

|        |                                 |                       |
|--------|---------------------------------|-----------------------|
| IN RE: | PETITION FOR SPECIAL EXCEPTION  | * BEFORE THE          |
|        | SWC York and Sister Pierre      | * ZONING COMMISSIONER |
|        | Roads                           |                       |
|        | 7620 York Road                  |                       |
|        | 9th Election District           | * OF BALTIMORE COUNTY |
|        | 4th Councilmanic District       |                       |
|        | St. Joseph Medical Center, Inc. | * Case No. 96-83-X    |
|        | American PCS, L.P., Lessee      |                       |
|        | Petitioner                      | *                     |
|        | * * * * *                       | * * * * *             |

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 6720 York Road in Towson. The property is more well known as the campus of the St. Joseph Medical Center, Inc. The Petition is filed by the corporate property owner, St. Joseph Medical Center, Inc., and Margaret C. Ruggieri, Esquire on behalf of American PCS, L.P., (hereinafter known as "APC") Lessee. Special Exception relief is requested to approve a wireless transmitting and receiving facility on the subject site. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Exception.

Appearing at the public hearing held for this case was Greg Sarro on behalf of APC, Petitioner. Also present were consultants retained by APC for this project, namely, Robert Morelock from Daft, McCune, Walker, Andrew Werchniak, MLJ, Inc., and Debbie Meaney of VCI. The Petitioner was represented by David K. Gildea, Esquire. There were no Protestants or other interested persons present.

This is another in a series of cases which have recently come before this Zoning Commissioner filed by APC relating to installation of a wireless and transmitting receiving facility by APC. APC is in the business of providing cellular mobile communication services. The company is a relatively new entrant in that industry in the Baltimore-Washington Area. The

ORDER RECEIVED FOR FILING

Date

By

10/17/95  
M. Howard

MICROFILMED

Wireless transmitting and receiving structures are regulated by Section 426 of the BCZR. Special Exceptions for wireless transmitting facilities are regulated by both Section 502.1 and Section 502.7 of the BCZR. These regulations encourage the installation of such facilities on existing structures. It was no doubt the County Council's intent to prohibit the proliferation of monopoles throughout the sky line of Baltimore County. Thus, APC and similar companies are encouraged to place their equipment on existing buildings and towers so as to minimize the effect of such antennas.

The testimony and evidence presented were uncontradicted and firmly established that the proposed use will not cause any detriment to the health, safety or general welfare of the locale. The antenna equipment, itself, is modest in size and will barely be noticeable from the ground.

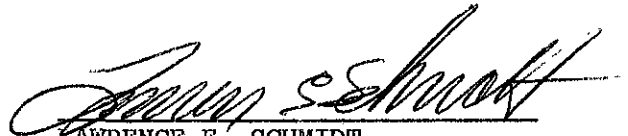
20

Moreover, there will be no detriment to the health of individuals located on the property or interference with other radio or wireless communications. APC is regulated by the Federal Trade Commission and its equipment is within the guidelines established by the Federal government. Moreover, the Petitioner has submitted an environmental impact statement (Petitioner's Exhibit No. 2) and another packet of documents (Petitioner's Exhibit No. 3) which firmly establishes that the special exception should be granted. Therefore, the proposed use shall be approved and I will so order.

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 17<sup>th</sup> day of October, 1995 that, pursuant to the Petition for Special Exception, approval to allow a wireless transmitting and receiving facility in a D.R.2 zone, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted:

1. The 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.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING

Date

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

October 16, 1995

G. Scott Barhight, Esquire  
David K. Gildea, Esquire  
Whiteford, Taylor and Preston  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Petition for Special Exception  
Case No. 96-83-X  
St. Joseph Medical Center, Inc., / American PCS, LP, Lessee  
Petitioner

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted, with restriction, 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 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.

cc: Mr. Greg Sarro, APC, 6901 Rockledge Dr., Su 600, Bethesda, Md. 20817  
cc: Mr. Robert Morelock, Daft, McCune, Walker, Inc.  
cc: Mr. Andrew Werchniak, MLJ, Inc., 1110 North Glebe Rd., Su 800  
Arlington, VA 22201  
cc: Ms. D. Meaney, VCI, 1110 N. Glebe Rd., Suite 850, Arlington, VA



# Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 7620 York Road, Towson, MD 21204

96-83-X

which is presently zoned D.R.2

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 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.

## PETITIONER

Contract Purchaser/Lessee:

Margaret C. Ruggieri, Esq. for  
American PCS, L.P.

(Type or Print Name)

Signature

One Democracy Center, Suite 600  
6901 Rockledge Drive

Address

Bethesda, MD 20817

City

State

Zipcode

Attorney for Petitioner:

G. Scott Barhight, Esq.

(Type or Print Name)

Signature

Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue

Address

Phone No.

Towson, MD 21204 (410) 832-2000

City

State

Zipcode

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): St. Joseph Medical Center, Inc.  
formerly

The Sisters of the Third Order of St. Francis, Philadelphia  
Foundation of St. Josephs Hospital, Baltimore, Maryland.

(Type or Print Name) By: Renee A. Kessler, Vice Pres.

of Operation

Signature

(Type or Print Name)

Signature

St. Joseph Medical Center, Inc.

7620 York Road

Address

Phone No.

Towson, Maryland 21204

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser, or representative to be contacted.

Robert E. Morelock

Name

Daft McCune Walker, Inc. 200 E. Penna. Ave.,  
Towson, MD 21286

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_ DATE \_\_\_\_\_

Zoning Administration

& Development Management

MICROFILMED

95

DESCRIPTION  
TO ACCOMPANY PETITION FOR  
SPECIAL EXCEPTION

96-83-X

34 ACRE PARCEL

SAINT JOSEPH HOSPITAL

SOUTH SIDE OF SISTER PIERRE DRIVE WEST OF YORK ROAD  
NINTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND



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 end of the second of two following courses and distances measured from the point formed by the intersection of the centerline of York Road, 66 feet wide, with the centerline of Sister Pierre Drive (1) Southwesterly along the centerline of York Road 40 feet, more or less, and thence at a right angle to said York Road (2) Northwesterly 30 feet, more or less, to the point of the beginning, said point of beginning being on the west side of York Road, thence leaving said beginning point and running the five following courses and distances, viz; (1) North 78 degrees 59 minutes 00 seconds West 731.49 feet, thence (2) Southwesterly 930 feet, more or less, thence (3) North 60 degrees 09 minutes 00 seconds West 306.83 feet, thence (4) Southwesterly by a curve to the right having a radius of 292.02 feet for a distance of 257.72 feet (the arc of said curve being subtended by a chord bearing South 38 degrees 26 minutes 02 seconds West 249.44 feet), and thence (5) South 63 degrees 43 minutes 00 seconds West 86.13 feet to a point on the east side of Osler Drive, 70 feet wide, thence running with and binding on said road the five following courses and distances (6) Northwesterly by a curve to the left having a radius of 1,308.24 feet for a distance of 175.81 feet (the arc of said curve being subtended by a chord bearing North 27 degrees 54 minutes 09 seconds West 175.67 feet), thence (7) North 31 degrees 45 minutes 08 seconds West 200.04 feet, thence (8) Northwesterly by a curve to the right having a radius of 1,110.92 feet for a distance of 746.15 feet (the arc of said curve being subtended by a chord

96-83-X

bearing North 12 degrees 30 minutes 39 seconds West 732.20 feet), thence (9) North 06 degrees 43 minutes 50 seconds East 277.63 feet, and thence (10) Northeasterly by a curve to the left having a radius of 1,467.40 feet for a distance of 75.56 feet (the arc of said curve being subtended by a chord bearing North 05 degrees 15 minutes 19 seconds East 75.54 feet), thence leaving said Osler Drive and running the following seven courses and distances (11) North 41 degrees 31 minutes 40 seconds East 64.51 feet, thence (12) South 65 degrees 51 minutes 45 seconds East 187.13 feet, thence (13) North 76 degrees 08 minutes 16 seconds East 427.69 feet, thence (14) South 83 degrees 40 minutes 45 seconds East 141.99 feet, thence (15) South 66 degrees 11 minutes 10 seconds East 517.48 feet, thence (16) South 53 degrees 01 minute 20 seconds East 521.46 feet, and thence (17) South 11 degrees 37 minutes 00 seconds West 71.90 feet to a point on the centerline of Sister Pierre Drive and running with and binding on the centerline of said drive the following two courses and distances, (18) South 74 degrees 09 minutes 00 seconds East 85.90 feet, and thence (19) South 82 degrees 52 minutes 00 seconds East 245.00 feet to a point on the west side of said York Road, thence running with and binding on the west side of York Road (20) South 12 degrees 20 minutes 00 seconds West 40.00 feet to the point of the beginning; containing 34 acres of land, more or less.

