

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
W/S Dulaney Valley Road, 2000' *
(+/-) N of c/l Loch Raven Road * ZONING COMMISSIONER
2300 Dulaney Valley Rd.(Stella Maris)
8th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
The Cardinal Shehan Center, Inc. * Case No. 96-84-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 2300 Dulaney Valley Road in Timonium. The property is more well known as The Cardinal Shehan Center, Inc. The Petition is filed by the corporate property owner, The Cardinal Shehan 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 in an R.C.4 zone 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. G. G. G.

MICROFILMED

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 Cardinal Shehan Center building. This building is located on the campus of Stella Maris Hospice, Inc., a large site of approximately 104.4 acres (+/-). The subject property is zoned R.C.4 and, thus, relief is requested to permit the proposed use by special exception.

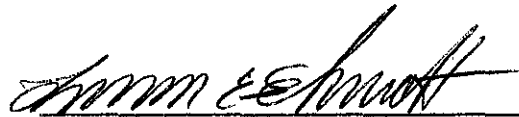
The testimony and evidence presented were uncontradicted and firmly established that the proposed use will not cause any detriment to the health, safety or general welfare of the locale. The antenna equipment, itself, is modest in size and will barely be noticeable from the ground.

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 17th day of October, 1995 that, pursuant to the Petition for Special Exception, approval to allow a wireless transmitting and receiving facility in an R.C.4 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 10/17/95
By M. Good

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: Case No. 95-482-X
Petition for Special Exception
American PCS, L.P., Lessee, Petitioner
The Cardinal Shehan Center, Inc., Legal Owner

Gentlemen:

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

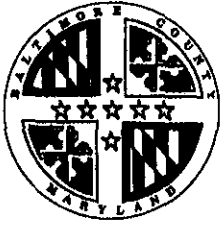
A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".
Lawrence E. Schmidt
Zoning Commissioner

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

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Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 2300 Dulaney Valley Road

96-84-X

which is presently zoned R.C.4

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 transmission 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.

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
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

Towson, MD 21204 (410) 832-2000

City

State

Zipcode

Legal Owner(s):

The Cardinal Shehan Center, Inc.

(Type or Print Name)

Signature

Sister Louis Mary Battle, Administrator

(Type or Print Name)

Signature

2300 Dulaney Valley Road 252-4500

Address

Phone No.

Towson, MD 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 296-3333

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: gum DATE 8-19-95

MICROFILMED

Zoning Administration
& Development Management

76

Description

96-84-X

to Accompany Petition for Special Exception

104.4 Acre Parcel

The Cardinal Shehan Center

East side of Pot Spring Road

West of Dulaney Valley Road

76

Eighth 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 the two following courses and distances measured from the point formed by the intersection of the centerline of Pot Spring Road, 60 feet wide, with the centerline of Loch Raven Road, (1) Southeasterly along the centerline of Pot Spring Road 140 feet, more or less, thence at a right angle to said Pot Spring Road (2) Southwesterly 30 feet, more or less, to the point of beginning, said point of beginning being on the east side of Pot Spring Road, thence leaving said beginning point and running the following eight courses and distances, viz; (1) North 67 degrees 36 minutes 43 seconds East 1574.22 feet, thence (2) South 12 degrees 21 minutes 44 seconds East 425.11 feet, thence (3) North 40 degrees 21 minutes 14 seconds East 588.33 feet, thence (4) South 50 degrees 02 minutes 45 seconds East 188.32 feet, thence (5) North 55 degrees 50 minutes 38 seconds East 580.03 feet, thence (6) South 29 degrees 32 minutes 25 seconds West 1147.64 feet, thence (7) South 29 degrees 32 minutes 25 seconds West 763.07 feet, and thence (8) South 50 degrees 31 minutes 23 seconds East 1190.79 feet to intersect the west side of Dulaney Valley Road, 66 feet wide, thence running and binding thereon the following two courses and distances (9) South 13 degrees 29 minutes 23 seconds West 247.60 feet, and thence (10) South 05 degrees 10 minutes 27 seconds West 23.36 feet, thence leaving said

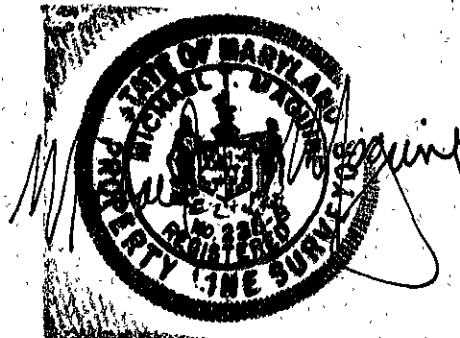
96-84-X

road and running the following eight courses and distances (11) South 86 degrees 06 minutes 16 seconds West 810.73 feet, thence (12) North 03 degrees 53 minutes 44 seconds West 350.00 feet, thence (13) South 86 degrees 06 minutes 16 seconds West 400.00 feet, thence (14) South 03 degrees 53 minutes 44 seconds East 350.00 feet, thence (15) South 75 degrees 01 minute 16 seconds West 912.10 feet, thence (16) North 14 degrees 19 minutes 18 seconds West 116.73 feet, thence (17) North 15 degrees 03 minutes 17 seconds West 997.01 feet, and thence (18) North 14 degrees 42 minutes 17 seconds West 756.32 feet to intersect the aforesaid east side of Pot Spring Road, thence running and binding thereon the following three courses and distances (19) Northeasterly by a curve to the left having a radius of 911.47 feet for a distance of 309.82 feet (the arc of said curve being subtended by a chord bearing North 16 degrees 51 minutes 33 seconds East 308.32 feet), thence (20) North 18 degrees 12 minutes 43 seconds East 46.24 feet, and thence (21) North 13 degrees 04 minutes 17 seconds West 18.08 feet to the point of beginning; containing 104.4 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 9, 1995

Project No. 94161.51 (L94161.51)



96-84-X

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 8th Date of Posting 9/29/95
Posted for: Special Exception
Petitioner: The Cardinal of Shohon Co. Inc.
Location of property: 2300 Dulany Valley Rd.
Location of Signs: Facing roadway, on property being zoned
Remarks: _____
Posted by [Signature] Date of return: 9/29/95
Signature
Number of Signs: 1



NOTICE OF HEARING

The Zoning Commission 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 108 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: #98-84-X (Item 76)
2300 Dulany Valley Road - Stella Marie

W/S Dulany Valley Road, 2000' +/- N of c/c Loch Raven Road

8th Election District
3rd Councilmanic
Legal Owner:

The Cardinal Shehan Center, Inc.

Petitioner/Lessee:
American PCS, L.P.
Hearing: Thursday,
October 12, 1995 at 9:00 a.m.
in Rm. 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.

9/18/95 Sept. 21.

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. Henrickson

LEGAL AD. - TOWSON

76
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

014863

DATE 8-16-95 ACCOUNT ROOI-6150

96-84-X

AMOUNT \$ 370.00

RECEIVED
FROM: MARGARET RUGGIERI 2300 Loch Raven Rd.

SPEC. EX. (050) ————— 300.00
Paying (086) 2435 ————— 70.00
FOR: ————— 370.00

PAID TO ORDER
8/16/95

02A0280047MTCNRE
BA COM4:00PM08-16-95

\$370.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

JCM

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/neighbor 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.: 76

Petitioner: AMERICAN PCS, L.P.

Location: 2300 DULANEY VALLEY RD. TOWSON, MD 21204

PLEASE FORWARD ADVERTISING BILL TO:

NAME: AMERICAN PCS, L.P. ATTN. MARGARET C. RUGGIERI

ADDRESS: ONE DEMOCRACY CENTER, SUITE 600

6901 ROCKLEDGE DRIVE, BETHESDA, MD 20817

PHONE NUMBER: 301.24.9283

AJ:ggs

(Revised 04/09/93)



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

Please forward billing to:

American PCS, Inc.
Margaret C. Ruggieri, Esq.
One Democracy Center, Suite 600
6901 Rockledge Drive
Bethesda, MD 20817
301-214-9283

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: 96-84-X (Item 76)
2300 Dulaney Valley Road - Stella Maris
W/S Dulaney Valley Road, 2000' +/- N of c/l Loch Raven Road
8th Election District - 3rd Councilmanic
Legal Owner: The Cardinal Shehan 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: 96-84-X (Item 76)

2300 Dulaney Valley Road - Stella Maris

W/S Dulaney Valley Road, 2000' +/- N of c/l Loch Raven Road

8th Election District - 3rd Councilmanic

Legal Owner: The Cardinal Shehan 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: The Cardinal Shehan Center, Inc.
American PCS, L.P.
G. Scott Barhight, Esq.
Daft McClune Walker, Inc.

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.

RECEIVED
OCT 13 1995





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.: 76
Case No.: 96-84-X
Petitioner: The Cardinal Shehan
Center, Inc.

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 18, 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.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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BALTIMORE COUNTY, MARYLAND

September 1, 1995

SUBJECT: Zoning Item #76 - Stella Maris
2300 Dulaney Valley Road
Zoning Advisory Committee Meeting of August 28, 1995

Air Quality

JLP:SR:sp

c: Steve Reekie

STELLAM/DEPRM/TXTSBP

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 91¹³

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 W. Long

Division Chief:

Carol Keins

PK/JL



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. 076

(JCM)
(~~CH~~)

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

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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

MICROFILMED

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: August 18, 1995

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner I, PDM

SUBJECT: Item #76
2300 Dulaney Valley Road

Plan should show dimension from tower to nearest property line.
Applicant so advised.

JCM:scj

2025/08/18 10:00 AM
1000-1000-1000



Baltimore County
Department of Permits and
Development Management

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

March 20, 1997

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

RE: Spirit and Intent
2300 Dulaney Valley Road
8th 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 #96-84-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".
Joseph C. Merrey
Planner I
Zoning Review

JCM:rye



Environmental Impact Statement

Stella Maris American PCS Site

October 1995
Project No. 94161.51

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

MICROFILMED



**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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1. Photographs of 7620 York Rd.
2. Lease Agreement with St. Joseph Medical Center Inc.
3. Photographs of 2300 Dulaney Valley Road
4. Lease Agreement with Cardinal Shehan Center Inc.
5. Photographs of 11767 Owings Mills Boulevard
6. Photographs and Specification Sheets for Antennas
7. Photograph and Specification Sheets for Equipment Cabinets
8. FCC License
9. FCC Adopts ANSI EMF Regulations
10. Radio Frequency Statement - Jules Cohen
11. FCC Statement on PCS - Creating Significant Benefits for Consumers and Business
12. FCC's Chairman, Reed Hundt, Speech Excerpts

