

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND SPECIAL EXCEPTION - E/S * ZONING COMMISSIONER
Cheverly Road, 520' S of the * OF BALTIMORE COUNTY
c/l of Valewood Road * Case No. 96-508-SPHX
(1301 Cheverly Road)
9th Election District
6th Councilmanic District
Glen Lewis, Trustee - Owner *
American Personal Communications, Inc. - Contract Purchaser
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Hearing and Special Exception for that property known as 1301 Cheverly Road, located near Providence Road in Towson. The Petitions were filed by the owner of the property, the Belvedere Baptist Church, through Glen Lewis, Trustee, and the Contract Lessee, American Personal Communications, Inc., hereinafter referred to as "APC", through their attorney, Christine V. McSherry, Esquire. The Petitioners seek a special hearing to approve a wireless transmitting and receiving facility as a use in combination with an existing church, and a special exception to permit a wireless transmitting and receiving facility on the subject site, pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject site and requested relief are more particularly described on the plat which accompanied the Petitions filed which has been accepted and marked into evidence as Petitioner's Exhibit 9.

Appearing at the requisite hearing held in this case were Pastor Wendell Ward, representing the Belvedere Baptist Church, legal owner of the property, Gregory Sarro and Andres Falotico, representatives of APC, the Contract Lessee, Melanie Moser, Landscape Architect with Daft-McCune-Walker, Inc., and Kevin Mason, an independent consultant retained by APC for this project.

ORDER RECEIVED FOR FILING
Date 11/10/96
By [Signature]

MICROFILMED

The relief requested has generated significant public interest and opposition. Numerous residents of the surrounding locale appeared at the hearing and testimony was received from a number of those individuals. The Protestants' Sign-In Sheets which were kept over the two-day hearing held in this case, clearly disclose all of those who appeared as interested citizens. Spokespersons designated for the Protestants included Linda Semesky and C. Edgar Thomas, Jr., both nearby residents of the area.

A great volume of testimony was offered by both sides towards the issues presented. Additionally, a number of drawings, photographs, and documents were submitted as evidence in this case, and all have been considered by me. Additionally, I visited the site on two occasions to inspect the property and to familiarize myself with the surrounding locale.

A review of the site plan submitted shows that the subject property is approximately 13 acres in area, zoned D.R. 1 and is improved with a one-story masonry building which is utilized by the congregation of the Belvedere Baptist Church of Baltimore. Also located on the site are two macadam paved parking areas. The balance of the site consists of open space and several athletic fields.

APC proposes to install a 150-foot tall monopole on the subject property in the location shown on the site plan submitted into evidence as Petitioner's Exhibit 9. The proposed tower will house nine (9) antennae which are necessary to increase service in this area. Significant testimony was offered in support of the proposed project and the need for same in this area of Baltimore County.

Testifying on behalf of the Petitioner was Gregory Sarro, Zoning Manager for APC. APC is a relatively new entrant in the field of wireless communications in the Baltimore-Metropolitan area. In fact, Mr. Sarro

ORDER RECEIVED FOR FILING
Date 9/10/66
By [Signature]

testified that his company began operations in this area on November 15, 1995. APC offers a wireless communications network to its customers. In addition to wireless and mobile telephone service, the company is also developing technology to allow computer data and facsimile transmission, paging and other services. The company's technology is, in the minds of many laymen, similar to the cellular technology utilized by Bell Atlantic and Cellular One. However, APC's network and technology is digitally based which offers certain advantages to the public.

Mr. Sarro noted that APC's system is dependent upon a grid series of wireless antenna facilities. This grid series is similar to a checkerboard, with a wireless transmitting and receiving facility within each designated grid. As a mobile user utilizes APC's network, his communication transmission is handed off from one grid to another. Thus, these wireless transmitting and receiving facilities are relatively low in power wattage, and therefore, each facility serves a relatively small area.

Mr. Sarro indicated that the company has installed approximately 300 wireless transmitting and receiving facilities in its network area which includes Virginia, the Washington Metropolitan area, southern Pennsylvania, and Maryland, including 32 sites in Baltimore County. He noted that approximately 90 - 95% of those facilities are on existing structures. This is the preferred method of installation in that it is less costly, generates less public opposition, and utilizes existing structures. This Zoning Commissioner is familiar with other zoning cases which have been brought before him by APC where approval has been requested to install antennae upon existing buildings, water towers, and other structures.

Mr. Sarro further testified that the present operation primarily serves the high use areas, including major roadways, and urban areas.

ORDER RECEIVED FOR FILING

Date

By

Thus, the network is in place for travellers in the Baltimore urban area, or those along I-695 and I-95, for example. APC is now filling in the "holes" in the network system by installing wireless transmitting and receiving antennae in areas where coverage is not available.

One such area is adjacent to and includes the subject site. In this regard, Mr. Sarro testified that current customers of APC have complained about calls being dropped and the inability to use the system in the geographic area north of the Beltway along Providence Road leading towards the Loch Raven Watershed. In view of this failing, APC proposes to locate a wireless transmitting and receiving facility within this grid area. Mr. Sarro produced several documents which pointedly showed the area not presently served and where an additional facility is needed. He indicated, through testimony, that topographical conditions and the existing grid network limited the geographic area where a new facility can be located.

Mr. Sarro described in detail that APC began a search some months ago for an appropriate location to install a facility to fill the grid described above. He indicated that APC first looked at existing structures in the area in the hope that antennae could be mounted upon same. However, there were no such suitable structures in the vicinity and consequently, the company then looked for commercial or non-residential properties on which to erect a monopole. The Providence Volunteer Fire Department property on Providence Road was considered but was rejected. That site, in Mr. Sarro's opinion, is too small and immediately abuts residential properties. Ultimately, the Belvedere Baptist Church was contacted and after negotiations, a lease was entered into, pending zoning approval, between APC and the Church. This lease provides that the Church will rent

ORDER RECEIVED FOR FILING

Date

BY

to APC a small portion of the property so that the company can erect a 150-foot tall monopole. The pole is approximately 6 feet wide at the base and tapers to a width of approximately 2 - 3 feet at the top, upon which 9 antennae will be located and deployed to cover a 360 degree range. Mr. Sarro indicated that the installation of the tower and antennae at this location would fill the void in the company's coverage in this vicinity.

He also described the operation of the tower. Same will not be manned, and, but for a small maintenance box at the base of the tower, there will be no additional hardware installed. There will be no noise generated by the tower or lights located thereon. Mr. Sarro concluded his testimony by opining that the subject site was the best location for the proposed facility within this grid.

Also testifying was Kevin Mason, a consultant hired by APC to locate a suitable site for a wireless transmitting and receiving facility. Mr. Mason corroborated Mr. Sarro's testimony regarding efforts made by the company to locate an appropriate site for the subject facility. Both witnesses indicated that they had obtained the name of an individual who they believed represented the Hampton Gardens Community Association. This individual, Paul Svach, was contacted by the company and identified himself as the President of that community group. The Hampton Gardens Community is arguably the most affected community and is located immediately adjacent to the subject property. Mr. Sarro and Mr. Mason indicated that Mr. Svach advised APC that the proposal had been discussed at a community association meeting and that the community was in support of the proposal (See Petitioner's Exhibit 1).

Pastor Wendall Ward of the Church also testified. He noted that his office was contacted by APC a number of months prior to the hearing

ORDER RECEIVED FOR FILING
Date 11/10/16
By [Signature]

and that negotiations began over a lease to house the tower and antennae structure on their property. Ultimately, a lease was signed. The Church sees the tower rental as an appropriate means of revenue. Pastor Ward also indicated that a meeting was held at the Church on June 21, 1996, at which time the public was invited to learn about the tower.

Also testifying in support of the Petition was Andres Falotico, an electrical engineer employed by APC. Mr. Falotico testified about the governmental standards enacted by the Environmental Protection Agency (EPA) relating to wireless transmitting and receiving facilities. In his opinion, the proposed facility is well within all governmental standards and will not constitute a health hazard to the surrounding community. He also noted that the system would not cause interference with garage doors, portable phones, televisions, microwaves, or other electronic household uses within the vicinity.

The final witness testifying on behalf of the Petition was Melanie Moser, a landscape architect. She noted that the tower would be located at least 478 feet from the closest house and that no zoning variances or other relief would be necessary. That is, the tower is sufficiently set back from the property lines as required by the Baltimore County Code. She also discussed the topography of the site and the area in general. She noted that the area is hilly and that factor as well as the wooded nature of the vicinity would screen the tower from the view of much of the surrounding community. She also opined that the tower is in compliance with all special exception standards for such a use.

In addition to the testimony offered by the Petitioners, a number of the Protestants testified. Among those were Mary Francis Graef who resides in the vicinity of this site. She noted that two radio towers

ORDER RECEIVED FOR FILING
Date _____
By _____

currently exist in the neighborhood, an AM and an FM station. She stated that the community has had problems with interference with these towers over the years, and despite repeated complaints to the Federal Communications Commission (FCC), no remedial action has been forthcoming. She fears additional interference from the proposed tower. In addition to these concerns, she expressed fears over the environmental effects of the proposed facility, the fact that same could attract lightning and increase the danger of fire, and that traffic in the area would be increased by virtue of construction and maintenance vehicles accessing the subject property. She fears increasing commercialization of this residential locale and believes that the tower would be out of place.

Other residents expressed similar concerns. Les Graef, former director of the Office of Planning and Zoning, is opposed to the proposed monopole and the potential for commercialization of the neighborhood. He believes that the proposed facility could be placed at another location within the vicinity, including the existing radio towers and other commercial buildings.

Dennis Kennedy and Sharon Norton of the neighborhood also expressed similar concerns. They believe that the tower is incompatible with the residential character of the locale and that other sites are available.

Also testifying was Jeff Davidson, a representative of the Providence Volunteer Fire Company. Mr. Davidson noted that his station had been contacted by APC some months ago and sent a proposed lease for the construction of a 200-foot tall monopole on that site. The Providence Volunteer Fire Company is agreeable into entering such a lease, however, APC recently withdrew its offer.

ORDER RECEIVED FOR FILING

Date

By

Also testifying was Ed Graham and Dwight Weller from WITH AM Radio. Mr. Weller is a broadcast engineer with that radio station and his testimony in particular was relevant. He testified that the tower maintained by WITH is not a "hot" tower. That is, the tower structure itself is not electrically charged. The radio signals are given off by wires which lead from the tower and broadcast at 10,000 watts. Mr. Graham and Mr. Weller both testified that because their tower was not hot, it was a suitable location for APC's antennae. They offered to enter into an arrangement with APC to place the antennae on their tower structure to eliminate the need for an additional monopole in the area.

Also testifying was C. Edgar Thomas, a resident and retired engineer from Westinghouse. Mr. Thomas testified extensively about the subject area and what he believes will be the detrimental effects of the proposed facility. As with other witnesses, he believes that there are other suitable alternatives for the proposed tower in the general vicinity.

Lastly, testimony was offered by Linda Semesky, a nearby resident of the area. She testified that she lives approximately 1,500 to 2,000 feet away from the proposed location for this tower and believes that such a facility is out of character for the neighborhood. She indicated that her son wears a hearing device and she is concerned over the effects of the proposed tower on that device. She believes that this technology could disrupt her son's hearing and is inappropriate for the surrounding locale.

The above is but a summary of the testimony and evidence offered in this case. As noted heretofore, the hearing on this matter consumed two days. Additionally, a number of exhibits were submitted. Moreover, by agreement of the parties, a supplemental document was submitted subse-

ORDER RECEIVED FOR FILMS
Date 9/10/76
By [Signature]

quent to the hearing regarding the Church steeple. To provide some sense of scale, this Zoning Commissioner requested that the steeple's height be measured and the report of such measurement be submitted as part of the evidence in this case. That report has been received and shows that the height of the church steeple measures 61 feet. This measurement is close to the calculations offered by Mr. Thomas.

The primary issue under consideration in this case is the Petition for Special Exception. Unfortunately for the Protestants, there appeared to be a lack of understanding of this term, and the issue upon which this case must be decided. The following is offered to address that issue.

The use regulations contained within the Baltimore County Zoning Regulations (B.C.Z.R.) are written in the inclusive. That is, only uses specifically identified in the regulations are allowed. The regulations state quite precisely that "only" the uses enumerated are allowed. (See Sections 1B01.1.A and 1B01.1.C of the B.C.Z.R.). Moreover, Section 102.1 of the regulations states that "No land shall be used or occupied and no building or structure shall be erected, altered, or used except in conformance with these regulations..." Citing these Sections, the Court of Appeals has stated that, "Any use other than those permitted and being carried on as of right or by special exception is prohibited." Kowalski v. LaMar, 334, A2d 536, (1975), pg. 539.

The property in this case is zoned D.R.1. In the D.R. zones, certain uses are permitted as of right. For example; dwellings, churches, and farms, are all permitted by right in the D.R. zones. An individual property owner desiring to erect a church, dwelling or farm, for example, could do so without public hearing. The County Council has determined

ORDER RECEIVED FOR FILING
Date 9/10/96
By Reg

that these types of uses are proper in D.R. zones, without regard to any impact which might be created as a result thereof. As stated in the law, these uses are permitted "by right".

In addition to the "by right" uses discussed above, the County Council has also enumerated uses which are permitted in the D.R. zones by special exception. As I have stated in prior opinions on this issue, the term "special exception" is a misnomer and frequently leads to confusion. At law, the uses listed under this classification are neither "special" or "exceptions". Special exceptions are allowed uses which are permitted in the D.R. zones after a public hearing before the Zoning Commissioner. In other counties, these uses are often labeled "conditional uses." Among the special exception uses which are allowed in the D.R. zones are boat yards, community buildings, certain child care centers, funeral homes, and wireless transmitting and receiving structures, such as what APC is proposing here.

In order for any special exception to be granted, same must be considered in accordance with the standards set forth in Section 502.1 of the B.C.Z.R. Those standards require that the use for which the special exception is requested will not: a) be detrimental to the health, safety, or general welfare of the locality involved; b) tend to create congestion in roads, streets, or alleys therein; c) create a potential hazard from fire, panic or other dangers; d) tend to overcrowd land and cause undue concentration of population; e) interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences, or improvements; f) interfere with adequate light and air; g) be inconsistent with the purposes of the property's zoning classification, nor in any other way, be inconsistent with the spirit and intent

ORDER RECEIVED FOR FILING
Date 9/11/76
By [Signature]

of these zoning regulations; or, h) be inconsistent with the impermeable surface and vegetative retention provisions of these zoning regulations.

The standards set forth in Section 502.1.A through H are clear enough; yet, there is frequent misunderstanding of their application. It is clear that any special exception use, including a wireless transmitting and receiving facility, will cause some impact on the locale in which it is located. Virtually all uses of land generate some effect. In this case, it is clear that the tower will generate some vehicular traffic for construction and maintenance, will have an aesthetic impact on the skyline, and will generate electric impulses by way of its receipt and transmission of telephone calls and other communications. However, the mere presence of those impacts does not mandate, or even suggest, that the proposed special exception should be denied.

This point was vividly illustrated in a recent decision issued by the Court of Special Appeals of Maryland in Mossburg v. Montgomery County 107 Md. App. 1 (1995). In that case, a property owner proposed locating a solid waste transfer station on a property in Montgomery County which was zoned to allow such use only by special exception. In discussing the law of special exceptions in Maryland, the Court noted that "Thus, we conclude, as this Court and the Court of Appeals often have, that a special exception conditional use in a zoning ordinance recognizes that a legislative body of a representative government has made a policy decision for all of the inhabitants of the particular governmental jurisdiction, and that the exceptional use is desirable and necessary in its zoning planning provided certain standards are met." Mossburg, supra, Pg. 7-8.

Further on, the Court observed that all special exceptions produce certain effects and it is not whether those effects are compatible with

ORDER RECEIVED FOR FILING

Date

By

permitted uses that is the relevant question. Stated the Court, "Moreover, it is not whether a use permitted by way of special exception will have adverse effects (adverse effects are implied in the first instance by making such uses conditional uses or special exception uses rather than permitted uses), it is whether the adverse effects in a particular location would be greater than the adverse effects ordinarily associated with a particular use that is to be considered by the agency." Mossburg, Pg. 8-9.

In discussing the issue before it, the Mossburg Court acknowledged that a solid waste transfer station has inherent adverse effects. The Court also acknowledged that those adverse effects would be present at the proposed location. The inquiry that the Court made was whether those effects would be above and beyond, i.e., greater, at the specific location than they would generally be elsewhere within the areas of the County where such uses could be established by special exception. Therefore, in addressing the requirements of Section 502.1, the question is whether the effects of APC's proposed wireless transmitting and receiving facility will be worse on the subject site than it would be elsewhere. Framed otherwise, "Is the effect any different here than in other residential areas; and/or, is the effect uniquely different here?"

With the issue properly framed in this light, an examination of each of the standards of Section 502.1 of the B.C.Z.R. as they relate to the proposed use is in order. As to Section 502.1B, whether the use will tend to create congestion in roads, streets, or alleys in the area, the manifest answer is no. Although there will be some traffic generated by construction, the testimony offered was that the site will be unmanned after construction. There will be routine maintenance of the facility by crews arriving via van. My examination of the surrounding road network

ORDER RECEIVED FOR FILING
Date 9/19/96
By [Signature]

was that same is more than sufficient to accommodate the projected traffic. The Baltimore Beltway (I-695) is but a short distance away, and Providence Road is a reasonably well-traveled arterial roadway. Although the residential streets immediately surrounding the site are community roads, the traffic which can be expected to be generated by the proposed use will not adversely affect those streets disproportionately. Thus, for these reasons, I find that there will be no tendency for the special exception use to create congestion in the roads, streets, and alleys of the surrounding community.

As to Section 502.1C, I likewise find that there is no greater potential hazard from fire, panic or other dangers. Some testimony was offered by the Protestants that lightning strikes would be possible; however, APC's representatives indicated that the towers are grounded and are structurally constructed according to Code. I find no reasonable evidence of an appropriate threat of fire, panic, or other dangers associated with the proposed use.

As to Section 502.1D, there is no evidence to suggest that the land will be overcrowded or that there will be an undue concentration of population. To the contrary, this is a large site, over 13 acres in area, and the tower and small equipment shed at the base thereof can easily fit on this property. In fact, the zoning requirements mandate that the tower be set back a distance of two times its height (300 feet in this instance) from the nearest property line. The Petitioner has sought no variance or exception from this requirement. The site in and of itself is clearly large enough to support the proposed facility.

As to Section 502.1E, I find that there will be no interference with adequate provisions for schools, parks, water, sewage, transportation,

ORDER RECEIVED FROM PLANS
Date 9/15/96
BY [Signature]

or other public requirements, conveniences, or improvements. The proposed use has little drain on the infrastructure of the surrounding locale.

As to Section 502.1F, there will be no interference with light and air. In this regard, I will require that the tower not be lit to reduce its impact during the evening. However, the dimension and size of the structure will not cast inappropriate shadows on surrounding properties or interfere with the air flow.

As to Section 502.1G, the proposed use is not inconsistent with the purposes of the property's zoning classification, or inconsistent with the spirit and intent of these zoning regulations. As discussed above, the County Council has seen fit to allow the proposed use by way of special exception in the D.R. zone. Such special exception uses are "expressly permissible". See Cromwell v. Ward, 102 Md. App. 691, Page 701 (1995).

As to Section 502.1H, the use will not be inconsistent with the impermeable surface and vegetative retention provisions of the zoning regulations. Landscaping at the base of the tower is required by Code. The use will not generate a large area of impervious surface or aggravate storm water runoff from the site. There will be minimal clearing and grading. Thus, there is no conflict here.

Lastly, consideration is given to Section 502.1.A, the general "catch all" provision of these regulations. That Section requires a finding that the proposed use will not be detrimental to the health, safety or general welfare of the locality involved. Again, within the scope of review mandated by the Court of Special Appeals in Mossburg, supra, I find no such ill effect. The citizens who appeared are rightly concerned about the impacts of the tower. It will create a visual impact and generate a certain amount of traffic. However, as stated above, the

ORDER RECEIVED FOR FILING
Date 9/19/96
By [Signature]

mere existence of these effects is not enough to warrant denial of the Petition. There was no compelling testimony that these impacts are greater at this site than elsewhere. The proposed tower will be 150 feet tall and will generate the same traffic, whether same is located in Dundalk, Timonium, Catonsville, or the subject site. Thus, I must conclude that there will be no detrimental effect to the health, safety and general welfare of the locale in accordance with the standards set forth above.

Although the proposed special exception passes muster as it relates to the special exception tests contained within Section 502.1 of the B.C.Z.R., other considerations need be addressed. The County Council, apparently recognizing the potential impacts of wireless transmitting and receiving facilities, enacted Section 502.7 of the B.C.Z.R. regarding same. That Section provides that a number of additional standards must be met for any special exception for a wireless transmitting and receiving facility. These requirements are above and beyond those for which any special exception at law must be considered as stated in Section 502.1 of the B.C.Z.R. Specifically, Section 502.7C of the B.C.Z.R. provides eleven additional requirements for any wireless transmitting and receiving facility in a D.R. zone. Those additional standards are addressed hereinafter.

1) The structure on which the wireless transmitting and receiving facility is located must be situated a distance of at least two times its height from the nearest property line. As noted above, the proposed tower is 150 feet tall. The required setback is therefore, 300 feet. The proposed location for the tower meets this requirement.

2) The structure must be located on a lot of at least 5 acres in area. In that the subject property is approximately 13 acres in area, this requirement is met.

ORDER RECEIVED FOR FILING
Date 9/10/96
By [Signature]

3) The structure must be enclosed within a locked, chain link fence, or comparable wall or structure, at least 8 feet high. This requirement is clearly for safety purposes and to prevent children or others from approaching the tower. The site plan submitted shows that the subject structure will be enclosed in a fashion sufficient to comply with this requirement.

4) A landscape plan designed to minimize the visual impact of accessory buildings and the lower portion of the structure must be submitted to the Office of Planning for review and approval. The Petitioner indicated that such a plan would be submitted. Subject to its review and approval by the Office of Planning, this requirement is met.

5) Environmental Protection Agency (EPA) standards and guidelines relating to radiation emissions shall be met at all times. The testimony offered by Mr. Falotico was uncontradicted here. Although the long term effects of wireless transmitting and receiving facilities may be subject to debate within the scientific community at this time, the proposed facility does comply with all EPA requirements. Thus, this test is met.

6) When the use is terminated, the structure shall be removed. The Petitioners are agreeable to this requirement and a note shall be added to the site plan accordingly.

7) Every five years, or sooner in the event of damage, the tower shall be inspected to insure that same meets all safety requirements. The Petitioners indicated they will comply with this requirement and submit the certifications as required.

8) No white stroboscopic lights are permitted. In this regard, I will go beyond this requirement. No lights, at all, shall be permitted on the tower. If they are required by the Federal Aviation Administration

ORDER RECEIVED FOR FILING

Date

By

(FAA), then the Petitioners cannot use this site, lest same be in violation of this restriction. However, as proposed, no lights are anticipated.

9) An Environmental Impact Statement shall be submitted which shall form the basis for the conclusion that the proposed structure will not have substantial adverse impact on the environment. The Petitioners have submitted an Environmental Impact Statement, which has been marked as Petitioner's Exhibit 3. I have reviewed same carefully and am persuaded, based on its contents, that the tower will not have a substantial adverse impact on the environment.

In this regard, there was significant testimony offered, particularly by Ms. Semesky, regarding these facilities. She fears an adverse environmental effect on her son's hearing device. Her testimony, in my judgment, was rebutted by the testimony of Mr. Falotico. Admittedly, this is a new technology which has not had the benefit of long-term study. As I noted at the hearing, it is possible that there will be health hazards associated with this technology as there might be with microwave ovens, computer terminals, and other conveniences which, but for several short years ago, were not in significant public use. However, based upon the body of the scientific knowledge and study now available, I am not convinced by Mrs. Semesky fears and concerns. The power levels generated by APC's antennae are minimal. The antennae themselves are located 150 feet in the air and set back a significant distance from adjoining houses. For these reasons, I am persuaded that there will be no adverse environmental impact.

10) The Zoning Commissioner must also find that there will be no substantial adverse impact on surrounding property values, parkland or open space. As to parkland or open space, there is none within the immedi-

ORDER RECEIVED FOR FILING

Date

By

ate vicinity which will be affected. I am cognizant of the location of the Cromwell Valley Park and the Loch Raven Watershed. However, those properties, in my judgment, are too far away to be impacted by the tower.

As to property values, this is a more difficult issue. Some of the residents testified that many of the homes in the area are expensive and those owners would not want a tower located on the subject site. However, no testimony was offered by a real estate appraiser that a study had been performed to support the conclusion that property values will be substantially affected. The location of a tower and its impact on the desirability of a given property is subject to the whim of taste. Some like the hustle and bustle of city life; others, the solitude of the country. Some are troubled by living adjacent to I-695; others voice no complaint about the sound and impacts caused thereby. Such is no doubt the same with towers. Some may fiercely object to their presence, while others have no objection.

Based on the record made in this case, I find no evidence upon which to conclude that property values will be negatively affected. At the least, the requirement mandates that such adverse impact on property values be "substantial" and there is certainly no evidence upon which to support such a conclusion. In this regard, it is of note that there are two radio towers (450- and 350-feet in height) which are within the immediate vicinity. A tower substantially smaller, it can be argued, is of little effect when compared with the existing landscape.

The final consideration is the most difficult. Section 502.7C of the B.C.Z.R. also requires that the Petitioner establish that it has made a diligent search for a location within a business, office, or industrial zone, or for mounting on any existing structure over 50 feet in height,

ORDER RECEIVED FOR FILING
Date _____
By _____

and that due to valid considerations, including, but not limited to, location, economic, elevation, engineering or technological feasibility, no other appropriate location is available.

The Protestants contend that there are other locations available and that the tower should be located elsewhere. The Petitioners and their witnesses testified that this is the best and most suitable location. Resolution of this issue is most difficult.

One of the potential alternatives suggested was the Providence Volunteer Fire Department. As noted above, APC originally considered that site. During my field inspection, I also drove to the site and familiarized myself with the property.

I concur with the Petitioners that the Providence Volunteer Fire Department property is not a better alternative. That property is very small and variance relief would be necessary in order to comply with the requirement that it be set back a minimum distance two times its height. Moreover, the site does not meet the required 5 acre minimum size. The property is also located within a residential community. Although the site itself serves an institutional type purpose, the immediate vicinity and adjacent properties are residential. Merely moving the tower from the midst of one residential community to another is not an appropriate alternative. On balance, in my judgment, the Church site, with its larger acreage and topographic features, is more appropriate.

The second alternative suggested by the community was the WITH AM tower. As noted above, representatives from that radio station testified that the tower was not "hot" and that they were agreeable to leasing space thereon for APC's antennae. The testimony offered in this regard was from Ed Graham and Dwight Weller, employees of WITH. Mr. Weller, in particular,

ORDER RECEIVED FOR FILING
Date 11/16/66
By [Signature]

testified as a broadcast engineer. Although I have no doubt about his expertise as it relates to his occupation and the radio industry, I have serious reservations about his ability to comment on the technological feasibility of locating APC's antennae on their tower.

Testimony was also received on this issue from Mr. Falotico, the electrical engineer employed by APC. A distillation of Mr. Falotico's testimony in this regard was that it is not technologically feasible to locate APC's antennae on the WITH AM tower. Specifically, he commented on the fact that the AM station broadcasts at 10,000 watts; many times over the power generated by the APC tower. In his opinion, such disparity in power levels would make the installation of APC's antennae on the AM tower unworkable. That is, the mere power of the AM transmission would dwarf APC's signal. Obviously, the Zoning Commissioner is a layman in this area of technical expertise. I am not an electrical engineer, radio frequency expert, nor do I possess the other credentials to express an opinion on this issue. Rather, I must apply my judgment in accordance with the regulations, based upon the testimony and evidence offered.

Based on the comments of Mr. Falotico, and in particular, his expertise as opposed to the testimony of the radio station employees, I am persuaded that the WITH AM tower is not a suitable and appropriate place on which to locate APC's antennae. I cannot explain why these radio signals, operating within different spectrums of the sound range, are incompatible with one another. Nor can I opine if the tower's proposed location near the AM station would be acceptable when mounting the antennae on the tower would not be. Nonetheless, it is not my role to offer such opinions. I am not an advocate, but must adjudge the merits of the testimony and evidence offered before me. Based on Mr. Falotico's testimony, which in my judgment

ORDER RECEIVED FOR FILMING
DATE 9/15/66
BY [Signature]

was credible, was not sufficiently rebutted, I am persuaded that the WITH AM radio tower location is not appropriate.

Other than the WITH AM tower and Providence Volunteer Fire Department property, there were no other serious alternative sites presented. Other locations were suggested by individual neighbors who testified, but most were outside the grid area, or were otherwise inappropriate. Based on the cumulative testimony and evidence offered, I am persuaded that the Petitioners have satisfied their burden that there are no other suitable business, office or industrial zones, nor other structures over 50 feet in height on which to locate their antennae. Thus, I find that the Petitioners have complied with all of the requirements of both Sections 502.1 and 502.7 of the B.C.Z.R. and that the relief requested must be granted.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the special hearing and special exception relief shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of September, 1996 that the Petition for Special Hearing to approve a wireless transmitting and receiving facility as a use in combination with an existing Church, in accordance with Petitioner's Exhibit 9, be and is hereby GRANTED; and,

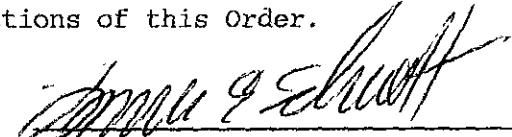
IT IS FURTHER ORDERED that the Petition for Special Exception to permit a wireless transmitting and receiving facility on the subject site, pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.) and in accordance with Petitioner's Exhibit 9, be and is hereby GRANTED, subject to the following restrictions:

- 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.

2) No lights, at all, shall be permitted on the tower. If they are required by the Federal Aviation Administration (FAA), then the relief granted herein shall be rescinded and the Petitioners shall be prohibited from using this site.

3) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date _____
By _____

100-97
PETITION OF BELVEDERE BAPTIST CHURCH
FOR JUDICIAL REVIEW OF THE DECISION OF THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
Case No. 96-508-SPHX
IN THE CASE OF AMERICAN PERSONAL COMMUNICATIONS (Contract Purchaser)
Belvedere Baptist Church (Legal Owner)

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
Case No.: 03-C-97-05231

* * * * *

RESPONSE TO PETITION FOR JUDICIAL REVIEW

APC Realty and Equipment Company, LLC, successor in interest to American Personal Communications, L.P., Respondent, by its attorneys, John P. Evans, Esquire and Whiteford, Taylor & Preston L.L.P., hereby responds to the Petition for Judicial Review filed in the above-captioned matter. This appeal is from the County Board of Appeals' decision in case number 96-508-SPHX on April 25, 1997 granting the Petitioner's request for a Special Hearing to approve a wireless transmitting and receiving facility as a use in combination with an existing church and Special Exception to permit a wireless transmitting and receiving facility on the subject site. Respondent states:

1. The decision of the County Board of Appeals of Baltimore County was based on substantial evidence and was supported by the record of the proceedings before that body;

2. The decision of the County Board of Appeals of Baltimore County in this matter is supported by the Baltimore County Zoning Regulations and the Common Law of Maryland;

3. American Personal Communications intends to participate in this action for Judicial Review.

Respectfully submitted,



John P. Evans
Whiteford, Taylor & Preston L.L.P.
210 West Pennsylvania Avenue
Towson, Maryland 21204-4515
(410) 832-2000

Attorney for American Personal
Communications, LP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of June, 1997, a copy of the

foregoing Response was mailed first class, postage prepaid to:

The Honorable Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Office of Planning and Zoning
Old Courthouse, Room 112
400 Washington Avenue
Towson, Maryland 21204

William N. Gill, Sr.
Hampton Gardens Community Association
2 Pickford Court
Towson, Maryland 21286

Jeffrey N. Pritzker, Esquire
Suite 100
405 E. Joppa Road
Towson, Maryland 21286

C. Edgar Thomas, Jr.
1101 Hart Road
Towson, Maryland 21286

Leslie Graef
6237 Bellona Avenue
Baltimore, Maryland 2122

Rev. Wendall Ward
Belvedere Baptist Church
1301 Cheverly Road
Towson, Maryland 21286

Peter M. Zimmerman, Esquire
People's Counsel for Baltimore County
Old Courthouse, Room 47
400 Washington Avenue
Towson, Maryland 21204



John P. Evans

96-508-SPHX, American PCS /Belvedere Baptist Church
File No. 3-C-97-05231

21204; a copy of which Notice is attached hereto and prayed that it may be made a part hereof.

Charlotte E. Radcliffe

Charlotte E. Radcliffe, Legal Secretary
County Board of Appeals, Room 49 -Basement
Old Courthouse, 400 Washington Avenue
Towson, MD 21204 (410) 887-3180

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Jeffrey N. Pritzker, Esquire, MARGOLIS, PRITZKER & EPSTEIN, P.A., 405 E. Joppa Road, Suite 100, Towson, Maryland 21286, Counsel for Petitioner; Belvedere Baptist Church, 1301 Cheverly Road, Towson, Maryland 21286, Petitioner; Rogers Greg Sarro and Andres Falotico, American PCS, 6901 Rockledge Drive, Bethesda, Maryland 20817; G. Scott Barhight, Esquire and Christine K. McSherry, Esquire, WHITEFORD, TAYLOR & PRESTON, LLP, 200 West Pennsylvania Avenue, Towson, Maryland 21204-4515, Counsel for American PCS; Peter Max Zimmerman, PEOPLE'S COUNSEL FOR BALTIMORE COUNTY, 400 Washington Avenue, Room 47, Towson, Maryland 21204, this 29th day of May, 1997.

Charlotte E. Radcliffe

Charlotte E. Radcliffe, Legal Secretary
County Board of Appeals, Room 49 -Basement
Old Courthouse, 400 Washington Avenue
Towson, MD 21204 (410) 887-3180

MICROFILMED



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

May 29, 1997

G. Scott Barhight, Esquire
Christine K. McSherry, Esquire
Whiteford, Taylor & Preston
Suite 500, 210 W. Pennsylvania Avenue
Towson, Maryland 21204-4515

RE: Civil Action No. 3-C-97-05231
American PCS, C.P.
Belvedere Baptist Church, L.O.

Dear Counsel:

Notice is hereby given, in accordance with the Maryland Rules of Procedure, that a Petition for Judicial Review was filed on ~~March 22~~ ^{may} 22, 1997, in the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter. Any party wishing to oppose the petition must file a response within 30 days after the date of this letter, pursuant to Rule 7-202(d)(2)(B).

Please note that any documents filed in this matter, including, but not limited to, any other Petition for Judicial Review, must be filed under Civil Action No. 3-C-97-05231.

Enclosed is a copy of the Certificate of Notice, which has been filed in the Circuit Court.

Very truly yours,

Charlotte E. Radcliffe
Charlotte E. Radcliffe
Legal Secretary

Enclosure

cc: Greg Sarro and Andres Falotico /APC, Inc.
William N. Gill, Sr. C. Edgar Thomas, Jr.
Leslie Graef Linda Semesky
Garrett D. Zour Mary Frances Grael
Lawrence E. Schmidt /Z.C. Charles Rinaudo
Arnold Jablon /PDM
Pat Keller /Planning Director
People's Counsel for Baltimore County
Virginia W. Barnhart, County Attorney

MICROFILMED



5-29-97



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

May 29, 1997

Jeffrey N. Pritzker, Esquire
MARGOLIS, PRITZKER & EPSTEIN, P.A.
405 E. Joppa Road
Suite 100
Towson, MD 21286

RE: Civil Action No. 03-C-97-05231
American PCS, C.P.
Belvedere Baptist Church, L.O.

Dear Mr. Pritzker:

In accordance with Rule 7-206(c) of the Maryland Rules of Procedure, the County Board of Appeals is required to submit the record of proceedings of the petition for judicial review which you have taken to the Circuit Court for Baltimore County in the above entitled matter within sixty days.

The cost of the transcript of the record must be paid by you. In addition, all costs incurred for certified copies of other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court within sixty days, in accordance with Rule 7-206(c).

Enclosed is a copy of the Certificate of Notice which has been filed in the Circuit Court.

Very truly yours,

Charlotte E. Radcliffe
Charlotte E. Radcliffe
Legal Secretary

Enclosure

cc: Pastor Wendall Ward
Belvedere Baptist Church

MICROFILMED



CIRCUIT COURT FOR BALTIMORE COUNTY
Suzanne Mensh
Clerk of the Circuit Court
County Courts Building
401 Bosley Avenue
P.O. Box 6754
Towson, MD 21285-6754
(410)-887-2601, TTY for Deaf: (800)-735-2258

Case Number: 03-C-97-005231

TO: COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY THE
Old Court House Room 49
400 Washington Ave
Towson, MD 21204

97 MAY 27 PM 12:16
RECEIVED
COUNTY BOARD OF APPEALS

MICROFILMED

IN THE CIRCUIT FOR BALTIMORE COUNTY

PETITION OF: BELVEDERE BAPTIST CHURCH
1301 CHEVERLY ROAD
TOWSON, MD 21286

FOR JUDICIAL REVIEW OF THE DECISION OF THE :
COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY
OLD COURT HOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MD 21204

*
*
*
*
* CIVIL
ACTION
NO.

IN THE CASE OF: AMERICAN PCS. CONTRACT PURCHASER:
BELVEDERE BAPTIST CHURCH, LEGAL OWNER,
CASE NO. 96-508-SPHX, FOR A SPECIAL HEARING
AND SPECIAL EXCEPTION ON PROPERTY LOCATED
ON THE EAST SIDE OF CHEVERLY ROAD 520' SOUTH
OF CENTERLINE VALEWOOD ROAD
(1301 CHEVERLY ROAD)

* * * * *

PETITION FOR JUDICIAL REVIEW

Belvedere Baptist Church, Petitioner, by and through its attorneys, Jeffrey N. Pritzker and Margolis, Pritzker & Epstein, P.A., and pursuant to Maryland Rule 7-202, hereby respectfully requests judicial review in the above-captioned case:


1. The matter below was styled as County Board of Appeals of Baltimore County Case No. 96-508-SPHX.
2. Petitioner was a party to the proceedings below.

RECEIVED
COUNTY BOARD OF APPEALS
80:6 MW 82 YW 76
97 MAY 23 AM 9:08

1
RECEIVED AND FILED
97 MAY 22 PM 2:25
CLERK OF THE CIRCUIT COURT
BALTIMORE COUNTY

WHEREFORE, it is respectfully requested that this Honorable Court GRANT
judicial review in the above-captioned case.

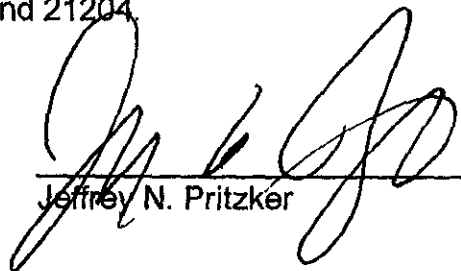
Respectfully submitted,



Jeffrey N. Pritzker
Margolis, Pritzker & Epstein, P.A.
405 E. Joppa Road, Suite 100
Towson, Maryland 21286
Attorney for the Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22 day of May, 1997, a copy of the above
Petition for Judicial Review was delivered via U.S. Mail, postage prepaid, to the
County Board of Appeals of Baltimore County, Old Court House, Room 49, 400
Washington Avenue, Towson, Maryland 21204.



Jeffrey N. Pritzker

IN THE MATTER OF
THE APPLICATION OF
AMERICAN PCS, CONTRACT
PURCHASER; BELVEDERE BAPTIST
CHURCH, LEGAL OWNER
FOR A SPECIAL HEARING AND
SPECIAL EXCEPTION ON PROPERTY
LOCATED ON THE EAST SIDE OF
CHEVERLY ROAD 520' SOUTH OF
CENTERLINE VALEWOOD ROAD
(1301 CHEVERLY ROAD)
9TH ELECTION DISTRICT
6TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 96-508-SPHX
*
*

* * * * *

OPINION

This case comes before this Board on appeal from a September 10, 1996, decision of the Zoning Commissioner granting a Petition for Special Hearing to approve a wireless transmitting and receiving facility as a use in combination with an existing church, and a Petition for Special Exception to permit a wireless transmitting and receiving facility on the subject site, pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations (BCZR).

The matter was heard by this Board de novo on March 19, 1997. The Petitioners were represented by Christine K. McSherry, Esquire. Jeffrey Pritzker, Esquire, represented the Protestants.

In order to be granted a special exception the Petitioners must meet the general criteria for special exceptions set forth in Section 502.1 of the BCZR, as well as the additional requirements of Section 502.7, permitting wireless transmitting and receiving facilities in D.R., R.C. and R-O zones. The requirements of Section 502.7.C are:

1. Petitioner shall have the burden of establishing that it has made a diligent search for a location within a business, office or industrial zone, or for mounting on any existing structure over fifty (50) feet in height and that, due to valid considerations, including but not limited to, location, economic, elevation, engineering or technologic feasibility, no appropriate location is available.
2. The setback of such structure from the nearest property line shall equal or exceed two (2) times its height above grade level.
3. The structure shall be located on a lot of at least five (5) acres.
4. The structure shall be enclosed within a locked, chain-link fence, or comparable wall or structure, at least 8 feet high.
5. A landscape plan, designed to minimize the visual impact of accessory

buildings and the lower portion of the structure shall be submitted to and approved by the Director of Office of Planning and Zoning.

6. Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times.
7. When the use is terminated, the structure shall be removed.
8. Every five years, or sooner in the event of substantial damage, a certification by a professional engineer registered in Maryland . . . shall be filed with the Department of Permits and Licenses indicating that the aforementioned structure meets all safety requirements. Any upgrading or maintenance required to comply with any changes in the safety requirements, or to maintain the safety thereof, shall be performed prior to the filing of such certification.
9. No white stroboscopic lights are permitted.
10. In order to insure against adverse effects on its surroundings, an environmental impact statement, as defined in Section 101, shall be submitted to the Zoning Commissioner or, in the event of an appeal, to the County Board of Appeals of Baltimore County. Such environmental impact statement shall include information on emission levels and shall evaluate the impact of the proposed structure on the ecosystem; and based on such environmental impact statement and other evidence produced at the hearing, it must appear that the proposed structure will not have a substantial adverse impact on the environment.
11. The Zoning Commissioner or, in the event of an appeal, the County Board of Appeals of Baltimore County shall determine that there will not be a substantial adverse impact on surrounding property values, park lands or open space.

According to testimony and evidence, the subject property is approximately 13 acres in area, zoned D.R.1 and is improved with a one-story masonry building which is used by the congregation of the Belvedere Baptist Church of Baltimore. The site also contains two macadam paved parking areas, several athletic fields, and open space.

The Contract Purchaser, American Personal Communications (APC), proposes to install a 150-foot-tall monopole on the subject property in the location shown on the site plan (Petitioners' Exhibit 7). APC has amended the original site plan submitted to the Zoning Commissioner to increase the number of antennas on the monopole from nine to 18, and increase the number of equipment cabinets at the base of the monopole from two to five.

Greg Sarro, zoning manager for APC, testified that since November, 1995, his company has been offering personal communications services in the Baltimore-Washington area similar to the cellular-type services of Cellular One and Bell Atlantic; but because APC's network and

technology is digitally based, it can offer additional communication services. He testified that the Federal Communications Commission, in order to encourage competition, granted APC a Pioneer's Preference license. The company is currently in Phase 2 of its buildout, filling in areas where its coverage is weak or not available.

Mr. Sarro testified that in compliance with the requirements of Section 502.7.C.1 to make a diligent location search, APC first looked within the one-quarter mile diameter search area designated by its engineers for a business or industrial zone, or an existing structure on which to mount its tower, but found none that were feasible.

He said the company next looked for a parcel of at least 5 acres, in which the proposed tower could be placed at least 2 feet from the nearest property line for every foot of tower, in compliance with Sections 502.7.C.2 and 502.7.C.3.

Also testifying for the Petitioners was Kevin Mason, zoning manager for Entel Technologies, a firm that assisted APC in the site selection process. According to testimony by Mr. Sarro and Mr. Mason, the Petitioners conducted surveys of five sites in addition to the subject site, and made the following findings:

1. Providence Motors, 1618 Providence Road (Protestants' Exhibit 6)

This property is zoned B.L., which would permit the proposed tower by right. However, the parcel is located approximately 1 mile northeast of the search area and would require two variances as it is a very small parcel.

2. Edmond Haile property, 1501 Providence Road (Protestants' Exhibit 3)

Mr. Haile owns a 4.6-acre lot, as well as a smaller adjacent parcel that, combined with the first lot, makes a total parcel of 4.9 acres, which would still be under the 5-acre minimum and thus require a variance. A second variance would be required if the tower were located where Mr. Haile wanted it on the property.

3. Providence Volunteer Fire Department, 1416 Providence Road (Protestants' Exhibit 5)

This site is also under 5 acres, and could not meet the setback requirements. It would require a total of five variances. Mr. Sarro testified that the company felt that a 190-foot tower would be required at this location, as opposed to a 150-foot tower at the subject site. In addition, although the Fire Department is an institutional use, it is located in a heavily residential area.

4. WLIF-FM Radio Station, 1570 Hart Road (Protestants' Exhibit 4)

This is a 9-acre property and thus meets the 5-acre minimum requirement. It has an existing 960-foot radio tower, but WLIF would not grant APC access to its tower. The station's engineering manager, Fred Rathert, also rejected locating a new tower where the setbacks would require, as it would be too close to the guy wires of the existing tower.

5. WKDB-AM Radio Station, 1550 Hart Road (Protestants' Exhibit 7)

This location is large enough that it would not require any variances, and has an existing 280-foot tower. APC's policy is to co-locate wherever possible, and only build a tower when necessary. However, WKDB's tower did not have the structural capacity to support the APC antennas.

Testifying in regard to the structural capacity of the WKDB tower was Peter Neubauer, president of Neubauer Consulting Engineers, who was accepted by the Board as an expert witness in structural engineering. Mr. Neubauer said he conducted a computer-aided structural analysis and concluded that the WKDB tower could not support the APC antenna (Petitioners' Exhibit 2, Tab 8).

Further testimony regarding the feasibility of mounting the APC antenna on the WKDB tower was supplied by Jeffrey Bixby, manager of engineering for the consulting firm of Moffet, Larson and Johnson. Mr. Bixby, who was accepted by the Board as an expert witness in AM radio and radio frequency engineering, explained that the WKDB tower is a lightweight type of tower called a folded unipole, which is not insulated from the ground; the whole system, including the tower and wires, is the emitter of the radio signals. He testified that as a result, anyone working on the tower would be exposed to the possibility of radio-frequency burn, shock, and radiation hazards.

In addition, he said, there is a potential for interference with any transmitter operating at 5,000 watts, as WKDB does. He concluded that the WKDB tower is not suitable for APC's purposes (Petitioners' Exhibit 2, Tab 9).

APC Director of Engineering David Knudson, accepted by the Board as an expert witness in radio frequency engineering, testified that the very low maximum power level of 200 watts at APC's base stations results in a maximum level of exposure to radio-frequency energy 200 times

below the standards for radio-frequency exposure established by the National Council on Radiation Protection. Mr. Knudson said that the APC antennas will not affect any other electrical equipment, such as hearing aids or electronic appliances.

Melanie Moser, a principal in the firm of Daft, McCune and Walker, was accepted by the Board as an expert witness in landscape architecture and land use. She testified that the environmental impact statement (EIS) required by Section 502.7.C.10 was prepared at her direction (Petitioners' Exhibit 4).

The conclusions of the EIS were that very little clearing and grading will be done, nor will existing vegetation be removed. The site is not a significant wildlife habitat. No perceivable noises will be produced by the facility.

In addition, she testified that the proposed facility meets all the general requirements for special exceptions set forth in Section 502.1.

Ms. Moser further testified that the subject site meets all specific standards for wireless transmitting and receiving facilities. She said that a landscape plan designed to minimize the visibility of the equipment at the base of the station has been submitted and approved in compliance with Section 502.7.C.5. She testified that due to the rolling topography of the neighborhood, there will be very few clear views of the tower.

She concluded that, except for the limited visibility of the tower, there will be no impact on the community. In her opinion, the proposed tower will not have a greater impact here than at other possible sites; in fact, it will have less of an impact because the site is so large.

Offering testimony and submitting a report on the effect of the proposed tower on surrounding property values was David Brooks, a partner in the firm of Lipman, Frizzell and Mitchell, who was accepted by the Board as an expert witness in real estate appraisal (Petitioners' Exhibit 8).

Mr. Brooks compared housing prices in the immediate area of the subject property with the prices of homes more distant from the subject property, in order to determine the effect on property values of the existing WLIF and WKDB towers, which are in close proximity to the subject site and much higher than the proposed tower. His comparison showed that houses of identical design, age and construction sold for similar prices regardless of their proximity to the radio

towers.

Mr. Brooks also analyzed sales of homes adjacent to monopole sites within a high-income area of Montgomery County and concluded that there was no discernible difference between the values of homes close to monopole sites compared to the values of homes more distant from them.

He concluded that the proposed tower will not have a negative impact on surrounding property values.

Protestants presented as a witness Joseph Benham, a volunteer firefighter and member of the Board of Directors of the Providence Volunteer Fire Department. Mr. Benham testified that the subject property is the only site in the area on which the Fire Department can land a medivac helicopter, and it has been used for that purpose. He said that the proposed tower might impair a helicopter's ability to land. But he conceded on cross-examination that the helicopter could probably land on the 13-acre church site if it were notified that the tower was near the church.

Nile Seaberg of Guardian Communications, general manager of WITH Radio, testified for the Protestants that Guardian Communications, which owns the WKDB site, is willing to lease the WKDB tower to APC /Sprint Spectrum.

Donald Zang, who lives a quarter-mile from the subject site at 1312 Midmeadow Road, testified that at a meeting of the Hampton Gardens Community Association that he attended, the approximately 20 people in attendance were shown a photo of the Belvedere Baptist Church with the proposed tower superimposed on the photo, showing the 150-foot tower hardly any taller than the 60-foot church steeple (Protestants' Exhibit 1). In addition, he said, the tower was presented as being for the purpose of receiving church communications.

Leslie Graef, who was the Baltimore County planning director from 1977-'79, testified that he owns property across the street from the subject site, which he described as being located on a one-lane, pleasant residential street in a primarily residential area. He said that in his opinion the monopoles are a commercial use, and are ugly and inconsistent with a residential area. He stated, however, that he retired from county service prior to the passage of regulations on wireless transmitting and receiving facilities.

Edgar Thomas, Jr., who lives at 1101 Hart Road, approximately 250-300 feet from the subject site, testified that he objected to yet another tower in his neighborhood, and said that no

consideration was given to trying to consolidate multiple uses in a limited number of towers.

Mr. Thomas said that he received a 10 percent reduction on the cash value of his land from the Baltimore County Property Tax Assessment Appeals Board in 1991-'92 on the basis of the commercial encroachment caused by the existing radio towers. He conceded under cross-examination that the tax reduction was due to commercial activity generated by radio station offices which were in existence at that time.

William Gill, president of the Hampton Gardens Community Association, testified that in his opinion the proposed tower was totally inconsistent with the homes in the area. He said that at a meeting of the association attended by about 70 people, the proposed tower was opposed by everyone.

The burden of proof is upon the Petitioners to establish that the requirements of Sections 502.1 and 502.7 of the BCZR have been met. After reviewing those requirements and the evidence and testimony presented, this Board finds that they have met this burden in every respect.

Satisfying the diligent location search requirement of Section 502.7.C.1 is of prime importance for approval of a Petition for Special Exception for a wireless transmitting and receiving facility. The Petitioners amply demonstrated that they made a diligent search, and that the subject site was the most feasible site among the six possible sites they identified.

Petitioners argued that in addition to other drawbacks, every one of the alternate sites would require one or more variances, which are very difficult to obtain, whereas the subject site requires no variances and thus is a far more feasible location.

The Court of Special Appeals of Maryland, in Cromwell v. Ward, 102 Md. App. 691 (1995), has indeed stated that the authority to grant a variance should be exercised sparingly and only under exceptional circumstances, and has construed Section 307.1 of the BCZR in such a manner that this Board may grant variances only when very stringent standards are satisfied. This Board, therefore, would be remiss if it were to deny the Petition for Special Exception for the subject site, which requires no variances, on the grounds that one of the alternate sites, requiring one or more variances, was more acceptable.

In general, when a legislative body permits a use in a particular zone by special exception,

there is a presumption in favor of the use, absent circumstances showing that the use in a particular location would have adverse effects over and above those ordinarily associated with the use in the zoning district. Schultz v. Pritts 291 Md. 1 (1981).

The Petitioners produced testimony and evidence showing that virtually the only negative impact of the proposed tower would be its visibility. An important question to be resolved is, therefore, whether the visibility at the subject site would have a more negative impact than it would at other possible sites in the area. Ms. Moser testified that due to the rolling topography and the fact that, at 13 acres, this is a relatively large site, the proposed tower would have less of a visible impact than at other sites. Her testimony was essentially un rebutted.

For the above reasons, the Board will grant the Petitions for Special Hearing and Special Exception.

ORDER

IT IS THEREFORE this 25th day of April, 1997 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Special Hearing to approve a wireless transmitting and receiving facility as a use in combination with an existing church, in accordance with Petitioner's Exhibit 7, be and is hereby **GRANTED**; and it is further

ORDERED that the Petition for Special Exception to permit a wireless transmitting and receiving facility on the subject site, pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations and in accordance with Petitioner's Exhibit 7, be and is hereby **GRANTED**, subject to the following restrictions:

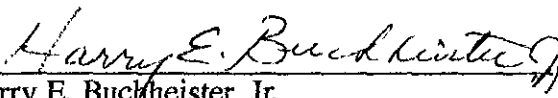
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
2. No lights, at all, shall be permitted on the tower. If they are required by the Federal Aviation Administration, then the relief granted herein shall be rescinded and the Petitioners shall be prohibited from using this site.

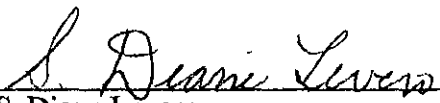
3. When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Robert O. Schuetz, Chairman


Harry E. Buchheister, Jr.


S. Diane Levero



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

April 25, 1997

Jeffrey N. Pritzker, Esquire
MARGOLIS, PRITZKER & EPSTEIN, P.A.
405 E. Joppa Road
Suite 100
Towson, MD 21286

RE: Case No. 96-508-SPHX
American PCS, C.P.
Belvedere Baptist Church, L.O.

Dear Mr. Pritzker:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules and Procedure. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Kathleen C. Bianco

Kathleen C. Bianco
Legal Administrator

encl.

c: William N. Gill, Sr.
C. Edgar Thomas, Jr.
Leslie Graef
G. Scott Barhight, Esquire
Christine K. McSherry, Esquire
Pastor Wendall Ward
/Belvedere Baptist Church
Linda Semesky
Garrett D. Zour
Pat Keller, Director /Planning
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney
Greg Sarro and Andres
Falotico /APC, Inc.
Mary Frances Graef
Charles Rinaudo
Lawrence E. Schmidt /Z.C.
People's Counsel for B.C.

MICROFILMED

IN RE:
PETITIONS FOR SPECIAL HEARING
AND SPECIAL EXCEPTION
E/S Cheverly Road, 520' S of the c/
Valewood Road
1301 Cheverly Road
9th Election District
6th Councilmanic District

Before the Zoning Commissioner of
Baltimore County
Case No. 96-508-SPHX

* BEFORE THE
* BALTIMORE COUNTY
* BOARD OF APPEALS

* Case No:
*
*
* * * * *

REQUEST TO WITHDRAW NOTICE OF APPEAL

Appellant, American PCS, L.P., by Margaret C. Ruggieri, Esquire, through its
attornies, G. Scott Barhight and Christine K. McSherry and Whiteford, Taylor & Preston
L.L.P., hereby requests that the Board of Appeals withdraw the Notice of Appeal previously
filed by the Appellant in this matter, and for reasons states:

1. Appellant appealed Restriction Number 2 of the Decision of the Zoning
Commissioner in the above-captioned matter.
2. Restriction Number 2 would revoke the special exception approval if the
Petitioner were required by the FAA to light the tower.
3. Since filing the Notice of Appeal, Petitioner has learned that the FAA will not
require that the tower be lit and, therefore, the issue is moot.

WHEREFORE, Appellant, American PCS, L.P., hereby requests that the Notice of
Appeal be withdrawn.

Christine K. McSherry
Christine K. McSherry
Whiteford, Taylor & Preston L.L.P.
210 West Pennsylvania Avenue
Towson, Maryland 21204-4515
(410) 832-2000

MICROFILMED

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of November, 1996, a copy of the foregoing Request to Withdraw Notice of Appeal was mailed first class, postage prepaid to:

The Honorable Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Office of Planning and Zoning
Old Courthouse, Room 112
400 Washington Avenue
Towson, Maryland 21204

William N. Gill, Sr.
Hampton Gardens Community Association
2 Pickford Court
Towson, Maryland 21286

C. Edgar Thomas, Jr.
1101 Hart Road
Towson, Maryland 21286

Leslie Graef
6237 Bellona Avenue
Baltimore, Maryland 2122

Peter M. Zimmerman, Esquire
People's Counsel for Baltimore County
Old Courthouse, Room 47
400 Washington Avenue
Towson, Maryland 21204

Christine K. McSherry
Christine K. McSherry

WHITEFORD, TAYLOR & PRESTON
L.L.P.

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515

410 832-2000
FAX 410 832-2015

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-5495
TELEPHONE 202 659-6800
FAX 202 331-0573

50 COLUMBIA CORPORATE CENTER
10440 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044
TELEPHONE 410 884-0700
FAX 410 884-0719

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 846-5712
FAX 703 836-0265

CHRISTINE K. MCSHERRY

DIRECT NUMBER
410 832-2027
2038958@mcsmail.com

November 4, 1996

Mrs. Kathleen C. Bianco
County Board of Appeals of Baltimore County
Room 49, Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

**Re: Case No. 96-508-SPHX
Appeal from the Decision of the Zoning Commissioner
1301 Cheverly Road**

Dear Mrs. Bianco:

Please dismiss the appeal that we filed previously in this matter. Appellant no longer wishes to pursue this appeal and would like to withdraw the Notice of Appeal. Enclosed you will find our Request to Dismiss the Appeal. Please convey our request to the Board of Appeals so that this case might be dismissed.

If you have any questions, please feel free to call me.

Sincerely,

Christine K. McSherry
Christine K. McSherry

CKM:sl

Enclosure

cc: Mr. Greg Sarro
Rev. Wendall Ward
Ms. Melanie Moser
Mr. Kevin Mason
People's Counsel

91908

*11/07/96
Petitioner's appeal
however, appeal of
protestants remains
to be heard.*

MICROFILMED

10 90

IN RE:
PETITIONs FOR SPECIAL HEARING
AND SPECIAL EXCEPTION
E/S Cheverly Road, 520' S of the c/1
Valewood Road
1301 Cheverly Road
9th Election District
6th Councilmanic District

* BEFORE THE
* BALTIMORE COUNTY
* BOARD OF APPEALS

Before the Zoning Commissioner of
Baltimore County
Case No. 96-508-SPHX

*
*
*
Case No:
*

* * * * *

NOTICE OF APPEAL

Appellant, American PCS, L.P., by Margaret C. Ruggieri, Esquire, through its attorney, G. Scott Barhight and Christine K. McSherry and Whiteford, Taylor & Preston, LLP, hereby notifies all interested parties of its request to appeal Restriction Number 2 of the Decision of the Zoning Commissioner in the above-captioned matter. Petitioners in this matter are American PCS, L.P., the contract lessor and Mr. Glen Lewis, Trustee for Belvedere Baptist Church. Their addresses are: American PCS, L.P., One Democracy Center, 6901 Rockledge Drive, Bethesda, Maryland 20817 and Glen Lewis, Trustee for Belvedere Baptist Church, 1301 Cheverly Road, Baltimore, Maryland 21286

Christine K. McSherry
G. Scott Barhight
Christine K. McSherry
Whiteford, Taylor & Preston L.L.P.
210 West Pennsylvania Avenue
Towson, Maryland 21204-4515
(410) 832-2000

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

September 10, 1996

(410) 887-4386

Christine V. McSherry, Esquire
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue, Suite 400
Towson, Maryland 21204

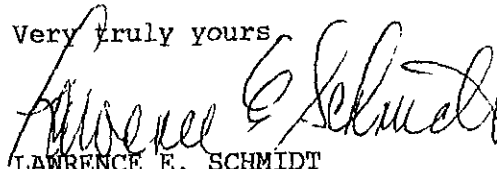
RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION
E/S Cheverly Road, 520' S of the c/l of Valewood Road
(1301 Cheverly Road)
9th Election District - 6th Councilmanic District
Glen Lewis, Trustee for Belvedere Baptist Church - Owner;
and American Personal Communications, Inc. - Contract Purchaser
Case No. 96-508-SPHX

Dear Ms. McSherry:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Special Exception have 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


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Messrs. Greg Sarro and Andres Falotico, American Personal Comm., Inc.,
6901 Rockledge Drive, Bethesda, Md. 20817
Rev. Wendall Ward, Belvedere Baptist Church, 1301 Cheverly Road, 21286
Ms. Melanie Moser, DMW, 200 E. Pennsylvania Ave., Towson, Md. 21286

Ms. Linda Semesky, 1022 Hart Road, Towson, Md. 21286
Mr. C. Edgar Thomas, Jr., 1101 Hart Road, Towson, Md. 21286
Ms. Mary Frances Graef, 1201 Hart Road, Baltimore, Md. 21286
Ms. Leslie Graef, 6237 Bellona Avenue, Baltimore, Md. 21212
Mr. Garrett D. Zour, P.V.F.D., 1409 Providence Road, Towson, Md. 21286
Mr. & Mrs. William Gill, 2 Pickford Court, Towson, Md. 21286
Mr. Charles Rinaudo, 1210 Brookmeadow Drive, Towson, Md. 21286
People's Counsel; Case File

MICROFILMED



1-17-96

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 PETITION FOR SPECIAL EXCEPTION * ZONING COMMISSIONER
 1301 Cheverly Road, E/S Cheverly Road, * OF BALTIMORE COUNTY
 520' from c/l Valewood Road *
 9th Election District, 6th Councilmanic *
 Legal Owner(s): Glen Lewis, Trustee * CASE NO. 96-508-SPHX
 Contract Purchaser: American Personal *
 Communciations, Inc. *
 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 19th day of July, 1996, a copy of the foregoing Entry of Appearance was mailed to Christine K. McSherry, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21202, attorney for Petitioner.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN

MICROFILMED



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

1301 Cheverly Road

96-508-SPHX

which is presently zoned D.R.1

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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Special Hearing for a use in combination for a wireless transmitting and receiving facility with an existing church.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and 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:

American Personal Communications, Inc. (APC)

(Type or Print Name)

Signature

One Democracy Center
6901 Rockledge Drive, Suite 600

Address

Bethesda, MD 20817

City

State

Zipcode

Legal Owner(s):

Allen Lewis Trustee

(Type or Print Name)

Signature

(Type or Print Name)

Signature

1301 Cheverly Road

(410) 321-1003

Address

Phone No.

Baltimore, MD 21286

City

State

Zipcode

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

Attorney for Petitioner.

Christine K. McSherry

(Type or Print Name)

Christine K. McSherry

Signature

c/o Whiteford, Taylor & Preston
500 Court Towers

Address

Phone No.

210 West Pennsylvania Avenue

City

State

Zipcode

Towson, MD 21204

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following date

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

6-21-96

ORDER RECEIVED FOR FILING

Date

By



MICROFILMED #507



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 1301 Cheverly Road

96-508-SPHX

which is presently zoned D.R. 1

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

Wireless transmitting and receiving facility pursuant to Section 1B01.1c.20

RECEIVED

JUN 15 1996

HAPP BULLOCK-WALKER, INC.

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:

American Personal Communications, Inc. (APC)

(Type or Print Name)

Margaret (Maggie) [Signature]
Signature
One Democracy Center
6901 Rockledge Drive, Suite 600
Address

Bethesda, MD 20817

City State Zipcode

Attorney for Petitioner:

Christine McSherry, Esq.

(Type or Print Name)

Christine K. McSherry
Signature

c/o Whiteford, Taylor & Preston

500 Court Towers
Address Phone No.

210 West Pennsylvania Avenue
City State Zipcode

Towson, MD 21204

Legal Owner(s):

Glen Keith Trustee
(Type or Print Name)

Glen Keith
Signature

(Type or Print Name)

Signature

1301 Cheverly Road (410) 321-1003
Address Phone No.

Baltimore, MD 21286
City State Zipcode

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

Name

Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: [Signature] DATE 6-21-96



ORDER RECEIVED FOR FILING
Date 6/21/96
By [Signature]

#507

MICROFILMED

96-508-SPHX

Description

to Accompany Petition for Special Exception

and Petition for Special Hearing

13.0 Acre Parcel

The Trustees of the Belvedere Baptist Church of Baltimore

South Side of Cheverly Road

North of Hart Road

Ninth Election District, Baltimore County, Maryland



Daft·McCune·Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

410 296 3333

Fax 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at the end of the two following courses and distances measured from the point formed by the intersection of the centerline of Valewood Road, 60 feet wide, with the centerline of Cheverly Road, 50 feet wide, (1) Southeasterly, 235 feet, more or less, thence (2) South 77 degrees 34 minutes 30 seconds west 262 feet, more or less, to the point of the beginning, thence leaving said point of beginning and running the following two courses and distances, viz; (1) North 77 degrees 34 minutes 30 seconds East 910.70 feet, thence (2) South 04 degrees 15 minutes East 646.76 feet to a point on or near the center of Hart Road, 12 feet wide, thence binding on or near the centerline of Hart Road the five following courses and distances, viz; (3) South 73 degrees 34 minutes West 25.48 feet, thence, (4) South 69 degrees 23 minutes West 282.52 feet, thence (5) North 74 degrees 32 minutes West 165.0 feet, thence (6) South 77 degrees 32 minutes West 131.32 feet, thence (7) South 85 degrees 45 minutes

507

96-508-SPHX

West 320.15 feet, thence leaving Hart Road (8) North 04 degrees 15 minutes West
565.39 feet to the point of beginning; containing 13.0 acres of land, more or less.

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

June 19, 1996

Project No. 94161.73 (L94161.73)



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: #95-508-SPPX

(Item 507)

1301 Cheverly Road
E/S Cheverly Road, 520' from
of Valewood Road,
8th Election District
6th Courtmarie.

Legal Owner(s):

Gen Lewis, Trustee

Contract Purchaser:

American Personal Communications, Inc.

Special Hearing: for a use in combination for a wireless transmitting and receiving facility with an existing church.

Special Exception: for a wireless transmitting and receiving facility.

Hearing: Tuesday, July 23, 1996 at 2:00 p.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.

7/028 July 4 C64315

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/5, 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 7/4, 1996.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

MICROFILMED

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

No. 026010

DATE 10/15/96 ACCOUNT R-001-6150

AMOUNT \$ 425.00

RECEIVED FROM: Whiteford, Taylor & Passtow

FOR: Appeal #96-508-SPHX

01A00#0137MICRRC \$425.00
BA 011115RMM10-15-96

VALIDATION OR SIGNATURE OF CASHIER
MICROFILMED Rye

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

No. 026010

DATE 10/15/96 ACCOUNT R-001-6150

AMOUNT \$ 425.00

RECEIVED FROM: Whiteford, Taylor & Passtow

FOR: Appeal #96-508-SPHX

01A00#0137MICRRC \$425.00
BA 011115RMM10-15-96

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER Rye

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

No. 026009

DATE 10/15/96 ACCOUNT R-001-6150

AMOUNT \$ 460.00

RECEIVED FROM: William and Gertrude Gill

FOR: Appeal #96-508-SPHX

01A00#0137MICRRC \$460.00
BA 011115RMM10-15-96

VALIDATION OR SIGNATURE OF CASHIER
MICROFILMED Rye

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

No. 026009

DATE 10/15/96 ACCOUNT R-001-6150

AMOUNT \$ 460.00

RECEIVED FROM: William and Gertrude Gill

FOR: Appeal #96-508-SPHX

01A00#0137MICRRC \$460.00
BA 011115RMM10-15-96

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER Rye

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

No. 7000000

DATE 6-21-96 ACCOUNT E-001 015 000

AMOUNT \$ 670.00

RECEIVED FROM: DMW
010 - 500 250 Item # 307
010 - 500 200 Taken by - JBF
FOR: 10

B 620

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

MICROFILMED

CERTIFICATE OF POSTING

RE: Case No.: 96-508 SPAX

Petitioner/Developer: _____

TRUSTEES OF BELVEDERE
Baptist Church of Balto.

Date of Hearing/Closing: _____

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____

The sign(s) were posted on _____

10.21.96
(Month, Day, Year)

Sincerely,

(Signature of Sign Poster and Date)

Mark GAWEL

(Printed Name)

(Address)

Balto. County

(City, State, Zip Code)

(Telephone Number)



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

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

PAYMENT WILL BE MADE AS FOLLOWS:

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

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

 ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 507 Petitioner: AMERICAN PERSONAL COMMUNICATIONS
AMERICAN PCS L.P. (APC)

Location: 1301 CHEVERLY ROAD, BALT. MD 21286

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DMW - 200 EAST PENN. AVE.