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

August 8, 1995

Project No. 94161.53; L94161.53



75

96-83-X

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

District PA Date of Posting 9/22/95  
Posted for: Special Exception  
Petitioner: St. Joseph Ms & Ctr, Inc  
Location of property: 7620 York Rd  
Location of Signs: Facing roadway on property being zoned  
Remarks: \_\_\_\_\_  
Posted by Matthew Date of return: 9/29/95  
Signature  
Number of Signs: 1



## CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/29, 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 9/21, 1995.

THE JEFFERSONIAN,

*A. Henrichs*  
LEGAL AD. - TOWSON

### 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: #96-83-X (Item 75)  
7620 York Road - St. Joseph Hospital  
SWC York and Sister Pierre Roads  
9th Election District  
4th Councilmanic  
Legal Owner(s): St. Joseph Medical Center, Inc.  
Petitioner/Lessee:  
American PCS, L.P.  
Hearing: Thursday,  
October 12, 1995 at 8:00 a.m.  
in Rm. 118, Old Courthouse.  
Special Exception for a wireless transmitting and receiving facility.

LAWRENCE J. HENRICHS  
Zoning Commissioner

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.  
9/180 Sept. 21

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

No.

004957

DATE 17 Aug 95 ACCOUNT R-001-6150

96-83-X

AMOUNT \$ 370.00

RECEIVED FROM: DMW for American PCS

FOR: SPX + 2 sign

01A01W0284MICHRC

78A 002-26M08-17-95

\$370.00

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

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 assessed 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.: 75

Petitioner: AMERICAN PCS, L.P.

Location: 7620 YORK RD., TOWSON, MD 21204

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DAFT MCCUNE WALKER, INC., ATTN: BRENDA PRICE

ADDRESS: 200 E. PENNSYLVANIA AVE.

TOWSON, MD 21286

PHONE NUMBER: 296-3333

AJ:ggs

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY  
September 21, 1995 Issue - Jeffersonian

Please forward billing to:

Daft McCune Walker, Inc.  
Brenda Price  
200 E. Pennsylvania Avenue  
Towson MD 21286  
296-333

---

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: 96-83-X (Item 75)  
7620 York Road - St. Joseph Hospital  
SWC York and Sister Pierre Roads  
9th Election District - 4th Councilmanic  
Legal Owner: St. Joseph Medical Center, Inc.  
Petitioner/Lessee: American PCS, L.P.  
HEARING: THURSDAY, OCTOBER 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a wireless transmitting and receiving facility.

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.

MICROFILMED



Baltimore County  
Department of Permits and  
Development Management

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

September 11, 1995

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: 96-83-X (Item 75)  
7620 York Road - St. Joseph Hospital  
SWC York and Sister Pierre Roads  
9th Election District - 4th Councilmanic  
Legal Owner: St. Joseph Medical Center, Inc.  
Petitioner/Lessee: American PCS, L.P.  
HEARING: THURSDAY, OCTOBER 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a wireless transmitting and receiving facility.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: St. Joseph Medical Center, Inc.  
Daft McCune Walker, Inc.  
American PCS, LP  
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 CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County  
Department of Permits and  
Development Management

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

October 5, 1995

G. Scott Barhight, Esquire  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Item No.: 75  
Case No.: 96-83-A  
Petitioner: St. Joseph Med. Ctr.

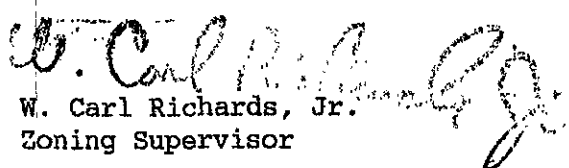
Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 17, 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 (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)

MICROFILMED



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

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management  
September 1, 1995

FROM: J. Lawrence Pilson *JLP*  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #75 - St. Joseph Hospital  
7620 York Road  
Zoning Advisory Committee Meeting of August 28, 1995

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

Air Quality

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

JLP:SR:sp

c: Steve Reekie

STJOSEPH/DEPRM/TXTSBP

RECEIVED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: September 1, 1995

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 65, 66, 67, 68, 70, (75), 76, 79, 82, 85, 86, 88, 90, and 91<sup>13</sup>

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 Kerns*

PK/JL

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 08/30/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF AUGUST 28, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

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

- B. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 66,67,68,69,70,71,73, //  
74, 75, 77, 79 & 80.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

RECEIVED

SEP 5 1995

ZADM





**Maryland Department of Transportation  
State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

8-30-95

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 075 (CAM)

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 affected 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,

*for* *Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

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

**MICROFILMED**

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      DATE: Sept. 7, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
*Sub* Development Plans Review

RE: Zoning Advisory Committee Meeting  
for September 5, 1995  
Items 065, 066, 067, 068, 074, 075, 076  
077 and 079

The Development Plans Review Division has reviewed  
the subject zoning items and we have no comments.

RWB:sw

09/07/1995 11:00 AM

# PETITION PROBLEMS

## AGENDA FOR 8/28/95

### #69 --- JJS

1. No legal owner name, signature, address, or telephone number.

### #75 --- CAM

1. No telephone number for legal owner.

### #78 --- JJS

1. No review information on bottom of petition form.

### #80 --- JLL

1. No review information on bottom of petition form.
2. Need attorney's signature.



Baltimore County  
Department of Permits and  
Development Management

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

March 19, 1997

Mr. Kevin L. Mason  
Entel Technologies, Inc.  
1110 North Glebe Road, Suite 850  
Arlington, VA 22201

RE: Spirit and Intent  
7620 York Road  
9th Election District

Dear Mr. Mason:

Upon review of your correspondence dated March 6, 1997 regarding the above referenced matter, please be advised that it is the opinion of this office that your request to upgrade and expand the subject facility with: Six (6) panel antennas measuring 48 inches in height x 6.1 inches in width x 2.8 inches in depth; and, three (3) equipment cabinets measuring approximately 6.0 inches in height x 30 inches in width x 30 inches, is within the spirit and intent of zoning case #96-83-X.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Joseph C. Merrey". The signature is fluid and cursive, with a large loop at the end.

Joseph C. Merrey  
Planner I  
Zoning Review

JCM:rye

Enclosure



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Daniel K. Gabeler

Whitetail, Taylor + Meade  
260 W. Penn Ave  
Towson, MD. 21204

Greg Sarro

APC 6901 Rockledge Dr. Ste. 600  
Bethesda MD 20817

ROBERT MORELOCK

DAFT-McCUNE-WALKER, INC.  
200 E. PENNSYLVANIA AVE.  
TOWSON, MD 21286

Andrew Werchniak

MLJ, Inc.  
1110 North Glebe Rd  
Suite 800  
Arlington, VA 22201

Dubbie Maney

VCI  
1110 North Glebe Rd  
Suite 800  
Arlington VA 22201

Suzanne Fitzgerald

MPT / 11767 Owings Mills Blvd  
Owings Mills MD 21117-1499

Robert Hoerr

MPT / 11767 Owings Mills Blvd  
Owings Mills, MD 21117

Shara Mervis

MPT / 11767 Owings Mills Blvd  
OWINGS MILLS, MD 21117

# Environmental Impact Statement

## St. Joseph Hospital American PCS Site

October 1995

Project No. 94161.53

Prepared for:  
**American PCS, L.P.**  
One Democracy Center  
Suite 600  
6901 Rockledge Drive  
Bethesda, MD 20817

**PETITIONER'S  
EXHIBIT** No 2



Prepared by:  
**Daft-McCune-Walker, Inc.**  
200 East Pennsylvania Avenue  
Towson, Maryland 21286



