Baltimore County
Department of Permits and
Development Management

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

March 26, 2002

S. Leonard Rottman
Adelberg, Rudow, Dorf & Hendler, LLC
600 Mercantile Bank & Trust Building
2 Hopkins Plaza, Baltimore, MD 21201

Dear Mr. Rottman,

RE: 6800 Liberty Road Telecommunication Facility
Spirit and Intent Case No. 96-387-X, 2nd Election District

Your letter addressed to Mr. Jablon, dated March 21, 2002 has been referred to me for reply. After careful review of the materials included with the letter and the zoning records for this property the following has been determined.

The proposed additional equipment cabinet is considered to be within the "spirit and intent" of Zoning Case No. 96-387-X. You must sticky-back a copy of this letter on all plans submitted to Baltimore County for permit approval.

Please prepare and submit to this office an amended version of the site plan submitted in Zoning Case No. 96-387-X clearly showing the addition and other collateral changes, including a signature block titled:

APPROVED AS BEING WITHIN THE SPIRIT AND INTENT OF THE PLAN AND ORDER IN ZONING CASE No. 96-387-X

_____
Signed By Date

This amended plan will be included in the zoning case file.

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 410-887-3391.

Sincerely,

Lloyd T. Moxley
Planner II, Zoning Review

LTM

Baltimore County
Department of Permits and
Development Management

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

March 15, 2002

S. Leonard Rottman
Adelberg, Rudow, Dorf & Hendler, LLC
600 Mercantile Bank & Trust Building
2 Hopkins Plaza, Baltimore, MD 21201

Dear Mr. Rottman,

RE: 6800 Liberty Road Telecommunication Facility
Spirit and Intent Case No. 96-387-X, 2nd Election District

Your letter addressed to Mr. Jablon, dated March 21, 2002 has been referred to me for reply. After careful review of the materials included with the letter and the zoning records for this property the following has been determined.

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_____
Signed By Date

This amended plan will be included in the zoning case file.

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 410-887-3391.

Sincerely,

Lloyd T. Moxley
Planner II, Zoning Review

LTM

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
NE/S Liberty Road, across from its
intersection w/St. Lukes Lane * DEPUTY ZONING COMMISSIONER
(6800 Liberty Road)
2nd Election District * OF BALTIMORE COUNTY
2nd Councilmanic District
* Case No. 96-387-X
City Partners Ltd. - DLW
Petitioners *

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 6800 Liberty Road, located in the vicinity of St. Luke's Lane in Lochearn. The Petition was filed by the owners of the property, City Partners Limited - DLW, by Anne G. Andreas, Vice President and Managing Agent, and the Contract Purchaser/Lessee, AT&T Wireless Services, through their attorney, Paul A. Dorf, Esquire. The Petitioners request a special exception for a roof top radio link (base station) for Wireless Personal Communications Services (wireless transmitting and receiving structure), pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Frances Kingsbury and Khoa Khuu, representatives of AT & T Wireless Services, Contract Lessee, and Paul A. Dorf, Esquire, attorney for the Petitioners. There were no Protestants present at the hearing, however, a letter of opposition was received from the Liberty Road Community Council, Inc.

Testimony and evidence offered revealed that the subject property consists of 8.12 acres, more or less, zoned D.R. 16 and is improved with a

nine-story apartment building, known as the Balmoral Apartments. The Petitioners seek approval to locate a wireless transmitting and receiving facility on top of the subject building in the location shown on Petitioner's Exhibit 1. Due to the D.R. zoning of the property, a special exception is necessary in order to proceed as proposed. Testimony revealed that this property was the subject of prior Case No. 96-54-X in which American Personal Communications was granted approval to locate their antennae on the subject building. In the instant case, the Petitioners have entered into a lease agreement with the owners of the property to locate a roof-top radio link (base station) atop the existing building. Testimony indicated that the proposed facility will consist of nine (9) small mounted panel antennae and two equipment cabinets, similar in size as that which is already existing on the building. Inasmuch as these antennae will be located high atop an existing structure, they will be minimally visible to passers by and have little, if any, effect upon the surrounding community.

It is clear that the B.C.Z.R. permits the use proposed in a D.R.16 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special

exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R. In addition, the Petitioners have satisfied the requirements of Section 502.7C of the B.C.Z.R. which specifically relates to wireless transmitting and receiving structures in residential zones.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of May, 1996 that the Petition for Special Exception seeking approval of a roof top radio link (base station) for Wireless Personal Communications Services (wireless transmitting and receiving structure), to be located on the subject property, pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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 relief granted herein shall be rescinded.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 5/14/96
By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

Paul A. Dorf, Esquire
2 Hopkins Plaza, Suite 600
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
NE/S Liberty Road, across from its intersection w/St. Lukes Lane
(6800 Liberty Road)
2nd Election District - 2nd Councilmanic District
City Partners Ltd. - DLW - Petitioners
Case No. 96-387-X

Dear Mr. Dorf:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Anne G. Andreas, Vice President
City Partners Ltd.-DLW, 6701 Democracy Plaza, Bethesda, Md. 20817

Messrs. Frances Kingsbury and Khoa Khuu, AT&T Wireless Services
1150 Connecticut Avenue, N.W., Washington, D.C. 20036

Ms. Dana M. Stein, President, Liberty Road Community Council
P.O. Box 31555, Baltimore, Md. 21207

People's Counsel; Case File

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 6800 Liberty Road, Baltimore, Maryland

96-387-X

which is presently zoned DR-16

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 Roof-Top Radio Link (Base Station) for Wireless Personal Communications Services (WIRELESS TRANSMITTING & RECEIVING STRUCTURE) (B.C.R.1.C.20; BCZR).

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

AT&T Wireless Services
(Type or Print Name)

Signature

1150 Connecticut Avenue, N.W.
Address

Washington D.C. 20036
City State Zipcode

Attorney for Petitioner

Paul A. Dorf, Esquire
(Type or Print Name)

Signature

Suite 600
2 Hopkins Plaza (410) 539-5195

201
Zipcode

ADELBERG RUDOW DORF HENDLER & SAMETH, LLC

PAUL A. DORF

ATTORNEY AT LAW

600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

410-539-5195
FAX 410-539-5834

Legal Owner(s)

City Partners Ltd.- DLW
(Type or Print Name) A Florida Limited Partnership

Ann G. Andreas, Managing Agent
Signature

Ann Andreas, Managing Agent
(Type or Print Name)

Anne G. Andreas, Vice President
Signature

6701 Democracy Plaza (301) 493-0400
Address Phone No.

Bethesda MD 20817
City State Zipcode

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

Jeff Owens
Name

1150 Connecticut Ave., N.W. (202) 416-6539
Address Phone No.

Washington, D.C. 20036

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL OTHER

REVIEWED BY: JAM DATE 4-5-96

ORDER RECEIVED FOR FILING
Date 4/5/96
By

388

MICROFILMED

Baltimore County
Department of Permits and
Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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

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

PAYMENT WILL BE MADE AS FOLLOWS:

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

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

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

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 388 Petitioner: A. T. & T.

Location: 1150 Connecticut Ave., N.W.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Paul Dorf, Esq.

ADDRESS: 2 Hopkins Plaza. Suite 600
Balto., Md. 21201

PHONE NUMBER: 539-5195

MICROFILMED

BALTIMORE (INTY, MARYLAND 358
OFFICE OF FINANCE - REVENUE DIVISION No. 017071
MISCELLANEOUS CASH RECEIPT 96-387-X

DATE 4-5-96 ACCOUNT R001-6150

A.T.&T AMOUNT $ 335.00

RECEIVED FROM: 6800 Liberty Rd.

SP. EX (050) 300.00
POSTING (080) 35.00

FOR:

MICROFILMED 03A91#0231MICHRC 335.00
BA C002:59PM04-05-96 $335.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER JCM

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

96-387-X

District 2nd

Date of Posting 4/19/96

Posted for: May 13, 1996 hearing

Petitioner: City Partners / AT&T Wireless Services

Location of property: 6800 Liberty Road

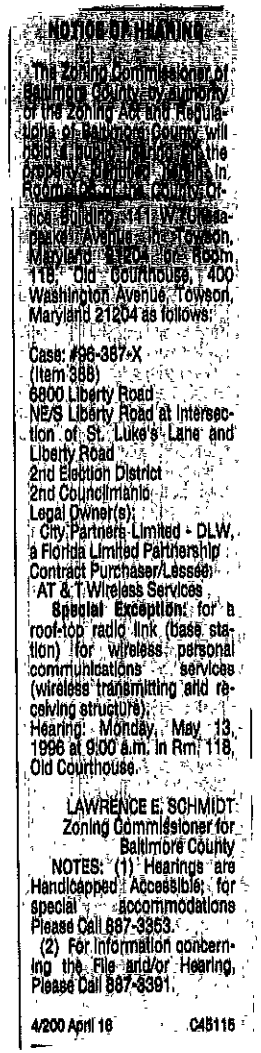
Location of Signs: Facing roadway on property being zoned

Remarks:

Posted by M Healy (Signature) Date of return: 4/26/96

Number of Signs: 1

MICROFILMED



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 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-387-X
(Item 388)
6800 Liberty Road
NE/S Liberty Road at intersection of St. Luke's Lane and Liberty Road
2nd Election District
2nd Councilmanic
Legal Owner(s):
City Partners Limited - DLW, a Florida Limited Partnership
Contract Purchaser/Lessee:
AT & T Wireless Services

Special Exception: for a roof-top radio link (base station) for wireless personal communications services (wireless transmitting and receiving structure).

Hearing: Monday, May 13, 1996 at 9:00 a.m. in Rm. 118, Old Courthouse.

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.

4/200 April 16 C45116

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/18, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/18, 1996.

THE JEFFERSONIAN,

A. Henrikson

LEGAL AD. - TOWSON

MICROFILMED

TO: PUTUXENT PUBLISHING COMPANY
April 18, 1996 Issue - Jeffersonian

Please foward billing to:

Paul A. Dorf, Esq.
2 Hopkins Plaza
Baltimore, MD 21201
539-5195

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: 96-387-X (Item 388)
6800 Liberty Road
NE/S Liberty Road at intersection of St. Luke's Lane and Liberty Road
2nd Election District - 2nd Councilmanic
Legal Owner(s): City Partners Limited - DLW, a Florida Limited Partnership
Contract Purchaser/Lessee: AT& T Wireless Services

Special Exception for a roof-top radio link (base station) for wireless personal communications services (wireless transmitting and receiving structure).

HEARING: MONDAY, MAY 13, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

Baltimore County
Department of Permits and
Development Management

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

April 11, 1996

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: 96-387-X (Item 388)
6800 Liberty Road
NE/S Liberty Road at intersection of St. Luke's Lane and Liberty Road
2nd Election District - 2nd Councilmanic
Legal Owner(s): City Partners Limited - DLW, a Florida Limited Partnership
Contract Purchaser/Lessee: AT& T Wireless Services

Special Exception for a roof-top radio link (base station) for wireless personal communications services (wireless transmitting and receiving structure).

HEARING: MONDAY, MAY 13, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: City Partners Ltd., DLW
Jeff Owens/AT&T Wireless Services
Paul A. Dorf, Esq.

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

Baltimore County
Department of Permits and
Development Management

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

May 6, 1996

Paul A. Dorf, Esquire
Suite 600
2 Hopkins Plaza
Baltimore, MD 21201

RE: Item No.: 388
Case No.: 96-387-X
Petitioner: City Partners Ltd. DLW

Dear Mr. Dorf:

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 April 22, 1996.