ADDRESS: TOWSON MD. 21286

PHONE NUMBER: 296 - 3333

Plat to accompany Petition for Zoning Variance Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: _____

Subdivision name: _____

plat book# _____, folio# _____, lot# _____, section# _____

OWNER: _____



Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____ acreage _____ square feet

public private
SEWER:
WATER:
YES NO
Chesapeake Bay Critical Area:

Prior Zoning Hearings: _____



North

date: _____
prepared by: _____

Scale of Drawing: 1" = _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

TO: PUTUMENT PUBLISHING COMPANY
July 4, 1996 Issue - Jeffersonian

Please forward billing to:

DMV
200 E. Pennsylvania Avenue
Towson, Maryland 21286
296-3333

NOTICE OF HEARING

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

CASE NUMBER: 96-508-SPHX (Item 507)
1301 Cheverly Road
E/S Cheverly Road, 520' from c/1 Valewood Road
9th Election District - 6th Councilmanic
Legal Owner(s): Glen Lewis, Trustee
Contract Purchaser: Amercian Personal Communciations, Inc.

Special Hearing for a use in combination for a wireless transmitting and receiving facility with an existing church.

Special Exception for a wireless transmitting and receiving facility.

HEARING: TUESDAY, JULY 23, 1996 at 2:00 p.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.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

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

June 28, 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: 96-508-SPHX (Item 507)
1301 Cheverly Road
E/S Cheverly Road, 520' from c/l Valewood Road
9th Election District - 6th Councilmanic
Legal Owner(s): Glen Lewis, Trustee
Contract Purchaser: Amercian Personal Communciations, Inc.

Special Hearing for a use in combination for a wireless transmitting and receiving facility with an existing church.

Special Exception for a wireless transmitting and receiving facility.

HEARING: TUESDAY, JULY 23, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script that reads "Arnold Jablon".

Arnold Jablon
Director

cc: American Personal Communications, Inc.
Glen Lewis
Christine McSherry, 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.

MICROFILMED





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

December 13, 1996

NOTICE OF ASSIGNMENT

CASE #: 96-508-SPHX IN MATTER OF: AMERICAN PCS -Contract Purchaser;
BELVEDERE BAPTIST CHURCH -Legal Owner -Petitioners
1301 Cheverly Road
9th Election District; 6th Councilmanic
(Petition for Special Hearing GRANTED;
Petition for Special Exception GRANTED with
restrictions.)

ASSIGNED FOR: WEDNESDAY, MARCH 19, 1997 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should
consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said
requests must be in writing and in compliance with Rule 2(b) of the
Board's Rules. No postponements will be granted within 15 days of
scheduled hearing date unless in full compliance with Rule 2(c). For
further information, see Board's Rules of Practice & Procedure,
Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

cc: Appellants /Protestants: William N. Gill, Sr.; C. Edgar Thomas, Jr.
and Leslie Graef on behalf of Hampton
Gardens Community Association
Counsel for Petitioners: G. Scott Barhight, Esquire
Christine K. McSherry, Esquire
Petitioners /C.P. : Messrs. Greg Sarro and Andres Falotico,
American Personal Comm, Inc.
Legal Owner : Pastor Wendall Ward /Belvedere Baptist Church
Melanie Moser /Daft-McCune-Walker

Linda Semesky Mary Frances Graef
Garrett D. Zour Charles Rinaudo

People's Counsel for Baltimore County
Pat Keller Arnold Jablon, Director /PDM
Lawrence E. Schmidt Virginia W. Barnhart, Co Atty



MICROFILMED

Appealed: 10/8/96

(see attached copy of vicinity map)

9th Election District

(1301 Cheventy Road)

E/S Cheventy Road, 5201 S of the o/l of Valewood Road

Glen Lewis, Trustee for Belvedere Baptist Church, P.O.
American Personal Comm., Inc. - C.P.

Case No. 96-508-SFH



Baltimore County
Department of Permits and
Development Management

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

October 17, 1996

Mr. William N. Gill, Sr.
2 Pickford Court
Towson, MD 21286

RE: Petition for Special Hearing
and Special Exception
E/S Cheverly Road, 520 S of
the c/l of Valewood Road
(1301 Cheverly Road)
9th Election District
6th Councilmanic District
Glen Lewis, Trustee for
Belvedere Baptist Church -
Legal Owner
American Personal Comm., Inc. -
Contract Purchaser
Case No. 96-508-SPHX

Dear Mr. Gill:

Please be advised that an appeal of the above-referenced case was filed in this office on October 10, 1996 by G. Scott Barhight and Christine K. McSherry of Whiteford, Taylor & Preston, LLP on behalf of American PCS, L.P. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

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

ARNOLD JABLON
Director

AJ:rye

c: Mr. C. Edgar Thomas, Jr.
Ms. Leslie Graef
People's Counsel

MICROFILMED



APPEAL

Petitions for Special Hearing and Special Exception
E/S Cheverly Road, 520' S of the c/l of Valewood Road
(1301 Cheverly Road)
9th Election District - 6th Councilmanic District
Glen Lewis, Trustee for Belvedere Baptist Church - Legal Owner
American Personal Communications, Inc. - Contract Purchaser
Case No. 96-508-SPHX

Petitions for Special Hearing and Special Exception

Description of Property

Certificate of Publication

Entry of Appearance of People's Counsel

Petitioners and Citizens Sign-In Sheets

Petitioners' Exhibits:

- 1 - Statement of Position by Mr. Philip E. Cvach, President dated June 24, 1996
- 2 - Support Documentation to Accompany Petition for Special Exception and Special Hearing
- 3 - Environmental Impact Statement
- 4 - Memorandum from Kevin Mason to Greg Sarro and Christine McSherry, Esquire dated July 19, 1996, ADC Map, Tax Parcel Map and Zoning Map
- 5 - Community Contacts Provided by Donna Itter dated February 21, 1996
- 6A-6K - Eleven Photographs
- 7 - Neighborhood, Secondary and Primary Road Map
- 8 - Neighborhood, Secondary and Primary Road Map
- 9 - Site Plan

Protestants' Exhibits:

- 1 - Letter from Mark F. McNeil to Alex Nolfi dated July 24, 1996
- 2 - Letter from Timothy C. Cutforth, P.E. to Ed Graham dated July 26, 1996
- 3 - Letter from Patricia DeSantis to Providence Volunteer Fire Company, Inc. dated July 25, 1996
- 4 - Radio's Best Read Newspaper dated July 24, 1996
- 5 - Drawing of Distant view of Church and Steeple
- 6 - Site Plan
- 7A-7C - Overlay at 200% to Towson Quad Topo Map
- 8 - Hampton Gardens Restrictions
- 9A-9B - Two Photographs (Two Unmarked Photographs)

Laws and Regulations from the Baltimore County Building Code, Part 4, Section 409.10, d dated June 22, 1966

Declaration of Covenants, Conditions, Restrictions and Easements covering Valewood at Hampton Gardens dated October 24, 1983

Wireless Communications Facilities Issues Paper dated December 1995

Memorandum Titled Pacemakers and Hearing Aids Stall New Digital (GSM) Phones dated February 29, 1996

Note from C. Edgar Thomas, Jr. to Lawrence Schmidt, Zoning Commissioner dated August 8, 1996

San Diego's Cellular Phone Controversy

Impact of Cellular Phones on Pacemakers Under the Microscope

Wireless communications Technology Research and Analysis

72 Letters of Opposition

Two Miscellaneous Correspondences

Zoning Commissioner's Order dated September 10, 1996 (Granted)

Notice of Appeal received on October 8, 1996 from William N. Gill, Sr., C. Edgar Thomas, Jr. and Leslie Graef on behalf of the Hampton Gardens Community Association

Notice of Appeal received on October 10, 1996 from G. Scott Barhight, Christine K. McSherry and Whiteford, Taylor & Preston L.L.P.

c: Messrs. Greg Sarro and Andres Falotico, American Personal Comm., Inc., 6901 Rockledge Drive, Bethesda, MD 20817
Rev. Wendall Ward, Belvedere Baptist Church, 1301 Cheverly Road, Towson, MD 21286
Ms. Melanie Moser, DMW, 200 E Pennsylvania Ave., Towson, MD 21286
Ms. Linda Semesky, 1022 Hart Road, Towson, MD 21286
Mr. C. Edgar Thomas, Jr., 1101 Hart Road, Towson, MD 21286
Ms. Mary Frances Graef, 1201 Hart Road, Towson, MD 21286
Ms. Leslie Graef, 6237 Bellona Avenue, Baltimore, MD 21212
Mr. Garrett D. Zour, P.V.F.D., 1409 Providence Rd., Towson, MD 21286
Mr. & Mrs. William Gill, 2 Pickford court, Towson, MD 21286
Mr. Charles Rinaudo, 1210 Brookmeadow Drive, Towson, MD 21286
Christine K. McSherry, Esquire, Whiteford, Taylor & Preston L.L.P., 210 West Pennsylvania Avenue, Towson, MD 21204-4515
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

MICROFILMED

APPEAL

Petitions for Special Hearing and Special Exception
E/S Cheverly Road, 20' S of the c/l of Valewood Road
(1301 Cheverly Road)
9th Election District - 6th Councilmanic District
Glen Lewis, Trustee for Belvedere Baptist Church - Legal Owner
American Personal Communications, Inc. - Contract Purchaser
Case No. 96-508-SPHX

96 05 11 11:30

✓ Petitions for Special Hearing and Special Exception

✓ Description of Property

✓ Certificate of Publication

✓ No cert. of posting.

✓ Entry of Appearance of People's Counsel

✓ Petitioners and Citizens Sign-In Sheets

- Petitioners' Exhibits:
- ✓ 1 - Statement of Position by Mr. Philip E. Cvach, President dated June 24, 1996
 - ✓ 2 - Support Documentation to Accompany Petition for Special Exception and Special Hearing
 - ✓ 3 - Environmental Impact Statement
 - ✓ 4 - Memorandum from Kevin Mason to Greg Sarro and Christine McSherry, Esquire dated July 19, 1996, ADC Map, Tax Parcel Map and Zoning Map
 - ✓ 5 - Community Contacts Provided by Donna Titter dated February 21, 1996
 - ✓ 6A-6K - Eleven Photographs
 - ✓ 7 - Neighborhood, Secondary and Primary Road Map
 - ✓ 8 - Neighborhood, Secondary and Primary Road Map
 - ✓ 9 - Site Plan

- Protestants' Exhibits:
- ✓ 1 - Letter from Mark F. McNeil to Alex Nolfi dated July 24, 1996
 - ✓ 2 - Letter from Timothy C. Cutforth, P.E. to Ed Graham dated July 26, 1996
 - ✓ 3 - Letter from Patricia DeSantis to Providence Volunteer Fire Company, Inc. dated July 25, 1996
 - ✓ 4 - Radio's Best Read Newspaper dated July 24, 1996
 - ✓ 5 - Drawing of Distant view of Church and Steeple
 - ✓ 6 - Site Plan
 - ✓ 7A-7C - Overlay at 200% to Towson Quad Topo Map
 - ✓ 8 - Hampton Gardens Restrictions
 - ✓ 9A-9B - Two Photographs (Two Unmarked Photographs)

✓ Laws and Regulations from the Baltimore County Building Code, Part 4, Section 409.10, d dated June 22, 1966

✓ Declaration of Covenants, Conditions, Restrictions and Easements covering Valewood at Hampton Gardens dated October 24, 1983

✓ Wireless Communications Facilities Issues Paper dated December 1995

✓ Memorandum Titled Pacemakers and Hearing Aids Stall New Digital (GSM) Phones dated February 29, 1996

✓ Note from C. Edgar Thomas, Jr. to Lawrence Schmidt, Zoning Commissioner dated August 8, 1996

✓ San Diego's Cellular Phone Controversy

✓ Impact of Cellular Phones on Pacemakers Under the Microscope

✓ Wireless communications Technology Research and Analysis

✓ 72 Letters of Opposition

✓ Two Miscellaneous Correspondences

✓ Zoning Commissioner's Order dated September 10, 1996 (Granted)

✓ Notice of Appeal received on October 8, 1996 from William N. Gill, Sr., C. Edgar Thomas, Jr. and Leslie Graef on behalf of the Hampton Gardens Community Association

} still pending 11/06/96

~~✓ Notice of Appeal received on October 10, 1996 from G. Scott Barhight, Christina K. McSherry and Whiteford, Taylor & Preston L.L.P.~~

w/d 11/06/96

- c: Messrs. Greg Sarro and Andres Falotico, American Personal Comm., Inc., 6901 Rockledge Drive, Bethesda, MD 20817
Rev. Wendall Ward, Belvedere Baptist Church, 1301 Cheverly Road, Towson, MD 21286
Ms. Melanie Moser, DMW, 200 E Pennsylvania Ave., Towson, MD 21286
Ms. Linda Semesky, 1022 Hart Road, Towson, MD 21286
Mr. C. Edgar Thomas, Jr., 1101 Hart Road, Towson, MD 21286
Ms. Mary Frances Graef, 1201 Hart Road, Towson, MD 21286
Ms. Leslie Graef, 6237 Bellona Avenue, Baltimore, MD 21212
Mr. Garrett D. Zour, P.V.F.D., 1409 Providence Rd., Towson, MD 21286
Mr. & Mrs. William Gill, 2 Pickford court, Towson, MD 21286
Mr. Charles Rinaudo, 1210 Brookmeadow Drive, Towson, MD 21286
Christine K. McSherry, Esquire, Whiteford, Taylor & Preston (S G. SCOTT BARTHIGHT)
L.L.P., 210 West Pennsylvania Avenue, Towson, MD 21204-4515
People's Counsel of Baltimore County, M.S. 2010

(S MARGARET C. RUGIERI, esq.)

TRUCK FIRST APPEAL

w/d

Request Notification: Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

MICROFILMED

96-5411

10/8/96
eg

October 7, 1996

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, Md. 21204

Re: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
1301 Cheverly Road, E/S Cheverly road, 520'
S of c/l Valewood Road, 9th Election Dist.,
6th Councilmanic; PETITIONERS:
Legal Owners (s): GLEN LEWIS, TRUSTEE FOR
BELVEDERE BAPTIST CHURCH
Contract Purchaser: AMERICAN PERSONAL
COMMUNICATIONS, INC.
Case NO. 96-508-SPHX

Dear Mr. Jablon:

Please enter an appeal of the HAMPTON GARDENS COMMUNITY ASSOCIATION and C. EDGAR THOMAS, JR. and LESLIE GRAEF to the County Board of Appeals from the Findings of Facts and CONCLUSIONS of Law and Order dated September 10, 1996 of the Baltimore County Zoning Commissioner in the above-entitled case.

Enclosed is our check in the amount of \$460.00 for the filing fee. Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

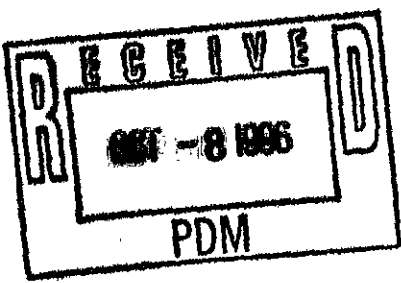
Very truly yours,

Hampton Gardens Community Association

BY: William N. Gill, Sr. Pres.
William N. Gill, Sr., President
2 Pickford Court
Towson, Maryland 21286
410-321-1673

BY: C. Edgar Thomas, Jr.
C. Edgar Thomas, Jr.
1101 Hart Rd.
Towson, Maryland 21286
410-821-8116

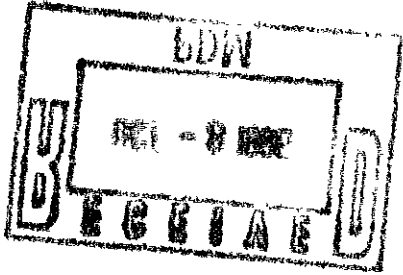
BY: Leslie Graef
Leslie Graef
6237 Bellona Ave.
Baltimore, Maryland 21212
410-435-6333



cc: Christine V. Mcsherry, Esq., Whiteford, Taylor & Preston, 210 W. Pennsylvania Ave., Towson, MD. 21204, Attorney for Petitioners

People's counsel for Baltimore County, Old Courthouse, Room 47, 400 Washington Ave., Towson, MD. 21204

MICROFILMED



1952
FBI - WASH

RECEIVED

RECEIVED

RECEIVED

RECEIVED

RECEIVED

RECEIVED

RECEIVED

Case No. 96-508-SPHX

SPH -To approve wireless transmitting and receiving facility in combination with existing church; SE - To permit wireless transmitting and receiving facility on subject site.

9/10/96 -Zoning Commissioner's Order in which Petition for Special Hearing was GRANTED; Petition for Special Exception GRANTED with restrictions.

11/06/96 -Request to Dismiss Appeal filed by Christine K. McSherry, Esquire, WHITEFORD, TAYLOR & PRESTON, LLP, on behalf of American PCS, LP, Appellant /Petitioner.

11/07/96 -T/C to C. McSherry advising that CBA is in receipt of her request for dismissal of Petitioner's appeal; however, there still remains Protestants' appeal which will be scheduled for hearing in due course; dismissal of the instant appeal will be included in the Order to be issued by CBA at conclusion of hearing on Protestants' appeal.

12/13/96 -Notice of Assignment for hearing scheduled for Wednesday, March 19, 1997 at 10:00 a.m. sent to following:

Appellants /Protestants: William N. Gill, Sr.; C. Edgar Thomas, Jr. and Leslie Graef on behalf of Hampton Gardens Community Association
Counsel for Petitioners: G. Scott Barhight, Esquire
Christine K. McSherry, Esquire
Petitioners /C.P. : Messrs. Greg Sarro and Andres Falotico, American Personal Comm, Inc.
Legal Owner : Pastor Wendall Ward /Belvedere Baptist Church
Melanie Moser /Daft-McCune-Walker
Linda Semesky Mary Frances Graef
Garrett D. Zour Charles Rinaudo
People's Counsel for Baltimore County
Pat Keller Arnold Jablon, Director /PDM
Lawrence E. Schmidt Virginia W. Barnhart, Co Atty

3/18/97 -Letter from Jeffrey N. Pritzker, Esquire, (Counsel for Appellants /Protestants?) requesting a postponement of the hearing scheduled for 3/19/97 on behalf of Hampton Gardens Community Assn /Appellants due to pending legislation in the General Assembly.

- Letter from Christine K. McSherry, Esquire, Counsel for Petitioners, indicating Petitioners' opposition to this request; that hearing be allowed to go forward as scheduled; and request for PP denied.

- Advised Board scheduled for 3/19/97 hearing of both request and opposition thereto.

3/20/97 -Matter concluded at hearing on 3/19/97; scheduled for public deliberation on Tuesday, April 1, 1997 at 9:30 a.m.; Notice of Deliberation sent to parties; added Jeffrey N. Pritzker, Esquire, to file as Counsel for Appellants; copy to R.B.M.

MICROFILM'D

3/26/97 -Letter from J. Pritzker, Esquire, requesting PP of deliberation scheduled for 4/01/97 due to hearing on a similar matter pending for 4/22/97 hearing before the Zoning Commissioner.

- T/C from C. McSherry in objection of above request. Written response to follow.

3/27/97 -Response from ROS to J. Pritzker - request denied; matter has been concluded and the Board must rule on the evidence and testimony received.

3/28/97 -Letter from C. McSherry in response to Pritzker.

4/25/97 - Opinion issued by the Board; Petition for Special Hearing is GRANTED; Petition for Special Exception is GRANTED with restrictions.

5/22/97 - Petition for Judicial Review filed in the CCT for Balto. Co. by Jeffrey Pritzker, Esq. on behalf of Pastor Wendall Ward /Belvedere Baptist Church.

5/29/97 - Certificate of Notice sent to interested parties.

7/97 - Appeal withdrawn from Circuit Court; confirmation received from Mr. Pritzker 10/28/97.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 20, 1997

NOTICE OF DELIBERATION

Having concluded the hearing in this matter on March 19, 1997, the Board has scheduled the following date and time for deliberation in the matter of:

AMERICAN PCS /BELVEDERE BAPTIST CHURCH TOWER
Case No. 96-508-SPHX

DATE AND TIME : Tuesday, April 1, 1997 at 9:30 a.m.
LOCATION : Room 48, Basement, Old Courthouse

Contact: Kathleen C. Bianco
Legal Administrator
410-887-3180

c: Counsel for Appellants /Protestants: Jeffrey Pritzker, Esquire
Appellants /Protestants : William N. Gill, Sr.; C. Edgar Thomas, Jr.; and Leslie Graef on behalf of Hampton Gardens
Counsel for Petitioners : G. Scott Barhight, Esquire
Petitioners /C.P. : Christine K. McSherry, Esquire
: Messrs. Greg Sarro and Andres Falotico, APC, Inc.
Legal Owner : Pastor Wendall Ward /Belvedere Baptist Church
Daft-McCune-Walker /Melanie Moser
Linda Semesky Mary Frances Graef
Garrett D. Zour Charles Rinaudo
People's Counsel for Baltimore County
Pat Keller Arnold Jablon, Director /PDM
Lawrence E. Schmidt Virginia W. Barnhart, Co Atty

Copied: R.B.M.



COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: American PCS /Belvedere Baptist Church -
Petitioners
Case No. 96-508-SPHX

DATE : April 1, 1997 @ 9:30 a.m.

BOARD /PANEL : Robert O. Schuetz, Chairman (ROS)
S. Diane Levero (SDL)
Harry E. Buchheister, Jr. (HEB)

SECRETARY : Kathleen C. Bianco
Legal Administrator

Among those present at the deliberation were Christine McSherry, Esquire, Counsel for Petitioner, as well as numerous other persons in attendance. The Office of People's Counsel did not participate in these proceedings.

ROS: Good morning, everyone. We are here to deliberate Case No. 96-508-SPHX, American PCS /Belvedere Baptist Church Tower. The purpose of this proceeding is to comply with the requirements of the open meetings law for the State of Maryland. The Board's Legal Administrative Assistant is providing minutes of what will transpire this morning. I will caution everyone that the minutes serve only to signify compliance with the open meetings law and do not supplement the record.

SDL: American PCS is requesting a special exception to permit a wireless communication transmitting and receiving facility. In order to do so, he must satisfy the requirements for a special exception under 502.1 of the BCZR, and the additional requirements for transmitting and receiving facilities contained in 502.7C. In regard to the important diligent search per 502.7C, Mason testified that a thorough exploration had been conducted. The subject site best complied as is required; no variances needed to comply with setback requirements or minimum acreage in contrast to use of Providence Motors, Providence Volunteer Fire Company and Haile Property. Mason and Bixby testified as to mounting on to WKDB or WLIF towers. WLIF would not grant access. Bixby explained that WKDB was not suitable; structural problems, and so forth. Neubauer, Structural Engineer, testified that WKDB could not support the PCS antenna. Mason testified that based on topography, there would be very few clear views of the tower; no greater impact at the subject site. In fact, it would be less of an impact; 13-acre site is large. Meets other requirements of 502.1.

In my opinion, Petitioners, in selecting this site, made a

MICROFILMED

Minutes of Deliberation /American PCS
/ Belvedere Baptist Church Tower /Case No. 96-508-SPHX

reasonable and logical choice. At any other of the sites, would have been hard-put to defend the site. Satisfied 502.1 and 502.7C and I would grant special exception.

ROS: Before I get into the merits -- I would like to make a brief statement about a few issues. Prior to today's proceeding, we had a letter from Protestants' counsel to delay today's proceedings pending the outcome of a hearing before the Zoning Commissioner, I believe scheduled for April 22nd or 24th. I wrote back to counsel indicating that to do so would be akin to opening up the proceeding to all sorts of information outside of the hearing, where opportunity for providing evidence and testimony for Board's consideration in the instant case would have included such information. This is hardly appropriate. We have a requirement, a mandate to consider only that which is brought for our consideration. In that respect, we act similarly to a jury. We are not judges up here. We cannot take other things into consideration. The onus is on the respective parties to put their respective cases on and shed them in the most favorable light that their counsel deems appropriate. I denied the request for postponement of this deliberation, citing that we are allowed to consider only that which is before us.

As for the requirements under this particular proceeding, we have two issues -- a special exception which is of course governed under BCZR Section 502.1, then further regulated under 502.7C. And we also have the issue of a special hearing as to the second principal use on the particular site, that really being governed by 500.7, article in the zoning regulations which provides the Zoning Commissioner and the Board on appeal the requirement to consider such matters as is deemed appropriate by the Zoning Commissioner in the initial hearing for proper enforcement of the regulations.

As to the case as it was brought, I think that in this particular matter the requirements under 502.7C are actually easier for the Petitioner to get beyond because of the relatively few areas that are available for such use in this particular area. We are dealing with a changing technology. I believe it was Mr. Sarro who pointed out for us that we are dealing with the laws of physics here -- ultra-high frequencies have requirement to produce more towers and not fewer. The FCC and the Federal Government, as well as the State, are addressing this. I will also state that some of what the Council has done in promulgation of regulations indicated an evolving technology; inserting a provision for disassembling of facility when use ceases.

Given the short period that we have had cellular communications, and now the introduction of digital

Minutes of Deliberation /American PCS
/ Belvedere Baptist Church Tower /Case No. 96-508-SPHX

technology, it would not surprise me one bit to see changes in this type of technology in the very near future.

Having said all that, and again, going back to 502.7, the easiest thing to demonstrate was diligent search. Protestants argued for approval of Providence Volunteer Fire Department or a number of other sites. Testimony rebutted that each of these sites would have required at least one variance. You are looking at the three most senior members on this Board. These three, Harry, Diane and myself, have had the most experience in variances and special exceptions over the years as the current Board is constituted. I am here to tell you that obtaining variances is not done out of hand. Variances are almost impossible to obtain. There were some Board members in the past who believed they were indeed impossible to obtain because of the self-imposed hardship issue.

That pretty much eliminates all other possible sites when one site can be used, and such a large site, can be used only through special exception proceedings. And so, I wanted to make a special point of that. The public is generally unaware of the ease of a special exception versus difficulty of a variance. It's a very important distinction.

And so, having said all that -- I wanted to make sure everyone understood what diligent search means to me, and I suspect my fellow Board members. Other requirements under 502.7 become easy to meet -- nothing to indicate they would do otherwise.

The only troublesome thing to me is 502.1(a). All other requirements are very simple. This is a neighborhood that does already have a few towers. Is the neighborhood going to be less impacted -- here we get into Mossberg -- less impacted if they put it somewhere else in the DR zone? Even though Providence Volunteer Fire Department and other sites may be different in classification, they are a dot in a sea of D.R. 1 and 3.5 zoning. And so Mossberg takes on a new meaning. The test under Mossberg -- whether more detrimental here, falls apart. Other locations in the County where there are a few in respective neighborhoods. Would it be more detrimental here? I would find that is not the case. It's a prima facie case as far as I'm concerned. Other requirements are met. Having found that use here would be no more detrimental than elsewhere, I would grant the special exception for the transmitting and receiving tower.

As for the special hearing, for all of the same reasons, allowing such use on the property which is so large is precisely what zoning regulations seek -- to require developers to do in a case as this -- ability to find a site with 13 acres in mature area which will serve to screen the

Minutes of Deliberation /American PCS
/ Belvedere Baptist Church Tower /Case No. 96-508-SPHX

view of the tower; it will not obliterate it but will screen. Will have to deal with a certain amount of ugliness, but will grant the special hearing.

HEB: Fellow Board members have said everything I was planning to say. One question I would like to ask in reference to my own notes -- in the beginning at some point -- very diligent search by Petitioner but did they actually have a lease drawn up with volunteer fire department, which was eventually dropped?

SDL: Not in my notes; they offered them a lease.

HEB: Variances are hard to come by but it seems at one point that the Petitioner seemed to be...regarding Haile Property or volunteer fire department, may have been one location that they could use.

ROS: I believe Mr. Sarro on cross indicated...

HEB: Regardless of that, the Petitioners in their presentation of testimony through expert witnesses have obviously satisfied the regulations of 502.7C with diligent search. I think that also with the Haile Property where less than 5 acres...

ROS: Would still be less than 5 acres.

HEB: One problem with this location on church property is just that -- church property. As a commercial site, the elevation of land there, 13 acres is perfect for satisfying this monopole on the property.

But there was no testimony from the community because of the fact that they did not satisfy Rule 8, but the comments were made about community opposition. I guess it seems to be something inappropriate about the church site, which is a property that is not taxed by the government, yet they are in a commercial activity. When I think of some of the original church situations, over the country, where churches are offering various services....

I don't know if in those states these churches are being taxed or not, but somewhere along the line, might take a look at something like that.

What is really the best place for this tower? The Belvedere Baptist Church site. It meets all the requirements; nothing wrong with the church entering into this type of lease. Will bring a service to the community.

But with all that, I would say that with Baltimore County

Minutes of Deliberation /American PCS
/ Belvedere Baptist Church Tower /Case No. 96-508-SPHX

Office of Planning recommending the location of the church site, the Petitioner's case for the tower and the expert testimony offered, and then the case by the Protestants -- did not overcome this test; feel that the special hearing and special exception should be granted.

ROS: I wanted to make a few other comments along the lines of what Mr. Buchheister provided. As to who was contacted for input and who was not. And this is a very important issue. I raised it because I am a resident of Baltimore County and a member of a community association. We had testimony, an admission in fact, that the Hampton Gardens Community Association was essentially a non-entity to be contacted for such a proceeding. You had one individual who had some history and testimony from several that Mr. Sarro was improperly speaking on their behalf. But if the public does not know it, one cannot reasonably expect a Petitioner to follow the law in contacting a group and poll the entire organization. As to the alternate locations, had you been better organized, might have been another opportunity for communication.


I hope you will take that as advice from a community association member who has seen these things happen in my own community.

We are unanimous. This Board will issue a written Opinion and Order outlining our findings of fact and conclusions of law. We will provide that at some future date. It will not be issued today. A petition for judicial review will come from the date of that Order and not from today's date.

Thank you very kindly.

* * * * *

Respectfully submitted,


Kathleen C. Bianco
Legal Administrator

PETITION PROBLEMS

#500 --- RT

1. No telephone number for legal owner.

#507 --- JRF

1. Legal owner signature - trustee for who? Need authorization for this person to sign for legal owner.
2. Contract purchaser - need typed name and title.

#508 --- JRF

1. Who signed the back of the petition? (Not the legal owner)

June 25, 1996

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 10, 1997
Permits & Development Management

FROM: Charlotte E. Radcliffe *OR*
County Board of Appeals

SUBJECT: Closed File: Case No. 96-508-SPHX
AMERICAN PCS, C.P.
BELVEDERE BAPTIST CHURCH, L.O.
9th E; 6th C

As no further appeals have been taken in the upper courts (petitioner requested dismissal before Circuit Court scheduled the hearing), we have closed the file and are returning same to you herewith.

Attachment (File No. 96-508-SPHX)

MICROFILMED



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 27, 1997

Jeffrey N. Pritzker, Esquire
MARGOLIS, PRITZKER & EPSTEIN, P.A.
405 E. Joppa Road
Suite 100
Towson, MD 21286

Re: Case No. 96-508-SPHX /
American PCS /Belvedere Baptist Church

Dear Mr. Pritzker:

We are in receipt of your March 26, 1997 letter, hand-delivered and sent via facsimile, concerning your request for the Board to postpone deliberation of the above-referenced case. In your letter you reference another case, currently before the Baltimore County Zoning Commissioner to be heard April 22, 1997, as the basis of your argument that this case should not move forward.

This is to state that this Board is required to make findings of fact and conclusions of law relative to facts which are brought during the evidentiary portion of proceedings in the instant case. The Board cannot, and, I can state, should not take into account what might happen before another administrative or other body at some point in the future. We are severely limited to making our findings of fact from what is before us; to do otherwise would make a mockery of the process before the Board and the deliberation process, which the public has fought to establish.

Accordingly, your request for postponement of the deliberation of the instant case is hereby denied.

Very truly yours,

Robert O. Schuetz, Chairman
County Board of Appeals

ROS/

cc: Christine McSherry, Esquire
G. Scott Barhight, Esquire
Lawrence E. Schmidt /Zoning Commissioner
People's Counsel for Baltimore County
Virginia W. Barnhart, County Attorney

MICROFILMED



LAW OFFICES

MARGOLIS, PRITZKER & EPSTEIN, P.A.

SUITE 100

405 EAST JOPPA ROAD

TOWSON, MARYLAND 21286

JEFFREY N PRITZKER

March 26, 1997

TELEPHONE
(410) 823-2222
TELECOPIER
(410) 337-0088

HAND-DELIVERED TO:

County Board of Appeals
of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: In Matter Of: American PCS - Contract Purchaser;
Belvedere Baptist Church - Petitioner
Case No.: 96-508-SPHX

Dear Members of the Board:

The above matter was heard before you on March 19, 1997 and we have received notification that deliberation is scheduled for April 1, 1997 at 9:30 a.m. If you will recall, one of the major issues in the course of the hearing was the viability of alternate sites, and particularly the Providence Road Volunteer Fire Department site. American PCS produced witnesses, testifying that that site was not viable because of the necessity and difficulty of obtaining variances.

On March 24, 1997, AT&T appeared on its Petition for Special Exception and Variances for the Providence Road Volunteer Fire Department site, and was advised by Commissioner Schmidt that he saw no reason why its Petition for Special Exception and Variances should not be approved. Apparently, however, there was some technical question about the posting, and the hearing has been re-scheduled for April 22, 1997. In any event, because of the apparent acceptability of that site for AT&T, and because of AT&T's willingness to allow the co-location of Sprint Spectrum at that same site (which was evidenced at the hearing before the Board), we respectfully request that the Board withhold its deliberation until such time as the zoning commissioner can issue his official order, which should approve the AT&T Petition. Certainly, we would think it in the best interests of the citizens of Baltimore County that one tower be erected in this area, rather than two. We also recall

MICROFILMED

County Board of Appeals
of Baltimore County

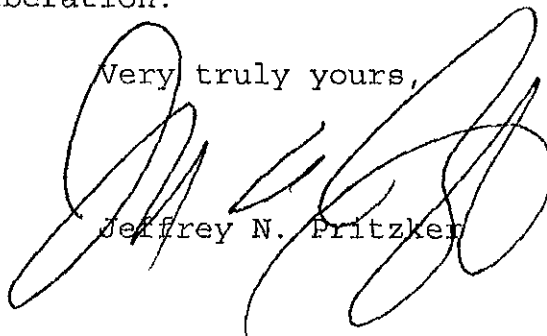
March 26, 1997

Page Two

that the Providence Road Volunteer Fire Department site was more directly in the area that Sprint Spectrum wanted to cover.

Thank you for your kind consideration of this request for postponement of deliberation.

Very truly yours,

A large, stylized handwritten signature in black ink, appearing to read 'Jeffrey N. Fritzkler', is written over the typed name.

Jeffrey N. Fritzkler

JNP/cm

cc: G. Scott Barhight, Esquire
Christine K. McSherry, Esquire
People's Counsel for Baltimore County
Commissioner Lawrence E. Schmidt
Virginia W. Barnhart, Esquire

LAW OFFICES
MARGOLIS, PRITZKER & EPSTEIN, P.A.

SUITE 100
405 EAST JOPPA ROAD
TOWSON, MARYLAND 21286

JEFFREY N PRITZKER

March 18, 1997

TELEPHONE
(410) 828-2222
TELECOPIER
(410) 337-0088

HAND-DELIVERED TO:

County Board of Appeals
of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

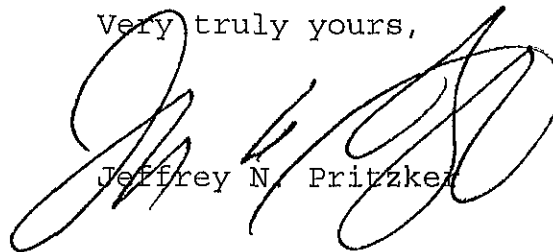
Re: In Matter Of: American PCS - Contract Purchaser;
Belvedere Baptist Church - Petitioner
Case No.: 96-508-SPHX

Gentlemen:

Please be advised that on behalf of Hampton Gardens Community Association, we hereby request a postponement of this matter before the Board scheduled for March 19, 1997. The basis for this request is that there is current legislation pending in this session of the General Assembly of Annapolis that will bear a direct effect on the decision and outcome of the above-captioned matter before the Board of Appeals.

Thank you very much for your cooperation in this matter.

Very truly yours,



Jeffrey N. Pritzker

JNP/cm

cc: G. Scott Barhight, Esquire
Christine K. McSherry, Esquire
People's Counsel for Baltimore County
Virginia W. Barnhart, Esquire

MICROFILMED

LAW OFFICES
MARGOLIS, PRITZKER & EPSTEIN, P.A.

SUITE 100
408 EAST JOPPA ROAD
TOWSON, MARYLAND 21286

JEFFREY N. PRITZKER

October 28, 1997

TELEPHONE
(410) 828-2222
TELECOPIER
(410) 887-0099

VIA FACSIMILE TO
(410) 887-3182

County Board of Appeals
of Baltimore County
Old Courthouse - Room 49
400 Washington Avenue
Towson, Maryland 21204

Attn: Charlotte E. Radcliffe

Re: Civil Action No.: 03-C-97-05231
American PCS, C.P.
Belvedere Baptist Church, L.O.

Dear Charlotte:

This is to confirm that our client, Hampton Gardens, allowed its appeal to be withdrawn in the above-captioned matter.

Thank you for your cooperation.

Very truly yours,


Jeffrey N. Pritzker

JNP/cm

RECEIVED
COUNTY BOARD OF APPEALS
97 OCT 28 PM 2:07

MICROFILMED

WHITEFORD, TAYLOR & PRESTON
L.L.P.

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 547-8700
FAX 410 752-7092

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-5405
TELEPHONE 202 659-6800
FAX 202 551-0573

30 COLUMBIA CORPORATE CENTER
10440 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044
TELEPHONE 410 884-0700
FAX 410 884-0719

410 832-2000
FAX 410 832-2015

1517 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-3742
FAX 703 836-0265

CHRISTINE K. MCSHERRY
DIRECT NUMBER
410 832-2027
2048958@mcimail.com

March 28, 1997

DELIVERY BY HAND

Members of the Board
Baltimore County Board of Appeals
Room 49, Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

**Re: Case No. 96-508-SPHX
APC Site at Belvedere Baptist Church**

Dear Members of the Board:

This case was heard on March 19, 1997. As you know, there was a full day of testimony and evidence presented to the Board. The evidence was closed at the end of that hearing on March 19th, and must remain closed. Rule 7 of the Rules of Practice and Procedure of the Baltimore County Board of Appeals, Appendix C, Baltimore County Code states that the Board will follow the general rules of evidence applicable in judicial proceedings in the State of Maryland. As this Board is well aware, once a party closes his or her case in a judicial proceeding in the State of Maryland, they are not permitted to offer any additional evidence in that matter. Mr. Pritzker's letter to the Board is nothing more than an attempt to circumvent that rule and offer additional evidence into the record.

Furthermore, the request asks this Board to consider a matter which is irrelevant to the Board's decision. The Board must make its own decision as to whether or not APC made a diligent effort to identify a location in the business, office or industrial zone, or for an existing structure over 50 feet in height. The Board should not and cannot be swayed in its judgment by the possibility that another decision maker might see the facts differently.

MICROFILMED

Baltimore County Board of Appeals

March 28, 1997

Page 2

Thank you for your attention to this matter. Should you have any questions or comments, please feel free to contact me.

Sincerely,

Christine K. McSherry

Christine K. McSherry

CKM:sll

cc: Mr. Greg Sarro

Mr. Jeffrey N. Pritzker

102261

WHITEFORD, TAYLOR & PRESTON
L.L.P.

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-5105
TELEPHONE 202 659-6800
FAX 202 351-0573

30 COLUMBIA CORPORATE CENTER
10440 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044
TELEPHONE 410 884-0700
FAX 410 884-0719

410 832-2000
FAX 410 832-2015

1517 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

March 18, 1997

CHRISTINE K. MCSHERRY

DIRECT NUMBER
410 832-2027
2038958@mcimail.com

DELIVERY BY HAND

Ms. Kathleen Bianco
County Board of Appeals of Baltimore County
Room 49, Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

**Re: Case No. 96-508-SPHX
APC Site at Belvedere Baptist Church**

Dear Ms. Bianco:

I received a courtesy copy of a letter dated March 18, 1997 from Jeffrey Pritzker to the County Board of Appeals. Apparently, Mr. Pritzker is representing the Hampton Gardens Community Association in the above-referenced case. In his letter he has asked for a postponement of the hearing scheduled for tomorrow, March 19, 1997, in this matter.

Petitioners adamantly oppose this request for a postponement and ask that the Board deny Mr. Pritzker's request. The hearing in this matter has been scheduled for many months, and the Appellants have had more than ample time to prepare their case. The hearing was scheduled on December 13, 1996, so the Appellants have had more than 3 months to obtain counsel and prepare the appeal. APC has engaged numerous expert witnesses to testify in this matter and has spent considerable time and resources in preparation for tomorrow's scheduled hearing. The request is nothing more than an attempt to delay that hearing and should be denied.

Thank you for your attention to this matter.

Sincerely,

Christine K. McSherry
Christine K. McSherry

CKM:sll

cc: Mr. Greg Sarro
Mr. Jeffrey N. Pritzker

102261

MICROFILMED



American Personal Communications

One Knowledge Center Lane 100 • Bethesda, MD 20814
Tel: 301-278-1000 Fax: 301-278-1001

File

96-508-SPHX

Mr. A. Richard Pappas

April 14, 1997

Mr. A. Richard Pappas
11000 Rockledge Drive, Suite 100
Bethesda, MD 20814
Tel: 301-278-1000
Fax: 301-278-1001

Reference is made to your letter of 12/9/96, Baltimore County Board of Appeals appeal and
your letter of 1/18/97, Baltimore County Board of Appeals ("APC") Permit # 96-508-SPHX, and your
letter of 2/19/97, Baltimore County Board of Appeals ("APC") Permit # 96-508-SPHX, Baltimore County Board of Appeals.

Your APC permit is subject to an easement agreement APC will provide
to the County, 11800 Rockledge Drive, Baltimore Baptist Church site. Please direct all subsequent
correspondence to Dennis Fitzgerald, Manager - Real Estate at 301-856-9510.

If you have any questions regarding APC's plan to move forward with this site, please do
not hesitate to contact me directly at 301-214-9793.

Sincerely,

Gregory A. Pappas
Manager - Real Estate

Gregory A. Pappas
11000 Rockledge Drive, Suite 100
Bethesda, MD 20814
Tel: 301-278-1000
Fax: 301-278-1001
Project Manager - Real Estate Group
One M. Street, Suite 100, Whitehall, Taylor, MD 21158
Project Manager - Information - Baltimore County Council
David J. Sosa, Director - Permits and Development Management

Sprint Spectrum™

Only all-in-one Personal Communications System that goes with you.

MICROFILMED

4670
833-
1847

4/18/97
to WCC
§

97-1761

American Personal Communications
A Sprint Telecommunications Venture
5805 Rockledge Drive, Bethesda, MD 20817
Phone: 301.214.9200 Fax: 301.214.9813

Sprint Spectrum

To: Arnold Sablon

Company: Proctor, Kessler & Development Management

Fax #: 410-887-3824

From: Greg Sarto, Manager - zoning Phone: 301.214.9293

Date: 4/17/97 No. of Pages to follow: 1

Comments: Please find enclosed a letter from APTC to APTAT offering an approved site at the Hebridean Hospital Church as an opportunity for collocation.

Please do not hesitate to contact me with any questions you may have.

This facsimile transmission is intended only for the addressee shown above. It may contain information that is privileged, confidential or otherwise protected from disclosure. Any review, distribution or use of the information or its contents by persons other than the addressee is strictly prohibited. If you have received this transmission in error, please contact the sender by telephone and mail the original to the sender's address.

June 22, 1966

FOLLOWING ARE THE LAWS AND REGULATIONS FROM THE BALTIMORE COUNTY
BUILDING CODE, PART 4, SECTION 409.10, d.

FENCES

FENCES, except where otherwise specifically provided for in this Code, shall be constructed wholly and entirely on the property of the owner of the proposed fence. However, where any adjoining property owners desire to construct a fence on the property line between them, they may do so if both such owners signify their desires in writing at the time application is filed for a permit to construct such a fence on the property line between them.

Any fence which is to be constructed parallel to any wall or other fence shall be erected not less than 24 inches therefrom, except as otherwise approved by the Buildings Engineer. The maximum height permitted for any residential occupancy fence shall be 42 inches above normal grade, except for side and rear yards (as defined by the Zoning Regulations of Baltimore County) may be increased in height not to exceed 60 inches, provided, however, fence may be erected not to exceed 10 feet when the fence is set back from the property line, a horizontal distance of 2 feet for every vertical foot of height in excess of 60 inches.

Fences to be erected for the enclosure or protection of any premises used for assembly, institutions, offices, mercantile storage or industrial purposes, or in other places where specifically permitted by the Building Engineer may be constructed not higher than 12 feet. However, the Buildings Engineer is hereby authorized and empowered to order a fence to be built higher than 12 feet in any location when such fence is necessary to provide proper protection around a dangerous place, highly hazardous operation, athletic field or any other location where such a high fence is necessary for the protection or safety of the public.

Fences may be built of any material or construction which is permitted in this Code for exposed structures, but all such fences shall be designed and constructed in accordance with the applicable structural provisions of this Code to resist from any direction a horizontal force of 20 pounds per square foot applied normally to and over either the gross area of the fence plus 50 per cent of the gross area whichever is less.

Electric fences shall only be permitted on farms for the retention of livestock provided, however, such electric fences shall not be a safety hazard to persons:

(1) Wood fences shall be constructed with wood pickets or other vertical or horizontal diagonal wood members fastened to runners. The posts of wood fences shall be locust, heart cedar or any other wood which will resist decay underground or any wood which has been treated in accordance with the requirements of Section 707.5 of this Code or any good timber set in concrete.

(2) Wire fences shall be constructed with wire mesh substantially fabricated and constructed so as to resist a nominal horizontal load of 500 pounds without deflecting more than 6 inches. The supports for wire fences shall be wood posts, as required for wood fences, or metal posts set in concrete, or properly designed masonry posts.

(3) Metal fences shall be of any substantial design and construction approved by the Buildings Engineer. The supporting posts of all such fences shall be of concrete masonry or of metal set in concrete or other masonry.

(4) Masonry fences shall be of reinforced concrete or other masonry and designed and constructed in accordance with the requirements governing reinforced concrete or free standing masonry walls. All masonry fences shall extend not less than 2 feet into the ground.

(5) Combination fences consisting of two or more kinds of materials may be erected provided all requirements of this Code for such materials and construction are complied with insofar as they apply to fences. The total aggregate height of such a combination fence shall be used in determining the height limitations of such fence.

Fences are also classified as (a) open fences and (b) solid fences.

(a) Open fences shall include all fences where the opening between the pickets, boards, bars, rods or other enclosing material is not less than 1 inch or where the net area of the openings in such fence is not less than 10 per cent of the area of a 1 foot unit length of such fence.

(b) Solid fences shall include all fences which have open spaces or holes less in area than that permitted for open fences. All solid fences shall be constructed on walls of masonry not less than 6 inches thick or on reinforced concrete walls not less than 6 inches thick and such walls shall extend not less than 6 inches above the surface of the ground on the high side and not less than 2 feet below the surface of the ground on the low side of such walls.

MICROFILMED

Where posts are desired to support solid fences on masonry walls, such posts shall be set in the concrete or masonry and the concrete or masonry around such posts shall not be less than 3 inches thick.

No tight board fence over 42 inches high shall be erected except when ordered by the Buildings Engineer.

No fence shall have any projecting sharp points, jagged edges, or other projections which may injure persons or animals coming in contact with such fence.

No fence less than 4 feet high shall have sharp pickets or vertical pointed objects at the top.

Barbed wire or other approved retarding material or construction may be placed on the top of any fence which is more than 6 feet 9 inches high except where such barbed wire or other retarding material will create a highly hazardous condition.

All fences shall be maintained in good repair by the owner or owners thereof. The Buildings Engineer shall determine the sufficiency of any fence and the amount and character of repairs required to make any fence safe.

Any existing fence which does not comply with the provisions of this Section 409.9d shall be permitted to continue to exist and be repaired at any time unless such fence has been allowed to deteriorate more than 50 per cent. Although non-conforming fences which have been allowed to deteriorate beyond repair shall be removed or reconstructed in accordance with the requirements of this Code.

Hedges or other shrubbery used in lieu of fences shall be planted not less than 18 inches from any adjoining property line except when directly on a property line by agreement. No such hedge shall be allowed to grow to a height exceeding the maximum height for a fence on the same premises.

ZONING REGULATIONS, Section 102.5 - On a corner lot in any residential zone no planting, fence, wall, building or other obstruction to vision more than 3 feet in height shall be placed or maintained within the triangular area bounded on two sides by the front and side street property lines, or by projection of said lines to their point of intersection, and on the third side by a straight line connecting points on said lot lines (Or their projections) each of which points is 25 feet distant from the point of intersection. At the intersection of a street and an alley the dimension corresponding to the 25 feet noted above shall be 15 feet, at the intersection of two alleys or 10 feet. Poles, posts and guys for street lights and for other utility services shall not be considered obstructions to vision within the meaning of this sub-section.

Submitted by the Buildings Division of Baltimore County

DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS
COVERING VALEWOOD AT HAMPTON GARDENS

THIS DECLARATION is made this 24TH day of October, 1983, by and among Lawrence J. Thanner, Jr. and Armando Cignarale (collectively referred to hereinafter as the "Developer") party of the first part; and Municipal Savings & Loan Association, Inc. (hereinafter "Municipal") and Reisterstown Federal Savings & Loan Association (hereinafter "Reisterstown"), parties of the second part and Valewood Associates, Inc. (hereinafter the "Builder"), party of the third party.

WHEREAS, the Developer is the owner, in fee simple, of all those lots of ground known and designated as Lots 1 to 22, both inclusive, as shown on the Plat entitled "Subdivision Plan, Valewood at Hampton Gardens" (the "Plat"), which Plat is recorded among the Plat Records of Baltimore County in Liber E.H.K., Jr., 50, folio 108 (the "Subject Land"); and

WHEREAS, the Developer, for the purpose of creating and maintaining a general scheme of development, desires that the Subject Land shall be subject to the covenants and restrictions hereinafter set forth; and

WHEREAS, Municipal, as holder of a first mortgage on the Subject Land, dated May 20, 1983 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. 6528 folio 464, joins herein to signify its assent to the imposition of the foregoing restrictions and to subordinate its mortgage hereto;

WHEREAS, Reisterstown, as holder of a second mortgage on the Subject Land; dated August 8, 1983 and recorded among

DEPARTMENT OF REVENUE
PROPERTY TAXES & TAXATION
BALTIMORE COUNTY
NO. 1111111111
10/24/83
SIGNATURE: [Signature]
DATE: 10/24/83

WHEREAS, Builder has committed to purchase several of the lots of the Subject Land and understands that this Declaration provides benefits to his ability to market the improved lots and therefore, it agrees to the covenants and restrictions set forth herein.

NOW, THEREFORE, THIS DECLARATION WITNESSETH: That the Developer for itself, its successors and assigns, in consideration of the benefits to be derived herefrom, does hereby impose upon the Subject Land hereinabove described, the following restrictions, covenants, conditions, and easements:

1. No shop, retail or wholesale, or other kind of store, factory, saloon, beauty parlor, doctor's office or other professional office, or business house of any kind, no hospital, assylum or institution of any like or kindred nature and no charitable institution shall be erected or maintained on the Subject Land, but that the Subject Land shall be used solely for residential purposes. No building shall be erected, altered, placed or permitted to remain on any part of the Subject Land other than detached single-family dwellings not to exceed two and one-half stories in height and a private garage for not more than three cars, attached thereto. Each dwelling erected must include an attached garage which can accommodate not less than two cars, and which is constructed of the same exterior finish as the main dwelling.

2. No dwelling shall be permitted on the Subject Land, the floor area of the main structure of which, exclusive of one-story open porches and garages, shall be less than 1,600 square feet for a one-story dwelling or less than 1,800 square feet for a dwelling if more than one story. There

occupation by more than one family. Parged block may not be exposed to view. All veneers, such as brick or stone, must be carried to grade. If roofs are finished in asbestos shingle, only dark colors shall be permitted. If roofs are finished in slate or tile, any solid color aesthetically acceptable may be used, but no combination of colors shall be permitted. Cedar shake roofs are permissible.

3. Any part of the Subject Land and any improvements now or hereafter erected thereon may, with the written consent and approval of the Developer, be used for the purpose of a church, school, library, place of public assembly or community meetings and for any or all of the usual purposes and functions incidental to or connected with any or all of the foregoing, but no part of the Subject Land or any improvements now or hereafter erected thereon, shall be used for any of the aforesaid purposes set forth in this paragraph without the prior written consent and approval of the Developer being first had and obtained.

4. Real estate sales, management and/or construction offices may, with the written consent and approval of the Developer, be erected, maintained and operated on any part of the Subject Land and/or in any building or structure now or hereafter erected thereon, provided such offices are used or operated on a temporary basis in connection with the development of the Subject Land or the construction of improvements thereon, or the management, rental or sale of any part thereof or any improvements which may be now or hereafter erected thereon, but no part of the Subject Land or any part of any improvements set forth in this paragraph shall be so maintained without the prior written consent and approval of the Developer being first had and obtained.

5. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines, shown on the aforesaid Plat or any amendment thereto. In any event, no building shall be located on any lot nearer than 40 feet to the lot line, or nearer than 40 feet to any side street line. No building shall be located nearer than 15 feet to an interior lot line.

6. No lot of the Subject Land shall be re-subdivided.

7. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the aforesaid recorded Plat and over the rear ten (10) feet of each lot of the Subject Land.

8. No noxious or offensive activity shall be carried on or upon the Subject Land nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood or detrimental to health.

9. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be erected on any part of the Subject Land at any time except as otherwise specifically provided in this Declaration.

10. Under no circumstances shall a permanent structure of any type including, without limitation, storage sheds, swimming pools, tennis courts or accessory buildings, be constructed in the front yard of any lot, i.e., that area between the front elevation of the house and the road (or end of property line).

11. No sign of any kind shall be displayed to public view on the Subject Land except a sign of not more than five square feet advertising property for sale or rent, and signs

12. No animals, livestock, or poultry of any kind shall be raised, bred or kept on the Subject Land, except that a maximum of 2 dogs or 2 cats or 2 other household pets (but not more than 2 in total number) may be kept, provided they are properly housed and provided that they are not kept, bred or maintained for any commercial purpose.

13. No part of the Subject Land shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste material. No rubbish, trash, garbage or other waste material shall be kept on any part of the Subject Land, except in temporary storage containers pending removal of such waste material. All such storage containers shall be kept in a clean and sanitary condition. Nor shall any container used for the storage of trash, garbage or other refuse be placed along the front of any lot prior to the day on which said trash or other refuse is collected, nor shall any such container or containers be permitted to remain along the front of any such lot after said trash, garbage or refuse is collected, but shall be removed immediately and placed in an underground sealed container or inside of the garage erected on any of the lots of the Subject Land. Notwithstanding anything to the contrary set forth herein, under no circumstances shall said containers for trash, garbage or refuse be left or placed along the front of any of the lots of the Subject Land on Sundays or holidays.

14. No wall, hedge, or shrub planting, which obstructs sight lines at elevations above two and one-half feet above the roadways, shall be placed or permitted to remain on (1) any corner lot within the triangular area formed by the street property line and line connecting them at points 25

of rounded lot corners from the intersection of the street property lines extended. The same sight line limitations shall apply on any lot of the Subject Land within 10 feet from the intersection of a street property line with the edge of a driveway. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient heights to prevent obstruction of such sight lines.

15. No landscaping of any kind shall be done on or about any of the lots of the Subject Land until landscaping plans which show in detail the location of any trees, shrubbery, bushes, vines, etc. are first approved in writing by the Developer.

16. No permanent type of clothes dryer or line shall be erected, installed or maintained on any part of the Subject Land or any improvements thereon; only collapsible, removable type of clothes dryers or line shall be used and then only on the rear of the home.

17. No building, fence, wall, permanent shed, sign, tank or structure or alteration of any kind shall be commenced, erected or maintained on the Subject Land or as part of any permitted improvement thereof, nor shall any addition to (including awnings, screening and T.V. or radio antennas) or change or alteration therein (including painting or otherwise of any exterior part thereof) be made until plans and specifications, in duplicate, showing the nature, kind, shape, height, colors, materials, and location of such structure or alteration shall have been submitted to and approved in writing by the Developer. The Developer shall have the right to refuse to approve any such plans or specifications which are not suitable or desirable, in its

upon such plans and specifications it shall have the right to take into consideration the use and suitability of the proposed building, fence, wall, sign, tank, shed, structure, addition, change or alteration, and the location thereof and the materials of which it is to be build or made and the color thereof or the site upon which it is proposed to erect or keep the same; and insofar as may be practical, the harmony with the surroundings and the effect of the building, fence, sign, tank, structure, shed, change or alterations, as planned, on the outlook from the adjacent or neighboring property. Developer shall establish the set back of any proposed building or structure, the height thereof and the height of the first floor thereof (if any) and the grade of the lot. The colors of the exterior parts of any building or structure now or hereafter erected on said land are to remain the same color as they are when originally completed unless the Developer shall consent in writing to a change in such colors, and the said colors of said parts shall not be changed in any way without the written consent of the Developer.

18. The approval thus considered shall not amount to an approval of the location of the structure on the lot in violation of any of the restrictions set forth in this Declaration, or in violation of any law, rule or regulation of Baltimore County or State of Maryland zoning, building or health agencies. In no event and in no manner whatsoever shall any approval of any plans and/or specifications by Developer, his personal representatives or assigns be construed to make him liable or responsible in any manner to anyone if said plans and specifications or location or grading plans violate any building code, law or regulations

of the owners of the respective lots and/or of the builder of the structure thereon to make certain that said plans and specifications do not violate said building codes, laws, and regulations. No trailer, boat, or other large equipment may be maintained on any lot at any time unless properly housed in an appropriate storage shed, which has been approved by the Developer as to appearance and location on the lot, prior to erection of same. No outbuildings of any sort will be permitted except by prior written approval of the Developer.

19. Developer further reserves unto itself and its personal representatives and assigns, the right to grant an easement, right-of-way, license or licenses to any person, individual, body corporate or municipality to install and maintain pipe lines and power lines with appurtenances necessary thereto, for public utilities or quasi public utilities, or to grant such other licenses or permits as may be deemed necessary for the improvement of said development in, over, through, upon, and across any and all of the streets, and in, over, through, upon, and across the Subject Land in the easement area shown on the plat aforesaid, and further, Developer reserves unto itself, its personal representatives and assigns, drainage easements as shown on the aforesaid Plat. Developer further reserves unto itself, its personal representatives and assigns the right to dedicate any and all of said roads.

20. No noxious or offensive trade or activity shall be carried on upon the Subject Land, no annoyance or noxious use shall be made of any lot and the owner shall maintain his lot(s) in a reasonable manner such as removing fallen branches, trees, and other debris of any kind or same may be

21. Ranch, picket, or split-rail type wooden fences not in excess of 4' in height will be permitted. Chain-link or other metal type fences are prohibited without prior specific written approval, which approval will only be given in special cases and circumstances. Property perimeter fences where approved by the Developer shall not exceed 48" in height and shall not impede surface drainage. Privacy enclosures of open patios, or garden courts, where approved by the Developer, may exceed 48" in height if allowed by the Developer. Developer will entertain requests for a variance of the above restrictions as to fencing, provided the request for approval is accompanied by all necessary information to permit an intelligent appraisal such as, but not limited to, the exact area to be enclosed and the contemplated specific use thereof, and a full description and specifications of the contemplated enclosure, together with such other information Developer may request.

22. Aluminum awnings of any kind shall not be permitted on the Subject Land.

23. All lots of the Subject Land, except for those areas upon which homes and paved driveways and parking areas are constructed, will be fully landscaped and/or planted with vegetation (cover) immediately after final grading and such landscaping and/or vegetation shall be continuously maintained. The pattern of such landscaping and cover shall, however, be subject to the prior approval of the Developer, as hereinbefore provided.

24. Snow removal shall be effected by mechanical means only, except during occasions of severe snow and ice conditions, when de-icing and other similar chemical compounds may be used.

25. All applications of fertilizers, insecticides and pesticides shall follow, and not exceed, the recommendations of the University of Maryland Cooperation Extension Services for such applications.

26. All pet wastes shall be removed from the Subject Land, by the respective owners of such pets, on a daily basis.

27. Under no circumstances shall filling be permitted in grass or lined drainage swales or ditches.

28. Developer further reserves unto itself, its personal representatives and assigns, the right, at or after the time of grading any panhandle driveway or part thereof, to enter upon any abutting lot and grade the portion of such lot adjacent to such street, without any obligation or duty to so grade or maintain any slope thereon. Developer reserves the right to adjust lot lines on lots still owned by the Developer. The Developer's right to waive such portion of the protective covenants placed on this development as he deems necessary or desirable shall be applied in the best interest of the development, in Developer's sole opinion.

29. Any or all of the rights and powers (including discretionary powers and rights and powers of consent and approval) herein reserved by or conferred upon the Developer may be assigned or transferred by the Developer at any time after three (3) or more lots of the Subject Land have been sold, at its sole election and in its sole discretion, to any one or more corporations or associations or committees of individuals composed of at least three (3) record owners of the lots of the Subject Land, which agree to accept same, and any such assignment or transfer of such rights and

parties for different parts of said land. Any such assignment or transfer shall be evidenced by an appropriate instrument duly executed by the Developer and all applicable or required parties, recorded among the then proper public Land Records and upon such recordation thereof, the grantee or grantees, transferee or transferees of such rights and powers shall thereupon and thereafter have the right to exercise and perform all the rights and powers so assigned or transferred by such limitations, conditions, reservations and provisions as may be imposed by or set forth in such instrument assigning or transferring such rights and powers reserve by or conferred upon Developer by this Declaration. Such instrument assigning or transferring such rights and powers as aforesaid, may, among other things, provide for future or further assignment or transfer of such rights and powers to others by the grantee or transferee named therein. Notwithstanding anything to the contrary above, any such assignment or transfer shall only occur at the Developer's election, the Developer being under no requirement to so transfer or assign.

Should the Developer or his personal representatives or assigns, refuse to exercise his rights and powers hereunder and fail to appoint a committee of individuals as aforesaid to perform such functions, then the majority of owners of record of all the lots of the Subject Land shall have the right and power, by a written instrument duly recorded among the Land Records of Baltimore County, to appoint a committee of three (3) persons or form an association of owners to assume the rights and powers of the Developer hereunder and to set forth in said written instrument the duties and authority of said committee or

30. The approval or disapproval of same, as required in these covenants, shall be in writing. Approval given hereunder shall become null and void unless construction is begun within six (6) months from the date of such approval and completed with reasonable expedition.

31. It is covenanted and agreed by and between the parties hereto, for themselves, and their respective heirs, personal representatives, successors, and assigns, as part of the consideration for the execution of this Declaration and as part of the plan or scheme of development of the lots of ground hereinafter referred to, that all of the restrictions, covenants, conditions, agreements, easements and reservations herein set forth shall be held and construed to run with and bind the aforesaid lots of ground and all subsequent owners and occupants thereof, and all of said restrictions, covenants, conditions, agreements, and easements, and reservations shall inure to the benefit of and be enforceable by the Developer, its successors and assigns, and by any person or party then owning or having any recorded interest of estate in any of the aforesaid lots of ground of the Subject Land against anyone violating or attempting to violate any of said restrictions, covenants, conditions, agreements, easements and reservations; provided, however, that at any time after December 31, 2003 any of the provisions of the foregoing restrictions may be cancelled, annulled or abrogated, in whole or in part, by the recording in the proper public Land Records of an appropriate instrument or instruments in writing, executed by the then record owners (not including mortgagees or ground rent owners) of at least sixty percent (60%) in the aggregate of the area of the aforesaid lots of ground of the

the owners or occupants of said tract, which instrument or instruments shall specifically set forth which of the provisions of the foregoing restrictions are thereby cancelled, annulled or abrogated, and provided further that the foregoing restrictions, covenants, conditions, agreements, easements and reservations may be waived, modified or annulled, in whole or in part, and as to all of the aforesaid lots of ground, or any part of parts thereof, by mutual written agreement of the Developers and the holder of the record title to that lot, lots, or parts of lots to which such waiver, modification or annulment is to be applicable.

32. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants, either to restrain violation or to recover damages, in the event that such person or persons do not voluntarily cease such violation.

33. Invalidation of any one of these covenants by judgment or order of a court of competent jurisdiction shall in no way effect any of the other provisions which shall remain in full force and effect, but such invalidated provisions shall be entirely severable.

34. Notwithstanding anything to the contrary mentioned herein, it is understood, covenanted and agreed by the parties hereto, for themselves, their heirs, personal representatives, successors and assigns, that the conditions, covenants, agreements, easements, reservations and restrictions herein imposed shall cover only the Subject Land hereinbefore described and mentioned, and shall not apply to or bind other or adjoining property of the parties of the first part herein.

Reference to the aforesaid Plat is for the purpose of description only and is not intended to effect a dedication to public use of the streets or other ways shown on said Plat.

WITNESS the hands and seals of the said parties of the first part, Lawrence J. Thanner, Jr. and Armando Cignarale as aforesaid, the hand and seal of Municipal Savings & Loan Association, Inc., by its duly authorized officer, and the hand and seal of Reisterstown Federal Savings & Loan Association, by its duly authorized officer, parties of the second part; and Valewood Associates, Inc., party of the third part, by its duly authorized officer, all as of the day and year first above written.

WITNESS/ATTEST:

Janet D. Schroeder

Lawrence J. Thanner, Jr. (SEAL)
Lawrence J. Thanner, Jr.

Janet D. Schroeder

Armando Cignarale (SEAL)
("DEVELOPER")

MUNICIPAL SAVINGS & LOAN ASSOCIATION, INC.

Marjorie Brown

BY: John W. Stelling Jr.

REISTERSTOWN FEDERAL SAVINGS & LOAN ASSOCIATION

Stephanie Stephens

BY: [Signature]

VALEWOOD ASSOCIATES, INC.

BY: [Signature]

WIRELESS COMMUNICATIONS FACILITIES ISSUES PAPER

DECEMBER 1995

401 B Street, Suite 800
San Diego, CA 92101
(619) 595-5300

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.

ADVISORY/LIAISON MEMBERS: California Department of Transportation, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, and Tijuana/Baja California/Mexico

ABSTRACT

TITLE: Wireless Communications Facilities Issues Paper

AUTHOR: San Diego Association of Governments

DATE: December 1995

SOURCE OF COPIES:

San Diego Association of Governments 401 B Street, Suite 800 San Diego, Ca 92101 (619) 595-5300

NUMBER OF PAGES: 127

ABSTRACT: This paper examines issues that local governments and the wireless communications industry currently face; provides an overview of the technical issues associated with wireless communications systems; reviews the regulatory framework of the wireless communications industry; and discusses health and safety issues. The paper also recommends guidelines to local governments in the San Diego region for use in developing their own local land use regulations for wireless communications facilities.

ACKNOWLEDGEMENTS

The Wireless Communications Facilities Issues Paper was prepared with the cooperation and assistance of the Communications Facilities Subcommittee of the Regional Growth Management Technical Committee.