**American Personal  
Communications**

# PETITIONER'S EXHIBIT No 3

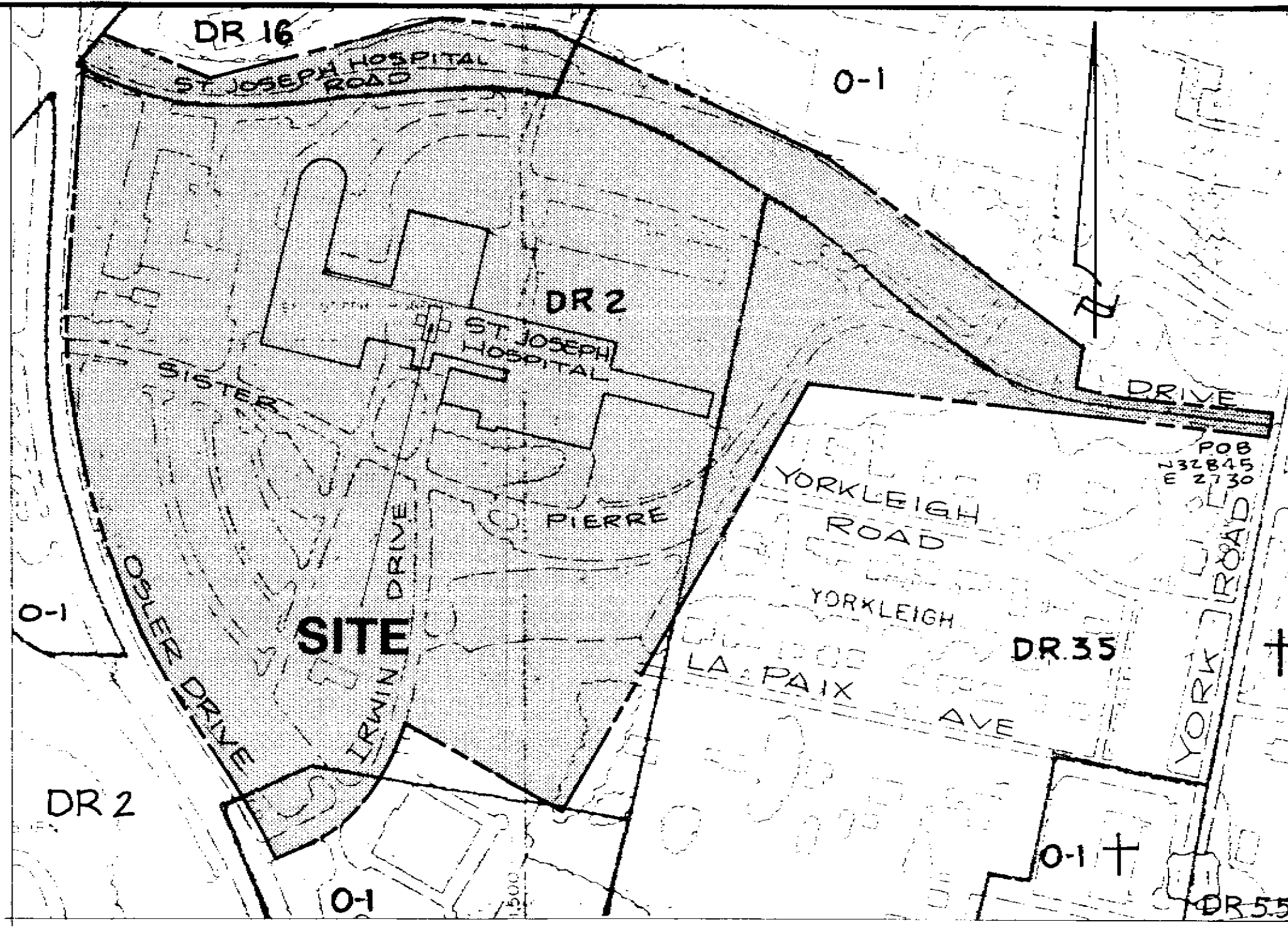
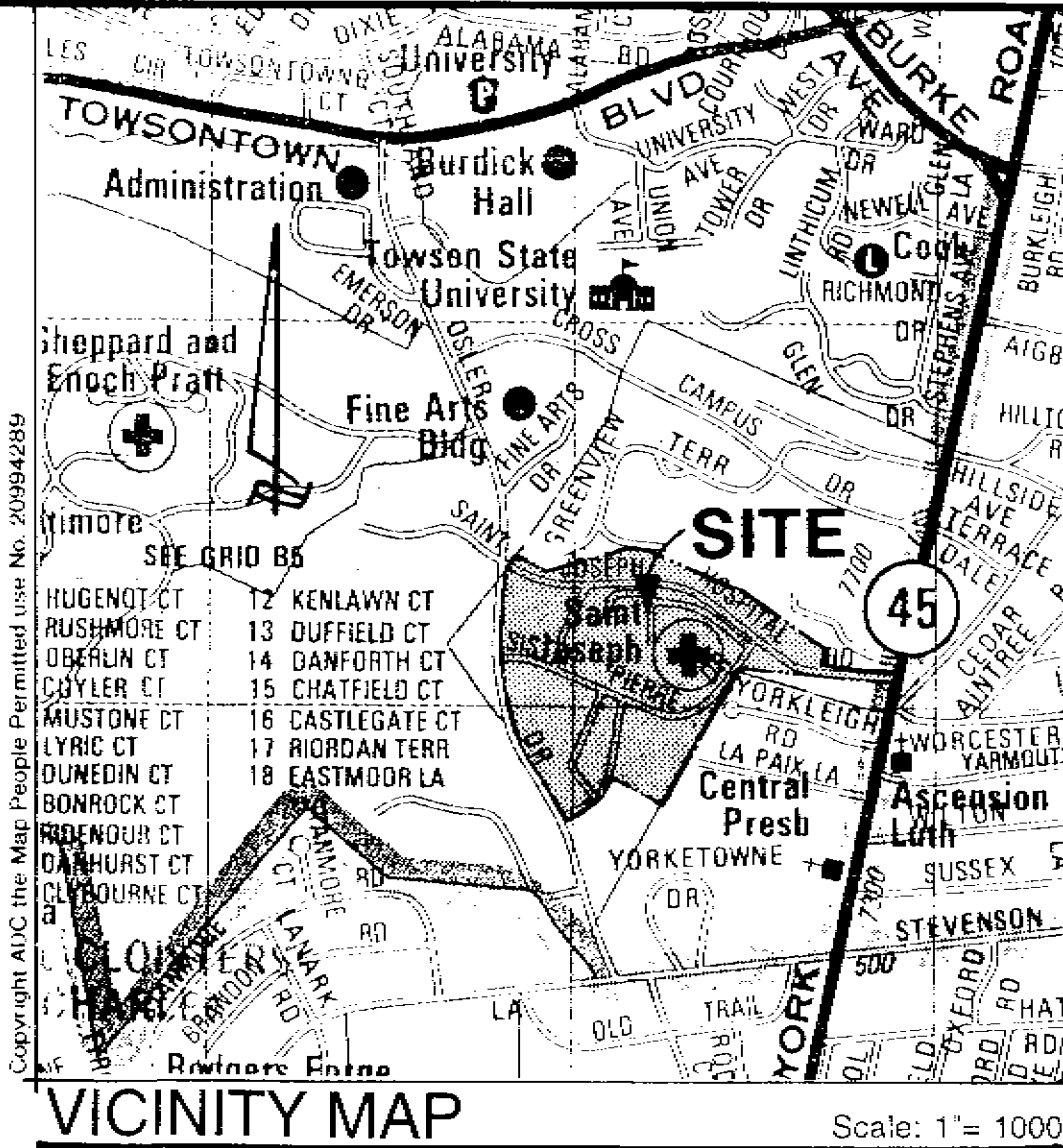
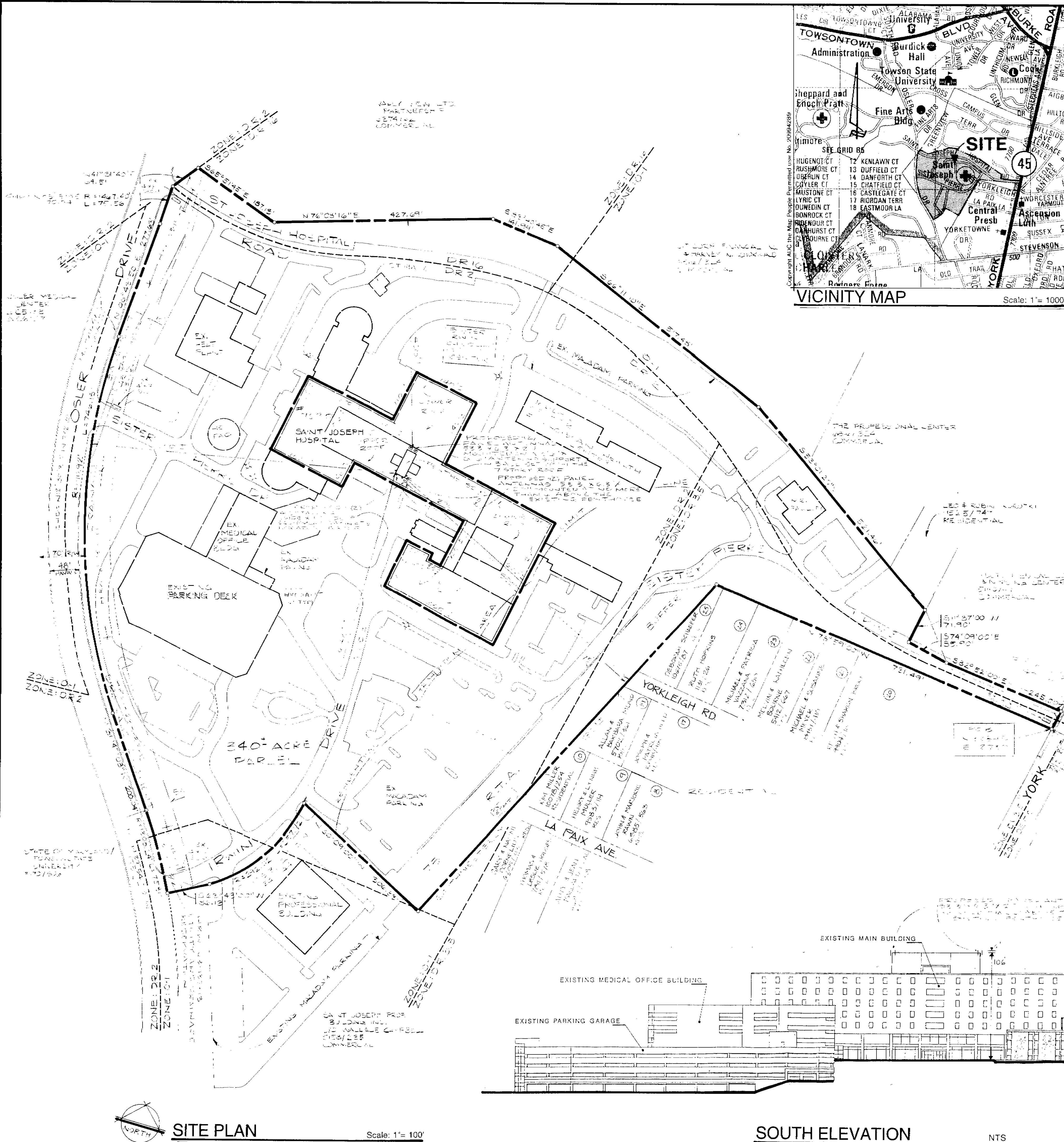
Case No: 96-83-X, Item No. 75  
Case No: 96-84-X, Item No. 76  
Case No: 96-86-X, Item No. 90