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)

MICROFILMED

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

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: April 10, 1996

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. 365, 366, 368, 369, 371, 375, 376, 379, 382, 384, 385, 386 and 388

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: Gary L. Kerns

PK/JL

ITEM365/PZONE/TXTJWL

David L. Winstead
Secretary
Hal Kassoff
Administrator

Maryland Department of Transportation
State Highway Administration

4-12-96

RE: Baltimore County
Item No. 388 (JCM)

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

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~~ 545-5581 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

MICROFILMED

My telephone number is _____

For Impaired Hearing or Speech

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 4-17-96

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 4-15-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

376
378
379
380
381
382
383
385
388

LS:sp

LETTY2/DEPRM/TXTSBP

4/24/96
TO WCP

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management

Date: April 22, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development Management

SUBJECT: Zoning Advisory Committee Meeting
for April 22, 1996
Item Nos. 376, 378, 381, 382, 384, 385, 386, & 388

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

RWB:HJO:jrb

cc: File

ZONE7

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: April 5, 1996

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner I
Zoning Review, PDM

SUBJECT: Item #388
6800 Liberty Road

1. Section 502.7 -- Applicant stated he had reviewed these standards.
2. Applicant was advised that the zoning description must be current and sealed, per filing booklet instructions.
3. Only 11 site plans were filed. Applicant will forward one prior to the hearing.
4, Is this a structure?? This was discussed with Carl Richards and the applicant.

JCM:scj

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
6800 Liberty Rd, NE/S Liberty Rd at intersection of St. Luke's Lane & Liberty Rd * ZONING COMMISSIONER
2nd Election District, 2nd Councilmanic
* OF BALTIMORE COUNTY
Legal Owner(s): City Partners Ltd., DLW,
a Florida Limited Partnership * CASE NO. 96-387-X
Contract Purchaser/Lessee: AT& T Wireless Services
Petitioners *

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

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Paul A. Dorf, Esquire, 2 Hopkins Plaza, Suite 600, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

PETITION PROBLEMS

#385 --- JCM

1. Notary section is incomplete.

#384 --- JLL

1. Need councilmanic district.

#388 --- JCM

1. Need typed or printed name and title of person signing for contract purchaser.

2. Need authorization for person signing for contract purchaser.

3. Need authorization for whoever signed for attorney.

April 8, 1996

DEED

THIS DEED, made as of the 1st day of October, 1975, by and between MORAL ONE CORPORATION, a Florida corporation having an office at 2455 East Sunrise Boulevard, Fort Lauderdale, Florida, Grantor, and CITY PARTNERS, LTD.-DLW, a Florida limited partnership having an office at 2455 East Sunrise Boulevard, Fort Lauderdale, Florida, Grantee.

TRANSFER TAX NOT REQUIRED
10-11-75
Walter R. Richardson
Director of Finance
Per Irene C. Peters
Authorized Signature
Asst Secretary

W I T N E S S E T H :

That for and in consideration of the sum of Ten ($10.00) Dollars, the Grantor does grant unto the Grantee in fee simple the land and premises, with the improvements, easements and appurtenances thereunto belonging, situate, lying and being in Baltimore County, Maryland, more particularly described in Schedule A annexed hereto and made a part hereof,

TO HAVE AND TO HOLD the said land and the premises to the proper use and benefit of the Grantee, its successors and assigns, forever in fee simple.

And the Grantor hereby covenants that it will warrant specially the property hereby conveyed and that it will execute such further assurances of said property as may be requisite.

This Deed is executed and delivered by the Grantor to the Grantee, the sole shareholder of the Grantor, representing conveyance of the property of the Grantor in dissolution pursuant to the unanimous approval of the Board of Directors and shareholders of the Grantor on October 1, 1975.

WITNESS the hand and seal of the Grantor.

ATTEST:

MORAL ONE CORPORATION

SCHEDULE A LIBER 5591 PAGE 925

DESCRIPTION

8.1171 ACRE PARCEL, NORTHEAST SIDE OF LIBERTY ROAD AT ST. LUKE'S LANE, "BALMORAL TOWERS", SECOND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same at a point on the northeast right of way line of Liberty Rd. (Maryland Route 26) as shown on State Roads Commission of Maryland Plat No. 30598, revised January 11, 1965, said beginning point being opposite the intersection of the Base Line of Right of Way of said Liberty Road with the Base Line of Right of Way of St. Luke's Lane, as shown on said plat, running thence binding on said right of way line of Liberty Road, as shown on said plat and on State Roads Commission of Maryland Plat No. 30599, dated June 9, 1964, (1) N 63° 48' 20" W 565.07 feet, thence eleven courses: (2) N 17° 04' 00" E 313.81 feet, (3) S 72° 56' 00" E 225.00 feet, (4) N 17° 04' 00" E 130.00 feet, (5) S 87° 41' 35" E 249.34 feet, (6) S 29° 13' 05" E 57.73 feet, (7) S 10° 41' 15" E 276.78 feet, (8) N 79° 18' 45" E 93.00 feet, (9) S 10° 41' 15" E 146.06 feet, (10) N 79° 18' 45" E 50.00 feet, (11) S 10° 41' 15" E 78.94 feet, and (12) S 10° 38' 45" W 170.52 feet to a point on the aforementioned northeast right of way line of Liberty Road, thence binding on said right of way line three courses: (13) N 61° 54' 10" W 16.33 feet, (14) S 64° 10' 17" W 82.01 feet and (15) N 63° 23' 50" W 107.29 feet, thence two courses: (16) N 46° 55' 20" W 119.40 feet, and (17) S 42° 26' 55" W 35.20 feet to a point on said right of way line of Liberty Road, and thence again binding thereon, (18) N 63° 23' 50" W 25.25 feet to the place of beginning.

Containing 8.1171 acres of land.

Together with Agreement dated July 28, 1966 and recorded among the Land Records of Baltimore County in Liber OTG No. 4684, Folio 76, from Maurice H. Berk and Ruth Berk, his wife, to New York Life Insurance Company, et. al.

Rec'd for record DEC 11 1975 at 11 A M
Per Elmer H. Kahline, Jr., Clerk

STATE OF NEW YORK)
: ss.:
COUNTY OF NEW YORK)

I, MARTIN GOLD, a Notary Public for the county aforesaid in the State of New York, do certify that Gerald Guterman, whose name as President of MORAL ONE CORPORATION, is signed to the annexed writing bearing date as of the 1st day of October, 1975, has acknowledged the same before me in my County aforesaid, as the act and deed of said Corporation for the purposes therein contained.

Given under my hand and official seal this 3rd day of December, 1975.

Notary Public

MARTIN GOLD
Notary Public, State of New York
No. 60-4531919
Qualified in Westchester County
Commission Expires March 30, 1976

THIS IS TO CERTIFY that the within instrument was prepared under the direct supervision of the undersigned, who is authorized to practice before the Court of Appeals of the State of Maryland.

John A. Magee, IV

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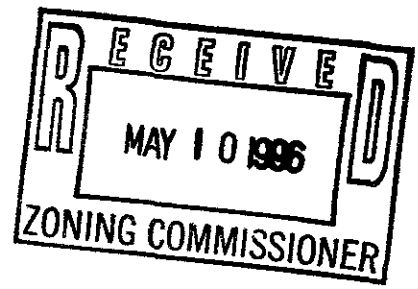
Post-it® Fax Note 7671	Date 5-10	# of pages ▶ 1
To Commissioner Schmidt	From Dana Stein	
Co./Dept	Co. LRCC	
Phone #	Phone #	
Fax # 887-3468	Fax #	

Liberty Road Community Council, Inc.
P.O. Box 31555
Baltimore, MD 21207

May 10, 1996



Sir

Mr. Lawrence Schmidt
Zoning Commissioner
111 W. Chesapeake Avenue
Towson, MD 21204

Re Case Number 96-387-X

Dear Commissioner Schmidt

On behalf of the Liberty Road Community Council, Inc. (LRCC), I am writing to oppose the request of City Partners Limited-DLW for a special exception for a roof-top radio link for wireless personal communications services in the above referenced case. The radio antenna would be installed on the roof of the Balmoral Apartments at 6800 Liberty Road.

We oppose this request because such a radio antenna is more appropriately installed on a commercial building, not a residential building such as the Balmoral Apartments. Also, we are concerned about the possible deleterious health effects of such a transmitting device on the surrounding community. For these reasons, we request that you deny City Partners' request for a special exception.

Thank you for your consideration.

Very truly yours,

Dana Stein

Dana M. Stein
President, LRCC
366-8533 (o)

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
AT+T Wireless	
Paul A Dorf atty	600 Mercantile Bldg. Balto Md 21201
Frances Kingsbury AT+T WS	8403 Colesville Rd Silver Spring MD 20910
Frances Kingsbury	
KHOA KHUU AT&T WS	8403 Colesville Rd 10th Floor Silverspring MD 20910

DENNY & ASSOCIATES, P.C.
CONSULTING ENGINEERS
WASHINGTON, DC

ENGINEERING EXHIBIT
HUMAN EXPOSURE TO
RADIO-FREQUENCY EMISSIONS
AT&T WIRELESS SERVICES
BALMORAL TOWERS SITE
BALTIMORE, MARYLAND

ENGINEERING STATEMENT

INTRODUCTION

Robert W. Denny, Jr., P.E., being first duly sworn, says that he is president of Denny & Associates, P.C., consulting engineers with offices in Washington, D.C.; that he is a professional engineer registered in the District of Columbia and other jurisdictions; that he is familiar with the guidelines for human exposure to electromagnetic emissions that have been adopted by the FCC; and that he has performed many power density calculations of the type presented herein. This statement has been prepared for AT&T Wireless Services (hereinafter, AT&T Wireless), proponent for the construction of a new Personal Communications Services (PCS) transmitting facility in Baltimore, Maryland. This statement addresses the concerns of public exposure to radio-frequency emissions from the proposed facility.[1]

PROPOSED FACILITIES

The proposed site is located at geographic coordinates: 39° 20′ 37″ North Latitude, 76° 43′ 43″ West Longitude.[2] The transmitting antennas will be mounted atop Balmoral Towers. The PCS antennas will have center lines approximately 110 feet above ground level. Six PCS transmitters will be used at the site.

[1] This analysis is based on specifications for the proposed PCS facility provided to the undersigned by AT&T Wireless Services.

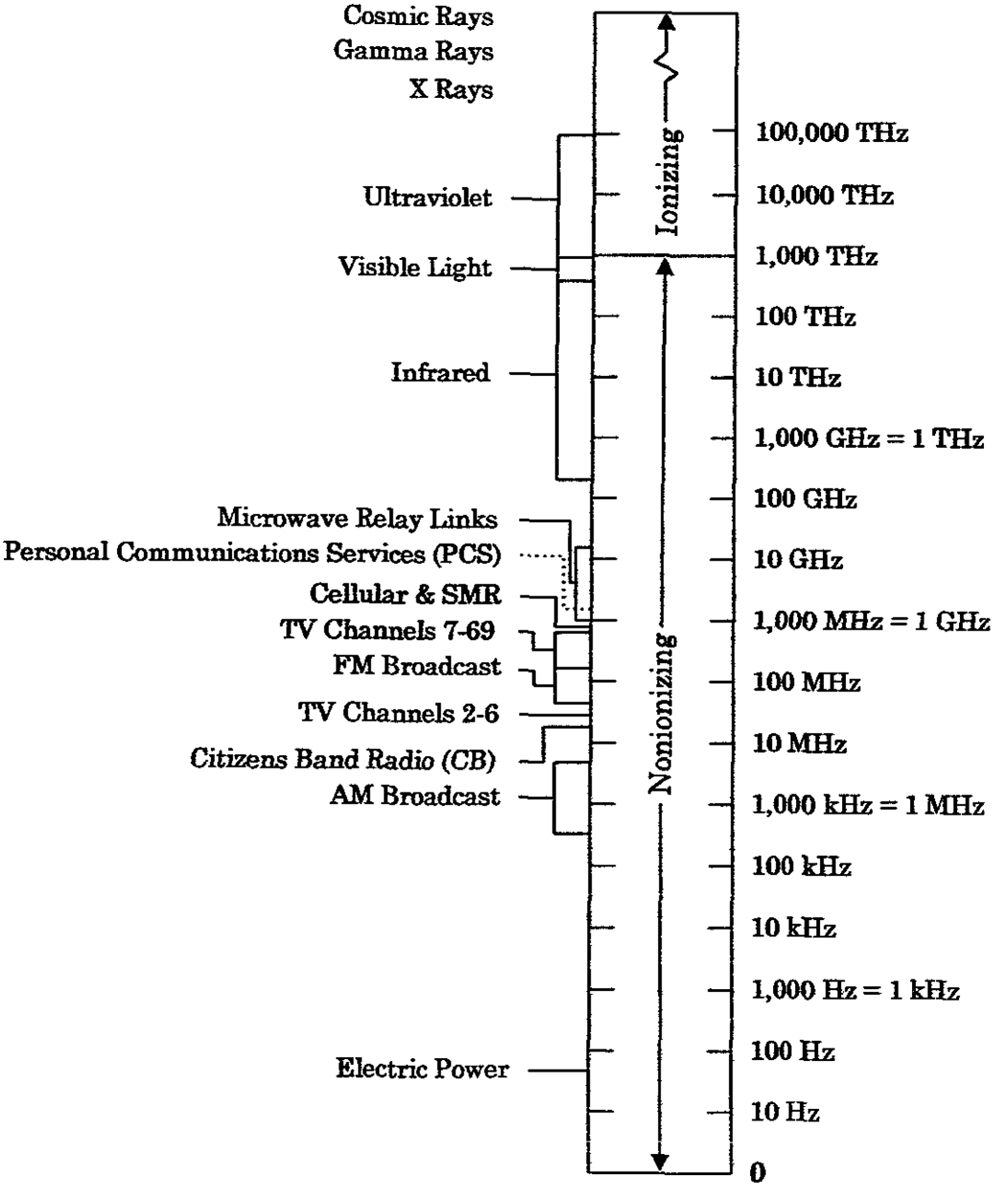
[2] Geographic coordinates are referenced to the 1927 North American Datum (NAD27).