COMMUNICATIONS FACILITIES SUBCOMMITTEE

San Diego Association of Governments

CHAIR: Bob Leiter, Director of Planning, City of Chula Vista

SUBCOMMITTEE MEMBERS

MICROFILMED

City of Carlsbad	Dennis Turner, Principal Planner
City of Chula Vista	Martin Miller, Associate Planner
City of El Cajon	James Griffin, Planning Director
City of Poway	Steve Streeter, Principal Planner
City of San Diego	Shelly Kilbourne, Associate Planner
	Karen Lynch Ashcraft, Senior Planner
	Howard Stapleton, Telecommunications Policy Mgr.
County of San Diego	Mike Sloop, Planner
State of California Public Utilities Commission	Alannah Kinser, Outreach Officer
AirTouch Cellular	Kevin McGee, Government Relations Mgr.
Cox Communications	Rob Lingle, Program Manager
	Sheri Stinchcomb, Director of Network Planning
D. Garvey Corporation	Julie Hamilton, Project Manager
	Ted Marioncelli, Project Manager
Diablo Communications of Southern California, Inc.	Dale Hair, Site Development Manager
GTE Mobilnet	Larry Doherty, Manager, Site Acquisition
	Dan Mieszala, Regional Systems Engineer
Fluor Daniel Telecom	Virginia Partridge, Dir. of Site Development & Zonin
JM Consulting	Ted Shaw, Land Use Planner
Nextel Communications	Barbara Saito, Project Manager
Pacific Bell Mobile Services	Maryann Miller, Planning Consultant
	Darrell Daughtery, Planning Consultant

The following staff of the San Diego Association of Governments contributed to the preparation of this report:

Kenneth E. Sulzer, Executive Director
 Stuart Shaffer, Deputy Executive Director
 Michael McLaughlin, Director of Land Use and Public Facilities Planning
 Robert Parrott, Director of Research and Information Systems
 Susan Baldwin, Senior Regional Planner
 Kim Kawada, Associate Regional Planner for TDM
 Carolina Gregor, Land Use Planning Intern
 Anne Haggerty, Word Processing Specialist
 Laura Mays, Graphics Specialist
 Mark Polinsky, Office Services Specialist

TABLE OF CONTENTS

EXECUTIVE SUMMARY

- I. GUIDELINES FOR PERMITTING PROCESS
 - Local Government Issues
 - Visual Impacts
 - Health and Safety Issues
 - Wireless Communications Industry Issues
 - Local Permitting Process
 - Technical Feasibility
 - How to Balance the Needs of Local Governments and Industry Providers - Guidelines

- II. TECHNICAL OVERVIEW
 - Background
 - Technology
 - Antennas
 - Lattice Towers
 - Monopoles
 - Building-Attached Facilities

How Cellular Mobile Telephone Technology Works
Types of Cell Sites
Analog and Digital Technologies
How Enhanced Specialized Mobile Radio Technology (ESMR) Works
How Personal Communications Services (PCS) Works
Concluding Notes on Technological Aspects of Wireless
Communications Technology

III. REGULATORY FRAMEWORK

Federal Level
Federal Communications Commission
Federal Aviation Administration
State Level
California Public Utilities Commission
Local Level
Local Permitting Process
Permitted Zones and Locations
Standard Provisions

IV. HEALTH AND SAFETY ISSUES

Electromagnetic Energy Used in Wireless Communications Systems
Radiofrequency Radiation
Ionizing and Non-ionizing Radiation
Why the Concern?
ANSI, NCRP, and IRPA Radiation Protection Guidelines
Radiation Levels
Ongoing and Future Research
RFR Related to Wireless Communications
RFR and EMF Information Sources

ABBREVIATIONS OF TERMS

GLOSSARY

REFERENCES

APPENDICES

- Appendix 1: Wireless Communications Survey Conducted by SANDAG in April 1995
- Appendix 2: Examples of Local Ordinances
- Appendix 3: Federal Communications Commission Licensing Requirements

LIST OF TABLES

- Table 1 Examples of Providers in San Diego Region
- Table 2 Wireless Communications Systems Comparison Chart

LIST OF FIGURES

- Figure 1 Electromagnetic Spectrum
- Figure 2 Cell Site Systems
- Figure 3 Antennas
- Figure 4 Lattice Towers
- Figure 5 Monopole
- Figure 6 Flower Tower
- Figure 7 Building-Attached Facilities
- Figure 8 Cell Configurations
- Figure 9 Transmission Signals
- Figure 10 Location of Radiofrequency Radiation on Electromagnetic Spec

EXECUTIVE SUMMARY

Recently, the public's interest in wireless communications systems has soared. The idea that a person can be reached at any given time at any place is appealing not only to large businesses, but also to small businesses and individuals. In 1992, there were approximately 10 million cellular telephone users across the United States, and by the end of 1994, that figure had grown to over 24 million. As impressive as this growth figure is, it does not include users of paging systems, Enhanced Specialized Mobile Radio (ESMR), or Personal Communications Services (PCS). Because the demand for these alternative wireless communications also is expected to increase, the potential for the industry's growth is logarithmic and has prompted providers to increase their number of transmission sites in order to gain coverage and calling capacity, and thus market share. This increase has required great coordination between providers and planning departments in addressing two main issues: the visual impacts of the antenna structures used in the transmission of communications, and health concerns.

In March 1995, members of SANDAG's Regional Growth Management Technical Committee requested SANDAG's assistance in responding to a number of issues related to the siting of facilities (especially antennae) for cellular phones, mobile radios, and personal communications services. In response, a Communications Facilities Subcommittee of the Regional Growth Management Technical Committee was formed. The Subcommittee is comprised of staff members from local jurisdictions and representatives of the wireless communications industry. It recommended that an Issues Paper be prepared to provide information regarding health and safety issues, visual impacts, technology, and regulatory issues associated with wireless communications to local jurisdictions. The Issues Paper also includes recommended guidelines for siting these facilities.

Section I of this report examines issues that local governments and the wireless communications industry currently face and provides insight into the guidelines for the permitting process; Section II provides an overview of the technical issues associated with wireless communications systems; Section III reviews the regulatory framework of the wireless communications industry; and Section IV addresses health and safety concerns. The appendices include the results of a wireless communications survey conducted by SANDAG in April of 1995, examples of local jurisdiction ordinances, and federal licensing information.

Of primary interest to local elected officials are the guidelines the subcommittee prepared for local planning departments and decision-makers to use in developing their own local land use regulations. The guidelines included in the paper and listed below are intended to minimize the visual impacts of wireless communications facilities, address community concerns about potential health and safety issues, and facilitate the local permitting process. These guidelines are recommended to local governments in the San Diego region as they make decisions about wireless communications facilities:

- 1. Establish clear, reasonable development standards and/or mitigation measures to minimize the visual impacts of wireless communications facilities;*
- 2. Provide applicable development standards and/or mitigation measures to proponents of wireless communications projects in the pre-design phase prior to project submittal;*
- 3. Incorporate the American National Standards Institute/Institute of Electrical and Electronics Engineers standards into the local review and approval process for wireless communications facilities;*
- 4. Use the information contained in this paper (or more current information as it becomes available) to educate the public, as well as decision-making bodies, about health and safety issues associated with wireless communications facilities;*

5. Streamline the local permitting process by differentiating between minor and major projects, and by enabling a two-level processing of discretionary permit applications; and

6. Review local zoning ordinances to determine the most appropriate zoning districts for the different types of wireless communications facilities.

Although there are numerous forms of wireless communications, this report will focus specifically on commercial mobile radio service providers, as opposed to private or military providers. Included in this group are the providers of cellular communications, Enhanced Specialized Mobile Radio (ESMR), and Personal Communications Services (PCS) that either currently or in the near future, will provide services such as two-way mobile voice communication, paging, voicemail, dispatching, conference calling, facsimile, video telecommunications, E-mail, and data delivery via Cellular Digital Packet Data (CDPD).

I. GUIDELINES FOR PERMITTING PROCESS

Local Government Issues

In April 1995, SANDAG conducted a telephone survey of the 19 local governments within the San Diego region to gather information about local regulations governing the processing of applications for wireless communications facilities (Appendix 1). This survey revealed that local governments in the San Diego region face two primary issues regarding wireless communications facilities: (1) visual impacts; and (2) health and safety issues. Together, these two issues represent the greatest sources of local community concern regarding wireless communications facilities. Addressing these issues is critical to any local government, which is charged with ensuring the public health, safety, and welfare of its constituents.

Visual Impacts

The fast-paced growth of wireless communications technology in recent years has presented local governments with the challenge of where to locate wireless communications facilities in their communities. Unlike ground-wired telecommunications, such as the land-based telephone system, wireless communications technologies, by their operational nature, require numerous antennas to be mounted at various heights throughout the landscape. To site them at the specific height required by a particular system, these antennas are sometimes mounted on towers, monopoles, tall buildings, or other structures on tops of hillsides. One of the greatest concerns faced by local jurisdictions is the visual impacts of wireless communications facilities.

Health and Safety Issues

In addition to visual impacts, possible health risks related to Electromagnetic Fields (EMFs) and Radiofrequency Radiation (RFR) are another major source of local community concern with wireless communications facilities. (Health issues related to EMFs and RFR are discussed in detail in Section IV.) To date, scientific research on the effects of wireless communications facilities on human health has been inconclusive. Locating communications antennas and towers in or near residential communities often becomes a subject of local controversy, often due to personal health and safety concerns voiced by local residents. When reviewing and considering permits for wireless communications facilities, planners and decision-makers alike must be able to respond to local citizen concerns about health risks associated with them.

Wireless Communications Industry Issues

The wireless communications industry is government mandated, consumer-driven, and typically involves

intense economic competition among individual providers seeking to capture or enlarge their portions of the consumer market. This competition is fueled by the public's tremendous demand in recent years for widespread wireless communications services, as well as by the license requirements of the Federal Communications Commission (FCC). To meet consumer demand, providers have rushed to establish and/or expand their systems as quickly and efficiently as possible, which has resulted in more antennas and towers across the visual landscape. In addition, the FCC also has required providers to establish their service networks as fast as possible, requiring the licensee, as a condition of the license, to provide service to a particular geographical area or to a minimum number of people within a limited period of time.

Local Permitting Process

Most local jurisdictions require some type of discretionary permit in order to establish a wireless communications facility. Providers must fulfill certain requirements, such as compliance with local zoning regulations and public noticing, before they are allowed to erect a facility in a particular community. Because of the competitive nature of the industry, expediting the permitting process is important to providers. In general, providers seek the easiest and fastest way to gain local approval, and should work with planners and decision-makers to address local issues and avoid rendering a site technically infeasible or cost prohibitive.

Another way in which some members of the wireless communications industry have approached the local permitting process is by attempting to have local control over wireless communications facilities preempted on the federal level, thereby avoiding the local process altogether. For example, in December 1994, the Cellular Telecommunications Industry Association (CTIA) filed a petition with the FCC asking for federal preemption of local zoning powers over cellular transmission facilities. The petition is currently under consideration by the FCC.

Technical Feasibility

Wireless communications providers consider various technical site selection criteria when siting new facilities. A general area is identified by a system's engineer based on engineering constraints and the desired area of service. Specific sites within that general area are then evaluated using the selection criteria, which may include: surrounding topography and its relation to line of sight transmission for optimum efficiency in service; availability of road access, availability of electric power; availability of land based telephone lines and/or microwave link capability; leasibility of the site; radiofrequency interference; mechanical and electrical compatibility; structural capacity of the supporting structure; and maximizing coverage of the desired area with the least number of sites.

How to Balance the Needs of Local Governments and Industry Providers

There is a clear need to balance local governmental issues with those of the industry providers. The following section attempts to balance the needs of both parties in three primary areas: (1) visual impacts; (2) health and safety issues; and (3) the local permitting process. Based on discussions and information exchanged between local governments and the wireless communication industry as part of the Communications Facilities Subcommittee, the following guidelines are recommended to local governments in the San Diego region.

1. Establish clear, reasonable development standards and/or mitigation measures to minimize the visual impacts of wireless communications facilities.

The most common objection to wireless communications facilities is their visual impact. Oftentimes, local residents, many of whom use wireless communications services, do not want to see towers and antennas proliferating in their own communities and have expressed fears that their property values might be

affected. To address the visual aspect of wireless communications facilities, specific development standards and/or mitigation measures should be developed by local government agencies. These standards should be clearly defined and should be designed taking into consideration the technical requirements of the wireless communications technology (e.g., the technical requirement to locate antennas at a certain height and in a particular service area, or to maintain adequate separation between individual antennas).

Suggested development standards and mitigation measures may include:

- Screening antennas and towers from view from public rights-of-way or scenic vistas, either via landscaping, fencing, or other architectural screening;
- Encouraging creative design measures to camouflage facilities by integrating them with existing buildings and among other existing uses;
- Where other technically feasible sites are available, minimizing the effect of the location of facilities in visually-sensitive areas, such as residential communities and open space zones;
- Encouraging providers to co-locate their facilities on a single site, where technically feasible and visually desirable; and
- Locating antennas and equipment on other existing community facility sites, such as on water tanks or utility poles.

Specific site development standards and mitigation measures are not included in this paper. Rather, it is suggested that local governmental agencies develop their own particular standards which would best address their local communities' sensitivities to the visual element. Copies of various ordinances from other jurisdictions, which provide samples of specific site development standards for wireless communications facilities, are included in Appendix 2.

2. Provide applicable development standards and/or mitigation measures to proponents of wireless communications projects in the pre-design phase prior to project submittal.

Local development standards and/or mitigation measures should be provided to proponents of wireless communications projects in written format prior to project submittal, in order to acquaint them with what designs and locations of facilities are acceptable by the particular local community. This would enable wireless communications providers to consider their own technical service requirements, as well as local objectives to minimize visual impacts, when deciding between site alternatives.

The design of wireless communications facilities has evolved over time, and it is feasible in some, but not all, instances to design and/or locate facilities so that they are visually unobtrusive. The wireless communications industry has employed a variety of creative design measures to produce stealth facilities (facilities that are not noticeable to the casual observer). Examples of these facilities are located throughout the San Diego region, and include panel antennas mounted on and painted to match existing buildings, communications equipment housed in an architecturally integrated tower element in a shopping center, roof-top antennas screened with walls, and freestanding pole antennas screened by landscaping.

For sites which are potentially visually obtrusive, project proponents should submit a good faith analysis of alternative sites to demonstrate why other sites are not technically feasible. Efforts should be made by the wireless communications industry to minimize visual impacts to the extent feasible. For example, providers may consider replacing larger, more visually obtrusive facilities such as monopoles with smaller facilities as technology becomes available.

Both cost and time are critical issues to providers. In reviewing permits for wireless communications facilities, agencies should strive to balance their local objectives of minimizing visual impacts with providers* goals to construct facilities in a cost-effective and timely manner.

3. Incorporate the American National Standards Institute/Institute of Electrical and Electronics Engineers standards into the local review and approval process for wireless communications facilities.

One major source of local community opposition to wireless communications facilities is the perceived health risks associated with electromagnetic field (EMF) levels and radiofrequency radiation (RFR). As previously noted, current studies about long-term EMF and RFR effects are inconclusive.

The American National Standards Institute (ANSI) and Institute of Electrical and Electronics Engineers (IEEE) have established standards for safe human exposure to radio frequency electromagnetic fields. These standards are considered consensus standards, which are agreed to by committees composed of academic, industry, and governmental representatives.

As a condition of licensure, the FCC requires all cellular, ESMR, and PCS providers to comply with the ANSI standards. Non-compliance may result in revocation of an FCC license. Federal exposure standards for EMF and RFR levels are being developed by the U.S. Environmental Protection Agency, which currently uses the ANSI exposure standards as guidelines.

Absent federal standards, the ANSI/IEEE exposure standards are currently the most appropriate health and safety guidelines for wireless communications facilities, and should be incorporated into local review and approval requirements. (Current ANSI standards are discussed in Section IV of this paper.) However, the recently-passed Federal Telecommunications Reform Bill HR 1555 requires the government to establish a federal radiofrequency emissions standard within 180 days of the bill's enactment.

When considering permits for wireless communications projects, local governmental agencies should verify compliance with the established ANSI/IEEE standards. This may be accomplished by requiring the project proponent to submit a preliminary report, prepared by an engineer, which quantifies the project*s radiofrequency exposures and compares them to the adopted standards. Local agencies also may consider requiring the applicant to submit, following project installation, a subsequent field report, which would provide the project*s cumulative field measurements of radio- frequency power densities, quantify total radiofrequency exposures, and compare those exposures with the accepted standards. The provision of such a report would verify compliance and reassure concerned individuals that installations are operating within the accepted operational safety standards.

4. Use the information contained in this paper (or more current information as it becomes available) to educate the public, as well as decision-making bodies, about health and safety issues associated with wireless communications facilities.

Local governmental agencies should educate local citizens about health and safety issues associated with wireless communications facilities to allay the public*s fears about potential health effects related to EMFs and RFR. Education also should be provided to local decision-making bodies so that they can make informed decisions when reviewing local permits for these facilities. Agencies may want to use the information in this report to develop a staff report or handout which explains the applicability of ANSI/IEEE safety standards, demonstrates that typical wireless communications facilities comply with the accepted ANSI/IEEE operational safety standards, and compares EMF and RFR emissions associated with wireless communications facilities to ordinary household appliances or to other types of technologies.

5. Streamline the local permitting process by differentiating between minor and major projects, and by enabling a two-level processing of discretionary permit applications.

Expediting the local permitting process is an important issue for both governmental agencies and wireless communications providers. With the impending advent of the PCS industry, and the replacement of analog with digital technology in the cellular industry (explained in Section II), local governments must be prepared to deal with a potentially significant number of future discretionary permit applications for wireless communications facilities. Processing these future applications efficiently will be a challenge for local agencies. As previously noted, the interest of the providers in the local permitting process is driven by the competitive economic nature of the wireless communications industry.

To facilitate the permitting process, local regulatory agencies should enable minor projects to be processed administratively, and major projects to be processed by public hearing. To be considered a minor project (and subject to administrative approval), a facility would have minimal visual impacts and be designed or located to be compatible with adjacent uses. One example of a minor project would be a facility in which antennas are mounted to an existing structure on the roof or building face, which is screened, constructed, or colored to match the existing structure to which it is attached. Another way in which to distinguish a minor project would be to limit the number, height and size of antennas, or the size and location of the accessory equipment building.

Facilities that are potentially visually obtrusive or potentially incompatible with adjacent land uses would be considered major projects and would be subject to the public hearing process. An example of a major project would be a freestanding facility (such as a lattice tower or monopole which supports antennas), located where the potential for screening is low.

The administrative process for discretionary permits is generally shorter, simpler, and less costly than the public hearing process. Therefore, wireless communications providers, for which time and cost are vital concerns, would opt in most cases for an administrative permit process. The net effect of a two-level permit process would be to encourage the construction of wireless communications facilities that have minimized visual effects and that are more in keeping with the character of the surrounding community.

6. Review local zoning ordinances to determine the most appropriate zoning districts for the different types of wireless communications facilities.

Most local zoning ordinances were adopted prior to the recent expansion of the wireless communications industry. In general, the existing regulations governing communications land uses were intended to focus on more traditional communications technologies such as television and radio broadcast, and typically do not differentiate between various types of facilities. However, wireless communications technology differs from the more traditional technologies because it typically employs shorter facilities at lower power to cover a limited geographic service area. (In comparison, traditional broadcast facilities transmit signals from tall towers at higher power levels in order to reach as many people in as large a geographic area as possible.)

In recognition of the functional differences of the wireless communications industry, local jurisdictions should re-evaluate their local zoning ordinances and determine which zoning districts are suitable for wireless communications land uses. As with all other land use categories, local agencies should categorize wireless communications facilities based on their planning and land use impacts. Local jurisdictions, for example, may consider permitting wireless communications facilities in commercial and industrial zones (either by right or subject to administrative approval), and restricting those facilities in single-family residential zones. It will be up to individual jurisdictions to determine the most appropriate zoning districts for wireless communications uses. If there is an interest among local jurisdictions in the San Diego region, SANDAG can assist in coordinating a joint effort to develop model zoning regulations for wireless communications facilities. Samples of local zoning ordinances are included in Appendix 2.

II. TECHNICAL OVERVIEW

Background

This section provides a technical overview of the cellular, Enhanced Specialized Mobile Radio (ESMR), and personal communications services (PCS) technologies. The following table lists examples of current providers licensed by the Federal Communications Commission in the San Diego region.

Table 1

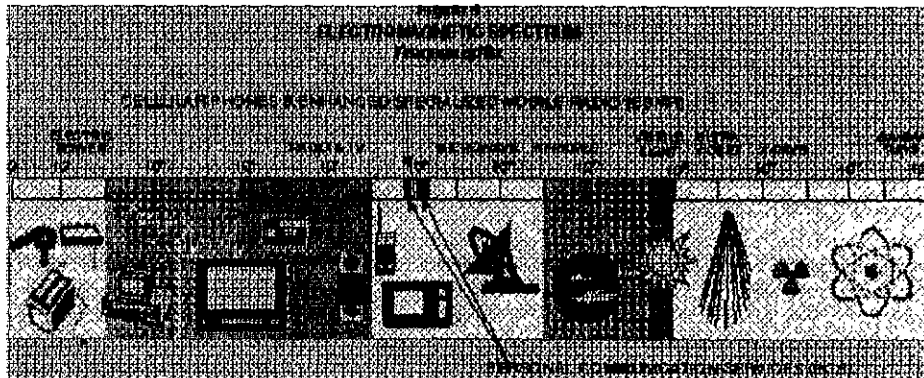
EXAMPLES OF PROVIDERS IN SAN DIEGO REGION

Cellular	AirTouch and GTE Mobilnet
Enhanced Specialized Mobile Radio (ESMR)	Nextel Communications
Personal Communications Systems (PCS)	Pacific Bell Mobile Services and Cox Communications

It should be emphasized that although the three technologies discussed in this section currently function in slightly different manners, they will offer similar services in the future. In fact, all of these technologies are based on systems composed of interconnecting cell sites. With this common cell site base, it is predicted that as these technologies evolve, they will become more and more similar. For example, a transition to smaller cell sites and the use of more antennas per square mile are expected. For a comparison of the services that each of these technologies offers, as well as a listing of carriers in the San Diego region, please see Table 2.

Technology

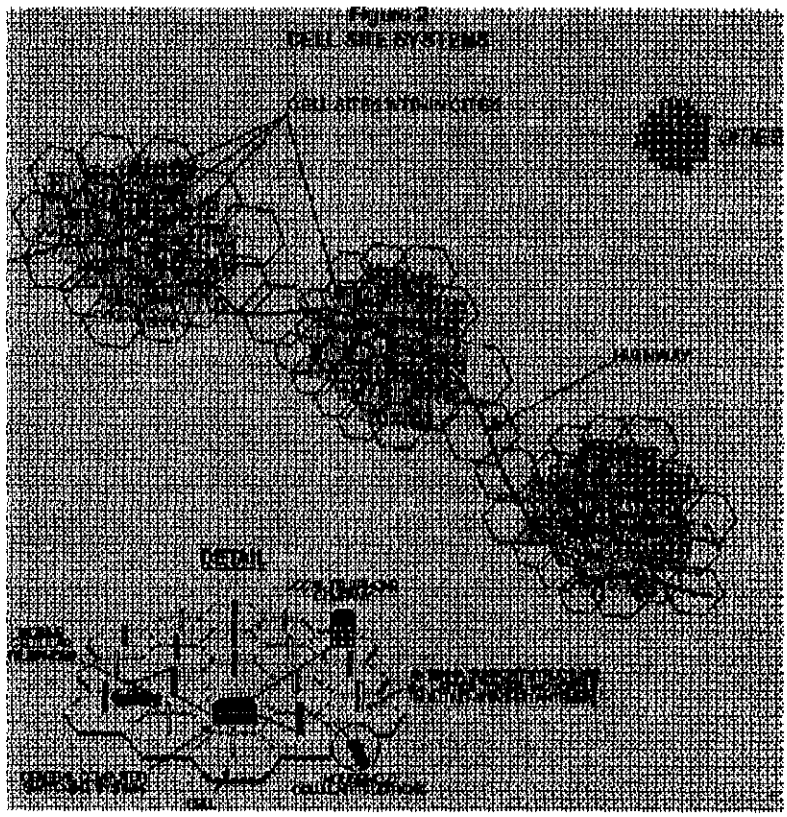
Wireless communications are transmitted through the air via radio waves of various frequencies. Radiofrequency radiation (RFR) is one of several types of electromagnetic radiation. As illustrated in Figure 1, cellular and ESMR operate at frequencies between 800 and 900 MHz, and PCS operates at both 900 MHz as well as between 1,850 and 2,200 MHz.



The three technologies described in this report function similarly in that their systems can be compared to the honeycomb pattern of a bee hive. Like the honeycomb pattern, these wireless communications systems are composed of interconnecting "cell sites," or geographical areas, that blanket a region. In this sense, all three technologies are "cellular technologies," although mobile cellular phones are frequently referred to as "the" cellular technology because they pioneered the concept.

Figure 2 shows the relationship of cell sites within and between urbanized areas. As illustrated, cell sites tend to be smaller and more numerous in the central parts of cities, and larger and less abundant in

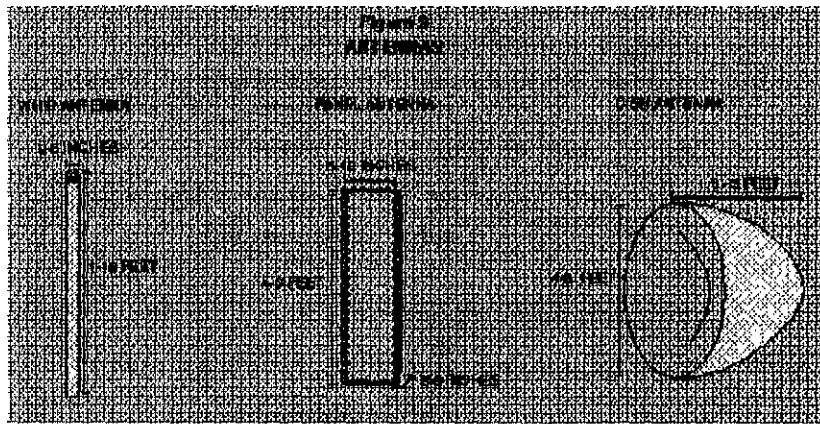
peripheral areas and along highways. This is because more people, and accordingly more customers, live in urbanized areas. As more people begin to demand wireless communications services, wireless systems will require additional capacity to handle calls. This additional calling capacity can be acquired in one of various ways: providers can increase the number of their cell sites, use digital versus analog technology (explained in more detail below), or combine these two methods. Generally speaking, providers will choose the third option and do both -- increase the number of their cell sites and use digital technology. As they increase the number of their cell sites, they must reduce the area of each site in order to avoid overlapping coverage. As a result, a pattern emerges in which the more populated central segments of cities contain smaller and more numerous cell sites, while the less populated edges of cities, as well as rural areas and highways, have fewer, but larger cell sites.



Each cell site within the system contains both transmitting and receiving antennas. Calls placed from a wireless phone or device are sent to a central computer switching system. The central switch completes the call by connecting it either to a conventional telephone through a land-based line, or to another mobile phone through the nearest antenna. As the mobile caller enters one cell and exits another, the call is transferred between the cells.

Antennas

There are three general types of transmitting and receiving antennas used in the wireless communications technology. These include whip antennas, panel antennas, and dish antennas. While whip and panel antennas are used to transmit and receive radio waves carrying conversation signals, dish antennas provide the link between the central computer switching system and the various whip and panel antennas used throughout the mobile conversation.



Whip antennas (also known as stick, omnidirectional, or pipe antennas) emit signals in a 360 degree horizontal plane and a compressed vertical plane. Shaped cylindrically, whip antennas have diameters between two and six inches, and measure between one and eighteen feet in height.

Panel antennas (also known as sector antennas) have vertical and horizontal planes that aim signals in specific directions. Panel antennas generally measure four to five feet in height, six to twelve inches in width, and six to eight inches in depth.

As stated previously, dish antennas (also known as microwave dishes) have a different function than whip and panel antennas. Instead of emitting radio waves that carry the call between a wireless phone and its intended receiver, dish antennas emit microwaves that provide the critical link between the central computer switching system and the appropriate transmitting or receiving antennas. In essence, dish antennas send microwave signals that allow the central switch to transfer the call between the various antennas closest to the mobile user. Dish antennas generally measure four to six feet in diameter and one-and-a-half to three feet in depth.

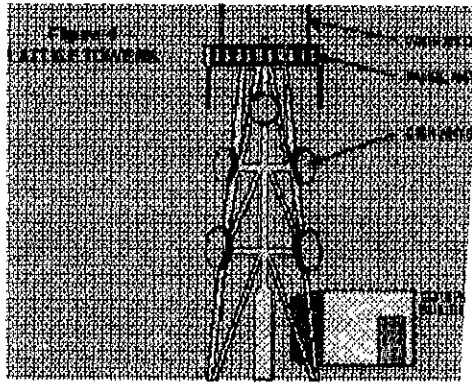
Antenna structures are typically accompanied by equipment buildings or boxes. Cellular and ESMR equipment buildings are generally less than 500 square feet in diameter (12 feet by 24 feet). PCS equipment facilities, called base stations, are self-contained weather-proof cabinets about the size of a vending machine.

The three types of antennas described above function on a line of sight transmission. Antennas need to be placed at specific heights in relation to one another in order to transmit and receive signals. As a result, height is a determining factor in the design and siting of wireless communications facilities. Typically, there are three types of antenna support-structures used to place antennas at desired heights: lattice towers, monopoles, and building-attached facilities.

Lattice Towers

Ranging from 60 to 200 feet in height, lattice towers generally accommodate a variety of users, including cellular, ESMR, PCS and paging companies, as well as public safety communications providers. Illustrated in Figure 4, these towers generally have three or four support steel "legs" and hold a variety of antennas. They can be found in areas where great height is needed, where multiple microwave antennas are required, or where the weather demands a structurally-sound design.

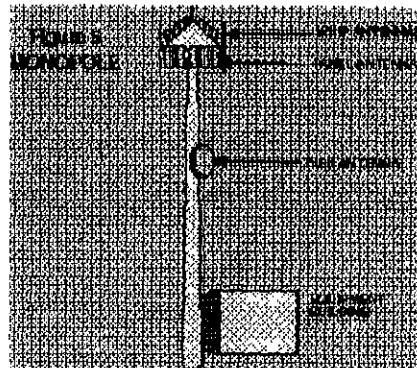
It should be noted that lattice towers carry an inherent tradeoff: although they can accommodate many users (and provide co-location opportunities), they often pose serious visual impacts. Equipment and antennas concentrated on one large structure tend to draw more attention than the dispersal of less visible but more numerous facilities, such as smaller monopoles or building- attached facilities.



Lattice towers are the least common type of antenna support structure, and have a combined total of seven in the San Diego region.

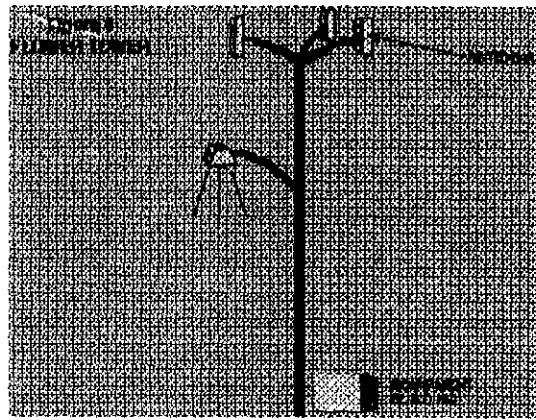
Monopoles

All three technologies use monopoles (Figure 5), although their heights and designs vary. Ranging in height from 25 to 125 feet, monopoles consist of a single pole, approximately three feet in diameter at the base, narrowing to roughly 1.5 feet at the top, and may support any combination of whip, panel, or dish antennas.



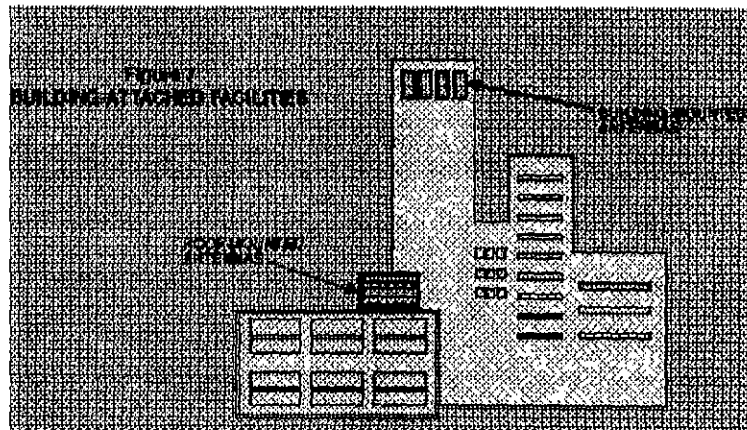
Monopoles are generally used in rural areas, near freeways, or in areas where buildings are not of sufficient height to meet line of sight transmission requirements. In the cellular mobile phone system, monopoles are used much more commonly than lattice towers. AirTouch and GTE Mobilnet have constructed approximately 65 monopoles in the San Diego area. Nextel, an ESMR provider, also uses monopoles, and has built four in the region.

Monopoles in PCS systems are expected to be shorter than those of the cellular telephone and ESMR systems. Some PCS providers are proposing an integration of monopoles into existing light poles. Illustrated in Figure 6, this type of facility may be referred to as the "flower tower."



Building-Attached Facilities

Building-attached facilities exist in all three technologies in two general forms: (1) roof-mounted, in which antennas are placed on the roofs of buildings, or (2) building-mounted, in which antennas are mounted to the sides of buildings. (Although not as common, facilities also can be mounted on other structures such as water tanks, billboards, church steeples, or other creative locations.)



Although the visibility of building-attached facilities varies, roof-mounted antennas are generally hidden from view because they are located in the middle of the roof or in boxed structures resembling air conditioning units. Likewise, building-mounted antennas are also unnoticeable if they are painted to match the color and texture of the building. Antennas that are architecturally integrated into a building are often referred to using the term "stealth."

It is important to note that although building-attached facilities are becoming common, they can be used only when buildings meet the height required for antennas to function within the surrounding system. Where buildings do not meet height requirements, providers tend to use monopoles.

How Cellular Mobile Telephone Technology Works

As described previously, cellular systems are composed of interconnected neighboring "cell sites." These cell sites operate low power facilities (facilities that function on low amounts of electric energy).

The cellular telephone industry is limited to 45 MHz of spectrum bandwidth, which without frequency-reuse, would limit each cellular carrier to 396 frequencies or voice channels. In order to increase calling capacity, these low power facilities "reuse" frequencies on the electromagnetic spectrum. The manner in which providers organize, or "configure," their cells is an important factor in increasing frequency reuse and establishing an area's calling capacity.

[\[Home\]](#) [\[Up\]](#)

Pacemakers and Hearing Aids Stall New Digital (GSM) Phones

BusinessWire, February 29, 1996

Two major California cities have stopped the construction of new wireless digital phone systems for their regions because this new technology reportedly interferes with pacemakers, hearing aids and car air bags. This is the first time local governments have halted the development of a local phone system because of potential health hazards.

The actions came less than a week after President Clinton signed the new telecommunications law which legalized competition for local phone service.

Officials at the two cities, San Diego and San Jose, cited potential dangers associated with the wireless digital phone system known as GSM, which has been used for more than five years in Europe. City councilmember cited news accounts from the Wall Street Journal, New York Times, the Los Angeles Times, the BBC, CNN, PC Magazine, the Sunday Daily Telegraph and others that said GSM systems interfere with pacemakers.

The Washington, D.C./Baltimore area is the only region in the United States with a GSM system, though these types of systems are under development in other parts of the country. Several Washington area doctors, including a researcher at George Washington University, have documented the problems with these new digital phones.

According to a report in the Wall Street Journal, GSM digital phones -- the type proposed for San Diego and San Jose -- can cause a pacemaker to "recalibrate itself or stop and restart when a certain type of digital cellular phone is placed near the chest."

The GSM phones also produce a loud, sometimes painful buzzing in the ears of hearing aid wearers.

For more information, or for copies of the cited articles, call Laura Quinn at 619-544-7000. Or e-mail her at Sdlaura@aol.com.

[For more information on digital phones](#)

at <http://www.millennianet.com/celfones>

[\[Home\]](#) [\[Up\]](#)



San Diego's cellular phone controversy

Pacific Bell has is deploying a new digital cellular product called Personal Communications Systems (PCS) which uses an older digital cellular telephone transmission technology called Global System of Mobile Communication (GSM). GSM has been used for years in Europe and Asia, as well as in the Beltway region around Washington, D. C. and Baltimore. It has recently been introduced in Hawaii, and the infrastructure is going into place in several regions of California, including San Diego, San Jose, and San Francisco.

Not infrequently, there have been reports that GSM causes interference problems with many hearing aids. There have been increasingly frequent reports that other devices may be adversely affected, especially cardiac pacemakers and the sensors that deploy air bags in automobiles. Here's Pacific Bell Mobile Services' position statement regarding interference with hearing aids. Other, newer, digital technologies have so far been reported to cause fewer problems.

A number of recent articles have addressed these issues, as well as articles from other areas where Pacific Bell is attempting to put up antennas. Other articles and studies provide both background and opinions based on experience. This Web site will serve as a clearing house in upcoming months, collecting as much relevant information as possible in one place so people can see what's being said and form their own conclusions.

- Now Hear This: GOP Set To Receive Latest Gizmos, *The Wall Street Journal*, March 20, 1996
 "That buzz in the ears of some at the Republican National Convention in August may not simply be the cacophony of political debate. Yesterday, city officials made San Diego the second area in the nation to usher in the next wave of wireless technology, despite the concerns of hearing-aid users about the sound interference that it sometimes causes."
- Council Clears The Way For Pacific Bell Wireless System, *San Diego Daily Transcript*, March 20, 1996
 "After weeks of debate, the San Diego City Council took a major action yesterday that cleared the path for Pacific Bell to install its new digital wireless phone system in time for the Republican National Convention this summer. The council rejected appeals and granted conditional permits for 13 antenna sites, part of Pacific Bell's Personal Communications System (PCS 1900). . . . But the victory did not come easily, as critics and advocacy groups complained that similar systems used in Europe interfere with hearing aids, and possibly pacemakers and electric wheelchairs."
- Telecommunications: Digital Phones Cause Problems In Hearing Aids, *The Wall Street Journal*, March 12, 1996
 "Last month, the issue flared up in San Diego. A small group, the California Communications Council, insisted that Pacific Telesis Group prepare an environmental-impact statement focused on hearing-aid-interference questions before erecting 12 communications towers around the city and selling GSM-style phones. PacTel is eager to use the phones at the Republican National Convention there in August, though full-scale service won't start till next January."
- Showdown For Pac Bell Cellular Plan: Rooftop antennae prompt S.F. fears, *San Francisco Chronicle*, March 7, 1996
 "With nearly \$1 billion worth of investments at stake, Pacific Bell faces a crucial showdown in San Francisco today over a plan to attach more than 30 cellular transmitters to the tops of apartment buildings and other structures across the city. Pac Bell's application for the rooftop permits, which will be heard by the city's Planning Commission this afternoon, has

run into a thicket of opposition from neighborhood activists who are concerned with potential health dangers and hope to derail or at least delay the operation. They claim that the company is rushing forward with a new form of digital technology before any significant medical research has been completed showing that the transmitters are not harmful to those who live near them."

- Panel OKs Pac Bell Cell Transmitters: Angry residents lose bid for moratorium in S.F., *San Francisco Chronicle*, March 9, 1996

Turning aside a request for a moratorium by angry residents, the San Francisco Planning Commission Thursday approved Pacific Bell's application to install seven cellular transmitters on rooftops across the city. At an emotional hearing lasting over five hours, the commissioners heard pleas from several mothers, a pregnant women, an HIV-positive man and neighbors living near the proposed sites, all of whom argued that the transmitters pose potential health dangers.... After the vote, neighborhood activists vowed to appeal the decision to the Board of Supervisors. But they have to gather signatures from 20 percent of the property owners who live within 300 feet of one of the transmitters before they can appeal.

- Some cellular telephones can disrupt pacemakers, *USA Today* (from The Associated Press newswire)

"Investigators in Italy, Switzerland and Australia have found that certain digital cellular phones can disrupt a pacemaker's signal if held too close to the chest."

- Pacemakers and Hearing Aids Stall New Digital (GSM) Phones, from the newswire, February 29, 1996

"Officials at the two cities, San Diego and San Jose, cited potential danger associated with the wireless digital phone system known as GSM, which has been used for more than five years in Europe."

- S.J. stalls new cell phones, *San Jose Mercury News*, February 15, 1996

"City leaders have been bombarded with reports that a new digital cellular phone system may cause interference with hearing aids, pacemakers and other electronic devices."

- Cellular Phones May Interfere With Operation of Pacemakers, *Los Angeles Times*, November 16, 1995

"Digital cellular phones may present a hazard to people with implanted heart defibrillators, a researcher at George Washington University told an American Heart Assn. meeting in Anaheim."

- Cellular Phones May Affect Pacemakers, *New York Times*, April 29, 1995

"Two new medical studies conclude that cellular telephones that use digital signals can interfere with the rate or pacemakers."

- Cellular Phones May Affect Use of Pacemakers, *The Wall Street Journal*, April 28, 1995

"A scientific advisory group funded by the cellular telephone industry has found evidence that the next generation of cell-phones may interfere with pacemakers. The group, the Wireless Technology Group, yesterday said that studies have shown that in some cases the pacemaker will recalibrate itself or stop and restart when a certain type of digital cellular phone is placed near the chest."

- PacBell wireless plan gets static, *The San Diego Union-Tribune*, February 8, 1996

"We're hoping that the City Council will tell Pacific Bell to go back to the drawing board and use a system that's not going to affect people who are hearing-impaired," said Mae Braund, an associate state director of the American Association of Retired Persons."

- Council Vacillates On PacBell System, *San Diego Daily Transcript*, February 14, 1996

"After hours of testimony from critics and supporters of Pacific Bell's new generation of wireless phones, the San Diego City Council yesterday postponed a decision that would have allowed the phone company to complete its new system. The council considered Pacific Bell's request for conditional permits for 12 antennae needed to finish a network of 55 locations. But faced with opponents who argued the technology sends off a pulsing signal that interferes with hearing aids - and possibly with pacemakers and electric wheelchairs - the council put off a decision for 30 days."

- PacBell's Cellular Phone System Technology Triggers Controversy, *San Diego Daily Transcript*, February 8, 1996

"The critics argued that the technology chosen by Pacific Bell - the Personal Communication System 1900 - has a well-documented track record of interfering with hearing aids in Europe, where a similar technology has been in place for nearly five years. 'We've got a bad technology,' said Dan Auld, a businessman who objects to installing the PCS 1900 system without looking at the other available systems."

- Planning Commission doesn't listen, *San Diego Daily Transcript*, February 1, 1996

"It's clear we need to hear more about the dangers of GSM, and the benefits of competing local technologies. And the council needs to listen to hearing-impaired seniors and others, who say that loud buzzing sound is not from their hearing aids, but from the voices of a growing number of seniors and hearing-disabled who are angry that a planning commission could approve such a hurtful technology, and who wonder where we can find a planning bureaucrat when

we really need one."

- New Technology, GOP Convention May be Hazardous To Your Health**, *Uptown Newsmagazine*, February, 1996
"We live in a very noisy world where hearing difficulties are becoming more common. It's really very strange that a government agency would take this kind of action when there are so many alternatives."
- Convention technology questioned**, *North County Times*, January 30, 1996
"Will Republican hearing-aid wearers be able to phone party members at home and describe the partisan mood from this summer's national convention? Sure, but they may not be able to hear a response."
- Antenna plans stir concern**, *The Star-News*
"Pacific Bell's request to install antennas in Chula Vista for digital phones has met with controversy concerning possible negative side effects for individuals with hearing aids."
- Advanced technology, advanced problems**, *Hearing Instruments*, October, 1995
"Cellular phones are increasing in popularity at a frightening pace in urban areas and promise to pose a serious interference problem for hearing instrument users. We are a small obstacle to an industry that has invested billions to bring this technology to the U.S. market."
- Portable Telephones for Everyone**, *PC Magazine*, July 1995
"Given what we know about the potential effect of GSM on more than 6 million U.S. hearing-aid wearers, it's unconscionable to pursue this option. Yet BellSouth and Pacific Bell have decided to deploy GSM. GSM has other problems, too. The power level, combined with the fast rise time of pulses, reportedly causes problems with electronic devices. Sweden bans the phones from its hospitals because they reportedly interfere with pacemakers and electric wheelchairs. A report from an Australian newspaper claims that a GSM car phone set off the car's airbag. One potential plus: GSM phones are said to be able to reset a Parisian taxi meter to zero."
- James Valentine discussed the hazards of wireless digital phones on the Roger Hedgecock Show** March 4.

Some of these articles, not otherwise available on the World Wide Web, are here reprinted in the interest of disseminating news concerning important current events. All copyrights are the property of their respective owners.

The Wireless Communications Council also has a Web page with published articles and news reports about these issues.

To get more information, to share information you have, or to receive printed copies of these and other articles, please call 619-544-7000 or email:

Sdcolin@aol.com

To place your name on a mailing list whose members will directly receive e-mail information about this issue as it develops, please contact:

celfones@millennianet.com

IMPACT OF CELLULAR PHONES ON PACEMAKERS UNDER THE MICROSCOPE

SECTION: No. 10, Vol. 6; ISSN: 1058-7713

A research group focusing its efforts on whether cellular phones cause brain cancer has begun a separate study to determine if wireless devices affect pacemakers.

This summer, Wireless Technology Research (WTR), formerly known as the Scientific Advisory Group on Wireless Technology, will conduct tests on volunteers having routine pacemaker checkups. The tests will be conducted at the Mayo Clinic, Mt. Sinai Medical Center in Miami and George Washington University in Washington, D.C. The study will answer whether a public health risk exists and to what extent.

Whatever the findings - which are not due out for several months - analysts don't expect them to have a negative impact on an industry that has seen growth of more than 40 percent in recent years and now has more than 25 million subscribers.

Part of the reason the impact may be minor, said Mark Lowenstein of the Yankee Group, is because of the nature of radio technology. There are certain locations and instances where it is not appropriate to use cellular. For example, some hospitals restrict cellular phone usage because of possible interference with medical devices. Cellular usage also is banned on planes because it can affect navigational instruments.

The results of the study may, at worst, cause some pacemaker wearers to think twice before using a cellular phone, he said.

MICROFILMED

One pacemaker manufacturer, Medtronic, already provides a warning about cellular phone usage in literature related to its equipment. It recommends that people with pacemakers avoid carrying a cellular phone in their breast pocket, keep the handset about 12 inches from the chest, and hold the phone on the side of the head that is opposite the pacemaker's location.

Amy Berger, senior industry analyst at the research firm of Frost and Sullivan, sees the increased availability of information on the topic as beneficial. If pacemakers are adversely affected by cellular phones, she doesn't see people with pacemakers giving up their phones. Instead, these users will avoid putting the phone in their front pocket and will control how much they use their phone.

Mike Houghton, a spokesman with the Cellular Telecommunications Industry Association (CTIA), views the pacemaker study in a totally different light than the brain cancer scare, which was seen as a health risk that could cause death as a result of use. Pacemaker and cellular phone interaction can be managed and won't result in death, he said.

But until the study is completed, Houghton recommends people with pacemakers use caution, just as they would with metal detectors or MRIs. If cellular phones are found to interfere with pacemakers, placing a warning label on them could be a possibility. But Houghton said the industry also would want to look at ways to make the devices compatible. The bottom line is to move forward, he said.

A separate lab study will address identifying possible measures to mitigate the risk. These tests will be conducted at the Center for the Study of Wireless Electromagnetic Compatibility at the University of Oklahoma for WTR. That study will be conducted over the next several months.

If cellular phones are found to have an effect on the operation of pacemakers, WTR could recommend design changes in phones, suggest the use of warning labels or possible usage restrictions. It would then be up to the cellular industry to plot a course of action, WTR spokesman Michael Volpe said.

Although there have been some complaints about the slow speed with which this investigation came to a head, Volpe said "in scientific terms," the investigation is "moving as rapidly as possible."

WTR Chairman George Carlo began work on the issue immediately after concerns were addressed at a conference in Copenhagen last June, Volpe said.

Late last month, WTR released a draft of the proposed study, a clinical epidemiology protocol. It originally was issued in March but was passed on to a peer review board coordinated through Harvard. The draft was made public after final comments were incorporated.

Meanwhile, the papers presented at the Bioelectromagnetics Society conference in Copenhagen last June stated interference could be produced when a cellular phone is held close to a pacemaker. But the WTR draft points out the phones

used in those studies employed GSM technology. However, the reports generated valid questions about the technologies employed in the U.S. and indicated a need for further investigation, WTR said.

Work already done in the U.S. also has been helpful in determining the parameters for the study. One of the U.S. studies which used analog and digital phones found interference may occur when a cellular phone is in close proximity to a pacemaker. The other study which involved two analog phones found no interference.

The WTR study will examine analog cellular technology as well as several digital technologies: Time Division Multiple Access (TDMA), Code Division Multiple Access (CDMA) and Integrated Dispatch Enhanced Network (iDEN), formerly known as MIRS. iDEN uses a form of TDMA. Each handset will be tested at peak power and the TDMA handset also will be tested in actual transmission mode.

DCS 1900, a U.S. version of GSM that will be adopted for PCS, as well as other PCS technologies, will be studied as they become available.

WTR also is continuing its research on the impact of cellular phones on the brain. The program was established in early 1993 shortly after a man claimed his wife's fatal brain tumor was caused by using a cellular phone.

WTR spent \$3 million last year on researching and developing a scientific program and plans to spend \$10 million this year on studies. An upcoming \$1.5 million donation to City of Hope Medical Center in California will be used to run experiments on rats in which RF from phones will be directed at the animals' heads. A computer map of a rat's head will analyze how the rat was affected by the radio frequency. These tests will occur over a three year period.

Copyright 1995 Capitol Publications, Inc.

[\[Home\]](#) [\[Up\]](#)



Wireless Communications Technology Research and Analysis.

The Wireless Communications Council publishes the latest research and analysis reports from around the world in the rapidly expanding field of wireless communications technology.

Revisit this site regularly for new reports and developments in wireless technology.

Published Studies and Articles

News Reports

- [Very high level interference can cause further damage to hearing of hearing aid users](#)
- [New mobile phone interference with hearing aids](#)
- [New mobile phones affect hearing aids](#)
- [New mobile phones render hearing aids temporarily useless](#)
- [New digital cellular phones cause EMI to hearing aids](#)
- [SHHH petition to FCC for PCS compatibility with hearing aids](#)
- [Digital phones may interfere with automobile electronic systems](#)
- [Digital phones can interfere with automobile airbags and brakes](#)
- [GSM MoU response to FCC regarding EMI to hearing aids](#)
- [GSM digital phone interference causes electronic equipment failures](#)

Research into Digital Phone Effects on Pacemakers

- [Warning to pacemaker users about digital phones](#)
- [Research into effects of digital cellular phones on pacemakers](#)

Digital Phone Interference with Hearing Aids

- [Cellphone threat to disabled](#)
- [Hearing aid interference from digital phones](#)
- [Report on hearing aid interference from digital phones](#)
- [Serious hearing aid problems with digital phone interference](#)
- [Problems caused by new mobile telephones](#)
- [New mobile phones interfere with hearing aids](#)

MICROFILMED

- [Deafening response to mobile phone problems](#)
- [Digital phones cause headaches for hearing aid users](#)

Overview and Research Studies on GSM Interference

- [Overview of GSM Studies](#)
- [Introduction: EMC - New Modulation Technologies](#)

Research Studies

- [Digital cellphones and interference with hearing aids](#)
- [Interference with hearing aids caused by GSM and DECT digital phones](#)
- [Report on RF Interference to Hearing Aids from Digital Cellular Phones](#)
- [Summary on GSM interference](#)

FCC and Congressional Discussion

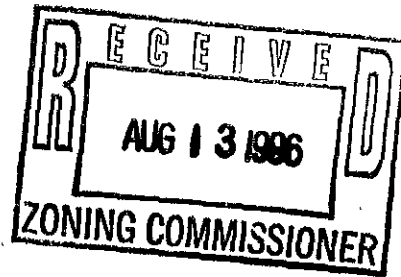
- [FCC & Congressional Comments](#)
- [Moratorium on new \(GSM\) digital phone systems in California Cities](#)
- [San Diego's cellular phone controversy](#)
- [Send email](#) to receive more information from our mail agent.
- [Our Address:](#)

Wireless Communications Council
Suite #1250
1050 Connecticut Ave, NW
Washington, DC 20036

- [Petition by HEAR-IT NOW](#)

*copyright (c) 1995, Wireless Communications Council,
HTML 3.0, March 13, 1996.*

August 12, 1996

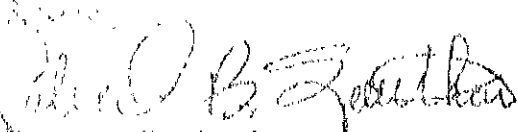


Mr. Lawrence Schmidt
Zoning Commissioner of Baltimore County
400 Washington Avenue
Suite 113
Towson, MD 21204

Re: Belvedere Baptist Church
APC BAN 76D

Dear Mr. Schmidt:

On August 8, 1996, I visited the above site with one of our survey crews and Ms. [redacted] in this office. In using our electronic equipment, we determined that the top of the steeple is 61.0 feet above ground as measured at the west side of the steeple and the southwest corner of the church building, and at the approximate level of the roof on the east side of the church building.

Respectfully,

Robert B. Southard
Maryland Registered Property Line Surveyor
No. 298



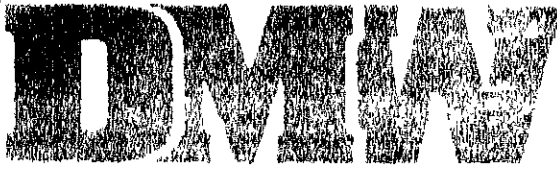
RBS:sd

cc: Mr. & Edgar Thomas, Jr.



Daft McCune Walsh
200 East Penn
Towson, Maryland 21286
410-286-1000
Fax: 286-1007

A Team of In-Depth
Landmark Services
Engineers, Surveyors &
Environmental Scientists



Daft-McCune-Walker, Inc.

200 Fair Pennsylvania Ave.
Fossil Maryland 21786
410-330-1133
FAX 410-330-1134
www.dmw.com

Fax Transmittal

To: Lawrence Schmidt Date: 8-13-96

From: Frederick County FAX #: 307-3462

From: Walter Moore No. of Pages, including cover: 3

Project Name: Belvedere Project Project No.: 94161 73

Comments: steep to bright info.

The Honorable Reed Hundt
Chairman, Federal Communications Commission
1919 M Street, NW
Room 814
Washington, DC 20554

Letter to head
of FCC from
Senator Packwood
re problems w GSM
& hearing aids

Dear Mr. Chairman:

I am advised that the implementation of the Global System for Mobile Communications (GSM) operating standard for use by broadband Personal Communications Services (PCS) may interfere with our Nation's hearing aid wearers.

A number of European studies have apparently revealed that virtually any hearing aid is rendered inoperable when a hearing aid wearer is in close vicinity of a GSM telephone.

These studies also affirm that the hearing aids can not be retrofitted with shielding devices, nor can new hearing aids be effectively shielded from this electronic interference.

GSM is one of a number of possible choices of operating systems for new personal communications systems. I urge the FCC to maintain caution when approving operating systems which may adversely affect hearing aid wearers, and to consider all the potential adverse effects upon consumers of all operating systems, including the GSM, before choosing a standard for PCS devices.

I appreciate your review of this matter, and look forward to your response.

Sincerely,

BOB PACKWOOD

The Honorable Reed E. Hundt
Chairman, Federal Communications Commission
1919 M Street, NW; Room 814
Washington, DC 20554

Dear Mr. Chairman:

As you know, Telecommunications for the Deaf Inc. is a nonprofit, national, Consumer-oriented telecommunications organization and is concerned that, unless the FCC takes immediate action, deaf and hard of hearing consumers may not be able to use PCS devices.

Within the next few weeks, the FCC will conclude the first of its broad band PCS spectrum auctions.

MICROFILMED

Successful bidders will then decide how to use their spectrum. Undoubtedly, they will develop PCS devices capable of voice, as well as data transmission.

The FCC has not, however, stated whether these devices are required to be hearing aid-compatible under the terms of the Hearing Aid Compatibility Act of 1988. While the FCC's rules exempt telephones used with public radio mobile services or private radio services from these requirements, it is unclear as to whether PCS devices fall under either exemption, or whether such devices will be required to be hearing aid-compatible under the Act as a "new technology or service". Even if PCS devices fall under either exemption, the FCC must revoke the exemption if four conditions are met.* Unless the FCC specifically addresses this issue and requires hearing aid compatibility for PCS devices, manufacturers may well develop and distribute PCS devices that are incompatible with hearing aids, thereby leaving the hearing-impaired at a serious disadvantage. Furthermore, PCS licensees will be choosing the operating system for their devices in the near future as well. The criteria are:

- (I) revocation or limitation is in the public interest;
- (II) continuation of the exemption without such revocation or limitation would have an adverse effect on hearing-impaired individuals;
- (III) compliance with the requirements for hearing aid-compatibility is technologically feasible for the telephones to which the exemption applies; and
- (IV) compliance with the requirement for hearing aid-compatibility would not increase costs to such an extent that the telephones to which the exemption applies could not be successfully marketed.

See 47 U.S.C. art. 610 (b)(2)(C), 47 C.F.R. art. 68.4 (a) (4).

One available option, the Global System for Mobile Communications, or GSM, is currently used in Europe for digital cellular telephone communications. After its introduction, researchers discovered that GSM devices create significant interference to hearing aids, as well as other medical and consumer electronic devices. As a result, hearing aid wearers cannot use GSM-powered cellular telephones in Europe. Furthermore, some hearing aids are subject to GSM-induced interference even if a person nearby is using the device.

The European solution to this problem has been to require manufacturers to develop shielding mechanisms to protect medical and consumer electronic devices from GSM -inducted interference. European hearing aid wearers will have to bear the expense of replacing their hearing aids with new shielded models to avoid GSM interference. Placing aside the unfairness of requiring the hearing impaired to bear excessive costs as the result of the implementation of a new technology, this approach will not be fully effective, as the size of some hearing aids precludes the development of shielding devices.

The European experience is clear - GSM creates unacceptable levels of interference to hearing aids. Our nation's hard of hearing citizens should not have to face the risk that they may have to replace their hearing aids should companies choose to adopt the GSM standard. Other operating systems do not create such levels of interference, and it is those systems that companies should use.

The FCC has the opportunity to address this issue immediately. As you are aware, on November 7, 1994, the FCC announced the formation of an Advisory Committee to negotiate certain regulations under the Hearing Aid Compatibility Act, including retrofitting requirements for telephones in public places. While it does not appear that the Advisory Committee will address hearing aid compatibility issues involving PCS devices, the topic should be added to the agenda. In the event that the FCC does not wish to add the issue to the Advisory Committee's agenda, the FCC should issue a declaratory ruling that PCS devices, as a new service or technology, are subject to the requirement of the Hearing Aid Compatibility Act of 1988. Alternatively, the FCC should initiate a rule making proceeding to solicit comment on revoking the exemption for private radio systems or public mobile systems insofar as either exemption applies to PCS devices.

PCS offers tremendous potential to change the way we communicate. It would be unconscionable, however, for the hard of hearing to be excluded from the PCS revolution.

I urge the FCC to require hearing aid compatibility for PCS devices and to condition the grant of PCS licenses on hearing aid compatibility.

Sincerely yours,

Alfred Sonnenstrahl

Executive Director

cc: Lyndon Boozer, Special Assistant to the Chairman

The Honorable Jack Fields, Chairman

Subcommittee on Telecommunications

Commerce Committee

Room 2125 Rayburn House Office Building

INSIDE MAIL

Dear Chairman Fields:

I am writing with concern to hearing aid compatibility for PCS devices in anticipation of the Federal Communications Commission's (FCC) conclusion of broad band PCS spectrum auctions and the Commerce Committee's involvement with this process. It has come to my attention that certain new PCS devices under consideration may interfere with the proper functioning of hearing aids and other electronic devices.

One particular mobile communications system, GSM, has come under close scrutiny in Europe for reportedly inducing interference with hearing aids. Europeans have responded by developing shielding mechanisms for users of medical and consumer electronic devices and GSM equipment, thus increasing costs for these consumers.

These concerns were brought to my attention recently by former Congressman Guy Vander Jagt. While PCS offers tremendous potential to change the way we communicate, I recommend caution for the Federal Communications Commission (FCC) in approving some frequency bands which may exclude the hard-of-hearing or any consumers of sensitive electronic devices. Moreover, I urge consideration of PCS devices be subject to the requirements of the Hearing Aid Compatibility Act of 1988.

Thank you for your review of this subject. It is my hope that breakthroughs in communications technology remain consistent with the needs of the hard-of-hearing.

Sincerely,

Michael D. Crapo

Member of Congress

[\[Home\]](#) [\[Up\]](#)

I appreciate your interest in this matter, and I would be happy to answer any other questions you may have.

Sincerely yours,

Reed H. Hundt

Chairman

The Honorable Reed Hundt
Chairman, Federal Communications Commission
1919 M Street, NW
Room 814
Washington, DC 20554

Letter to head of
FCC questioning
negative impact
on hearing aid
users - from Sen. Packwood

Dear Mr. Chairman:

I am advised that the implementation of the Global System for Mobile Communications (GSM) operating standard for use by broadband Personal Communications Services (PCS) may interfere with our Nation's hearing aid wearers.

A number of European studies have apparently revealed that virtually any hearing aid is rendered inoperable when a hearing aid wearer is in close vicinity of a GSM telephone.

These studies also affirm that the hearing aids can not be retrofitted with shielding devices, nor can new hearing aids be effectively shielded from this electronic interference.

GSM is one of a number of possible choices of operating systems for new personal communications systems. I urge the FCC to maintain caution when approving operating systems which may adversely affect hearing aid wearers, and to consider all the potential adverse effects upon consumers of all operating systems, including the GSM, before choosing a standard for PCS devices.

I appreciate your review of this matter, and look forward to your response.

Sincerely,

BOB PACKWOOD

The Honorable Bob Packwood
Chairman
Subcommittee on Communications
Committee on Commerce,

[\[Home\]](#) [\[Up\]](#)

The Honorable Bob Packwood
Chairman
Subcommittee on Communications
Committee on Commerce,
Science & Transportation ←
United States Senate
227 Russell Senate Office Building
Washington, D. C. 20510

letter from needs of
FCC, filed directly to
Subcommittee. In Packwood
raised issue of
sensitivity

Dear Mr. Chairman:

Thank you for your letter of March 14, 1995, which expresses concern about the potential for future Personal Communications Services (PCS) systems using the Global System for Mobile Communications (GSM) standard to cause interference to hearing aids.

In establishing PCS, the Commission set technical standards to prevent interference among PCS licensees and between PCS and other radio communication services. However we declined to specify detailed transmission standards. Instead, the Commission provided PCS operators the flexibility to employ the transmission standards that best meet their needs and the needs of the public. We noted that the telecommunications industry is in the process of developing several PCS standards and stated that we would monitor the development of these standards.

One of the PCS standards developed by industry is based on the GSM standard used for cellular radio service in Europe and many other parts of the world. We are aware that GSM cellular radios have caused interference to hearing aids. However, GSM interests have reported that only a small fraction of hearing aids experience interference. Further, we are told that cost effective solutions exist for hearing aids that may experience interference.

There are significant technical differences between the European GSM systems and the United States PCS systems that may employ GSM technology. For example, European GSM systems operate on frequencies near 800 MHz, whereas United States PCS system will operate near 1900 MHz. Such technical differences may serve to further reduce the potential for interference to hearing aids.

At this time we do not believe there is a serious risk of interference to hearing aids from PCS equipment that uses GSM technology. Accordingly, we see no reason to delay implementation of PCS systems that employ GSM technology.

I assure you, however, that we plan to monitor this issue as PCS develops further. In addition, we will monitor GSM technology as part of the Commission's ongoing obligations to monitor developments in wireless telephony under Section 710 of the Communications Act of 1934, as amended (47 U.S.C. art. 610). That section requires that wireless telephony be exempted from the statutory requirement that all telephones in U.S. be hearing aid compatible. Section 710(b)(2)(c), however, states that the Commission shall periodically reassess the appropriateness of continuing this exemption. To comply with that provision, the Commission plans to initiate a rule-making in the coming months to examine hearing aid compatibility issues associated with wireless telephone equipment.

Science & Transportation
United States Senate
227 Russell Senate Office Building
Washington, D. C. 20510

Dear Mr. Chairman:

Thank you for your letter of March 14, 1995, which expresses concern about the potential for future Personal Communications Services (PCS) systems using the Global System for Mobile Communications (GSM) standard to cause interference to hearing aids.

In establishing PCS, the Commission set technical standards to prevent interference among PCS licensees and between PCS and other radio communication services. However we declined to specify detailed transmission standards. Instead, the Commission provided PCS operators the flexibility to employ the transmission standards that best meet their needs and the needs of the public. We noted that the telecommunications industry is in the process of developing several PCS standards and stated that we would monitor the development of these standards.

One of the PCS standards developed by industry is based on the GSM standard used for cellular radio service in Europe and many other parts of the world. We are aware that GSM cellular radios have caused interference to hearing aids. However, GSM interests have reported that only a small fraction of hearing aids experience interference. Further, we are told that cost effective solutions exist for hearing aids that may experience interference.

There are significant technical differences between the European GSM systems and the United States PCS systems that may employ GSM technology. For example, European GSM systems operate on frequencies near 800 MHz, whereas United States PCS system will operate near 1900 MHz. Such technical differences may serve to further reduce the potential for interference to hearing aids.

At this time we do not believe there is a serious risk of interference to hearing aids from PCS equipment that uses GSM technology. Accordingly, we see no reason to delay implementation of PCS systems that employ GSM technology.

I assure you, however, that we plan to monitor this issue as PCS develops further. In addition, we will monitor GSM technology as part of the Commission's ongoing obligations to monitor developments in wireless telephony under Section 710 of the Communications Act of 1934, as amended (47 U.S.C. art. 610). That section requires that wireless telephony be exempted from the statutory requirement that all telephones in U.S. be hearing aid compatible. Section 710(b)(2)(c), however, states that the Commission shall periodically reassess the appropriateness of continuing this exemption. To comply with that provision, the Commission plans to initiate a rule-making in the coming months to examine hearing aid compatibility issues associated with wireless telephone equipment.

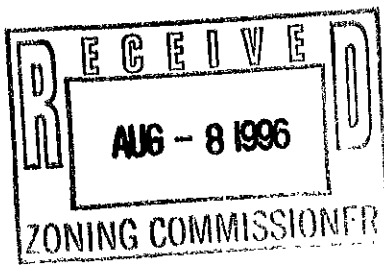
I appreciate your interest in this matter, and I would be happy to answer any other questions you may have.

Sincerely yours,

Reed H. Hundt

Chairman

pg 1 of 2



Aug 8, 1996

Note to: Lawrence Schmidt, Esq.
Zoning Commissioner, Baltimore County

From: C. Edgar Thomas, Jr.
1101 Hart Road, Baltimore, MD 21286

Subject: Elucidation of Relevance of Exhibits
Submitted as Exhibits to
Zoning Hearing, Case 96-508-SPHX
(by Petitioner and by Opponents,
respectively).

1. The Enclosed Exhibit by Opponent (C. Edgar Thomas Jr.)
Titled: "The View of the Tower behind Church..."
has had added, Notes on the two "modes" of
deceptive-impressions which might be gained from
viewing of the Petitioner's Exhibit: a photo
of Belv. Baptist Church, with a "computer-
added" Tower; this superposition with photo
being Titled "Amer. Pers. Comm. BAN 076D, The
Restoration Church".

2. The Notes by the undersigned, which provide two
separate, but equally-valid logical paths for
a deceptive understanding by a viewer of
the Petitioner's Photo-Exhibit, are entirely
consistent with my (challenged) testimony,
and are essentially confirmed by measurements
by Daft-McCune's "survey team", today:
Those measurements showed a Steeple Height
above Sanctuary ground-level equal to 61.0 ft.

pg 2: Dwg.
(ENCLOSURE)
"View of Tower"

C. Edgar Thomas Jr. 8/8/96

821-8116

MICROFILMED

PS 20F2
 Lawrence
 Schmitt, Esq
 8/18/96

1. Attached Date 8/19/96
 of Comments?

See "Alternative Modes" through which

"Alternative Modes", below are identified as "A" or "B"

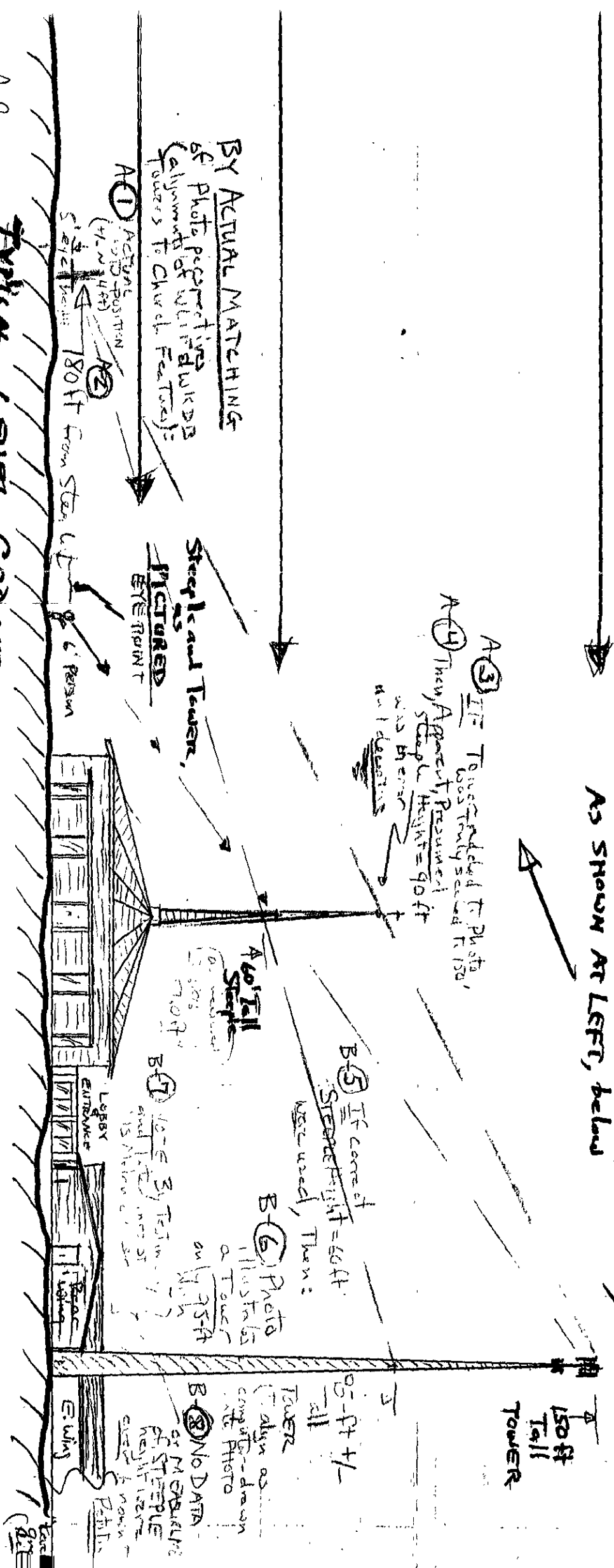
"VIEW OF TOWER behind Church & Steeple"

AS PRESENTED TO MR CATCH & GROUP (of 25 to 30) on June 21, 1996
 (and to Belvedere Baptist Church, Rev. Ward, etc)

SHOWED A DECEPTIVE IMPRESSION OF THE 150-ft TOWER, as sought in RETRORAY.