AMERICAN PERSONAL COMMUNICATIONS (APC)  
HEARING BEFORE THE BALTIMORE COUNTY  
ZONING COMMISSIONER  
October 12, 1995

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microfilm



PORTION OF 200' SCALE BALTIMORE COUNTY ZONING MAPS NW 8A AND 9A

- NOTES:
- Current owner and address: Saint Joseph Medical Center Inc. formerly known as: The Sisters of the Third Order of St. Francis, Philadelphia Foundation of St. Joseph's Hospital  
c/o St. Joseph Medical Center Inc.  
7620 York Road  
Baltimore, MD 21204
  - Contract lessee: American PCS, L.P.  
One Democracy Way  
6901 Rockledge Drive, Suite 600  
Bethesda, Maryland 20817
  - Site area: 34.0 Acs
  - Existing use: Hospital
  - Street Address: 7620 York Road  
Towson, MD 21204
  - Site date: Tax map 70, block 19, parcel 595  
Tax Account No: 091928143  
Deed references: 409711, 4570164, 3432114  
Zoning: D.R. 2, D.R. 16, D.R. 3.5, O-1  
Baltimore District: 4
  - The proposed wireless transmitting and receiving facility will consist of six panel type antennas 53.5" x 6" x 27". Four will be pole mounted to the existing penthouse, two will be mounted on a 6.5" x 60" antenna support base, two 45" x 4" x 1" x 1" equipment cabinets.
  - No water or sanitary utilities are required for the facility.
  - The information and boundary location shown herein have been compiled from sources believed to be reliable; however, their accuracy is not guaranteed and is subject to revision.
  - Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times.
  - When the use is terminated, the proposed installation 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 antennas, all mounting brackets and hardware meet 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 strobe 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 Commission.
  - There are no signs proposed for this facility.
  - Floor area ratio: N/A
  - Amenity open space: N/A
  - Parking (Required): 0 spaces  
The proposed site improvements do not block or affect any existing parking spaces or access ways.
  - This site was the subject of the following permits:  
116-04 Hospital 953-87 Alteration  
159-70 Building 1311-87 Alteration  
536-70 Alteration 1424-87 Tank  
378-80 Tank 164-86 Alteration  
848-85 Alteration 1682-88 Grading  
1272-80 Addition 1684-88 Alteration  
1443-84 Alteration 1931-88 Alteration  
817-92 Alteration 2275-88 Alteration  
817-93 Parking 2276-88 Alteration  
601-87 Foundation 1343-81 Grading  
711-87 Grading 536-80 Storage building  
688-87 Alteration
  - Zoning History:  
79-218-X Helix  
9-11-79 Altered by Bd. of Appeals  
9-30-79 Granted by S.E.D.  
85-133-A 3 double faced internally illuminated signs of 280 sq. ft. in size of one non-illuminated 15 sq. ft. sign  
C.R.D. 88-109 Medical offices and parking structure, Approved 7/28/88.  
419-89-137-SPHA Special Hearing 12/18/88.  
88-137-SPHA #49 2/1/89.  
89-137-SPHA (amended order) 2/3/89  
C.R.D. W-91-62 South wing and dining addition, Approved 5/8/91.

Attorney: G. Scott Bahright  
Whiteford, Taylor, & Preston  
500 Court Towers  
210 West Pennsylvania Avenue  
Towson, MD 21204-4515  
(410) 832-2000

Requested Zoning Action  
Special Exception pursuant to BCZR §1801.1.C.20 to permit a wireless transmitting and receiving facility in a D.R.16 zone.  
(Pursuant to §502.7.D.1 the site is exempt from subchapters 502.7.C.1, 2, 3, 4 and 5 of the B.C.Z.R.)

DMW  
Dan McCune Walsh, Inc.  
A Team of Land Planners,  
Landscape Architects,  
Engineers, Surveyors &  
Environmental Professionals  
200 E. Pennsylvania Avenue  
Towson, Maryland 21286  
(410) 256-1333  
Fax: 256-4705

American Personal  
Communications  
SITE PLAN TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION  
Towson South Site-St. Joseph Hospital BAN 63  
9th Election District

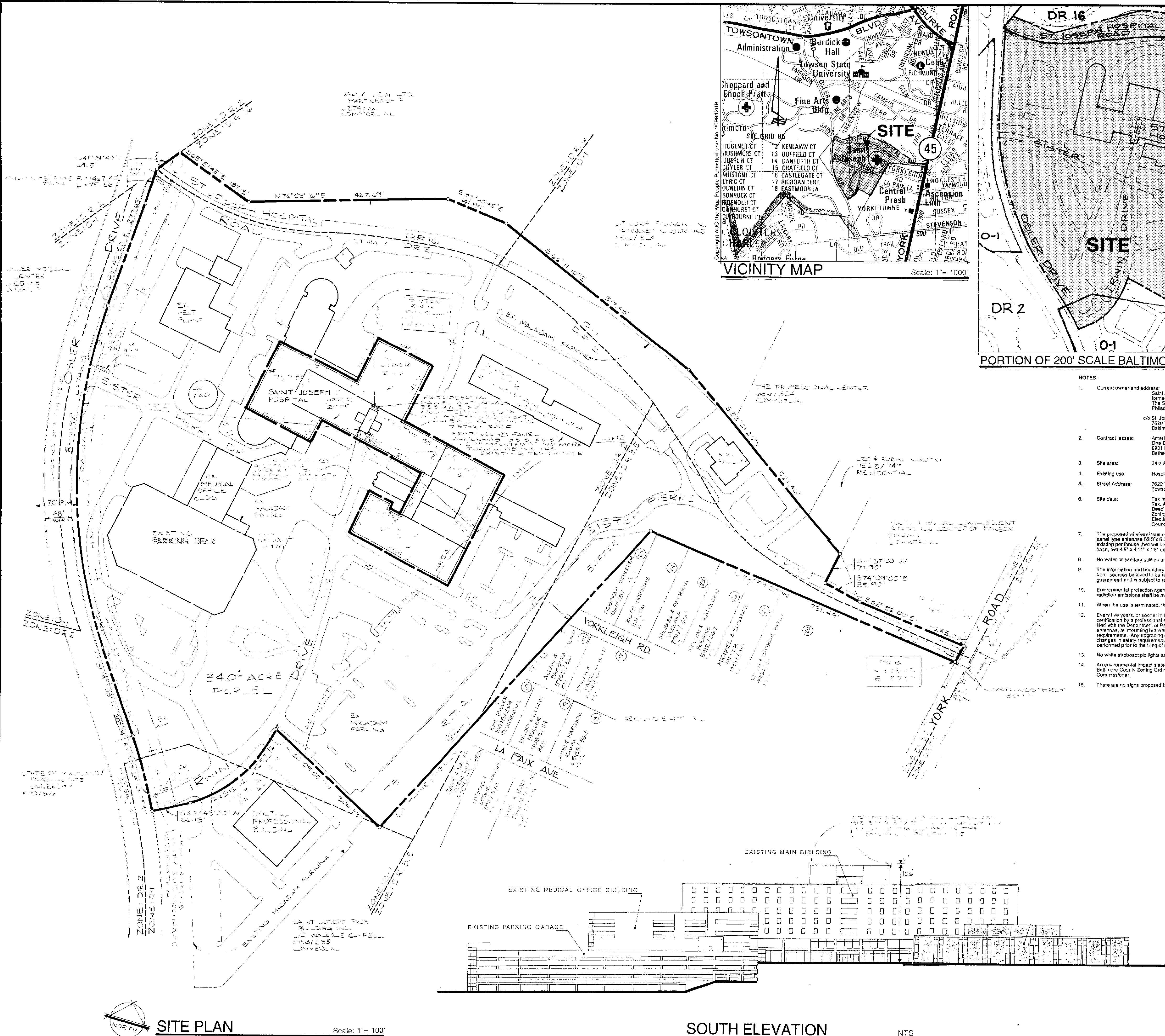
| No.       | Description    | Date |
|-----------|----------------|------|
| REVISIONS |                |      |
| Proj. No. | 94161.53       |      |
| Date      | AUGUST 6, 1995 |      |
| Scale     | As Shown       |      |
| Last Rev. |                |      |