Taking into account PCS transmitter power output, transmission line loss, and antenna gain, the effective radiated power of the proposed PCS facility will not exceed 3000 watts. The proposed PCS facility at this site will operate in the frequency band between 1950 megahertz to 1965 megahertz. The exposure standard against which the proposed operation will be evaluated is slightly more restrictive at lower PCS frequencies. Therefore, to provide the most conservative estimate of exposure, the PCS transmitters will be assumed to be operating at 1950 megahertz.

BACKGROUND

The transmitting systems to be used at the site operate in the range of frequencies subject to FCC regulation. The operating frequencies are all within the nonionizing portion of the frequency spectrum. In contrast to nonionizing radiation which, at high levels of exposure, results in tissue heating, ionizing radiation is characterized by energy levels that can cause mutation of cells by altering genetic information. Both X-rays and gamma rays are familiar examples of ionizing radiation.

Ionizing radiation occurs at frequencies exceeding 1,000,000,000 megahertz. One megahertz is equal to 1,000,000 hertz. One hertz is equal to one cycle per second. The following chart puts the frequencies to be used by AT&T Wireless into perspective with other communications services and types of radiation.



Before proceeding with an analysis of the planned AT&T Wireless installation, some background information on the physics of radio-frequency emissions may prove helpful. Emissions from an antenna project radially outward in all directions, and the power density, which is a measure of the exposure level, diminishes inversely with the square of the distance between the source and the observer. For example, at a distance of four feet, the power density is one-quarter of that at a distance of two feet. At a distance of eight feet, the power density is one-quarter of that at four feet and one-sixteenth of the power density at two feet. Power density decreases rapidly as distance from an emitter increases due to this inverse geometric relationship between power density and distance.

As part of its review process, the FCC examines the impact of proposals for new transmitting facilities on the environment. Pursuant to Section 24.52(a) of the FCC Rules, PCS licensees are required to comply with the human exposure to emission levels established by the American National Standards Institute (ANSI) in *ANSI/IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz* known as ANSI/IEEE C95.1-1992.

ANSI/IEEE C95.1-1992 was prepared by a committee of about 125 participants. The committee included biologists, medical doctors, physiologists, medical statisticians and engineers from academia, government and industry,

with industry participants being in the minority. In arriving at its conclusions of maximum permissible exposure (MPE) to radio frequency fields, hundreds of scientific studies were reviewed and a determination made of the exposure level that appeared to be the threshold for the appearance of biological effects which might be harmful if exposure continued over a substantial period of time. An additional safety factor of 50 below the threshold level was applied for uncontrolled[3] environments.

Recent federal legislation embodied in the Telecommunications Act of 1996 modifies Section 47 of the United States Code of Federal Regulations to include Section 332(c)(7)(B)(i)(II)(iv), which states:

> No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.

The subsequent analysis demonstrates that the proposed AT&T Wireless facility will comply with federal regulations specified in Section 24.52(a) of the FCC Rules.

---

[3] ANSI/IEEE C95.1-1992 defines uncontrolled environments as those locations where there is exposure of individuals who have no knowledge or control of their exposure. Some examples of an uncontrolled environment are a residence, a school, and a nursing home. Generally, the MPEs for uncontrolled environments are one-fifth the MPEs for controlled environments.

ANALYSIS

Figure 1 is a tabulation of the calculated power density at a target point six feet above ground level at the base of the building, assuming operation of the six PCS transmitters proposed for this facility. As Figure 1 shows, the calculated power density at the target point is 0.77 percent of the MPE level for uncontrolled environments. Due to the low exposure levels present near the ground, no risk exists to the public of exposure to power density levels even mildly approaching the ANSI MPE for controlled[4] or uncontrolled environments.

Another PCS operator, American Personal Communications (hereinafter, APC) has a site atop Balmoral Towers. While sufficient data to analyze the contribution from the APC facility are not available, it is reasonable to assume that the APC facilities are comparable to those proposed by AT&T Wireless. Thus, even with both systems in full operation, exposure at the target point is expected to be less than two percent of the MPE for uncontrolled environments.

All calculations of power density were made using conservative assumptions. Since the object of the transmitting antenna is to relay intelligence to a receiving antenna located horizontally outward at some distance, antennas are designed to concentrate energy into a relatively narrow range of angles above and below the horizontal plane and very little energy is radiated

[4] ANSI/IEEE C.95.1-1992 defines controlled environments as those locations where there is exposure that may be incurred by persons who are aware of the potential for exposure as a concomitant of employment, by other cognizant persons, or as the incidental result of transient passage through areas where analysis shows the exposure levels may be greater than the MPEs for uncontrolled environments, but less than the MPEs for controlled environments.

downward. The high-gain directional antennas of the type proposed for use by AT&T Wireless radiate most of the energy outward in the horizontal plane into one of several sectors encompassing the tower. For the purposes of this analysis, a vertical plane relative field factor of 0.316 was used in the calculation of power density from the PCS antennas, at the target point six feet above ground level at the base of the tower. The contribution to overall exposure arising from ground reflections was accounted for in the calculations by inclusion of a coefficient of 1.6 as recommended by the Environmental Protection Agency.

CONCLUSION

As Figure 1 shows, human exposure to radio-frequency emissions from the facility proposed by AT&T Wireless will be well below the MPE for uncontrolled environments in all areas accessible to the public. Based on the current science, exposure to radio-frequency emissions below the MPE levels set forth in ANSI/IEEE C95.1-1992 is believed to be safe for all.

Robert W. Denny, Jr., P.E.

Subscribed and sworn to before me this 9th day of May, 1996.

Donna Holzwart
Notary Public, District of Columbia
My commission expires November 14, 1998

DENNY & ASSOCIATES, P.C.
CONSULTING ENGINEERS
WASHINGTON, DC

Figure 1

ENGINEERING EXHIBIT
HUMAN EXPOSURE TO
RADIO-FREQUENCY EMISSIONS
AT&T WIRELESS SERVICES
BALMORAL TOWERS SITE
BALTIMORE, MARYLAND

Tabulation of Calculated Exposure Level at Six Feet Above Ground Level
(Uncontrolled Environment)

Transmitter Type	Number of Transmitters	Maximum Effective Radiated Power Per Transmitter (watts)	Operating Frequency (MHz)	Total Effective Radiated Power (watts)	Distance to Target (feet)	Calculated Power Density[a] (mW/cm^2)	ANSI Maximum Permissible Exposure[b] (mW/cm^2)	Fraction of MPE[c] (%)
PCS	6	500	1,950	3000	104	0.00996[d]	1.30	0.77
							Total Exposure	0.77

Abbreviations:
MHz = megahertz
mW/cm^2 = milliwatt per square centimeter

---

[a] Calculated using EPA-recommended ground reflection coefficient of 1.6.
[b] Maximum permissible exposures were obtained from ANSI/IEEE C95.1-1992.
[c] The ANSI/IEEE C95.1-1992 maximum permissible exposure (MPE) for uncontrolled environments for the operating frequency indicated was used as a reference.
[d] A vertical plane relative field factor of 0.316 was employed in the calculation.

3

BIOGRAPHICAL SKETCH OF ROBERT W. DENNY, JR.

Robert W. Denny, Jr., is a consulting engineer and president-treasurer of the firm of Denny & Associates, P.C. He is a professional engineer registered in the District of Columbia, registration number 9214; Mississippi, registration number 10768; Maryland, registration number 17475; and North Carolina, registration number 13298.

Work performed includes propagation studies, frequency allocation surveys, interference studies, planning and placement of communications structures, field strength surveys, radio-frequency radiation hazard analyses, surveys and expert testimony, communication system planning, inspection and appraisal of broadcast technical facilities, and the preparation of engineering material to support FCC applications for FM, TV, and other services.

Prior to founding the firm, he served as president of Jules Cohen & Associates, P.C. from 1992 to 1994, and was a principal engineer with that firm from 1987. Before joining Jules Cohen & Associates, P.C., he was a senior engineer with McCracken and Lopez, P.A., Charlotte, North Carolina, specializing in the design and specification of power, lighting, process control, and communications systems for large commercial and public facilities. From 1980 to 1986, he was engineering manager of standard broadcast station WBT and FM broadcast station WBCY, both Charlotte, flagship radio stations of the Jefferson-Pilot Communications Company. During his tenure with Jefferson-Pilot, he participated in the design and supervision of reconstruction of the radio stations and group-owned television station WBTV, Charlotte. He has also

worked as a free-lance engineer in the production of live television sports programming for the Mizlou Television Network and the Entertainment and Sports Programming Network (ESPN).

From 1978 to 1980, he was employed as chief engineer and vice president-engineering for the Lincoln Broadcasting Corp., a station group owner based in Syracuse, New York. Upon graduation from college, he joined the Harris Corporation, RF Communications Division in Rochester, New York, as a designer of high frequency communications systems for the military. In the course of his career, he has designed and supervised the construction of numerous broadcast and communications intensive facilities.

Mr. Denny received the degree of Bachelor of Science in Electrical Engineering from Drexel University, Philadelphia, Pennsylvania, in 1976. He is a member of the Institute of Electrical and Electronics Engineers (IEEE), a member of the Society of Motion Picture and Television Engineers, a member and past officer of the Association of Federal Communications Consulting Engineers (AFCCE), the National Society of Professional Engineers, the Society of Broadcast Engineers (SBE), the Electromagnetic Energy Association, the Association of Public-Safety Communications Officials, and the International Association of Electrical Inspectors (IAEI).

May, 1996

CAPABILITIES OF DENNY & ASSOCIATES, P.C.