-E "VIEW" is CORRECT FOR A PERSON STANDING (about) 35ft from Sanctuary Door (as shown, below);
 OVERHELMING DOMINANCE OF TOWER AS VIEWED BY THE COMMUNITY IS EVIDENT, AS SHOWN AT LEFT, below

Photo (titled "America's Comm Bldg 076D, The Restaurant Church")
 as presented to Hampton Gardens Comm Assoc 6/21/96
 and to Belvedere Baptist Church, Rev. Ward, etc.
 Added Note by ~~CS~~ 8/18/96



28 July 1996

EFFECT(S) of CLOSE-IN vs More Remote Perspectives OF TALL TOWERS AND MUCH-LESS-TALL BUILDINGS & STRUCTURES

SCALE: 0 20 40 60 80 100 FEET

Based on
 measurements and
 JS and Site Data
 by J. S. Schmitt
 28 July 1996

MICROFILMED

NEXTEL

Nextel Communications
7055 Samuel Morse Drive, Suite 100, Columbia, MD 21046
410 953-7419

6/15/01
WCR
To: LTM
6/19/01
WCR

01-2014
JUN 15 2001

SENT BY FEDERAL EXPRESS

June 14, 2001

Mr. Arnold Jablon, Director
Department of Permits and Development Management
111 West Chesapeake Avenue, Room 109
Towson, Maryland 21204

SPIRIT AND INTENT LETTER

Re: Nextel Communications of the Mid-Atlantic, Inc.
Proposed Wireless Transmitting and Receiving Facility
Nextel Proposed Collocation on Existing 154-foot Sprint Monopole
1301 Cheverly Road, Towson, Maryland 21286

(Nextel Site No. MD-2323, Gypsy Lane)

Dear Mr. Jablon:

Nextel Communications of the Mid-Atlantic, Inc. proposes to mount antennas on an existing 154-foot monopole and place 12' x 20' x 10 ½' tall equipment shelter at an existing telecommunication facility located at the Belvedere Baptist Church. The property is located at the end of Cheverly Road, south of Valewood Road, in Towson, Maryland.

The telecommunication facility was established in accordance with Section 1B00.1C24 of the Baltimore County Zoning Regulations, (i.e. "Regulations") which authorize establishment and operation of wireless telecommunication towers on land zoned DR-1, by special exception.

The monopole was authorized by Special Exception No. 96-508-SPHX, on September 10, 1996. Attached is a copy of the final order approving the special exception. There are three (3) conditions of approval. They are:

1. The Petitioners may apply for a building permit during the 30-day appeal period, at their risk; and
2. No lights shall be permitted on the monopole; and
3. When applying for permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

The site is developed with church and ancillary parking on the west and a 154'-tall monopole and fenced equipment compound, owned by Sprint, on the eastern side of the church. Sprint, Metricom and Voice Stream have cabinets in the compound and antennas mounted on the monopole. This existing compound, which is approximately

21 ½' x 20' is 430 square feet in size and corresponds to the telecommunications equipment area approved by 96-508-SPHX. As part of the special exception approval, Sprint planted four (4) trees along the eastern side of the existing compound and installed privacy slats in the chain link fencing, which extends around the perimeter of the existing Sprint compound.

Nextel proposes to expand the existing 430 square foot compound to approximately 1,380 square feet (roughly 34' x 36' + 6' x 14') and to extend a 12' tall chain link fence, with interwoven privacy slats around the perimeter of the proposed compound.

As shown on the attached site plan, Nextel will transplant the existing White Pine trees located on the eastern side of the Sprint compound to the south side of the proposed compound. Nextel will also plant new evergreen trees along the eastern side of the new proposed compound. Planting trees on the western side of the compound is unnecessary because the church building effectively screens the compound from offsite view looking east.

Nextel is in keeping with the spirit and intent of 96-508-SPHX. By relocating the existing plant material, planting new plant material and installing privacy fence along the perimeter of the expanded compound.

Nextel's proposed collocation at this existing telecommunications site is in keeping with the County's policy of promoting collocation at existing telecommunication sites.

Section 426.2 of the Baltimore County Zoning Regulations state The "Legislative policy for siting of wireless telecommunications antennas and towers. It is the intent of Baltimore County that:

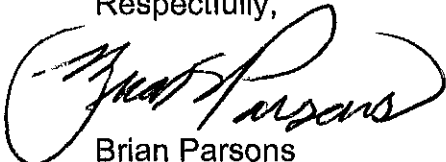
- A. Antennas should be placed on existing towers, buildings and structures, including those of public utilities, where feasible; and
- B. If a new tower must be built, the tower should be:
 - 1. Constructed to accommodate at least 3 providers.
 - 2. Erected in a medium or high intensity commercial zone when available; and
 - 3. Located and designed to minimize its visibility from residential and transitional zones."

The Baltimore County Development Review Committee (DRC), at their May 29, 2001 meeting tabled our request for an A-7 exemption pending your determination that Nextel's proposed facility is in keeping with the "Spirit and Intent" of 96-508-SPHX,

We believe the proposed addition to an existing telecommunication facility meets the spirit and intent of 96-508-SPHX. Additionally, Nextel's proposal is in accordance with the implied intent of the Zoning Regulations, relative to promoting collocation and encouraging maximum use of existing telecommunication sites by several telecommunication providers.

Thank you for your attention to this matter. Should you have any questions or concerns regarding this request, I respectfully ask you contact me at 202. 437. 3665.

Respectfully,



Brian Parsons

Ms. Carolyn Gold-Riggs
Sprint Sites USA
1 International Blvd
Mahwah, NJ 07645

Re: Site Number DC03XC086 – Baltimore, MD.

Dear Ms. Gold-Riggs:

We have completed the structural analysis for the existing monopole, located at the above referenced site. The purpose of this analysis is to determine that the existing monopole design is in conformance with the EIA/TIA-222-F standard and local building codes for the proposed antennae loads installation. Refer to the Review and Recommendations section at the end of this report for the analysis results.

Description of Structure:

The structure is a 150 ft Valmont Monopole.

Refer to Valmont drawing DC3137Z dated April 14, 1996 for a detailed description of the structure.

Method of analysis:

The tower was analyzed using Semaan Engineering Solutions' software suite for communication structures. The structural analysis is performed using the SAPS finite element engine. The method is 3D, non-linear, which accounts for the second order geometric effects due to the displacements. It also treats guys as exact cable elements and therefore is ideal for guyed towers. The analysis was performed in conformance with **EIA/TIA-222-F and local building codes for a basic wind speed of 75 mph and 1/2" radial ice with reduced wind speed (fastest mile)**. This is in conformance with the IBC 2003: Section 1609.1.1, Exception (5) and Section 3108.4. Wind is applied to the structure, accessories and antennas.

Structure loading:

Per the loading sheet supplied, the analysis was performed using the following loading: (Proposed loading in bold)

Elev. (ft)	Qty	Antennas and Mounts	Coax	Owner
144.0	12	DB978H Mounted On a Platform w/Rail	(12) 1-5/8	Sprint
150.0	6	DR85-17-02DPLQ2 Mounted On Sprint's Platform	(12) 1-1/4	T-Mobile
	12	KRY 112 71x TMA Mounted On Same Platform		
137.0	9	AWS9016.02D Mounted On a Low Profile Platform	(9) 1-5/8	AT&T
120.0	6	LPA-80063/4CF Mounted On a Low Profile Platform	(6) 1-1/4	Verizon
	6	LPA 185063/8CF Mounted On Same Platform	(6) 1-1/4	
110.0	16	Larsen 108426-200 Mounted On (3) NUDD 14FT BOOMS	(16) 1/2	Metricom
90.0	12	FV90-11-00NA Mounted On a Platform w/Rail	(12) 7/8	Nextel

All new access holes shall be reinforced with welded rims that are compatible with the pole and to be sized and supplied by pole manufacturer.

Many lines are strapped to the outside of the pole. As many as (6) lines are considered exposed to the wind in any direction.

Results of Analysis:

Refer to the attached Computer Summary sheets for detailed analysis results.

Structure:

The existing monopole is structurally capable of supporting the existing and proposed antennas. The maximum structure usage is: 93.1%.

Foundation:

Pole Reactions	Original Design Reactions	Current Analysis Reactions	% Of Design
Moment (ft-kips)	3,589.67	3,292.80	91.7

The analysis reactions are less than the design reactions therefore no foundation modifications are required.

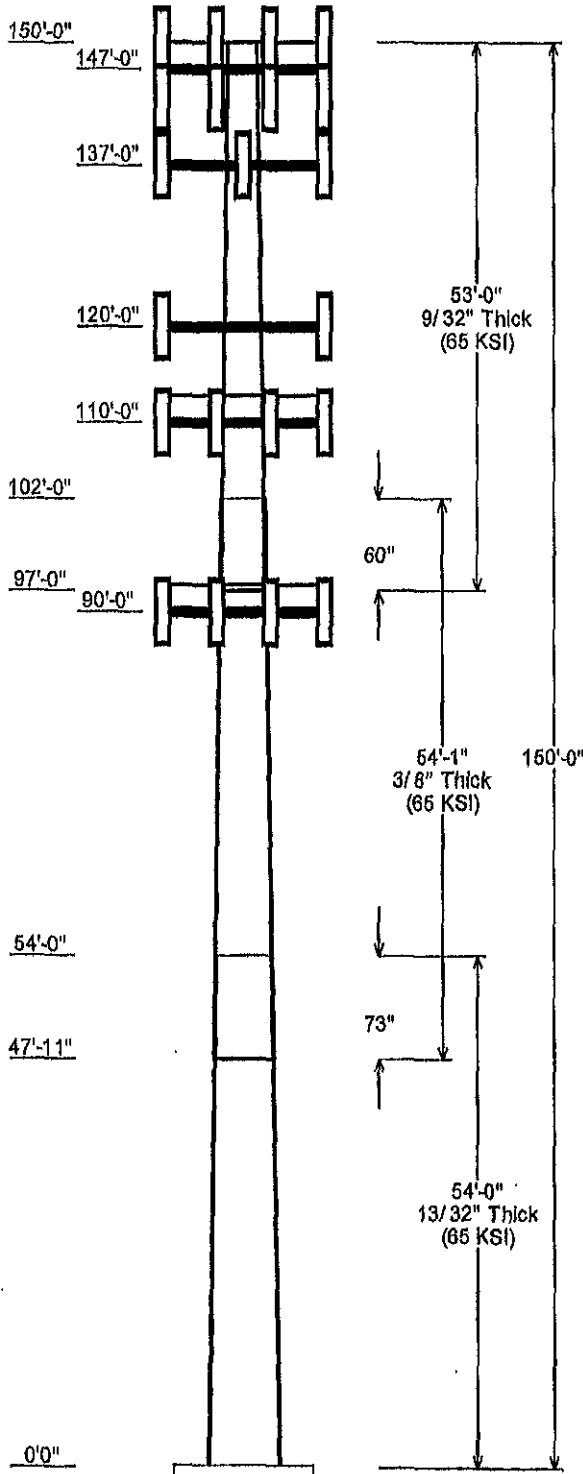
Review and Recommendations:

Based on the analysis results, the existing structure meets the requirements per the EIA/TIA-222-F standards for a basic wind speed of 75 mph and 1/2" radial ice with reduced wind speed. This wind speed is equivalent to a 90 mph 3-second wind gust.

SEMAAN ENGINEERING SOLUTIONS

1047 N. 204th Avenue
 Elkhorn, NE 68022
 Phone: 402-289-1888
 Fax: 402-333-8577

Copyright Semaan Engineering Solutions, Inc



Job Information			
Pole :	DC03XC086		
Description :	Client : Sprint Sites USA - NJ		
Location :	Baltimore, MD		
Type :	12 Sides	Base Elev (ft):	0.00
Height :(ft)	150.00	Taper:	0.214000 (In/ft)

Sections Properties								
Shaft Section	Length (ft)	Diameter (In)		Thick (In)	Joint Type	Overlap		Steel Grade (ksi)
		Across Top	Flats Bottom			Length (In)	Taper (In/ft)	
1	54.000	40.69	52.25	0.406		0.000	0.214000	65
2	54.083	31.17	42.74	0.376	Slip Joint	73.000	0.214000	65
3	53.000	21.46	32.80	0.281	Slip Joint	60.000	0.214000	65

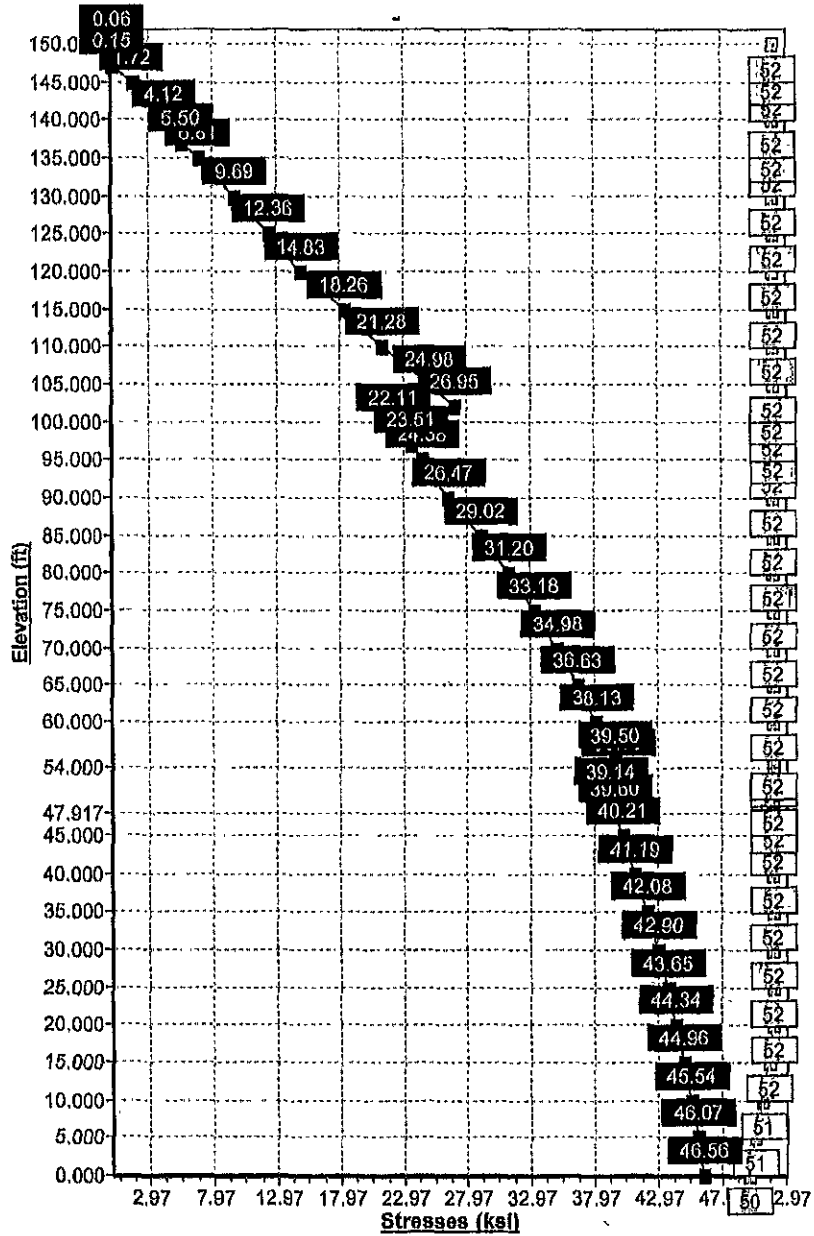
Discrete Appurtenance					
Attach Elev (ft)	Force Elev (ft)	Type	Qty	Description	
147.000	148.500	Platform	1	Platform w/Rail	
147.000	150.000	Panel	12	KRY 112 71x TMA	
147.000	150.000	Panel	6	DR86-17-02DPLQ2	
147.000	144.000	Panel	12	DB978H	
137.000	137.000	Platform	1	Low Profile Platform	
137.000	137.000	Panel	9	AWS9016.02D	
120.000	120.000	Panel	6	LPA 185063/8CF	
120.000	120.000	Platform	1	Low Profile Platform	
120.000	120.000	Panel	6	LPA-80063/4CF	
110.000	110.000	Panel	16	Larsen 108426-200	
110.000	110.000	Platform	3	NUDD 14FT BOOM	
90.000	91.500	Platform	1	Platform w/Rail	
90.000	90.000	Panel	12	FV90-11-00NA	

Linear Appurtenance			
Elev (ft) From	To	Description	Exposed To Wind
0.000	150.0	1 5/8" Coax	Yes

Load Cases / Deflections			
Load Case	Attach Elev (ft)	Translation (in)	Rotation (deg)
No Ice <u>No Ice Wind Speed = 75.00 mph w/ No Ice</u>			
	147.000	86.49	-4.831
	137.000	76.42	-4.777
	120.000	69.86	-4.484
	110.000	60.72	-4.227
	90.000	34.32	-3.696
Ice <u>Ice Wind Speed = 64.95 mph w/ Ice 0.50 In Thick</u>			
	147.000	78.41	-4.392
	137.000	69.26	-4.343
	120.000	64.20	-4.084
	110.000	45.89	-3.839
	90.000	31.01	-3.259

Reactions			
Load Case	Moment (Kip-ft)	Shear (Kips)	Axial (Kips)
No Ice	3,292.795	33.606	-36.279
Ice	2,953.374	29.463	-48.565

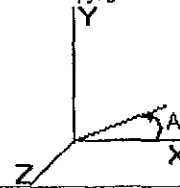
Load Case : No Ice



Pole : DC03XC086
 Location: Baltimore, MD
 Height: 150.0 (ft)
 Shape: 12 Sides
 Base Dia: 52.25 (in)
 Taper: 0.214000 (in/ft)

Sprint Sites USA - NJ

Base Elev: 0.000 (ft)
 Top Dia: 21.46 (in)



Shaft Section Properties

Sect Num	Length (ft)	Thick (in)	Fy (ksi)	Joint Type	Slip Joint Len (in)	Weight (lb)	Bottom				Top				Taper (in/ft)				
							Dia (in)	Elev (ft)	Area (sqin)	Ix (in^4)	W/t Ratio	D/t Ratio	Dia (in)	Elev (ft)		Area (sqin)	Ix (in^4)	W/t Ratio	D/t Ratio
1	54.000	0.4058	65		0.00	11,059	52.25	0.000	67.74	23238.2	32.36	128.7	40.69	54.00	52.64	10905.2	24.73	100.29	0.21400
2	54.083	0.3750	65	Slip Joint	73.00	8,130	42.74	47.91	51.16	11724.0	28.40	113.9	31.17	101.9	37.19	4502.0	20.13	83.13	0.21400
3	53.000	0.2813	65	Slip Joint	80.00	4,388	32.80	96.99	29.45	3976.7	29.11	116.6	21.46	150.0	19.18	1098.5	18.30	76.31	0.21400
Shaft Weight						23,575													

Discrete Appurtenance Properties

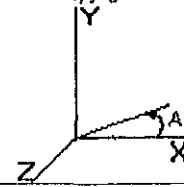
Attach Elev (ft)	Description	Qty	Weight (lb)	No Ice CaAa (sf)	CaAa Factor	Weight (lb)	Ice CaAa (sf)	CaAa Factor	Distance From Face (ft)	X Angle (deg)	Vert Ecc (ft)
147.0	Platform w/Rail	1	2500.00	35.850	1.00	3500.00	40.460	1.00	0.000	0.00	1.500
147.0	KRY 112 71x TMA	12	13.20	0.690	1.00	18.25	0.870	1.00	0.000	0.00	3.000
147.0	DR85-17-02DPLQ2	6	24.00	6.300	0.67	55.86	6.950	0.67	0.000	0.00	3.000
147.0	DB978H	12	7.00	2.650	1.00	23.00	3.100	1.00	0.000	0.00	-3.000
137.0	Low Profile Platform	1	1600.00	25.550	1.00	2100.00	27.320	1.00	0.000	0.00	0.000
137.0	AWS9016.02D	9	10.00	2.890	0.67	24.00	3.360	1.00	0.000	0.00	0.000
120.0	LPA 185063/8CF	6	9.00	2.970	1.00	30.93	3.480	1.00	0.000	0.00	0.000
120.0	Low Profile Platform	1	1600.00	25.550	1.00	2100.00	27.320	1.00	0.000	0.00	0.000
120.0	LPA-80063/4CF	6	20.00	7.010	1.00	72.60	7.630	1.00	0.000	0.00	0.000
110.0	Larsen 108426-200	16	8.50	2.200	1.00	23.00	2.650	1.00	0.000	0.00	0.000
110.0	NUDD 14FT BOOM	3	587.00	24.300	0.67	786.00	32.800	0.67	0.000	0.00	0.000
90.00	Platform w/Rail	1	2500.00	35.850	1.00	3500.00	40.460	1.00	0.000	0.00	1.500
90.00	FV90-11-00NA	12	18.00	6.290	0.67	48.00	6.790	0.67	0.000	0.00	0.000
Totals		86	10963.40			16169.34			Number of Loadings: 13		

Linear Appurtenance Properties

Elev From (ft)	Elev To (ft)	Description	No Ice Weight (lb/ft)	CaAa (sf/ft)	Ice Weight (lb/ft)	CaAa (sf/ft)	Exposed To Wind
0.00	150.00	1 5/8" Coax	12.00	1.20	36.00	1.80	Y
Total Weight			1,800.00 (lb)		5,400.00 (lb)		

Pole : DC03XC086
 Location: Baltimore, MD
 Height : 150.0 (ft)
 Shape : 12 Sides
 Base Dia : 52.25 (in)
 Taper : 0.214000 (in/ft)

Sprint Sites USA - NJ
 Base Elev : 0.000 (ft)
 Top Dia : 21.46 (in)

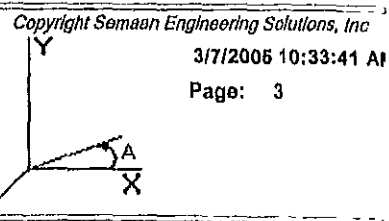


Segment Properties (Max Len : 5 ft)

Seg Elev (ft)	Description	Thick (in)	Dia (in)	Area (in^2)	Ix (in^4)	W/t Ratio	D/t Ratio	Fy (ksl)	Fb (ksl)	Weight (lb)
0.00		0.4058	52.250	67.735	23,238.2	32.36	128.77	65	50	0.0
5.00		0.4058	51.180	66.337	21,828.9	31.65	126.14	65	51	1,140.5
10.00		0.4058	50.110	64.939	20,477.7	30.95	123.50	65	51	1,116.8
15.00		0.4058	49.040	63.541	19,183.5	30.24	120.86	65	52	1,093.0
20.00		0.4058	47.970	62.143	17,945.0	29.53	118.23	65	52	1,069.2
25.00		0.4058	46.900	60.745	16,760.9	28.83	115.59	65	52	1,045.4
30.00		0.4058	45.830	59.347	15,630.2	28.12	112.95	65	52	1,021.6
35.00		0.4058	44.760	57.949	14,551.4	27.42	110.31	65	52	997.8
40.00		0.4058	43.690	56.552	13,523.5	26.71	107.68	65	52	974.1
45.00		0.4058	42.620	55.154	12,545.2	26.00	105.04	65	52	950.3
47.92	Bot - Section 2	0.4058	41.996	54.338	11,996.9	25.59	103.50	65	52	543.3
50.00		0.4058	41.550	53.756	11,615.2	25.30	102.40	65	52	743.9
54.00	Top - Section 1	0.3750	41.444	49.591	10,676.2	27.47	110.52	65	52	1,406.1
55.00		0.3750	41.230	49.332	10,510.1	27.32	109.95	65	52	168.3
60.00		0.3750	40.160	48.040	9,705.8	26.55	107.09	65	52	828.3
65.00		0.3750	39.090	46.748	8,943.6	25.79	104.24	65	52	806.4
70.00		0.3750	38.020	45.456	8,222.3	25.02	101.39	65	52	784.4
75.00		0.3750	36.950	44.164	7,541.0	24.26	98.53	65	52	762.4
80.00		0.3750	35.880	42.872	6,898.3	23.49	95.68	65	52	740.4
85.00		0.3750	34.810	41.580	6,293.2	22.73	92.83	65	52	718.4
90.00		0.3750	33.740	40.288	5,724.6	21.96	89.97	65	52	696.5
95.00		0.3750	32.670	38.996	5,191.3	21.20	87.12	65	52	674.5
97.00	Bot - Section 3	0.3750	32.242	38.480	4,987.7	20.89	85.98	65	52	263.6
100.00		0.3750	31.600	37.704	4,692.2	20.44	84.27	65	52	686.7
102.00	Top - Section 2	0.2813	31.735	28.485	3,597.0	28.09	112.83	65	52	449.9
105.00		0.2813	31.093	27.903	3,381.1	27.48	110.55	65	52	287.9
110.00		0.2813	30.023	28.934	3,041.0	26.46	106.75	65	52	466.5
115.00		0.2813	28.953	25.965	2,724.4	25.44	102.94	65	52	450.0
120.00		0.2813	27.883	24.996	2,430.6	24.42	99.14	65	52	433.5
125.00		0.2813	26.813	24.027	2,158.8	23.40	95.33	65	52	417.0
130.00		0.2813	25.743	23.058	1,908.0	22.38	91.53	65	52	400.6
135.00		0.2813	24.673	22.089	1,677.4	21.36	87.72	65	52	384.1
137.00		0.2813	24.245	21.702	1,590.6	20.95	86.20	65	52	149.0
140.00		0.2813	23.603	21.120	1,466.2	20.34	83.92	65	52	218.6
145.00		0.2813	22.533	20.151	1,273.5	19.32	80.12	65	52	351.1
147.00		0.2813	22.105	19.764	1,201.4	18.92	78.59	65	52	135.8
150.00		0.2813	21.463	19.182	1,098.5	18.30	76.31	65	52	198.8
										23,574.6

Pole : DC03XC086
 Location: Baltimore, MD
 Height : 150.0 (ft)
 Shape : 12 Sides
 Base Dia : 52.25 (in)
 Taper : 0.214000 (in/ft)

Sprint Sites USA - NJ
 Base Elev : 0.000 (ft)
 Top Dia : 21.46 (in)



Load Case: No Ice	75 mph - No Ice	24 Iterations
Gust Response Factor : 1.69	Effective Wind Speed : 75.00 (mph)	
Dead Load Factor : 1.00		
Wind Load Factor : 1.00		

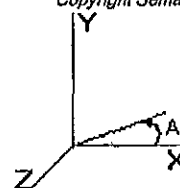
Shaft Forces

Seg Top Elev (ft)	Description	Kz	qz (psf)	qzGh (psf)	C (mph-ft)	Cf	Tributary (ft)	Aa (sf)	CfAa (sf)	Wind Force X (lb)	Wind Force Z (lb)	Weight (lb)
0.00		1.00	14.40	24.33	326.58	1.030	0.00	0.000	0.000	0.00	0.00	0.0
5.00		1.00	14.40	24.33	319.88	1.030	5.00	21.548	22.194	640.12	0.00	1,140.5
10.00		1.00	14.40	24.33	313.19	1.030	5.00	21.102	21.735	528.95	0.00	1,116.8
15.00		1.00	14.40	24.33	306.50	1.030	5.00	20.656	21.276	517.77	0.00	1,093.0
20.00		1.00	14.40	24.33	299.81	1.030	5.00	20.210	20.817	506.60	0.00	1,069.2
25.00		1.00	14.40	24.33	293.13	1.030	5.00	19.765	20.358	495.42	0.00	1,045.4
30.00		1.00	14.40	24.33	286.44	1.030	5.00	19.319	19.898	484.25	0.00	1,021.6
35.00		1.01	14.64	24.74	282.11	1.030	5.00	18.873	19.439	481.09	0.00	997.8
40.00		1.05	15.21	25.71	280.67	1.030	5.00	18.427	18.980	487.99	0.00	974.1
45.00		1.09	15.73	26.59	278.44	1.030	5.00	17.981	18.521	492.48	0.00	950.3
47.92	Bot - Section 2	1.11	16.01	27.07	276.84	1.030	2.92	10.283	10.592	286.74	0.00	543.3
50.00		1.12	16.21	27.40	275.57	1.030	2.08	7.382	7.604	208.38	0.00	743.9
54.00	Top - Section 1	1.15	16.57	28.01	272.88	1.030	4.00	13.957	14.376	402.71	0.00	1,406.1
55.00		1.15	16.66	28.18	277.20	1.030	1.00	3.445	3.548	99.91	0.00	168.3
60.00		1.18	17.08	28.86	273.38	1.030	5.00	16.956	17.465	504.19	0.00	828.3
65.00		1.21	17.47	29.53	269.16	1.030	5.00	16.510	17.006	502.29	0.00	806.4
70.00		1.24	17.85	30.16	264.57	1.030	5.00	16.065	16.547	499.19	0.00	784.4
75.00		1.26	18.20	30.76	259.67	1.030	5.00	15.619	16.087	495.00	0.00	762.4
80.00		1.28	18.54	31.34	254.49	1.030	5.00	15.173	15.628	489.82	0.00	740.4
85.00		1.31	18.87	31.89	249.05	1.030	5.00	14.727	15.169	483.73	0.00	718.4
90.00	Appertunance(s)	1.33	19.18	32.41	243.37	1.030	5.00	14.281	14.710	476.81	0.00	696.5
95.00		1.35	19.47	32.91	237.48	1.030	5.00	13.835	14.250	469.12	0.00	674.5
97.00	Bot - Section 3	1.36	19.59	33.11	235.07	1.030	2.00	5.408	5.570	184.47	0.00	263.6
100.00		1.37	19.76	33.40	231.39	1.030	3.00	8.122	8.366	279.46	0.00	686.7
102.00	Top - Section 2	1.38	19.87	33.59	228.91	1.030	2.00	5.324	5.483	184.21	0.00	449.9
105.00		1.39	20.04	33.87	229.27	1.030	3.00	7.855	8.090	274.05	0.00	287.9
110.00	Appertunance(s)	1.41	20.31	34.32	222.86	1.030	5.00	12.732	13.114	450.18	0.00	466.5
115.00		1.42	20.57	34.76	216.28	1.030	5.00	12.286	12.655	439.97	0.00	450.0
120.00	Appertunance(s)	1.44	20.82	35.19	209.56	1.030	5.00	11.841	12.196	429.19	0.00	433.5
125.00		1.46	21.06	35.60	202.70	1.030	5.00	11.395	11.737	417.88	0.00	417.0
130.00		1.48	21.30	36.00	195.70	1.030	5.00	10.949	11.277	406.05	0.00	400.6
135.00		1.49	21.53	36.39	188.58	1.030	5.00	10.503	10.818	393.74	0.00	384.1
137.00	Appertunance(s)	1.50	21.62	36.54	186.70	1.030	2.00	4.076	4.199	153.46	0.00	149.0
140.00		1.51	21.76	36.77	181.34	1.030	3.00	5.981	6.160	226.55	0.00	218.6
145.00		1.52	21.98	37.14	173.99	1.030	5.00	9.611	9.900	367.75	0.00	351.1
147.00	Appertunance(s)	1.53	22.06	37.29	171.02	1.030	2.00	3.720	3.831	142.88	0.00	135.8
150.00		1.54	22.19	37.50	166.53	1.030	3.00	5.446	5.609	210.39	0.00	198.8
				Totals:			150.00			14,012.81	0.00	23,574.6

Pole : DC03XC086
 Location: Baltimore, MD
 Height : 150.0 (ft)
 Shape : 12 Sides
 Base Dia : 52.25 (in)
 Taper : 0.214000 (in/ft)

Sprint Sites USA - NJ

Base Elev : 0.000 (ft)
 Top Dia : 21.46 (in)



Load Case: No Ice 75 mph - No Ice 24 Iterations

Gust Response Factor : 1.69 Effective Wind Speed : 75.00 (mph)

Dead Load Factor : 1.00

Wind Load Factor : 1.00

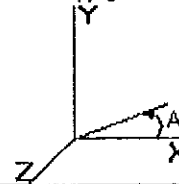
Discrete Appurtenance Forces

Elev (ft)	Description	Qty	qz (psf)	qzGh (psf)	Total CaAa (sf)	CaAa Factor	Horiz Ecc (ft)	Vert Ecc (ft)	X Angle (deg)	Wind Force X (lb)	Wind Force Z (lb)	Mom X (lb-ft)	Mom Y (lb-ft)	Mom Z (lb-ft)	Weight (lb)
90.00	Platform w/Rail	1	19.27	32.66	35.850	1.000	0.000	1.5	0.0	1167.57	0.00	0.00	0.00	1751.36	2500.0
90.00	FV90-11-00NA	12	19.18	32.41	50.345	0.667	0.000	0.0	0.0	1631.93	0.00	0.00	0.00	0.00	216.0
110.00	Larsen 108426-200	16	20.31	34.32	35.200	1.000	0.000	0.0	0.0	1208.33	0.00	0.00	0.00	0.00	136.0
110.00	NUDD 14FT BOOM	3	20.31	34.32	48.624	0.667	0.000	0.0	0.0	1669.15	0.00	0.00	0.00	0.00	1781.0
120.00	LPA 185063/8CF	6	20.82	35.19	17.820	1.000	0.000	0.0	0.0	627.12	0.00	0.00	0.00	0.00	54.0
120.00	Low Profile Platform	1	20.82	35.19	25.550	1.000	0.000	0.0	0.0	899.15	0.00	0.00	0.00	0.00	1600.0
120.00	LPA-80063/4CF	6	20.82	35.19	42.060	1.000	0.000	0.0	0.0	1480.16	0.00	0.00	0.00	0.00	120.0
137.00	Low Profile Platform	1	21.62	36.54	25.550	1.000	0.000	0.0	0.0	933.84	0.00	0.00	0.00	0.00	1600.0
137.00	AWS9016.02D	9	21.62	36.54	17.349	0.667	0.000	0.0	0.0	634.08	0.00	0.00	0.00	0.00	90.0
147.00	Platform w/Rail	1	22.13	37.40	35.850	1.000	0.000	1.5	0.0	1340.82	0.00	0.00	0.00	2011.22	2500.0
147.00	KRY 112 71x TMA	12	22.19	37.50	8.280	1.000	0.000	3.0	0.0	310.57	0.00	0.00	0.00	931.71	158.4
147.00	DR85-17-02DPLQ2	6	22.19	37.50	25.213	0.667	0.000	3.0	0.0	945.68	0.00	0.00	0.00	2837.05	144.0
147.00	DB978H	12	21.93	37.07	31.800	1.000	0.000	-3.0	0.0	1178.94	0.00	0.00	0.00	-	84.0
										14,027.3	0.00				10,963.4

Pole : DC03XC086
 Location: Baltimore, MD
 Height : 150.0 (ft)
 Shape : 12 Sides
 Base Dia : 52.25 (in)
 Taper : 0.214000 (in/ft)

Sprint Sites USA - NJ
 Base Elev : 0.000 (ft)
 Top Dia : 21.46 (in)

Copyright Samaan Engineering Solutions, Inc
 3/7/2005 10:33:41 AM
 Page: 5



Load Case: No Ice	75 mph - No Ice	24 Iterations
Gust Response Factor : 1.69	Effective Wind Speed : 75.00 (mph)	
Dead Load Factor : 1.00		
Wind Load Factor : 1.00		

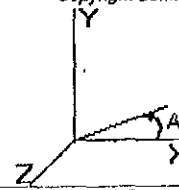
Linear Appurtenance Forces

Seg Elev (ft)	Description	Exposed To Wind	Applied Length (ft)	Weight (lb/ft)	CaAa (sf/ft)	qz (psf)	Wind Force X (lb)	Wind Force Z (lb)	Weight (lb)
5.00	1 5/8" Coax	Yes	5.00	12.00	1.20	14.400	146.02	0.00	60.00
10.00	1 5/8" Coax	Yes	5.00	12.00	1.20	14.400	146.02	0.00	60.00
15.00	1 5/8" Coax	Yes	5.00	12.00	1.20	14.400	146.02	0.00	60.00
20.00	1 5/8" Coax	Yes	5.00	12.00	1.20	14.400	146.02	0.00	60.00
25.00	1 5/8" Coax	Yes	5.00	12.00	1.20	14.400	146.02	0.00	60.00
30.00	1 5/8" Coax	Yes	5.00	12.00	1.20	14.400	146.02	0.00	60.00
35.00	1 5/8" Coax	Yes	5.00	12.00	1.20	14.644	148.49	0.00	60.00
40.00	1 5/8" Coax	Yes	5.00	12.00	1.20	15.214	154.27	0.00	60.00
45.00	1 5/8" Coax	Yes	5.00	12.00	1.20	15.734	159.55	0.00	60.00
47.92	1 5/8" Coax	Yes	2.92	12.00	1.20	16.019	94.75	0.00	35.00
50.00	1 5/8" Coax	Yes	2.08	12.00	1.20	16.215	68.51	0.00	25.00
54.00	1 5/8" Coax	Yes	4.00	12.00	1.20	16.576	134.46	0.00	48.00
55.00	1 5/8" Coax	Yes	1.00	12.00	1.20	16.663	33.79	0.00	12.00
60.00	1 5/8" Coax	Yes	5.00	12.00	1.20	17.082	173.21	0.00	60.00
65.00	1 5/8" Coax	Yes	5.00	12.00	1.20	17.477	177.22	0.00	60.00
70.00	1 5/8" Coax	Yes	5.00	12.00	1.20	17.851	181.01	0.00	60.00
75.00	1 5/8" Coax	Yes	5.00	12.00	1.20	18.207	184.62	0.00	60.00
80.00	1 5/8" Coax	Yes	5.00	12.00	1.20	18.548	188.05	0.00	60.00
85.00	1 5/8" Coax	Yes	5.00	12.00	1.20	18.870	191.34	0.00	60.00
90.00	1 5/8" Coax	Yes	5.00	12.00	1.20	19.180	194.49	0.00	60.00
95.00	1 5/8" Coax	Yes	5.00	12.00	1.20	19.479	197.52	0.00	60.00
97.00	1 5/8" Coax	Yes	2.00	12.00	1.20	19.595	79.46	0.00	23.99
100.0	1 5/8" Coax	Yes	3.00	12.00	1.20	19.767	120.28	0.00	36.01
102.0	1 5/8" Coax	Yes	2.00	12.00	1.20	19.879	80.61	0.00	23.99
105.0	1 5/8" Coax	Yes	3.00	12.00	1.20	20.044	121.97	0.00	36.01
110.0	1 5/8" Coax	Yes	5.00	12.00	1.20	20.312	205.97	0.00	60.00
115.0	1 5/8" Coax	Yes	5.00	12.00	1.20	20.572	208.60	0.00	60.00
120.0	1 5/8" Coax	Yes	5.00	12.00	1.20	20.823	211.15	0.00	60.00
125.0	1 5/8" Coax	Yes	5.00	12.00	1.20	21.068	213.63	0.00	60.00
130.0	1 5/8" Coax	Yes	5.00	12.00	1.20	21.305	216.03	0.00	60.00
135.0	1 5/8" Coax	Yes	5.00	12.00	1.20	21.536	218.38	0.00	60.00
137.0	1 5/8" Coax	Yes	2.00	12.00	1.20	21.627	87.72	0.00	24.00
140.0	1 5/8" Coax	Yes	3.00	12.00	1.20	21.761	132.39	0.00	36.00
145.0	1 5/8" Coax	Yes	5.00	12.00	1.20	21.980	222.88	0.00	60.00
147.0	1 5/8" Coax	Yes	2.00	12.00	1.20	22.067	89.50	0.00	24.00
150.0	1 5/8" Coax	Yes	3.00	12.00	1.20	22.194	135.03	0.00	36.00
Totals:							5,500.97	0.00	1,800.0

Pole : DC03XC086
 Location: Baltimore, MD
 Height : 150.0 (ft)
 Shape : 12 Sides
 Base Dia : 52.25 (in)
 Taper : 0.214000 (in/ft)

Sprint Sites USA - NJ

Base Elev : 0.000 (ft)
 Top Dia : 21.46 (in)



Load Case: No Ice 75 mph - No Ice 24 Iterations

Gust Response Factor : 1.69 Effective Wind Speed : 75.00 (mph)

Dead Load Factor : 1.00

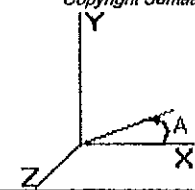
Wind Load Factor : 1.00

Applied Forces Summary

Seg Elev (ft)	X Coord (ft)	Z Coord (ft)	Lateral FX (-) (lb)	Axial FY (-) (lb)	Lateral FZ (lb)	Moment MX (lb-ft)	Torsion MY (lb-ft)	Moment MZ (lb-ft)
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5.00	0.00	0.00	686.14	1,200.55	0.00	0.00	0.00	0.00
10.00	0.00	0.00	674.96	1,176.76	0.00	0.00	0.00	0.00
15.00	0.00	0.00	663.79	1,152.98	0.00	0.00	0.00	0.00
20.00	0.00	0.00	652.61	1,129.19	0.00	0.00	0.00	0.00
25.00	0.00	0.00	641.44	1,105.41	0.00	0.00	0.00	0.00
30.00	0.00	0.00	630.26	1,081.62	0.00	0.00	0.00	0.00
35.00	0.00	0.00	629.58	1,057.84	0.00	0.00	0.00	0.00
40.00	0.00	0.00	642.26	1,034.05	0.00	0.00	0.00	0.00
45.00	0.00	0.00	652.03	1,010.27	0.00	0.00	0.00	0.00
47.92	0.00	0.00	381.50	578.34	0.00	0.00	0.00	0.00
50.00	0.00	0.00	276.88	768.94	0.00	0.00	0.00	0.00
54.00	0.00	0.00	537.18	1,454.08	0.00	0.00	0.00	0.00
55.00	0.00	0.00	133.71	180.31	0.00	0.00	0.00	0.00
60.00	0.00	0.00	677.41	888.35	0.00	0.00	0.00	0.00
65.00	0.00	0.00	679.52	866.36	0.00	0.00	0.00	0.00
70.00	0.00	0.00	680.20	844.38	0.00	0.00	0.00	0.00
75.00	0.00	0.00	679.61	822.40	0.00	0.00	0.00	0.00
80.00	0.00	0.00	677.87	800.42	0.00	0.00	0.00	0.00
85.00	0.00	0.00	675.07	778.43	0.00	0.00	0.00	0.00
90.00	0.00	0.00	3,470.80	3,472.45	0.00	0.00	0.00	1,751.36
95.00	0.00	0.00	666.63	734.47	0.00	0.00	0.00	0.00
97.00	0.00	0.00	263.93	287.57	0.00	0.00	0.00	0.00
100.00	0.00	0.00	399.74	722.66	0.00	0.00	0.00	0.00
102.00	0.00	0.00	264.82	473.91	0.00	0.00	0.00	0.00
105.00	0.00	0.00	396.01	323.86	0.00	0.00	0.00	0.00
110.00	0.00	0.00	3,533.63	2,423.50	0.00	0.00	0.00	0.00
115.00	0.00	0.00	648.57	510.02	0.00	0.00	0.00	0.00
120.00	0.00	0.00	3,646.77	2,267.53	0.00	0.00	0.00	0.00
125.00	0.00	0.00	631.50	477.04	0.00	0.00	0.00	0.00
130.00	0.00	0.00	622.09	460.56	0.00	0.00	0.00	0.00
135.00	0.00	0.00	612.12	444.07	0.00	0.00	0.00	0.00
137.00	0.00	0.00	1,809.10	1,863.01	0.00	0.00	0.00	0.00
140.00	0.00	0.00	358.95	254.57	0.00	0.00	0.00	0.00
145.00	0.00	0.00	590.63	411.10	0.00	0.00	0.00	0.00
147.00	0.00	0.00	4,008.39	3,046.22	0.00	0.00	0.00	2,243.18
150.00	0.00	0.00	345.42	234.79	0.00	0.00	0.00	0.00
Totals:			33,541.11	36,338.00	0.00	0.00	0.00	3,994.53

Pole : DC03XC086
 Location: Baltimore, MD
 Height : 150.0 (ft)
 Shape : 12 Sides
 Base Dia : 52.25 (In)
 Taper : 0.214000 (In/ft)

Sprint Sites USA - NJ
 Base Elev : 0.000 (ft)
 Top Dia : 21.46 (In)



Load Case: No Ice 75 mph - No Ice 24 Iterations

Gust Response Factor : 1.89 Effective Wind Speed : 75.00 (mph)

Dead Load Factor : 1.00

Wind Load Factor : 1.00

Calculated Forces and Deflections

Seg Elev (ft)	Lateral FX (-) (klps)	Axial FY (-) (klps)	Lateral FZ (klps)	Moment MX (ft-klps)	Torsion MY (ft-klps)	Moment MZ (ft-klps)	X Deflect (In)	Z Deflect (In)	Total Deflect (In)	Rotation (deg)
0.00	33.605	36.279	0.000	0.000	0.000	3,292.795	0.000	0.000	0.000	0.000
5.00	33.037	34.966	0.000	0.000	0.000	3,124.775	-0.106	0.000	0.106	-0.196
10.00	32.473	33.680	0.000	0.000	0.000	2,959.592	-0.418	0.000	0.418	-0.395
15.00	31.913	32.421	0.000	0.000	0.000	2,797.229	-0.939	0.000	0.939	-0.595
20.00	31.357	31.190	0.000	0.000	0.000	2,637.665	-1.671	0.000	1.671	-0.796
25.00	30.805	29.985	0.000	0.000	0.000	2,480.881	-2.614	0.000	2.614	-0.999
30.00	30.257	28.808	0.000	0.000	0.000	2,326.857	-3.770	0.000	3.770	-1.203
35.00	29.703	27.659	0.000	0.000	0.000	2,175.573	-5.140	0.000	5.140	-1.408
40.00	29.129	26.538	0.000	0.000	0.000	2,027.061	-6.725	0.000	6.725	-1.613
45.00	28.519	25.466	0.000	0.000	0.000	1,881.418	-8.525	0.000	8.525	-1.819
47.92	28.165	24.850	0.000	0.000	0.000	1,798.238	-9.675	0.000	9.675	-1.941
50.00	27.914	24.029	0.000	0.000	0.000	1,739.563	-10.542	0.000	10.542	-2.028
54.00	27.364	22.547	0.000	0.000	0.000	1,627.907	-12.312	0.000	12.312	-2.193
55.00	27.273	22.312	0.000	0.000	0.000	1,600.543	-12.776	0.000	12.776	-2.235
60.00	26.637	21.356	0.000	0.000	0.000	1,484.179	-15.228	0.000	15.228	-2.442
65.00	25.992	20.429	0.000	0.000	0.000	1,330.996	-17.896	0.000	17.896	-2.647
70.00	25.340	19.530	0.000	0.000	0.000	1,201.037	-20.777	0.000	20.777	-2.849
75.00	24.683	18.660	0.000	0.000	0.000	1,074.337	-23.866	0.000	23.866	-3.045
80.00	24.020	17.820	0.000	0.000	0.000	950.926	-27.158	0.000	27.158	-3.237
85.00	23.355	17.009	0.000	0.000	0.000	830.826	-30.646	0.000	30.646	-3.420
90.00	19.718	13.697	0.000	0.000	0.000	712.304	-34.321	0.000	34.321	-3.595
95.00	19.031	12.969	0.000	0.000	0.000	613.715	-38.173	0.000	38.173	-3.760
97.00	18.767	12.674	0.000	0.000	0.000	575.661	-39.761	0.000	39.761	-3.825
100.00	18.335	11.955	0.000	0.000	0.000	519.353	-42.194	0.000	42.194	-3.918
102.00	18.053	11.477	0.000	0.000	0.000	482.692	-43.847	0.000	43.847	-3.979
105.00	17.660	11.143	0.000	0.000	0.000	428.525	-46.375	0.000	46.375	-4.066
110.00	13.984	8.945	0.000	0.000	0.000	340.226	-50.719	0.000	50.719	-4.227
115.00	13.319	8.454	0.000	0.000	0.000	270.307	-55.221	0.000	55.221	-4.370
120.00	9.520	6.456	0.000	0.000	0.000	203.715	-59.863	0.000	59.863	-4.494
125.00	8.863	6.016	0.000	0.000	0.000	156.114	-64.623	0.000	64.623	-4.599
130.00	8.213	5.596	0.000	0.000	0.000	111.799	-69.484	0.000	69.484	-4.687
135.00	7.571	5.198	0.000	0.000	0.000	70.733	-74.427	0.000	74.427	-4.755
137.00	6.614	3.490	0.000	0.000	0.000	55.592	-76.421	0.000	76.421	-4.777
140.00	5.237	3.264	0.000	0.000	0.000	38.749	-79.428	0.000	79.428	-4.802
145.00	4.615	2.903	0.000	0.000	0.000	12.564	-84.468	0.000	84.468	-4.827
147.00	0.364	0.205	0.000	0.000	0.000	1.092	-86.488	0.000	86.488	-4.831
150.00	0.345	0.000	0.000	0.000	0.000	0.000	-89.520	0.000	89.520	-4.831

Pole : DC03XC086
 Location: Baltimore, MD
 Height : 150.0 (ft)
 Shape : 12 Sides
 Base Dia : 52.25 (in)
 Taper : 0.214000 (in/ft)

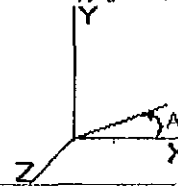
Sprint Sites USA - NJ

Base Elev : 0.000 (ft)
 Top Dia : 21.46 (in)

Copyright Semaan Engineering Solutions, Inc

3/7/2005 10:33:42 AM

Page: 8



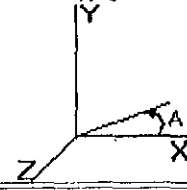
Load Case: No Ice	75 mph - No Ice	24 Iterations
Gust Response Factor : 1.69	Effective Wind Speed : 75.00 (mph)	
Dead Load Factor : 1.00		
Wind Load Factor : 1.00		

Calculated Stresses

Seg Elev (ft)	Applied Stresses							Allowable Stress (Fb) (ksi)	Stress Ratio
	Axial (Y) (ksi)	Shear (X) (ksi)	Shear (Z) (ksi)	Torsion (ksi)	Bending (X) (ksi)	Bending (Z) (ksi)	Combined (ksi)		
0.00	0.536	1.008	0.000	0.000	0.000	45.989	46.558	50.0	0.931
5.00	0.527	1.012	0.000	0.000	0.000	45.509	46.069	50.6	0.911
10.00	0.519	1.016	0.000	0.000	0.000	44.987	45.539	51.1	0.891
15.00	0.510	1.020	0.000	0.000	0.000	44.418	44.963	51.7	0.870
20.00	0.502	1.025	0.000	0.000	0.000	43.798	44.335	52.0	0.853
25.00	0.494	1.030	0.000	0.000	0.000	43.121	43.651	52.0	0.840
30.00	0.485	1.036	0.000	0.000	0.000	42.380	42.903	52.0	0.825
35.00	0.477	1.041	0.000	0.000	0.000	41.569	42.085	52.0	0.809
40.00	0.469	1.047	0.000	0.000	0.000	40.679	41.188	52.0	0.792
45.00	0.462	1.051	0.000	0.000	0.000	39.703	40.206	52.0	0.773
47.92	0.457	1.053	0.000	0.000	0.000	39.101	39.601	52.0	0.762
50.00	0.447	1.055	0.000	0.000	0.000	38.654	39.143	52.0	0.753
54.00	0.455	1.121	0.000	0.000	0.000	39.254	39.756	52.0	0.765
55.00	0.452	1.123	0.000	0.000	0.000	39.001	39.502	52.0	0.760
60.00	0.445	1.127	0.000	0.000	0.000	37.633	38.127	52.0	0.733
65.00	0.437	1.130	0.000	0.000	0.000	36.136	36.625	52.0	0.704
70.00	0.430	1.133	0.000	0.000	0.000	34.497	34.982	52.0	0.673
75.00	0.423	1.136	0.000	0.000	0.000	32.699	33.180	52.0	0.638
80.00	0.416	1.138	0.000	0.000	0.000	30.723	31.201	52.0	0.600
85.00	0.409	1.141	0.000	0.000	0.000	28.546	29.023	52.0	0.558
90.00	0.340	0.994	0.000	0.000	0.000	26.078	26.474	52.0	0.509
95.00	0.333	0.992	0.000	0.000	0.000	23.991	24.384	52.0	0.469
97.00	0.329	0.991	0.000	0.000	0.000	23.116	23.507	52.0	0.452
100.00	0.317	0.988	0.000	0.000	0.000	21.726	22.109	52.0	0.425
102.00	0.403	1.288	0.000	0.000	0.000	26.453	26.948	52.0	0.518
105.00	0.399	1.286	0.000	0.000	0.000	24.478	24.977	52.0	0.480
110.00	0.332	1.055	0.000	0.000	0.000	20.865	21.275	52.0	0.409
115.00	0.326	1.042	0.000	0.000	0.000	17.843	18.258	52.0	0.351
120.00	0.258	0.774	0.000	0.000	0.000	14.516	14.835	52.0	0.285
125.00	0.250	0.749	0.000	0.000	0.000	12.044	12.363	52.0	0.238
130.00	0.243	0.724	0.000	0.000	0.000	9.370	9.694	52.0	0.186
135.00	0.235	0.696	0.000	0.000	0.000	6.463	6.806	52.0	0.131
137.00	0.161	0.526	0.000	0.000	0.000	5.263	5.500	52.0	0.106
140.00	0.155	0.504	0.000	0.000	0.000	3.875	4.123	52.0	0.079
145.00	0.144	0.465	0.000	0.000	0.000	1.381	1.725	52.0	0.033
147.00	0.010	0.037	0.000	0.000	0.000	0.125	0.150	52.0	0.003
150.00	0.000	0.037	0.000	0.000	0.000	0.000	0.063	52.0	0.001

Pole : DC03XC086
 Location: Baltimore, MD
 Height : 150.0 (ft)
 Shape : 12 Sides
 Base Dia : 52.25 (in)
 Taper : 0.214000 (in/ft)

Sprint Sites USA - NJ
 Base Elev : 0.000 (ft)
 Top Dia : 21.46 (in)



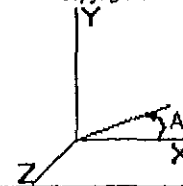
Load Case: Ice	75 mph - With Ice - Ice Thickness = 0.5 in	24 iterations
Gust Response Factor : 1.69	Effective Wind Speed : 64.95 (mph)	
Dead Load Factor : 1.00		
Wind Load Factor : 1.00		

Shaft Forces

Seg Top Elev (ft)	Description	Kz	qz (psf)	qzGh (psf)	C (mph-ft)	Cf	Tributary (ft)	Aa (sf)	CfAa (sf)	Wind Force X (lb)	Wind Force Z (lb)	Weight (lb)
0.00		1.00	10.79	18.25	282.80	1.030	0.00	0.000	0.000	0.00	0.00	0.0
5.00		1.00	10.79	18.25	277.01	1.030	5.00	21.965	22.624	412.90	0.00	1,302.3
10.00		1.00	10.79	18.25	271.22	1.030	5.00	21.519	22.164	404.52	0.00	1,275.2
15.00		1.00	10.79	18.25	265.43	1.030	5.00	21.073	21.705	396.14	0.00	1,248.1
20.00		1.00	10.79	18.25	259.64	1.030	5.00	20.627	21.246	387.76	0.00	1,220.9
25.00		1.00	10.79	18.25	253.85	1.030	5.00	20.181	20.787	379.38	0.00	1,193.8
30.00		1.00	10.79	18.25	248.05	1.030	5.00	19.735	20.327	371.00	0.00	1,166.7
35.00		1.01	10.98	18.56	244.31	1.030	5.00	19.290	19.868	368.76	0.00	1,139.5
40.00		1.05	11.41	19.28	243.06	1.030	5.00	18.844	19.409	374.25	0.00	1,112.4
45.00		1.09	11.80	19.94	241.13	1.030	5.00	18.398	18.950	377.90	0.00	1,085.3
47.92	Bot - Section 2	1.11	12.01	20.30	239.74	1.030	2.92	10.526	10.842	220.13	0.00	620.9
50.00		1.12	12.16	20.55	238.64	1.030	2.08	7.556	7.783	159.95	0.00	799.8
54.00	Top - Section 1	1.15	12.43	21.00	236.31	1.030	4.00	14.291	14.719	309.23	0.00	1,511.1
55.00		1.15	12.49	21.11	240.05	1.030	1.00	3.528	3.634	76.74	0.00	194.4
60.00		1.18	12.81	21.65	236.75	1.030	5.00	17.373	17.894	387.42	0.00	955.6
65.00		1.21	13.10	22.15	233.09	1.030	5.00	16.927	17.435	388.21	0.00	930.3
70.00		1.24	13.38	22.62	229.12	1.030	5.00	16.481	16.976	384.08	0.00	905.0
75.00		1.26	13.65	23.07	224.88	1.030	5.00	16.035	16.516	381.13	0.00	879.6
80.00		1.28	13.90	23.50	220.39	1.030	5.00	15.590	16.057	377.43	0.00	854.3
85.00		1.31	14.15	23.91	215.68	1.030	5.00	15.144	15.598	373.04	0.00	829.0
90.00	Appertunance(s)	1.33	14.38	24.31	210.76	1.030	5.00	14.698	15.139	368.02	0.00	803.6
95.00		1.35	14.60	24.68	205.66	1.030	5.00	14.252	14.680	362.41	0.00	778.3
97.00	Bot - Section 3	1.36	14.69	24.83	203.57	1.030	2.00	5.575	5.742	142.61	0.00	304.6
100.00		1.37	14.82	25.05	200.39	1.030	3.00	8.372	8.623	216.03	0.00	748.0
102.00	Top - Section 2	1.38	14.90	25.19	198.23	1.030	2.00	5.490	5.655	142.47	0.00	490.3
105.00		1.39	15.03	25.40	198.55	1.030	3.00	8.105	8.348	212.07	0.00	347.2
110.00	Appertunance(s)	1.41	15.23	25.74	192.99	1.030	5.00	13.149	13.543	348.66	0.00	562.1
115.00		1.42	15.42	26.07	187.30	1.030	5.00	12.703	13.084	341.15	0.00	542.2
120.00	Appertunance(s)	1.44	15.61	26.39	181.48	1.030	5.00	12.257	12.625	333.20	0.00	522.4
125.00		1.46	15.80	26.70	175.53	1.030	5.00	11.811	12.166	324.85	0.00	502.5
130.00		1.48	15.97	27.00	169.48	1.030	5.00	11.366	11.707	316.11	0.00	482.7
135.00		1.49	16.15	27.29	163.31	1.030	5.00	10.920	11.247	307.00	0.00	462.9
137.00	Appertunance(s)	1.50	16.21	27.41	160.81	1.030	2.00	4.243	4.370	119.79	0.00	180.0
140.00		1.51	16.32	27.58	157.04	1.030	3.00	6.231	6.418	177.01	0.00	263.8
145.00		1.52	16.48	27.85	150.68	1.030	5.00	10.028	10.329	287.75	0.00	423.2
147.00	Appertunance(s)	1.53	16.54	27.96	148.10	1.030	2.00	3.886	4.003	111.96	0.00	164.1
150.00		1.54	16.64	28.13	144.22	1.030	3.00	5.696	5.867	165.03	0.00	240.0
Totals:							150.00			10,804.07	0.00	27,042.3

Pole : DC03XC086
 Location: Baltimore, MD
 Height : 150.0 (ft)
 Shape : 12 Sides
 Base Dia : 52.25 (in)
 Taper : 0.214000 (in/ft)

Sprint Sites USA - NJ
 Base Elev : 0.000 (ft)
 Top Dia : 21.46 (in)



Load Case: Ice 75 mph - With Ice - Ice Thickness = 0.5 in 24 Iterations

Gust Response Factor : 1.69 Effective Wind Speed : 64.95 (mph)

Dead Load Factor : 1.00

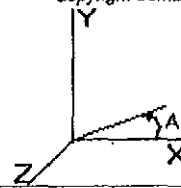
Wind Load Factor : 1.00

Discrete Appurtenance Forces

Elev (ft)	Description	Qty	qz (psf)	qzGh (psf)	Total CaAa (sf)	CaAa Factor	Horiz Ecc (ft)	Vert Ecc (ft)	X Angle (deg)	Wind Force X (lb)	Wind Force Z (lb)	Mom X (lb-ft)	Mom Y (lb-ft)	Mom Z (lb-ft)	Weight (lb)
90.00	Platform w/Rail	1	14.45	24.42	40.460	1.000	0.000	1.5	0.0	988.22	0.00	0.00	0.00	1482.34	3500.0
90.00	FV90-11-00NA	12	14.38	24.31	64.347	0.667	0.000	0.0	0.0	1321.16	0.00	0.00	0.00	0.00	578.0
110.00	Larsen 108426-200	18	15.23	25.74	42.400	1.000	0.000	0.0	0.0	1091.55	0.00	0.00	0.00	0.00	368.0
110.00	NUDD 14FT BOOM	3	15.23	25.74	65.633	0.667	0.000	0.0	0.0	1689.66	0.00	0.00	0.00	0.00	2358.0
120.00	LPA 185063/8CF	6	15.61	26.39	20.880	1.000	0.000	0.0	0.0	551.07	0.00	0.00	0.00	0.00	185.8
120.00	Low Profile Platform	1	15.61	26.39	27.320	1.000	0.000	0.0	0.0	721.03	0.00	0.00	0.00	0.00	2100.0
120.00	LPA-80063/4CF	6	15.61	26.39	45.780	1.000	0.000	0.0	0.0	1208.23	0.00	0.00	0.00	0.00	435.6
137.00	Low Profile Platform	1	16.21	27.41	27.320	1.000	0.000	0.0	0.0	748.85	0.00	0.00	0.00	0.00	2100.0
137.00	AWS9016.02D	9	16.21	27.41	30.240	1.000	0.000	0.0	0.0	828.89	0.00	0.00	0.00	0.00	218.0
147.00	Platform w/Rail	1	16.59	28.04	40.460	1.000	0.000	1.5	0.0	1134.86	0.00	0.00	0.00	1702.28	3500.0
147.00	KRY 112 71x TMA	12	16.64	28.13	10.440	1.000	0.000	3.0	0.0	293.67	0.00	0.00	0.00	881.02	219.0
147.00	DR85-17-02DPLQ2	6	16.64	28.13	27.814	0.667	0.000	3.0	0.0	782.40	0.00	0.00	0.00	2347.19	335.2
147.00	DB978H	12	16.46	27.80	37.200	1.000	0.000	-3.0	0.0	1034.29	0.00	0.00	0.00	-	278.0
										12,393.8	0.00				16,169.3

Pole : DC03XC086
 Location: Baltimore, MD
 Height : 150.0 (ft)
 Shape : 12 Sides
 Base Dia : 52.25 (in)
 Taper : 0.214000 (in/ft)

Sprint Sites USA - NJ
 Base Elev : 0.000 (ft)
 Top Dia : 21.46 (in)



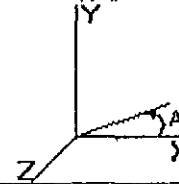
Load Case: Ice 75 mph - With Ice - Ice Thickness = 0.5 in 24 Iterations
 Gust Response Factor : 1.69 Effective Wind Speed : 64.95 (mph)
 Dead Load Factor : 1.00
 Wind Load Factor : 1.00

Linear Appurtenance Forces

Seg Elev (ft)	Description	Exposed To Wind	Applied Length (ft)	Weight (lb/ft)	CaAa (sf/ft)	qz (psf)	Wind Force X (lb)	Wind Force Z (lb)	Weight (lb)
5.00	1 5/8" Coax	Yes	5.00	36.00	1.80	10.799	164.26	0.00	180.00
10.00	1 5/8" Coax	Yes	5.00	36.00	1.80	10.799	164.26	0.00	180.00
15.00	1 5/8" Coax	Yes	5.00	36.00	1.80	10.799	164.26	0.00	180.00
20.00	1 5/8" Coax	Yes	5.00	36.00	1.80	10.799	164.26	0.00	180.00
25.00	1 5/8" Coax	Yes	5.00	36.00	1.80	10.799	164.26	0.00	180.00
30.00	1 5/8" Coax	Yes	5.00	36.00	1.80	10.799	164.26	0.00	180.00
35.00	1 5/8" Coax	Yes	5.00	36.00	1.80	10.982	167.04	0.00	180.00
40.00	1 5/8" Coax	Yes	5.00	36.00	1.80	11.410	173.54	0.00	180.00
45.00	1 5/8" Coax	Yes	5.00	36.00	1.80	11.800	179.48	0.00	180.00
47.92	1 5/8" Coax	Yes	2.92	36.00	1.80	12.014	106.59	0.00	105.00
50.00	1 5/8" Coax	Yes	2.08	36.00	1.80	12.161	77.07	0.00	75.00
64.00	1 5/8" Coax	Yes	4.00	36.00	1.80	12.431	151.26	0.00	144.00
55.00	1 5/8" Coax	Yes	1.00	36.00	1.80	12.496	38.01	0.00	36.00
60.00	1 5/8" Coax	Yes	5.00	36.00	1.80	12.811	194.85	0.00	180.00
65.00	1 5/8" Coax	Yes	5.00	36.00	1.80	13.107	199.36	0.00	180.00
70.00	1 5/8" Coax	Yes	5.00	36.00	1.80	13.388	203.63	0.00	180.00
75.00	1 5/8" Coax	Yes	5.00	36.00	1.80	13.654	207.68	0.00	180.00
80.00	1 5/8" Coax	Yes	5.00	36.00	1.80	13.908	211.55	0.00	180.00
85.00	1 5/8" Coax	Yes	5.00	36.00	1.80	14.151	215.24	0.00	180.00
90.00	1 5/8" Coax	Yes	5.00	36.00	1.80	14.384	218.79	0.00	180.00
95.00	1 5/8" Coax	Yes	5.00	36.00	1.80	14.608	222.19	0.00	180.00
97.00	1 5/8" Coax	Yes	2.00	36.00	1.80	14.696	89.39	0.00	71.98
100.0	1 5/8" Coax	Yes	3.00	36.00	1.80	14.824	135.30	0.00	108.02
102.0	1 5/8" Coax	Yes	2.00	36.00	1.80	14.908	90.68	0.00	71.98
105.0	1 5/8" Coax	Yes	3.00	36.00	1.80	15.032	137.20	0.00	108.02
110.0	1 5/8" Coax	Yes	5.00	36.00	1.80	15.233	231.70	0.00	180.00
115.0	1 5/8" Coax	Yes	5.00	36.00	1.80	15.428	234.66	0.00	180.00
120.0	1 5/8" Coax	Yes	5.00	36.00	1.80	15.617	237.53	0.00	180.00
125.0	1 5/8" Coax	Yes	5.00	36.00	1.80	15.800	240.32	0.00	180.00
130.0	1 5/8" Coax	Yes	5.00	36.00	1.80	15.978	243.02	0.00	180.00
135.0	1 5/8" Coax	Yes	5.00	36.00	1.80	16.151	245.66	0.00	180.00
137.0	1 5/8" Coax	Yes	2.00	36.00	1.80	16.219	98.68	0.00	72.00
140.0	1 5/8" Coax	Yes	3.00	36.00	1.80	16.320	148.94	0.00	108.00
145.0	1 5/8" Coax	Yes	5.00	36.00	1.80	16.484	250.73	0.00	180.00
147.0	1 5/8" Coax	Yes	2.00	36.00	1.80	16.549	100.68	0.00	72.00
150.0	1 5/8" Coax	Yes	3.00	36.00	1.80	16.645	151.90	0.00	108.00
Totals:							6,188.23	0.00	5,400.0

Pole : DC03XC086
 Location: Baltimore, MD
 Height: 150.0 (ft)
 Shape: 12 Sides
 Base Dia: 52.25 (in)
 Taper: 0.214000 (in/ft)

Sprint Sites USA - NJ
 Base Elev: 0.000 (ft)
 Top Dia: 21.46 (in)



Load Case: Ice 75 mph - With Ice - Ice Thickness = 0.5 in 24 Iterations

Gust Response Factor: 1.69 Effective Wind Speed: 64.95 (mph)

