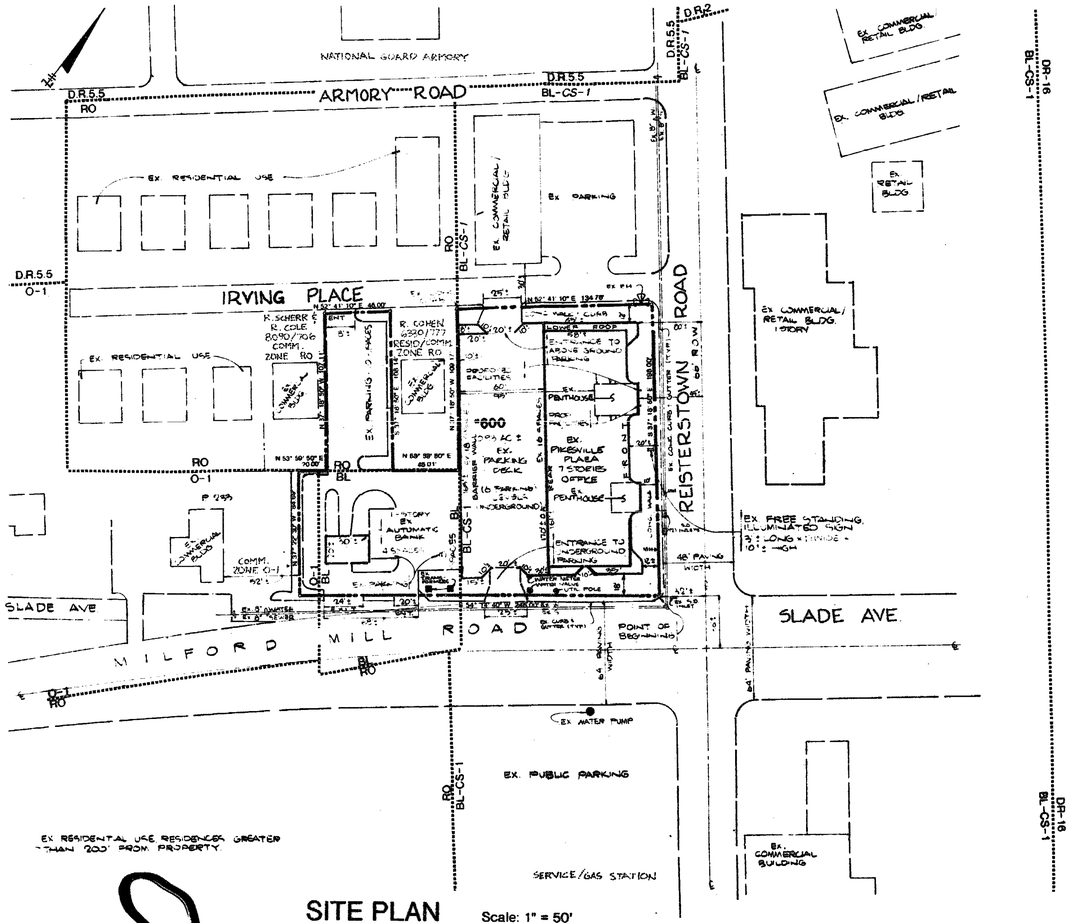
Baltimore County Maryland

American Personal Communications
Site Plan to Accompany Zoning Variance Request
Falstaff Site BAC 31
3rd Election District

No	Description	Date
REVISIONS		

Proj. No.	94123 09
Date	20 JAN 95
Scale	As Shown
Last Rev.	

Sheet 1 OF 1



EX. RESIDENTIAL USE RESIDENCES GREATER THAN 200' FROM PROPERTY.