Denny & Associates, P.C. provides a diverse complement of professional engineering services to the telecommunications industry. The firm's engineering resources include five licensed professional engineers, and a senior engineer. The experience of Denny & Associates includes the areas of:

- Broadcasting
- Microwave
- Cellular
- Paging
- Specialized mobile radio
- Cable television
- Satellite communications
- High definition television
- Human exposure to electromagnetic fields
- Expert testimony
- Rule Making proceedings
- Due diligence
  - Station upgrade analysis
  - Competition assessment
  - Equipment inspection
  - Rule compliance
- FAA obstruction matters
- Propagation prediction
- Field strength surveys
- Population studies
- Antenna design & adjustment
- Structure detuning
- Facility design
  - Project management
  - Cost analysis
  - Contract negotiation
  - Site selection
  - Studio design and construction
  - Lightning protection
  - Power distribution
  - Emergency power operation
  - Grounding systems
- Local area networks
- Computer programming

Background

Denny & Associates engineers are experienced in every aspect of communications engineering. The firm has been retained for special projects by all of the radio/television networks, the Association for Maximum Service Television, the National Association of Broadcasters, the Electronics Industry Association, financial and lending institutions, and many other major companies in the communications industry. Clients of the firm are found in virtually all of the 50 states, the District of Columbia, Puerto Rico, and Mexico.

Project Management

Denny & Associates engineers are able to supervise all aspects of a project from conception to completion. Service provided may include design, preparation of plans and specifications, evaluation of bid proposals. vendor selection, installation, on-site construction supervision, contract management, and documentation preparation. Denny & Associates is not affiliated with any vendor or equipment manufacturer, thereby assuring objectivity in system design, bid evaluation, and equipment purchase recommendations.

Computer Resources

The firm has established a state-of-the-art networked operating environment with instantaneous access to a diverse group of databases. This in-house functionality is augmented by numerous on-line services including access to government bulletin boards and resources. The firm's capabilities include, in part, propagation prediction, point to point path analyses, frequency searches, radiation pattern generation, antenna farm environmental evaluations, and intermodulation calculations. Firm personnel have on-line access to FCC databases, 3-second and 30-second terrain data, 1990 US Census data, and the Internet.

Measurement Capabilities

Denny & Associates engineers are experienced in conducting field surveys to evaluate antenna performance, assist in antenna adjustment, measure interference, and determine compliance with applicable standards regarding human exposure to electromagnetic energy. In complex environments, automated measurement techniques are used which permit efficient and accurate means of accumulating and analyzing large quantities of data. The firm maintains a van equipped with a pneumatic mast so that field strength surveys are conducted in accordance with FCC recommended practices.

Industry Involvement

Through involvement in industry organizations and committees, the firm and its staff maintain close ties with companies and personnel throughout the communications industry. Organizational involvement includes, in part: the Institute of Electrical and Electronics Engineers (IEEE), the Association of Federal Communications Consulting Engineers (AFCCE), the National Association of Broadcasters (NAB), the Electromagnetic Energy Association (EEA), the Cellular Telephone Industry Association (CTIA), the Personal Communications Industry

Association (PCIA), the Society of Broadcast Engineers (SBE), the Society of Motion Picture and Television Engineers (SMPTE), the National Society of Professional Engineers (NSPE), the International Association of Electrical Inspectors (IAEI), and the Federal Communications Bar Association (FCBA). Members of the firm are actively involved in committees developing standards in the areas of high definition television and human exposure to electromagnetic energy.

May. 1996

PETITIONER'S
EXHIBIT 4

Environmental Impact Statement

AT&T Wireless Services, Inc.
6800 Liberty Road Site

May 1996
Project No. 96035

Prepared for:
AT&T Wireless Services, Inc.
8403 Colesville Road, 10th Floor
Silver Spring, MD 20910

DMW

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

I. INTRODUCTION

This Environmental Impact Statement (EIS) has been prepared to meet the requirements of the Baltimore County Zoning Ordinance, § 502.7.C.10, as supporting documentation to a Petition for Special Exception for the development of a wireless transmitting and receiving facility on the Balmoral Towers building on Liberty Road near Saint Lukes Lane. The facility will be operated by a contract lessee, AT&T Wireless Services, Inc. (AT&T), 8403 Colesville Road, 10th Floor, Silver Spring, MD 20910.

II. PROJECT SUMMARY

The proposed project consists of the construction and operation of a wireless transmitting and receiving facility for use as a Personal Communications Service (PCS) station housing PCS radio and interconnect equipment. The facility will consist of nine panel antennas (52"± high x 6±" wide x 3±" deep). Six of the antennas will be pole-mounted to the existing penthouse and three of the antennas will be skid mounted on the main roof of the existing nine-story high rise apartment building. A pair of equipment cabinets (7±' high x 5±' wide x 3.5±' deep) will be installed on a platform on the main roof. The station will be a component of the PCS system being constructed by AT&T to serve the Baltimore-Washington area.

The facility will be constructed on land owned by City Partners LTD-DLW. The property is located at 6800 Liberty Road in Lochearn. The facility will be wholly contained on the roof of the existing building within the boundary of the 8.12-acre property. The existing building is generally situated in the southwestern portion of the property.

The property is zoned D.R. 16. Lands west, north, and east of the property are also zoned D.R. 16. Residential apartment buildings are located west of the site and the remaining adjacent land north and east of the site is undeveloped. Land south of the site is zoned RO (dentist office), D.R. 5.5 (church), and D.R. 16 (residential apartments).

The facility can be constructed at this location with no land disturbance to the area. The site will be served by electric and telephone utilities only. No sanitary sewer, water, or natural gas facilities are needed for the operation of the facility. The facility is programmed for unmanned operation, but will be subject to regular periodic maintenance visits.

III. PROBABLE ENVIRONMENTAL IMPACT

Site Clearing and Grading: The facility will be installed on an existing structure and will not require earth work or grading of any kind.

Site Drainage and Runoff: The facility will be installed atop an existing structure and will not create any new impervious area. There are no materials proposed to be used that could cause any chemical contamination of either runoff or ground water.

Wildlife Habitat: The site was visited by an Natural Resource Specialist on May 8, 1996. No significant plant or wildlife resources were found in the immediate vicinity of the proposed facility. The facility will be installed atop an existing structure, therefore no significant habitats will be disturbed.

The effects of radio broadcast towers on free ranging wildlife are largely unknown. However, studies on confined individuals indicate that non-ionizing radiation levels must be several orders of magnitude larger than those associated with this facility to have any measurable effect (see Page 3: Acute - short term exposures). Wildlife studies on the effects of radio frequency radiation similar to that emitted by the proposed AT&T facility are unwarranted due to the extremely low levels of radiation.

Numerous studies have been conducted examining the long term migration patterns and habits of migratory birds. It is generally assumed that these birds use astronomical, magnetic, and landscape cues to compliment inherited genetic abilities to migrate. Significant landscape features such as cities, rivers, and mountain ranges are widely considered to be the features utilized by birds. More localized features such as towns, creeks, and wood lots are learned as more precise locator cues. It is unlikely that waterfowl which may migrate through the Lochearn area could be confused by the addition of this facility.

Noise: The proposed facility will not generate any audible noise on a routine operating basis.

RF Radiation:

<u>Background</u> - Energy associated with electromagnetic radiation depends on its frequency (or wavelength). The higher the frequency, the greater the energy. X-ray and gamma radiation are at the far end of the radio frequency

spectrum and thus have relatively large amounts of energy. This energy level is known as ionizing radiation which can alter biological molecules by stripping electrons from the atoms. It is important not to confuse the terms "ionizing" and "non-ionizing" when referring to electromagnetic radiation since their mechanisms of biological effects are quite different. The RF energy emitted by the AT&T system is non-ionizing. This means that the energy level is not sufficient to alter biological molecules. The AT&T PCS system operates in a radio frequency (RF) radiation spectrum of 1950 to 1965 Megahertz (MHz). This frequency of RF radiation is within the range of non-ionizing energy.

Typical radiated power from an AT&T PCS transmitter is about 500 watts (W). With all six proposed transmitters operating simultaneously at full power, the entire facility will have an effective radiated power not exceeding 3,000 watts. By comparison, television and radio broadcasting facilities operate at 50,000 to 200,000 watts. When compared to power levels presented by television and radio broadcasting, we find the PCS system is magnitudes of levels less.

<u>Potential Health Effects</u> - There is an extensive body of literature published concerning the biological effects of RF radiation. These effects are dependent upon the electromagnetic frequency, the power (energy level), and the duration of exposure. It has been known for some time that high intensity doses of RF radiation can be harmful by the effect of heating biological tissue. Tissue damage can result primarily because of the body's inability to dissipate the excessive heat. These "thermal" effects are the same principles that are applied by microwave ovens and diathermy machines used in the therapeutic deep tissue treatment procedures.

a. **Acute (short-term exposures)**

Short-term, high intensity (100-200 mW/cm^2 [milliwatts per square centimeter]) RF radiation exposures to rabbits have demonstrated eye effects due to thermal effects. Such effects have not been demonstrated at low level (less than 10 mW/cm^2) power densities. Alterations in sperm production have been also reported and are related to thermal effects. The eyes and the testicles are inefficient at dissipating heat and thus are more susceptible to temperature related effects. It is important to note that the power densities required to produce thermal effects from short-term exposures are

150,000 to 1,500,000 times the levels which can be expected at the base of the AT&T installation.

b. **Chronic (long-term exposures)**

The evidence of harmful biological effects at field intensities lower than those known to produce significant, measurable heating has been controversial. The literature reports a wide range of non-thermal effects. These effects include behavioral modifications, reproductive, immunological and blood-forming effects, irritability, fatigue, and cardiovascular changes.

Human studies have not demonstrated significant differences between RF radiation exposed and unexposed populations. While various hypotheses have been formed to explain non-thermal effects, there is insufficient information to change currently accepted exposure levels.

Standards and Guidelines:

a. **ANSI/IEEE C95.1 - 1992:**

Standards for RF radiation exposure levels have been established by the American National Standards Institute (ANSI) in 1992, and subsequently adopted by the Federal Communications Commission on September 19, 1994.

The maximum permissible exposure power densities were decreased by a factor of five from a 1982 ANSI standard for "uncontrolled" environments. The formula to calculate exposure limits at the frequencies used by the PCS system is:

f [frequency (MHz)]/1500

The power density exposure limits for frequencies of 1950 to 1965 MHz are 1.30 to 1.31 mW/cm^2, respectively. The maximum permissible exposure is weighted over a 30-minute time period verses the six-minute period used in the 1982 ANSI guidelines.

The likely power densities at the base of the PCS system will be more than 1,200 times less than the proposed applicable guidelines.

c. **Other Guidelines**

The National Council on Radiation Protection and Measurements (NCRPM) specify a fixed level of 1 mW/cm^2 for an acceptable level for the general public. The International Radiation Protection Association's (IRPA) guidelines for public exposure also recommend 1 mW/cm^2.

Summary	Power Density (mW/cm^2)
ANSI/IEEE Maximum Permissible	1.30
NCRPM and IRPA Guidelines	1
Maximum Exposure Level at the base of a PCS Installation	<.01

Power Densities:

a. **PCS Systems**

A recent safety analysis by Bell Laboratories (October 12, 1995), indicates that "in all normally accessible areas in the neighborhood surrounding a typical PCS installation, the maximum levels of RF energy associated with operation of the antennas will be 1,200 times below the exposure limits of the 1992 ANSI/IEEE C95.1 safety guideline." The full report of this study which includes more details of the characteristics of facilities like the proposed and their relationship to the published standards and guidelines is included as Appendix A.

b. **Radio and Television**

Radio and television stations transmit at frequencies between 550 kHz and 800 MHz. These stations transmit using radiated power in the tens of thousands watts. When compared to the 3,000 watts, or

less, from the PCS antenna, one can readily see that PCS systems do not significantly contribute to the public's overall environmental exposures to RF radiation.

Environmental measurements of RF radiation by the Environmental Protection Agency and the FCC typically find levels well below exposure guidelines. In cases where levels have exceeded guidelines, there were unusual circumstances that placed the public too close to the antenna.

IV. DISCUSSION OF UNAVOIDABLE ADVERSE EFFECTS

Based on the above observations, the unavoidable adverse effects can be reduced to one item: the visibility of the antennas. This facility will be installed among several existing antennas using pole-mount, panel antennas, the addition of which will not significantly detract from the building's existing appearance.