APC-11/11/95

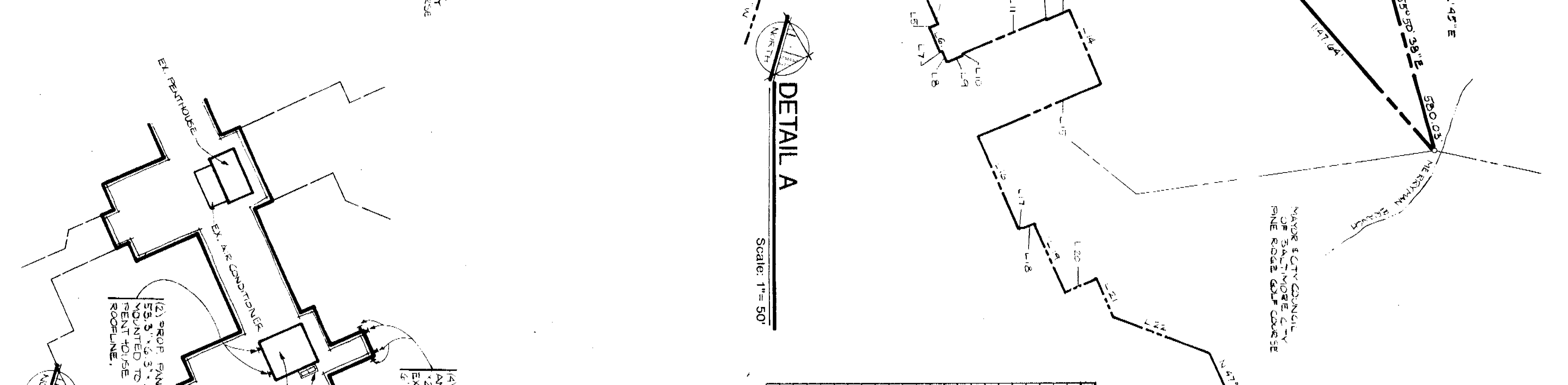
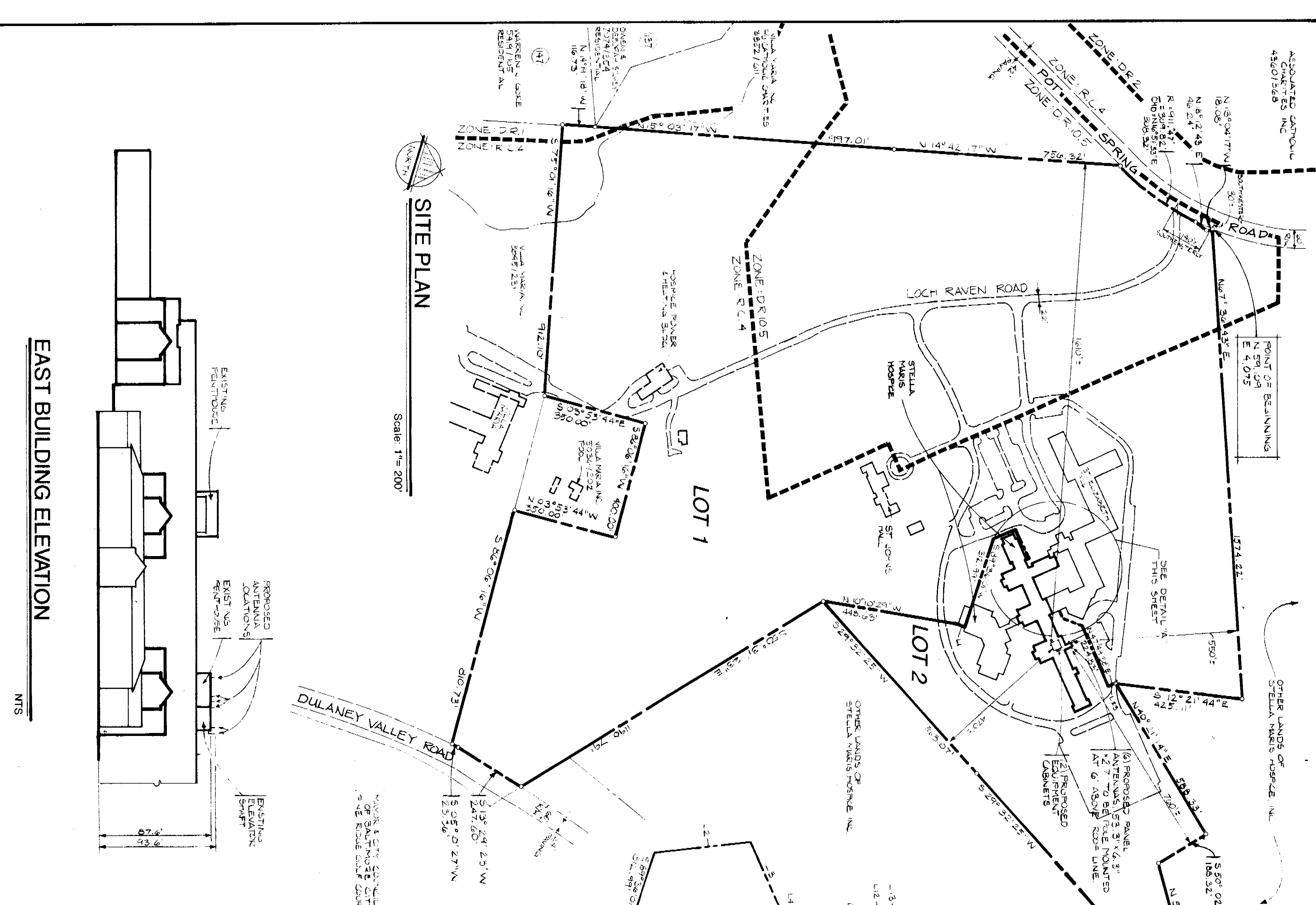
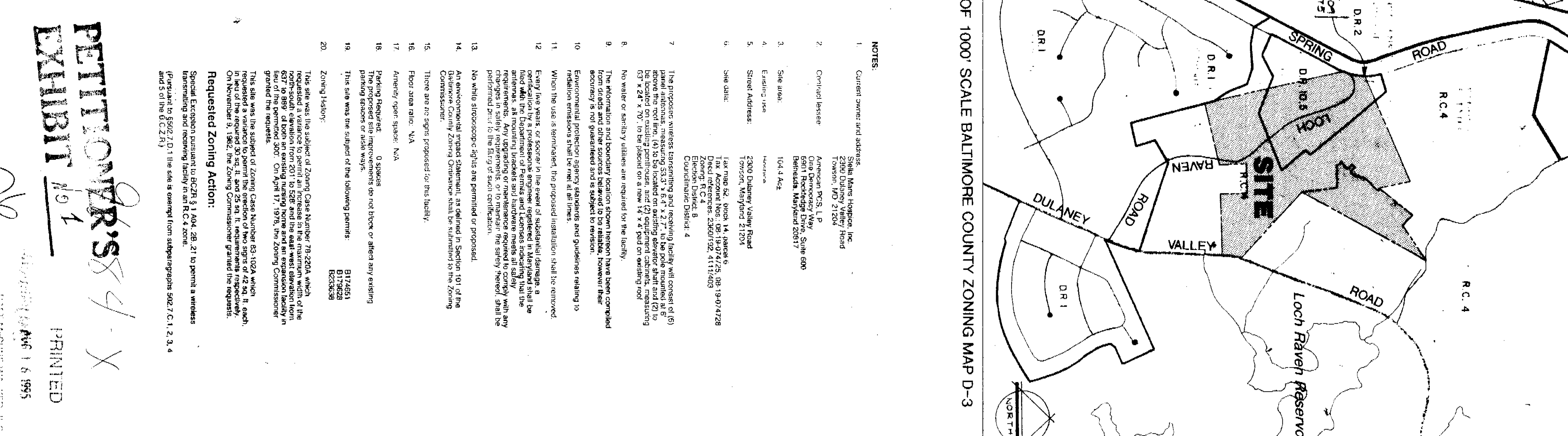


TABLE OF LOT 2 DIVISION LINES

LINE	SECTION	DISTANCE
L1	N 08° 23' 52" W	50.00'
L2	N 41° 52' 37" W	72.72'
L3	N 48° 26' 52" E	100.00'
L4	S 41° 32' 07" E	5.00'
L5	S 41° 32' 07" E	1.18'
L6	N 48° 26' 52" E	19.27'
L7	N 41° 53' 04" W	0.98'
L8	N 48° 26' 52" E	7.65'
L9	N 41° 53' 04" W	11.62'
L10	S 48° 26' 52" W	0.70'
L11	N 41° 52' 37" W	66.01'
L12	N 48° 26' 52" E	0.69'
L13	N 41° 53' 04" W	16.22'
L14	N 48° 26' 52" E	56.74'
L15	S 41° 32' 07" E	94.21'
L16	N 48° 27' 41" E	66.09'
L17	N 48° 26' 52" E	5.99'
L18	N 41° 52' 02" W	9.00'
L19	N 48° 26' 52" E	52.00'
L20	N 41° 53' 04" W	26.79'
L21	N 48° 26' 52" E	28.29'
L22	N 01° 34' 31" E	72.08'
L23	N 48° 26' 52" W	22.32'



NOTES:

1. Current owner and address: 2800 Dulaney Valley Road, Towson, MD 21204
2. Current owner: American Personal Communications, Inc., 8001 Rockledge Drive, Suite 600, Baltimore, Maryland 21204
3. Site area: 10.4 Acres
4. Easement: 2000 Dulaney Valley Road
5. Easement: 1000' wide easement for utility lines
6. Site area: 10.4 Acres

REVISIONS

No.	Description	Date
1	Initial	01/16/03

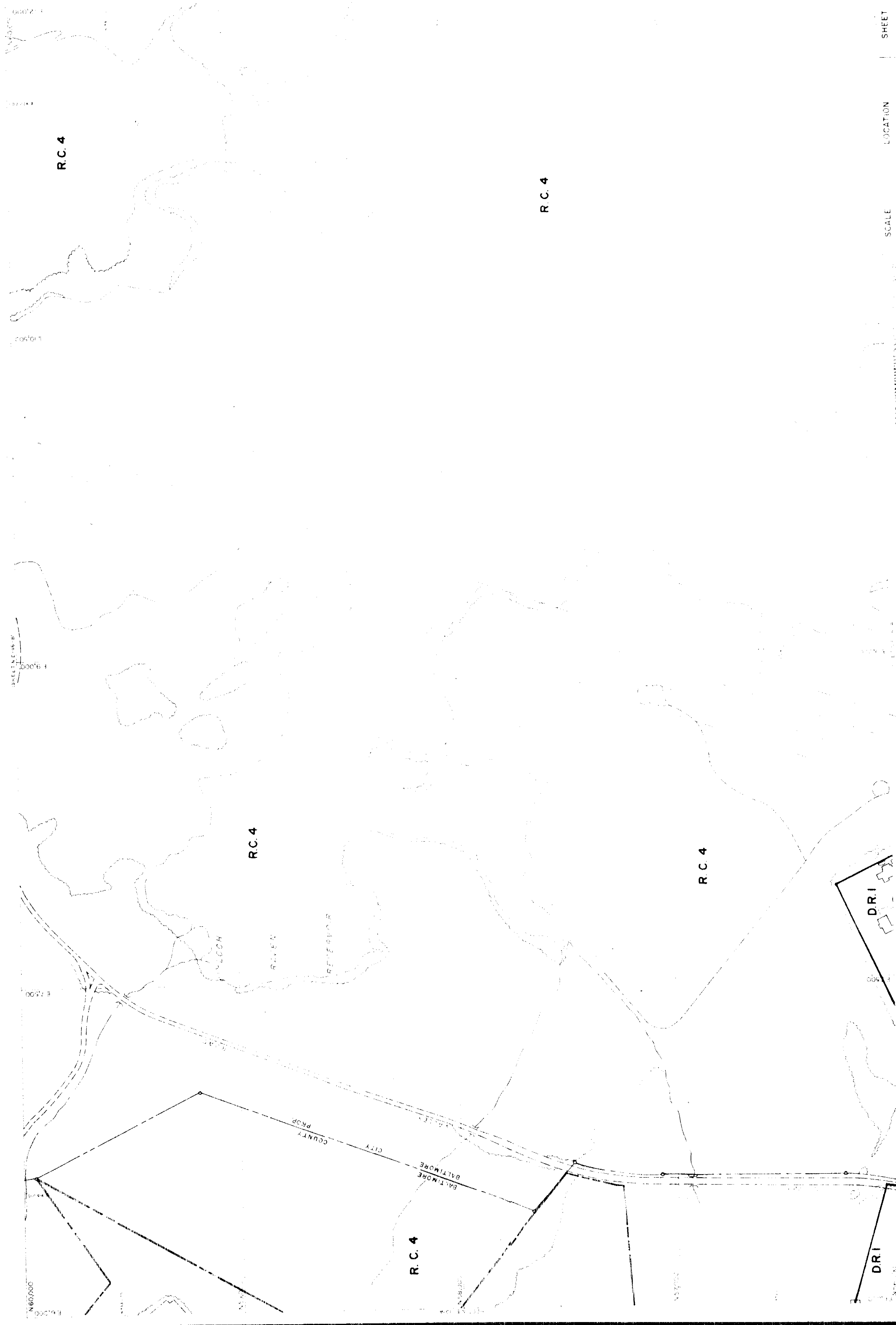
REQUESTED ZONING ACTION:

Special Exception to Zoning Code Section 10-20.2 to permit a wireless telecommunications facility at the site.

PRINTED

16 APR 16 1995

1"=200'
NE 1/4
Zoning



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
11-1988
Baltimore County Council
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART HORN, INC. BALTIMORE, MD. 21210

1982 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
11-1982
Baltimore County Council
Chairman, County Council

1976 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
11-1976
Baltimore County Council
Chairman, County Council

1972 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
11-1972
Baltimore County Council
Chairman, County Council

1968 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
11-1968
Baltimore County Council
Chairman, County Council