PRINTED  
AUG 16 1995  
1401 MADISON AVE. 2ND FL.  
BALTIMORE, MD 21202

Sheet

1 OF 1

95

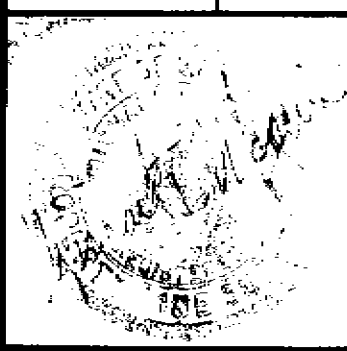


**DMW**  
Darr McNamee & Winters, Inc.  
A Team of Land Planners,  
Landscape Architects,  
Engineers, Surveyors &  
Environmental Professionals  
200 E. Pennsylvania Avenue  
Towson, Maryland 21206  
(410) 296-1333  
Fax: 296-4705

**American Personal Communications**  
SITE PLAN TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION  
TOWSON SOUTH SITE-ST. JOSEPH HOSPITAL BAN 63  
9th Election District

- NOTES:**
1. Current owner and address:  
Saint Joseph Medical Center Inc.  
Formerly known as:  
The Sisters of the Third Order of St. Francis,  
Philadelphia Foundation of St. Joseph's Hospital  
c/o St. Joseph Medical Center Inc.  
7620 York Road  
Baltimore, MD 21204
  2. Contract lessee:  
American PCS, L.P.  
One Democracy Way  
6901 Rockledge Drive, Suite 600  
Bethesda, Maryland 20817
  3. Site area:  
34.0 Acs
  4. Existing use:  
Hospital
  5. Street Address:  
7620 York Road  
Towson, MD 21204
  6. Site date:  
Tax map 70, block 19, parcel 595  
Tax Account No.: 091928143  
Deed references: 409711, 4570164, 3432114  
Zoning: D.R. 2, D.R. 16, D.R. 3.5, O-1  
Borough District: 9  
Councilmanic District: 4
  7. The proposed wireless transmitting and receiving facility will consist of six panel type antennas 53.5" x 6" x 27". Four will be pole mounted to the existing penthouse, two will be mounted on a 6.5" x 60" antenna support base, two 45" x 411" x 10" equipment cabinets.
  8. No water or sanitary utilities are required for the facility.
  9. The information and boundary location shown herein 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. When the use is terminated, the proposed installation shall be removed.
  12. 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 antennas, all mounting brackets and hardware meet 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.
  13. No white strobeoscopic lights are permitted or proposed.
  14. An environmental impact statement, as defined in Section 101 of the Baltimore County Zoning Ordinance shall be submitted to the Zoning Commission.
  15. There are no signs proposed for this facility.
  16. Floor area ratio: N/A
  17. Amenity open space: N/A
  18. Parking (Required): 0 spaces  
The proposed site improvements do not block or affect any existing parking spaces or aisle ways.
  19. This site was the subject of the following permits:  
116-04 Hospital 953-87 Alteration  
159-70 Building 1311-87 Alteration  
536-70 Alteration 1424-87 Tank  
378-80 Tank 164-86 Alteration  
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711-87 Grading 536-80 Storage building  
688-87 Alteration
- Requested Zoning Action**  
Special Exception pursuant to BCZR §1801.1.C.20 to permit a wireless transmitting and receiving facility in a D.R. 16 Zone.  
(Pursuant to §502.7 D.1 the site is exempt from subchapters 502.7 C.1, 2, 3, 4 and 5 of the B.C.Z.R.)
- Attorney:**  
G. Scott Bahright  
Whiteford, Taylor, & Preston  
500 Court Towers  
210 West Pennsylvania Avenue  
Towson, MD 21204-4515  
(410) 832-2000

| No.       | Description    | Date |
|-----------|----------------|------|
| REVISIONS |                |      |
| Proj. No. | 94161.53       |      |
| Date      | AUGUST 6, 1995 |      |
| Scale     | As Shown       |      |
| Last Rev. |                |      |



IN RE: PETITION FOR SPECIAL EXCEPTION  
SNC York and Sister Pierre  
Roads  
7620 York Road  
9th Election District  
4th Councilmanic District  
St. Joseph Medical Center, Inc.  
American PCS, L.P., Lessee  
Petitioner

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 96-83-X  
Petitioner

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 6720 York Road in Towson. The property is more well known as the campus of the St. Joseph Medical Center, Inc. The Petition is filed by the corporate property owner, St. Joseph Medical Center, Inc., and Margaret C. Ruggieri, Esquire on behalf of American PCS, L.P., (hereinafter known as "APC") Lessee. Special Exception relief is requested to approve a wireless transmitting and receiving facility on the subject site. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Exception.

Appearing at the public hearing held for this case was Greg Sarro on behalf of APC, Petitioner. Also present were consultants retained by APC for this project, namely, Robert Morelock from Daft, McCune, Walker, Andrew Werchniak, MLJ, Inc., and Debbie Meaney of VCI. The Petitioner was represented by David K. Gildea, Esquire. There were no Protestants or other interested persons present.

This is another in a series of cases which have recently come before this Zoning Commissioner filed by APC relating to installation of a wireless and transmitting receiving facility by APC. APC is in the business of providing cellular mobile communication services. The company is a relatively new entrant in that industry in the Baltimore-Washington Area. The

company has submitted a number of zoning petitions to this Commissioner for the purpose of establishing a communication network in this locale. As I have explained in prior Orders, APC's communication network is based upon a grid system. Each grid contains a wireless transmitting and receiving facility which is normally a series of antennas mounted at the top of existing structures. This grid network allows mobile communications to customers of the company. As a user passes through the system, he/she is handed from one grid to another to ensure continuous communication capability. The company specializes in not only cellular telephone type service but also mobile fax and computer generated communications.

Wireless transmitting and receiving structures are regulated by Section 426 of the BCZR. Special Exceptions for wireless transmitting facilities are regulated by both Section 502.1 and Section 502.7 of the BCZR. These regulations encourage the installation of such facilities on existing structures. It was no doubt the County Council's intent to prohibit the proliferation of monopoles throughout the sky line of Baltimore County. Thus, APC and similar companies are encouraged to place their equipment on existing buildings and towers so as to minimize the effect of such antennas.

In the subject case, the antennas are proposed to sit atop the roof of the St. Joseph Medical Center building. This building is located in the center of St. Joseph Medical Center campus, a large site of approximately 34 acres. The subject property is zoned D.R.2 and, thus, relief is requested to permit the proposed use by special exception.

The testimony and evidence presented were uncontradicted and firmly established that the proposed use will not cause any detriment to the health, safety or general welfare of the locale. The antenna equipment, itself, is modest in size and will barely be noticeable from the ground.