V. ALTERNATIVES TO THE PROPOSED ACTION

Should approval for the proposed project be denied, it would be necessary to seek an alternative site within 0.25 to 0.5 miles of the present location. A tower of at least 145 feet in height and the associated equipment cabinets would have to be constructed. Approval of the proposed plan would eliminate the need for a potentially freestanding monopole or tower facility.

VI. ASSESSMENT OF LONG-TERM EFFECTS

The long-term effects are limited to the presence of the proposed structures. No environmental degradation will result from placing this facility on top of the existing structure.

VII. COMMITMENT OF RESOURCES

The proposed project does not require any unusual materials or resources. Approval of the project will negate the need for an additional nearby station thereby conserving the land, materials, and energy required to construct it.

VIII CONCLUSIONS

The proposed project will cause little or no impact to the environment and, in effect, result in a benefit to the public by providing improved Personal Communication Systems service in Baltimore County.

Appendix A

AT&T Bell Laboratories

Safety Analysis of the Electromagnetic Environment in the Vicinity of a Personal Communication Services (PCS) Base Station

Radiation Protection and Product Safety Department
AT&T Bell Laboratories
Murray Hill, New Jersey 07974-0636

Summary

This report is a safety analysis of the radiofrequency (RF) electromagnetic environment in the vicinity of a typical AT&T Wireless Services PCS radio base station. The analysis utilizes engineering data provided by AT&T Wireless, together with well-established analytical techniques for calculating the RF electromagnetic fields associated with PCS antennas. Worst-case assumptions were used to ensure safe-side estimates, i.e., the actual values will be significantly lower than the corresponding analytical values. The analysis indicates that the maximum level of RF energy to which the public may be exposed is below all applicable health and safety limits.

Specifically, in all normally accessible areas in the neighborhood surrounding a typical PCS installation, the maximum levels of RF energy associated with operation of the antennas will be 1,200 times below the exposure limits of the 1992 ANSI/IEEE C95.1 safety guideline.

Prepared for
AT&T Wireless Services
15 E. Midland Avenue
Paramus, New Jersey 07652

October 12, 1995

1. Introduction

This report was prepared in response to a request from AT&T Wireless Services for a safety analysis of the radiofrequency (RF) electromagnetic environment in the vicinity of a typical personal communication services (PCS) base station, and an opinion regarding the concern for public health associated with long-term exposure in the environment surrounding such an installation.

2. Technical Data

PCS base station antennas transmit at frequencies between 1930 and 1965 million hertz (MHz). Like antennas used for cellular radio, PCS antennas might be mounted on a lattice tower, monopole-type structure or on a building rooftop.

Based on information provided by AT&T Wireless Services, the radiated power per transmitter (channel) for a PCS base station would be less than 10 watts, and the radiated power per sector would be less than 240 watts (assuming the maximum number of transmitters are installed and operate simultaneously). This is an extremely low power system when compared with other familiar radio systems, such as AM, FM and television broadcast, which operate upwards of 50,000 watts. Figure 1 is a diagram of the electromagnetic spectrum which also lists common uses of RF energy. Table 1 below lists engineering specifications for a PCS base station.

Table 1
Engineering Specifications for a Typical PCS Radio System

Site Specifications	
antenna centerline height above grade	98 ft
number of transmit antennas per sector	1
number of receive antennas per sector	2
number of transmitters (channels) per sector	24
antenna manufacturer	DAPA
model number	58000
gain	17.15 dBi
downtilt	0°
maximum ERP† per channel	120 watts
maximum radiated power per channel	4 watts
maximum radiated power per sector‡	96 watts

† *ERP - Effective Radiated Power.* ERP is a measure of how well an antenna concentrates RF energy; it is not the power radiated from the antenna. To illustrate the difference, compare the brightness of an ordinary 100 watt light bulb with that from a 100 watt spot-light. Even though both are 100 watts, the spot-light appears brighter because it concentrates the light in one direction. In this direction, the spot light *effectively* appears to be emitting more than 100 watts. In other directions, there is almost no light emitted by the spot-light and it *effectively* appears to be much less than 100 watts.

‡ Assumes the maximum number of transmitters per sector, 24, are operating continuously.

3. Environmental Levels of RF Energy

The antenna pattern from a PCS antenna is such that the energy is propagated in a relatively narrow beam (in the vertical plane) which is directed toward the horizon. The reason for this is to provide uniform coverage. Hence, levels of RF energy directly under the antennas will not be remarkably different from the levels at points more distant.

For a PCS base station, the maximum potential exposure level associated with operation of the antennas can be readily calculated at any point in a plane at any height above grade. Based on the information provided by AT&T Wireless, and assuming that the maximum number of radio channels operates continuously, the power density at any point in a horizontal plane 6 ft above grade will be less than 1.0 millionth of a watt per centimeter squared (1.0 $\mu W/cm^2$), and also will be less than 1.3 $\mu W/cm^2$ at any point in a corresponding plane 16 ft above grade. The latter is representative of the maximum power density immediately outside of the second floor of nearby residences (assuming level terrain).

The above levels are theoretical maxima that could occur and are not typical values. The calculations include the effect of field reinforcement from in-phase reflections, and the assumption was made that the maximum number of transmitters operates simultaneously and at maximum output power. Although the above values are obtained analytically, experience has shown that the technique used is extremely conservative. That is, the measured power density levels have always been found to be smaller than the corresponding calculated levels[1]. Furthermore, levels inside nearby homes and buildings will be lower than those immediately outside because of the high attenuation of common building materials at these frequencies and, hence, will not be significantly different from normal ambient levels.

4. Comparison with Standards

Table 2 below shows the calculated maximal RF power density levels in the vicinity of a base station; Table 3 shows the pertinent federal, state and consensus exposure limits for human exposure to RF energy. The various exposure limits range from 1,000 $\mu W/cm^2$ (public exposure) to 10,000 $\mu W/cm^2$ (occupational exposure), while the corresponding calculated maximum power density levels in the environment surrounding a PCS installation from operation of the antennas would be less than 1.0 $\mu W/cm^2$ (at 6 ft above grade) and 1.3 $\mu W/cm^2$ (at 16 ft above grade). The power density in the main beam of the antenna will be less than 10 $\mu W/cm^2$ at any distance greater than 200 ft from the antennas.

Table 2
Calculated Maximal RF Power Density Levels
for a Typical PCS Base Station

Location	Power Density ($\mu W/cm^2$)
6 ft above grade	< 1.0
16 ft above grade	< 1.3
In the main beam, 200 ft from the antennas	< 10.0

1. Petersen, R.C., and Testagrossa, P.A., Radiofrequency Fields Associated with Cellular Radio Cell-Site Antennas, *Bioelectromagnetics*, Vol 13, No. 6 (1992).

Table 3
Summary of State, Federal and Consensus Guidelines for Exposure to Radiofrequency Energy at Frequencies Used for PCS

Organization/Government Agency	Exposure Population	Exposure Limit ($\mu W/cm^2$)
Occupational Safety & Health Administration (OSHA - 29 CFR 1910.97)	Occupational	10,000
American National Standards Institute (ANSI C95.1 - 1982)	Occupational Public	5,000 5,000
Institute of Electrical and Electronic Engineers * (ANSI/IEEE C95.1 - 1992)	Occupational Public	6,000 1,200
National Council on Radiation Protection & Measurements (NCRP Report 86 - 1986)	Occupational Public	5,000 1,000
U.S. Federal Communications Commission (requires PCS licensees to comply with ANSI C95.1 - 1992)	Occupational Public	6,000 1,200
New Jersey Administrative Code (NJAC 7:28-42)	Public	5,000
Massachusetts Department of Health (105 CMR 122)	Public	1,000
New York State, Department of Health (follows NCRP Report 86)	Public	1,000

* Latest revision of ANSI C95.1 - 1982

5. Discussion of Health Standards

Recently, press coverage has suggested an association between health effects and exposure to magnetic fields from electric-power distribution lines, and from the use of hand-held cellular telephones. This press coverage has heightened concern among some members of the public about the possibility that health effects may be associated with *any* exposure to electromagnetic energy. Many people feel uneasy about new or unfamiliar technology and often want absolute proof that something is safe. Such absolute guarantees are not possible since it is virtually impossible to prove that something does *not* exist. However, sound judgments can be made as to the safety of a physical agent based on the weight of the pertinent scientific evidence. This is exactly how safety guidelines are developed.

The overwhelming weight of scientific evidence unequivocally indicates that biological effects associated with exposure to RF energy are threshold effects, i.e., unless the exposure level is sufficiently high the effect will not occur regardless of exposure duration. (Unlike ionizing radiation, e.g., X-rays and nuclear radiation, repeated exposures to low level RF radiation, or nonionizing radiation, are not cumulative.) Thus, it is relatively straightforward to derive safety limits. By adding safety factors to the threshold level at which the most sensitive effect occurs, conservative exposure guidelines have been developed to ensure safety.

At present, there are more than 10,000 reports in the scientific literature which address the subject of RF bioeffects. These reports, most of which describe the results of epidemiological studies and animal studies, have been critically reviewed by leading researchers in the field and all new studies are continuously being reviewed by various groups and organizations whose interest is developing health standards. These include the U.S. Environmental Protection Agency, the National Institute for Occupational Safety and Health, the National Council on Radiation Protection and Measurements, the

standards committees sponsored by the Institute of Electrical and Electronics Engineers, the International Radiation Protection Association under the sponsorship of the World Health Organization, and the National Radiological Protection Board of the UK. All of these groups have recently either reaffirmed existing health standards, developed and adopted new health standards, or proposed health standards for exposure to RF energy.

For example, in 1986, the National Council on Radiation Protection and Measurements (NCRP) published recommended limits for occupational and public exposure[2]. These recommendations were based on the results of an extensive critical review of the scientific literature by a committee of the leading researchers in the field of bioelectromagnetics. The literature selected included many controversial studies reporting effects at low levels. The results of all studies were weighed, analyzed and a consensus obtained establishing a conservative threshold upon which safety guidelines should be based. This threshold corresponds to the level at which the most sensitive, reproducible effects were reported in the scientific literature. Safety factors were incorporated to ensure that the resulting guidelines would be at least ten to fifty times lower than the established threshold, even under worst-case exposure conditions. The NCRP recommended that continuous occupational exposure to PCS radio frequencies should not exceed approximately 5,000 $\mu W/cm^2$, and continuous exposure of the public should not exceed 1,000 $\mu W/cm^2$.

In July of 1986, the Environmental Protection Agency published a notice in the *Federal Register*, calling for public comment on recommended federal guidance for exposure of the *public*[3] to RF energy. As of 1987 the EPA abandoned its efforts and failed to adopt official federal RF exposure guidelines. However, in 1993 the EPA, in commenting on the Federal Communications Commission's (FCC) Notice of Proposed Rule Making[4], recommended adoption of the 1986 NCRP limits.

Further, the maximum permissible exposure limits proposed by the Institute of Electrical and Electronics Engineers Standards Coordinating Committee SCC-28 (formerly ANSI Committee C95), were approved by the IEEE Standards Board on September 26, 1991[5], and approved by ANSI on November 18, 1992. This 1992 ANSI/IEEE C95.1 guideline resulted from an extensive critical review of the scientific literature and recommend a limit of 6,000 $\mu W/cm^2$ for continuous occupational exposure and 1,200 $\mu W/cm^2$ for continuous exposure of the public to PCS radio frequencies. (Although there are no federal safety limits, *per se*, in order to fulfill its obligations under the National Environmental Policy Act, the FCC requires that PCS licensees comply with the limits of the 1992 ANSI/IEEE C95.1 safety guideline[6].)

More recently, the World Health Organization's International Commission on Non-Ionizing Radiation Protection[7] and the National Radiological Protection Board in the United Kingdom[8] independently developed and published guidelines similar to those of ANSI/IEEE. Finally, what was formerly the USSR, which traditionally had the lowest exposure guides, twice has revised upward its limits for public exposure. Thus, there is a converging consensus of the world's scientific community as to what constitutes safe levels of exposure.