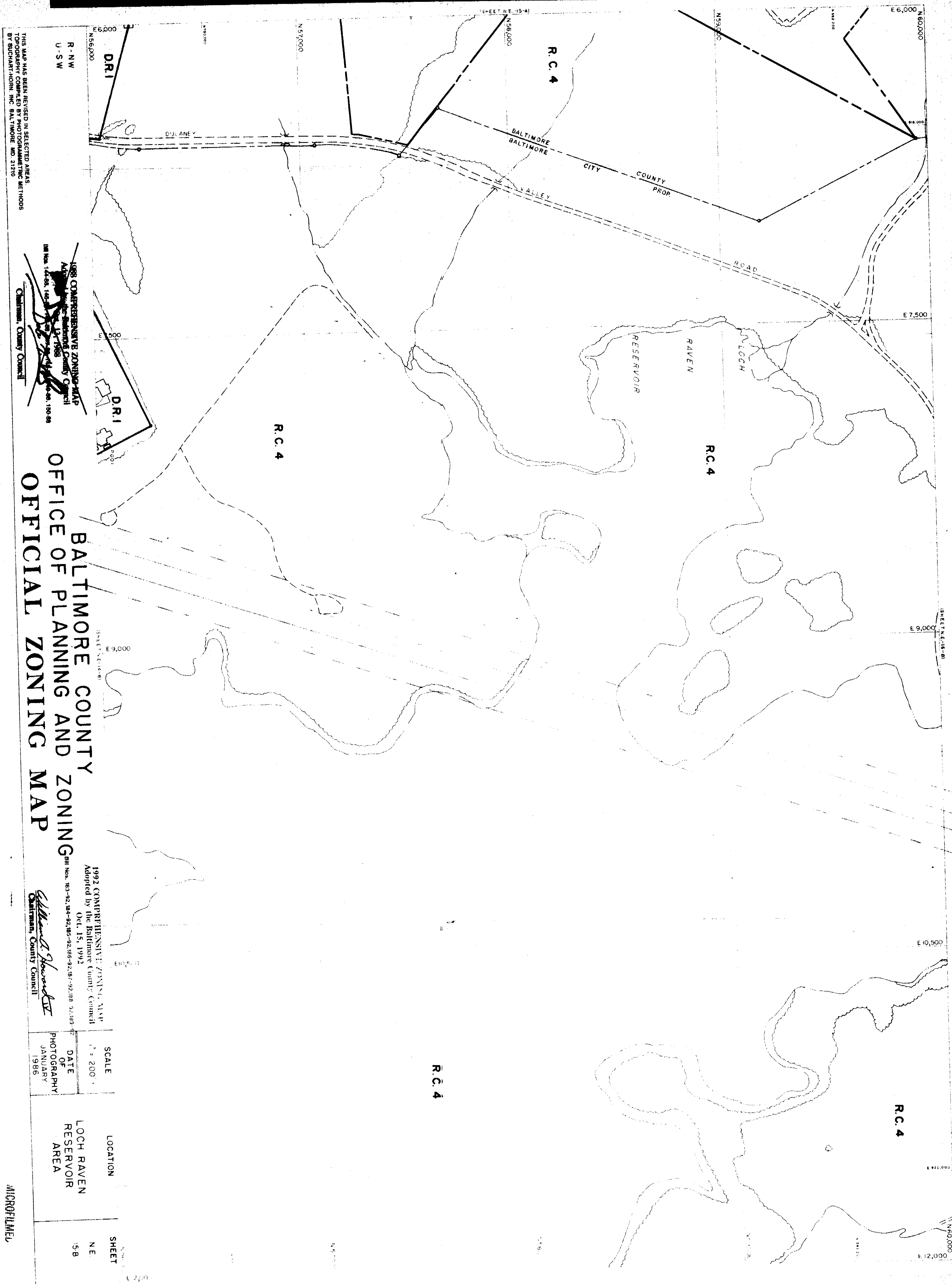
1964 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
11-1964
Baltimore County Council
Chairman, County Council

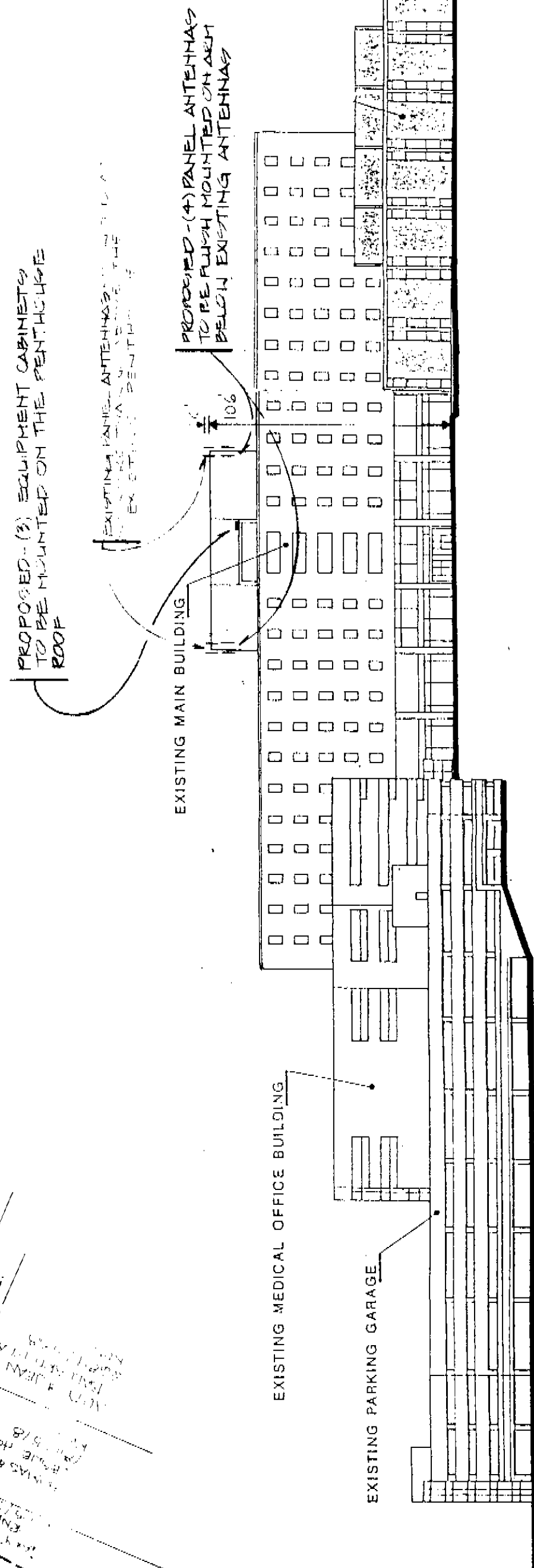
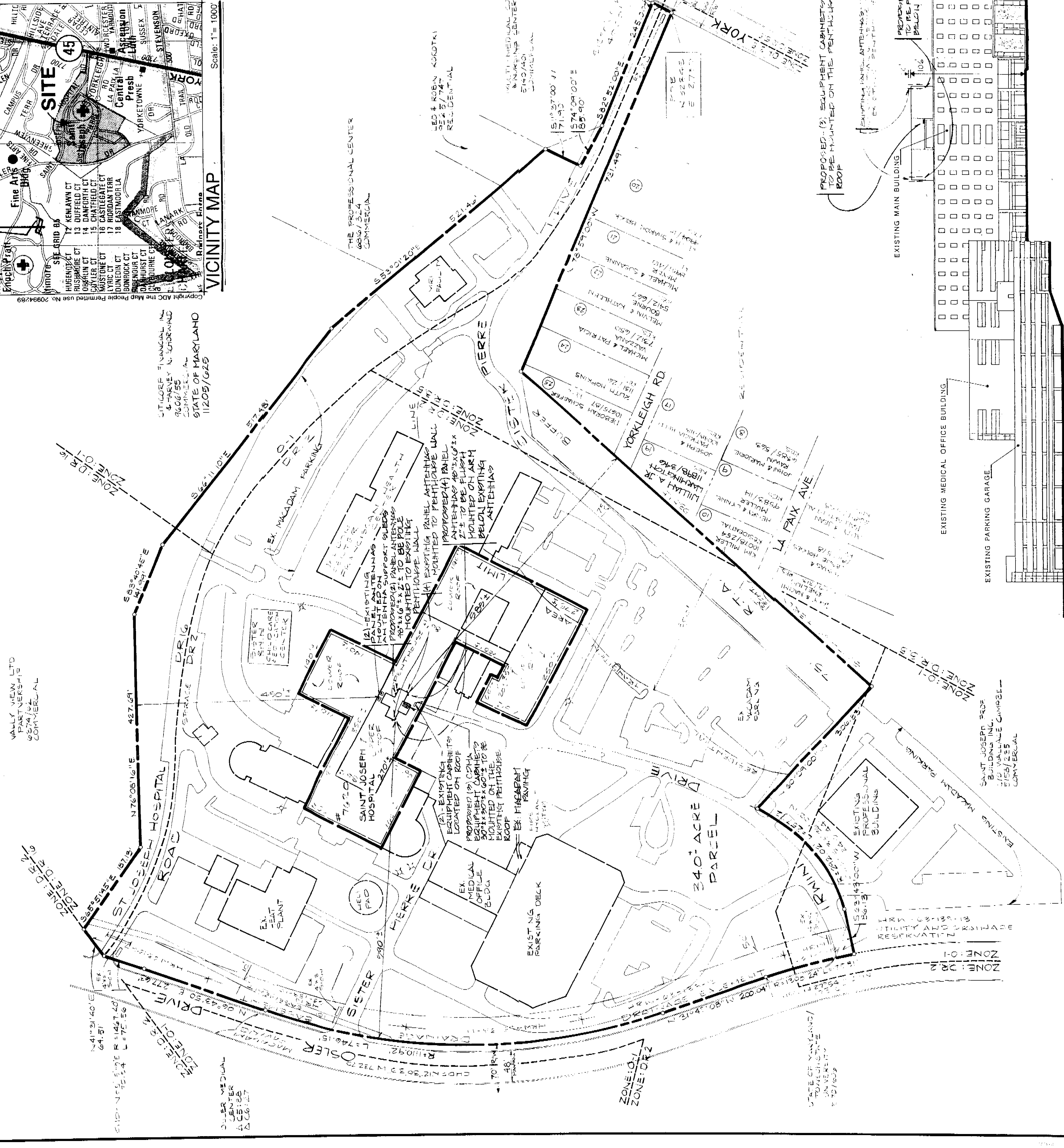
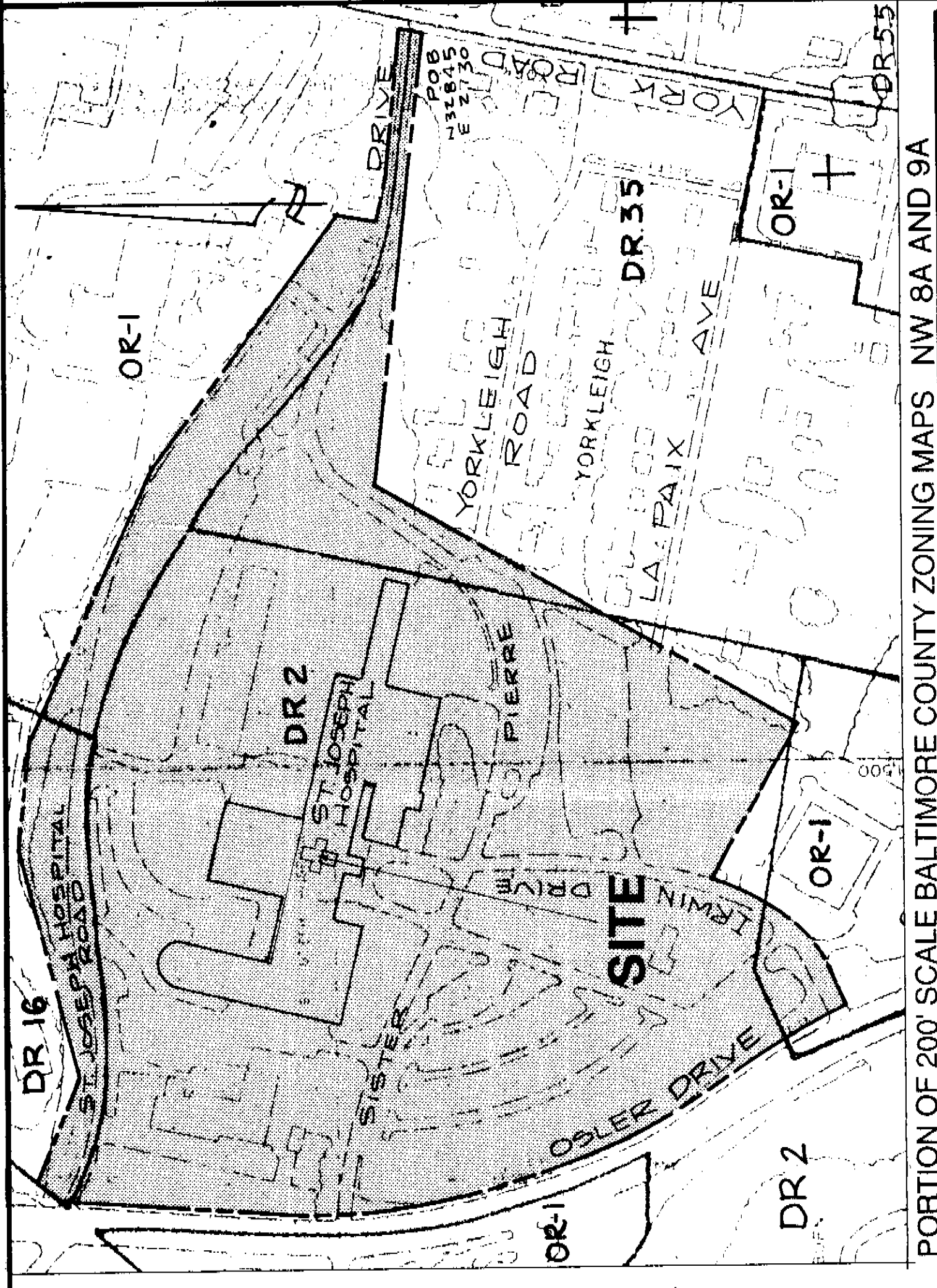
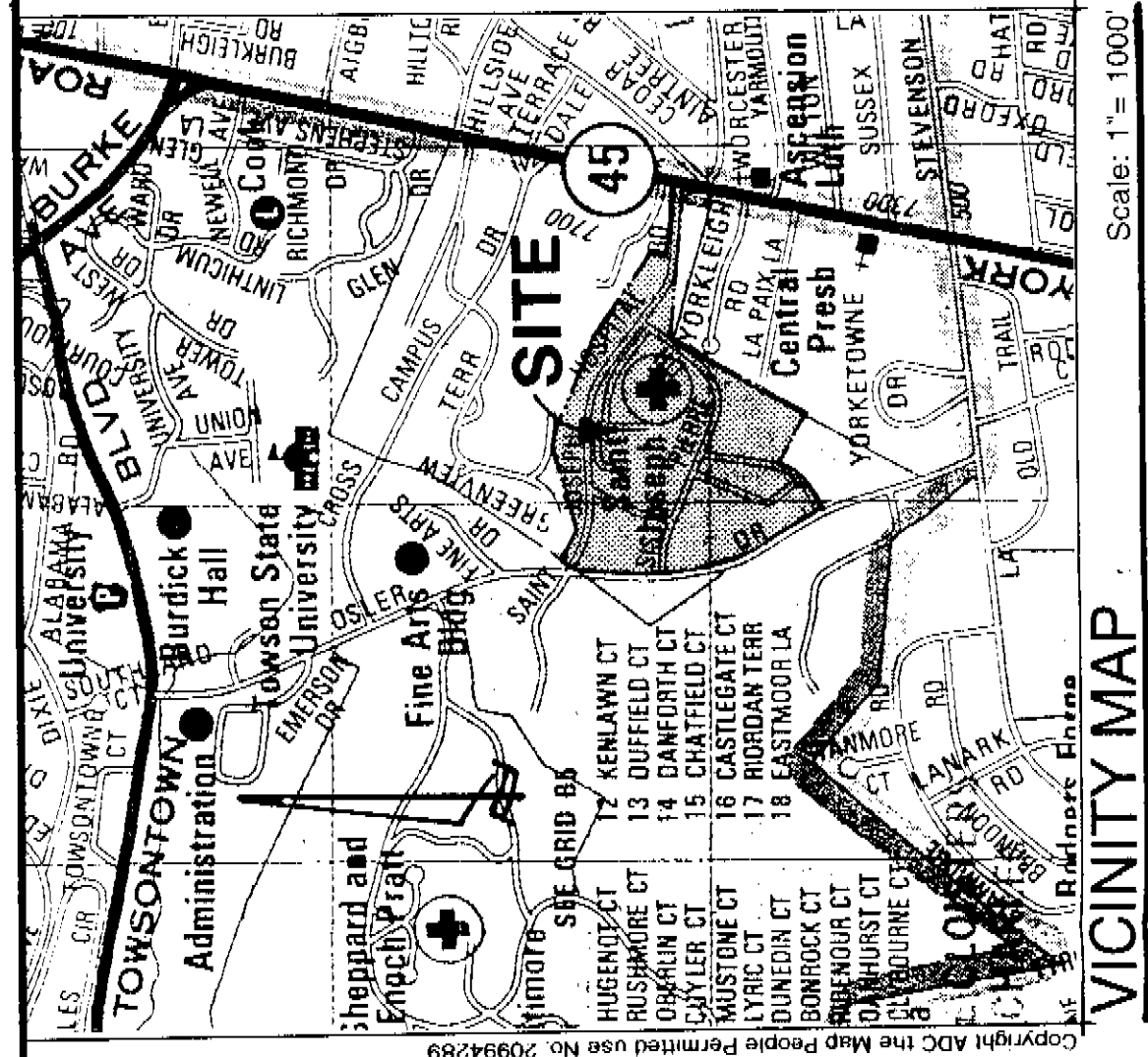
1960 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
11-1960
Baltimore County Council
Chairman, County Council