- 2 -

However, there will be no detriment to the health of individuals located on the property or interference with other radio or wireless communications. APC is regulated by the Federal Trade Commission and its equipment is within the guidelines established by the Federal government. Moreover, the Petitioner has submitted an environmental impact statement (Petitioner's Exhibit No. 2) and another packet of documents (Petitioner's Exhibit No. 3) which firmly establishes that the special exception should be granted. Therefore, the proposed use shall be approved and I will so order.

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 17th day of October, 1995 that, pursuant to the Petition for Special Exception, approval to allow a wireless transmitting and receiving facility in a D.R.2 zone, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted:

1. The 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.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

LES:mmm

- 3 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

October 16, 1995

G. Scott Barhight, Esquire  
David K. Gildea, Esquire  
Whiteford, Taylor and Preston  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Petition for Special Exception  
Case No. 96-83-X  
St. Joseph Medical Center, Inc.,/ American PCS, LP, Lessee  
Petitioner

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted, with restriction, 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 887-3353.

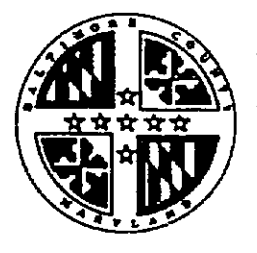
Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmm

cc: Mr. Greg Sarro, APC, 6901 Rockledge Dr., Su 600, Bethesda, Md. 20817  
cc: Mr. Robert Morelock, Daft, McCune, Walker, Inc.  
cc: Mr. Andrew Werchniak, MLJ, Inc., 1110 North Glebe Rd., Su 800  
Arlington, VA 22201  
cc: Ms. D. Meaney, VCI, 1110 N. Glebe Rd., Suite 850, Arlington, VA

Printed with Desktop Ink



## Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 7620 York Road, Towson, MD 21204

which is presently zoned D.R.2

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 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 be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

PETITIONER  
Margaret C. Ruggieri, Esq. for  
American PCS, L.P.  
Signature: Margaret C. Ruggieri  
One Democracy Center, Suite 600  
6901 Rockledge Drive  
Bethesda, MD 20817

Attorney for Petitioner  
G. Scott Barhight, Esq.  
Signature: G. Scott Barhight  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
Towson, MD 21204 (410) 832-2000

I/we do solemnly declare and affirm, under the penalties of perjury, that two separate legal owners of the property which is the subject of this Petition.  
Legal Owner(s): St. Joseph Medical Center, Inc.  
The Sisters of the Third Order of St. Francis, Philadelphia  
Foundation of St. Joseph Hospital, Baltimore, Maryland  
Type or Print Name(s): Renee A. Kessler, Vice President  
Signature: Renee A. Kessler

Signature: Robert E. Morelock  
Daft McCune Walker, Inc. 200 E. Penna. Ave.  
Towson, MD 21286 286-3333  
Address: 286-3333

ESTIMATED LENGTH OF HEARING  
the following date: \_\_\_\_\_  
ALL OTHER DATE  
RECEIVED BY: \_\_\_\_\_ DATE

DESCRIPTION  
TO ACCOMPANY PETITION FOR  
SPECIAL EXCEPTION  
34 ACRE PARCEL  
SAINT JOSEPH HOSPITAL

SOUTH SIDE OF SISTER PIERRE DRIVE WEST OF YORK ROAD  
NINTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND



Daft McCune Walker, Inc.

200 E. Penna. Ave.  
Towson, Maryland 21286  
Tel: 286-3333  
Fax: 286-3333

A Team of Land Services  
Landscape Architects  
Engineers, Surveyors &  
Environmental Scientists

Beginning for the same at the end of the second of two following courses and distances measured from the point formed by the intersection of the centerline of York Road, 66 feet wide, with the centerline of Sister Pierre Drive (1) Southwesterly along the centerline of York Road 40 feet, more or less, and thence at a right angle to said York Road (2) Northwesterly 30 feet, more or less, to the point of the beginning, said point of beginning being on the west side of York Road, thence leaving said beginning point and running the five following courses and distances, viz: (1) North 78 degrees 59 minutes 00 seconds West 731.49 feet, thence (2) Southwesterly 930 feet, more or less, thence (3) North 60 degrees 09 minutes 00 seconds West 306.83 feet, thence (4) Southwesterly by a curve to the right having a radius of 292.02 feet for a distance of 257.72 feet (the arc of said curve being subtended by a chord bearing South 38 degrees 26 minutes 02 seconds West 249.44 feet), and thence (5) South 63 degrees 43 minutes 00 seconds West 86.13 feet to a point on the east side of Osler Drive, 70 feet wide, thence running with and binding on said road the five following courses and distances (6) Northwesterly by a curve to the left having a radius of 1,308.24 feet for a distance of 173.81 feet (the arc of said curve being subtended by a chord bearing North 27 degrees 54 minutes 09 seconds West 175.67 feet), thence (7) North 31 degrees 45 minutes 08 seconds West 200.04 feet, thence (8) Northwesterly by a curve to the right having a radius of 1,110.92 feet for a distance of 746.15 feet (the arc of said curve being subtended by a chord

bearing North 12 degrees 30 minutes 39 seconds West 732.20 feet), thence (9) North 06 degrees 43 minutes 50 seconds East 277.63 feet, and thence (10) Northeasterly by a curve to the left having a radius of 1,467.40 feet for a distance of 75.56 feet (the arc of said curve being subtended by a chord bearing North 05 degrees 15 minutes 19 seconds East 75.54 feet), thence leaving said Osler Drive and running the following seven courses and distances (11) North 41 degrees 31 minutes 40 seconds East 64.51 feet, thence (12) South 65 degrees 51 minutes 45 seconds East 187.13 feet, thence (13) North 76 degrees 08 minutes 16 seconds East 427.69 feet, thence (14) South 83 degrees 40 minutes 45 seconds East 141.99 feet, thence (15) South 66 degrees 11 minutes 10 seconds East 517.48 feet, thence (16) South 53 degrees 01 minute 20 seconds East 521.46 feet, and thence (17) South 11 degrees 37 minutes 00 seconds West 71.90 feet to a point on the centerline of Sister Pierre Drive and running with and binding on the centerline of said drive the following two courses and distances, (18) South 74 degrees 09 minutes 00 seconds East 85.90 feet, and thence (19) South 82 degrees 52 minutes 00 seconds East 245.00 feet to a point on the west side of said York Road, thence running with and binding on the west side of York Road (20) South 12 degrees 25 minutes 00 seconds West 40.00 feet to the point of the beginning; containing 34 acres of land, more or less.

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

August 8, 1995

Project No. 94161.53; L94161.53



## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th  
Posted for: Special Exception  
Petitioner: St. Joseph Medical Center, Inc.  
Location of property: 7620 York Rd.  
Location of Sign: Signs are presently being placed  
Remarks:  
Posted by: [Signature] Date of return: 9/21/95  
Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/29, 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 9/21, 1995.

THE JEFFERSONIAN,

A. Henrichson  
LEGAL AD., - TOWSON

NOTICE OF HEARING  
The Zoning Commission of Baltimore County will hold a public hearing on the proposed Special Exception for the property located at 7620 York Road, Towson, Maryland, on October 12, 1995 at 5:00 p.m. at the County Office Building, 400 Washington Avenue, Towson, Maryland 21204. For a complete description of the proposed use, please refer to the Petition for Special Exception, Case No. 96-83-X, filed with the Zoning Department, Planning and Zoning Office.