---

2. *Biological Effects and Exposure Criteria for Radio Frequency Electromagnetic Fields*, NCRP Report No. 86, National Council on Radiation Protection and Measurements, Bethesda, MD, (1986).
3. *Federal Register*, Vol. 51, No. 146, Wednesday, July 30, 1986.
4. Notice of Proposed Rule Making *In the Matter of Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, August 13, 1993. ET Docket No. 93-62.
5. IEEE *Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz*, ANSI/IEEE C95.1-1992, Institute of Electrical and Electronics Engineers, Piscataway, NJ.
6. *Code of Federal Regulations*, 47 CFR 24.52, 1994.
7. *Electromagnetic Fields (300 Hz to 300 GHz)*, Environmental Health Criteria 137, World Health Organization, Geneva, Switzerland (1993).
8. *Board Statement on Restrictions on Human Exposure to Static and Time Varying Electromagnetic Fields and Radiation*, Documents of the NRPB, Vol. 4, No. 5, National Radiological Protection Board, Chilton, United Kingdom (1993).

With respect to the proposed PCS radio antennas, be assured that *actual* exposure levels in the vicinity of a typical base station will be below any health standard used anywhere in the world and literally thousands of times below any level reported to be associated with any verifiable functional change in humans or laboratory animals. This holds true even when all transmitters operate simultaneously and continuously. Power density levels of this magnitude are not even a subject of speculation with regard to an association with adverse health effects.

6. For Further Information

Anyone interested can obtain additional information about the environmental impact of land mobile services, including PCS, from:

Dr. Robert Cleveland, Jr.
Federal Communications Commission
Office of Engineering and Technology
Room 7002
1919 M Street NW
Washington, DC 20554
(202) 653-8169

7. Conclusion

A safety analysis has been performed with respect to potential public exposure to RF energy in the environment surrounding a typical PCS base station. The analysis utilized engineering data provided by AT&T Wireless Services together with well-established analytical techniques for estimating the environmental levels of RF energy associated with PCS antennas. Worst-case assumptions were used to ensure safe-side estimates, i.e., the actual values will be significantly lower than the corresponding analytical values. The analysis indicates that the maximum level of RF energy to which the public may be exposed will meet all applicable health and safety limits.

Specifically, in all normally accessible areas surrounding a typical PCS installation, the maximum levels of RF energy associated with operation of the antennas will be 1,200 times below the public exposure limits of the 1992 ANSI/IEEE C95.1 safety guideline.

Enclosures
Figure 1 - Electromagnetic Spectrum

IN RE: PETITION FOR SPECIAL EXCEPTION NE/S Liberty Road, across from its intersection w/St. Lukes Lane (6800 Liberty Road) 2nd Election District 2nd Councilmanic District

City Partners Ltd. - DLW Petitioners

* BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

* Case No. 96-387-X

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 6800 Liberty Road, located in the vicinity of St. Luke's Lane in Lochearn. The Petition was filed by the owners of the property, City Partners Limited - DLW, by Anne G. Andreas, Vice President and Managing Agent, and the Contract Purchaser/Lessee, AT&T Wireless Services, through their attorney, Paul A. Dorf, Esquire. The Petitioners request a special exception for a roof top radio link (base station) for Wireless Personal Communications Services (wireless transmitting and receiving structure), pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Frances Kingsbury and Khoa Khuu, representatives of AT & T Wireless Services, Contract Lessee, and Paul A. Dorf, Esquire, attorney for the Petitioners. There were no Protestants present at the hearing, however, a letter of opposition was received from the Liberty Road Community Council, Inc.

Testimony and evidence offered revealed that the subject property consists of 8.12 acres, more or less, zoned D.R. 16 and is improved with a

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Date 5/14/96
By

nine-story apartment building, known as the Balmoral Apartments. The Petitioners seek approval to locate a wireless transmitting and receiving facility on top of the subject building in the location shown on Petitioner's Exhibit 1. Due to the D.R. zoning of the property, a special exception is necessary in order to proceed as proposed. Testimony revealed that this property was the subject of prior Case No. 96-54-X in which American Personal Communications was granted approval to locate their antennae on the subject building. In the instant case, the Petitioners have entered into a lease agreement with the owners of the property to locate a roof-top radio link (base station) atop the existing building. Testimony indicated that the proposed facility will consist of nine (9) small mounted panel antennae and two equipment cabinets, similar in size as that which is already existing on the building. Inasmuch as these antennae will be located high atop an existing structure, they will be minimally visible to passers by and have little, if any, effect upon the surrounding community.

It is clear that the B.C.Z.R. permits the use proposed in a D.R.16 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special

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exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R. In addition, the Petitioners have satisfied the requirements of Section 502.7C of the B.C.Z.R. which specifically relates to wireless transmitting and receiving structures in residential zones.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of May, 1996 that the Petition for Special Exception seeking approval of a roof top radio link (base station) for Wireless Personal Communications Services (wireless transmitting and receiving structure), to be located on the subject property, pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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 relief granted herein shall be rescinded.

Timothy Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

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Date 5/14/96
By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

Paul A. Dorf, Esquire
2 Hopkins Plaza, Suite 600
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
NE/S Liberty Road, across from its intersection w/St. Lukes Lane
(6800 Liberty Road)
2nd Election District - 2nd Councilmanic District
City Partners Ltd. - DLW - Petitioners
Case No. 96-387-X

Dear Mr. Dorf:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Anne G. Andreas, Vice President
City Partners Ltd.-DLW, 6701 Democracy Plaza, Bethesda, Md. 20817

Messrs. Frances Kingsbury and Khoa Khuu, AT&T Wireless Services
1150 Connecticut Avenue, N.W., Washington, D.C. 20036

Ms. Dana M. Stein, President, Liberty Road Community Council
P.O. Box 31555, Baltimore, Md. 21207

People's Counsel; Case File

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-387-X

District: 2nd
Date of Posting: 4/19/96
Posted for: May 13, 1996 hearing
Petitioner: City Partners / AT&T Wireless Services
Location of property: 6800 Liberty Road
Location of Signs: Facing roadway on property being zoned
Remarks:
Posted by: [signature] (Signature)
Date of return: 4/26/96
Number of Signs: 1

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 6800 Liberty Road, Baltimore, Maryland
which is presently zoned DR-16

96-387-X

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 Roof-Top Radio Link (Base Station) for Wireless Personal Communications Services (WIRELESS TRANSMITTING & RECEIVING STRUCTURE) 1B01.1.C.20; BCZR).

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:
AT&T Wireless Services (Type or Print Name)
[signature] (Signature)
1150 Connecticut Avenue, N.W. (Address)
Washington D.C. 20036 (City, State, Zipcode)

Attorney for Petitioner:
Paul A. Dorf, Esquire (Type or Print Name)
[signature] (Signature)
Suite 600
2 Hopkins Plaza (410) 539-5195
...201 (Zipcode)

Legal Owner(s):
City Partners Ltd.- DLW (Type or Print Name)
A Florida Limited Partnership
Anne G. Andreas, Managing Agent (Signature)
Ann Andreas, Managing Agent (Type or Print Name)
Anne G. Andreas, Vice President (Signature)
6701 Democracy Plaza (301) 493-0400 (Address, Phone No.)
Bethesda MD 20817 (City, State, Zipcode)

Name, Address and phone number of representative to be contacted.
Jeff Owens (Name)
1150 Connecticut Ave., N.W. (202) 416-6539 (Address, Phone No.)
Washington, D.C. 20036

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
unavailable for Hearing
the following dates ______ Next Two Months
ALL ______ OTHER ______
REVIEWED BY: JCM DATE 4-5-96
388

ORDER RECEIVED FOR FILING
Date 5/14/96
By

ADELBERG
RUDOW
DORF
HENDLER
& SAMETH, LLC
PAUL A. DORF
ATTORNEY AT LAW
600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201
410-539-5195
FAX 410-539-5834

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/18, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/18, 1996.

THE JEFFERSONIAN,

A. Henrickson
LEGAL AD. - TOWSON

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

388
96-387-X
No. 017071

DATE 4-5-96 ACCOUNT R001-6150
AMOUNT $ 335.00
RECEIVED FROM: AT&T
FOR: Sp Ex (050) ... 35.00
335.00
$335.00
04:02:59PM04-05-96
VALIDATION OR SIGNATURE OF CASHIER JCM
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Baltimore County
Department of Permits and
Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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

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

PAYMENT WILL BE MADE AS FOLLOWS:

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

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

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

ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 388 Petitioner: AT&T
Location: 1150 Connecticut Ave, N.W.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Paul Dorf, Esq.
ADDRESS: 2 Hopkins Plaza, Suite 600
Balto, Md 21201
PHONE NUMBER: 539-5195

TO: PUTUXENT PUBLISHING COMPANY
April 18, 1996 Issue - Jeffersonian

Please foward billing to:

Paul A. Dorf, Esq.
2 Hopkins Plaza
Baltimore, MD 21201
539-5195

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: 96-387-X (Item 388)
6800 Liberty Road
NE/S Liberty Road at intersection of St. Luke's Lane and Liberty Road
2nd Election District - 2nd Councilmanic
Legal Owner(s): City Partners Limited - DLW, a Florida Limited Partnership
Contract Purchaser/Lessee: AT& T Wireless Services

Special Exception for a roof-top radio link (base station) for wireless personal communications services (wireless transmitting and receiving structure).

HEARING: MONDAY, MAY 13, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

Baltimore County
Department of Permits and
Development Management

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

April 11, 1996

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: 96-387-X (Item 388)
6800 Liberty Road
NE/S Liberty Road at intersection of St. Luke's Lane and Liberty Road
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Legal Owner(s): City Partners Limited - DLW, a Florida Limited Partnership
Contract Purchaser/Lessee: AT& T Wireless Services

Special Exception for a roof-top radio link (base station) for wireless personal communications services (wireless transmitting and receiving structure).

HEARING: MONDAY, MAY 13, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: City Partners Ltd., DLW
Jeff Owens/AT&T Wireless Services
Paul A. Dorf, 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.

Printed with Soybean Ink on Recycled Paper

Baltimore County
Department of Permits and
Development Management

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

May 6, 1996

Paul A. Dorf, Esquire
Suite 600
2 Hopkins Plaza
Baltimore, MD 21201

RE: Item No.: 388
Case No.: 96-387-X
Petitioner: City Partners Ltd. DLW

Dear Mr. Dorf:

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 April 22, 1996.

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)

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: April 10, 1996

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. 365, 366, 368, 369, 371, 375, 376, 379, 382, 384, 385, 386 and 388

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: Gary Kerns

PK/JL

ITEM365/PZONE/TXTJWL

David L. Winstead
Secretary
Hal Kassoff
Administrator

Maryland Department of Transportation
State Highway Administration

4-12-96

RE: Baltimore County
Item No. 388 (JCM)

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

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~~ 545-5581 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

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 4-17-96

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 4-15-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

376
378
379
380
381
382
383
385
388

LS:sp

LETTY2/DEPRM/TXTSBP

4/4/96
To W.C.R.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management

Date: April 22, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development Management

SUBJECT: Zoning Advisory Committee Meeting
for April 22, 1996
Item Nos. 376, 378, 281, 382, 384, 385, 386, & 388

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

RWB:HJO:jrb

cc: File

ZONE7

APR 2 1996

PETITION PROBLEMS

#385 — JCM

1. Notary section is incomplete.

#384 — JLL

1. Need councilmanic district.

#388 — JCM

1. Need typed or printed name and title of person signing for contract purchaser.
2. Need authorization for person signing for contract purchaser.
3. Need authorization for whoever signed for attorney.

April 8, 1996

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: April 5, 1996

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner I
Zoning Review, PDM

SUBJECT: Item #388
6800 Liberty Road

1. Section 502.7 -- Applicant stated he had reviewed these standards.
2. Applicant was advised that the zoning description must be current and sealed, per filing booklet instructions.
3. Only 11 site plans were filed. Applicant will forward one prior to the hearing.
4. Is this a structure?? This was discussed with Carl Richards and the applicant.