Dead Load Factor: 1.00

Wind Load Factor: 1.00

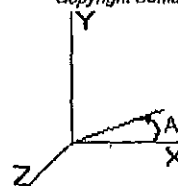
Applied Forces Summary

Seg Elev (ft)	X Coord (ft)	Z Coord (ft)	Lateral FX (-) (lb)	Axial FY (-) (lb)	Lateral FZ (lb)	Moment MX (lb-ft)	Torsion MY (lb-ft)	Moment MZ (lb-ft)
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5.00	0.00	0.00	577.16	1,482.34	0.00	0.00	0.00	0.00
10.00	0.00	0.00	568.78	1,455.20	0.00	0.00	0.00	0.00
15.00	0.00	0.00	560.40	1,428.07	0.00	0.00	0.00	0.00
20.00	0.00	0.00	552.02	1,400.93	0.00	0.00	0.00	0.00
25.00	0.00	0.00	543.63	1,373.80	0.00	0.00	0.00	0.00
30.00	0.00	0.00	535.25	1,346.66	0.00	0.00	0.00	0.00
35.00	0.00	0.00	535.84	1,319.53	0.00	0.00	0.00	0.00
40.00	0.00	0.00	547.79	1,292.39	0.00	0.00	0.00	0.00
45.00	0.00	0.00	557.38	1,265.26	0.00	0.00	0.00	0.00
47.92	0.00	0.00	328.72	725.94	0.00	0.00	0.00	0.00
50.00	0.00	0.00	237.02	874.76	0.00	0.00	0.00	0.00
54.00	0.00	0.00	460.49	1,655.13	0.00	0.00	0.00	0.00
55.00	0.00	0.00	114.76	230.43	0.00	0.00	0.00	0.00
60.00	0.00	0.00	582.27	1,135.63	0.00	0.00	0.00	0.00
65.00	0.00	0.00	585.57	1,110.30	0.00	0.00	0.00	0.00
70.00	0.00	0.00	587.71	1,084.97	0.00	0.00	0.00	0.00
75.00	0.00	0.00	588.81	1,059.84	0.00	0.00	0.00	0.00
80.00	0.00	0.00	588.98	1,034.31	0.00	0.00	0.00	0.00
85.00	0.00	0.00	588.28	1,008.97	0.00	0.00	0.00	0.00
90.00	0.00	0.00	2,896.19	5,059.64	0.00	0.00	0.00	1,482.34
95.00	0.00	0.00	584.61	958.31	0.00	0.00	0.00	0.00
97.00	0.00	0.00	232.00	376.55	0.00	0.00	0.00	0.00
100.00	0.00	0.00	351.34	856.04	0.00	0.00	0.00	0.00
102.00	0.00	0.00	233.16	562.26	0.00	0.00	0.00	0.00
105.00	0.00	0.00	349.27	455.22	0.00	0.00	0.00	0.00
110.00	0.00	0.00	3,361.57	3,468.06	0.00	0.00	0.00	0.00
115.00	0.00	0.00	575.81	722.22	0.00	0.00	0.00	0.00
120.00	0.00	0.00	3,051.07	3,423.56	0.00	0.00	0.00	0.00
125.00	0.00	0.00	565.17	682.55	0.00	0.00	0.00	0.00
130.00	0.00	0.00	559.13	662.71	0.00	0.00	0.00	0.00
135.00	0.00	0.00	552.66	642.87	0.00	0.00	0.00	0.00
137.00	0.00	0.00	1,796.21	2,568.00	0.00	0.00	0.00	0.00
140.00	0.00	0.00	325.94	371.84	0.00	0.00	0.00	0.00
145.00	0.00	0.00	538.48	603.20	0.00	0.00	0.00	0.00
147.00	0.00	0.00	3,457.86	4,566.29	0.00	0.00	0.00	1,827.63
150.00	0.00	0.00	316.93	348.04	0.00	0.00	0.00	0.00
Totals:			29,386.19	48,611.61	0.00	0.00	0.00	3,309.97

Pole : DC03XC086
 Location : Baltimore, MD
 Height : 150.0 (ft)
 Shape : 12 Sides
 Base Dia : 52.25 (in)
 Taper : 0.214000 (in/ft)

Sprint Sites USA - NJ
 Base Elev : 0.000 (ft)
 Top Dia : 21.46 (in)

Copyright Semaon Engineering Solutions, Inc
 3/7/2005 10:33:42 AM
 Page: 13



Load Case: Ice 75 mph - With Ice - Ice Thickness = 0.5 in 24 Iterations

Gust Response Factor : 1.69 Effective Wind Speed : 64.95 (mph)

Dead Load Factor : 1.00

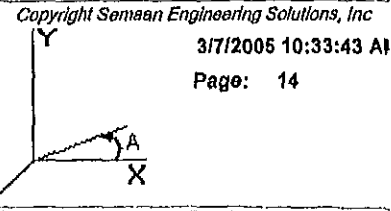
Wind Load Factor : 1.00

Calculated Forces and Deflections

Seg Elev (ft)	Lateral FX (-) (kips)	Axial FY (-) (kips)	Lateral FZ (kips)	Moment MX (ft-kips)	Torsion MY (ft-kips)	Moment MZ (ft-kips)	X Deflect (in)	Z Deflect (in)	Total Deflect (in)	Rotation (deg)
0.00	29.483	48.565	0.000	0.000	0.000	2,953.374	0.000	0.000	0.000	0.000
5.00	29.029	46.994	0.000	0.000	0.000	2,806.064	-0.095	0.000	0.095	-0.176
10.00	28.595	45.452	0.000	0.000	0.000	2,660.924	-0.375	0.000	0.375	-0.354
15.00	28.163	43.940	0.000	0.000	0.000	2,517.952	-0.843	0.000	0.843	-0.534
20.00	27.730	42.457	0.000	0.000	0.000	2,377.142	-1.501	0.000	1.501	-0.716
25.00	27.299	41.004	0.000	0.000	0.000	2,238.494	-2.349	0.000	2.349	-0.899
30.00	26.868	39.580	0.000	0.000	0.000	2,102.002	-3.389	0.000	3.389	-1.083
35.00	26.429	38.187	0.000	0.000	0.000	1,967.664	-4.623	0.000	4.623	-1.268
40.00	25.971	36.824	0.000	0.000	0.000	1,835.521	-6.051	0.000	6.051	-1.454
45.00	25.471	35.508	0.000	0.000	0.000	1,705.672	-7.674	0.000	7.674	-1.640
47.92	25.180	34.751	0.000	0.000	0.000	1,631.384	-8.711	0.000	8.711	-1.751
50.00	24.984	33.834	0.000	0.000	0.000	1,578.926	-9.493	0.000	9.493	-1.830
54.00	24.521	32.155	0.000	0.000	0.000	1,478.993	-11.091	0.000	11.091	-1.980
55.00	24.482	31.880	0.000	0.000	0.000	1,454.472	-11.510	0.000	11.510	-2.018
60.00	23.939	30.688	0.000	0.000	0.000	1,332.164	-13.724	0.000	13.724	-2.207
65.00	23.405	29.527	0.000	0.000	0.000	1,212.472	-16.136	0.000	16.136	-2.393
70.00	22.861	28.396	0.000	0.000	0.000	1,095.451	-18.741	0.000	18.741	-2.577
75.00	22.308	27.296	0.000	0.000	0.000	981.150	-21.536	0.000	21.536	-2.756
80.00	21.747	26.228	0.000	0.000	0.000	869.613	-24.516	0.000	24.516	-2.931
85.00	21.178	25.190	0.000	0.000	0.000	760.882	-27.676	0.000	27.676	-3.099
90.00	18.061	20.250	0.000	0.000	0.000	653.510	-31.007	0.000	31.007	-3.259
95.00	17.456	19.296	0.000	0.000	0.000	563.209	-34.501	0.000	34.501	-3.410
97.00	17.226	18.912	0.000	0.000	0.000	528.304	-35.941	0.000	35.941	-3.470
100.00	16.845	18.059	0.000	0.000	0.000	476.619	-38.149	0.000	38.149	-3.556
102.00	16.598	17.492	0.000	0.000	0.000	442.936	-39.650	0.000	39.650	-3.612
105.00	16.255	17.027	0.000	0.000	0.000	393.134	-41.944	0.000	41.944	-3.691
110.00	12.706	13.757	0.000	0.000	0.000	311.859	-45.889	0.000	45.889	-3.839
115.00	12.111	13.050	0.000	0.000	0.000	248.328	-49.980	0.000	49.980	-3.970
120.00	8.844	9.833	0.000	0.000	0.000	187.776	-54.198	0.000	54.198	-4.084
125.00	8.246	9.180	0.000	0.000	0.000	143.554	-58.526	0.000	58.526	-4.181
130.00	7.650	8.551	0.000	0.000	0.000	102.326	-62.946	0.000	62.946	-4.262
135.00	7.056	7.947	0.000	0.000	0.000	64.076	-67.441	0.000	67.441	-4.324
137.00	5.073	5.520	0.000	0.000	0.000	49.964	-69.256	0.000	69.256	-4.343
140.00	4.722	5.172	0.000	0.000	0.000	34.745	-71.990	0.000	71.990	-4.366
145.00	4.140	4.611	0.000	0.000	0.000	11.135	-76.572	0.000	76.572	-4.388
147.00	0.343	0.323	0.000	0.000	0.000	1.028	-78.410	0.000	78.410	-4.392
150.00	0.317	0.000	0.000	0.000	0.000	0.000	-81.167	0.000	81.167	-4.392

Pole : DC03XC086
 Location: Baltimore, MD
 Height : 150.0 (ft)
 Shape : 12 Sides
 Base Dia : 52.25 (In)
 Taper : 0.214000 (In/ft)

Sprint Sites USA - NJ
 Base Elev : 0.000 (ft)
 Top Dia : 21.46 (In)



Load Case: Ice 75 mph - With Ice - Ice Thickness = 0.5 in 24 Iterations

Gust Response Factor : 1.69 Effective Wind Speed : 64.95 (mph)

Dead Load Factor : 1.00

Wind Load Factor : 1.00

Calculated Stresses

Seg Elev (ft)	Applied Stresses							Combined (ksi)	Allowable Stress (Fb) (ksi)	Stress Ratio
	Axial (Y) (ksi)	Shear (X) (ksi)	Shear (Z) (ksi)	Torsion (ksi)	Bending (X) (ksi)	Bending (Z) (ksi)				
0.00	0.717	0.884	0.000	0.000	0.000	41.249	41.994	50.0	0.840	
5.00	0.708	0.889	0.000	0.000	0.000	40.867	41.804	50.6	0.823	
10.00	0.700	0.895	0.000	0.000	0.000	40.447	41.176	51.1	0.805	
15.00	0.692	0.901	0.000	0.000	0.000	39.983	40.705	51.7	0.788	
20.00	0.683	0.907	0.000	0.000	0.000	39.472	40.186	52.0	0.773	
25.00	0.675	0.913	0.000	0.000	0.000	38.908	39.615	52.0	0.762	
30.00	0.667	0.920	0.000	0.000	0.000	38.288	38.984	52.0	0.750	
35.00	0.659	0.927	0.000	0.000	0.000	37.596	38.289	52.0	0.736	
40.00	0.651	0.933	0.000	0.000	0.000	36.835	37.521	52.0	0.722	
45.00	0.644	0.938	0.000	0.000	0.000	35.995	36.675	52.0	0.705	
47.92	0.640	0.942	0.000	0.000	0.000	35.473	36.150	52.0	0.695	
50.00	0.629	0.944	0.000	0.000	0.000	35.084	35.751	52.0	0.688	
54.00	0.648	1.005	0.000	0.000	0.000	35.663	36.353	52.0	0.699	
55.00	0.646	1.008	0.000	0.000	0.000	35.442	36.130	52.0	0.695	
60.00	0.639	1.012	0.000	0.000	0.000	34.240	34.922	52.0	0.672	
65.00	0.632	1.017	0.000	0.000	0.000	32.918	33.596	52.0	0.646	
70.00	0.625	1.022	0.000	0.000	0.000	31.464	32.138	52.0	0.618	
75.00	0.618	1.026	0.000	0.000	0.000	29.863	30.533	52.0	0.587	
80.00	0.612	1.031	0.000	0.000	0.000	28.096	28.763	52.0	0.553	
85.00	0.606	1.035	0.000	0.000	0.000	26.143	26.809	52.0	0.516	
90.00	0.503	0.911	0.000	0.000	0.000	23.925	24.479	52.0	0.471	
95.00	0.495	0.910	0.000	0.000	0.000	22.016	22.566	52.0	0.434	
97.00	0.491	0.910	0.000	0.000	0.000	21.214	21.762	52.0	0.419	
100.00	0.479	0.908	0.000	0.000	0.000	19.938	20.478	52.0	0.394	
102.00	0.614	1.184	0.000	0.000	0.000	24.274	24.973	52.0	0.480	
105.00	0.610	1.184	0.000	0.000	0.000	22.456	23.158	52.0	0.445	
110.00	0.511	0.959	0.000	0.000	0.000	19.125	19.706	52.0	0.378	
115.00	0.503	0.948	0.000	0.000	0.000	16.393	16.975	52.0	0.326	
120.00	0.393	0.719	0.000	0.000	0.000	13.380	13.830	52.0	0.266	
125.00	0.382	0.697	0.000	0.000	0.000	11.075	11.521	52.0	0.222	
130.00	0.371	0.674	0.000	0.000	0.000	8.576	9.022	52.0	0.174	
135.00	0.360	0.649	0.000	0.000	0.000	5.854	6.315	52.0	0.121	
137.00	0.254	0.475	0.000	0.000	0.000	4.730	5.052	52.0	0.097	
140.00	0.245	0.454	0.000	0.000	0.000	3.474	3.801	52.0	0.073	
145.00	0.229	0.417	0.000	0.000	0.000	1.224	1.623	52.0	0.031	
147.00	0.016	0.035	0.000	0.000	0.000	0.117	0.147	52.0	0.003	
150.00	0.000	0.034	0.000	0.000	0.000	0.000	0.058	52.0	0.001	

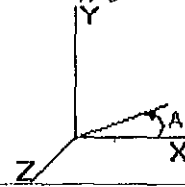
Pole : DC03XC086
 Location: Baltimore, MD
 Height : 150.0 (ft)
 Shape : 12 Sides
 Base Dia : 52.25 (in)
 Taper : 0.214000 (in/ft)

Sprint Sites USA - NJ
 Base Elev : 0.000 (ft)
 Top Dia : 21.46 (in)

Copyright Semaan Engineering Solutions, Inc

3/7/2006 10:33:43 AM

Page: 15



Load Case: No Ice	75 mph - No Ice	24 Iterations
Gust Response Factor : 1.69	Effective Wind Speed : 75.00 (mph)	
Dead Load Factor : 1.00		
Wind Load Factor : 1.00		

Analysis Summary

Load Case	Reactions						Max Stresses			
	Shear FX (kips)	Shear FZ (kips)	Axial FY (kips)	Moment MX (ft-kips)	Moment MY (ft-kips)	Moment MZ (ft-kips)	Combined Stress (ksi)	Allowable Stress (ksi)	Elev (ft)	Stress Ratio
No Ice	33.605	0.000	36.279	0.000	0.000	3,292.795	46.658	50.0	0.000	0.931
Ice	29.463	0.000	48.565	0.000	0.000	2,953.374	41.994	50.0	0.000	0.840

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 5627

DATE 9-6-01 ACCOUNT R001 006 6150

AMOUNT \$ 40.00

RECEIVED FROM: BRIAN PARSONS

FOR: SPIRIT AND INTENT

1301 CHEVERLY ROAD BELVEDERE BAPTIST
CHURCH CASE # 96-508-SPHX

9TH ED

GZ

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

707/01 9/06/20 15:04:35
6806 CASHIER DRP WND DRWNER
RECEIPT # 155393
0.00 0.00
0.00 0.00

Receipt 40.00
0.00 CR 00.00
Baltimore County Maryland

CASHIER'S VALIDATION



Baltimore County
Department of Permits and
Development Management

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

June 25, 2001

Mr. Brian Parsons
Nextel Communications
7055 Samuel Morse Drive, Ste. 100
Columbia, MD 21046

Dear Mr. Parsons:

RE: 1301 Cheverly Road, Belvedere Baptist Church
Spirit and Intent Case No. 96-508-SPHX
9th Election District

Your letter addressed to Mr. Jablon, dated June 14, 2001, 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.

Provided that the height of the existing tower is not increased and no lighting of any kind is placed on the tower, the proposal is considered to be within the "spirit and intent" of Zoning Case No. 96-508-SPHX. You must sticky-back a copy of this letter on all plans submitted to Baltimore County for permit approval.

You must prepare an redline amended zoning site plan clearly showing the revisions 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 # 96-508-SPHX.

Signed By

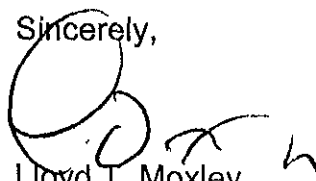
Date



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,

A handwritten signature in black ink, appearing to read 'L. Moxley', with a stylized flourish at the end.

Lloyd T. Moxley
Planner II
Zoning Review

LTM



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

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

December 29, 2005

Mr. David H. Karceski
Venable, LLP
210 Allegheny Avenue
Towson, MD 21285

Dear Mr. Karceski

RE: 1301 Cheverly Road, Belvedere Baptist Church
Spirit and Intent Case No. 96-508-SPHX
9th Election District

Your letter addressed to Mr. Kotroco, dated December 22, 2005, 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.

Provided that the height of the existing tower is not increased and no lighting of any kind is placed on the tower, the proposal is considered to be within the "spirit and intent" of Zoning Case No. 96-508-SPHX. You must sticky-back a copy of this letter on all plans submitted to Baltimore County for permit approval.

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,

A handwritten signature in black ink, appearing to read "Lloyd T. Moxley".

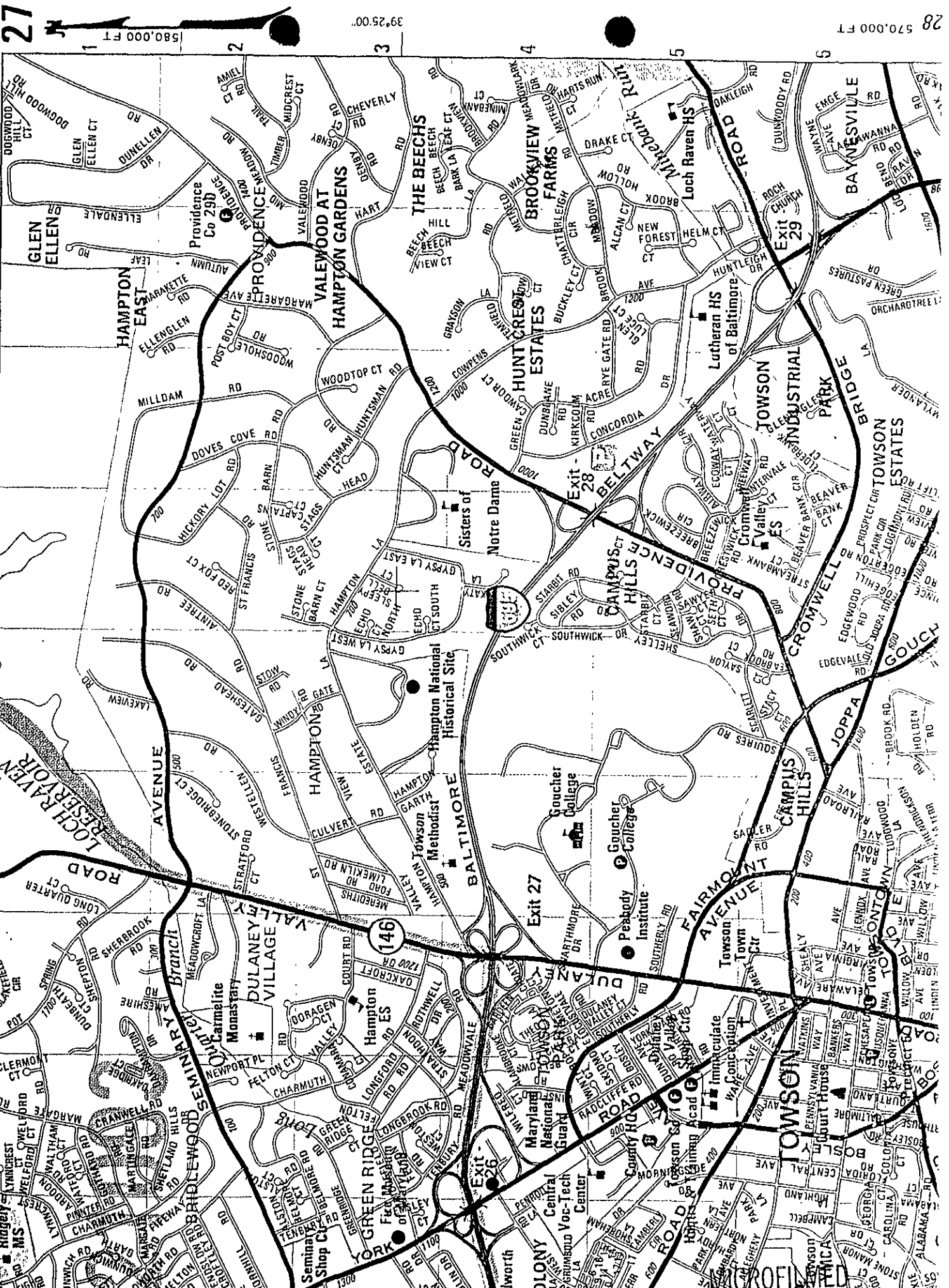
Lloyd T. Moxley
Planner II
Zoning Review

LTM



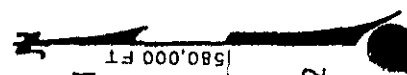
910,000 FT
920,000 FT
930,000 FT
940,000 FT
950,000 FT
960,000 FT
970,000 FT
980,000 FT
990,000 FT
1,000,000 FT

A B C D E F G H J K



Joins Map 19

27



39°25'00"

28 570,000 FT

Cy of Decision?

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

✓ Linda Semesky

1022 Hart Rd / Towson 21286

✓ C Edgar Thomas Jr

1101 Hart Road, Balt. 21286

✓ Ray HEPNER

MALTO 1 W PENNSYLVANIA AVE SUITE 850 21204
PROPERTY LOCATED AT 1570 HART RD.

✓ Lou Ann Muleahy

1000 Valewood Rd

✓ [unclear]

1000 Valewood Road

✓ [unclear]

1000 Valewood Rd

✓ Dennis Kennedy

1306 Denby Rd Towson 21286

✓ MARY FRANCES GRAEF

1201 HART ROAD, BALTIMORE, MD 21286

✓ Leslie H. Graef

6237 BELLONA AV. BALTO MD 21212

✓ JEFF DAVIDSON PROVIDENCE VOL. FIRE CO

905 METFIELD RD 21286

✓ GARRETT D. LOUR PVFD

1409 PROVIDENCE RD 21286

✓ Stanley A. Snyder

3700 E. Northern Pkwy - 2nd Fl. Balto., Md. 21206

ALEX NOLFI

1103 HART RD 21286

[unclear]

1103 Hart Rd

✓ Suzanne Loudermilk

Balto Sun, 1300 Bellona Ave Lutherville 21093

✓ Joan Magnani

1021 Valewood Rd Towson, Md 21286

✓ ANGELA E. LEKAS

ONE PICKFORD COURT - Towson 21286

JOHN HENZLER

1116 VALEWOOD RD. 21286-1653

POTTIE HENZLER

" " " " "

✓ CARLA REINHARD

1109 VALEWOOD RD TOWSON 21286

✓ Larry Cleavenger

111 Valewood Road Towson, MD. 21286

✓ Pat Kelbaugh

3 Pickford Court - Towson, MD 21286

✓ WILLIAM N. GILL

2 PICKFORD CT - TOWSON 21286

Gertrude Gill

" "

DWIGHT Weller

PO Box 4040, 21094



MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

✓ Arthur K Davis
ANDRES J. FACOTICO
Wendall S. Ward

1112 Valewood Rd. Towson, MD 21286
6901 Rockledge, Dr. Bethesda, MD.
1301 Cheverly Rd, Towson, 21286



For Definitions

Christine McSherry

MELANIE MOSER

Kevin Mason

Wendall Ward

Greg Sarro

Andres Falotico

Whiteford, Taylor & Preston

832-2000

DMW 296-3333

VCI 703-744-3887

Belvedere Baptist (410) 321-1003

APC 6901 Rockledge Dr.

Bethesda MD 20817

APC

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

96-508
SPHX

NAME	ADDRESS
✓ LINDA SEMESKY	1022 HART RD/TOWSON 21286
✓ MARY FRANCES GRAEF	1201 HART ROAD, BALTIMORE MD 21286
✓ C Edgar Thomas Jr.	1101 Hart Rd Balto MD 21286
✓ Leslie H. Graef	6277 Belora Av Balto 21212
Peggy H. Smith	4 Pickford Ct, 21286
Jack Smith	4 Pickford Ct/Towson 21286
JOHN KIRKNER	6 PICKFORD CT Towson, 21286
RAY HEPNER WLIF	1570 HART RD.
RALPH N. TAYLOR	1113 VALEWOOD RD TOWSON 11286
Arthur K. Davis	1112 VALEWOOD RD Towson 21286
✓ Sharon Norton	1304 Timber Trail Rd Towson 21286
ALEX NOLFI	1103 HART RD "
	"
✓ CARLA REINHARD	1109 VALEWOOD RD Towson 21286
ANDRÉS J. FALÓICO	APC "SPRINT SPECTRUM"
Greg Sarro	APC 6901 Kuckledge Dr. Bethesda MD 20817
Thomas D. McKewen	101A Valewood Rd, 21286
Dorothea A. Bristow	1003 Timber Trail Rd 21286
John Bristow	" " " " "
DOTTIE HENZLER	1116 VALEWOOD RD 21286
JOHN HENZLER	" " " "
✓ Gertrude Gill	2 Pickford Ct. 21286
WILLIAM N. GILL, Sr.	"
✓ PAT Kelbaugh	3 Pickford Ct 21286

(over) MICROFILMED



PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

Ronald Kelbaugh

3 Pickford Ct. 21286

1210 Block Meadow Dr

1210 Block Meadow Dr

21286

21286

* Charles Binardo RINAUDO

1210 Block Meadow Dr 21286

Chatterleigh ASSOC



MICROFILMED

96-508-5PHX

William Hill
2 Pickford Ct.
21286

Send copy of
Order when
Completed!

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (Sign IN, T-Testify)

CONCERNING: PETITION by Belvedere Baptist Church and American Personal Communications

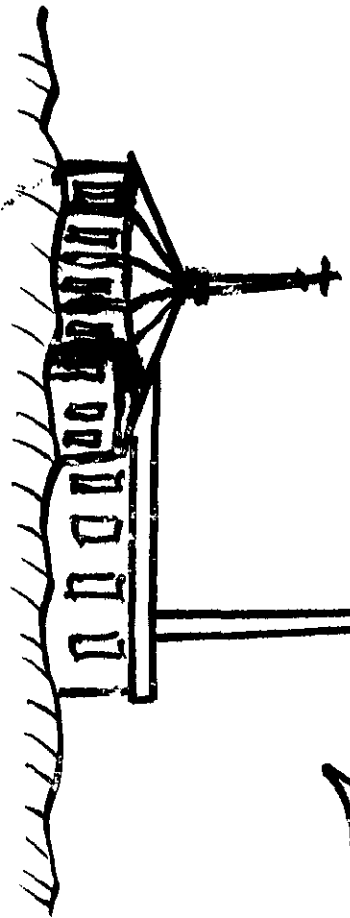
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

LINDA SEMESKY
337-8032

OR, TO ASK OUR PICKUP OR YOUR SIGNED OPINION



MICROFILMED

FOR: SPECIAL EXCEPTION for:

"INSTALLATION OF 150-ft Tall
RADIO TOWERS/REC. TOWER
with antennae elements (9)
and 24" satellite Dishes (2)"

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Larry Cleaver

Larry Cleaver

NAME(S) & SIGNATURE

1111 Valewood Road

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Monday
EVENING)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing: Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign IN, T-Testify)

CONCERNING: PETITION by Belvedere Baptist Church and "American Personal Communications"

More Info?

call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
or YOUR SIGNED OPINION

FOR: SPECIAL EXCEPTION for:

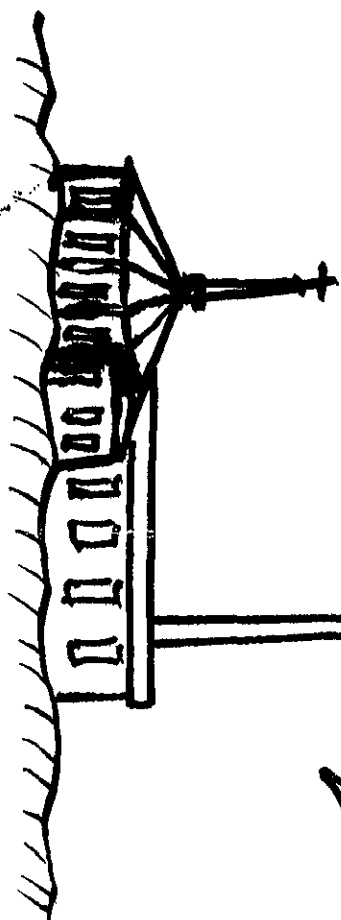
"INSTALLATION of 150-ft Tall
Radio Trans/Rec. Tower
with antenna-elements (9)
and 24" Satelite Dishes
(2)"

AND SPECIAL HEARING

"For A USE IN COMBINATION
of A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!



IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Cherlyn Clewenger

(Cherly) Clewenger

NAME(S) & SIGNATURE(S)

1111 Volerwood Rd

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
Evening

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing: Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign In, T. Testify)

CONCERNING: PETITION by Belvedere Baptist Church, and American Personal Communications

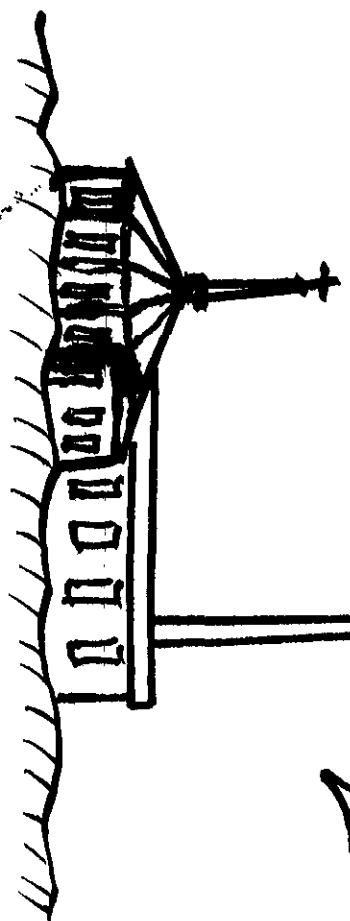
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
Radio Trans/Rec. Tower
with antenna-elements (9)
and 24' satellite Dishes
(2)"

AND SPECIAL HEARING

"For A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

DAVID L. FINK
David L. Fink

1035 HART RD

ADDRESS
(for identification)

NAME(S) & SIGNATURES:
PAUL T FARACE
Paul T. Farace

710... STREET APT

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
EVENING

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing: Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign IN, T-Testify)

CONCERNING: PETITION by Belvedere Baptist Church and American Personal Communications

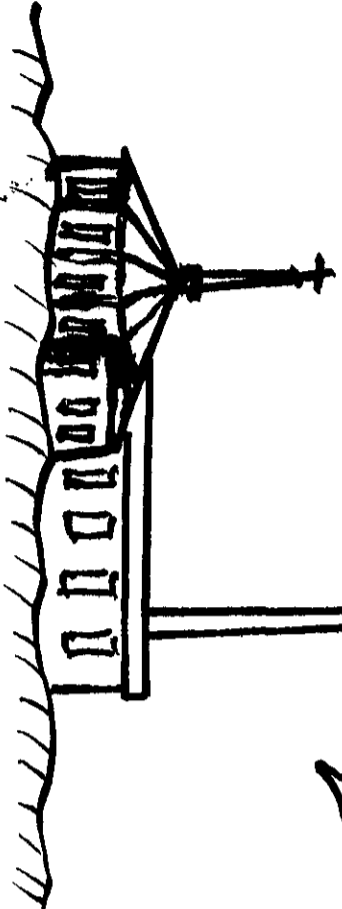
More Info?

call Bill Glick
321-1673

ED THOMAS
921-8116

LINDA JEMESKY
337-8032

OR, TO ASK OUR PICKUP
or your SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
Radio Trans/Rec. Tower
with antenna elements (9)
and 24' satellite Dishes
(2)"

AND SPECIAL HEARING

"For A USE IN COMBINATION
of A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
your opinion!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Ray Hepner (WLFF)

[Signature]

NAME(S) & SIGNATURE(S)

1570 HART Rd

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
EVENING

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
 at Old Courthouse, Room 118 (Sign IN, F-Testify)

PETITION by Belvidere Baptist Church
 and "American Personal Communications"

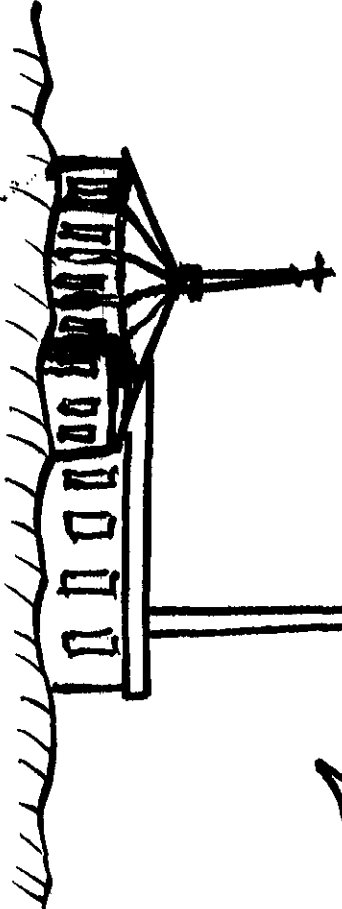
More Info?

call Bill Glick
 921-1673

ED THOMAS
 921-8116

LINDA SEMESKY
 337-8032

OR, TO ASK OUR PICKUP
 or YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"Installation of 150-ft Tall
 Radio Trans/Rec. Tower
 with antenna elements (9),
 and 24' Satellite Dishes
 (2)"

AND SPECIAL HEARING

"For a use in combination
 of a wireless transmitting
 and receiving facility,
 with an existing church"

"CASE # 96-508-SPHX"
 Item 507

Please attend and express
 your opinion!

IF YOU CANNOT ATTEND THE HEARING,
 PLEASE SIGN YOUR NAME(S)
 AS JOINING OUR PROTEST TO THIS CASE:

Kathleen M. Gill
Richard H. Gill

2. Pickford Ct.
 ADDRESS
 (for identification)

NAME(S) & SIGNATURE(S)

Deliver to one of
 us (see at left)
 OR CALL FOR OUR
 PICKUP (before Monday
 evening)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: TUES, JULY 23, 2:00 PM
AT OLD COURTHOUSE, ROOM 118 (SIGN IN, T-Testify)

CONCERNING: PETITION by Belvidere Baptist Church, and American Personal Communications

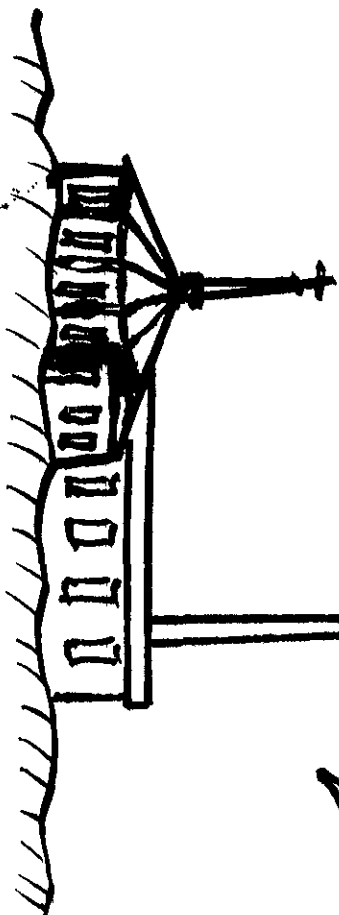
More Info?

Call Bill Glick
321-1673

Ed Thomas
821-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION OF 150-FT TALL
RADIO TRANS/REC. TOWER
with antenna elements (9)
and 24' satellite dishes"
(2)

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Reagan H. v. Jack Smith

Jack Smith
NAME(S) & SIGNATURE

J. Pickford Ct.

Address 21286
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)

URGENT ALERT!

To Hampden Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
 at Old Courthouse, Room 118 (Sign In, Testify)

CONCERNING : PETITION by Belvedere Baptist Church and "American Personal Communications"

More Info?

call Bill Glick
 321-1673

Ed Thomas
 921-8116

Linda Semesky
 339-8032

OR, TO ASK OUR PICKUP OR YOUR SIGNED OPINION

FOR: SPECIAL EXCEPTION for:

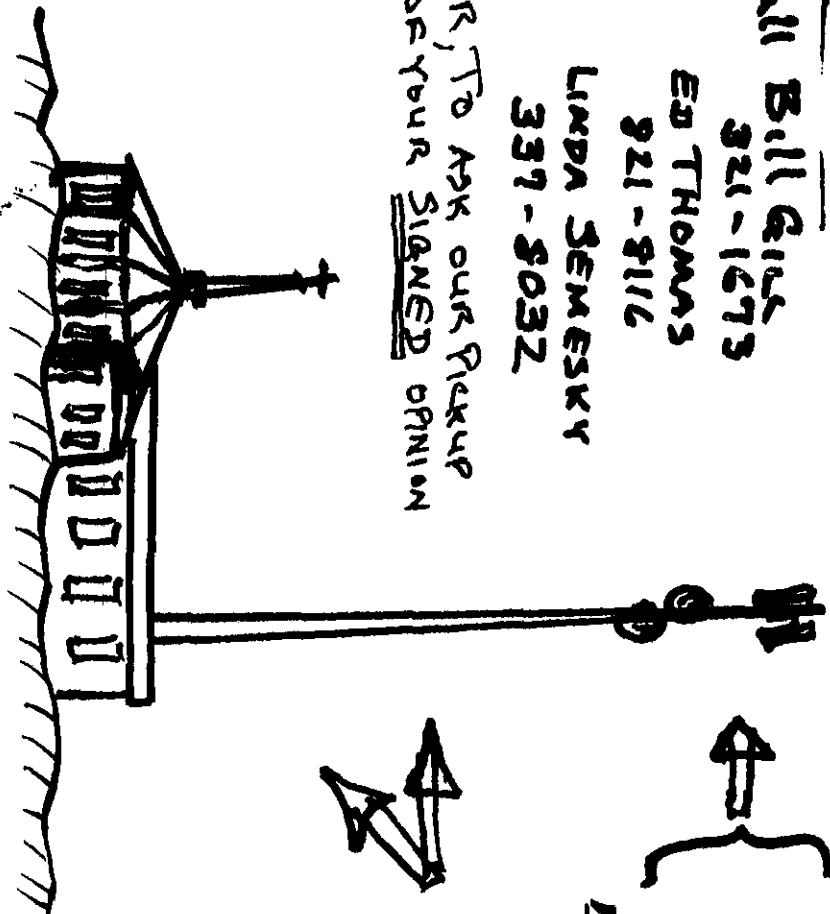
"INSTALLATION of 150-ft Tall RADIO TRNS/REC. TOWER with antenna-elements (9) and 24' satellite Dishes (2)"

AND SPECIAL HEARING

"FOR A USE IN COMBINATION OF A WIRELESS TRANSMITTING AND RECEIVING FACILITY, with an EXISTING CHURCH"

"CASE # 96-508-SPHX" Item 507

Please ATTEND AND EXPRESS YOUR OPINION!



IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

MARY FRANCES GRAEF
Mary Frances Graef
 NAME(S) & SIGNATURES

1201 HART ROAD, BALTIMORE, MD 21286
 ADDRESS
 (for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP (before Mon) ~~before Mon~~

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (Sew In, T-Testify)

CONCERNING: PETITION by Belvedere Baptist Church, and "American Personal Communications"

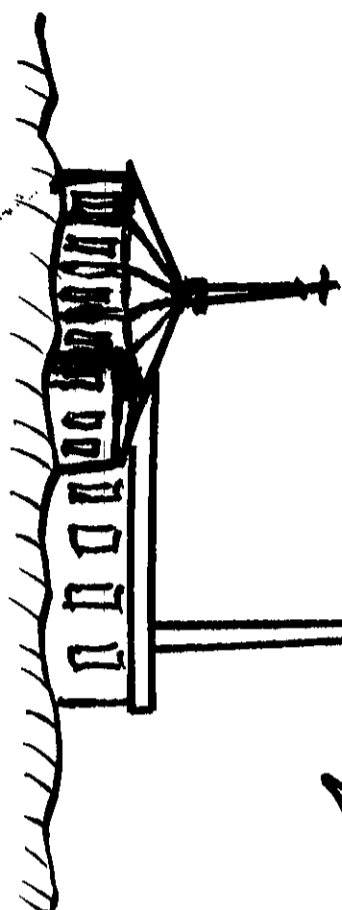
More Info?

call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OF YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"Installation of 150-ft Tall

RADIO TRANS/REC. TOWER

with antenna elements (9)
and 24' satellite dishes (2)

AND SPECIAL HEARING

"For A USE IN COMBINATION

OF A WIRELESS TRANSMITTING

AND RECEIVING FACILITY"

with an EXISTING CHURCH

"CASE # 96-508-SPHX"

Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

John R. Kirkner
Jan D. Kirkner

NAME(S) & SIGNATURE(S)

6 Pickford St.
ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Monday
EVENING)

July 23, 1996

As residents of the Hampton Gardens Community, we would like to express our opposition to the building of a radio tower at the Belvedere Baptist Church. There are already two radio towers in what is otherwise a quiet suburban neighborhood with no other development. These towers interfere with TV, telephone and radio reception. An additional tower would worsen the problem. We see no reason why a church needs a tower to broadcast. The church has ample room for its congregation to attend worship services!

Sincerely,

David and Eleanor Wells

5 Amiel Court

Towson, Maryland 21286

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
 AT Old Courthouse, Room 118 (Sign In, T-Testify)

CONCERNING : PETITION by Belvedere Baptist Church and "American Personal Communications"

More Info?

Call Bill Glick
 321-1673

Ed Thomas
 921-8116

Linda Semesky
 337-8032

OR, To Ask our Pickup
 or your SIGNED OPINION

FOR: SPECIAL EXCEPTION for:

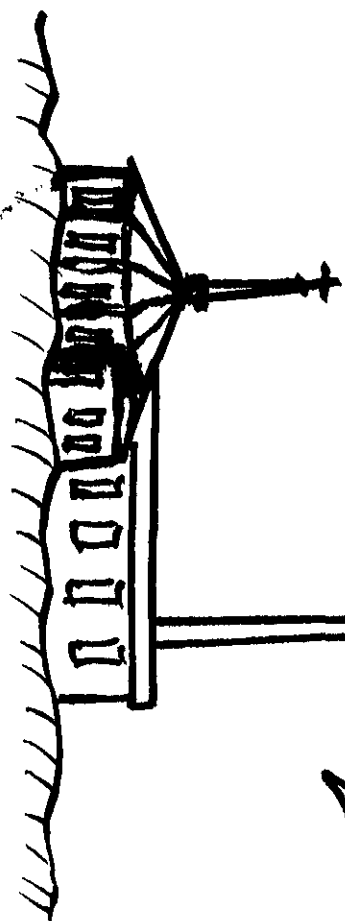
"INSTALLATION of 150-ft Tall
 Radio Trans/Rec. Tower
 with antennae elements (9)
 and 24" Satellite Dishes
 (2)"

AND SPECIAL HEARING

"For a use in combination
 of a wireless transmitting
 and receiving facility,
 with an existing church"

"CASE # 96-508-SPHX"
 Item 507

Please attend and express
 your opinion!



IF YOU CANNOT ATTEND THE HEARING,
 PLEASE SIGN YOUR NAME(S)
 AS JOINING OUR PROTEST TO THIS CASE:

Ronald Kelbaum

3 Pickford Court

NAME(S) & SIGNATURE(S)

ADDRESS
 (for identification)

21286

Deliver to one of
 us (see at left)
 OR CALL FOR OUR
 PICKUP (before Mon)
 evening

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (Sign IN, T-Testify)

CONCERNING: PETITION by Belvedere Baptist Church, and "American Personal Communications"

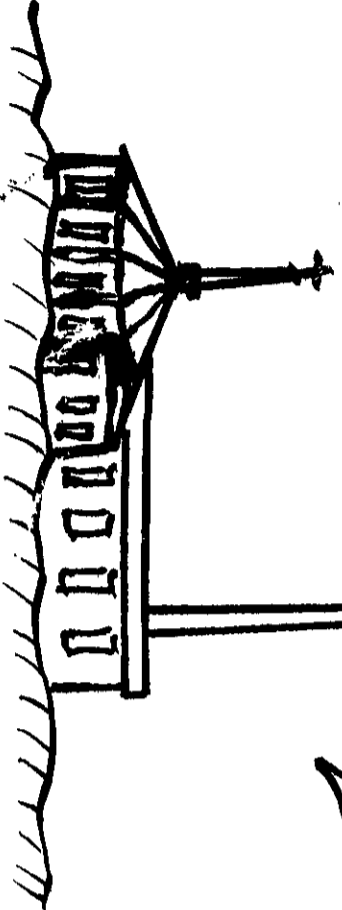
More Info?

Call Bill Glick
921-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
RADIO TRNS/REC. TOWER
with antennae elements (9),
and 24" satellite Dishes
(2)"

AND SPECIAL HEARING

"For A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

John K. Heuffer

1116 Valewood B, Towson Md.

NAME(S) & SIGNATURE:

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
Evening

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING : Tues, July 23, 2:00 PM
 AT OLD COURTHOUSE, Room 118 (Siew In, T-Testify)

CONCERNING : PETITION by Belvedere Baptist Church and American Personal Communications

More Info?

Call Bill Glick
 321-1673

Ed Thomas
 921-8116

Linda Semesky
 337-8032

OR, TO ASK OUR PICKUP
 or your SIGNED OPINION

FOR: SPECIAL EXCEPTION for:

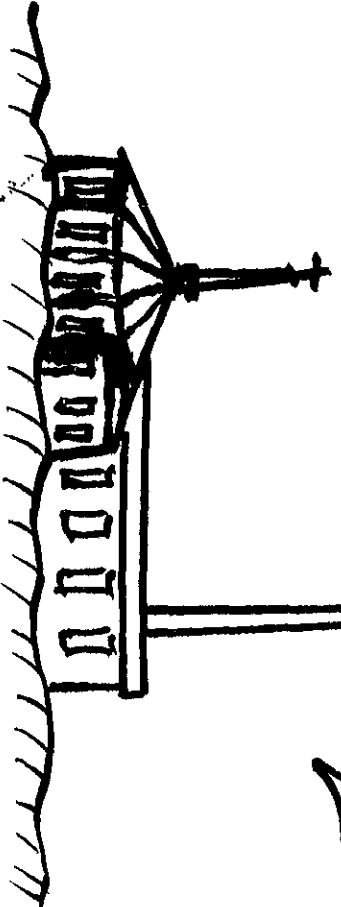
"Installation of 150-ft Tall
 RADIO TRANS/REC. TOWER
 with antenna elements (9)
 and 24' satellite Dishes
 (2)

AND SPECIAL HEARING

"For A USE IN COMBINATION
 OF A WIRELESS TRANSMITTING
 AND RECEIVING FACILITY,
 with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
 Item 507

Please ATTEND AND EXPRESS
 your OPINION!



IF YOU CANNOT ATTEND THE HEARING,
 PLEASE SIGN YOUR NAME(S)
 AS JOINING OUR PROTEST TO THIS CASE:

Edward E. Crawford
Pat Crawford
 NAME(S) & SIGNATURES

1805 Timber Trail Rd
 ADDRESS
 (for identification)

Deliver to one of
 us (see at left)
 OR CALL FOR OUR
 PICKUP (before Monday
 evening)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING : Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (Sign IN, Testify)

CONCERNING : PETITION by Belvedere Baptist Church and American Personal Communications

More Info?

Call Bill Givis
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, To Ask our Pickup
or your SIGNED OPINION

FOR: SPECIAL EXCEPTION for:

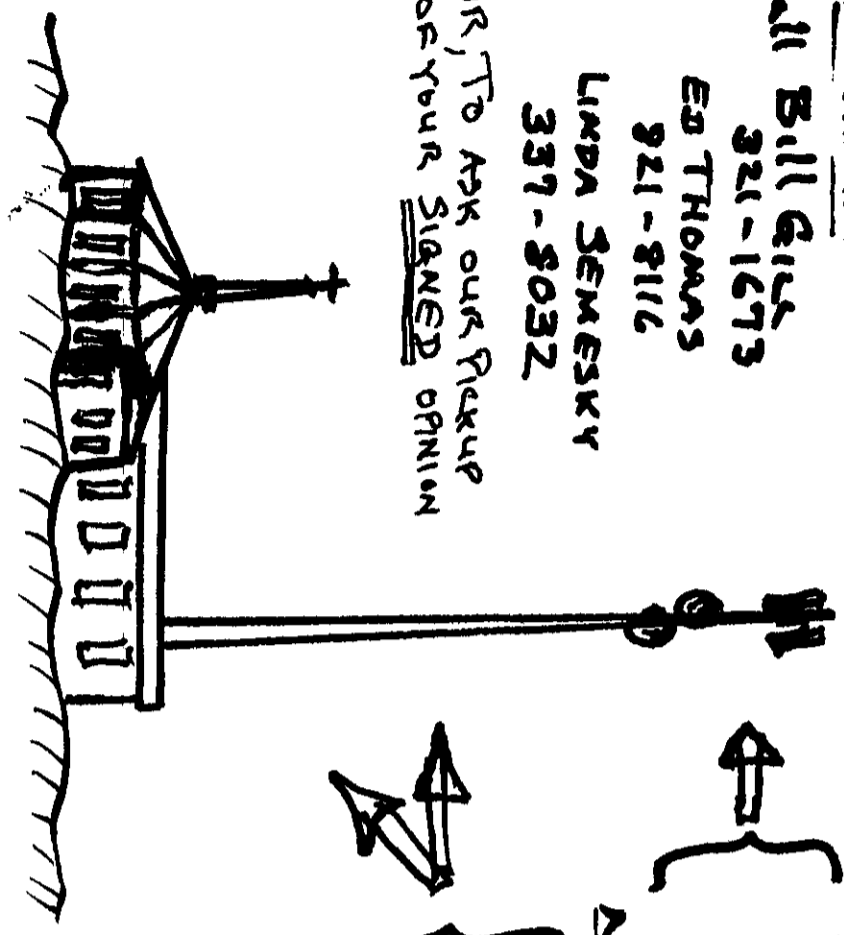
"Installation of 150-ft Tall
Radio Trans/Rec. Tower
with antenna elements (9)
and 24' Satellite Dishes
(2)"

AND SPECIAL HEARING

"For a use in combination
of a wireless transmitting
and receiving facility,
with an existing church"

"CASE # 96-508-SPHX"
Item 507

Please Attend and Express
Your Opinion!



IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

[Signature]
[Signature]
NAME(S) & SIGNATURE(S)

1007 Lumber Trail Rd.
ADDRESS 21286
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
[Signature]

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing: Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign In, T-Testify)

CONCERNING: PETITION by Belvedere Baptist Church and American Personal Communications FOR: SPECIAL EXCEPTION for: INSTALLATION of 150-ft Tall Radio Trans/Rec. Tower with antenna elements (9) and 24" satellite Dishes (2)

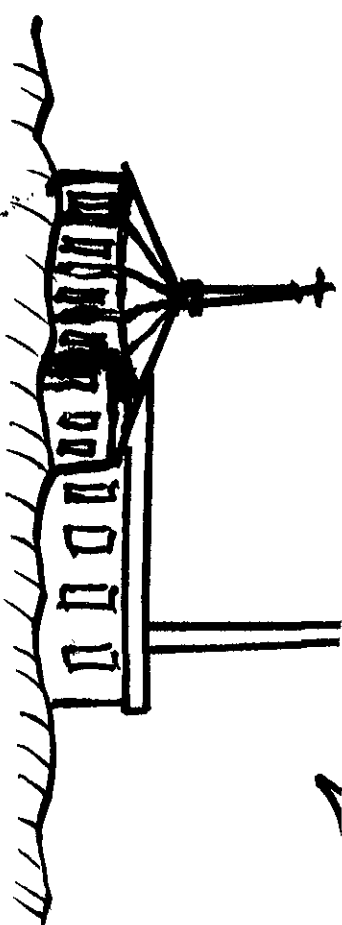
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for: INSTALLATION of 150-ft Tall Radio Trans/Rec. Tower with antenna elements (9) and 24" satellite Dishes (2)

AND SPECIAL HEARING for: A USE IN COMBINATION OF A WIRELESS TRANSMITTING AND RECEIVING FACILITY with an EXISTING CHURCH

"CASE # 96-508-SPHX" Item 507

Please ATTEND AND EXPRESS YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

Sharon York

1306 Alenby Rd 583-1656

NAME(S) & SIGNATURE

ADDRESS (for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP (before Monday)

AT&T Wireless will camouflage their PCS transponders to fit esthetically into trees, steeples, cornices, cover

If you'd like a contact, I'd be glad
to refer Belvedere Baptist.

If you'd like a contact, I'd be glad
to refer Belvedere Baptist.

As
Sponsored

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (Sign IN, T Testify)

CONCERNING: PETITION by Belvidere Baptist Church and American Personal Communications

More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP OR YOUR SIGNED OPINION

FOR: SPECIAL EXCEPTION for:

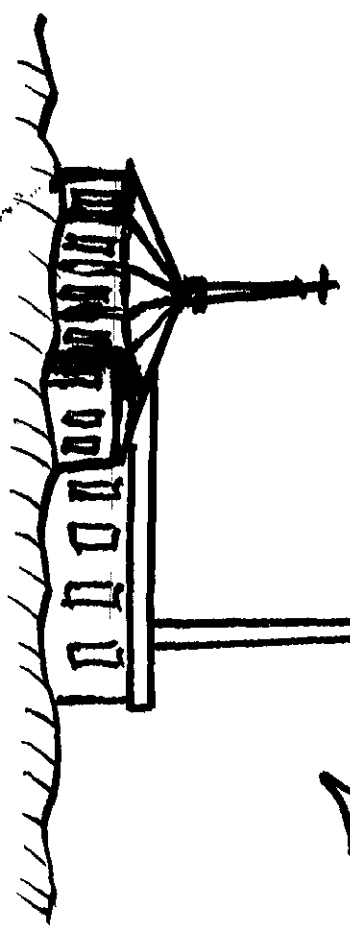
"INSTALLATION of 150-ft Tall RADIO TRANS/REC. TOWER with antennae elements (9) and 24" satellite dishes (2)"

AND SPECIAL HEARING

"For A USE IN COMBINATION OF A WIRELESS TRANSMITTING AND RECEIVING FACILITY with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS YOUR OPINION!



IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S)

AS JOINING OUR PROTEST TO THIS CASE:

Ed Thomas
wa

1101 Hart Road, ^{Belle Mead} NJ 07003

NAME(S) & SIGNATURE

ADDRESS (for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP (before Monday evening)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING : Tues, July 23, 2:00 PM
 AT OLD COURTHOUSE, Room 118 (Sign IN, F Testify)

CONCERNING : PETITION by Belvidere Baptist Church, and "American Personal Communications"

More Info?

call Bill Gills
 321-1673

ED THOMAS
 921-8116

LINDA JEMESKY
 337-8032

OR, TO ASK OUR PICKUP
 OF YOUR SIGNED OPINION

FOR: SPECIAL EXCEPTION for:

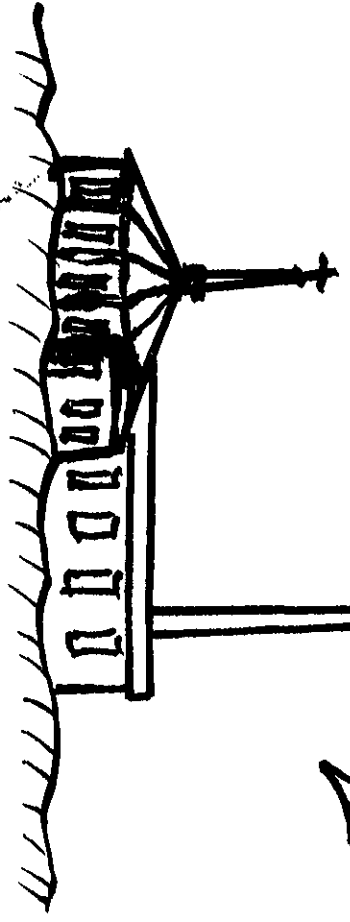
"INSTALLATION of 150-ft Tall
 RADIO TRANS/REC. TOWER
 with antennae-elements (9)
 and 24" satellite Dishes (2)"

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
 OF A WIRELESS TRANSMITTING
 AND RECEIVING FACILITY,
 with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
 Item 507

Please ATTEND AND EXPRESS
 YOUR OPINION!



IF YOU CANNOT ATTEND THE HEARING,
 PLEASE SIGN YOUR NAME(S)
 AS JOINING OUR PROTEST TO THIS CASE:

Sharon M. Culotta

1027 Hart Rd. 21286

NAME(S) & SIGNATURE(S)

ADDRESS
 (for identification)

Deliver to one of
 us (see at left)
 OR CALL FOR OUR
 PICKUP *before Mon
 evening

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign In, T-Testify)

CONCERNING : PETITION by Belvidere Baptist Church and American Personal Communications

More Info?

call Bill Glick
321-1673

ED THOMAS
921-8116

LINDA SEMESKY
337-8032

OR, TO ASK OUR PICKUP
or your SIGNED OPINION

FOR: SPECIAL EXCEPTION for:

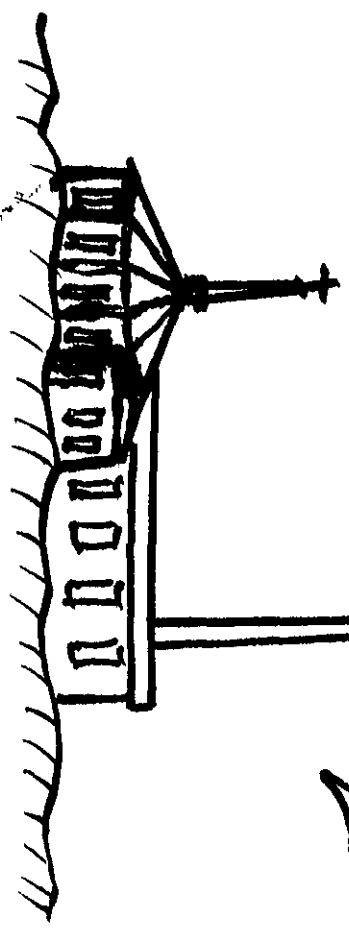
"Installation of 150-ft Tall
Radio Trans/Rec. Tower
with antenna-elements (9)
and 24' satellite Dishes
(2)"

AND SPECIAL HEARING

"For a use in combination
of a wireless transmitting
and receiving facility,
with an existing church"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
your OPINION!



IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

James T. Manning
Johanna M. Manning
Johanna M. Manning

NAME(S) & SIGNATURES

1111 Hart Road
ADDRESS
(for identification)

Deliver to one of
us (see left)
OR CALL FOR OUR
PICKUP (before Mon)
EVENING

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING : Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (Sign IN, F-Testify)

CONCERNING: PETITION by Belvedere Baptist Church
and "American Personal Communications"

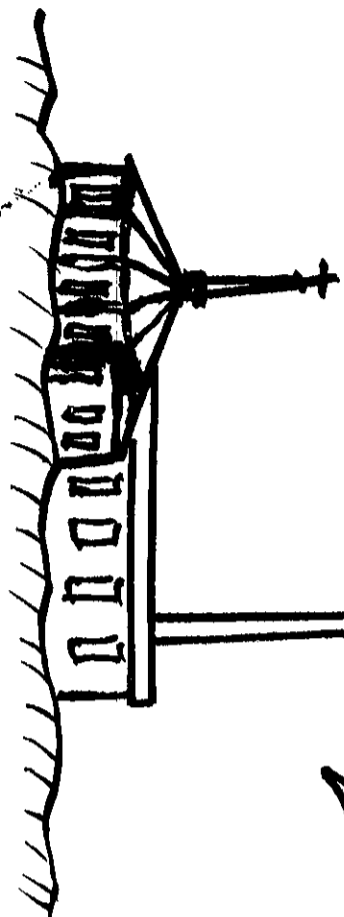
More Info?

call Bill Glick
321-1673

ED THOMAS
921-8116

LINDA JEMESKY
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"Installation of 150-ft Tall
Radio Trans/Rec. Tower
with antennae-elements (9),
and 24" Satellite Dishes
(2)"

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Michael Formicola

2 PINK TREE CT.

MARIA GUARIGROS
NAME(S) & SIGNATURE

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
EVENING

URGENT ALERT!

To Hampden Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign In, T-Testify)

CONCERNING : PETITION by Belvidere Baptist Church, and American Personal Communications

More Info?

Call Bill Glick
321-1673

Ed Thomas
921-9116

Linda Semerky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION

Relayed Circle
of 1st District

FOR: SPECIAL EXCEPTION for:

"INSTALLATION OF 150-FT TALL

RADIO TRANS/REC. TOWER

with antenna elements (9)
and 24' satellite dishes (2)

AND SPECIAL HEARING

"FOR A USE IN COMBINATION

OF A WIRELESS TRANSMITTING

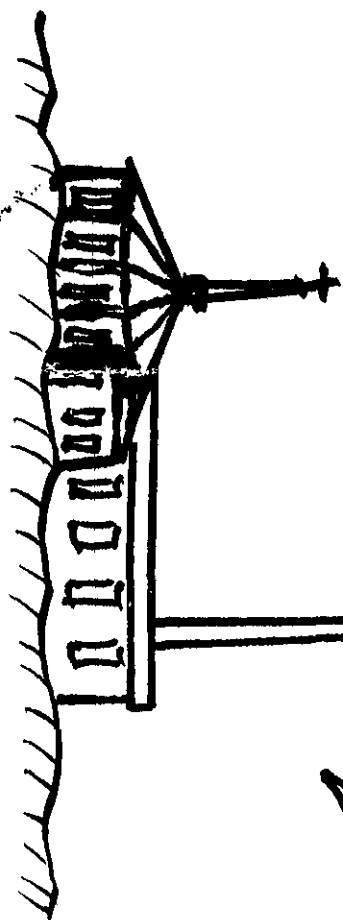
AND RECEIVING FACILITY,

with an EXISTING CHURCH"

"CASE # 96-508-SPHX"

Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!



IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

JAMES J. FINCH

James J. Finch

NAME(S) & SIGNATURE

1002 VALEWOOD RD. DAVIS MD. 21286

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Monday)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sew IN, T-Testify)

CONCERNING: PETITION by Belvedere Baptist Church and American Personal Communications

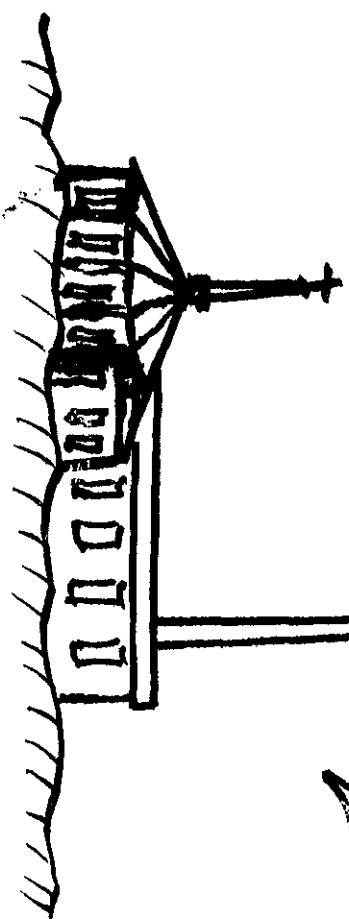
More Info?

Call Bill Glick
821-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OF YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION OF 150-Ft Tall
Radio Trans/Rec. Tower
with antenna-elements (9),
and 24' satellite Dishes (2)

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

George W. Ellis

George W. Ellis

NAME(S) & SIGNATURE(S)

1100 TIMBER TRAIL RD.

ADDRESS
(for identification)

21286

410-828-0266

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Monday)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING : Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (SIGN IN, F. Testify)

CONCERNING: PETITION by Belvedere Baptist Church, and American Personal Communications

More Info?

Call Bill Gius

321-1673

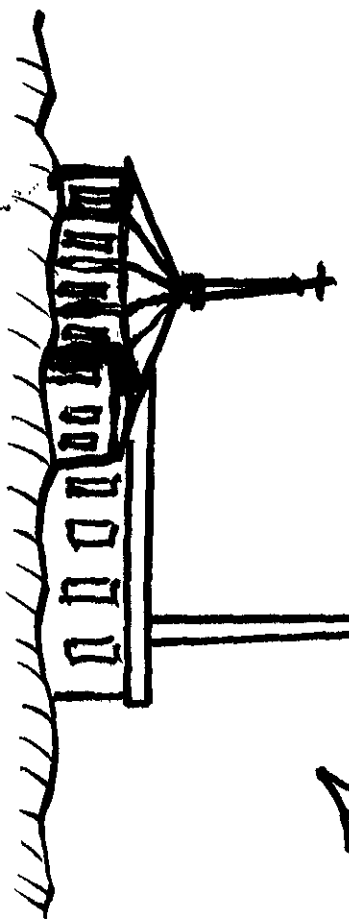
ED THOMAS

921-8116

LINDA SEMESKY

337-8032

OR, TO ASK OUR PICKUP OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall

RADIO TRANS/REC. TOWER

with antenna elements (9)

and 24" satellite Dishes (2)

AND SPECIAL HEARING

"For A USE IN COMBINATION

of A WIRELESS TRANSMITTING

AND RECEIVING FACILITY,

with an EXISTING CHURCH

"CASE # 96-508-SPHX"

Item 507

Please ATTEND AND EXPRESS

YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

Linda Semesky
Linda Semesky

NAME(S) & SIGNATURE(S)

1022 Hart Rd

ADDRESS (for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP *before Monday evening

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (Sign IN, F-Testify)

CONCERNING: PETITION by Belvedere Baptist Church and American Personal Communications

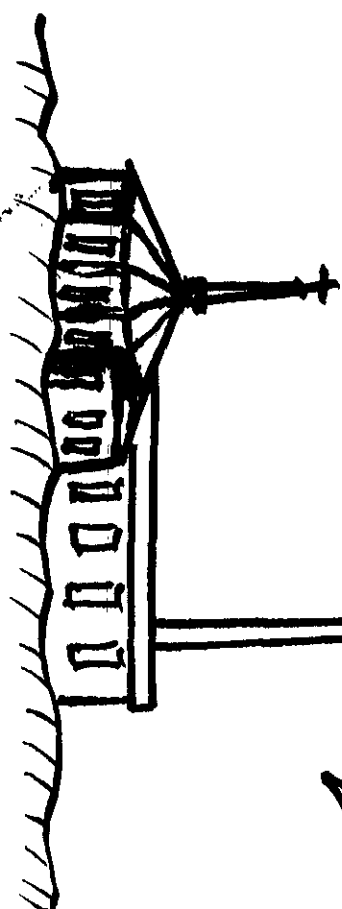
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
339-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION FOR:

"INSTALLATION OF 150-ft TALL
RADIO TRANS/REC. TOWER
with antennae-elements (9)
and 24' satellite Dishes (2)"

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Robert L. Myer

NAME(S) & SIGNATURE(S)

1007 Valewood Rd

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
EVENING

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
 at Old Courthouse, Room 118 (Sign IN, F Testify)

CONCERNING : PETITION by Belvedere Baptist Church and American Personal Communications

More Info?

Call Bill Glick
 321-1673

Ed Thomas
 921-8116

Linda Semesky
 337-8032

OR, TO ASK OUR PICKUP OR YOUR SIGNED OPINION

FOR: SPECIAL EXCEPTION for:

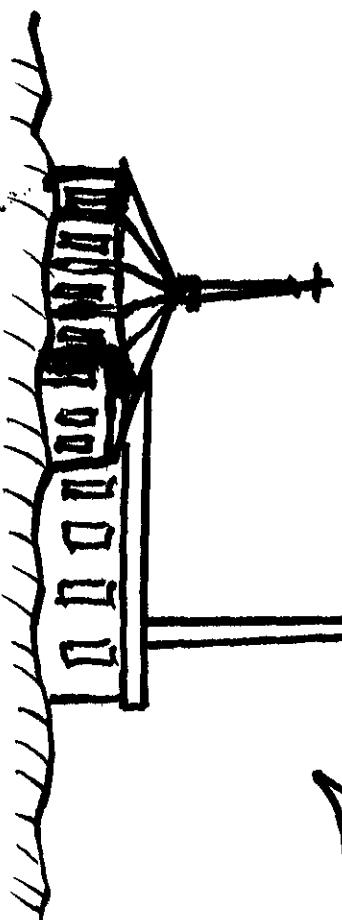
"Installation of 150-ft Tall
 Radio Trans/Rec. Tower
 with antennae elements (9)
 and 24" satellite dishes (2)"

AND SPECIAL HEARING

"For a use in combination
 of a wireless transmitting
 and receiving facility,
 with an existing church"

"CASE # 96-508-SPHX"
 Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!