 Printed with Soybean Ink  
www.soybeaninstitute.org



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

8-30-95

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 075 (CAM)

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 affected 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*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

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

BALTIMORE COUNTY, MARYLAND  
INTER OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Sept. 7, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review

RE: Zoning Advisory Committee Meeting  
for September 5, 1995  
Items 065, 066, 067, 068, 074, 075, 076  
077 and 078

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

PETITION PROBLEMS  
AGENDA FOR 8/28/95

#69 --- JJS

1. No legal owner name, signature, address, or telephone number.

#75 --- CAM

1. No telephone number for legal owner.

#78 --- JJS

1. No review information on bottom of petition form.

#80 --- JLL

1. No review information on bottom of petition form.
2. Need attorney's signature.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

| NAME              | ADDRESS                                                                 |
|-------------------|-------------------------------------------------------------------------|
| David K. Gabel    | Whitehall, Pa. + N. Ave. Towson, Md. 21204                              |
| Greg Sacco        | APC 6901 Rutledge Dr. Ste. 600<br>Bethesda MD 20817                     |
| Robert Morelock   | DAFT MCCUNE WALKER INC.<br>200 E. PENNSYLVANIA AVE.<br>TOWSON, MD 21206 |
| Andrew W. Winkler | M.L.J. Inc.<br>1110 North Glebe Rd.<br>Suite 800<br>Arlington, VA 22201 |
| David M. Manning  | 1110 North Glebe Rd.<br>Suite 800<br>Arlington, VA 22201                |
| Steve Fitzgerald  | APT / 11107 Owings Mills Blvd<br>Owings Mills, MD 21117                 |
| Robert J. Hearn   | APT / 11107 Owings Mills Blvd<br>Owings Mills, MD 21117                 |
| Shirley Mervis    | APT / 11107 Owings Mills Blvd<br>Owings Mills, MD 21117                 |
|                   |                                                                         |
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|                   |                                                                         |

Environmental Impact  
Statement

St. Joseph Hospital  
American PCS Site

October 1995  
Project No. 94161.53

Prepared for:  
American PCS, L.P.  
One Democracy Center  
Suite 600  
6901 Rockledge Drive  
Bethesda, MD 20817

PETITIONER'S  
EXHIBIT 16-2

DMW  
Prepared by:  
Daft-McCune-Walker, Inc.  
200 East Pennsylvania Avenue  
Towson, Maryland 21286



PETITIONER'S  
EXHIBIT 16-2

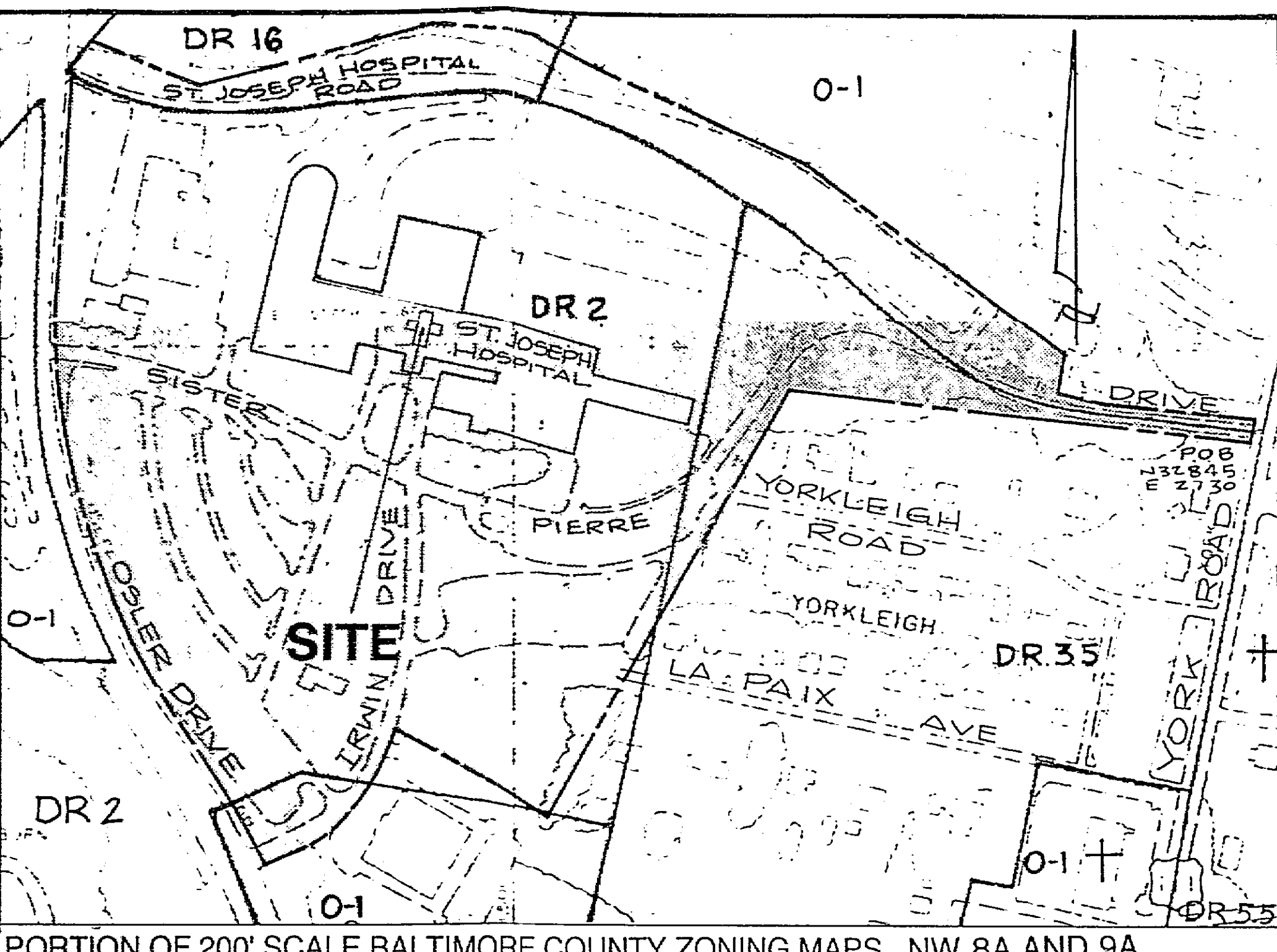
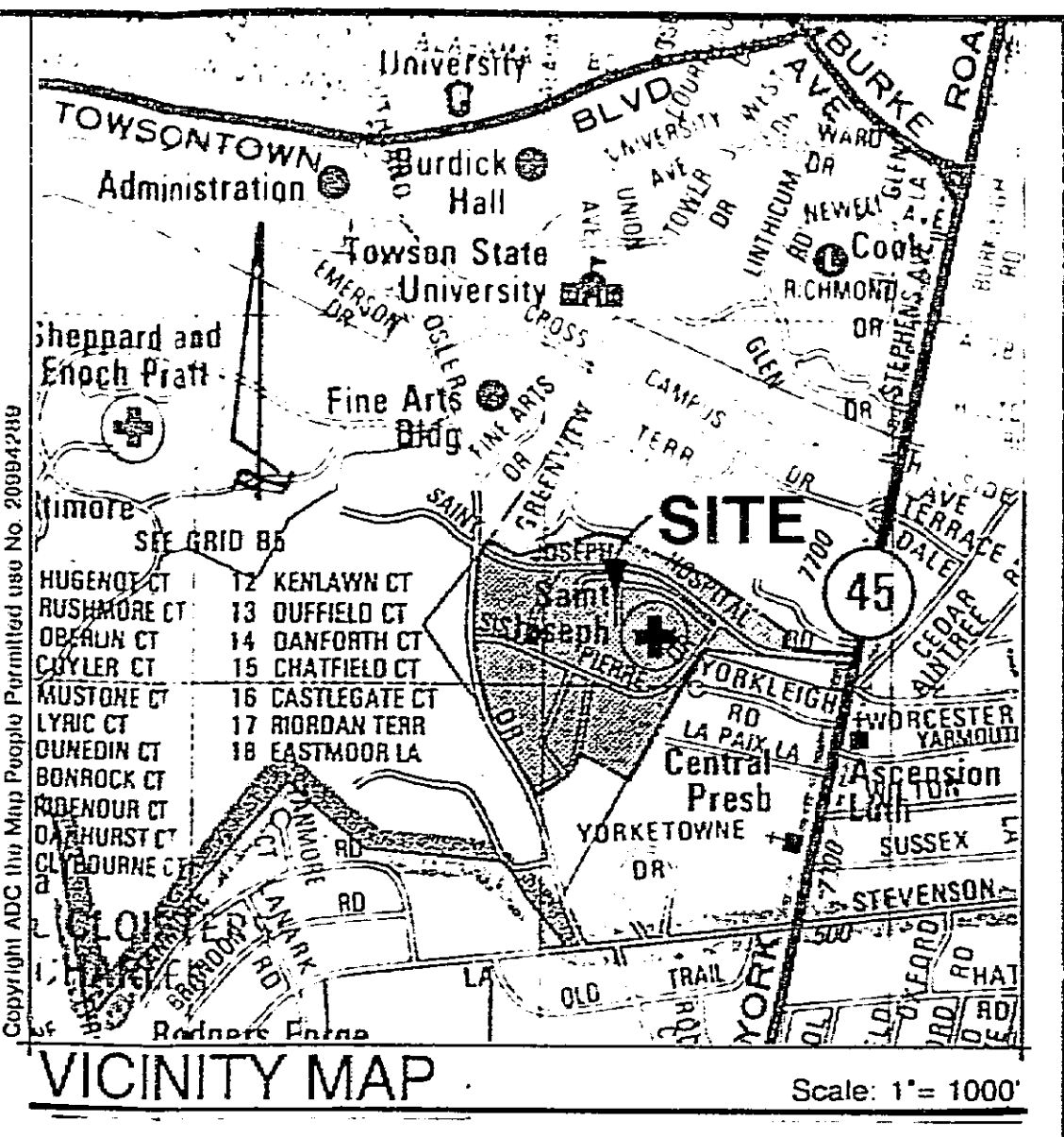
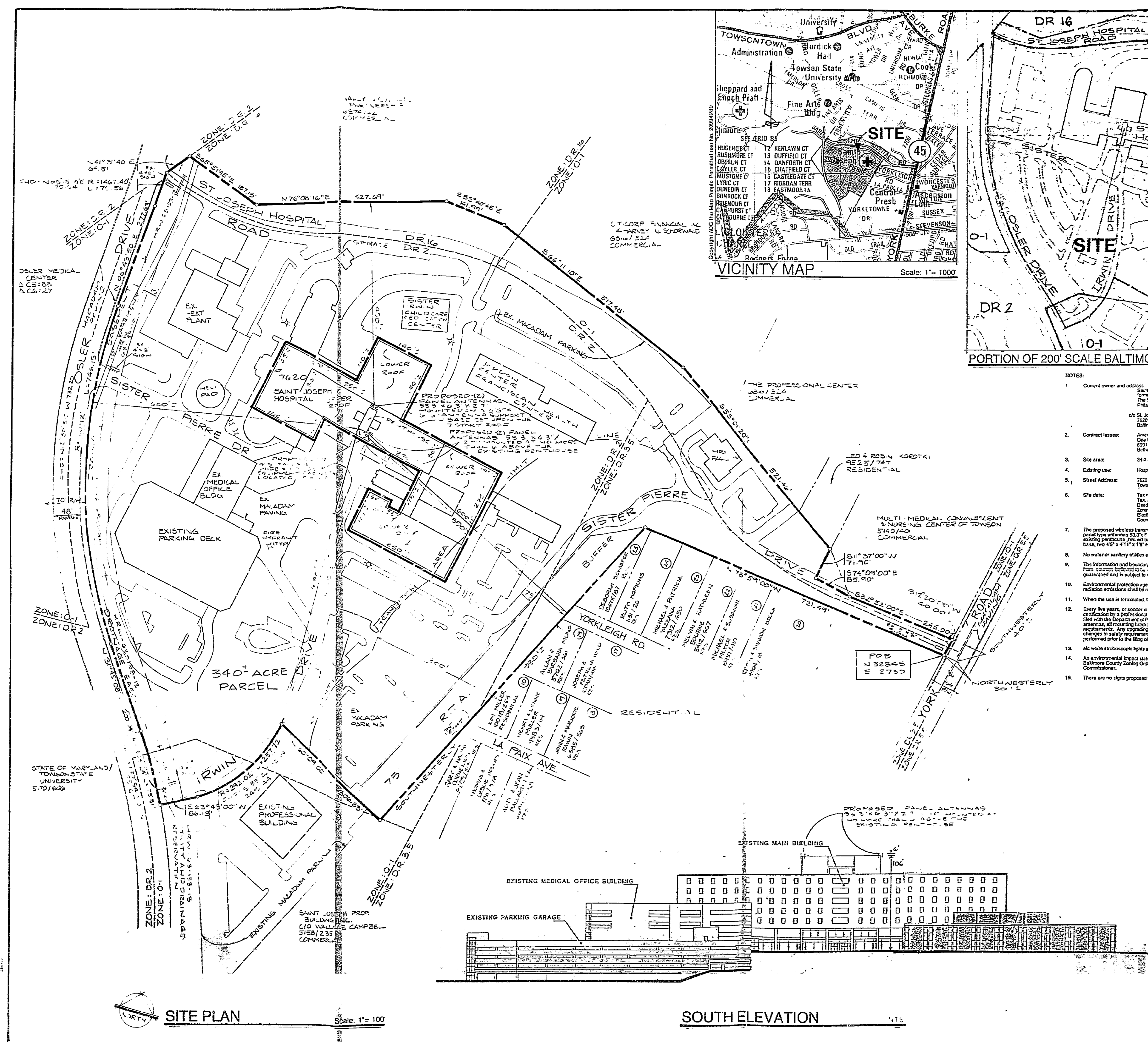
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ZONING COMMISSIONER  
October 12, 1995