JCM:scj

RE: PETITION FOR SPECIAL EXCEPTION 6800 Liberty Rd, NE/S Liberty Rd at intersection of St. Luke's Lane & Liberty Rd 2nd Election District, 2nd Councilmanic	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Legal Owner(s): City Partners Ltd., DLW, a Florida Limited Partnership Contract Purchaser/Lessee: AT& T Wireless Services Petitioners	CASE NO. 96-387-X

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

ENTRY OF APPEARANCE

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

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

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Paul A. Dorf, Esquire, 2 Hopkins Plaza, Suite 600, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

LIBER 5591 PAGE 323

DEED

THIS DEED, made as of the 1st day of October, 1975, by and between MORAL ONE CORPORATION, a Florida corporation having an office at 2455 East Sunrise Boulevard, Fort Lauderdale, Florida, Grantor, and CITY PARTNERS, LTD.-DLW, a Florida limited partnership having an office at 2455 East Sunrise Boulevard, Fort Lauderdale, Florida, Grantee.

TRANSFER TAX NOT REQUIRED
Walter R. Richardson
Director of Finance
Per [signature]
Authorized Signature

W I T N E S S E T H :

That for and in consideration of the sum of Ten ($10.00) Dollars, the Grantor does grant unto the Grantee in fee simple the land and premises, with the improvements, easements and appurtenances thereunto belonging, situate, lying and being in Baltimore County, Maryland, more particularly described in Schedule A annexed hereto and made a part hereof,

TO HAVE AND TO HOLD the said land and the premises to the proper use and benefit of the Grantee, its successors and assigns, forever in fee simple.

And the Grantor hereby covenants that it will warrant specially the property hereby conveyed and that it will execute such further assurances of said property as may be requisite.

This Deed is executed and delivered by the Grantor to the Grantee, the sole shareholder of the Grantor, representing conveyance of the property of the Grantor in dissolution pursuant to the unanimous approval of the Board of Directors and shareholders of the Grantor on October 1, 1975.

WITNESS the hand and seal of the Grantor.

ATTEST: [signature] MORAL ONE CORPORATION

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Post-it® Fax Note 7671	Date 5-10 / # of pages 1
To Commissioner Schmidt	From Dana Stein
Co./Dept.	Co. LRCC
Phone #	Phone #
Fax # 957-3468	Fax #

Liberty Road Community Council, Inc.
P.O. Box 31555
Baltimore, MD 21207

May 10, 1996

RECEIVED MAY 10 1996 ZONING COMMISSIONER

Mr Lawrence Schmidt
Zoning Commissioner
111 W Chesapeake Avenue
Towson, MD 21204

Re. Case Number 96-387-X

Dear Commissioner Schmidt.

On behalf of the Liberty Road Community Council, Inc (LRCC), I am writing to oppose the request of City Partners Limited-DLW for a special exception for a roof-top radio link for wireless personal communications services in the above referenced-case The radio antenna would be installed on the roof of the Balmoral Apartments at 6800 Liberty Road

We oppose this request because such a radio antenna is more appropriately installed on a commercial building, not a residential building such as the Balmoral Apartments Also, we are concerned about the possible deleterious health effects of such a transmitting device on the surrounding community For these reasons, we request that you deny City Partners' request for a special exception

Thank you for your consideration

Very truly yours,

Dana Stein

Dana M Stein
President, LRCC
366-8533 (o)

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
AT&T Wireless	
Paul A Dorf atty	600 Mercantile Bldg.
	Balt Md 21201
Frances Kingsbury AT&T WS	8403 Colesville Rd Silver Spring MD 20910
Frances Kingsbury	
KHOA KHUU AT&T WS	8403 Colesville Rd 10th Floor Silver Spring
	MD 20910

Printed with Soybean Ink on Recycled Paper

PETITIONER'S EXHIBIT 2

DENNY & ASSOCIATES, P.C.
CONSULTING ENGINEERS
WASHINGTON, DC

ENGINEERING EXHIBIT
HUMAN EXPOSURE TO
RADIO-FREQUENCY EMISSIONS
AT&T WIRELESS SERVICES
BALMORAL TOWERS SITE
BALTIMORE, MARYLAND

ENGINEERING STATEMENT

INTRODUCTION

Robert W. Denny, Jr., P.E., being first duly sworn, says that he is president of Denny & Associates, P.C., consulting engineers with offices in Washington, D.C.; that he is a professional engineer registered in the District of Columbia and other jurisdictions; that he is familiar with the guidelines for human exposure to electromagnetic emissions that have been adopted by the FCC; and that he has performed many power density calculations of the type presented herein. This statement has been prepared for AT&T Wireless Services (hereinafter, AT&T Wireless), proponent for the construction of a new Personal Communications Services (PCS) transmitting facility in Baltimore, Maryland. This statement addresses the concerns of public exposure to radio-frequency emissions from the proposed facility.[1]

PROPOSED FACILITIES

The proposed site is located at geographic coordinates: 39° 20′ 37″ North Latitude, 76° 43′ 43″ West Longitude.[2] The transmitting antennas will be mounted atop Balmoral Towers. The PCS antennas will have center lines approximately 110 feet above ground level. Six PCS transmitters will be used at the site.

[1] This analysis is based on specifications for the proposed PCS facility provided to the undersigned by AT&T Wireless Services.

[2] Geographic coordinates are referenced to the 1927 North American Datum (NAD27).

3

DENNY & ASSOCIATES, P.C.
CONSULTING ENGINEERS
WASHINGTON, DC

BIOGRAPHICAL SKETCH OF ROBERT W. DENNY, JR.

Robert W. Denny, Jr., is a consulting engineer and president-treasurer of the firm of Denny & Associates, P.C. He is a professional engineer registered in the District of Columbia, registration number 9214; Mississippi, registration number 10768; Maryland, registration number 17475; and North Carolina, registration number 13298.

Work performed includes propagation studies, frequency allocation surveys, interference studies, planning and placement of communications structures, field strength surveys, radio-frequency radiation hazard analyses, surveys and expert testimony, communication system planning, inspection and appraisal of broadcast technical facilities, and the preparation of engineering material to support FCC applications for FM, TV, and other services.

Prior to founding the firm, he served as president of Jules Cohen & Associates, P.C. from 1992 to 1994, and was a principal engineer with that firm from 1987. Before joining Jules Cohen & Associates, P.C., he was a senior engineer with McCracken and Lopez, P.A., Charlotte, North Carolina, specializing in the design and specification of power, lighting, process control, and communications systems for large commercial and public facilities. From 1980 to 1986, he was engineering manager of standard broadcast station WBT and FM broadcast station WBCY, both Charlotte, flagship radio stations of the Jefferson-Pilot Communications Company. During his tenure with Jefferson-Pilot, he participated in the design and supervision of reconstruction of the radio stations and group-owned television station WBTV, Charlotte. He has also

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PETITIONER'S EXHIBIT 4

Environmental Impact Statement

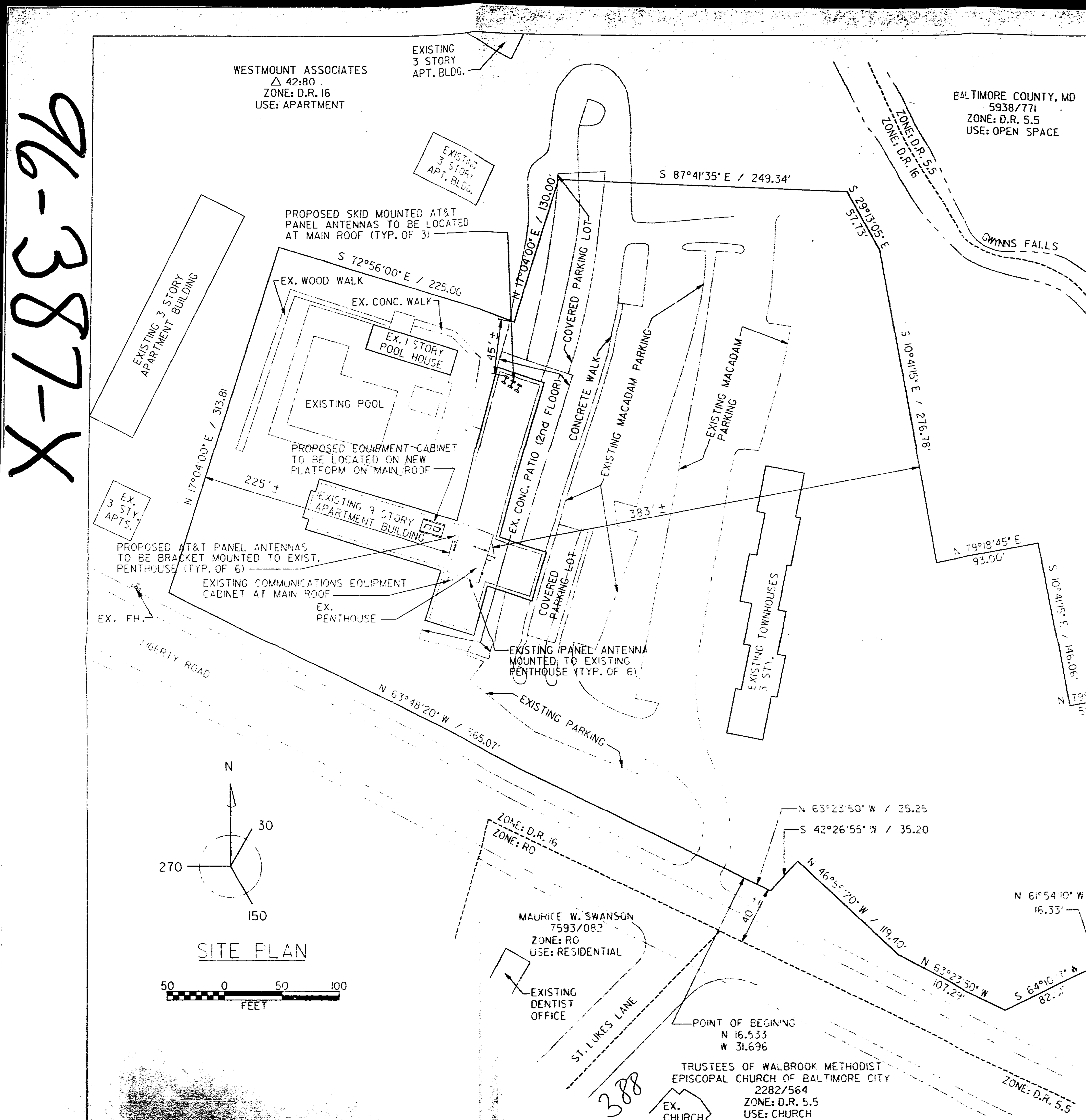
AT&T Wireless Services, Inc.
6800 Liberty Road Site

May 1996
Project No. 96035

Prepared for:
AT&T Wireless Services, Inc.
8403 Colesville Road, 10th Floor
Silver Spring, MD 20910