**IF YOU CANNOT ATTEND THE HEARING,
 PLEASE SIGN YOUR NAME(S)
 AS JOINING OUR PROTEST TO THIS CASE:**

Joe & Kerry March
Ray Johnson

NAME(S) & SIGNATURES

1009 Valewood

**ADDRESS
 (for identification)**

Deliver to one of
 us (see at left)
 OR CALL FOR OUR
 PICKUP (before Mon)
 EVENING

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (Sign IN, F-Testify)

CONCERNING: PETITION by Belvedere Baptist Church and American Personal Communications

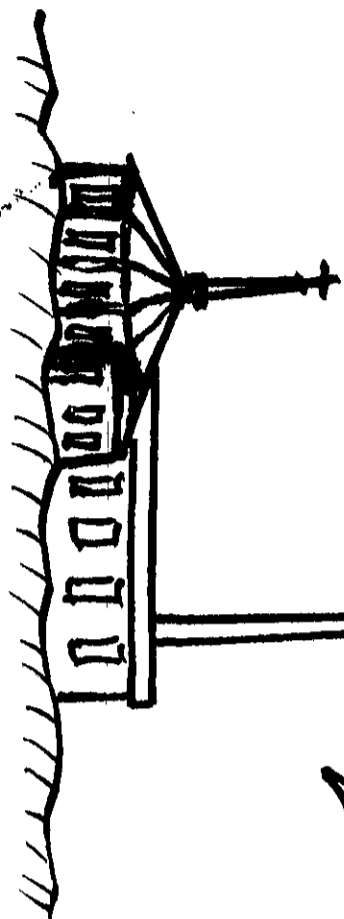
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION FOR:

"INSTALLATION OF 150-ft Tall
RADIO TRANS/REC. TOWER
with antenna-elements (9)
and 24' satellite Dishes
(2)"

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Robert V. Mack
Wendy Mack
NAME(S) & SIGNATURE(S)

1019 Valewood Rd
ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
EVENING

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign In, F-Testify)

CONCERNING : PETITION by Belvedere Baptist Church and "American Personal Communications"

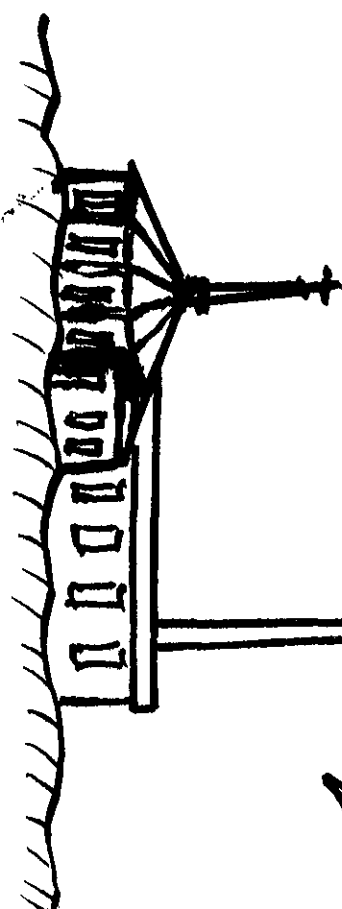
More Info?

call Bill Glick
321-1673

ED THOMAS
921-8116

LINDA SEMESKY
337-8032

OR, TO ASK OUR PICKUP
or YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"Installation of 150-ft Tall
Radio Trans/Rec. Tower
with antennae elements (9)
and 24" Satellite Dishes
(2)"

AND SPECIAL HEARING

"For a use in combination
of a wireless transmitting
and receiving facility,
with an existing church"

"CASE # 96-508-SPHX"
Item 507

Please attend and express
your opinion!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Robert Magrini

Joan Magrini

NAME(S) & SIGNATURE(S)

1021 Wakewood Road

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
EVENING

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
 AT OLD COURTHOUSE, Room 118 (Sign In, Testify)

CONCERNING : PETITION by Belvedere Baptist Church, and American Personal Communications

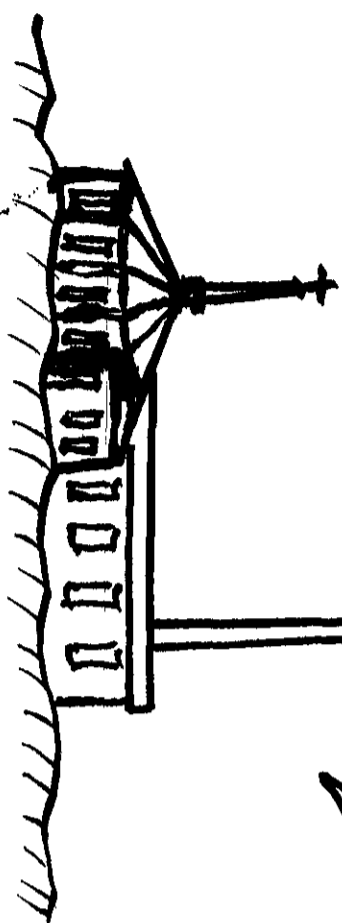
More Info?

Call Bill Glick
 321-1673

Ed Thomas
 921-8116

Linda Semesky
 339-8032

OR, TO ASK OUR PICKUP OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:
 "INSTALLATION OF 150-ft Tall RADIO TRNS/REC. TOWER with antenna elements (9) and 24" Satellite Dishes (2)"
 AND SPECIAL HEARING
 "For a USE IN COMBINATION OF A WIRELESS TRANSMITTING AND RECEIVING FACILITY, with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
 Item 507

Please ATTEND AND EXPRESS YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

Joseph A. Kelly
Judith A. Kelly
 NAME(S) & SIGNATURE(S)

1115 Vabewood Rd.
 ADDRESS (for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP (before Mon) ENDING

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (Sign IN, T-Testify)

CONCERNING: PETITION by Belvedere Baptist Church and "American Personal Communications"

More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION

FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
Radio Trans/Rec. Tower
with antenna elements (9)
and 24" satellite dishes (2)"

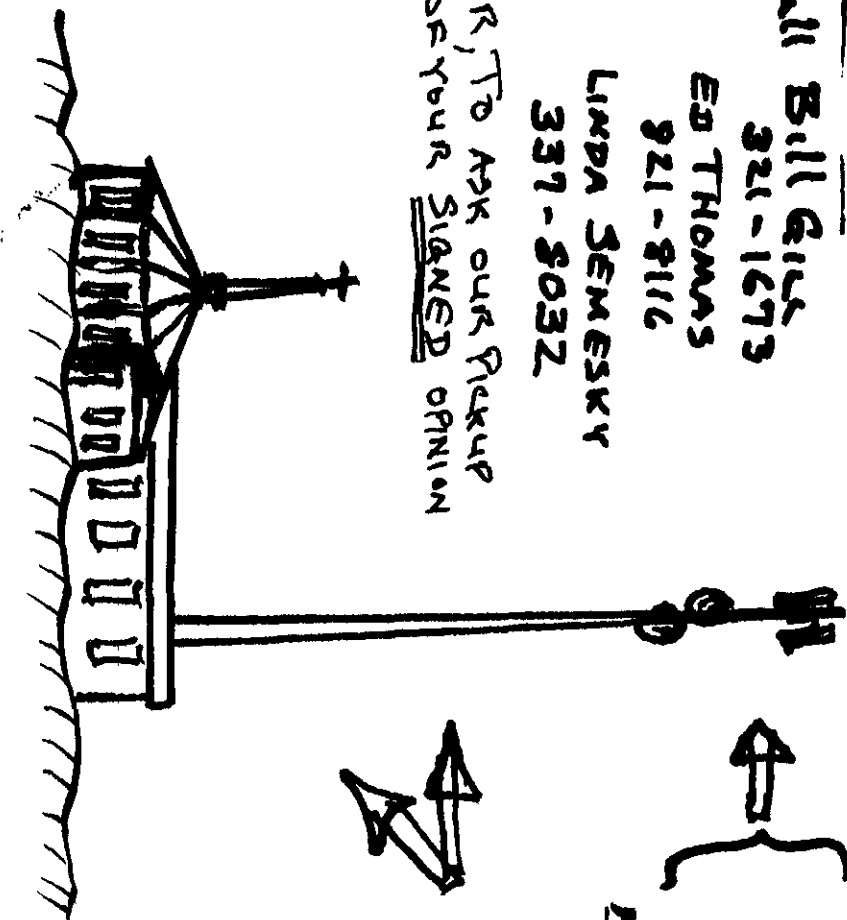
AND SPECIAL HEARING

"For a USE IN COMBINATION
of A WIRELESS TRANSMITTING
AND RECEIVING FACILITY
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"

Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!



IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Gloria De Martens
Peter & Gloria De Martens

NAME(S) & SIGNATURE

1403 Main Street

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Monday
evening)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing: Tues, July 23, 2:00 PM
 at Old Courthouse, Room 118 (Sign IN, T-Testify)

CONCERNING: PETITION by Belvedere Baptist Church and "American Personal Communications"

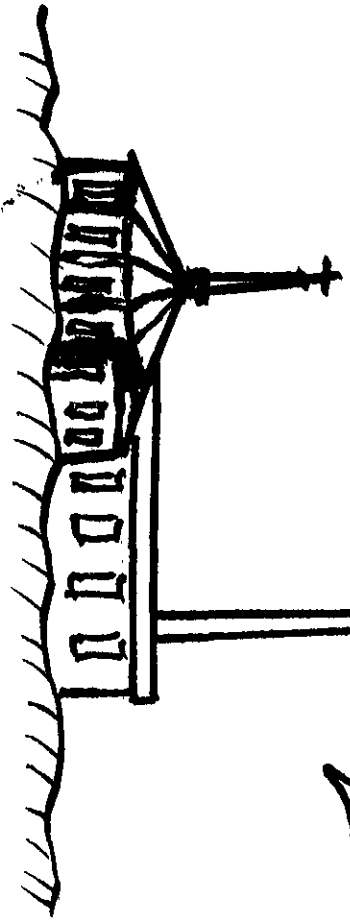
More Info?

Call Bill Glick
 321-1673

Ed Thomas
 921-8116

Linda Semesky
 337-8032

OR, TO ASK OUR PICKUP
 OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"Installation of 150-ft Tall
 Radio Trans/Rec. Tower
 with antenna elements (9)
 and 24" satellite Dishes
 (2)"

AND SPECIAL HEARING

"For a use in combination
 of a wireless transmitting
 and receiving facility
 with an existing church"

"CASE # 96-508-SPHX"
 Item 507

Please attend and express
 your opinion!

IF YOU CANNOT ATTEND THE HEARING,
 PLEASE SIGN YOUR NAME(S)
 AS JOINING OUR PROTEST TO THIS CASE:

Jay Talalian

Jalalian

NAME(S) & SIGNATURE(S)

1303 Midmeadow Rd

ADDRESS
 (for identification)

(H) 494-9005

Deliver to one of
 us (see # left)
 OR CALL FOR OUR
 PICKUP (before Mon)
 Evening

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING : Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (Sign IN, T-Testify)

CONCERNING : PETITION by Belvedere Baptist Church, and "American Personal Communications"

More Info?

Call Bill Glick
321-1673

Ed Thomas
821-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OF YOUR SIGNED OPINION

FOR: SPECIAL EXCEPTION for:

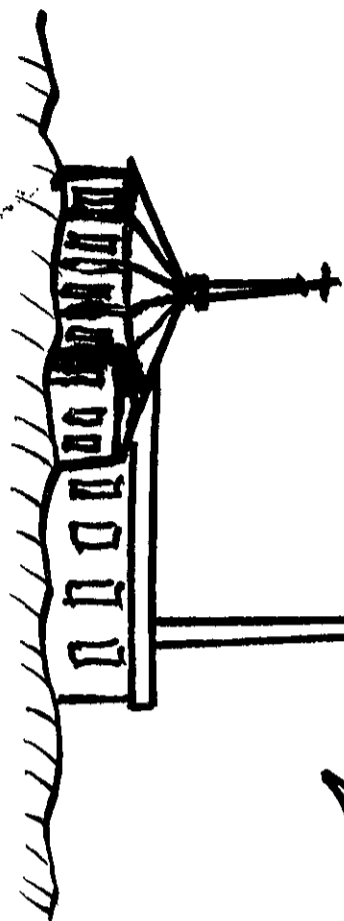
"INSTALLATION OF 150-ft Tall
RADIO TRANS/REC. TOWER
with antenna elements (9)
and 24" satellite Dishes"
(2)

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!



IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Budget Kulevsk

1013 Valewood Rd.

NAME(S) & SIGNATURE

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Monday)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: Tues, July 23, 2:00 PM
 AT OLD COURTHOUSE, Room 118 (Sign IN, I Testify)

CONCERNING: PETITION by Belvedere Baptist Church and American Personal Communications

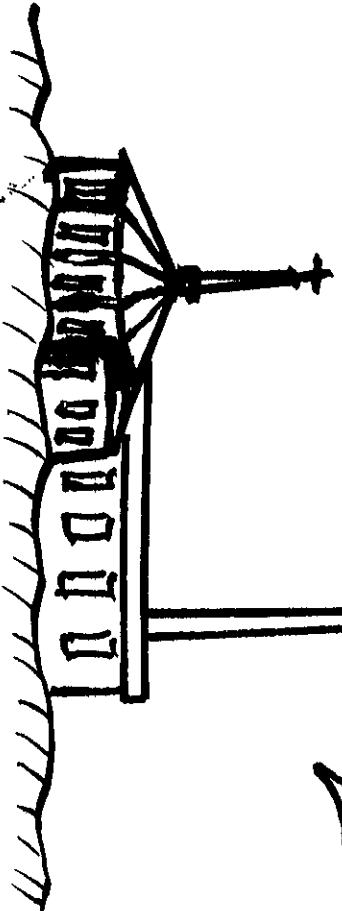
More Info?

Call Bill Glick
 321-1673

Ed Thomas
 921-8116

Linda Semesky
 337-8032

OR, TO ASK OUR PICKUP OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
 RADIO TRANS/REC. TOWER
 with antenna elements (9)
 and 24' satellite Dishes (2)"

AND SPECIAL HEARING

"For A USE IN COMBINATION
 OF A WIRELESS TRANSMITTING
 AND RECEIVING FACILITY,
 with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
 Item 507

Please ATTEND AND EXPRESS
 YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
 PLEASE SIGN YOUR NAME(S)
 AS JOINING OUR PROTEST TO THIS CASE:

Kim, Jong Keem

1109 Waterwood Rd

NAME(S) & SIGNATURE

ADDRESS
 (for identification)

Deliver to one of
 us (see left)
 OR CALL FOR OUR
 PICKUP (before Monday)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
 AT OLD COURTHOUSE, Room 118 (SIGN IN, T. Testfy)

CONCERNING : PETITION by Belvidere Baptist Church and American Personal Communications

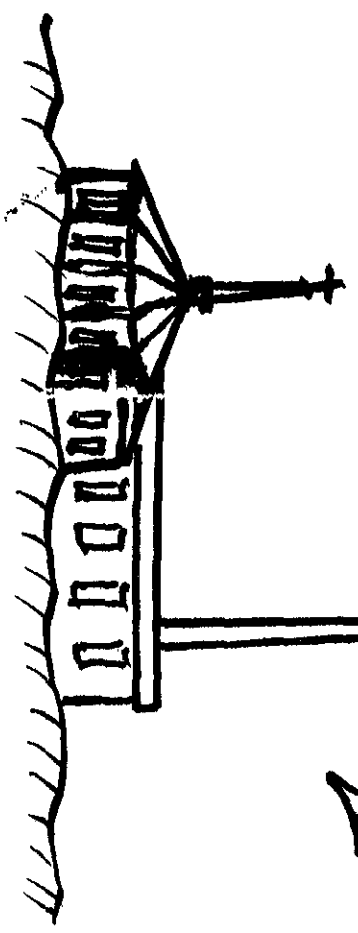
More Info?

call Bill Giles
 321-1673

ED THOMAS
 921-8116

LINDA JEMESKY
 337-8032

OR, TO ASK OUR PICKUP
 OF YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION FOR:

INSTALLATION OF 150-ft TALL
 RADIO TRANS/REC. TOWER
 with antenna elements (9)
 and 24" satellite Dishes (2)

AND SPECIAL HEARING

FOR A USE IN COMBINATION
 OF A WIRELESS TRANSMITTING
 AND RECEIVING FACILITY
 with an EXISTING CHURCH

"CASE # 96-508-SPHX"
 Item 507

Please ATTEND AND EXPRESS
 YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
 PLEASE SIGN YOUR NAME(S)
 AS JOINING OUR PROTEST TO THIS CASE:

R. Engelbach
R. Engelbach

1404 Midmeadow Rd

NAME(S) & SIGNATURES

ADDRESS
 (for identification)

ROBERT & KATHLEEN
 ENGELBACH

1404
 MIDMEADOW RD

Deliver to one of
 us (see at left)
 OR CALL FOR OUR
 PICKUP (before Mon)
 EVENING

A. Cleford
 1st viewing
 on left

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing: Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign In, Testify)

CONCERNING: PETITION by Belvidere Baptist Church and American Personal Communications

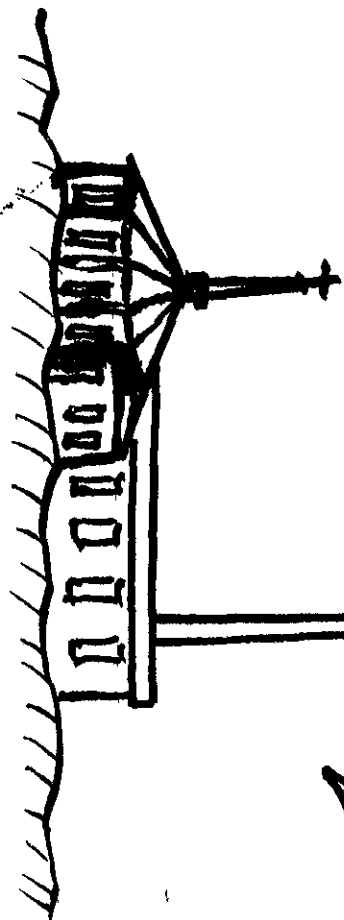
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall Radio Trans/Rec. Tower with antenna elements (9) and 24" satellite dishes (2)"

AND SPECIAL HEARING

"For A USE IN COMBINATION OF A WIRELESS TRANSMITTING AND RECEIVING FACILITY with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

Robert M. Fleming
Nancy Fleming
NAME(S) & SIGNATURES

1114 VALEWOOD RD

ADDRESS PLUMMER, MD 21224
(for identification)

321-8291

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP (before Mon) EVENING

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign IN, T-Testify)

CONCERNING : PETITION by Belvedere Baptist Church and "American Personal Communications"

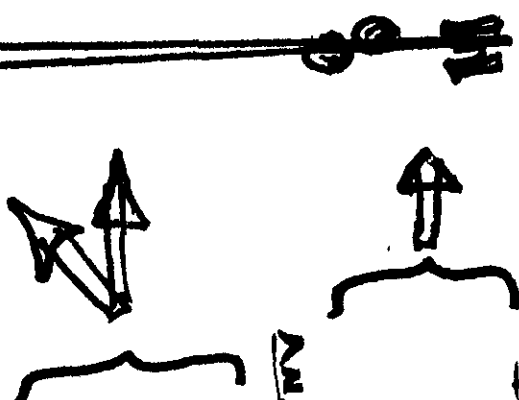
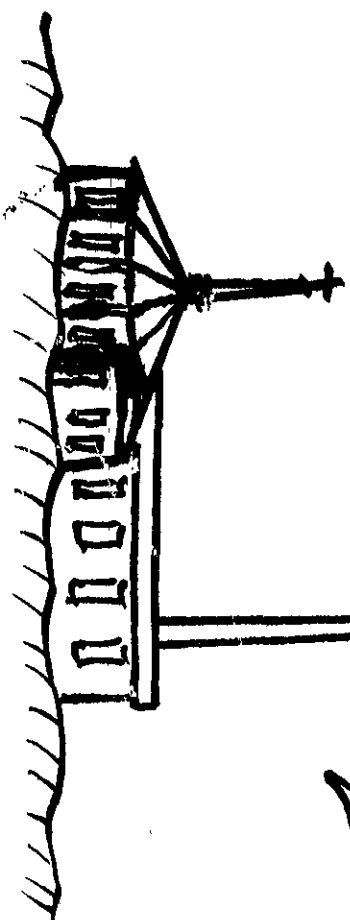
More Info?

call Bill Glick
321-1673

Ed THOMAS
921-8116

LINDA JENSEN
337-8032

OR, TO ASK OUR PICKUP
or YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
RADIO TRANS/REC. TOWER
with antenna elements (9)
and 24' Satelite Dishes (2)"

AND SPECIAL HEARING

FOR: A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY
with an EXISTING CHURCH

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Angela C. Lebas

one pickford Court

NAME(S) & SIGNATURE(S)

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
EVENING

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: TUES, JULY 23, 2:00 PM
AT OLD COURTHOUSE, ROOM 118 (SIGN IN, T-Testify)

CONCERNING: PETITION by Belvidere Baptist Church and "American Personal Communications"

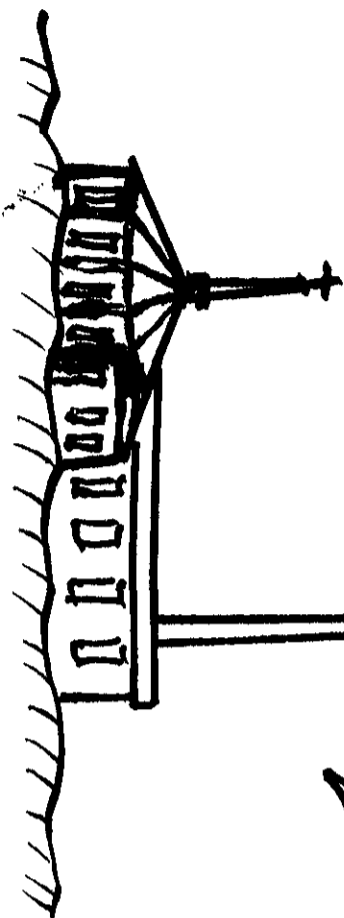
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"Installation of 150-ft Tall
Radio Trans/Rec. Tower
with antenna-elements (9)
and 24' Satellite Dishes
(2)"

AND SPECIAL HEARING

"For a use in combination
of a wireless transmitting
and receiving facility
with an existing church"

"CASE # 96-508-SPHX"
Item 507

Please attend and express
your opinion!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

William A. Schuller

Elaine S. Schuller

NAME(S) & SIGNATURE(S)

1400 Midmeadow Road

ADDRESS

(for identification)

Towson, Md 21286

7-23-96

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign IN, T-Testify)

CONCERNING : PETITION by Belvedere Baptist Church and "American Personal Communications"

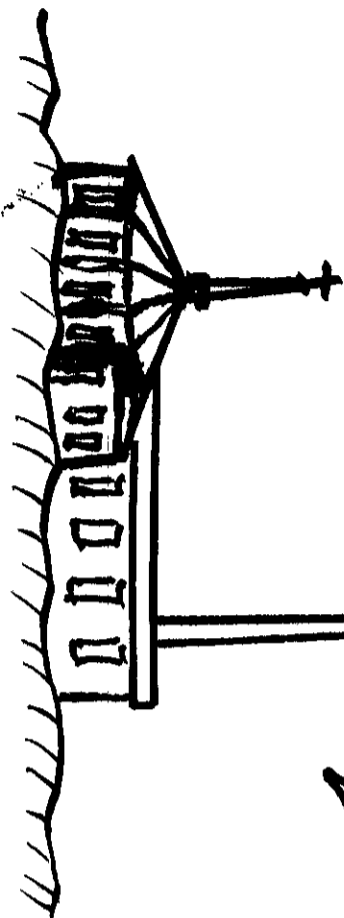
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"Installation of 150-ft Tall
Radio Trans/Rec. Tower
with antenna elements (9),
and 24" Satellite Dishes"
(2)

AND SPECIAL HEARING

"For a use in combination
of a wireless transmitting
and receiving facility
with an existing church"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)

AS JOINING OUR PROTEST TO THIS CASE:

1017 WALWOOD ROAD
TOWSON, MD 21286

Address 321-6811
(for identification)

NAME(S) & SIGNATURE(S)

Paul Mulcahy
Don Ann C. Mulcahy

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
Evening

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign In, T-Testify)

CONCERNING : PETITION by Belvedere Baptist Church and "American Personal Communications"

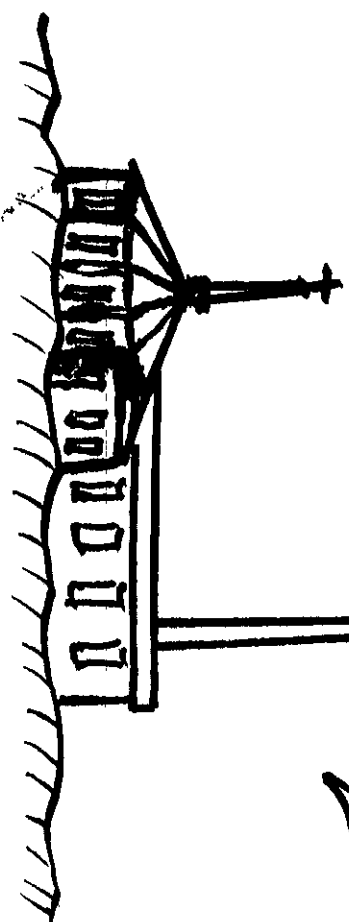
More Info?

call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OF YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
RADIO TRANS/REC. TOWER
with antenna-elements (9)
and 24" Satellite Dishes
(2)"

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

FELIX TAN

NAME(S) & SIGNATURE

1311 DENBY RD

ADDRESS Towson, MD 21286
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
Evening

URGENT ALERT!

To Hampden Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign IN, T-Testify)

CONCERNING : PETITION by Belvedere Baptist Church and "American Personal Communications"

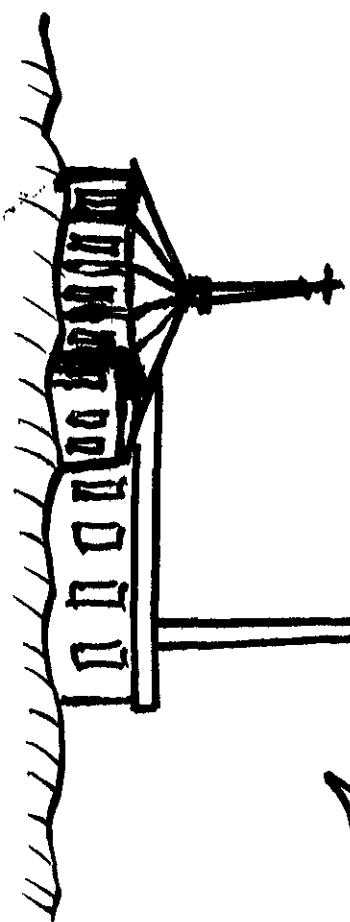
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
Radio Trans/Rec. Tower
with antenna elements (9)
and 24" Satellite Dishes
(2)"

AND SPECIAL HEARING

"For a use in combination
of a wireless transmitting
and receiving facility,
with an existing church"

"CASE # 96-508-SPHX"
Item 507

Please attend and express
your opinion!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

John & Jeanne Petrucci
John & Jeanne Petrucci
NAME(S) & SIGNATURE(S)

1102 Valerius Rd
ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
EVENING

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: TUES, JULY 23, 2:00 PM
AT OLD COURTHOUSE, ROOM 118 (SIGN IN, F. TESTIFY)

CONCERNING: PETITION by Belvedere Baptist Church, and American Personal Communications

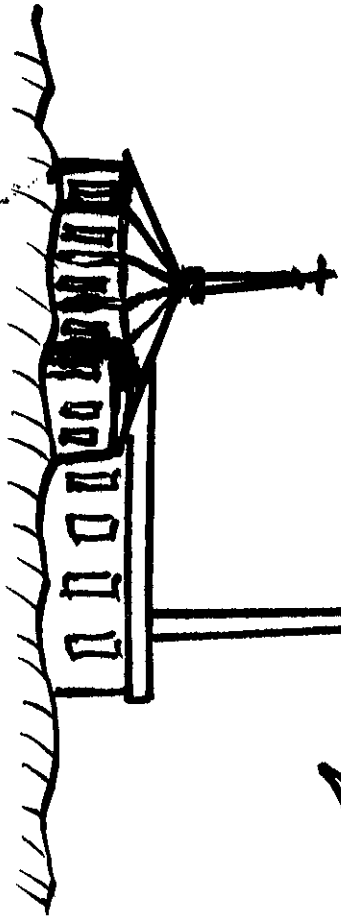
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:
"INSTALLATION of 150-ft Tall
RADIO TRANS/REC. TOWER
with antenna elements (9)
and 24" Satellite Dishes
(2)"
AND SPECIAL HEARING
"For a USE IN COMBINATION
of A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Auson Pfeffer-Witzel

1300 Midmeadow Rd

ADDRESS Jensen, NJ
(for identification)

NAME(S) & SIGNATURE(S)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
 at Old Courthouse, Room 118 (Siew IN, T. Testfy)

CONCERNING : PETITION by Belvedere Baptist Church and American Personal Communications

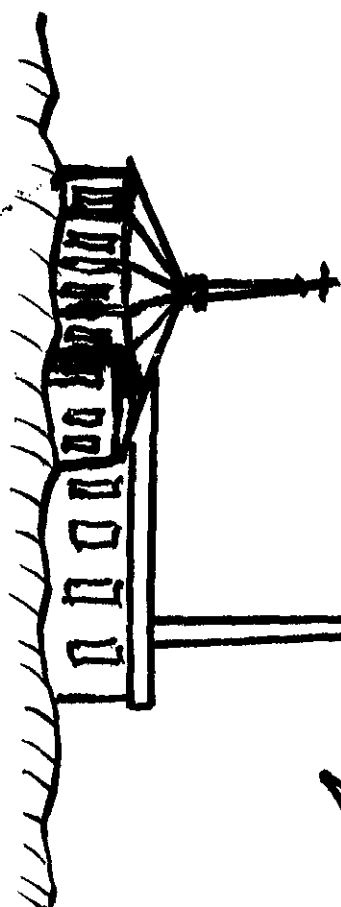
More Info?

call Bill Glick
 321-1673

ED THOMAS
 921-8116

LINDA SEMESKY
 337-8032

OR, TO ASK OUR PICKUP
 OF YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
 RADIO TRANS/REC. TOWER
 with antenna-elements (9)
 and 24" satellite Dishes
 (2)"

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
 OF A WIRELESS TRANSMITTING
 AND RECEIVING FACILITY,
 with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
 Item 507

Please ATTEND AND EXPRESS
 YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
 PLEASE SIGN YOUR NAME(S)
 AS JOINING OUR PROTEST TO THIS CASE:

EUL S. YOON Eul Sang Yoon 1315 cheverly Rd
 TOWSON, MD 21286-1624
Rose S. YOON Rose Sang Yoon ADDRESS
 NAME(S) & SIGNATURES (for identification)

Deliver to one of
 us (see at left)
 OR CALL FOR OUR
 PICKUP (before Mon)
 evening

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing: Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign In, Testify)

CONCERNING: PETITION by Belvidere Baptist Church, and American Personal Communications

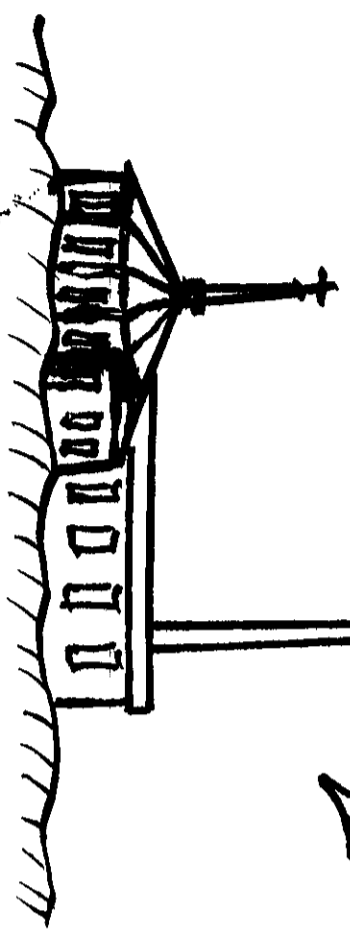
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
339-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
Radio Trans/Rec. Tower
with antenna-elements (9)
and 24" satellite Dishes (2)"

AND SPECIAL HEARING

"For a USE IN COMBINATION
of a WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

ERGENE WIELPORKI

[Signature]
NAME(S) & SIGNATURE(S)

1023 VALEWOOD RD

ADDRESS
(for identification)

Deliver to one of
us (see # left)
OR CALL FOR OUR
PICKUP *before Mon*

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (SIGN IN, TESTIFY)

CONCERNING: PETITION by Belvedere Baptist Church and American Personal Communications

More Info?

Call Bill Givis
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP OR YOUR SIGNED OPINION

FOR: SPECIAL EXCEPTION for:

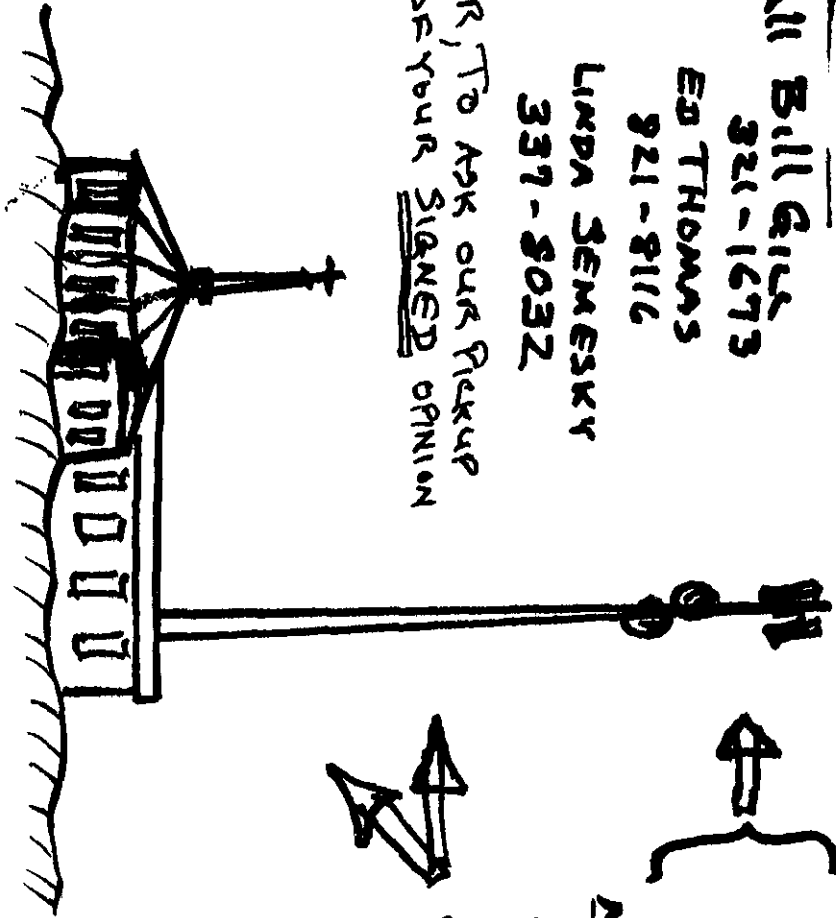
"INSTALLATION of 150-ft Tall RADIO TRANS/REC. TOWER with antenna elements (9) and 24" Satellite Dishes (2)"

AND SPECIAL HEARING

"For a USE IN COMBINATION of A WIRELESS TRANSMITTING AND RECEIVING FACILITY, with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS YOUR OPINION!



IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AND JOINING OUR PROTEST TO THIS CASE:

[Signature]

1021 Hart Road

NAME(S) & SIGNATURE(S)

ADDRESS
(for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP (before Mon)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing: Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign In, T. Testify)

CONCERNING: PETITION by Belvedere Baptist Church and American Personal Communications

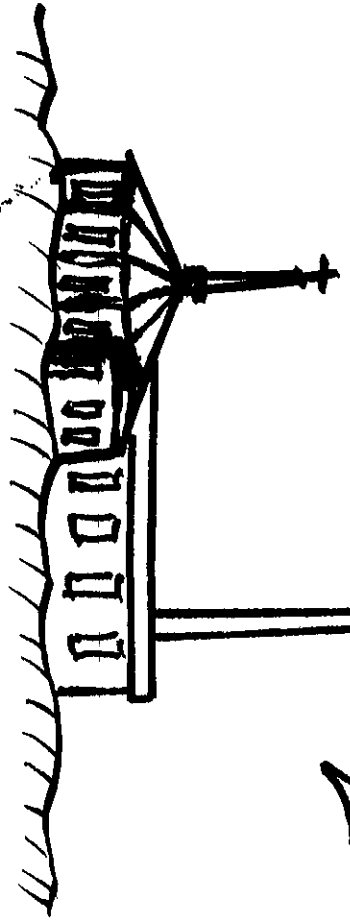
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
339-8032

OR, TO ASK OUR PICKUP OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"Installation of 150-ft Tall Radio Trans/Rec. Tower with antenna elements (9) and 24' satellite dishes (2)"

AND SPECIAL HEARING

"For a use in combination of a wireless transmitting and receiving facility with an existing church"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

Liling Jien
[Signature]

1033 FART ROAD

NAME(S) & SIGNATURES

ADDRESS (for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP (before Monday evening)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING Hearing: Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign In, F-Testify)

CONCERNING: PETITION by Belvedere Baptist Church and "American Personal Communications"

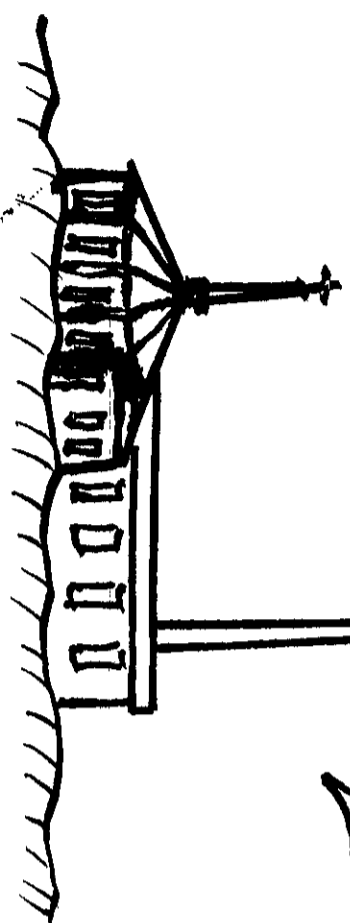
More Info?

call Bill Glick
321-1673

ED THOMAS
921-8116

LINDA SEMESKY
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
RADIO TRANS/REC. TOWER
with antenna-elements (9)
and 24' satellite Dishes
(2)"

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
your opinion!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

George Warehime
Dore Warehime

NAME(S) & SIGNATURE(S)

1314 MIDMEADOW RD.

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
EVENING

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing: Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign In, Testify)

CONCERNING: PETITION by Belvedere Baptist Church, and American Personal Communications

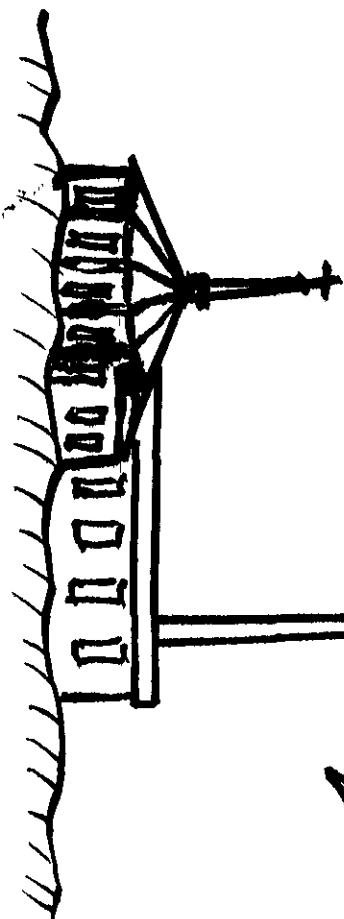
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION OF 150-FT TALL
RADIO TRANS/REC. TOWER
with antenna elements (9)
and 24' satellite Dishes
(2)"

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Mrs. Mrs. Andrews

Dun Kowalski R.

NAME(S) & SIGNATURE:

1005 Hart Rd.

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (Sign In, T-Testify)

CONCERNING: PETITION by Belvedere Baptist Church and "American Personal Communications"

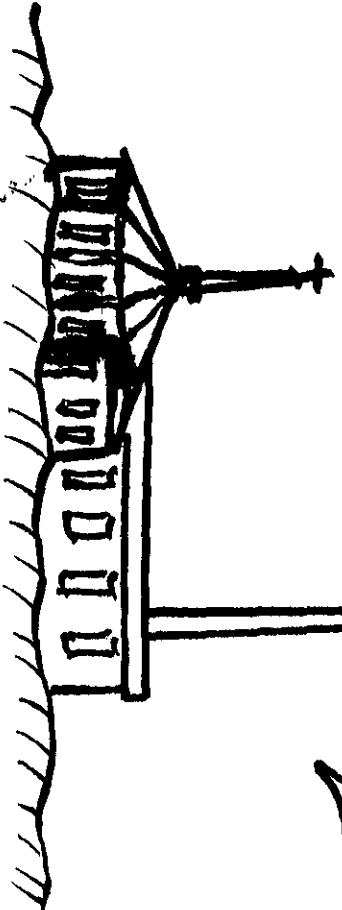
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
Radio Trans/Rec. Tower
with antenna elements (9)
and 24' satellite dishes (2)"

AND SPECIAL HEARING

"For a USE IN COMBINATION
of A WIRELESS TRANSMITTING
AND RECEIVING FACILITY
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Scott Lucas
Scott Lucas
NAME(S) & SIGNATURE

1014 HART
ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Monday
EVENING)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING : Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign In, Testify)

CONCERNING : PETITION by Belvedere Baptist Church and American Personal Communications

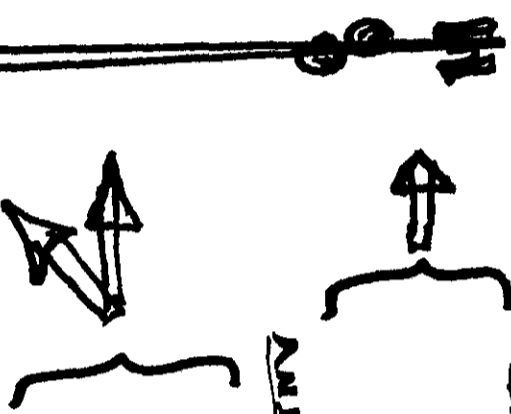
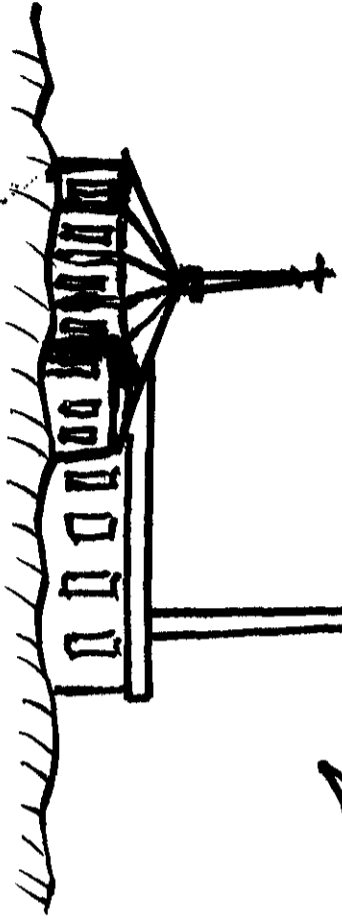
More Info?

call Bill Glick
321-1673

ED THOMAS
921-8116

LINDA JEMESKY
337-8032

OR, TO ASK OUR PICKUP
or YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:
"INSTALLATION of 150-ft Tall

RADIO TRNS/REC. TOWER
with antenna-elements (9)
and 24" Satellite Dishes
(2)

AND SPECIAL HEARING

"For A USE IN COMBINATION
of A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Edward P. Shapiro M.D.
E. P. Shapiro M.D.
NAME(S) & SIGNATURE(S)

1017 Hart Rd.
ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
Evening

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING : Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (Sign IN, T-Testify)

CONCERNING : PETITION by Belvedere Baptist Church and American Personal Communications

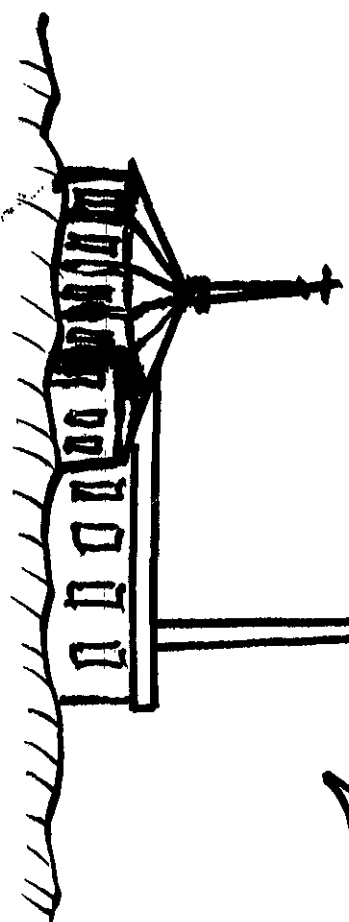
More Info?

Call Bill Glick
321-1673

ED THOMAS
921-8116

LINDA JEMESKY
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
RADIO TRANS/REC. TOWER
with antenna-elements (9)
and 24' satellite Dishes
(2)"

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS ONE:

MATTHEW J. REHAH

Matthew J. Rehah

NAME(S) & SIGNATURE(S)

1029 HART RD.

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
Evening

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING : TUES, JULY 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (SIGN IN, TESTIFY)

CONCERNING : PETITION by Belvedere Baptist Church and "American Personal Communications"

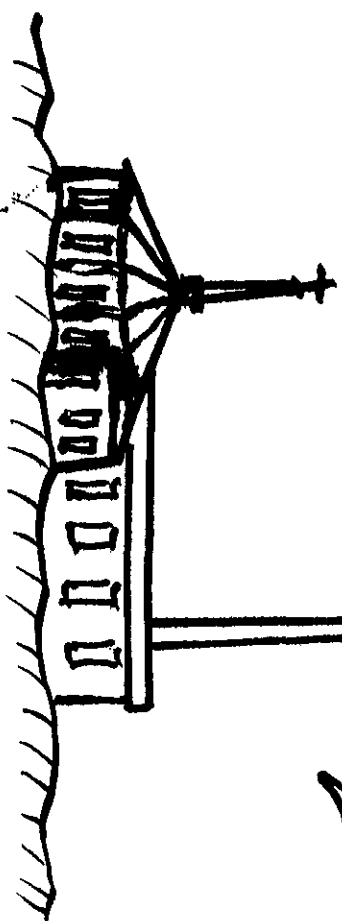
More Info?

call Bill Glick
321-1673

ED THOMAS
921-8116

LINDA JEMESKY
337-8032

OR, TO ASK OUR PICKUP OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall RADIO TRNS/REC. TOWER with antenna-elements (9) and 24" satellite Dishes (2)"

AND SPECIAL HEARING

"For a USE IN COMBINATION OF A WIRELESS TRANSMITTING AND RECEIVING FACILITY, with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

J.E. Hodges
J.E. Hodges
NAME(S) & SIGNATURE(S)

1624 Hart Rd
ADDRESS
(for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP (before Monday)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing: Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sew In, T-Testify)

CONCERNING: PETITION by Belvedere Baptist Church, and "American Personal Communications"

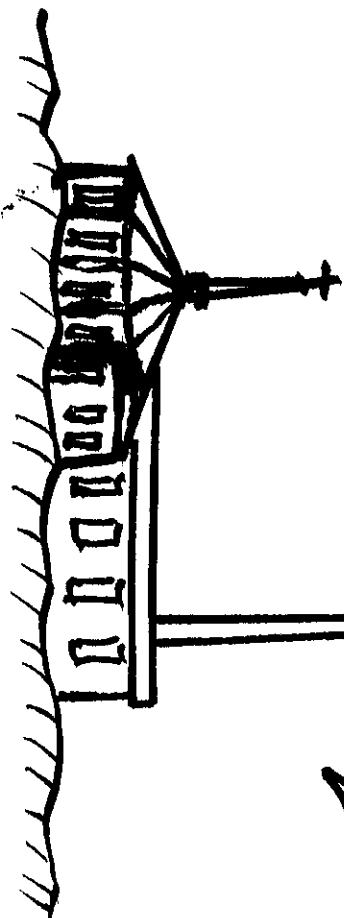
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"Installation of 150-ft Tall
Radio Trans/Rec. Tower
with antenna elements (9)
and 24' satellite Dishes
(2)"

AND SPECIAL HEARING

"For a use in combination
of a wireless transmitting
and receiving facility,
with an existing church"

"CASE # 96-508-SPHX"
Item 507

Please Attend and Express
Your Opinion!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Ar Helstead

1007 Hart Rd

NAME(S) & SIGNATURE

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Monday)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING : Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign IN, T-Testify)

CONCERNING : PETITION by Belvidere Baptist Church, and "American Personal Communications"

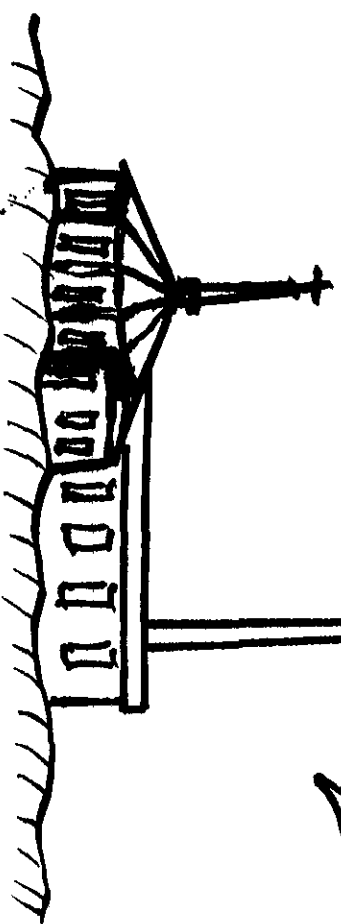
More Info?

call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"Installation of 150-ft Tall
Radio Trans/Rec. Tower
with antenna elements (9)
and 24" Satellite Dishes (2)"

AND SPECIAL HEARING

"For a use in combination
of a wireless transmitting
and receiving facility
with an existing church"

"CASE # 96-508-SPHX"
Item 507

Please Attend and Express
Your Opinion!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Raymond J. Speer

1010 HART ROAD 21286

NAME(S) & SIGNATURE

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Monday)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

ZONING HEARING: Tues, July 23, 2:00 PM
AT OLD COURTHOUSE, Room 118 (Sign IN, T-Testify)

CONCERNING: PETITION by Belvedere Baptist Church and "American Personal Communications"

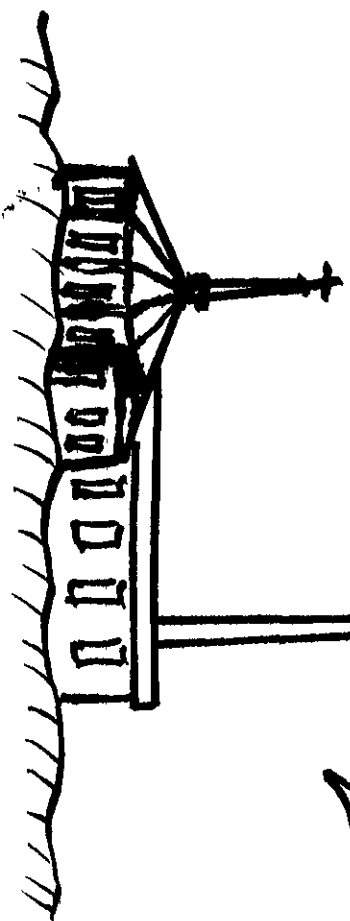
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
339-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
RADIO TRNS/REC. TOWER
with antennae elements (9)
and 24" satellite Dishes
(2)"

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Richard J. Rescatore
Richard J. Rescatore
NAME(S) & SIGNATURE

1001 HART RD, TOWSON
ADDRESS 21286
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Mon)
EVENING

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zoning Hearing : Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign In, T-Testify)

CONCERNING : PETITION by Belvedere Baptist Church
and "American Personal Communications"

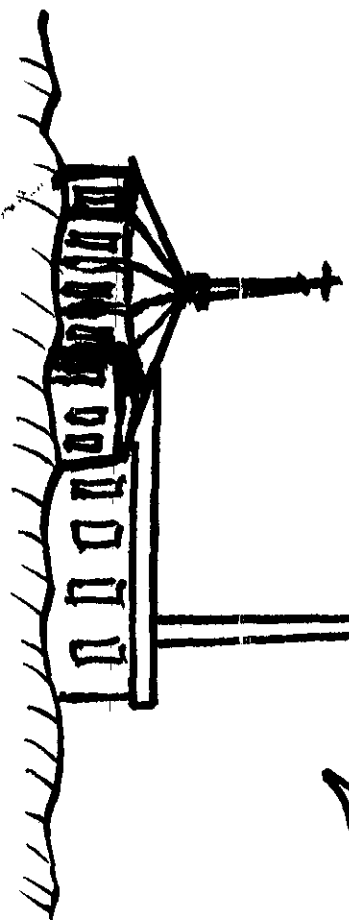
More Info?

Call Bill Glick
321-1673

Ed Thomas
921-8116

Linda Semesky
337-8032

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION OF 150-ft Tall
Radio Trans/Rec. Tower
with antenna elements (9)
and 24" Satellite Dishes
(2)"

AND SPECIAL HEARING

"For A USE IN COMBINATION
OF A WIRELESS TRANSMITTING
AND RECEIVING FACILITY
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

PERSONBERT

1316 B. D. R. R.

NAME(S) & SIGNATURE(S)

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Monday
Evening)

URGENT ALERT!

To Hampton Gardens & Hart Road Communities

Zone Hearing : Tues, July 23, 2:00 PM
at Old Courthouse, Room 118 (Sign IN, T-Testify)

CONCERNING : PETITION by Belvedere Baptist Church, and "American Personal Communications"

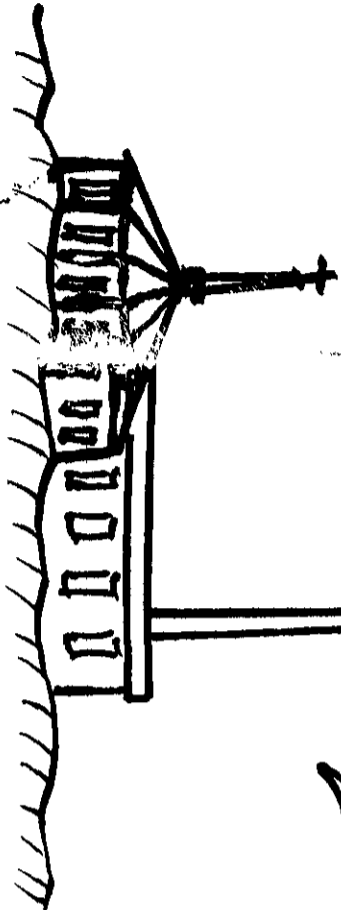
More Info?

Call Bill Guss
321-1679

Ed Thomas
921-8116

Linda Semelky
337-8032.

OR, TO ASK OUR PICKUP
OR YOUR SIGNED OPINION



FOR: SPECIAL EXCEPTION for:

"INSTALLATION of 150-ft Tall
RADIO TRANS/REC. TOWER
with antenna-elements (9)
and 24" Satellite Dishes (2)"

AND SPECIAL HEARING

"FOR A USE IN COMBINATION
OF: A WIRELESS TRANSMITTING
AND RECEIVING FACILITY,
with an EXISTING CHURCH"

"CASE # 96-508-SPHX"
Item 507

Please ATTEND AND EXPRESS
YOUR OPINION!

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Susan Stanley
Roland W. Udich Roland W. Udich
NAME(S) & SIGNATURE

1107 HART Rd.
ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP (before Monday)

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Kathryn C. Higbee

James A. Higbee
NAME(S) & SIGNATURE(S)

11 Amiel Ct

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP *before Mon
EVENING

This is a residential neighborhood, and not an appropriate location for a defacing commercial venture. Our property would be devalued based on rising suspicion that electromagnetic fields con-

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Jean C. Walker

Robert J. Walker
NAME(S) & SIGNATURE(S)

1010 Valewood Road

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP *before Mon
EVENING

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Linda P. Lilly Linda P. Lilly

William S. Lilly
NAME(S) & SIGNATURE(S)

1110 Valewood Road 21286

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP *before Mon
EVENING

IF YOU CANNOT ATTEND THE HEARING,
PLEASE SIGN YOUR NAME(S)
AS JOINING OUR PROTEST TO THIS CASE:

Barbara Ward Barbara Ward

James Ward James Ward
NAME(S) & SIGNATURE(S)

15 Amiel Ct. Towson 21286

ADDRESS
(for identification)

Deliver to one of
us (see at left)
OR CALL FOR OUR
PICKUP *before Mon
EVENING

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP *before Monday evening

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

Kathryn K. Walker
Roland B. Walker
NAME(S) & SIGNATURE(S)

1004 Timber Trail Rd.
ADDRESS
(for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP *before Monday evening

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

JOE EIBEN
JOYCE EIBEN
NAME(S) & SIGNATURE(S)

1015 VALEWOOD RD
ADDRESS
(for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP *before Monday evening

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

Denise + Wayne Beckett Atkins
[Signature]
NAME(S) & SIGNATURE(S)

1018 VALEWOOD RD
ADDRESS
(for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP *before Monday evening

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

John M. Hemmon
Paula W. Hemmon
NAME(S) & SIGNATURE(S)

5 Pickford Ct
ADDRESS
(for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP *before Monday

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

John F. Etzel

1108 VALEWOOD RD.

Jeanne C. Etzel

ADDRESS (for identification) 21286

NAME(S) & SIGNATURE(S)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP *before Monday

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

William & Esther Hou

1316 DENBY RD TOWSON 21286

William & Esther Hou

ADDRESS (for identification)

NAME(S) & SIGNATURE(S)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP *before Monday

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

Samuel J. Ady (Samuel J. Ady)

945 VALEWOOD RD PH 337-2000 TOWSON MD 21286

ADDRESS (for identification)

NAME(S) & SIGNATURE(S)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP *before Monday

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

EASTER B H SR

1307 DENBY RD

Easter B H SR

ADDRESS (for identification)

NAME(S) & SIGNATURE(S)

If you cannot attend the hearing,

PLEASE SIGN YOUR NAME(S)

AS JOINING OUR PROTEST TO THIS CASE:

1001 Walewood Rd

ADDRESS TOWNSON

(for identification)

NAME(S) & SIGNATURES

Sara Leudler

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP (before Mon) EVENING

If you cannot attend the hearing,

PLEASE SIGN YOUR NAME(S)

AS JOINING OUR PROTEST TO THIS CASE:

1083 Linden Trail Rd

ADDRESS

(for identification)

NAME(S) & SIGNATURES

Jonathan A. Brubaker

John A. Brubaker

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP (before Mon) EVENING

If you cannot attend the hearing,

PLEASE SIGN YOUR NAME(S)

AS JOINING OUR PROTEST TO THIS CASE:

1301 Denby Rd, con Hart Rd

ADDRESS

(for identification)

NAME(S) & SIGNATURES

Jose F. Morales

Maria Calderon

tel# 828-6877
fax: 494-1928

Thanks for the support!
Please call me - anytime

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP (before Mon) EVENING

If you cannot attend the hearing,

PLEASE SIGN YOUR NAME(S)

AS JOINING OUR PROTEST TO THIS CASE:

1305 DENBY RD
TOWNSON 2128

ADDRESS

(for identification)

NAME(S) & SIGNATURES

Oliver W. Wuyfvaert
Richard Proctor

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP (before Mon) EVENING

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP *before Monday*

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

Patricia Mc Clelland

NAME(S) & SIGNATURE(S)

2 Pinetree Court

ADDRESS (for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP *before Monday*

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

Susan Pescatore (Susan Pescatore)
Richard J. Pescatore

NAME(S) & SIGNATURE(S)

1001 Hart Road

ADDRESS (for identification)

Towson, MD 21286

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP *before Monday*

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

Daryl Bach

NAME(S) & SIGNATURE(S)

1025 Hart Road

ADDRESS (for identification)

Deliver to one of us (see at left) OR CALL FOR OUR PICKUP *before Monday*

IF YOU CANNOT ATTEND THE HEARING, PLEASE SIGN YOUR NAME(S) AS JOINING OUR PROTEST TO THIS CASE:

Francis E. Wieland

Norma L. Wieland

NAME(S) & SIGNATURE(S)

1002 Timber Trail Rd

ADDRESS (for identification)



6905 Rockledge Drive, Suite 100 • Bethesda, MD 20817
Tel. 301-214-9200 Fax 301-214-9402

P. Rittenauer
Exh # 1

Via: Federal Express

February 11, 1997

Christopher Doherty
Director, Public Affairs
AT&T Wireless Services, Inc.
16th Floor
Baltimore/Washington PCS
8403 Colesville Road
Silver Spring, MD 20910

Dear Chris:

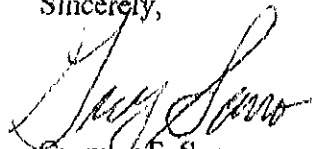
Thank you for your letter of February 5, 1997. You are correct that APC's hearing on the Belvedere Baptist Church site is scheduled for March 19, 1997.

Like AT&T, APC is also interested in promoting collocation. In that regard, so long as a mutually satisfactory sublease agreement can be concluded between our respective organizations, APC will permit collocation with AT&T at the church site. Please direct all sublease communications to Bernie Fitzgerald, Manager - Real Estate on 301-896-9519.

With respect to your election to defer your February 14 hearing for the Providence Volunteer Fire Department, APC shall not be responsible for the consequences of such deferral.

If you have any questions regarding APC's plan to move forward with this site, please do not hesitate to contact me directly at 301-214-9293.

Sincerely,


Gregory F. Sarro
Manager - Zoning

cc: Margaret C. Ruggieri, American PCS, LP
Bernie Fitzgerald, American PCS, LP
Dennis Rasmussen, The Rasmussen Group
Christine McSherry, Esq., Whiteford, Taylor & Preston

Sprint SpectrumSM

The all-in-one Personal Communications System that goes with you.

MICROFILMED



**American Personal
Communications**

CHC No. 95-508-SPHX

Retention EPL

**AMERICAN PERSONAL COMMUNICATIONS (APC)
BOARD OF APPEALS HEARING
MARCH 19, 1997**

TABLE OF CONTENTS

1. American PCS L.P. Corporate Profile
2. Photographs of 1301 Cheverly Road
3. Lease Agreement
4. Search Maps-ADC - Zoning -Tax
5. Photographs and Specifications Sheets for Antennas
6. Photographs and Specification Sheets for Equipment Cabinets
7. FAA Report
8. AM Radio Tower -Peter Neubauer-Structural Summary
9. AM Radio Tower-Engineering Report-J.M. Bixby
10. FCC License
11. Radio Frequency Statement-Jules Cohen
12. FCC Statement on PCS-Creating Significant Benefits for Consumers and Business
13. FCC's Chairman, Reed Hundt Speech, Excerpts

FILED

Study of
GHEVERLY ROAD MONOPOLIS SITE
BALTIMORE COUNTY, MARYLAND

March 18, 1997

Prepared by

LEPAIN, MITCHELL & MITCHELL, P.C.
Real Estate Appraisers & Consultants
1237 International Center
1400 North Avenue, Suite 300
Tulhatch Run, Maryland 21093

Submitted to

Mr. Greg Saino
American Petroleum Corporation
690 Rockledge Drive, Suite 200
Bethesda, Maryland 20814

LFM-5709



July 24, 1996

Mr. Alex Nolfi
Alex Nolfi Advertising

Via fax: 410-825-8135

hot Not

Dear Alex:

Re: Sprint use of 1550 Hart Road, Towson

Guardian Communications, Inc. is the owner of 4.39 acres located at 1550 Hart Road. Guardian sold radio station WFEL-AM(now WKDB-AM 1570) to Capital Kids several years ago but retained ownership of the land, buildings, and tower. **Guardian also reserved the right to lease the tower to other interested parties as long as that usage does not interfere with WKDB-AM's current signal.**

Prior to selling the station Guardian installed what is called a quarter wave uni-pole on the tower. Essentially, the entire AM tower is no longer "hot"(as is usual with an AM tower) only the wires standing several feet away from the tower are. The tower is approximately 280' tall and the uni-pole system ends at approximately 160'. The top 120' of the tower is currently unused. Also near (within 30') the tower is a an unused 20' x 20' concrete block building with separately metered electric service(currently turned off.)

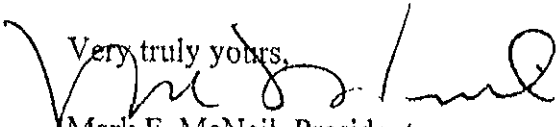
Guardian would like to suggest two solutions to Sprint's current problem:
Lease the tower from Guardian.

Guardian would be willing to lease the current tower for \$1750 per month with an annual CPI increase to coincide the remaining term of WKDB-AM lease of about 12.5 years. Any additional equipment, engineering and/or construction costs would be borne by Sprint along with the engineering costs to satisfy both Guardian and WKDB-AM that the new equipment does not adversely affect WKDB-AM's current signal.

Buy the land from Guardian.

Guardian would be willing to sell the 4.39 acres of land, the buildings, and tower to Sprint at its current FMV. We had several real estate agents look at the property when the station was sold and the consensus at that time was that the FMV was \$465,000. This approach would obviate any lease expense to Sprint, a savings of \$21,000 the first year. Further, Sprint would be beneficiary to the Capital Kids lease for which Guardian currently receives about \$34,000 annually(\$31,600 in rent and \$2,500 in property tax sharing) in income.

Should you wish to proceed with either of the above or if I can answer any questions, please contact me at your earliest convenience.

Very truly yours,

Mark F. McNeil, President
Guardian Communications, Inc.

MICROFILMED

BROADCAST ENGINEERING CONSULTANTS
 965 S. IRVING ST. • DENVER, CO • 80219
 (303) 937-1900

FIELD MEASUREMENTS
 AUDIO AND RF ENGINEERING
 EMERGENCY REPAIR

Prof 2
~~XXXXXXXXXX~~

Mr. Ed Graham
 Guardian Communications
 Baltimore, MD
 by FAX 410-528-1526

Good Afternoon Ed;

Concerning the WKDB tower in Towson, MD. The WKDB tower as presently configured is suitable for multiple users such as cellular or PCS.

The WKDB tower is grounded and is not at high voltage since it is a Unipole type feed. With the Unipole type AM feed the WKDB tower is directly grounded with heavy copper straps. Cables can be run directly up a unipole equipped AM tower to cellular or PCS antennas without the need for isolation coils or isocouplers. Old style base insulated AM radio towers are at high voltage to ground and cables can not be run up the tower without going through an isolator unit for each cable. The only special consideration for shared use of a Unipole equipped AM tower is that cables run up the tower must be bonded to the tower at intervals of about 30 ft. for stability of the AM antenna.

The top 120 ft. of the tower are available for shared uses since the Unipole feed system only extends about 160 ft. above the ground and there is nothing mounted above that level at all.

Respectfully,

Timothy C. Cutforth

Timothy C. Cutforth P.E.
 26 July 1996

MICROFILMED

STATE OF COLORADO

NOTARY PUBLIC

CITY AND COUNTY OF DENVER

TIMOTHY C. CUTFORTH, BEING DULY SWORN, STATES

That he is a Consulting Radio Engineer with offices located at 965 South Irving Street, Denver, Colorado 80219.

That he is President and Director of Engineering with Vir James, P.C. Consulting Radio Engineers, Denver, Colorado.

That he received a degree of Bachelor of Science, with major in Electrical Engineering from Colorado State University at Fort Collins, Colorado in 1972.

That he is a Registered Professional Engineer (No. 16905) in the State of Colorado.

That he is a certified Professional Broadcast Engineer (50046) by the Society of Broadcast Engineers, Inc.

That he is a member of the Society of Broadcast Engineers, Inc. (No. 3813).

That he is a full member of the Association of Federal Communications Consulting Engineers.

That he is a member of the IEEE.

That he is a qualified and experienced Radio and Television Engineer whose qualifications are a matter of record with the Federal Communications Commissions.

That he is a life member of the Broadcast Pioneers.

That the calculations and/or measurements and exhibits in the accompanying report were made by him personally or under his direction, and that all facts contained herein are true of his own personal knowledge or belief; and on such statements made on belief, they are believed to be true.