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11. FCC Statement on PCS - Creating Significant Benefits for Consumers and Business
12. FCC's Chairman, Reed Hundt, Speech Excerpts

2113 Old Court Road, Baltimore, MD 21208-3432 (410) 521-4220 Fax (410) 521-9650  
One Democracy Center, 6901 Rockledge Drive, Suite 600, Bethesda, MD 20817 (301) 214-2000 Fax (301) 214-9400  
1-800-735-2258 APC



- NOTES:**
1. Current owner and address: Saint Joseph Medical Center Inc. 7200 York Road, Baltimore, MD 21204
  2. Contract lessee: American PCS, L.P. One Democracy Way, 6901 Rockledge Drive, Suite 600, Bethesda, Maryland 20817
  3. Site area: 340 Acres
  4. Existing use: Hospital
  5. Street address: 7200 York Road, Towson, MD 21204
  6. Site date: Tax map 70, Block 19, parcel 595. Tax Account No. 291031143. Dead weight: 29711.4570164, 3432114. Zoning: D.R. 2, D.R. 16, D.R.35, O-1. Election District: 9. Concomitant District: 4
  7. The proposed wireless transmitting and receiving facility will consist of six parabolic antennas 3' x 3' x 2.7'. Four will be pole mounted to the existing penthouse. Two will be mounted on a 6' x 6' antenna support base. Two 4' x 4' x 1' x 1' equipment cabinets.
  8. No water or sanitary utilities are required for the facility.
  9. The information and boundary location shown herein 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. When the use is terminated, the proposed installation shall be removed.
  12. 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 antennas, all mounting brackets and hardware 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.
  13. No white strobeoscopic lights are permitted or proposed.
  14. An environmental impact statement, as defined in Section 101 of the Baltimore County Zoning Ordinance shall be submitted to the Zoning Commission.
  15. There are no signs proposed for this facility.
  16. Floor area ratio: N/A
  17. Amenity open space: N/A
  18. This site was the subject of the following permits: 118-04 Hospital Alteration; 259-70 Building Alteration; 338-70 Alteration; 378-80 Tank Alteration; 448-80 Alteration; 1272-80 Addition; 1443-81 Alteration; 217-82 Alteration; 221-82 Alteration; 601-87 Foundation; 111-87 Grading; 666-87 Alteration.
  19. Zoning History: 19-218-X Holston 9-11-79 Affirmed by Bd. of Appeals 3-30-79 Granted by S.E.D. 85-133-A 3 double faced internally illuminated signs of 288 sq. ft. in lieu of one non-illuminated 15 sq. ft. sign. Granted. C.R.O. 88-103 Medical offices and parking structure. Approved 7/25/88. #49 89-137-SFHA Special Hearing 10/18/88. 88-137-SFHA #49 2/1/89. 89-137-SFHA (amended order) 2/3/89. C.R.O. W-91-62 South wing and dining addition. Approved 5/8/91.

Attorney: G. Scott Baughlight, Whitford, Taylor, & Preston, 500 Court Towers, 210 West Pennsylvania Avenue, Towson, MD 21204-4515, (410) 832-2000

**Requested Zoning Action**  
Special Exception pursuant to DCZC § 100.1, C.200 to permit a wireless transmitting and receiving facility in a D.R.16 zone.  
(Pursuant to §502.7 D.1 the site is exempt from subparagraphs 502.7 C.1, 2, 3, 4 and 5 of the D.C.Z.C.R.)

96-83-X  
PETITIONER'S EXHIBIT No. 1

PRINTED  
AUG 16 1995

**DMW**  
Daphne McCona Walker, Inc.  
A Team of Land Planners,  
Landscape Architects,  
Engineers, Surveyors &  
Environmental Professionals  
200 E. Pennsylvania Avenue  
Towson, Maryland 21204  
(410) 396-3233  
Fax: 294-4705

**American Personal Communications**  
SITE PLAN TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION  
Towson South Site-St. Joseph Hospital BAN 63  
5th Election District  
Baltimore County, Maryland

| No.       | Description    | Date |
|-----------|----------------|------|
| REVISIONS |                |      |
| Proj. No. | 94161.53       |      |
| Date      | AUGUST 2, 1995 |      |
| Scale     | As Shown       |      |
| Last Rev. |                |      |
|           |                |      |
| Sheet     | 1 OF 1         |      |