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

96-387-X



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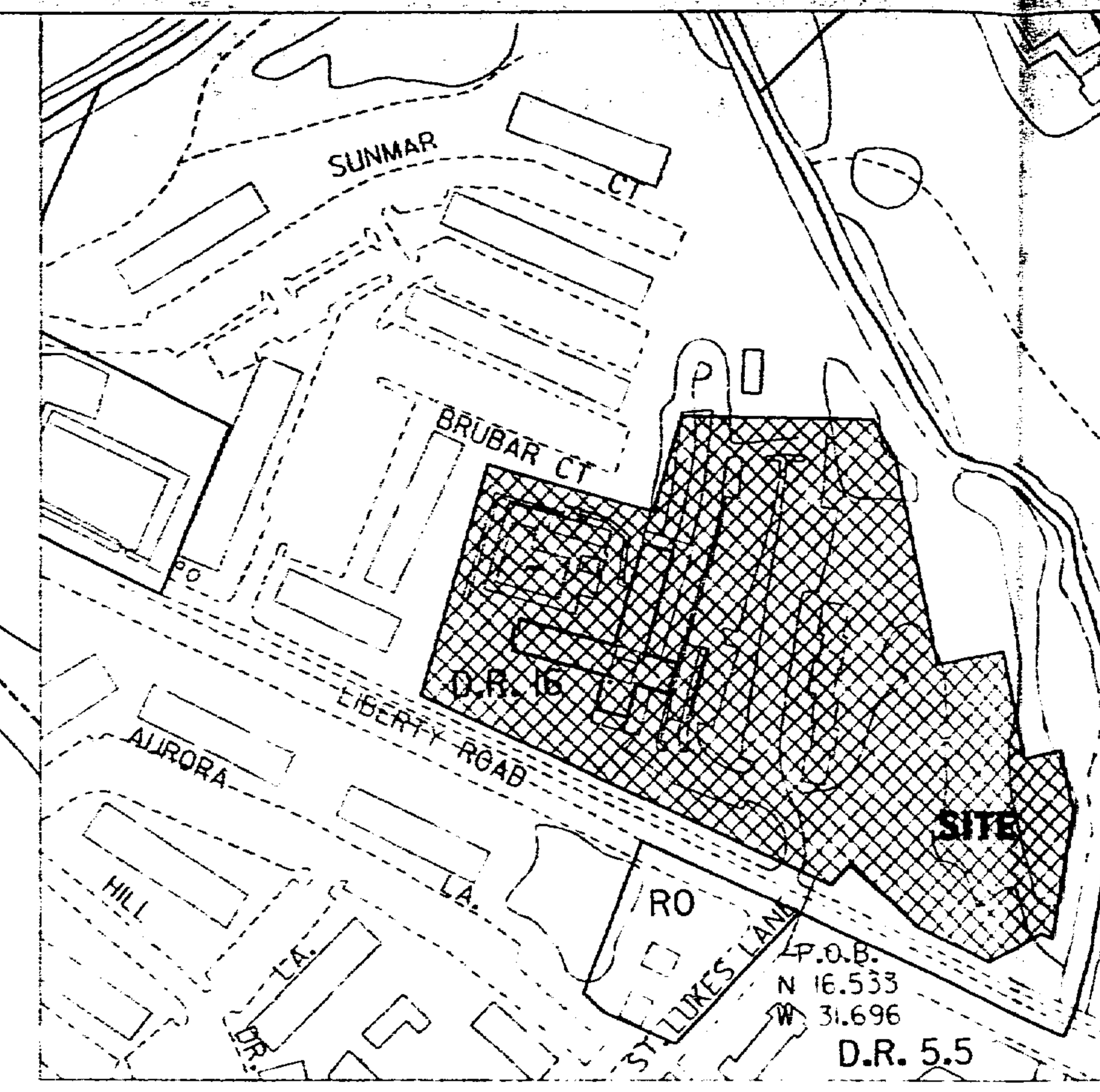
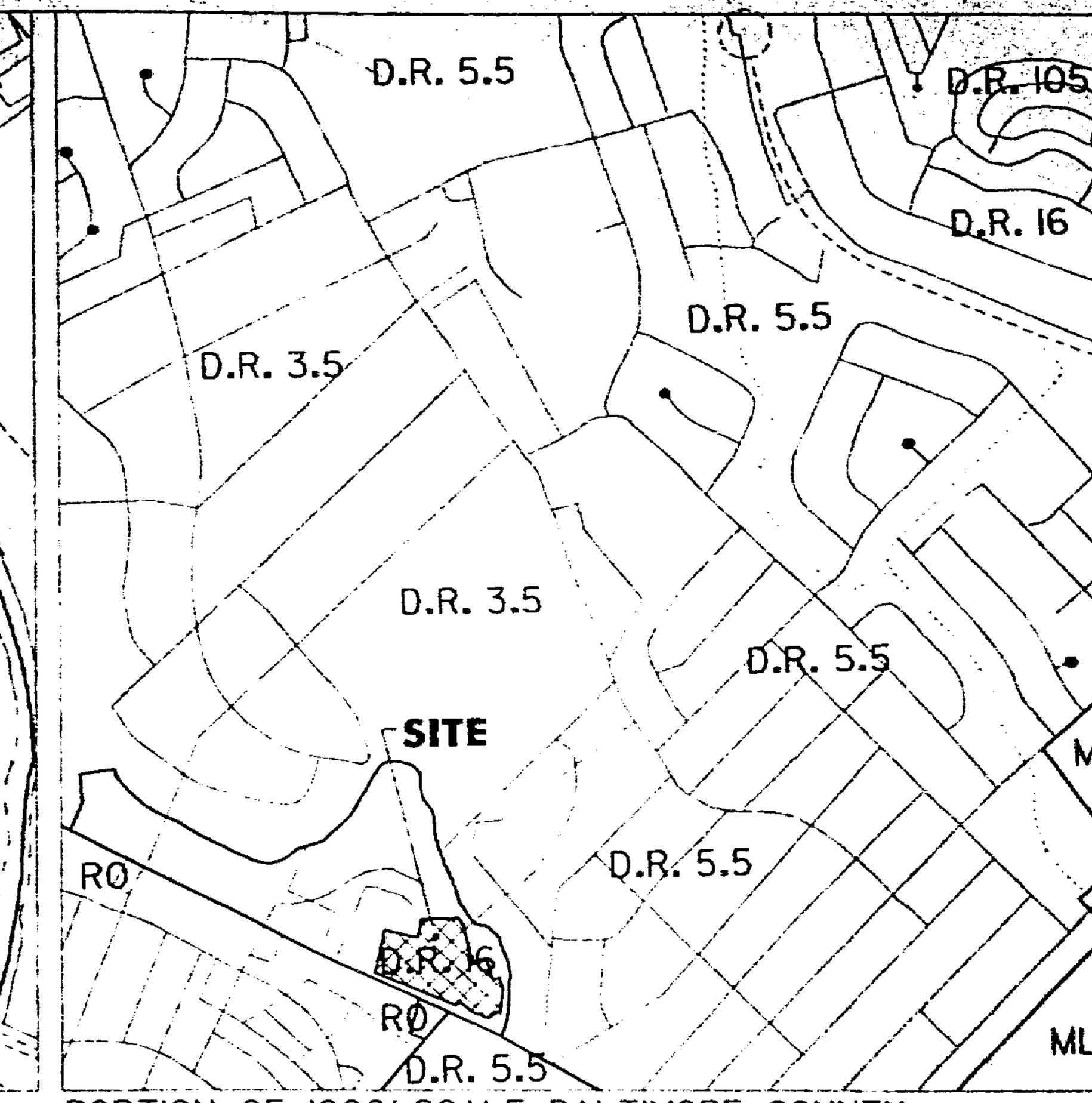


PORTION OF 200' SCALE BALTIMORE COUNTY ZONING MAP N.W. 5-F



PORTION OF 1000' SCALE BALTIMORE COUNTY TAX MAP E-2

NOTES:

1. Current owner and street address:
   City Partners LTD OLW
   c/o Balmoral Towers Apartments
   6800 Liberty Road
   Baltimore, MD 21207
2. Contract lessee/ Petitioner: AT&T Wireless Services, Inc.
   8403 Colesville Road, 10th Floor
   Silver Spring, MD 20910
3. Site area: 8.12 Ac+/-
4. Existing use: Apartment Building
5. Street Address: Balmoral Towers
   6800 Liberty Road
   Baltimore, MD 21207
6. Site data: Tax map 88, block 2, parcel 511
   Deed Reference No.: 6934/442
   Tax Account No.: 02-1800002452
   Zoning: D.R. 16
   Election District: 2
   Councilmanic District: 2
7. The proposed wireless transmitting and receiving facility will consist of [illegible] high x [illegible] wide pole mounted panel antennas attached to the existing penthouse, (3) [illegible] x [illegible] wide skid mounted antennas located at the main building roof, and (2) equipment cabinets [illegible] 5'-0" wide x [illegible] high x 3'-6" deep, installed on a new platform on the main building roof.
8. Setbacks:
   Non-residential principal structure in a D.R. 16 zone pursuant to Paragraph [illegible]

	Required to wireless trans. & rec. facility	Provided to wireless trans. & rec. facility
Front:	30'	N/A
Side (east):	25'	383'+/-
Side (west):	25'	225'+/-
Rear:	30'	45'+/-

   Existing maximum height of building = 146'+/-
   Proposed maximum height = 146'+/-
9. No new or additional water or sanitary utilities are required for the proposed wireless transmitting and receiving facility.
10. Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times.
11. This site was the subject of Zoning Reclassification Case Number 3616 which requested the reclassification from "R-6" Residential to "Business Local". On September 15, 1955, the Zoning Commissioner denied the request on the ground that a proposed shopping center at the location would increase the traffic hazard on Liberty Road.

   On June 7, 1956, the Board of Zoning Appeals reviewed the petition and reversed the Zoning Commissioner's prior order, granting the owner a reclassification from "R-6" residential to "Business Local".

   On December 27, 1956, a writ of certiorari was filed in the Circuit Court for Baltimore County concerning the decision of the Board of Zoning Appeals for Baltimore County which granted a reclassification from "R-6" residential to "Business Local". After proving that there was just cause for concern about the increase of traffic on Liberty Road, the Board's decision was reversed by the Circuit Court of Baltimore County, ordering the subject property remain "R-6" residential.

   The site was also the subject of Zoning Case Number 68-293-A which requested a variance to permit a sign area of 32 square feet instead of permitted 15 square feet. On June 13, 1968, the Zoning Commissioner of Baltimore County granted the variance.
12. There are no signs proposed for this facility.
13. No lights are proposed for the wireless transmitting and receiving facility.
14. Previous Commercial Permits:
   79-65 - Alteration
   246-66 - Alteration
   39-65 - Alteration
   610-64 - Alteration
15. Amenity open space: N/A
16. Parking: Existing Spaces: 272 +/-
   Proposed New Spaces: 0

   The proposed wireless transmitting and receiving facilities will not block or affect any existing parking spaces.
17. When the use is terminated, the structure shall be removed.
18. An environmental impact statement, as defined in Section 101 of the Baltimore County Zoning Ordinance shall be submitted to the Zoning Commissioner.
19. The information and boundary location shown hereon is taken from a site plan, as prepared by Daft-McCune-Walker, Inc., 200 East Pennsylvania Avenue, Towson, MD 21286. This site plan was an attachment for a special exception application by a previous petitioner (case #96-54-X) and is assumed to be accurate.

REQUESTED ZONING ACTION:

Special Exception pursuant to Baltimore County Zoning Regulations (BCZR) Paragraph 1B01.1.C.20 to permit a wireless transmitting and receiving facility in D.R. 16 zone.

(Pursuant to Paragraph 502.7.D, the site is exempt from subparagraphs 502.7.C.1, 2, 3, 4 and 5 of the BCZR).

ENGR/ARCH	DRAWING INTENT IS TO INDICATE GENERAL ARRANGEMENT DESIGN AND INTENT OF WORK AND IS PARTLY DIAGRAMMATIC
DESIGN BY	
DRAWN BY	
CHECK BY	DRAWING SHALL NOT BE SCALED
DATE 03/21/96	© Buchart-Horn, Inc.

REVISIONS			
NO.	DESCRIPTION	BY	DATE

BUCHART HORN
Engineers, Architects and Planners

STATE OF MARYLAND REGISTERED PROFESSIONAL ENGINEER

AT&T WIRELESS SERVICE
PROPOSED EQUIPMENT LOCATION
SITE NUMBER: B047.1
SITE NAME: BALMORAL TOWERS
SITE ADDRESS: 6800 LIBERTY RD.
BALTIMORE MD. 21207

PETITIONER'S EXHIBIT 1
SITE PLAN
To Accompany Petition for Special Exception

DRAWING NO
1
SHEET NO
1 OF 1
PROJECT NO
71833