Timothy C. Cutforth
Affiant

Subscribed and sworn to before me

This _____ day of _____

Notary Public _____

Date of Commission Expiration _____



a Sprint Telecommunications Venture affiliate

6901 Rockledge Drive, Suite 600
Bethesda, MD 20817
Tel. 301-214-9200
Fax. 301-214-9490

*Proof
No 3*

July 25, 1996

Providence Volunteer Fire Company, Inc.
1416 Providence Road
Baltimore, MD 21286
Attention: President

Re: Deed of Ground Lease Agreement ("Lease") dated June 26, 1995 by and between Providence Volunteer Fire Company, Inc. ("Lessor") and American PCS, L.P. ("Lessee") for lease of premises at 1416 Providence Road, Baltimore, Maryland ("Premises")

Dear Sir:

With respect to the above-referenced Premises, enclosed herewith for your files is one (1) copy of the voided Lease.

Please do not hesitate to contact me if you should have any questions regarding the foregoing.

Sincerely,

Patricia DeSantis
Manager Leasing

cc: Margaret Ruggieri, Esq.

Site I.D. No. BAN076

MICROFILMED

Sprint Spectrum

The all-in-one Personal Communications System that goes with you

DEED OF GROUND LEASE AGREEMENT

THIS DEED OF GROUND LEASE AGREEMENT, dated as of this 26th day of June, 1995, ("Lease") by and between Providence Volunteer Fire Company, Inc., incorporated in the state of Maryland ("Lessor") and AMERICAN PCS, L.P., a Delaware limited partnership ("Lessee").

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth below in this Lease, and for other good and valuable consideration, the parties hereto covenant and agree as follows:

1. **Premises.**

(a) Lessor is the owner of the real property described in Exhibit A annexed hereto ("Property"). Lessor agrees to lease to Lessee certain space within the Property, depicted in Exhibit B annexed hereto ("Premises") upon the terms and conditions hereinafter set forth; and Lessor hereby grants to Lessee the right to erect, install, operate, maintain, repair and replace on the Premises (i) a monopole or self-supporting tower, not to exceed two hundred (200) feet in height ("Antenna Tower") and (ii) a pre-fabricated building not to exceed two hundred fifty (250) square feet ("Building"). The Antenna Tower and Building shall house and contain the equipment described on Exhibit C annexed hereto ("Communications Equipment"). The Antenna Tower and Communications Equipment are sometimes hereinafter collectively referred to as "Equipment".

(b) Lessor also grants to Lessee a non-exclusive easement over so much of the Property as is reasonably necessary for (i) access to the Premises by vehicle and foot and (ii) the installation, maintenance, repair and replacement of requisite wires, cables, conduits and pipes for the installation, operation and maintenance of the Antenna Tower and Equipment. Such installation shall be performed in a workmanlike manner with minimal disruption to Lessor and any affected tenants of the Property. Upon Lessee's request, Lessor shall execute and deliver requisite recordable documents evidencing the foregoing easement and any easement for utilities created pursuant to the provisions of Section 8(b) of this Lease.

2. **Use.** The Premises shall be used by Lessee in connection with the business of operating a personal communications service ("PCS") system licensed by the Federal Communications Commission ("FCC").

3. **Permits and Approvals.** Upon request, Lessor agrees to cooperate with Lessee in obtaining, at Lessee's expense, any licenses, permits and other approvals required by any federal, state or local authority for Lessee's use of the Premises and/or the installation and use of the Equipment and the Building ("Approvals").

4. **Term.** The initial term of this Lease shall be ten (10) years ("Initial Term"), commencing on the earlier of September 1, 1995 or the date on which Lessee begins construction/installation of the Antenna Tower or the Building ("Commencement Date"). This Lease shall automatically be renewed, without need of any further documentation, for two (2) successive five-year terms ("Renewal Terms") unless Lessee provides Lessor with notice of its intention not to renew at least ninety (90) days prior to the expiration of the Initial Term or the then Renewal Term.

5. **Rent.**

(a) Monthly rental for the Premises during the first year of this Lease shall be ONE THOUSAND ONE HUNDRED DOLLARS (\$1,100.00), and rent shall be paid to the Lessor at its address set forth in the Notice Section hereof. The first month's rent shall be paid on the Commencement Date, and thereafter paid in advance on the first day of each month.

(b) On each anniversary of the Commencement Date, Lessee shall pay the then current rent, increased by an amount equal to three percent (3%) of the rent for the previous year.

7/20/96

9/22/98

10. Sale or Mortgage of Property. Should Lessor, at any time after the execution date of this Lease, decide to sell, mortgage or encumber all or any part of the Property, such sale shall be subject to this Lease and Lessee's rights hereunder.

9. Non-Disturbance. In the event the Property is encumbered by a mortgage, the Lessor immediately after this Lease is executed, will request that the holder of each such mortgage execute a non-disturbance agreement, to be prepared by Lessee, and cooperate with Lessee toward such end to the extent that such cooperation does not cause Lessor additional financial liability or administrative expense.

(d) Lessee shall reserve one (1) antenna mounting location for a whip-type antenna on the Antenna Tower for Lessor's present or future use. This antenna mounting location shall be mutually agreed upon by Lessor and Lessee depending on design, implementation, structural loading requirements, and Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) approvals. Lessor shall provide, at Lessor's sole cost and expense, the antenna, antenna equipment and cabling. Lessee shall install said antenna and appurtenances thereto at Lessee's sole cost and expense provided that said installation is performed during the construction of the Antenna Tower, otherwise Lessor shall install said antenna and appurtenances thereto at Lessor's sole cost and expense upon thirty (30) days prior notice to Lessee and with Lessee's supervision. Lessee shall maintain its antenna and appurtenances thereto. Lessee shall provide Lessor with the key(s) to the Premises so that Lessor may, upon notice to Lessee, have access to the Premises for emergency purposes.

(c) Lessor shall provide to Lessee, Lessee's employees, agents, independent contractors and subcontractors access over the Property to the Premises 24 hours a day, 7 days a week, at no charge to Lessee.

(b) At Lessee's expense, Lessee may upgrade the present utilities or install new utilities on the Premises, including, but not limited to a standby power generator for Lessee's exclusive use. Lessee may also bring utilities across the Property in order to service the Premises and Lessee shall be responsible to contract directly with the utility company for electrical power.

(a) At Lessee's sole cost and expense and with minimal disruption to Lessor, Lessee may construct and install the Antenna Tower, the Building and any supporting structures on the Premises. In connection therewith, Lessee may perform all work necessary to prepare, maintain and alter the Premises for operation of the Equipment. Notwithstanding any affixation to the Premises, title to the Equipment, the Building and all structures, transmission lines, cables, wires, and conduits associated therewith shall remain with Lessee, and Lessor waives any lien rights it may have concerning the Equipment and the Building. Lessee shall remove all or part of the Equipment at its sole expense on or before the expiration or earlier termination of the Lease and shall make any necessary repairs to the Premises, wear and tear excepted, caused by such removal.

8. Improvements, Liability, Utilities, Access.

7. Survey Period. After the execution date of this Lease and prior to the Commencement Date, Lessee shall have access to the Premises for the purpose of performing necessary engineering surveys, inspections and other reasonably necessary tests relating to Lessee's proposed use of the Premises. Lessee shall fully restore to its prior condition any portion of the Premises disturbed by Lessee.

6. Compliance with Law. Lessee shall install and operate the Equipment and use the Premises in a manner which shall comply with all federal, state and local regulations governing the installation and operation thereof.

(c) Rent shall be prorated for any partial month at the beginning or end of the term of this Lease.



11. **Termination.** This Lease may be terminated as follows:

(a) by either party, upon default of any covenant or term of this Lease by the other party, which default is not cured within thirty (30) days of receipt of written notice, provided that the cure period for any monetary default is ten (10) days from receipt of notice. During the continuance of any default after such notice and cure period the non-defaulting party may terminate this Lease by giving notice of termination to the defaulting party, and the non-defaulting party may exercise any other remedies it may have under this Lease or at law;

(b) by Lessee, without further liability, upon providing ninety (90) days prior notice

(i) if Lessee's is unable to obtain or maintain any Approval; or

(ii) if Lessee determines that any of the Equipment cannot be used without interference from, or causing any undue interference to, other property or equipment in the area of the Property, or

(iii) if due to changed circumstances, Lessee determines that for technological reasons, the Premises are no longer suitable for their intended purpose.

(c) by Lessee, without further liability under this Lease, upon providing notice if the Premises or Equipment are destroyed or damaged and rendered unsuitable for normal use. In such event, all rights and obligations of the parties shall cease as of the date of the damage or destruction.

12. **Insurance.** Lessee shall procure, maintain, and pay for a public liability policy, with limits of \$1,000,000 for bodily injury, \$1,000,000 for property damage, \$2,000,000 aggregate, with a certificate of insurance to be furnished to Lessor within thirty (30) days of written request. Such policy shall provide that termination or cancellation will not occur without at least fifteen (15) days prior written notice to Lessor.

13. **Title, Authority and Quiet Enjoyment.** Lessor hereby represents and warrants that (i) it holds good and marketable title to the Property, (ii) it has full authority to enter into and execute this Lease, and (iii) provided that Lessee has made rental payments as required hereunder, Lessee shall have quiet enjoyment of the Premises.

7/22/95

7/24/95

17. Miscellaneous. This Lease constitutes the entire agreement between the parties and supersedes all prior written and verbal agreements, representations, promises or understandings between the parties hereto. Any amendments to this Lease must be in writing and executed by both parties. If any provision of this Lease is invalid or unenforceable with respect to any party, the remainder of this Lease or the application of such provision to persons other than those to whom it is held invalid or unenforceable, shall not be affected and each provision of this Lease shall be valid and enforceable to the fullest extent permitted by law.

16. Successors and Assigns. This Lease shall run with the Property. Lessee shall have the right to submit this Lease, or a Memorandum of Lease which Lessor agrees to execute and acknowledge, for recordation to the appropriate governmental agency having jurisdiction over the Property. This Lease shall be binding upon and inure to the benefit of the parties, their respective successors and assigns.

(b) Lessee shall have the right to sublease or license a portion of the Premises and/or antenna mounting space on the Antenna Tower, without Lessor's approval, to one (1) additional communications user. Upon Lessor's prior written approval, Lessee shall have the right to sublease or license a portion of the Premises and/or antenna mounting space on the Antenna Tower to more than one (1) communications user. In connection therewith, such new users will be required to secure any governmental approvals required to locate on the Antenna Tower and shall have a structural analysis performed by a licensed engineer showing that the Antenna Tower can accommodate such user's antennas or dishes.

(a) Lessee may, upon notice, assign or transfer its rights and obligations arising under this Lease to any corporation, partnership or other entity which (i) is controlled by, controlling or under common control with Lessee, (ii) shall merge or consolidate with or into Lessee, or (iii) shall succeed to all or substantially all the assets, property and business of Lessee.

15. Assignment; Sublease.

If to Lessor:
 Providence Volunteer Fire Company, Inc.
 1416 Providence Road
 Baltimore, MD 21286
 Attention: President

If to Lessee:
 American Personal Communications
 One Democracy Center
 6901 Rockledge Drive
 Suite 600
 Bethesda, MD 20817
 Attention: Legal Counsel

14. Notices. All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed validly given if personally delivered, sent via overnight courier providing proof of service, or sent by certified mail, return receipt requested, as follows (or any other address that the party to be notified may designate by like notice to the sender).

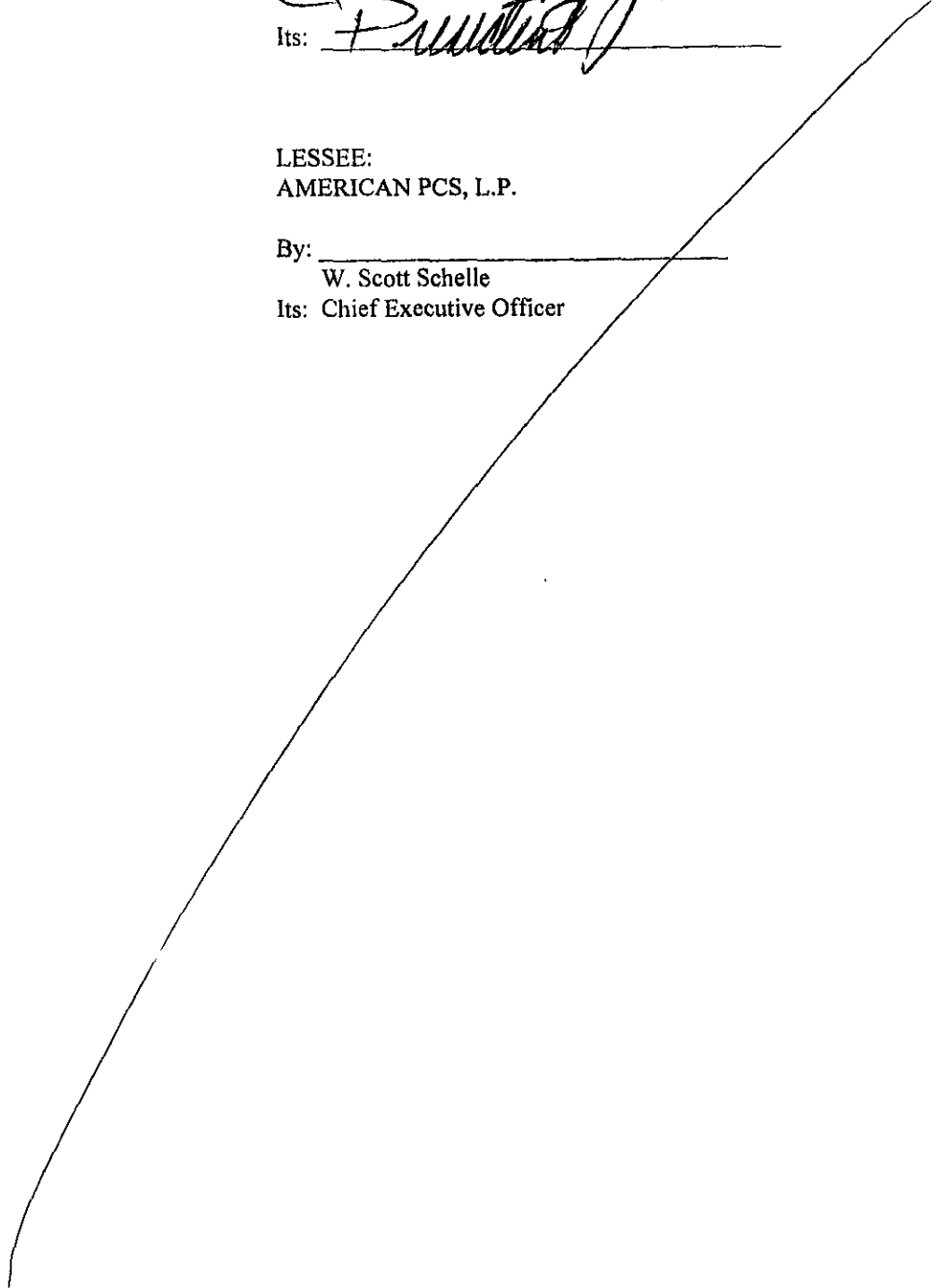
IN WITNESS WHEREOF, The parties hereto, consenting to be legally bound, have placed their hands and seals below as of the date set forth hereinabove.

LESSOR:
PROVIDENCE VOLUNTEER FIRE COMPANY, INC.

By: *Harold R. Young*
Its: *President*

LESSEE:
AMERICAN PCS, L.P.

By: _____
W. Scott Schelle
Its: Chief Executive Officer



7/22/96

EXHIBIT A
Property

1. The street address of the Property is: 1416 Providence Road
Baltimore, MD 21286

2. The Assessor's Parcel Number is: 0916751510.

3. The Property is recorded in the land records of Baltimore County, Maryland.

a. Map No.	b. Grid No.	c. Parcel No.	d. Legal Desc.
61	17	137	729' from Cromwell Bridge, 1 & Part Acres WS

9/22/96
CITY

EXHIBIT B
Premises

The Premises shall consist of the following:

1. Ground space measuring approximately 20' in length by 15' in width, or that which is sufficient to accommodate the Antenna Tower and Building.

[An as-built drawing depicting the Premises shall replace this Exhibit].

7/22/96

2/22/95

1. The Antenna Tower shall contain antennas, dishes, antenna mounts, and associated wiring and cabling.
2. The Building shall contain communications equipment and appurtenances associated therewith.

EXHIBIT C
Communications Equipment

Radio World

Vol 20, No 15

Radio's Best Read Newspaper

See pages
12-13.

Just No 4

July 24, 1996

No Muscle to Protect AM

by Lynn Meadows

WASHINGTON After years of writing and rewriting the AM rules, after expanded band 1 and 2, after much effort and intent and good will, the nation's pioneer band is facing a new crisis.

It seems the rule that is intended to prevent cellular, paging and other Part 22 licenses from distorting AM patterns when they erect their towers does not apply to the new PCS (Personal Communication Services) licensees that have Part 24 licenses.

As it stands, the Federal Communications Commission has two problems. First, it has no rule to enforce if a PCS tower disrupts an AM pattern. Second, the rule that does exist to protect AM patterns from cellular and other Public Mobile Service towers is vague and ineffective.

That rule, "Disturbance of AM Broadcast Station Antenna Patterns"

(22.371), says Public Mobile Service licensees who construct or modify towers in the immediate vicinity of an AM broadcast station are responsible for measures necessary to correct any disturbance of the AM station antenna pattern.

Within range

"Immediate vicinity" is defined as within 1 kilometer (0.6 miles) of a non-directional AM station and 3 kilometers (1.9 miles) of a directional AM station. If the new tower will stand within those distances, the builder must notify the AM licensee.

The rule states that "measurements must be made to determine whether the construction or modification affected the AM station antenna pattern," but does not specify who will pay for those measurements.

The FCC rule further states that it is the responsibility of the Public Mobile

Service licensee to install and maintain any detuning apparatus necessary to restore proper performance of the AM station array.

A spokesman in the wireless bureau admitted that rule 22.371 "hasn't been 100 percent successful."

Whether through ignorance or negligence on the part of the newcomers, many AM stations have not found out about new cellular or PCS towers until those have disturbed their patterns.

Failing to notify an AM station before constructing a tower close by can result in a forfeiture. However, as B.C. Jay Jackson Jr., engineering advisor to the Chief of the Commercial Wireless Division, explained, "We can fine people all we want, but it doesn't fix the technical problems."

Proper installation

Technically, following the proper steps, new towers do not need to be troublesome at all. Ron Nott of Nott Ltd., manufacturer of detuning equipment, explained what steps the cellular and PCS companies should follow.

After notifying the station, Nott said the new PCS or cellular station should do a proof of performance — preferably partial or full. Over time, an AM station may

continued on page 14

NAB Addresses Antitrust Questions

by Angela Novak

WASHINGTON Are antitrust violations the natural result of radio ownership deregulation granted by the Telecommunications Act?

The National Association of Broadcasters says no. With Department of Justice investigations taking place in various cities regarding radio ownership and the concentration of advertising revenues, the NAB is trying to educate the DOJ about the radio industry and its place in the overall advertising market.

The Telecommunications Act of 1996 lifted the FCC restrictions on the number of radio stations one party may own. The Justice Department has jurisdiction to determine whether a merger will yield anticompetitive results. For example, a problem exists if one advertiser must go to one party for 75 percent of the desired coverage.

The NAB sent the Justice Department a paper titled "Comments of the National Association of Broadcasters on the Advertising Product Market" that states

continued on page 16

Ships and Satellites:

A Remote from the Sea

by Marvin Collins

LOS ANGELES It was April, 1996,

when KOST(FM), Los Angeles, morning show producer Julie Asebez asked if there was a way the KOST morning show, featuring Kim Arndson and Mark Wallengren, could originate live from a

could be sent to the KFI(AM), Los Angeles, studio on very short notice. The Lynxx was the answer.

The Lynxx uses Inmarsat-B service, a digital technology service that permits the delivery of bidirectional high speed data — in this case, high quality digital audio — from almost anywhere in the

Weekly Tests?

MICROFILMED

NO Rule to Guard AM

► continued from page 1

have drifted out of compliance without realizing it. If so, it should be brought back into compliance.

Once the tower is erected, a test should be done to determine how much the AM pattern was distorted. If necessary, a detuning system should be designed and put on the new tower.

Finally, another set of measurements should be taken and sent to the FCC.

John Furr of John Furr & Associates Inc., a communications consulting company that represents broadcasting, cellular and PCS companies, called the before and after measurements an "insurance policy" for cellular operators against future demands to pay for repairs.

Likewise, explained Jackson, an AM station may want to know they were fully compliant before the new tower went up. Not said that skipping the first measurement is troublesome because without it, it is hard for the person detuning the new tower to know for certain where the problem is.

Without prior measurements, the new tower owner will be considered responsible even when AM pattern disruption is not necessarily his or her fault.

Solving the situation

Most everyone agreed that educating cellular and PCS engineers about the rules and regulations could reduce the last-minute calls for emergency detuning. Still, without a rule covering new PCS towers, PCS engineers using 22.371 are basically complying voluntarily — something Jackson said he appreciates.

Staff in the Mass Media Bureau and Commercial Wireless Branch are working together to find a solution. Jackson agreed that the best solution might be a rewrite of rule 22.371 to make it less vague and expand it to apply to the new PCS towers.

While the onus is on the wireless companies, it is clear radio stations need to be watchful of their own backyards. WFGW in Black Mountain, N.C., has first-hand experience with a backyard

antenna effectively cut the cost of advertising because every liquor manufacturer knew his competitors were doing the same. If one company broke the trace, it was argued that the flood gates would open.

The voluntary ban sheltered the liquor industry from the public outcry faced by cigarette and other tobacco companies that advertised on radio and television in the 1960s and 1970s. Like nerve gas or nuclear weapons, advertising on the airwaves was one weapon no one wanted to use for fear of the backlash.

With this self-imposed prohibition, there was never any perceived need for law makers to take action. Consequently, the liquor companies did not have to suffer through the bad publicity and loss of good will that the tobacco industry faced.

RBDS EASILY INSTANTLY INEXPENSIVELY

... with these two, brand-new products, INOVONICS has you covered, coming and going!

710 ENCODER: Just \$995 and **no computer required!** The non-volatile memory holds 16 separate frames of program and format identifiers, alternate frequencies, radiotext messages and traffic or emergency flags. A built-in data interface lets you upgrade later to full dynamic operation for revenue-generating paging, GPS, coupons, contests, etc.

510 DECODER: Connects to your existing FM Mod-Monitor. The front-panel LCD display shows RBDS injection level and allows you to scroll through and read all the data groups. An RS-232 port gives unlimited access to raw RBDS data for telemetry and other in-house functions.

Inovonics, Inc.

1305 FAIR AVE., SANTA CRUZ, CA 95060 U.S.A.
TEL: (408) 458-0552 — FAX (408) 458-0554



HAMPTON GARDENS

Restrictions

Prot 8

Dear

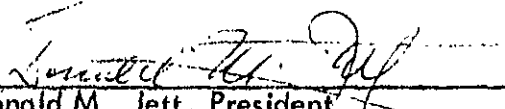
Welcome to your new home in Hampton Gardens!

Here are the recorded restrictions to which all properties in this development are subject. We ask that you read them carefully. They were written not only to create and maintain a general scheme for the development of Hampton Gardens, but also to help maintain the value of your property and your neighbors' for many years to come.

If you should have any questions concerning any of these restrictions, please feel free to call us.

Sincerely,

JETT DEVELOPMENT CORPORATION


Donald M. Jett, President

.....

NOW, THEREFORE, THIS DECLARATION WITNESSETH: That Jett Development Corporation, for itself, its successors and assigns, in consideration of the benefits to be derived does hereby impose on the land hereinabove described the following restrictions, covenants, conditions, agreements and reservations:

1. No shop, store, factory, saloon, beauty parlor, doctor's office or other professional office, or business house of any kind, no hospital, asylum or institution of any like or kindred nature and no charitable institution shall be erected or maintained on any of said lots, but that said lots shall be used only for residential purposes. No building shall be erected, altered, placed or permitted to remain on any of said lots other than one detached single family dwelling not to exceed two and one-half stories in height and a private garage for not more than three cars.

2. No dwelling shall be permitted on any lot, the ground floor area of the main structure of which, exclusive of one-story open porches and garages, shall be less than 1,000 square feet for a one-story dwelling or less than 750 square feet for a dwelling of more than one story. There shall not be erected or maintained on said tract of land an apartment house, or any house designed, or altered, for occupation by more than one family.

3. Any part of said land and any improvements now or hereafter erected thereon may, with the written consent and approval of the Company, be used for the purposes of a church, school, library, playground, park, place of public assembly or community meetings and for any or all of the usual purposes and functions incidental to or connected with any or all of the foregoing, but no part of said land or any improvements now or hereafter erected thereon, shall be used for any of the aforesaid purposes set forth in this paragraph without the written consent and approval of the Company being first had and obtained.

4. Real estate sales, management and/or construction offices may, with the written consent and approval of the Company, be erected, maintained and operated on any part of said land and/or in any building or structure now or hereafter erected thereon, provided such offices are used or operated in connection with the development of said land or the construction of improvements on said land or the management, rental or sale of any part of said land or any improvements which may be now or hereafter erected on said land, but no part of said land or any part of any improvements now or hereafter erected thereon shall be used for any of the aforesaid purposes set forth in this paragraph without the written consent and approval of the Company being first had and obtained.

MICROFILMED

5. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines, shown on the aforesaid recorded Plat or any amendment thereto. In any event, no building shall be located on any lot nearer than 40 feet to the front lot line, or nearer than 40 feet to any side street line. No building shall be located nearer than 15 feet to an interior lot line.

6. No lot shall be re-subdivided into nor shall any dwelling be erected or placed on any lot having an area of less than 15,000 square feet.

7. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the aforesaid recorded Plat and over the rear ten (10) feet of each lot.

✓8. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood or detrimental to health.

9. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.

10. No sign of any kind shall be displayed to public view on any lot, except one sign of not more than five square feet advertising property for sale or rent, or signs of any size used by builder to advertise the property during construction and sales period.

11. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purposes.

12. No lot shall be used or maintained as dumping ground for rubbish, trash, garbage or other waste material. Any rubbish, trash, garbage or other waste material shall not be kept on any lot except in sanitary containers provided for such purpose. All incinerators or other equipment for storage or disposal of such materials shall be kept in a clean and sanitary condition. Nor shall any container used for the storage of trash, garbage or other refuse be placed along the front of any lot prior to the day on which said trash, garbage or refuse is collected, nor shall any such container or containers be permitted to remain along the front of any such lot after said trash, garbage or refuse is collected, but shall be removed immediately and placed in an underground sealed container or inside of the garage erected on any of said lots above described. Notwithstanding anything to the contrary mentioned herein, under no circumstances shall said containers for trash, garbage or refuse be left or placed along the front of any of said lots on Saturdays, Sundays or holidays.

13. No wall, hedge, or shrub planting, which obstructs sight lines at elevations about two and one-half feet above the roadways, shall be placed or permitted to remain on any corner lot within triangular area formed by street property line and line connecting them at points 25 feet from intersection of street lines or in case of rounded property corner from the intersection of the street property lines extended. The same sight line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient heights to prevent obstruction of such sight lines.

14. No landscaping of any kind shall be done on or about any of the lots until landscaping plans which must show in detail the location of any trees, shrubbery, bushes, vines, etc. are first approved in writing by the Company.

15. No permanent type of clothes drier or line shall be erected, installed or maintained in any part of said lot or any improvements thereon; only collapsible, removable type of clothes drier shall be used and then only on the rear of the home, but under no circumstances shall any type of clothes drier be used on Saturdays, Sundays or holidays.

16. No building, fence, wall, sign, tank or structure of any kind shall be commenced, erected or maintained on said land nor shall any addition to (including awnings and screening) or change or alteration therein (including any retreatment by painting or otherwise of any exterior part thereof) be made until plans and specifications, in duplicate, showing the nature, kind, shape, heights, colors, materials, location and approximate cost of such building, fence, wall, sign, tank, structure and/or addition, change and/or alteration shall have been submitted to and approved in writing by the Company. The Company shall have the right to refuse to approve any such plans or specifications which are not suitable or desirable in its opinion for aesthetic or other reasons and in so passing upon such plans or specifications it shall have the right to take into consideration the use and suitability of the proposed building, fence, wall, sign, tank, structure, addition, change or alteration, and the location thereof and the materials of which it is to be built or made and the color thereof to the site upon which it is proposed to erect or keep the same; and insofar as may be practical, the harmony with the surroundings and the effect of the building, fence, wall, sign, tank, structure, addition, change or alterations, as planned, on the outlook from the adjacent or neighboring property. Company shall establish the set back of any proposed building or structure, the height thereof and the height of the first floor thereof (if any) and the grade of the lot. The colors of the exterior parts of any building or structure now or hereafter erected on said land are to remain the same color as they are when originally completed unless the Company shall consent in writing to a change in such colors, and the said colors of said parts shall not be changed in any way without the written consent of the Company first had and obtained.

17. Any or all of the rights and powers (including discretionary powers and rights and powers of consent and approval) herein reserved by or conferred upon the Company may be assigned or transferred by the Company, at its election and in its own discretion, to any one or more corporations or associations or committees of individuals agreeing to accept same, and any such assignment or transfer of such rights and powers may be made by the Company as to all of said land or as to any part or parts thereof and may be to different parties for different parts of said land. Any such assignment or transfer shall be evidenced by an appropriate instrument duly executed by the Company and recorded among the then proper public Land Records and upon such recordation thereof, the grantee or grantees, transferee or transferees of such rights and powers shall thereupon and thereafter have the right to exercise and perform all the rights and powers so assigned or transferred by such instrument, in lieu of the Company, upon and subject however to such limitations, conditions, reservations and provisions as may be imposed by or set forth in such instrument assigning or transferring such rights and powers reserved by or conferred upon Company by this Declaration. Such instrument assigning or transferring such rights and powers as aforesaid, may, among other things, provide for future or further assignment or transfer of such rights and powers to others by the grantee or transferee named therein.

18. The approval or disapproval of same, as required in these covenants shall be in writing. Approval given hereunder shall become null and void unless construction is begun within six (6) months from the date of such approval and completed with reasonable expedition.

19. It is covenanted and agreed by and between the parties hereto, for themselves, and their respective heirs, personal representatives, successors and assigns, as part of the consideration for the execution of this Declaration and as part of the plan or scheme of development of the lots of ground hereinabove referred to, that all of the restrictions, covenants, conditions, agreements, easements and reservations herein set forth shall be held and construed to run with and bind the aforesaid lots of ground and all subsequent owners and occupants thereof, and all of said restrictions, covenants, conditions, agreements, easements and reservations shall inure to the benefit of and be enforceable by the Company, its successors and assigns, and by any person or party then owning or having any recorded interest or estate in any of the aforesaid lots of ground against anyone violating or attempting to violate any of said restrictions, covenants, conditions, agreements, easements and reservations, provided, however, that at any time after December 31, 1988, any of the provisions of the foregoing restrictions may be cancelled, annulled or abrogated, in whole or in part, by the recording in the proper public Land Records of an appropriate instrument or instruments in writing, executed by the then record owners (not including mortgagees or ground rent owners) of at least sixty per cent (60%) in the aggregate

of the area of the aforesaid lots of ground, exclusive of streets, parks, playgrounds and other land then devoted to public use or the general use of the owners or occupants of said tract, which instrument or instruments shall specifically set forth which of the provisions of the foregoing restrictions are thereby cancelled, annulled or abrogated, and provided further that the foregoing restrictions, covenants, conditions, agreements, easements and reservations may be waived, modified or annulled, in whole or in part, and as to all of the aforesaid lots of ground, or any part or parts thereof, by mutual written agreement of the Company and the holder of the record title to that lot, lots or parts of lots to which such waiver, modification or annulment is to be applicable.

20. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants, either to restrain violation or to recover damages.

21. Invalidation of any one of these covenants by judgment or Court order shall in no way affect any of the other provisions which shall remain in full force and effect.

22. Notwithstanding anything to the contrary mentioned herein, it is understood, covenanted and agreed by the parties hereto, for themselves, their heirs, personal representatives, successors and assigns, that the conditions, covenants, agreements, easements, reservations and restrictions herein imposed shall cover only the lots or parcels of ground hereinbefore described and mentioned, and shall not apply to or bind other or adjoining property of the parties of the first part herein.

Reference to the aforesaid Plat is for the purpose of description only and is not intended to effect a dedication to public use of the streets or other ways shown on said Plat.

WITNESS the corporate seal of the said Jett Development Corporation and the signature of Donald M. Jett, its President; and

WITNESS the hands and seals of the said parties of the second part, Trustees as aforesaid; and

WITNESS the corporate seal of Union Trust Company of Maryland and the signature of its Vice-President.

WITNESS:

JETT DEVELOPMENT CORPORATION

BY

Donald M. Jett, President

(SEAL)

Lawrence P. Naylor, III - Trustee

(SEAL)

William P. Fulton - Trustee

UNION TRUST COMPANY OF MARYLAND

BY

Vice-President



**American Personal
Communications**

Case No.: 96-508-SPHX

Petitioner's Ex.
#2

AMERICAN PERSONAL COMMUNICATIONS (APC)
BOARD OF APPEALS HEARING
MARCH 19, 1997

TABLE OF CONTENTS

1. American PCS L.P. Corporate Profile
2. Photographs of 1301 Cheverly Road
3. Lease Agreement
4. Search Maps-ADC - Zoning -Tax
5. Photographs and Specifications Sheets for Antennas
6. Photographs and Specification Sheets for Equipment Cabinets
7. FAA Report
8. AM Radio Tower -Peter Neubauer-Structural Summary
9. AM Radio Tower-Engineering Report-J.M. Bixby
10. FCC License
11. Radio Frequency Statement-Jules Cohen
12. FCC Statement on PCS-Creating Significant Benefits for Consumers and Business
13. FCC's Chairman, Reed Hundt Speech, Excerpts

MICROFILMED

Lipman Frizzell & Mitchell LLC

REAL ESTATE CONSULTANTS

M. Ronald Lipman, CRE, MAI
George P. Frizzell, CRE, MAI
Ryland L. Mitchell III, CRE, MAI
David H. Brooks, MAI
James C. Feeney, MAI

Calvin V. Thomas, Jr., MAI
Stephen L. Rudow, MAI
Sheldon A. Stern, MAI
J. Gregory Ciambuschini
Kimo S. Phillips

Janet C. Williams
Allen E. Fleming
Henry T. Casado
Deborah M. Ryba, Mgr.

March 18, 1997

Mr. Greg Sarro
American Personal Communications
6905 Rockledge Drive, #100
Bethesda, Maryland 20817

RE: Cheverly Road Monopole Site
Baltimore County, Maryland

Dear Mr. Sarro:

In accordance with your request that we conduct a study of the above captioned site on which American Personal Communications proposes to construct a 150 ft. freestanding monopole, we herewith submit our report.

BACKGROUND

In preparation of this study, we inspected the subject site and its immediate surroundings; investigated the market for residential housing in the immediate area; reviewed tax maps prepared by the State Department of Assessments & Taxation, Tax Map Division; studied recent aerial photography of the immediate and general area and a site plan for the proposed monopole and equipment cabinets; and reviewed several studies completed by Lipman Frizzell & Mitchell LLC regarding overhead power transmission lines, underground easements, cellular telephone system towers, and other such uses located adjacent and among residential subdivisions and development parcels.

In addition, we have conducted independent statistical research regarding house values in the subject area (one-mile radius) and reviewed a study in the Falls Road Corridor of Potomac in Montgomery County oriented to existing monopole sites, comparing them with values of homes in the same subdivisions which are some distance from the monopoles.

Baltimore Office
LF&M Professional Center • 1400 Front Ave., Suite 300
Lutherville, MD 21093-5331
(410) 321-0022 • Fax: (410) 296-8589

Washington Office
Second Avenue Plaza • 8607 Second Ave., Suite 402
Silver Spring, MD 20910-3327
(301) 565-3380 • Fax: (301) 587-3033

Study of *PEP*

CHEVERLY ROAD MONOPOLE SITE
BALTIMORE COUNTY, MARYLAND

March 18, 1997

Prepared by:

LIPMAN FRIZZELL & MITCHELL LLC
Real Estate Appraisers & Consultants
L&M Professional Center
1400 Front Avenue - Suite 300
Cockeysville, Maryland 21093

Submitted to:

Mr. Greg Sarno
American Personal Communications
6905 Rockledge Drive, #100
Bethesda, Maryland 20817

LFM-5709

Copyright © 1997 by Lipman Frizzell & Mitchell, Maryland, Inc. All rights reserved.


MICROFILMED

HAMPTON GARDENS COMMUNITY
ASSOCIATION INC.
1303 DENBY ROAD
TOWSON, MARYLAND 21286

STATEMENT OF POSITION

We the members of the Hampton Gardens Community Association, have received from Vento Communications, Inc. (VCI), as a representative for American PCS, L.P. (APC), notice of intention to seek a *Special Exception* for the location of a telecommunications facility on the property of the Belvedere Baptist Restoration Church, 1301 Cheverly Road, Towson, Maryland.

At our meeting held on June 21, 1996, we reviewed all information provided and at this time have no objection to the granting of a *Special Exception to American PCS, L.P.* for operation of a telecommunication facility at 1301 Cheverly Road.

By: 
Philip E. Cvach, President
June 24, 1996

*Peltzman's
No 7*

MICROFILMED

3/12/97

APC /Belvedere Baptist Church

Taken for duplication:

Rec'd
3-12

- Petitioner's Exhibit No. 2 - Support Documentation (bound)
- " " No. 3 - Environmental Impact Statement (bound)
- " " No. 4 - Memorandum Re: Providence Road Survey
- " " No. 5 - Community contacts list
- " " No. 7 & 8 - colored plats

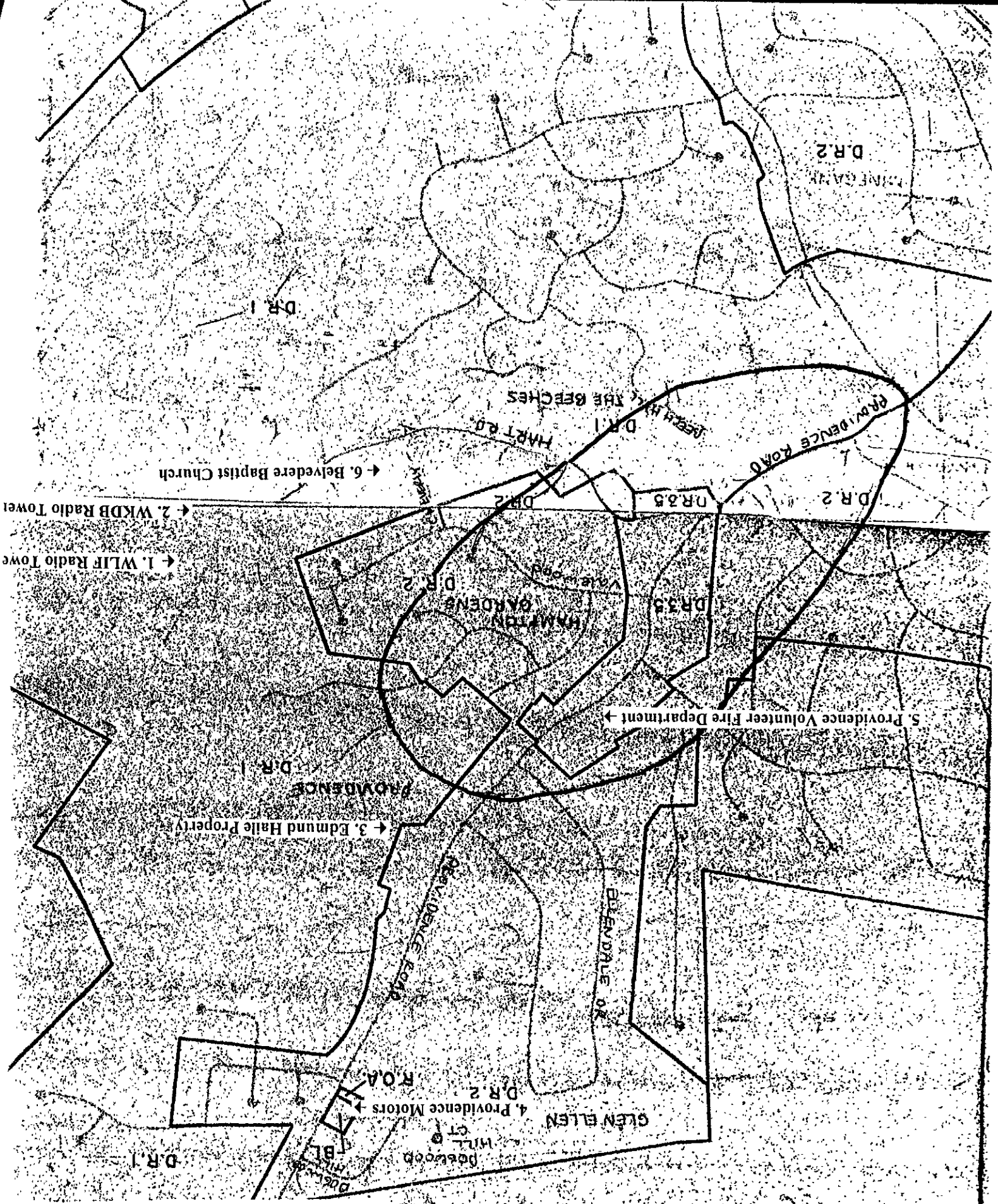
Lisa Marie Ferrari taking exhibits to COB

Lisa M. Ferrari

TO BE REC'D
3-13-97
RET'D
3-13-97
CW

MICROFILMED

**BAN76 Providence Road
Search Area**



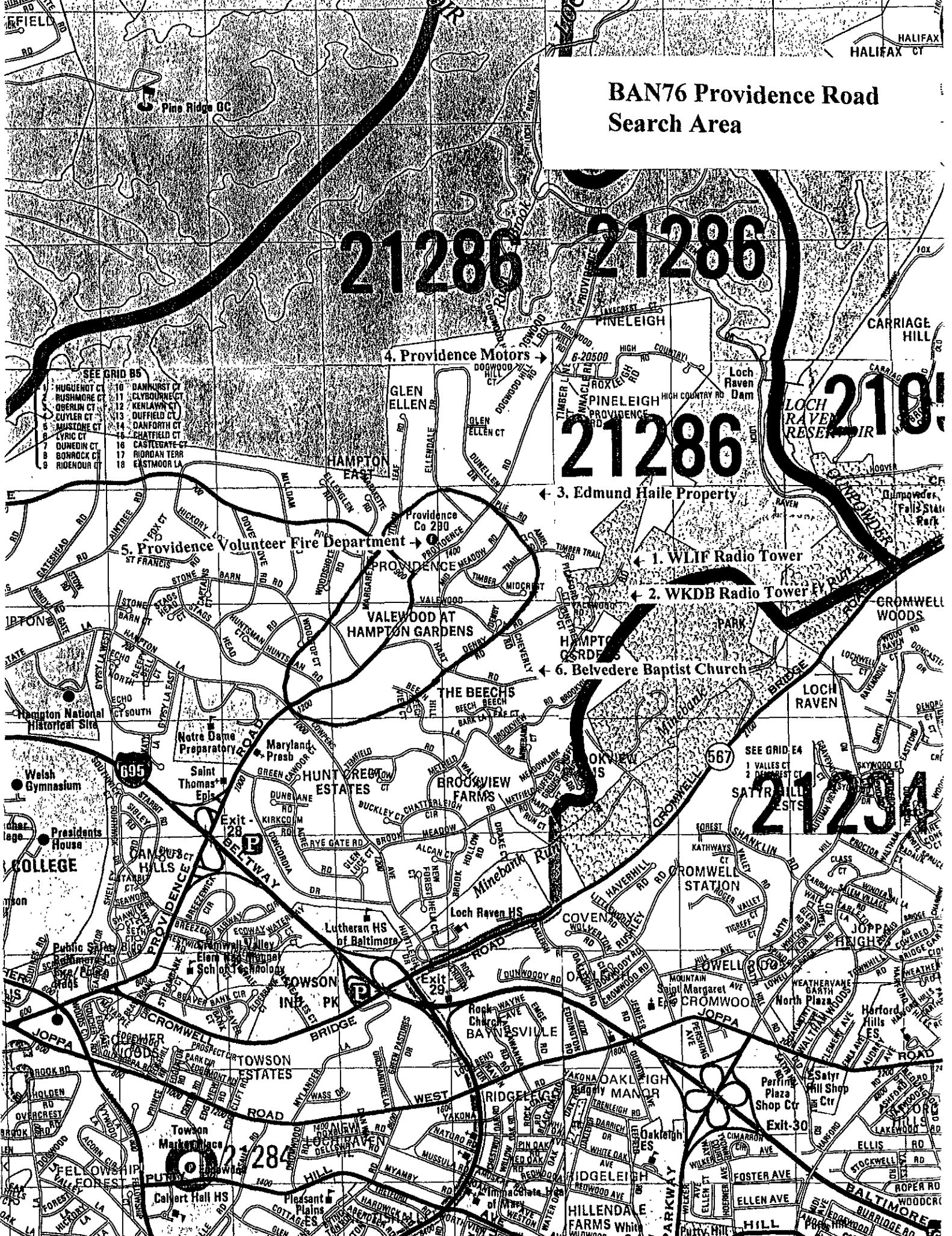
BAN76 Providence Road Search Area

21286 21286

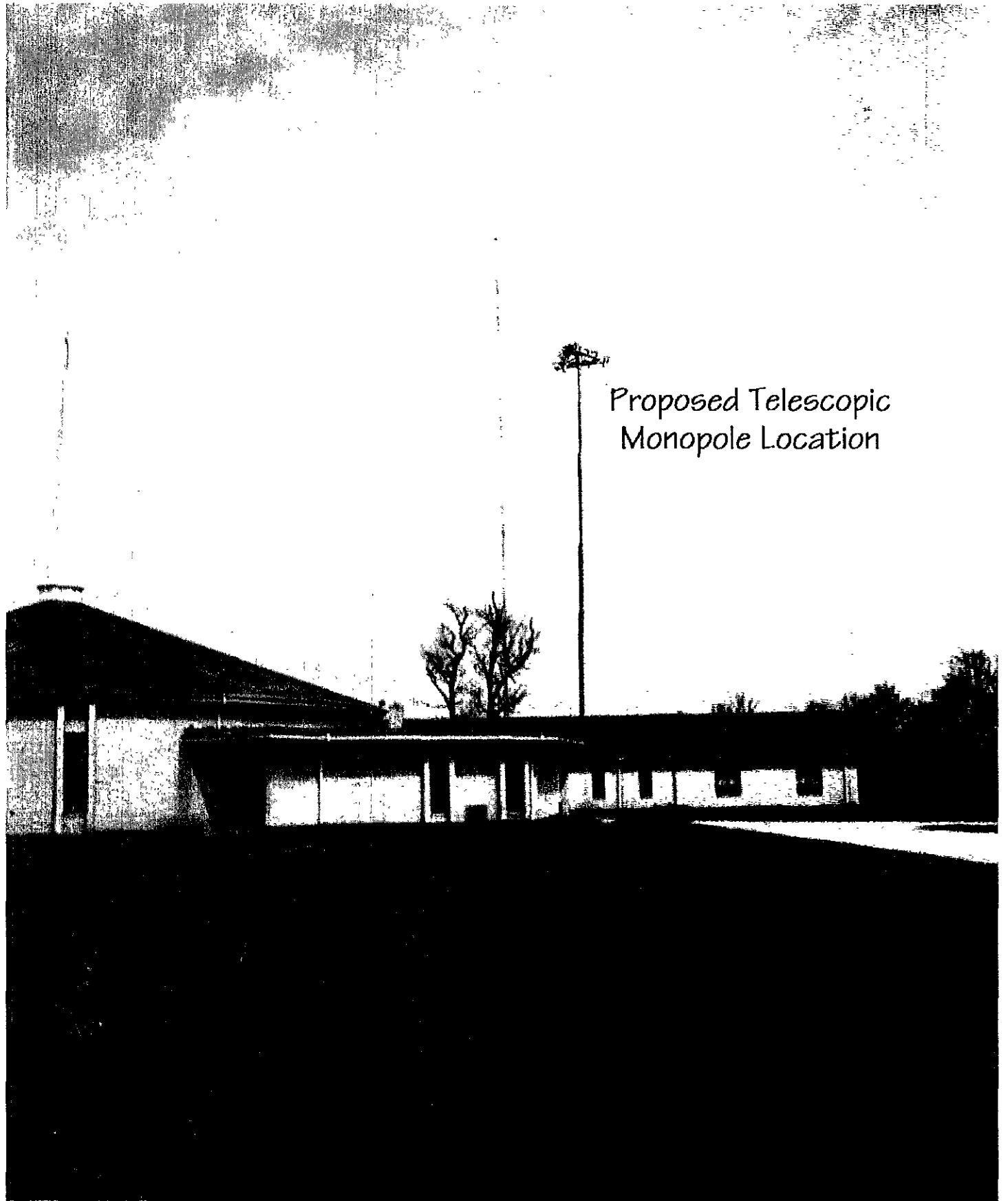
21286

210

21234



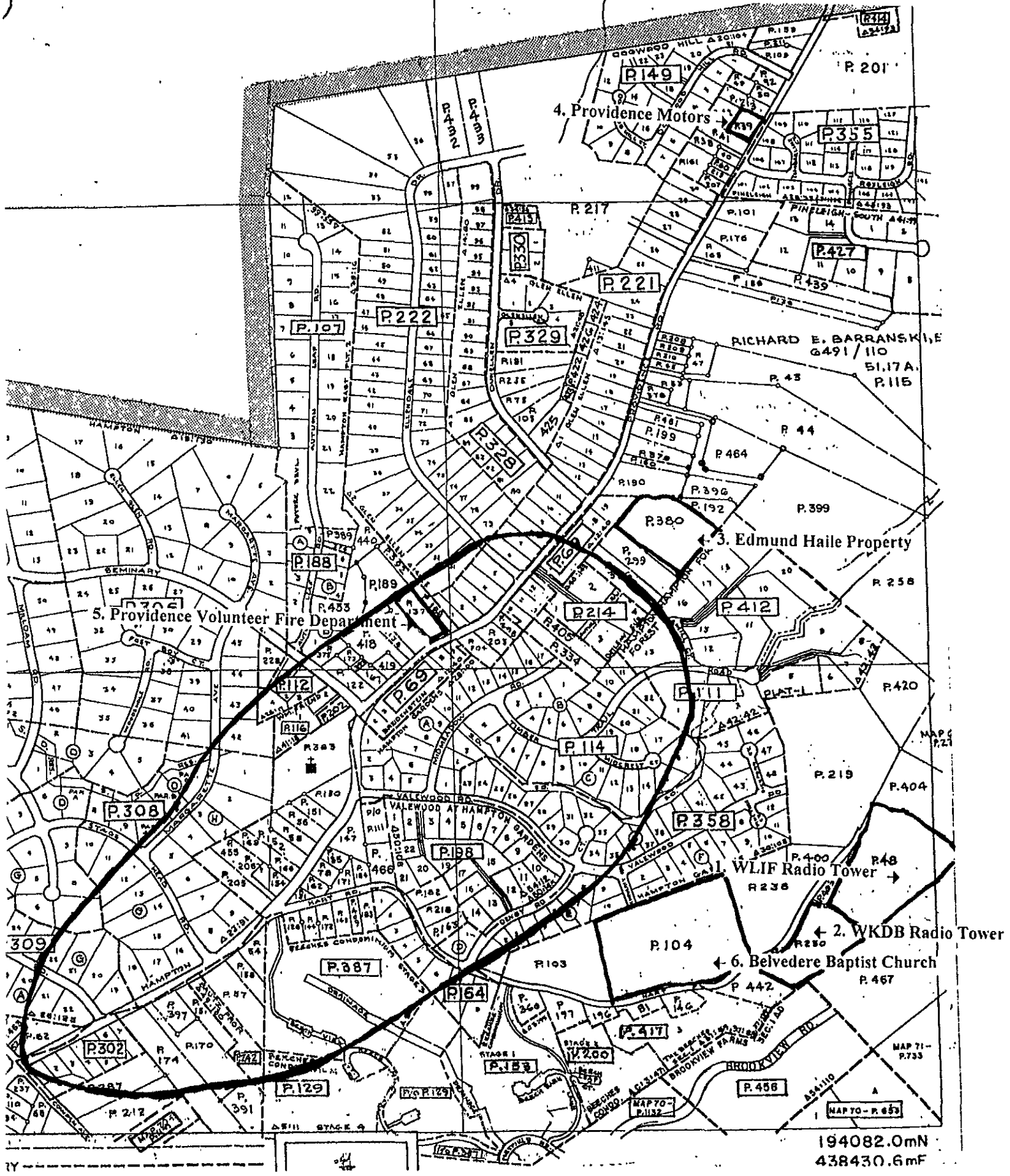
Prot Exp #1 MICROFILMED



Proposed Telescopic
Monopole Location

American Personal Communications
BAN076D The Restoration Church

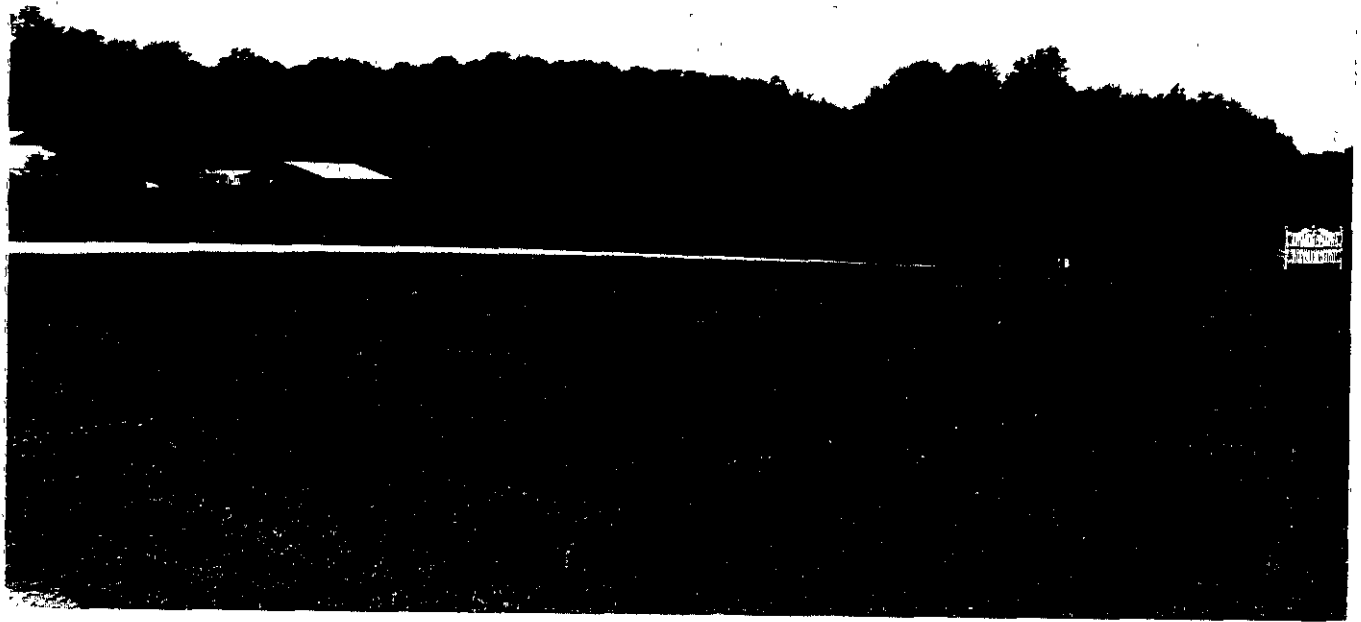
BAN76 Providence Road Search Area



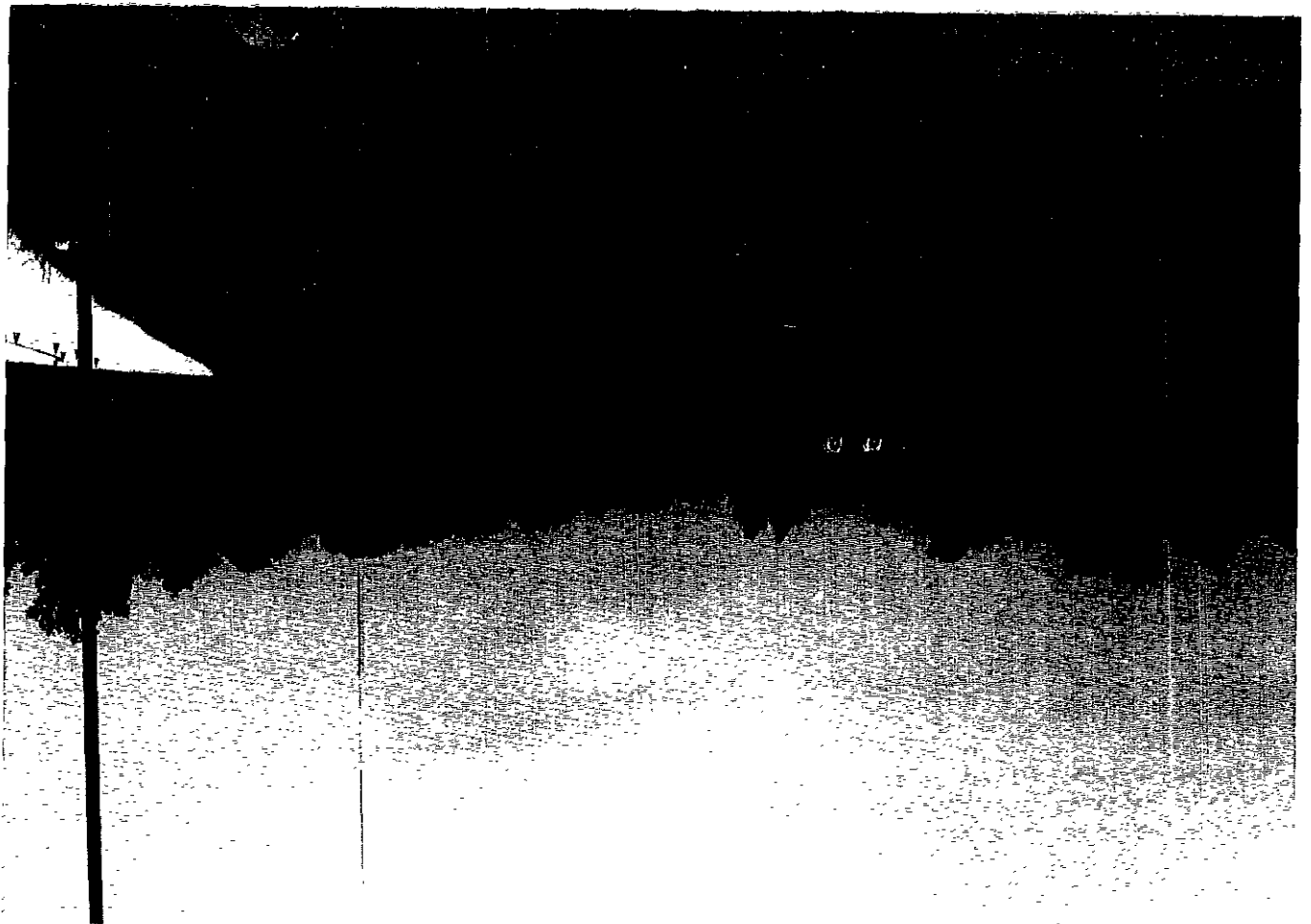
194082.0mN
438430.6mF

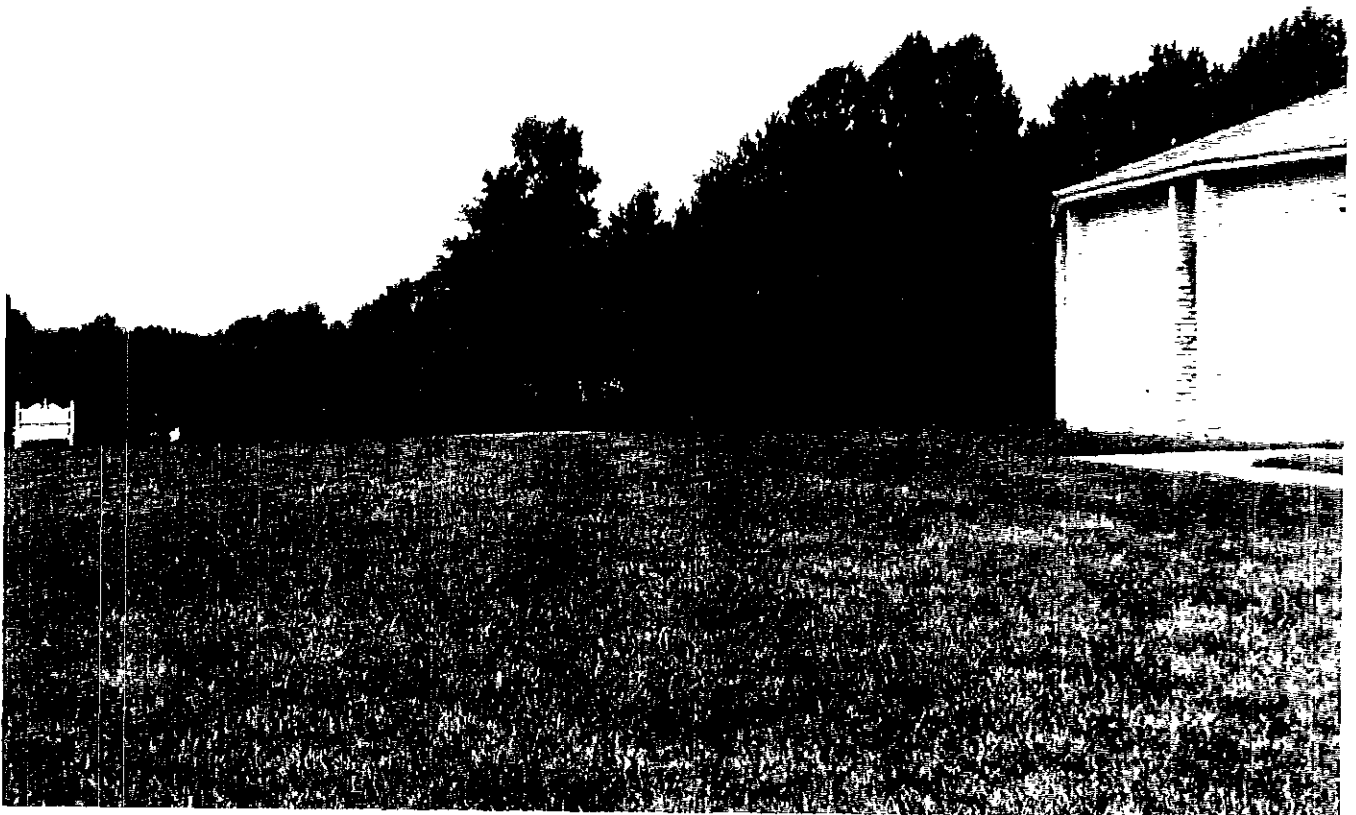
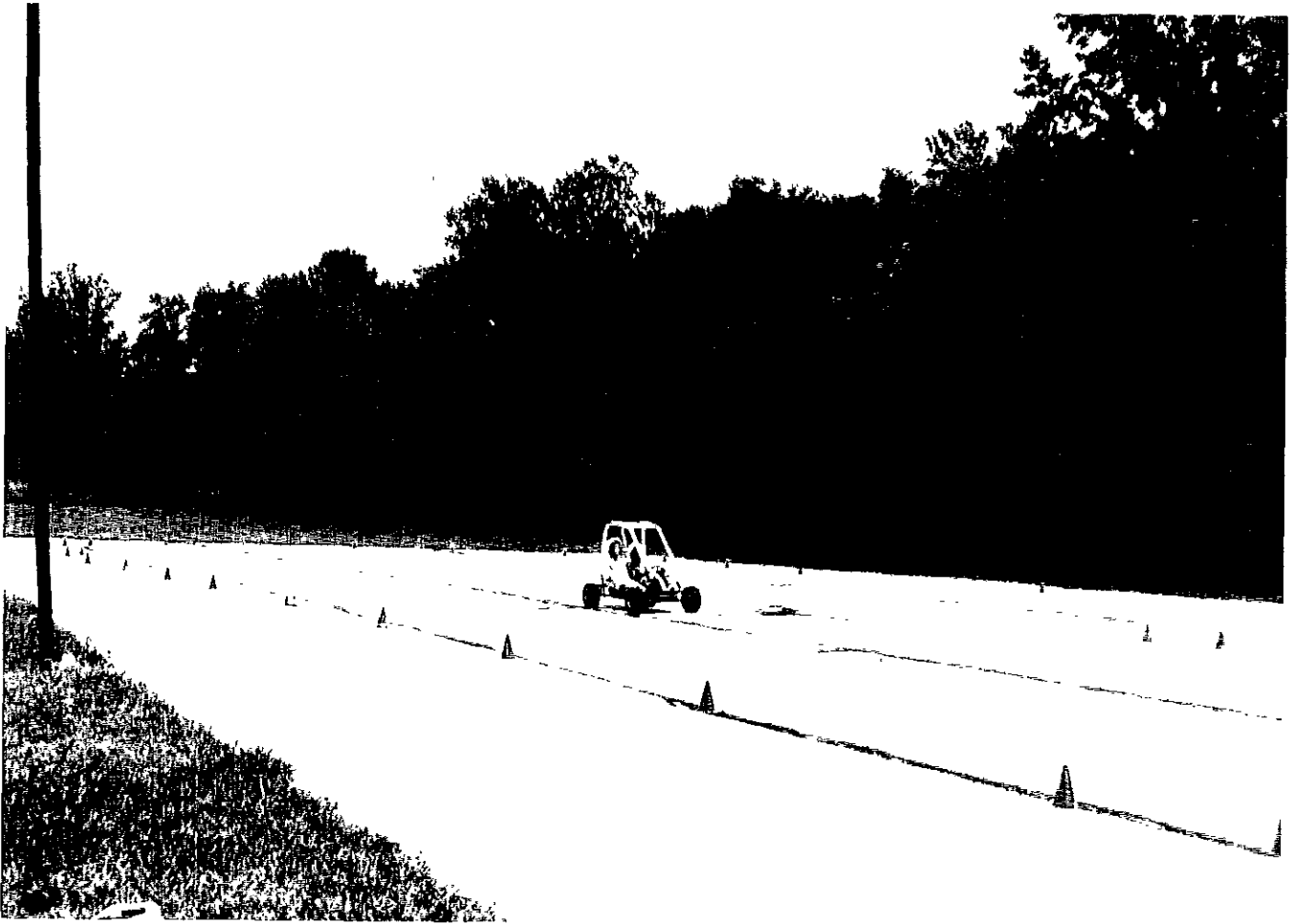
Petitioner's
Exhibits 6A - 6K
photographs
Case 96-508-SPHX