1956 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
11-1956
Baltimore County Council
Chairman, County Council

1952 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
11-1952
Baltimore County Council
Chairman, County Council

NE/5B





NOTES:

Current owner and address: Sun, Susan Medical Clinic, Inc.
former, crown ac
The Stone at Five Third Street, St. Francis
Pharmacy, the foundation of St. Francis Hospital

cc: St. Joseph Medical Center, Inc.
cc: St. Joseph Medical Center, Inc.
Baltimore, MD 21204

Contact name: Anne, at POC, LPO
One C. Monroe Way
5905 Lehigh Drive, Suite 100
Baltimore, Maryland 21207

Site area: 34.0 Acres

Existing use: Warehouse, Warehousing & Shipping Facility

Street Address: 7620 W. 36th
Towson, MD 21204

Site #88:
The A lot, 7620 W. 36th Rd. 45
Deed #000000, 03/27/74, 4574-164, 4-32-114
Deed #000000, 03/27/74, 4574-164, 4-32-114
B/C/H A/E OK
SAC, York County, 4

The indications for the within context are that the existing facility will continue to be used as an inventory facility for a wide variety of health and related services. The facility is a large, single-story building with a high ceiling and a large, open floor plan. The building is in good condition and is well-maintained. The facility is located in a well-served area with easy access to major roads and public transportation. The facility is well-suited for its current use and is expected to continue to be used for many years.

No new or additional uses of the facility are required for the proposed warehouse and related facility.

The boundary information and "not an owner" notice have been certified non-disturbed together to be made, however their accuracy is not guaranteed and is subject to change.

Environmental protection: No wetlands and public lands existing on or near the facility are affected by the project.

Whereas, it is determined that the proposed installation shall be reviewed, every five years of power in a well-served residential area, a certificate of a professional engineer, registered in Maryland, shall be required to be submitted to the Department of Planning and Community Development, Baltimore, Maryland, for review and approval. Any change in the use of the facility or any other change in the facility or its use shall require a certificate of a professional engineer, registered in Maryland, to be submitted to the Department of Planning and Community Development, Baltimore, Maryland, for review and approval.

As of the date of this report, the following information is available:

1. All of the information is as stated in the report.

2. An environmental impact study, as required by Section 101 of the Baltimore County Code, shall be submitted to the Planning and Community Development Department.

There are no other proposed uses for the facility.

1	SHOW DATA EQUIPMENT	10 FEB 97
No	Description	Date
REVISIONS		
Proj. No.	94161533	
Date	AUGUST 9 1997	
Scale	As Shown	
Last Rev.		



U.S. DEPARTMENT OF DEFENSE
OFFICE OF THE INSPECTOR GENERAL

Sheet

1 OF 1

UNCLASSIFIED

DATE 10-10-97

BY SP-10/10/97

DATE 10-10-97

BY SP-10/10/97

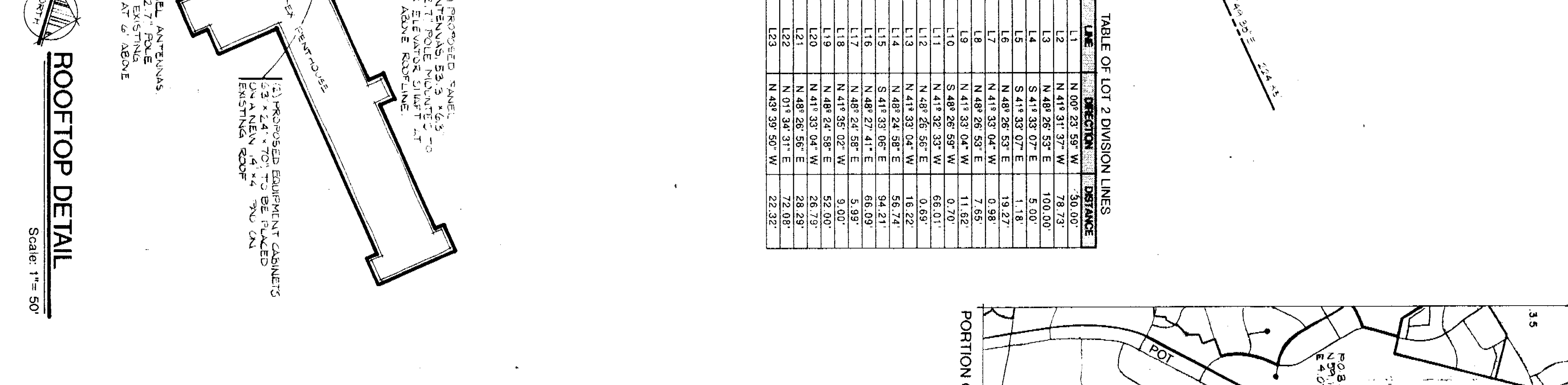
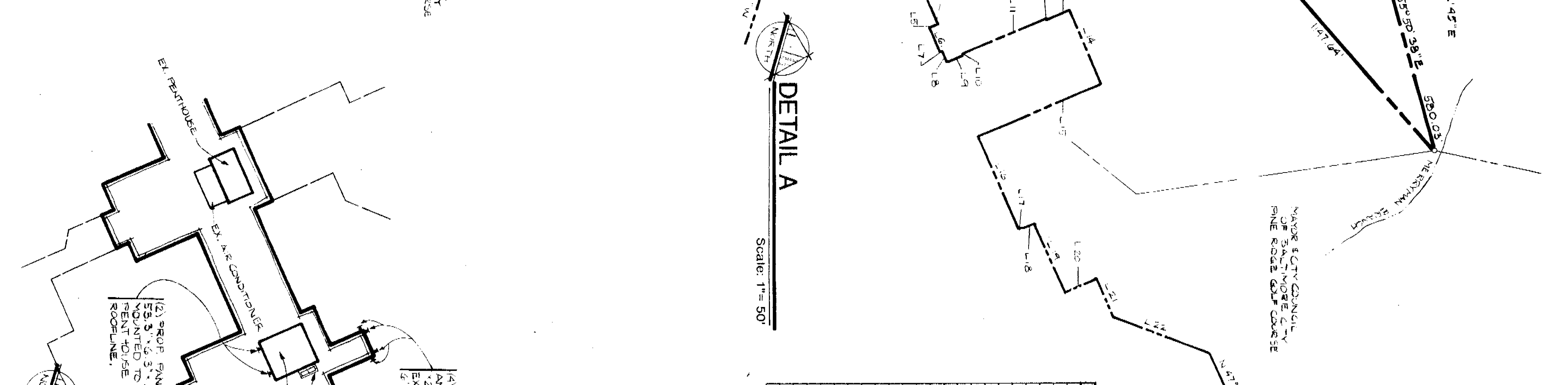
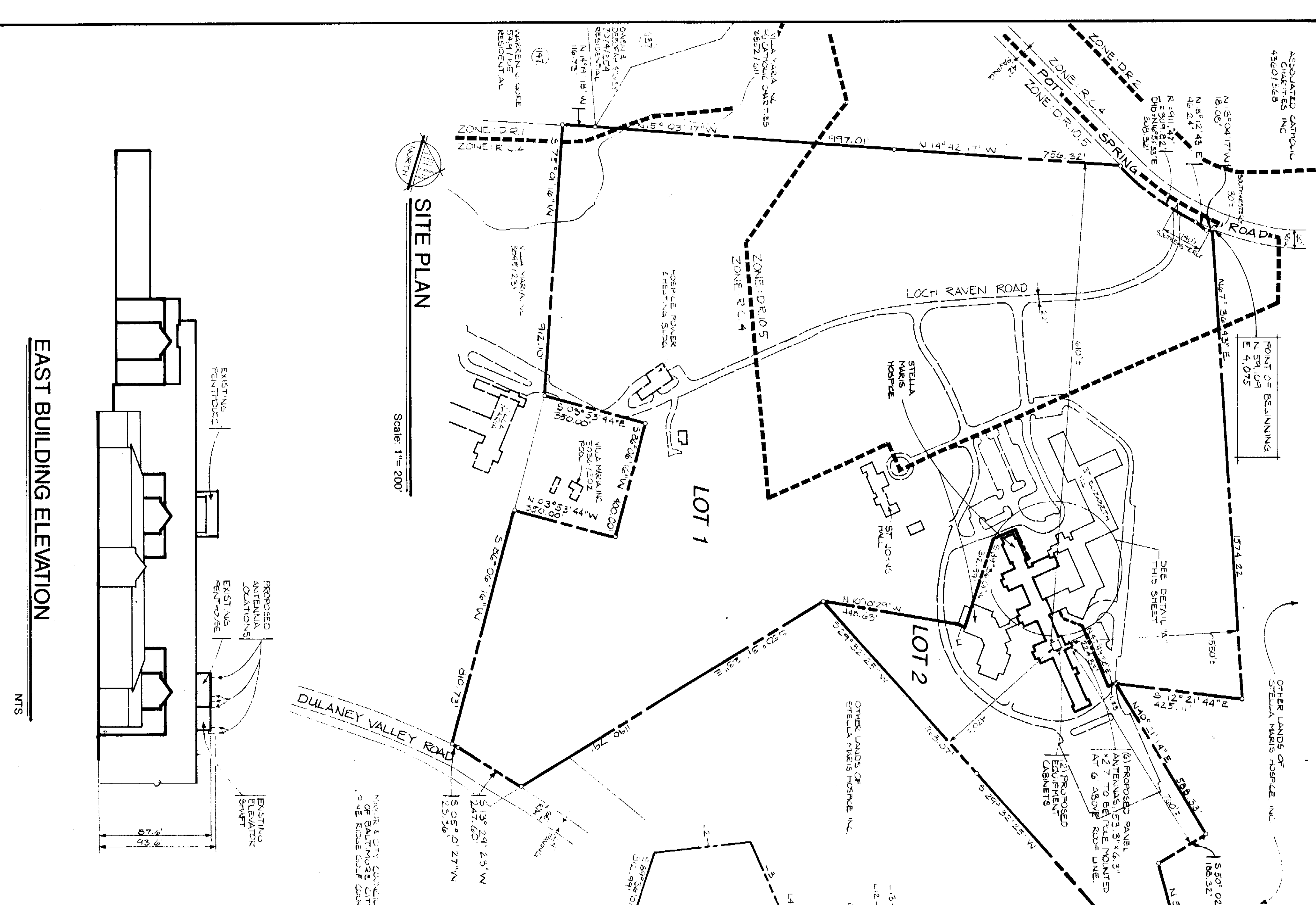
UNCLASSIFIED