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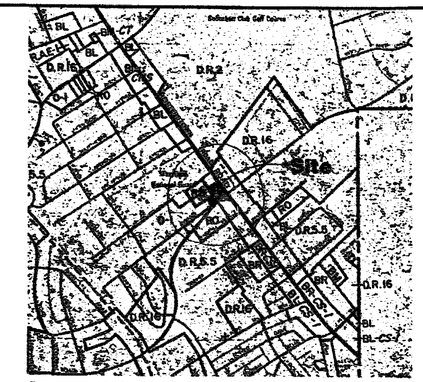
Scale: 1" = 50'



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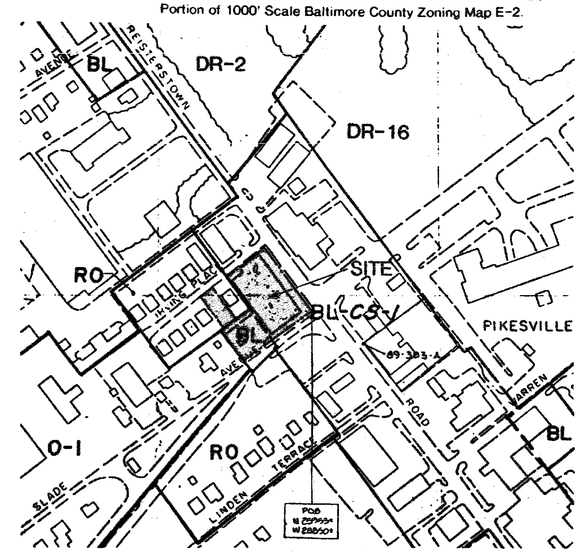

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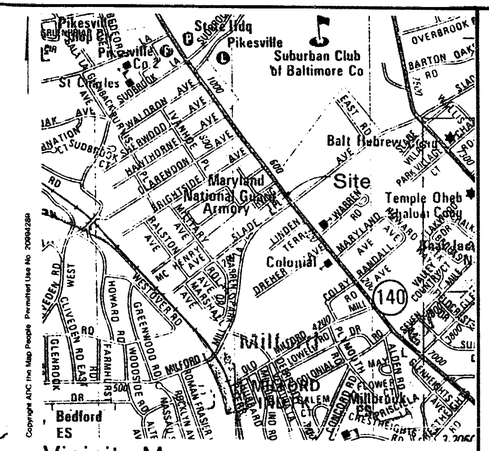

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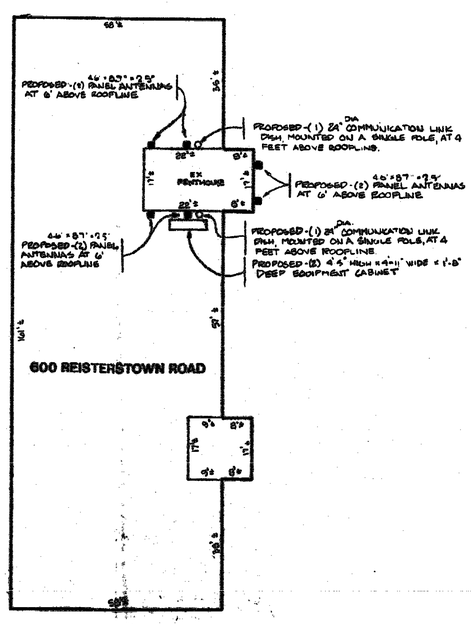

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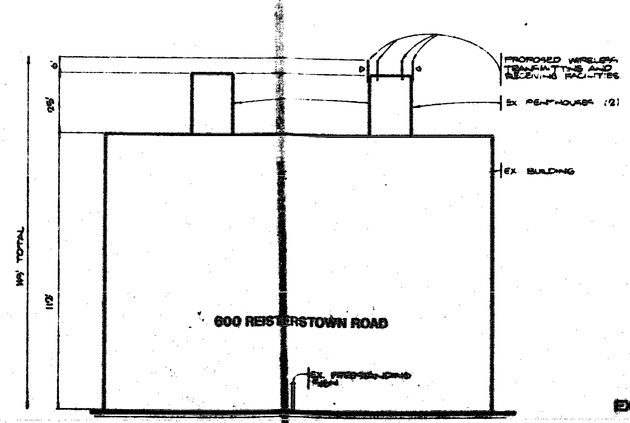

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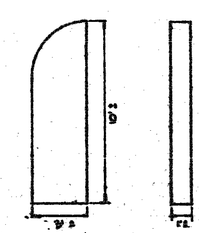

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Baltimore County Maryland

American Personal Communications
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Falstaff Site BAC 31
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No	Description	Date
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Proj. No.	94123 09	
Date	20 JAN 95	
Scale	As Shown	
Last Rev.		

Sheet
1 OF 1