DATE 10-10-97

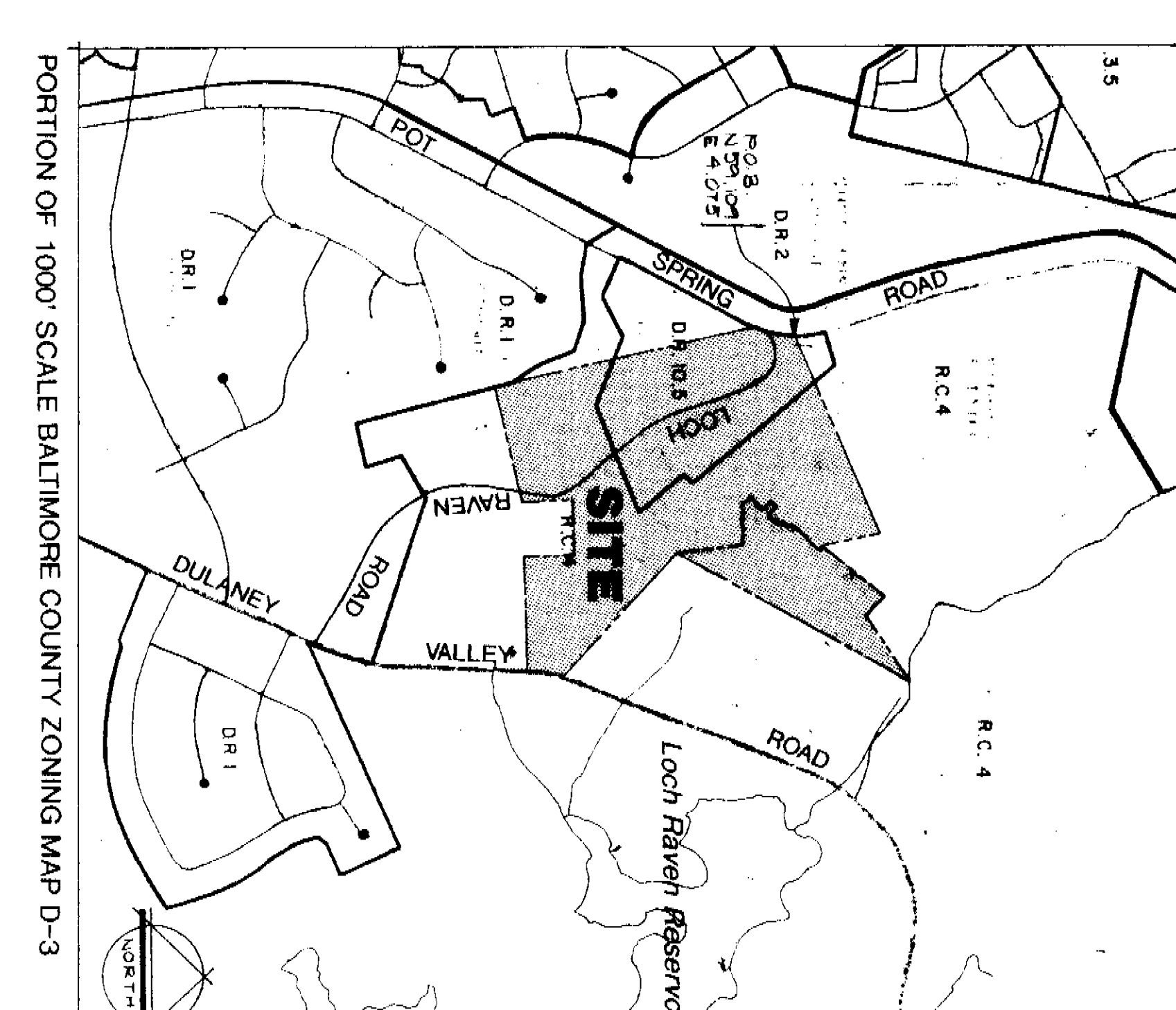
BY SP-10/10/97

DATE 10-10-97

BY SP-10/10/97



LINE	SECTION	DISTANCE
L1	N 08° 23' 52" W	50.00'
L2	N 41° 52' 37" W	72.72'
L3	N 48° 26' 52" E	100.00'
L4	S 41° 32' 07" E	5.00'
L5	S 41° 32' 07" E	1.18'
L6	N 48° 26' 52" E	19.27'
L7	N 41° 53' 04" W	0.58'
L8	N 48° 26' 52" E	7.65'
L9	N 41° 53' 04" W	11.62'
L10	S 48° 26' 52" W	0.70'
L11	N 41° 52' 37" W	66.01'
L12	N 48° 26' 52" E	0.63'
L13	N 41° 53' 04" W	16.22'
L14	N 48° 24' 58" E	56.74'
L15	S 41° 33' 06" E	94.21'
L16	N 48° 27' 41" E	66.09'
L17	N 48° 24' 58" E	5.99'
L18	N 41° 52' 02" W	9.00'
L19	N 48° 24' 58" E	52.00'
L20	N 41° 53' 04" W	26.79'
L21	N 48° 26' 52" E	28.29'
L22	N 01° 34' 31" E	72.08'
L23	N 48° 29' 50" W	22.32'



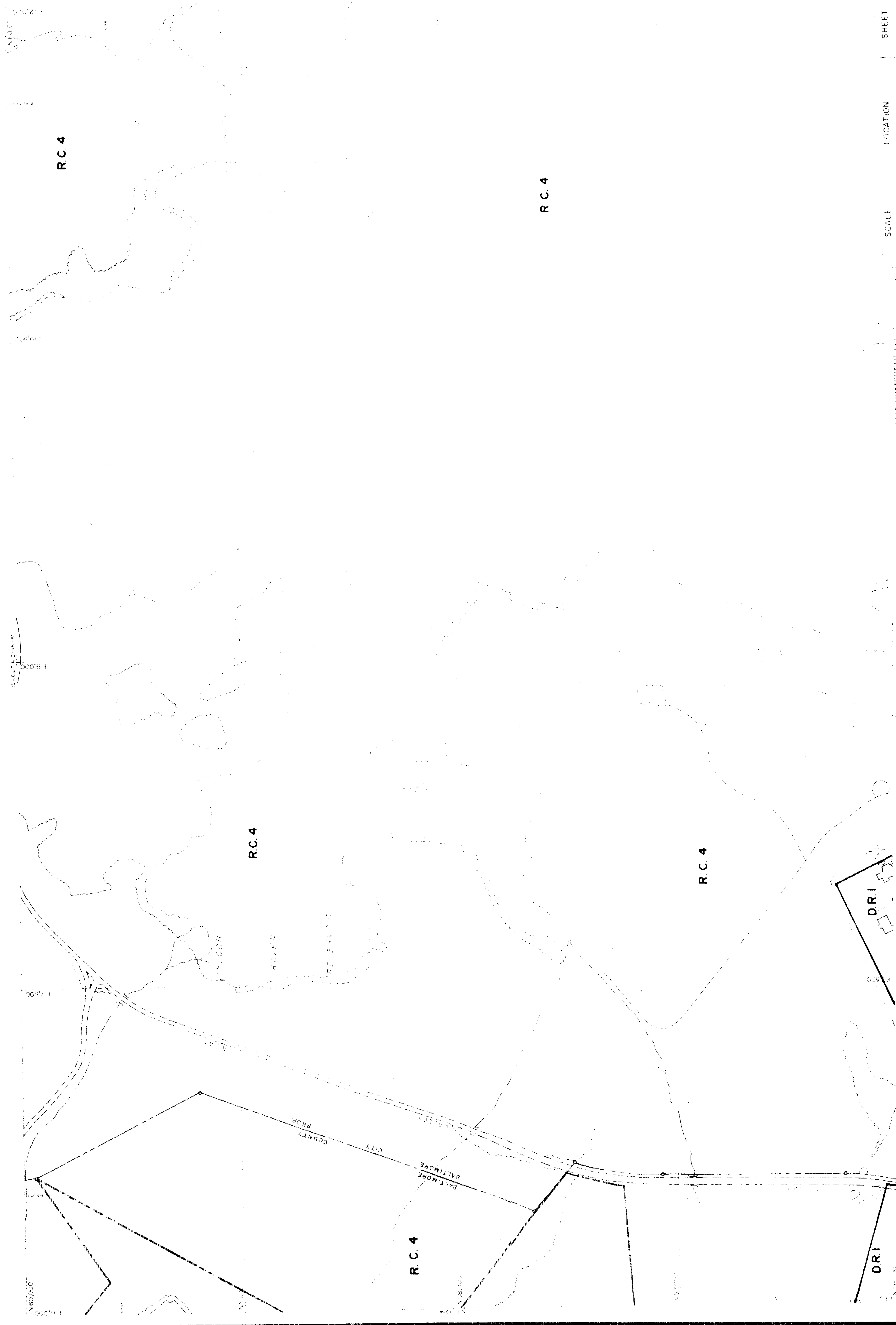
- NOTES:**
1. Current owner and address: Stella Maris Hospital, Inc., 2280 Dulaney Valley Road, Towson, MD 21204.
 2. Current location: American PCS, LP, 8001 Backlicks Drive, Suite 600, Towson, Maryland 21204.
 3. Site area: 10.4 Acres.
 4. Easement: 3200 Dulaney Valley Road.
 5. Easement: 100' wide easement for utility lines.
 6. Site area: 10.4 Acres.
 7. The proposed wireless transmitting and receiving facility will consist of (a) a tower structure measuring 33.5' x 6' x 2.7' to be located on the site, (b) a tower structure measuring 33.5' x 6' x 2.7' to be located on the site, and (c) a tower structure measuring 33.5' x 6' x 2.7' to be located on the site.
 8. The tower structure will be located on the site.
 9. The tower structure will be located on the site.
 10. The tower structure will be located on the site.
 11. The tower structure will be located on the site.
 12. The tower structure will be located on the site.
 13. The tower structure will be located on the site.
 14. The tower structure will be located on the site.
 15. The tower structure will be located on the site.
 16. The tower structure will be located on the site.
 17. The tower structure will be located on the site.
 18. The tower structure will be located on the site.
 19. The tower structure will be located on the site.
 20. The tower structure will be located on the site.

American Personal Communications
Site Plan To Accompany Petition For Special Exception
Stella Maris BAN 124
8th Election District

DMW
200 Zoning Map Amendment
1410 20th Street
Baltimore, MD 21201
Tel: 394-4355

1 OF 1

1"=200'
NE 1/4
Zoning



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
11-1988
Baltimore County Council
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART HORN, INC. BALTIMORE, MD. 21210

1"=200'
NE 1/4
Zoning

SHEET
N E
S B

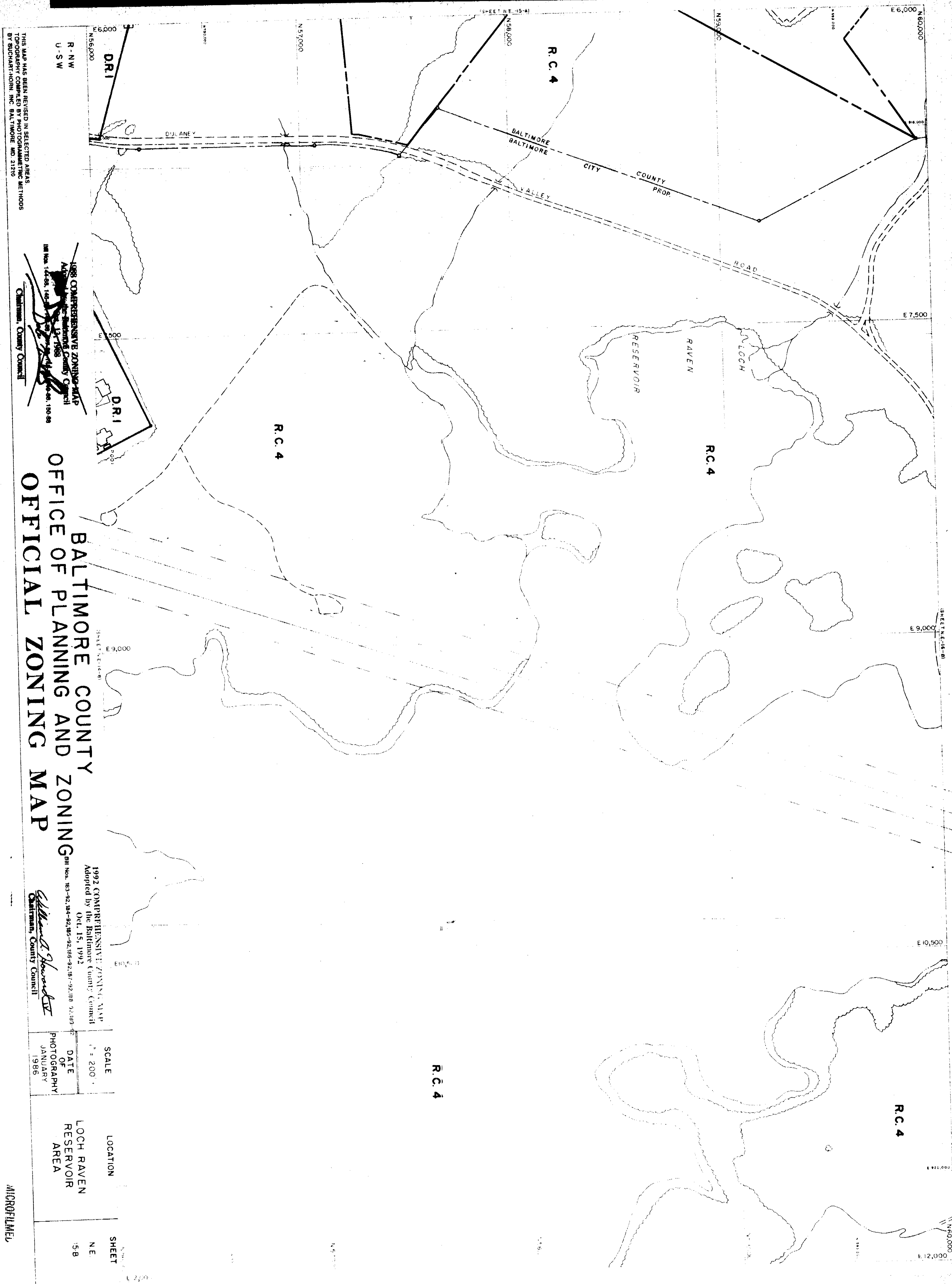
LOCATION
LOCH RAVEN
RESERVOIR
AREA

SCALE
1"=200'

DATE
OF
PHOTOGRAPHY
JANUARY
1985

1982 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
11-1982
Baltimore County Council
Chairman, County Council

NE 15B



IN RE: PETITION FOR SPECIAL EXCEPTION
W/S Dulany Valley Road, 2000'
(1/4) N of c/j Loch Raven Road
2300 Dulany Valley Rd. (Stella Maris)
8th Election District
3rd Councilmanic District
The Cardinal Shehan Center, Inc.
American PCS, L.P., Lessee
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-84-X

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 2300 Dulany Valley Road in Timonium. The property is more well known as The Cardinal Shehan Center, Inc. The Petition is filed by the corporate property owner, The Cardinal Shehan 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 in an R.C.4 zone 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, M.J., 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 Cardinal Shehan Center building. This building is located on the campus of Stella Maris Hospice, Inc., a large site of approximately 104.4 acres (1/4). The subject property is zoned R.C.4 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 -

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 17th day of October, 1995 that, pursuant to the Petition for Special Exception, approval to allow a wireless transmitting and receiving facility in an R.C.4 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
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:rmn

- 3 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

October 16, 1995

(410) 887-4386

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

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

RE: Case No. 95-482-X
Petition for Special Exception
American PCS, L.P., Lessee, Petitioner
The Cardinal Shehan Center, Inc., Legal Owner

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted, with restrictions, in accordance with the attached Order.

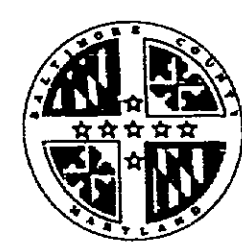
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:rmn

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, M.J., 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 2300 Dulany Valley Road
which is presently zoned RC4

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 transmission 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 the petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:
Margaret C. Ruggieri, Esq. for
American PCS, L.P.
(Type or Print Name)
Margaret C. Ruggieri
Signature One Democracy Center, Suite 600
6901 Rockledge Drive
Address
Bethesda, MD 20817
City State Zip

Attorney for Petitioner:
G. Scott Barhight, Esq.
(Type or Print Name)
G. Scott Barhight
Signature Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue
Address
Towson, MD 21204 (410) 832-2000
City State Zip

The Cardinal Shehan Center, Inc.
(Type or Print Name)
The Cardinal Shehan Center, Inc.
Signature Sister Louis Mary Battle, Administrator
(Type or Print Name)

Signature
2300 Dulany Valley Road 252-4500
Address
Towson, MD 21204
City State Zip
Daft McCune Walker, Inc. 200 E. Penna. Ave.
Towson, MD 21286 296-3333
Address
Towson, MD 21204 (410) 832-2000
City State Zip

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
minutes for Hearing
ALL OTHER
REVIEWED BY *Lawrence E. Schmidt* DATE 10-14-95
16

Description 96-84-X
to Accompany Petition for Special Exception
104.4 Acre Parcel
The Cardinal Shehan Center
East side of Pot Spring Road
West of Dulany Valley Road
Eighth Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21206
(410) 296-3333
Fax: 296-4390

A Team of Land Services
Landscape Architects
Engineers Surveyors
Environmental Planners

Beginning for the same 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 Pot Spring Road, 60 feet wide, with the centerline of Loch Raven Road, (1) Southeasterly along the centerline of Pot Spring Road 140 feet, more or less, thence at a right angle to said Pot Spring Road (2) Southwesterly 30 feet, more or less, to the point of beginning, said point of beginning being on the east side of Pot Spring Road, thence leaving said beginning point and running the following eight courses and distances, viz: (1) North 67 degrees 36 minutes 43 seconds East 1574.22 feet, thence (2) South 12 degrees 21 minutes 44 seconds East 425.11 feet, thence (3) North 40 degrees 21 minutes 14 seconds East 588.33 feet, thence (4) South 50 degrees 02 minutes 45 seconds East 188.32 feet, thence (5) North 55 degrees 50 minutes 38 seconds East 580.03 feet, thence (6) South 29 degrees 32 minutes 25 seconds West 1147.64 feet, thence (7) South 29 degrees 32 minutes 25 seconds West 763.07 feet, thence (8) South 50 degrees 31 minutes 23 seconds East 1190.79 feet to intersect the west side of Dulany Valley Road, 66 feet wide, thence running and binding thereon the following two courses and distances (9) South 13 degrees 29 minutes 23 seconds West 247.60 feet, and thence (10) South 05 degrees 10 minutes 27 seconds West 23.36 feet, thence leaving said

Page 1 of 2

road and running the following eight courses and distances (11) South 56 degrees 06 minutes 16 seconds West 810.73 feet, thence (12) North 03 degrees 53 minutes 44 seconds West 350.00 feet, thence (13) South 86 degrees 06 minutes 16 seconds West 400.00 feet, thence (14) South 03 degrees 53 minutes 44 seconds East 350.00 feet, thence (15) South 75 degrees 01 minute 16 seconds West 912.10 feet, thence (16) North 14 degrees 19 minutes 18 seconds West 116.73 feet, thence (17) North 15 degrees 03 minutes 17 seconds West 997.01 feet, and thence (18) North 14 degrees 42 minutes 17 seconds West 736.32 feet to intersect the aforesaid east side of Pot Spring Road, thence running and binding thereon the following three courses and distances (19) Northeasterly by a curve to the left having a radius of 911.47 feet for a distance of 309.82 feet (the arc of said curve being subtended by a chord bearing North 16 degrees 51 minutes 33 seconds East 308.32 feet), thence (20) North 18 degrees 12 minutes 43 seconds East 46.24 feet, and thence (21) North 13 degrees 04 minutes 17 seconds West 18.08 feet to the point of beginning, containing 104.4 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 9, 1995
Project No. 94161.51 (L94161.51)



Page 2 of 2

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 8th Date of Posting 9/27/95
Posted for: Special Exception
Petitioner: The Cardinal Shehan Center, Inc.
Location of property: 2300 Dulany Valley Rd.
Location of Sign: Across road, on property line, 2nd
Remarks:
Posted by: *William J. ...* Date of return: 9/29/95
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. Henricson
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commission of Baltimore County will hold a public hearing on the proposed Special Exception of the above-captioned property at the County Office Building, 400 Washington Avenue, Towson, Maryland 21204, on October 12, 1995, at 5:00 p.m. in the 11th Councilmanic District.
The proposed Special Exception is for a wireless transmitting and receiving facility.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTICE: (Planning, Engineering, Surveying, etc.)
If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.
The City and County of Baltimore, Maryland
9/29/95

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

DATE 8-16-95 ACCOUNT 2001-6150
96-84-X AMOUNT \$ 370.00

RECEIVED FROM: MARGARET C. RUGIERI, 2300 Dulany Road, P.O. Box 600, Bethesda, MD 20817
FOR: PERMITS (080) 2435 300.00
PERMITS (080) 2435 70.00
TOTAL \$ 370.00

VALIDATION OR SIGNATURE OF CASHIER JCM

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/neighbors/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.

Carl Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 76
Petitioner: AMERICAN PCS, L.P.
Location: 2300 DULANEY VALLEY RD. TOWSON, MD 21204
PLEASE FORWARD ADVERTISING BILL TO:
NAME: AMERICAN PCS, L.P. ATTN: MARGARET C. RUGIERI
ADDRESS: ONE DEMOCRACY CENTER SUITE 600
6901 ROCKLEDGE DRIVE, BETHESDA, MD 20817
PHONE NUMBER: 301-24-9283

AJ:gsa (Revised 04/09/94)

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

Please forward billing to:
American PCS, Inc.
Margaret C. Rugieri, Esq.
One Democracy Center, Suite 600
6901 Rockledge Drive
Bethesda, MD 20817
301-24-9283

NOTICE OF HEARING

The Zoning Commission 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: 96-84-I (Item 76)
2300 Dulany Valley Road - Stella Maris
W/S Dulany Valley Road, 2000' +/- S of c/l Loch Raven Road
8th Election District - 3rd Councilmanic
Legal Owner: The Cardinal Shehan 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. SCHEWITZ
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 887-3351.

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 Commission 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:

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W/S Dulany Valley Road, 2000' +/- S of c/l Loch Raven Road
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HEARING: THURSDAY, OCTOBER 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a wireless transmitting and receiving facility.

Carl Jablon
Arnold Jablon
Director

cc: The Cardinal Shehan Center, Inc.
American PCS, L.P.
G. Scott Barhight, Esq.
Deft. McClure Walker, Inc.

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 887-3351.

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.: 76
Case No.: 96-84-X
Petitioner: The Cardinal Shehan Center, Inc.

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 18, 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.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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
Development Coordinator, DEPRM

SUBJECT: Zoning Item #76 - Stella Maris
2300 Dulany Valley 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
STELLAM/DEPRM/TXTSBB

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

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 Keller

FK/JL

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

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

RE: Baltimore County
Item No. 96-84-X

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
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
INTEROFFICE 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 079

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

RWB:sw

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: August 18, 1995

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner I, PDM

SUBJECT: Item #76
2300 Dulaney Valley Road

Plan should show dimension from tower to nearest property line.
Applicant so advised.

JCM:scj

Environmental Impact
Statement

Stella Maris
American PCS Site

October 1995
Project No. 94161.51

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

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

PETITIONER'S
EXHIBIT No 2

American Personal
Communications

Case No: 96-83-X, Item No. 75
Case No: 96-84-X, Item No. 76
Case No: 96-86-X, Item No. 80

PETITIONER'S
EXHIBIT No 3

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

TABLE OF CONTENTS

1. Photographs of 7620 York Rd.
2. Lease Agreement with St. Joseph Medical Center Inc.
3. Photographs of 2300 Dulaney Valley Road
4. Lease Agreement with Cardinal Shehan Center Inc.
5. Photographs of 11767 Owings Mills Boulevard
6. Photographs and Specification Sheets for Antennas
7. Photograph and Specification Sheets for Equipment Cabinets
8. FCC License
9. FCC Adopts ANSI EMF Regulations
10. Radio Frequency Statement - Jules Cohen
11. FCC Statement on PCS - Creating Significant Benefits for Consumers and Business
12. FCC's Chairman, Reed Hundt, Speech Excerpts

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

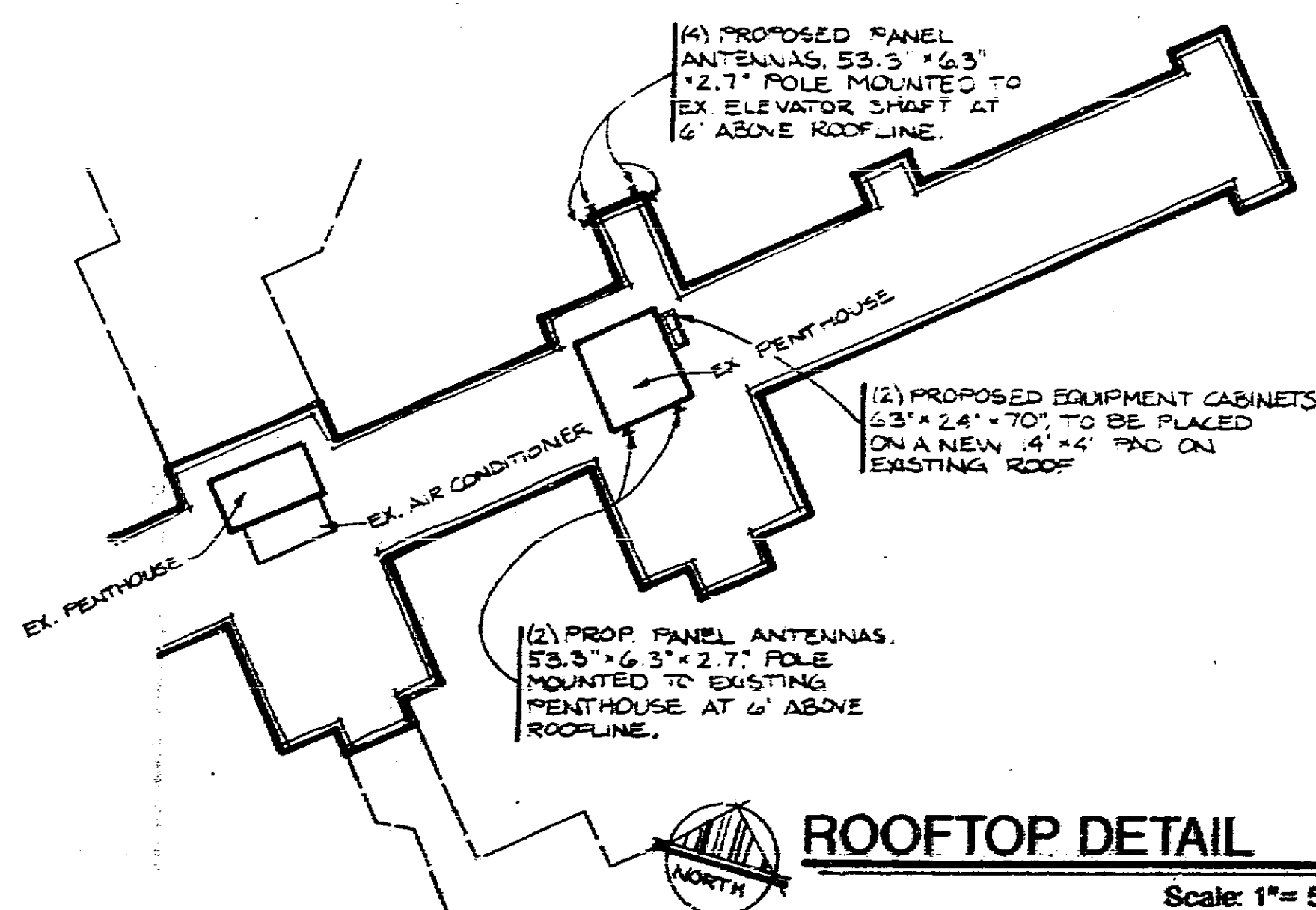
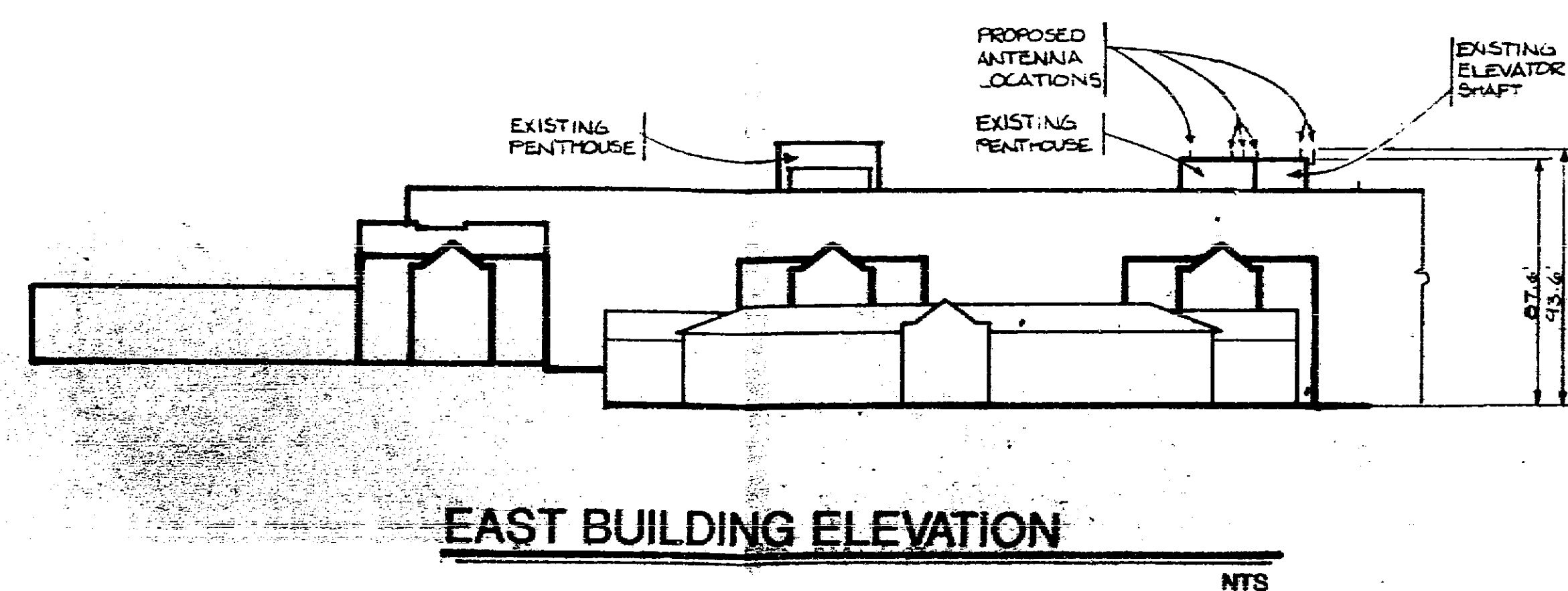
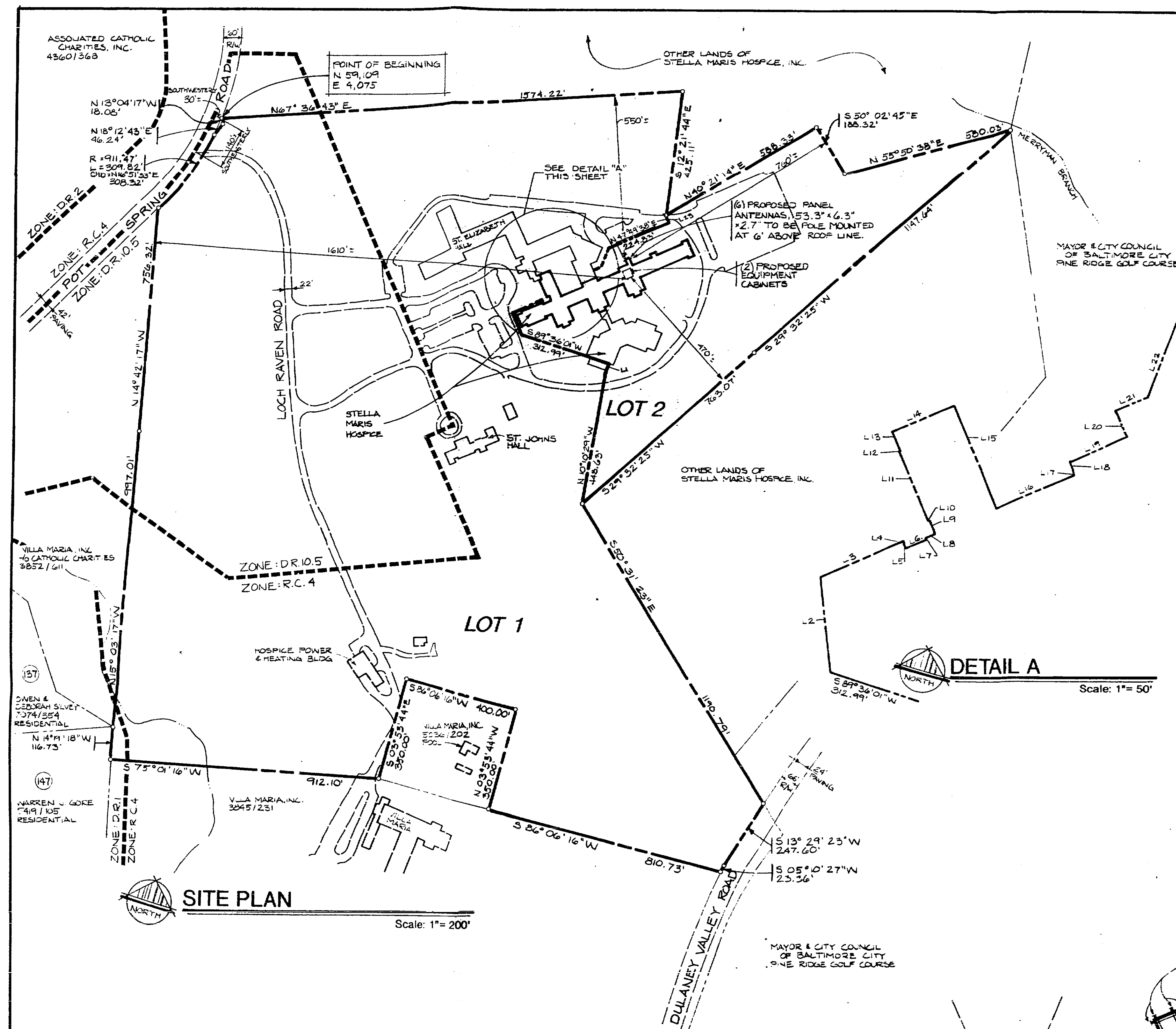
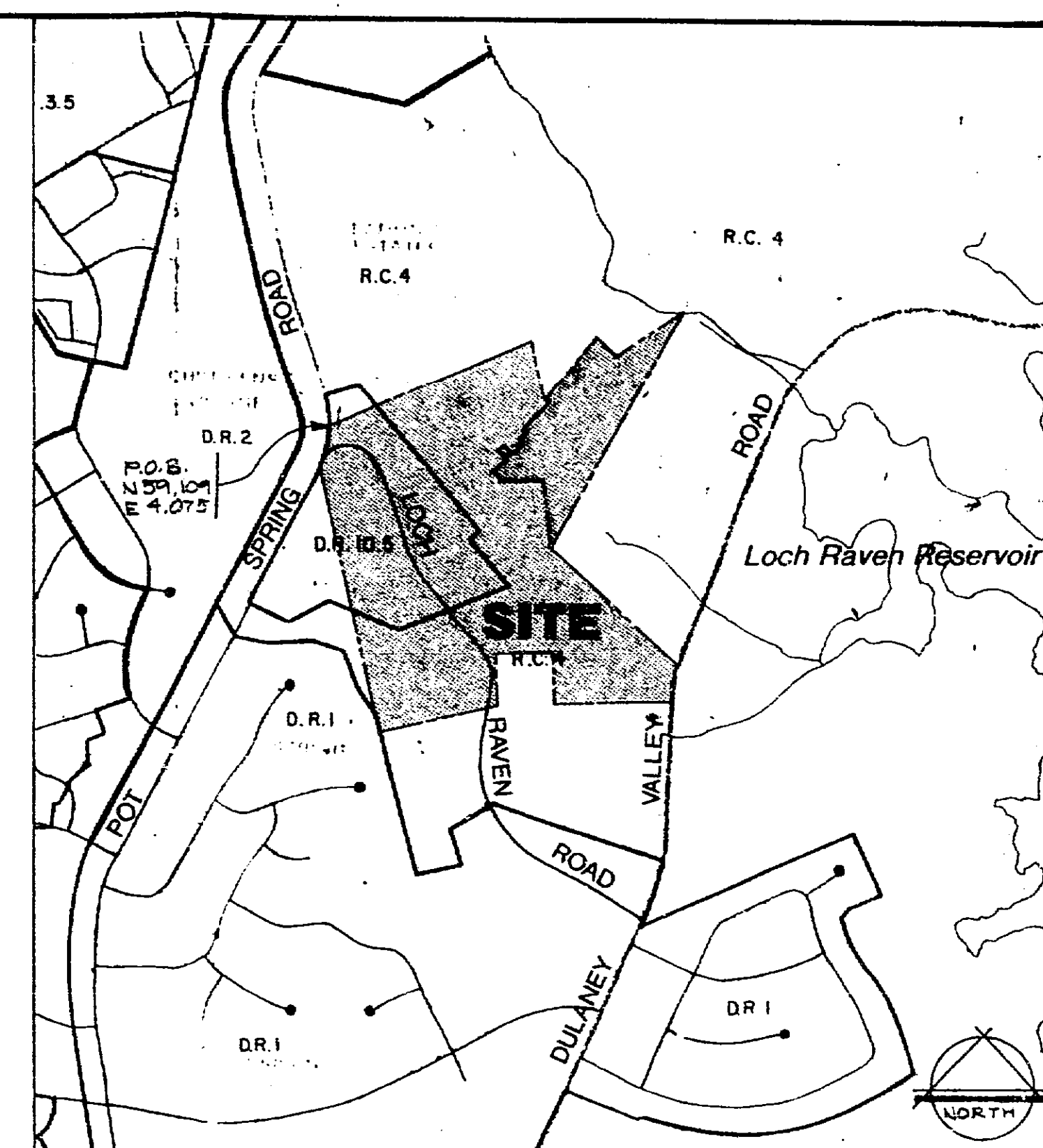


TABLE OF LOT 2 DIVISION LINES

LINE	BEARING	DISTANCE
L1	N 00° 23' 59" W	30.00'
L2	N 41° 31' 37" W	78.73'
L3	N 48° 26' 53" E	100.00'
L4	S 41° 33' 07" E	5.00'
L5	S 41° 33' 07" E	1.18'
L6	N 48° 26' 53" E	19.27'
L7	N 41° 33' 04" W	0.98'
L8	N 48° 26' 53" E	7.65'
L9	N 41° 33' 04" W	11.62'
L10	S 48° 26' 59" W	0.70'
L11	N 41° 32' 33" W	66.01'
L12	N 48° 26' 56" E	0.69'
L13	N 41° 33' 04" W	16.22'
L14	N 48° 24' 58" E	56.74'
L15	S 41° 33' 06" E	94.21'
L16	N 48° 27' 41" E	66.09'
L17	N 48° 24' 58" E	5.99'
L18	N 41° 35' 02" W	9.00'
L19	N 48° 24' 58" E	52.00'
L20	N 41° 33' 04" W	26.73'
L21	N 48° 26' 56" E	28.29'
L22	N 01° 34' 31" E	72.08'
L23	N 43° 39' 50" W	22.32'



NOTES:

- Current owner and address: Stella Maris Hospice, Inc. 2300 Dulaney Valley Road Towson, Maryland 21204
- Contract lessee: American PCS, L.P. One Democracy Way 6801 Rockledge Drive, Suite 600 Bethesda, Maryland 20817
- Site area: 104.4 Acs
- Existing use: Hospice
- Street Address: 2300 Dulaney Valley Road Towson, Maryland 21204
- Site data: Tax map 62, block 14, parcel 6 Tax Account No.: 06-19-074725, 06-19-074728 Deed references: 2360192, 41111403 Zoning: R.C. 4 Section District: R Councilmanic District: 4
- The proposed wireless transmitting and receiving facility will consist of (1) panel antennas, measuring 53.3' x 6.3' x 2.7', to be pole mounted at 6' above the roof line, (2) to be located on existing elevator shaft and (3) to be located on existing penthouse, and (3) equipment cabinets, measuring 63' x 24' x 7', to be placed on a new 4' x 4' pad on existing roof.
- No water or sanitary utilities are required for the facility.
- The information and boundary location shown hereon have been compiled from deeds and other sources believed to be reliable; however, their accuracy is not guaranteed and is subject to revision.
- 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 meets all safety requirements. Any upgrading or maintenance required to comply with any changes in safety requirements, or to maintain the safety thereof, shall be performed prior to the filing of such certification.
- No white 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 Commissioner.
- 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: B174651 B179259 B235538
- Zoning History: This site was the subject of Zoning Case Number 78-220A which requested a variance to permit an increase in the maximum width of the north-south elevation from 201' to 525' and the east-west elevation from 637' to 897' of both an existing nursing home and an expansion facility in lieu of the permitted 300'. On April 17, 1978, the Zoning Commissioner granted the request. This site was the subject of Zoning Case Number 83-102A which requested a variance to permit this section of two parts of 42 sq. ft. each, in lieu of the required 20 sq. ft. and 25 sq. ft. requirements respectively. On November 8, 1982, the Zoning Commissioner granted the request. Requested Zoning Action: Special Exception pursuant to BCZR § 1.404, 25.21 to permit a wireless transmitting and receiving facility in an R.C. 4 zone. (Pursuant to 5502.7.D.1 the site is exempt from subparagraphs 502.7.C.1, 2, 3, 4 and 5 of the B.C.Z.R.)

PETITIONER'S EXHIBIT NO 1

PRINTED

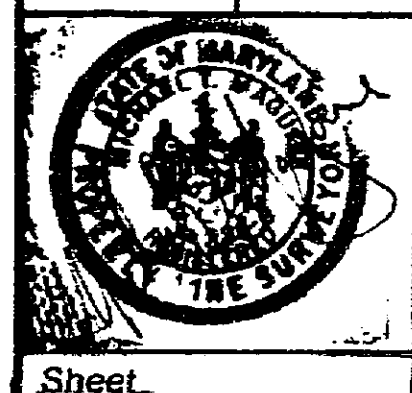
AUG 16 1995

DAFT-MCCUNE-WALKER, INC.

DMW
DAFT-MCCUNE-WALKER, INC.
A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals
220 E. Pratt Avenue
Towson, Maryland 21204
(410) 286-1113
Fax 286-1785

American Personal Communications
Site Plan To Accompany Petition For Special Exception
Stella Maris Site BAN 124
in Election District

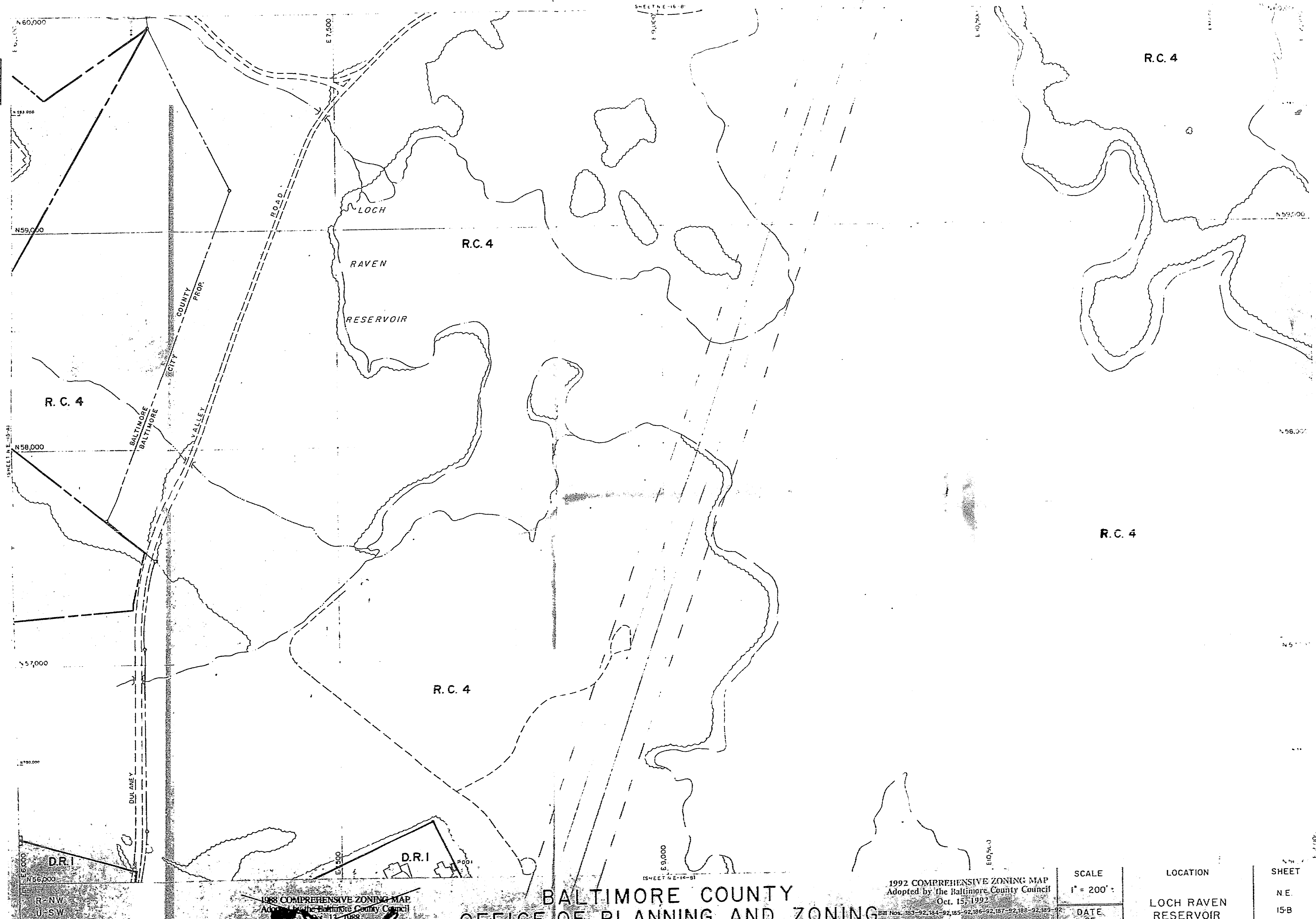
No.	Description	Date
REVISIONS		
Proj. No.	94161.51	
Date		
Scale	As Shown	
Last Rev.		



Sheet

1 OF 1

1"=200'
Zoning
NE/SE



THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART HORN INC. BALTIMORE MD. 210

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 12, 1988
BCH Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
John J. P. [Signature]
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

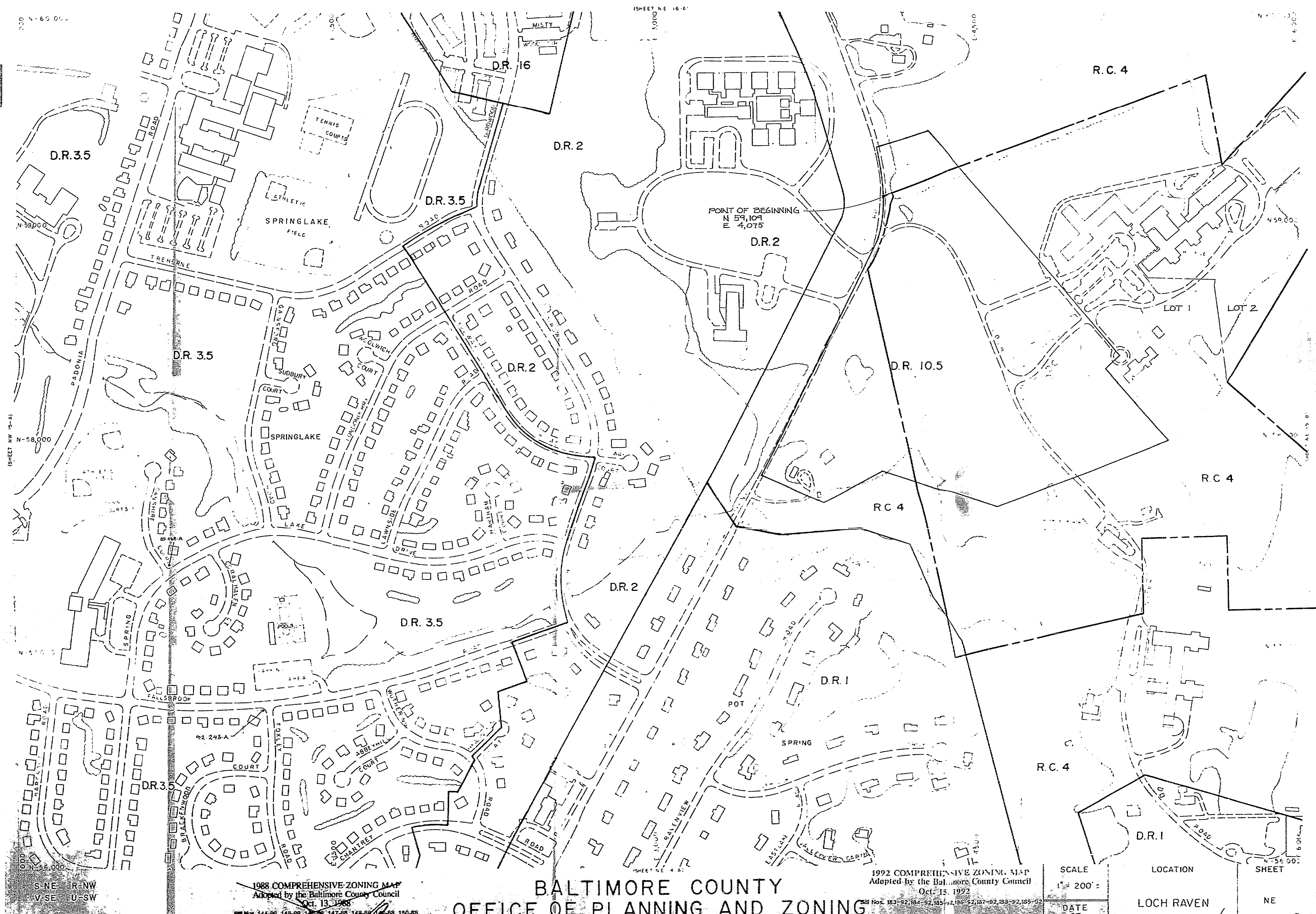
1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
BCH Nos. 153-92, 154-92, 155-92, 156-92, 157-92, 158-92, 159-92
William Howard IV [Signature]
Chairman, County Council

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
1988

LOCATION
LOCH RAVEN
RESERVOIR
AREA

SHEET
N.E.
15-B

NE 15A
1"=200'
Zoning



1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
William Howard
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1992
Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92
William Howard
Chairman, County Council

SCALE 1" = 200'	LOCATION LOCH RAVEN CAM AREA 76
DATE OCT 13 1992	SHEET NE 15-A

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART HORN INC., BALTIMORE, MD 21201

96-84-X