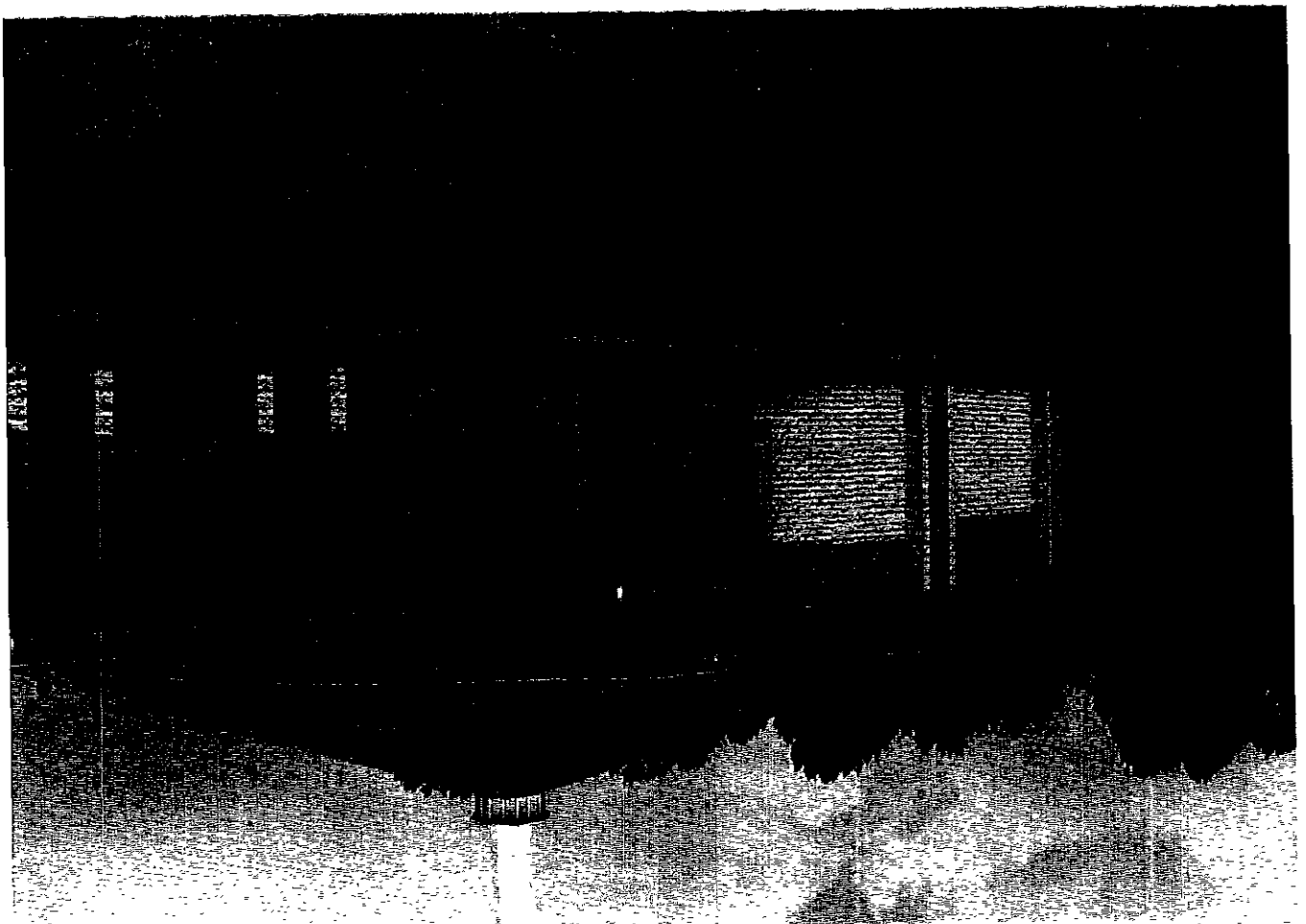
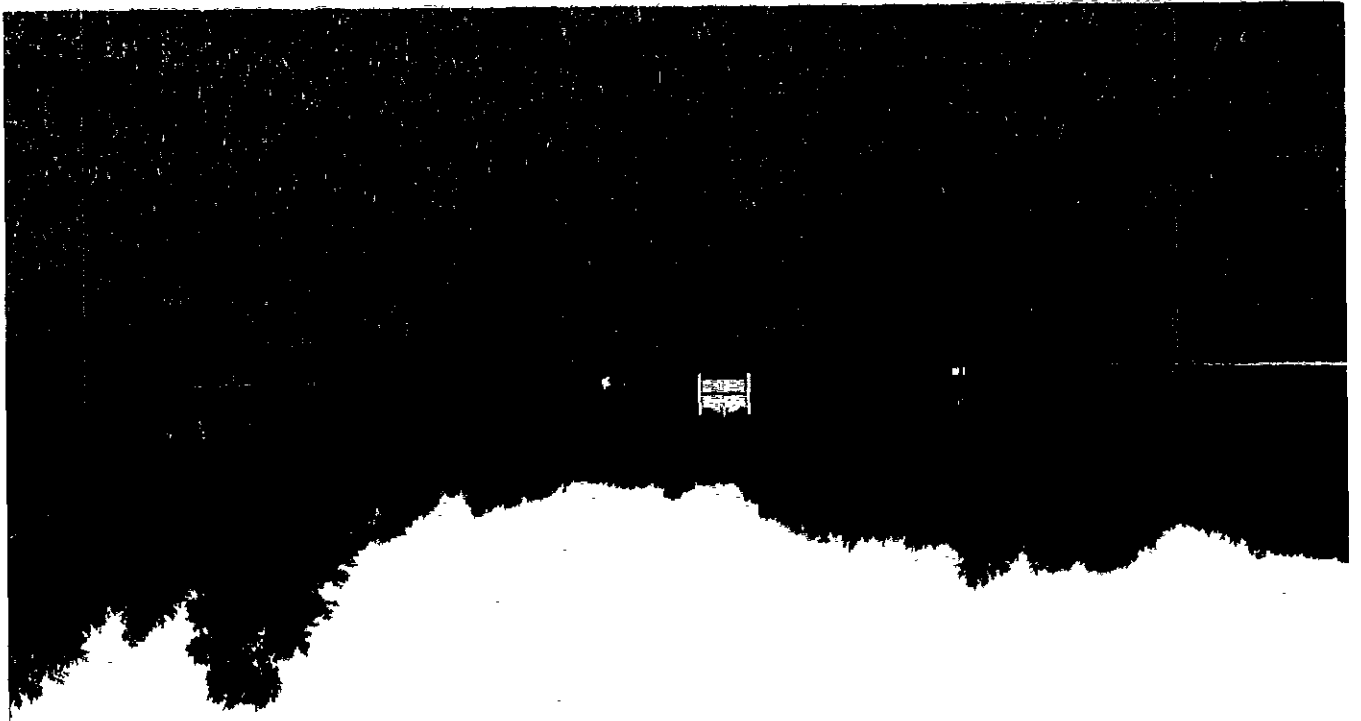
MICROFILMED

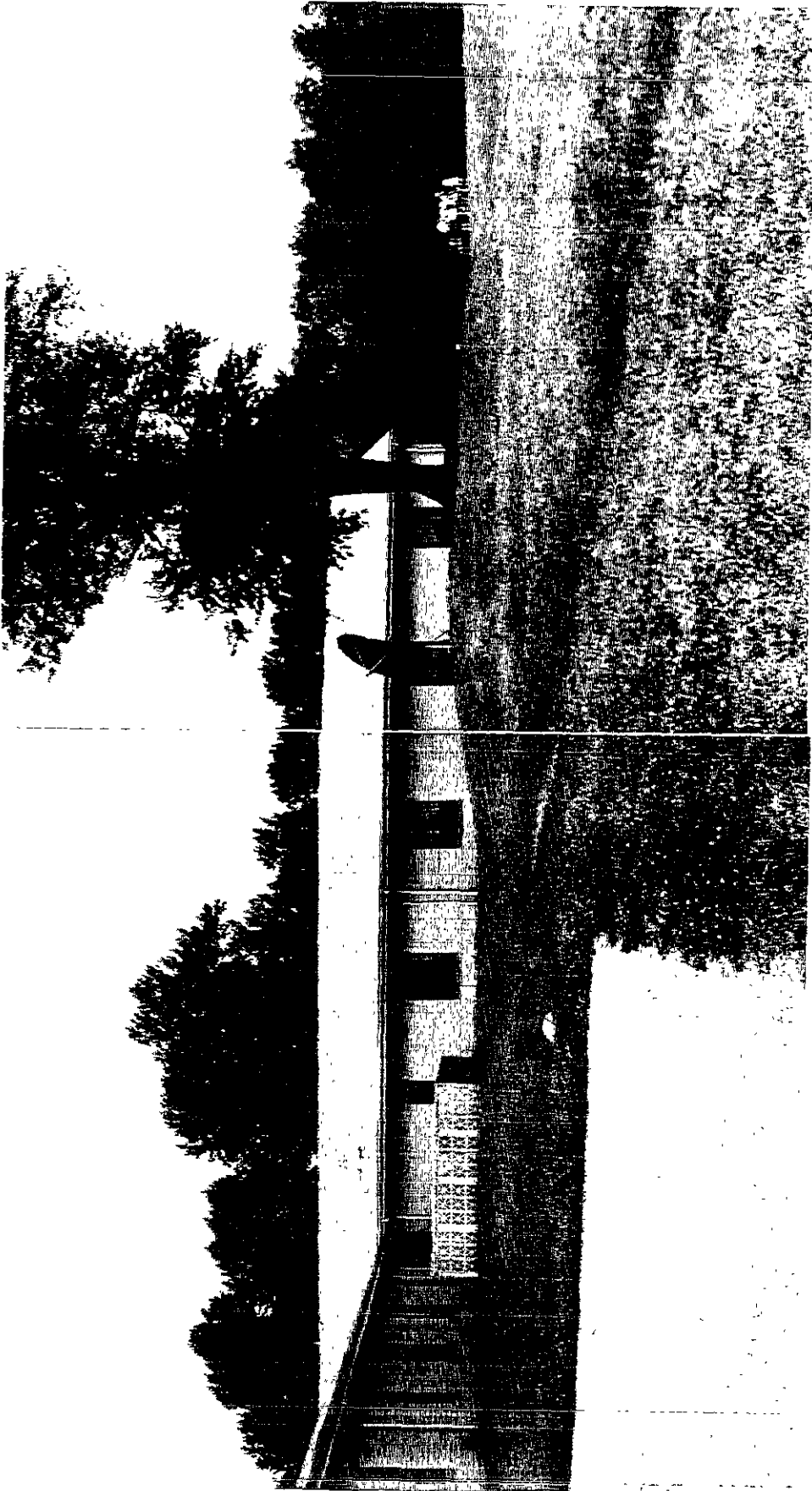












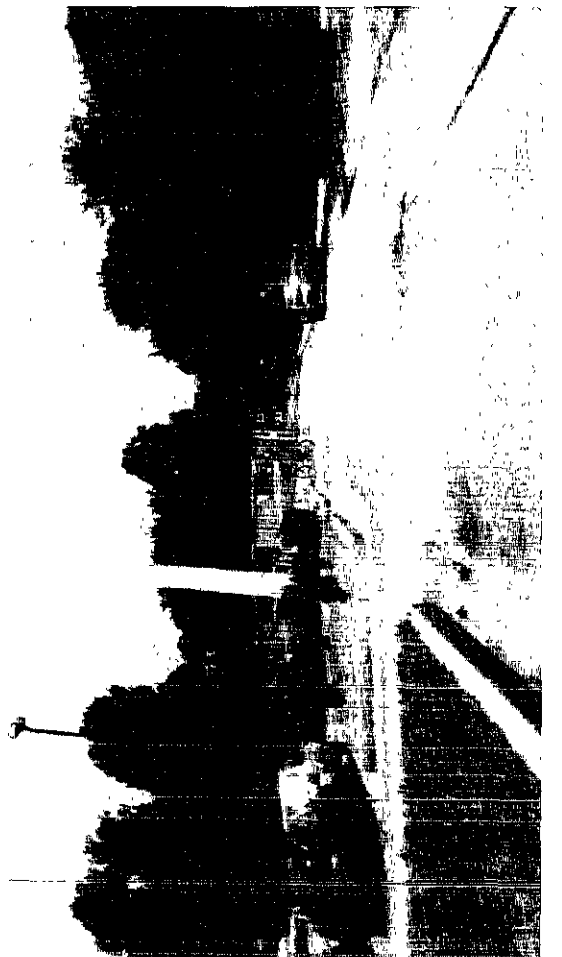
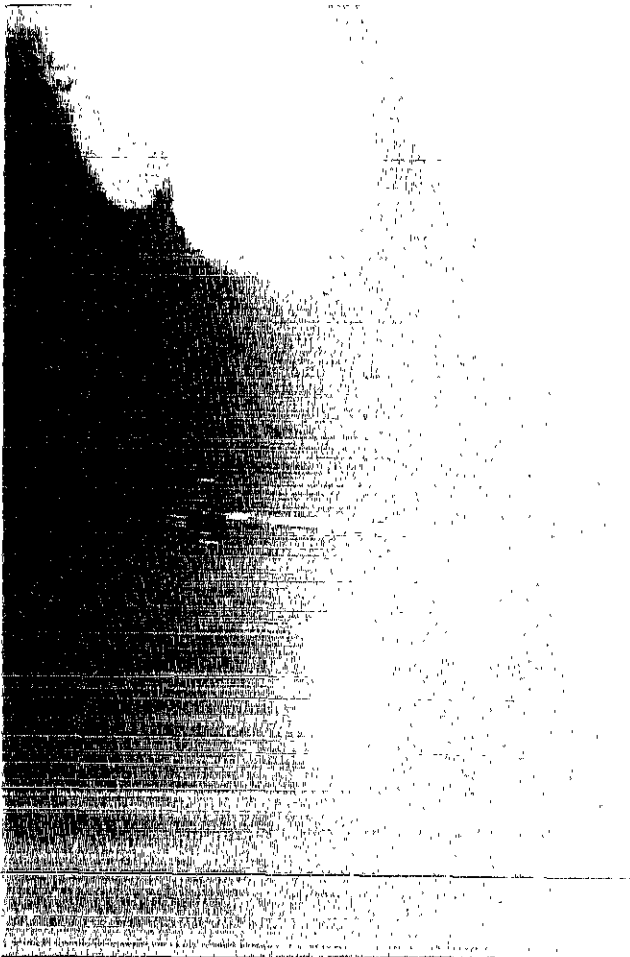
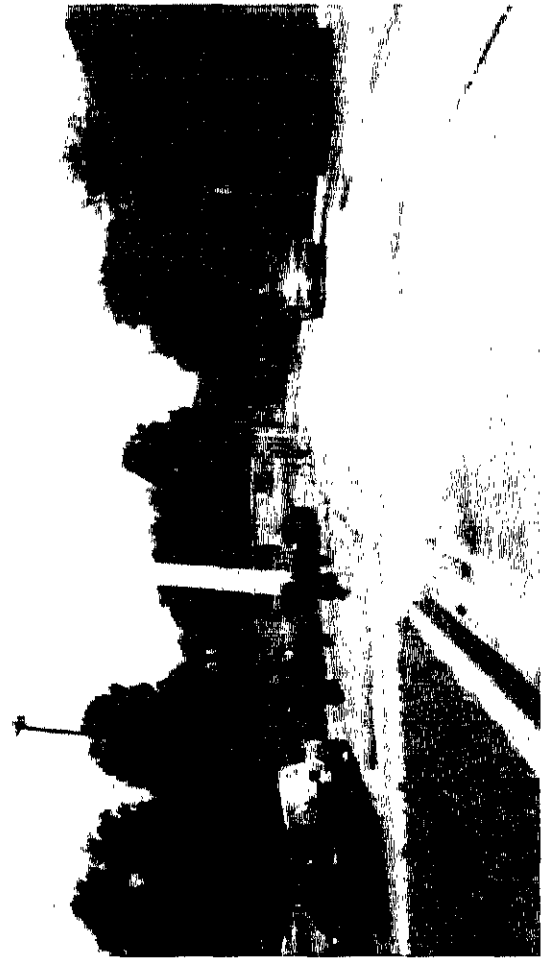
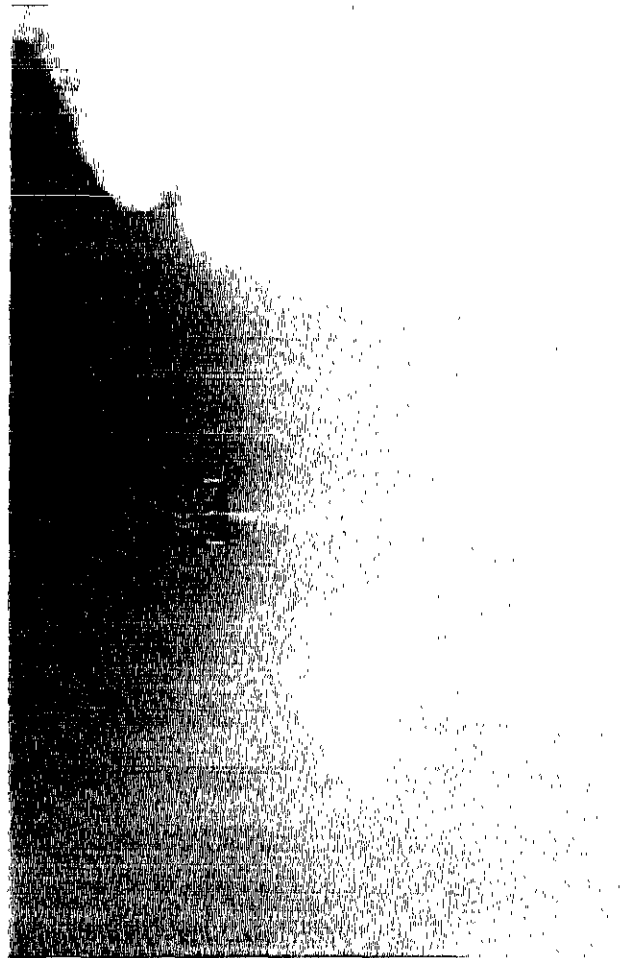
Protostant's Exhibits

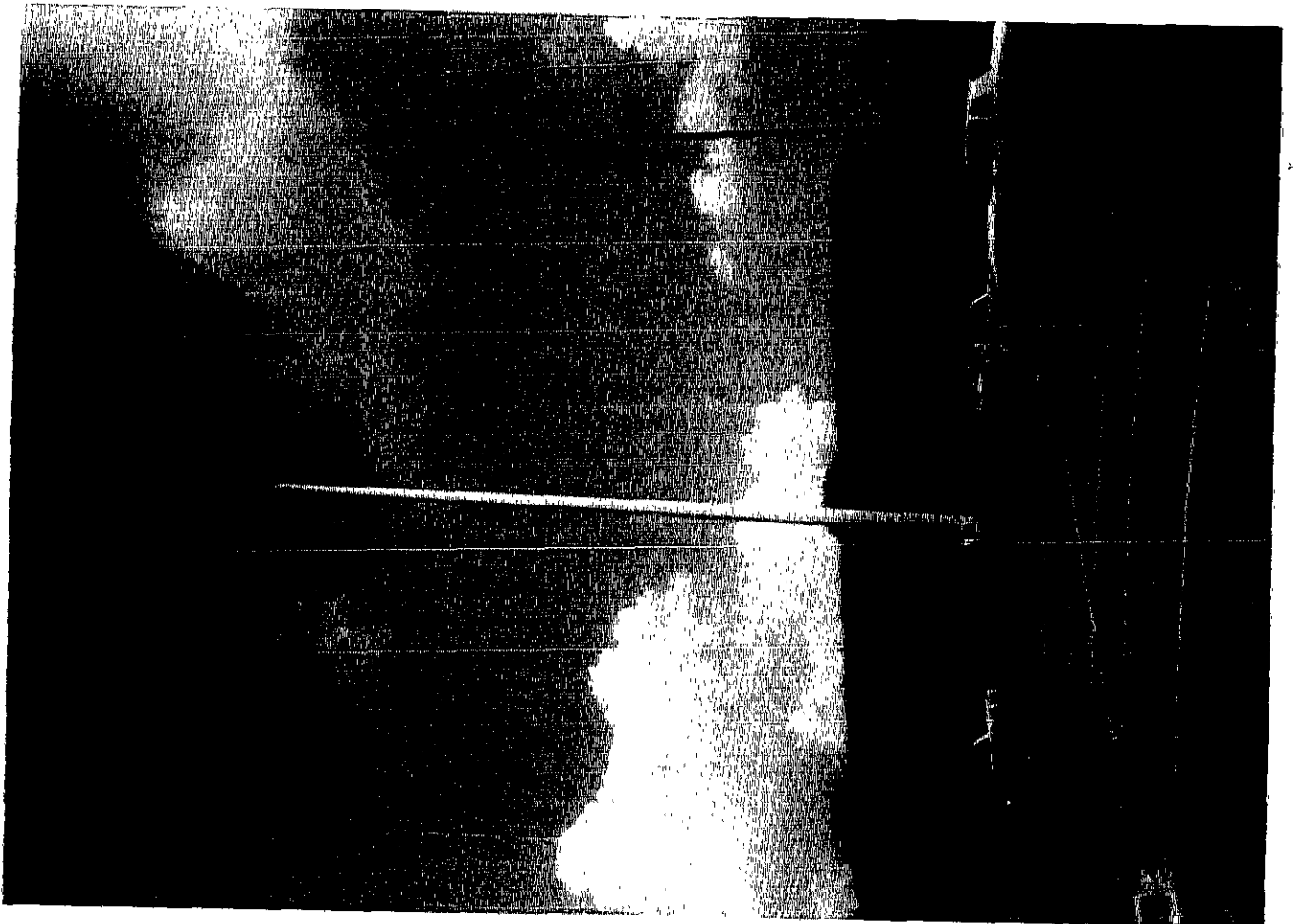
9A & 9B

(and other unmarked
photographs)

Case 96-508-SPHX

MICROFILMED





Environmental Impact Statement

Belvedere Baptist Church APC Site

The project consists of construction and operation of a facility for use as a Personal Communication Service (PCS) site. The facility will consist of a 150' monopole tower with 11 communication cabinets (P-cabinets) mounted directly below the monopole. The site will be located on a 15-acre parcel owned by the Belvedere Baptist Church of Baltimore, Maryland. The facility will be placed in close proximity to the existing church, wholly contained within this property, which contains approximately 15 acres of land. Adjacent properties are D.R.I., with a 15' zone north and adjacent to the property, and vacant fields to the east of the property. All other surrounding areas are in residential use.

The facility can be constructed at this location with minimal disturbance to the area. The site will be served by electric utility lines, the sanitary sewer, or natural gas. The facility is prepared for construction, but will be subject to a regular performance.

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

Prepared by:
Darc McCune Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705
dmw@dmw.com

This Environmental Impact Statement (EIS) has been prepared for the Federal Communications Commission (FCC) for the proposed construction and operation of a Personal Communication Service (PCS) site. The facility will consist of a 150' monopole tower with 11 communication cabinets (P-cabinets) mounted directly below the monopole. The site will be located on a 15-acre parcel owned by the Belvedere Baptist Church of Baltimore, Maryland. The facility will be placed in close proximity to the existing church, wholly contained within this property, which contains approximately 15 acres of land. Adjacent properties are D.R.I., with a 15' zone north and adjacent to the property, and vacant fields to the east of the property. All other surrounding areas are in residential use.

The facility will be placed in close proximity to the existing church, wholly contained within this property, which contains approximately 15 acres of land. Adjacent properties are D.R.I., with a 15' zone north and adjacent to the property, and vacant fields to the east of the property. All other surrounding areas are in residential use.

The facility can be constructed at this location with minimal disturbance to the area. The site will be served by electric utility lines, the sanitary sewer, or natural gas. The facility is prepared for construction, but will be subject to a regular performance.

The facility can be constructed at this location with minimal disturbance to the area. The site will be served by electric utility lines, the sanitary sewer, or natural gas. The facility is prepared for construction, but will be subject to a regular performance.

STATE OF MARYLAND
EMERSON
PROFESSIONAL ENGINEER
No. 3885
REGISTERED



MICROFILMED

Copy
Exhibit
(305)

Sequence of Zoning SPECIAL EXCEPTIONS regarding Hart Road Sites for Radio Transmitting Towers and/or Studios

Case 3579 x for Wireless Transmitter
Case 5495 x for Wireless Transmitter

By "Sudbrink"

Case 76-142 x

for WTOW, for Wireless Transmitting Structure and Transmitting Station Building
(rec'd for Filing April 21, 1976)
(Signed by "Sudbrink")
Embroiderer dated 11/17/75

Sold to "Gore"
July 9, 1976
(recorded July 13, 1976)

Case 77-37 x

for WLIF Studio

(Sudbrink, owner)
(granted)
Ruling Aug 19, 1976

with reference to
"existing radio transmitting facilities, and studios... operating, more or less, continuously since December 1970."

and "that no SE exists for the studios..."
and in the Ruling (8/19/76),
"normally" expansion of additional 800 sq ft to the existing 800 sq ft.

MICROFILMED

Case 81-206 x SPH
for SE Amendment to Item #167
SE76-142x held 6/3/81, denied 16 July 81
to Bd of Appeals, hearing 3/24/81

CHART 2,
1/10/76
to 3/24/82

CHRONOLOGY CHART - CONTINUED

THE SITE UTILIZATION OF WLIF/WTOW
on HART ROAD, TOWSON

(Added Data, CET. Files
from Period
1/10/76 to 3/24/82)

[See Chart 1.
for preceding data]

(WTOW)
(AM)

WLIF
(FM)

ZONING CASE
76-142 X

for "Wireless Transmitting Structure
and Transmitting Station Building"
Heard (sched.) Jan 12, 1976
Filed in name of "Sudbrink", owner

[per notations in zoning office
Also,
Sold to GORE July 9, 1976
recorded July 13, 1976]

New 280 ft (?) TOWER ERECTED
AND TRANS. BUILDING BUILT

ZONING CASE

81-206 XSPH

for "Special Exception for
Radio Studio and additionally,
Petition for Special Hearing for
Site Plan Amendment filed
in Case 76-142X ..."

(Heard 6/3/81), (Denied 16 July 1981)

Board of Appeals Hearing
3/24/82

ZONING CASE

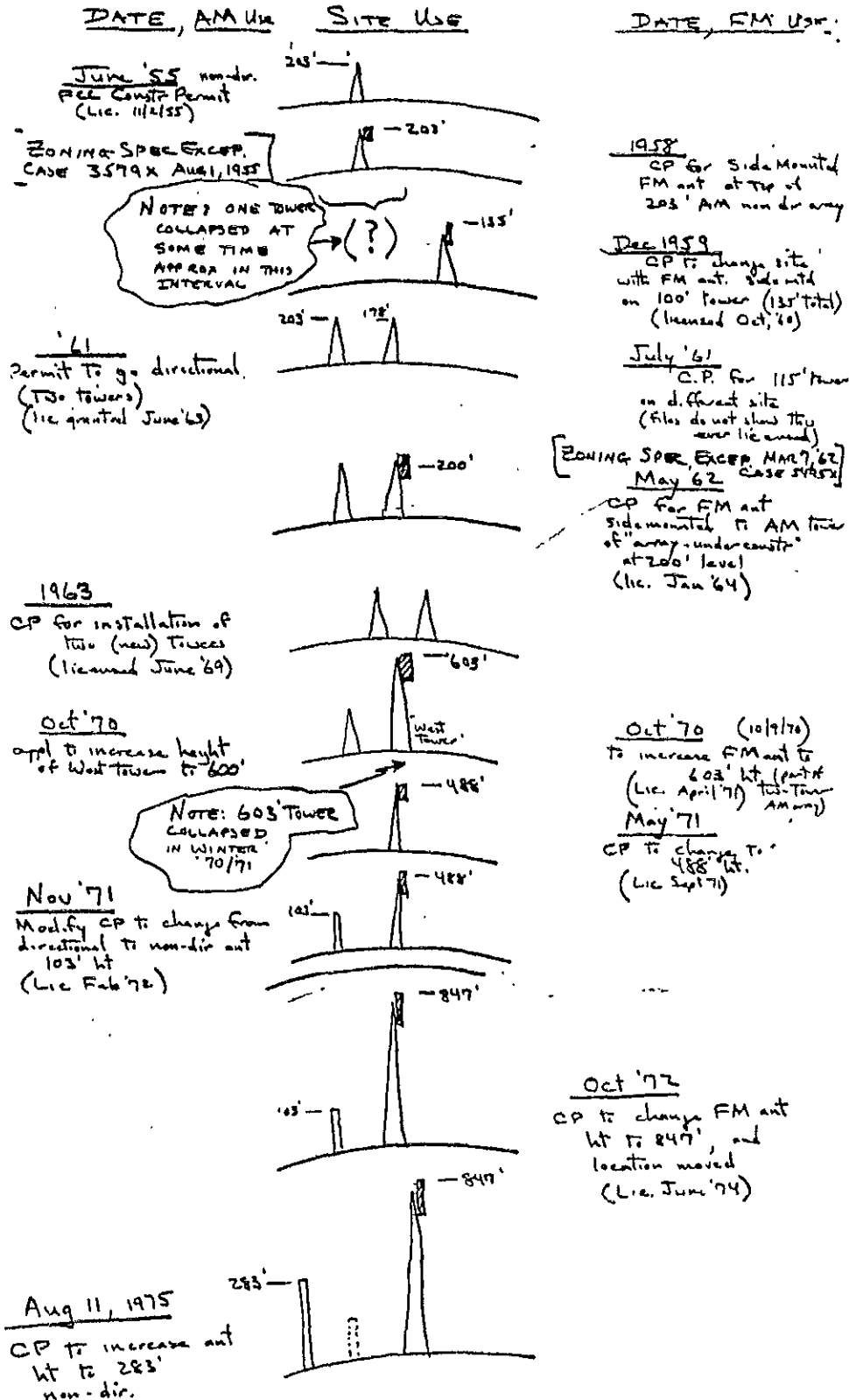
77-37 X

for WLIF Studio
by Sudbrink, owner

Ruling: Granted, to allow
"existing radiotrans. facilities and
studios.... and permit expansion
of additional 800 sq ft to the
existing 800 sq ft."
(Ruling dated Aug 19, 1976)

CHART 1,
to 1/10/76

CHRONOLOGICAL CHART OF
EXPANDING UTILIZATION OF HART ROAD
SITE OF WLIF/WTOW (incl. WAGE)



NOTE: ONE TOWER
COLLAPSED AT
SOME TIME
APPROX IN THIS
INTERVAL

NOTE: 603' TOWER
COLLAPSED
IN WINTER
'70/'71

NOTE: CURRENT ZONING APPLICATION
FOR SPEC EXCPT ON
ADDED 4.39 ± Acres
ALSO APPLIES

Chart prepared from
info of FCC Broadcast Bureau
files. Chart d. in h.
by CBT 1/10/76

continued to Chart 2

Data - Source Reference: Notes of CBTJR
Telecom with Mr Dennis Williams
of FCC Broadcast Bureau 1/9/76

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

OFFICE OF ZONING COMMISSIONER

EST
Exh #2
14

S. ERIC DINENNA
Zoning Commissioner

JAMES E. DYER
Deputy Zoning Commissioner



494 - 3351
494 - 3391

January 18, 1973

Mr. Charles Edgar Thomas, Jr.,
1101 Hart Road
Baltimore, Maryland 21204

RE: Radio Towers for WLIF
Case No. 5495-X
Hart Road
8th Election District

Dear Mr. Thomas:

I am in receipt of your letter of January 5, 1973 in which you request review of the Special Exception and subsequent permits for the above referenced property.

After review of the Special Exception Hearing (Case No. 5495-X), I find that no restrictions were placed on the subject property with regard to the height or number of structures. Additionally, no other restrictions were placed in the Order by virtue of an Opinion or written agreements included therein. I cannot interpret what you believe as reasonable doubt concerning the original decision as the case was not then under my jurisdiction.

The instances you mention in your letter and request to be given consideration at a Hearing may be initiated by your filing for a Special Hearing. I suggest you contact Mr. James Byrnes of our office so that you may be advised of the necessary information and fees to be filed with such a request.

Very truly yours,

S. Eric Dinenna
S. ERIC DINENNA,
Zoning Commissioner

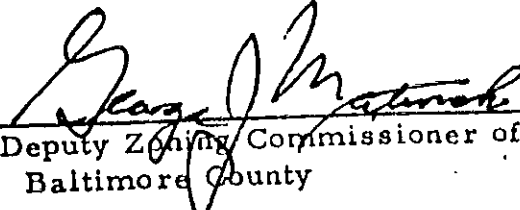
SED:JBB:JD

cc: Mr. Dennis Ciapura
WLIF Radio Station
1520 Hart Road
Towson, Md. 21204

James E. Dyer, Deputy Zoning Commissioner
James B. Byrnes, III, Zoning Tech. III

1. Expansion of radio station W. L. I. F. 's facilities, or the facilities of any future station operating at the subject location, shall be limited to the above referenced 800 square foot addition.

2. Approval of a site plan by the Baltimore County Department of Public Works and the Office of Planning and Zoning.


Deputy Zoning Commissioner of
Baltimore County

copy
Exhibit 4
(17)

WLIF
Lite 102

1570 Hart Road
Baltimore, Maryland
21204-1699

301-823-1570
FAX 301-821-5482

Date: Nov. 13, 1992
To: WLIF Staff
From: Mary Savoye
Re: Hart Road Speeding

I have had a very strong complaint from one of our neighbors on Hart Road, Mr. Thomas. Today he was almost hit by one of our employees who was speeding and driving dangerously on Hart Road.

Let me remind you that this is a residential street, with a 25 mile per hour speed limit. At times even this is too fast. We are here as an exception to residential zoning and it behooves us to be considerate of our neighbors, and that we drive SAFELY.

Hart Road is a narrow, curving road with many walkers, strollers, horses and animals - as well as other cars. I cannot state too strongly that YOU MUST DRIVE SLOWLY on this road.

Mary

Exhibit 5
(2 153)

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 1, 1993

Kenneth C. Stevens, General Manager
WLIF
1570 Hart Road
Baltimore, Maryland 21286

Re: Case No. 93-2455
1570 Hart Road
9th Election District

Dear Mr. Stevens:

On August 27, 1993, I had the opportunity to discuss your correspondence that ultimately was not received until August 26, 1993, with Director Arnold Jablon. What this department is now requesting is the exact location where one's office and studio will be relocating and assurance that October 31, 1993, will be the final date of present day operations at Hart Road. Furthermore, if the possibility does exist that limited usage will be made of this facility, then what will actually take place there? Also, what guarantee does Baltimore County have and more so the neighborhood residents, that the work force will be equal to no more than 5 full-time and 2 part-time employees.

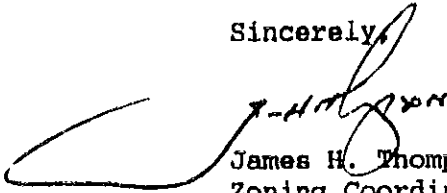
This matter was brought to the attention of the enforcement division because the current operation had grown to such an extent, that perhaps a once seldom used narrow road had become a busy thoroughfare. Having been in your building to investigate the number of employees and noting the work space environment this upcoming move is certainly overdue. Hopefully, WLIF's relocation will benefit your day-to-day operations and lessen the fear of at least one Hart Road resident, that a member of their family will be struck by a motor vehicle on this road.



Kenneth C. Stevens
Page 2
September 1, 1993

It is essential that WLIF and the property owner JAG Communications of Maryland, Incorporated, understand that if the Baltimore County Board of Appeals decision of 1982 is violated, a citation will be forthcoming imposing monetary fines. It is trusted that this action will not be necessary and your answers to Baltimore County's concerns will only re-enforce our opinion.

Sincerely,



James H. Thompson
Zoning Coordinator

JHT/hek

c: JAG Communications of Maryland, Inc.
Inspector Timothy L. Fitts
bc: Linda Semesky ✓

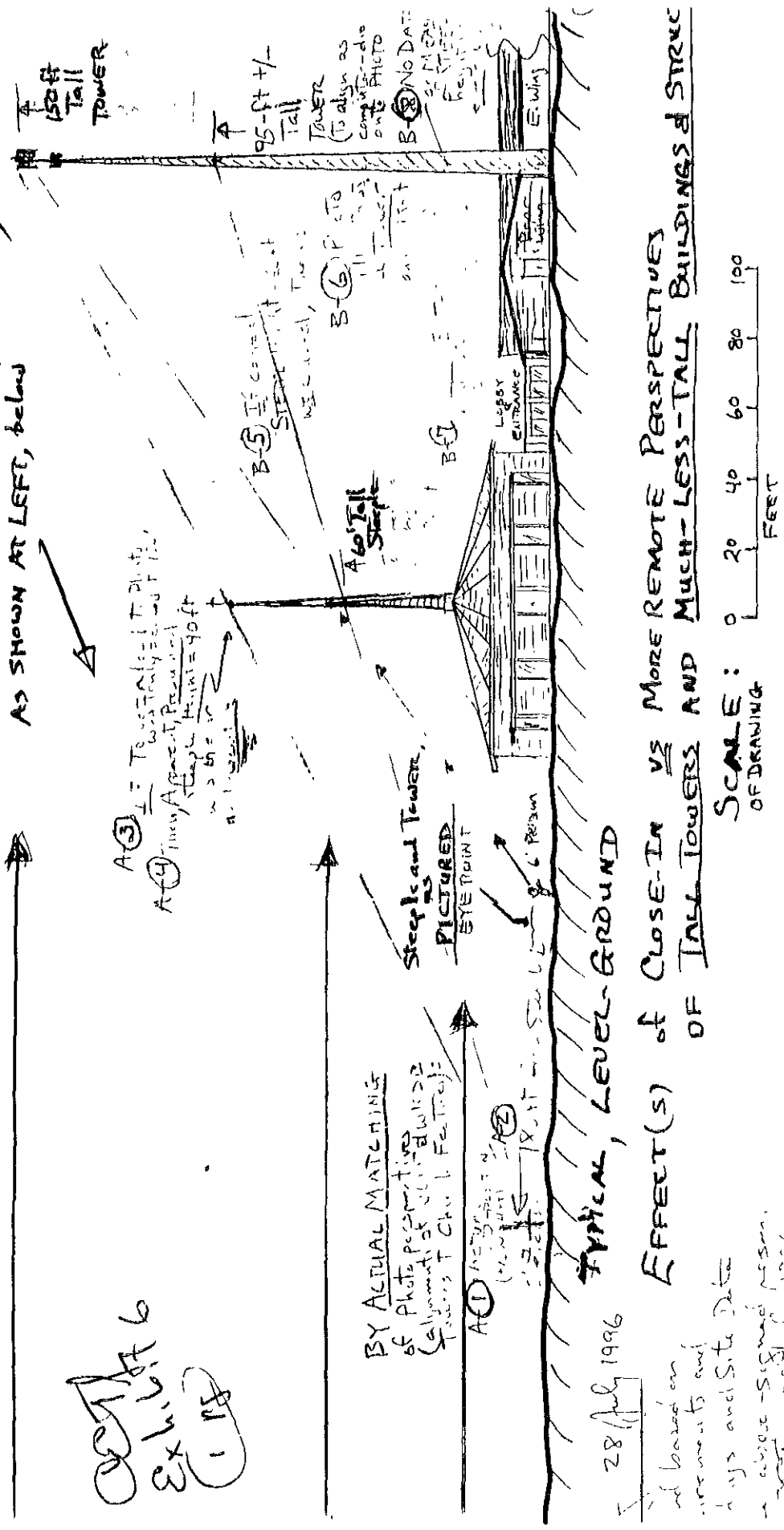
1/2" = 1' scale
 # 3000-100
 8/19/96

See "Alternative Media" through which descriptive impressions are conveyed to the viewers of the photo (titled "Alternative Media", below) as presented to Hampton Gardens Comm Assoc 6/21/96 and to Belvedere Baptist Church, Rev. Ward, etc. Added Note by CSA 8/8/96

"VIEW OF TOWER BEHIND CHURCH & STEEPLE"
 AS PRESENTED TO MR CVACH & GROUP (of 25 to 30) on JUNE 21, 1996
 (and to Belvedere Baptist Church, Rev. Ward, etc)
 SHOWED A DECEPTIVE IMPRESSION OF THE 150-FT TOWER, AS SOUGHT IN ROMING PETCHION.

"VIEW" IS CORRECT FOR A PERSON STANDING (about) 35ft from SANCTUARY DOOR (as shown, below);
OVERWHELMING DOMINANCE OF TOWER AS VIEWED BY THE COMMUNITY IS EVIDENT,
 AS SHOWN AT LEFT, below

CSA
 Exhibit 6
 (198)



QET Exhibit 7
(17)



STATE OF MARYLAND

Property Tax Assessment Appeals Board for Baltimore County

January 28, 1991

THOMAS, Charles E., Jr.
1101 Hart Road
Baltimore, Maryland 21204

09-20-301030

S/S Hart Road

\$ 6750.00
~ .40

APPEAL NO. 452

*Finance Office - 501 (County) is multiplied by 10,440
The reduction in Full Cash Value is divided by 3 yr basis
The Assessor must recalculate the value*

*per Telecom
19,590
\$ 48,610*

Assessed Value reduced \$920

Hulk?

321-2272

ORDER

I HEREBY CERTIFY THAT THE PROPERTY TAX ASSESSMENT APPEALS BOARD HAS CONSIDERED THE ABOVE NUMBERED CASE AND HAS RULED THAT THE DETERMINATION BY THE DEPARTMENT OF ASSESSMENTS AND TAXATION IS HEREBY: REVERSED and a reduction of \$6,750.00 (Full Cash Value) has been made on the land. The supervisor of Assessments is hereby ordered to recalculate the phase-in cash value and corresponding assessment for the 3 year period with levy year 1990-1991. The full cash value will be as follows:

Land -	(reduced land by 10%)	\$ 60,670.00	was 67,420 to be
Improvements -		80,100.00	n.o change
		\$140,770.00	Full Cash Value

Memorandum of Grounds for Decision - *Turn over prepared assmt reduced 4.6% was to be 147,520*
Reduction reflects allowance for commercial encroachment.

*Notes 4/2/91:
Referred from 321-2380
Finance Office
587-2403
reduced \$28.75 - not issued (at) u*

Should be 99.99 - 6750 reduction in Full Cash Value x 0.46 (initial period) - 3103 reduction in assessed value ÷ 100 x 23.24 per 100 = 7.21 interest

N. Y. Riegger
Clerk to the board
From date of Tax Payment

NOTICE: Under the provisions of the Tax-Property Article, Section 14-512 of the Annotated Code of Maryland, you have the right to appeal the above order to the Maryland Tax Court, 34 Market Place, Suite 408/410 Baltimore, Maryland 21202. Your appeal must be filed in the Maryland Tax Court within thirty (30) days from the date indicated above.

cc: Supervisor of Assessments

note re 321-2380 / 1/12/91... 4.58%



STATE OF MARYLAND
Property Tax Assessment Appeals Board for Baltimore County

Protestant's #8

January 28, 1991

THOMAS, Charles E., Jr.
1101 Hart Road
Baltimore, Maryland 21204

09-20-301030

S/S Hart Road

\$ 6750.00
- 40

APPEAL NO. 452

per Tecoran

19,590
A 48,610

Assessed Value reduced \$920

ORDER

321-2272

I HEREBY CERTIFY THAT THE PROPERTY TAX ASSESSMENT APPEALS BOARD HAS CONSIDERED THE ABOVE NUMBERED CASE AND HAS RULED THAT THE DETERMINATION BY THE DEPARTMENT OF ASSESSMENTS AND TAXATION IS HEREBY: REVERSED and a reduction of \$6,750.00 (Full Cash Value) has been made on the land. The supervisor of Assessments is hereby ordered to recalculate the phase-in cash value and corresponding assessment for the 3 year period with levy year 1990-1991. The full cash value will be as follows:

Land -	(reduced land by 10%)	\$ 60,670.00	was 69,420 to tax
Improvements -		80,100.00	no change
		\$140,770.00	Full Cash Value

Turn over proposed assmt reduced 4.6% was to be 149,520

Memorandum of Grounds for Decision - Reduction reflects allowance for commercial encroachment.

note 4/2/91:
referred from 321-2380
B, Co/Std. Dist. Assmt. & Taxation
Finance Office
587-2403
should be issued yet

Should be appraised
did I hear this correctly?

6150
- 0.46 (10% of 6150)
- 3103
÷ 100
x 23% per 100
N. Y. Riegger
Clerk to the board
from del. of tax payments

NOTICE: Under the provisions of the Tax-Property Article, Section 14-512 of the Annotated Code of Maryland, you have the right to appeal the above order to the Maryland Tax Court, 34 Market Place, Suite 408/410 Baltimore, Maryland 21202. Your appeal must be filed in the Maryland Tax Court within thirty (30) days from the date indicated above.

cc: Supervisor of Assessments

note re P. to Rep/ARC Sp... Zone...
100 ft... (per... of...)
= 4.58%

Notes of Testimony to Board of Appeals Hearing
on Case # 96-508-SPHX, Item #507; scheduled for 03/19/97

by: C. Edgar Thomas, Jr.
1101 Hart Road
Baltimore, MD 21286

1. I wish to testify as to the Petition by APC and Belvedere Baptist Church, for a Special Exception for

"Installation of 150-ft Tall Radio Trans/Rec Tower with antenna elements (9) and 24" Satellite Dishes (2)." and Special Hearing

"For a use in combination of a wireless transmitting and receiving facility with an existing church".

My testimony is in opposition to these petitions as previously documented for this Case:

- a. APC's "Proposal for Telecommunications Site: Belvedere Baptist Church ..." (dated April 17, 1996)
- b. APC's "Site Plan", as prepared by Daft-McCune-Walker, Inc (marked "Printed June 21, 1996")
- c. a photograph titled "American Personal Communications, BAN076D, The Restoration Church" (as presented to the Hampton Gardens neighborhood-meeting held on June 21, 1996 and included in (a).

2. In summary, the bases of my opposition are the following. I will provide Exhibits in support of these points, below.

a. The Hart Road neighborhood is already burdened with two major Radio Tower and Studio facilities; these have become increasingly commercial intrusions into our residential environment.

Another such facility such as that petitioned by APC intrudes into the Hampton Gardens neighborhood, as well.

The cumulative effects of the existing and petitioned Towers and other facilities will impose detriments to these two residential neighborhoods. I believe that the approval of this additional Tower, etc will specifically introduce detriments beyond those already present, as identified in Para 502.1 of the Zoning Regulations: the general welfare, adequate provisions for schools, parks, and other conveniences or improvements; and, (Para 502.7.C.11): substantial adverse impact on surrounding property values.

For these reasons, I believe that the subject Petition should be DENIED.

b. I recognize that the aforesaid "denial" may not be forthcoming.

If this proves the outcome of this Hearing, I request that any "approval" of the Petitioned Tower, etc (as given above) be conditioned on strict-limitations imposed on the Facility, both as to present-construction and also to forbid any subsequent

expansions, alterations in height the tower or number of towers, or any other changes in the elements or uses of the facility which create changes in the facility's impacts on the neighborhood.

3. The experiences of Hart Road residents, over the past forty-years, sum-up to an excess-burden of intrusions by Special Exceptions for Radio Transmitter Towers and Studios.

Exhibit 1 shows the Zoning cases which have been involved, five Cases in all, of which several have been appealed, including one or two to the District Court level. Within these Special Exceptions, there have been at least eleyen different installations of the Towers, under their various ownerships and changing business-directions.

All of these changing installations have been effected without the least regard for their impacts on the residential neighborhood, and almost never with any means of recourse to the Zoning authorities, Exhibit 2. In one instance, in part surely prompted by a letter from me, a Petitioned "legalization" and expansion of a Studio was "Limited to the ... 800 square foot addition", Exhibit 3.

Hart Road's "narrow country road" character and the potential impacts of traffic have been consistently noted in several of the rulings as to Petitions (as listed in Exhibit 1). However, in no case has the cumulative impact of the several operations been cited; each Case has been treated in isolation. The consequences have ultimately had some impact; Exhibit 4 documents one instance, involving myself. Exhibit 5 documents the County Zoning Authority's eventual remedial actions, to relieve what had become a serious burden on the neighborhood.

4. The specific experiences of Hart Road's residents as to the impacts of Special Exceptions closely similar to the presently Petitioned APC Tower and support-facility are detailed to provide evidence to the Board of Appeals, that if this Case is to be Granted, there is a demonstrated necessity that specific limits be imposed, and future expansion or alteration of the tower and Support Facility be denied, without specific new Petition and Approval(s).

In addition, an identified responsibility should be required within the Petitioner's management, for their interface with the residents of the affected neighborhood, to deal with problems which may arise.

The action documented in my Exhibit 4 exemplifies a very good and effective resolution to what was indeed a very personal problem: the management chain-of-command was known; the offender was one of their staff, known to their Business Manager (by description of the car and its warm-hood), and their reaction was prompt and inclusive of all their staff.

Even though the Petitioned facility has been described as "unmanned, except for maintenance", there should be a required line-of-contact which extends to any and all individuals connected with the facility.

5. Another major action by the Board of Appeals is considered essential: that the allowed height of the tower be specifically limited to not exceed the height shown in the Petitioner's own documentation to Belvedere Baptist Church and to the Hampton Gardens residents.

This limitation by the Board is considered to be only justice; the Petitioner apparently relied heavily on the pictorial-representation of their "Proposed Tapered Monopole" as to be located alongside the Church.

However, the Tower, as pictured, was shown with its top-mounted "antenna array" (from the photo's vantage point) to be almost exactly-equal in height to the top of the church-steeple.

However, their Site Surveyor staff-member has specifically stated, that "they never measured the steeple height" (until directed to do so, by requirement of the Zoning Commissioner). Neither, as testified in the Commissioner's Hearing, were there any Plans available from the Church, to provide data as to steeple-height.

In actuality, the height to the top of the steeple was measured, and found to equal 61-ft., as noted in the Zoning Commissioner's Ruling.

Careful measurements of Church dimensions permit the drafting of a "side-view" of the Church, Exhibit 6. This view permits plotting of the Church building, its steeple, and the Petitioned Tower all in correct dimensions.

This view also reveals the deceptive-impression given by the Petitioner's Photo-plus-Tower, used by the Petitioner as the (only) illustration of their "proposal".

From the specific vantage-point of their photo of the Church, the relative-heights (in perspective) of steeple and Tower were pictured as essentially equal: this could only be so, if the Tower's height equals 95-ft., NOT the 150-ft. proposed.

To validate the photo's perspective and a 150-ft Tower, a vantage-point for the photo would have had to be very-close to the Church-facade (also indicated in Exhibit 6). This is not the photo's vantage-point. The relative positions of the towers of WLIF and WITH/WKDB on the photo, behind the Church's roofline features, easily confirm that discrepancy. The Land Surveyor's survey-team (at the steeple-height measurement) also verified the true vantage-point for the photo, as being the position shown in the Exhibit noted with nearby symbols "A1, A2".

In short, not only the Church, but also the neighbors of the community were deceived, or led to an erroneous impression by the incorrect and deceptively-drawn "photographic" view of the Church plus Tower.

The Petitioner should not be permitted to gain by their deception: they should be held-to, and only authorized to erect, "a Tower of height not to exceed 95-ft, as depicted in their presentations to the community involved in their Petition".

6. The Petitioner has also been careless or negligent as to the impacts of their proposed facility on the Hart Road side of the Belvedere Baptist property.

Specifically, the longest-length boundary of the Belvedere Baptist Church property adjoins Hart Road. However, the Daft-McCune-Walker Site-Plan showed no recognition of existing residences on Hart Road, and in fact, showed an "existing house" which in fact, is non-existent, and had been burned (abandoned, and burned as a Fire Dept training exercise) some 5- yrs ago. The nearest residence to the proposed Tower is not shown, although closer (by measurement) than either of those on Valewood Rd as shown on the Site-Plan.

Thus, by their own documentation, APC has not provided even themselves with correct information, and certainly, seem to misrepresent the potentials for impact on the Hart Road residential community.

Such impacts have already been explicitly recognized by action of the Property Tax Assessment Appeals Board for Baltimore County (Exhibit 7). In their Ruling Jan 28, 1991, they ordered a reduction of my Full Cash Value of Land (by a 10 % reduction) on the basis that "Reduction reflects allowance for commercial encroachment".

This recognition confirms the apprehension noted above, as to the likelihood, that the present Petition will adversely impact property values in another affected community, Hampton Gardens.

7. In summary of my testimony:

a. I would strongly prefer that the APC Petition be DENIED, on the basis that my Hart Road neighborhood already has more Radio Towers and Studios that reasonable, especially considering the nature of Hart Road.

b. If the Petition is to be Granted by the Board of Appeals, I believe that the Tower should be specifically limited to a maximum height of 95-ft; their representations of the Tower in pictorial-context with the Belvedere Baptist Church steeple showed that height, only. This picture formed a powerful image of the impact of their Tower on the neighborhood; they should not be permitted to gain while the neighborhood is deceived, or given a knowingly-erroneous impression.

c. Any Grant of the Petition should further limit the entire facility to that described in the documentation provided in the Petition; no increases or modifications to the facility should be permitted without formal Petition and Granting under specific Zoning authority.

C. Edgar Thomas, Jr.
1101 Hart Road
Baltimore, MD 21286

Prot. #7

American Personal Communications Communications Site Survey Sheet

SITE IDENTIFICATION DATA

Site ID# BAN76A Site Name Hampton MTA/BTA Washington, DC
 Surveyor C. Jenkins Site Locale WKDB Tower Date of Survey 6-13-95

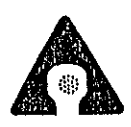
SITE LOCATION DATA

Street Address Street 1550 Hart Road
 County Baltimore City Towson
 State MD Zip Code 21286
 Coordinates Nlatitude 39° 25' 05" ✓ WLongitude 76° 33' 21" ✓
 Grd. Elevation 442' 440' Structure Hght 280' (approx.)
 USGS Map Name Towson

Exact Location if street address is insufficient:

Site Owner/Manager Data

Site Contact David Epler #313 Phone (301) 588-1050
 Owner Property Mgr. Alt. Phone # _____
 Employee Site Manager Facsimile # (301) 588-2249
 Address 8555 16th Street City Silver Spring
 State MD
 Zip Code 20910



American Personal
Communications

APC
wants
150'

MICROFILM

American Personal Communications
Communications Site Survey Sheet

LEASE PROPOSAL DATA

Lessor Name <u>Radio Zone</u>	Address <u>8555 16th Street</u>
Proposed Start Date <u>October 1, 1995</u>	City <u>Silver Spring</u>
Proposed Term <u>1 (5yr) + 3 (5yr) renewals</u>	State <u>MD</u>
Monthly Lease Fee <u>\$850.00</u>	Zip Code <u>20910</u>

Building Tower Water Tank Other

If proposed site is a building:

Physical Data

Height of building above ground (roof) _____

Height of Penthouse above main roof _____

Overall height of structure _____

Height of tallest element on roof _____

Describe adjacent or nearby manmade or natural obstructions

Transmitter shelter area (prepare drawing)

Existing Interior space - describe exact dimensions and locations:

Proposed new shelter - describe exact dimensions and locations:

Length of coax from TX to antennas _____

Penthouse Wall makeup. **Please check for yes**

Intake vents General Wall obstruction No obstructions

American Personal Communications
Communications Site Survey Sheet

Electrical

Kind of electrical service _____

Service board location _____

Please check for yes

- | | | |
|---|---|--|
| <input type="checkbox"/> Phone Circuits | <input type="checkbox"/> Pest Infestation | <input type="checkbox"/> Moisture/water |
| <input type="checkbox"/> Ventilation | <input type="checkbox"/> Air Conditioning | <input type="checkbox"/> 24hr/7 day access |
| <input type="checkbox"/> Clean | <input type="checkbox"/> Emergency Power | <input type="checkbox"/> Elevator to penthouse |
| | <input type="checkbox"/> Loading Dock | |

If site is a Communications Tower:

Physical Data

Manufacturer Guardian Communications Model _____

Primary Use AM Broadcasting Type Guyed Self Support

Face Type Triangular Square Platform

X Pole metal Pole wood Other

Face Dimensions At Base _____ ' 18"

At Mount _____ ' 18"

At Top _____ ' 18"

Leg Dimension _____ "

Leg Type Solid Tubular Angular Other

Proposed Mounting Heights APC to determine

Description of Tower Site, Access, Available Mounts, etc.

The tower sits east of the station house for Radio WKDB. The tower is surrounded by a 7 ft. tall, 32' x 30' stockade fence. Access to the tower from the parking area is over a grassy area.

Length of coax from TX to Antennas TBD

American Personal Communications
Communications Site Survey Sheet

Adjacent or nearby manmade or natural obstructions:

Radio Tower WLIF to the northeast.

Transmitter shelter area - prepare drawing

Existing interior space - Describe exact dimensions and locations:

Proposed new shelter - Describe exact dimensions and locations:

Along west side of the wooden fence (see photos #4 and #13).

Electrical

Kind of electrical service Unable to determine

Service board location Unable to determine (probably in utility shed)

Please check for yes

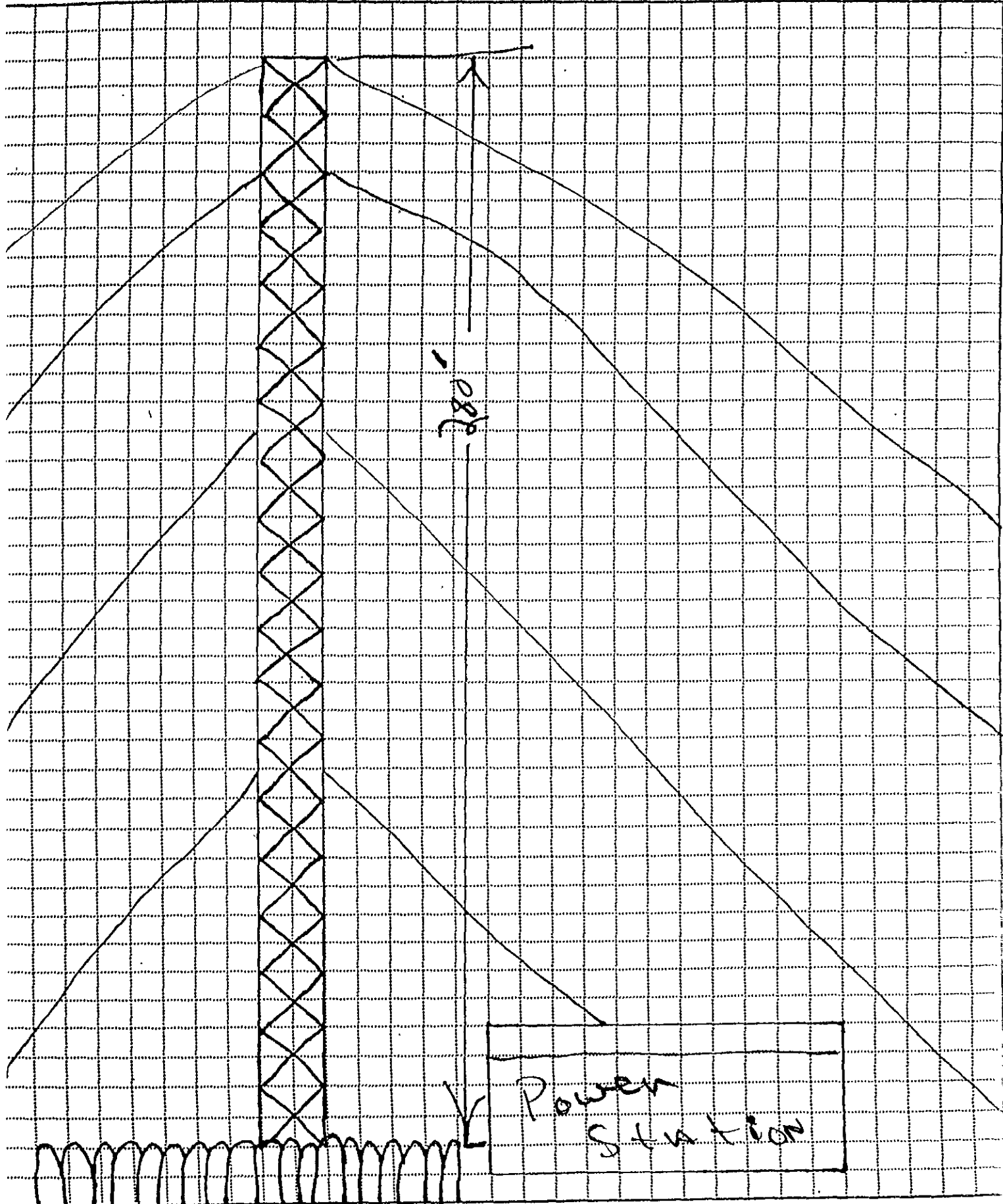
- | | | |
|---|---|--|
| <input type="checkbox"/> Phone Circuits | <input type="checkbox"/> Pest Infestation | <input type="checkbox"/> Moisture/water |
| <input type="checkbox"/> Ventilation | <input type="checkbox"/> Air Conditioning | <input type="checkbox"/> 24hr/7 day access |
| <input type="checkbox"/> Clean | <input type="checkbox"/> Emergency Power | <input type="checkbox"/> Good access road |

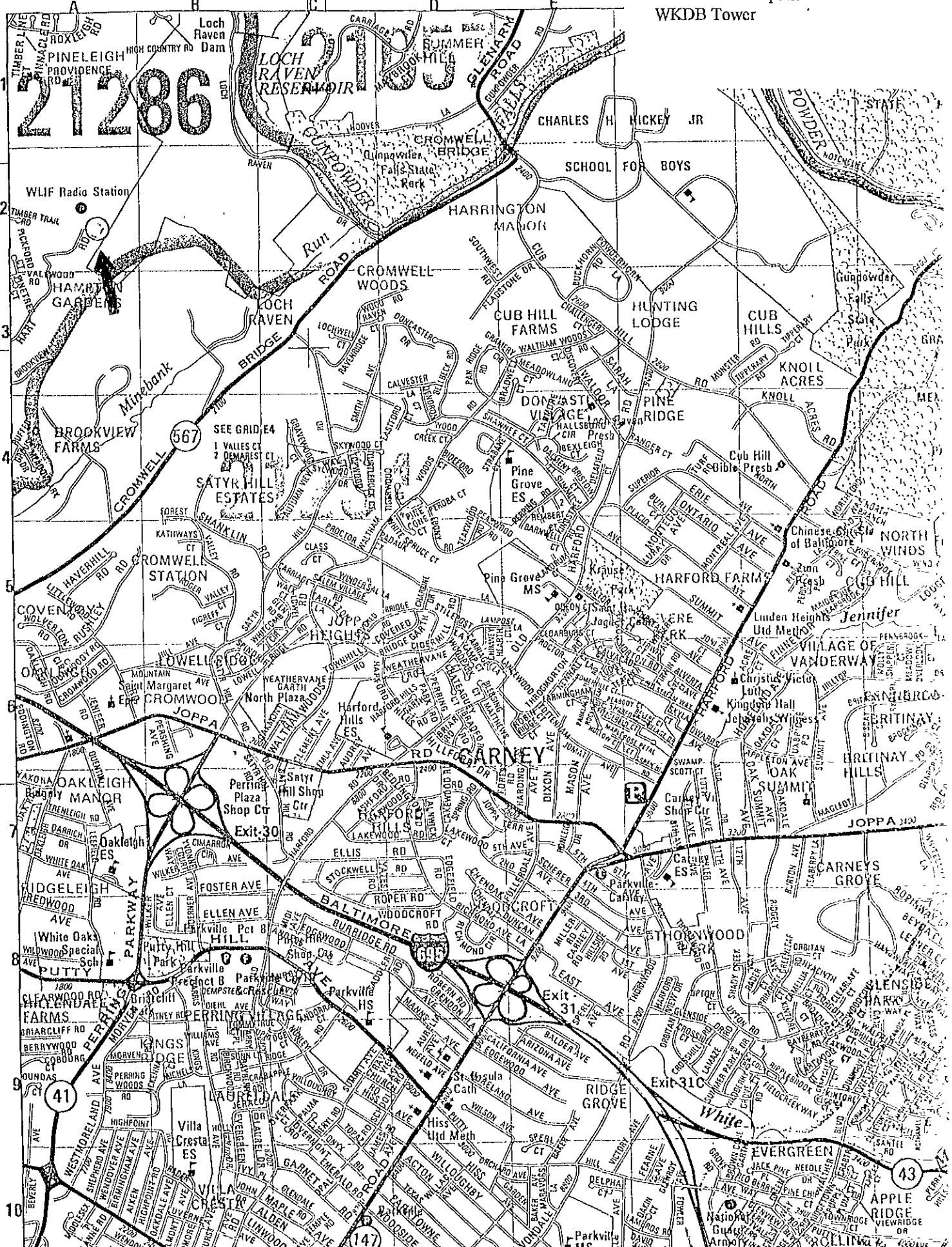
Existing Tower Information

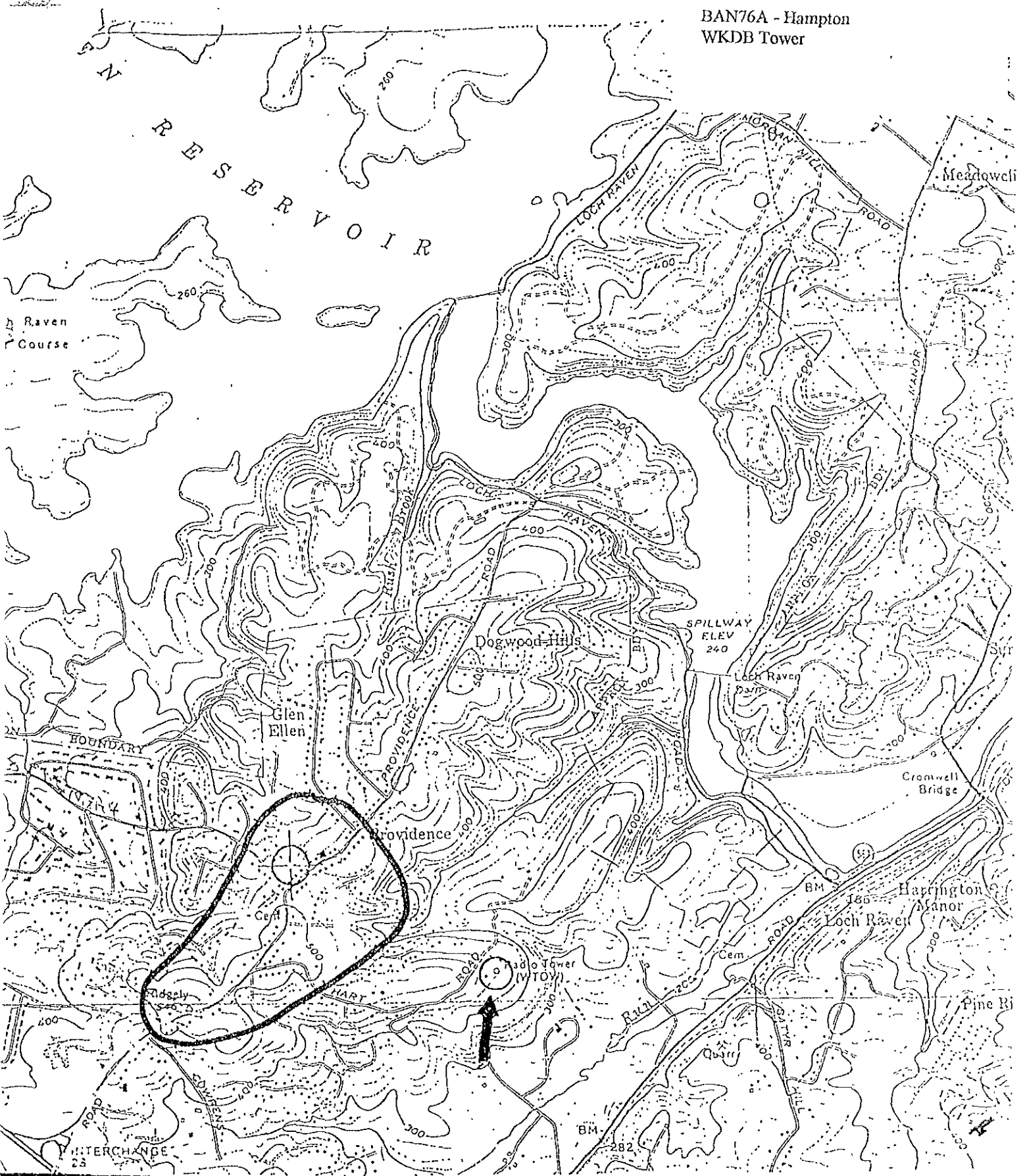
TOWER IDENTIFICATION:				
Site ID:	BAN76A	Facility Name:	WKDB Radio Tower	
Site Name:	Hampton	Facility Address:	1550 Hart Road	
Owner:	Guardian Communications	Towson, Maryland 21286		
MANUFACTURER INFORMATION:				
Tower Manufacturer:	Utility Tower Type 340			
Original File / Drawing No.:	Computer Run #0176			
Date of Construction:	June 1976			
EXISTING EQUIPMENT:				
	Number / Type	Size / Dimensions	Weight	
Existing Cables	Folded Unipole			
Existing Antennas	Utility Tower Type 340	280' with 18" face	Wind load 401lb/sq. ft.	
Are there any abandoned mounting brackets that remain attached to the Antenna? If yes, describe in detail and specify at what height			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is there any other equipment that is mounted or attached to the tower? If yes, describe in detail.			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Folded Unipole				
DRAWING / SITE PLANS:				
Check One:	Submitted with Survey <input type="checkbox"/>	Does Not Include Current Equipment <input type="checkbox"/>	Includes Current Equipment <input type="checkbox"/>	To be forwarded (Specify Expected Date of Delivery) <input checked="" type="checkbox"/>
Other: (Explain in Detail)				

American Personal Communications
One Democracy Center
6901 Rockledge Drive
Suite 600
Bethesda, Maryland 20817

Date 6-15-95
Site ID BAN 76A
Site Name HAMPTON
Facility Name WKDB Radio Tower
Surveyed By C. Services







ON SITE PARAMETERS

Name	Hampton	Latitude	39-25-21 N
ID	BAN76	Longitude	76-34-02 W
Client	Washington MTA	Ground Elevation	480 ft.
City	Baltimore	Radiation Center	140 ft.
State	Maryland	Map Name (1:24K)	Towson

SEARCH AREA REQUIREMENTS

Height Range (GE + RC)		
MIN	520 ft.	MAX 550 ft.
Min Structure Height		140 ft.
Site Objectives: Coverage along Providence Road		

American Personal Communications
Communications Site Survey Sheet

Prot. #6

SITE IDENTIFICATION DATA

Site ID# BAN76B Site Name Hampton MTA/BTA Washington, DC
Surveyor K. Larkin Site Locale Providence Motors Date of Survey 8/10/95

SITE LOCATION DATA

Street Address Street 1618 Providence Road
County Baltimore City Towson
State MD Zip Code 21286
Coordinates Nlatitude 39° 25' 55" ✓ WLongitude 76° 33' 28" ✓
Grd. Elevation 480' ✓ Structure Hght. N/A .125'
USGS Map Name Towson

Exact Location if street address is insufficient:

Site Owner/Manager Data

Site Contact Leroy Simms Phone 410-296-0899
Owner Property Mgr. Alt. Phone # _____
Employee Site Manager Facsimile # _____
Address 1618 Providence Road City Towson
State MD
Zip Code 21286

MICROFILM

*American Personal Communications
Communications Site Survey Sheet*

LEASE PROPOSAL DATA

Lessor Name <u>Providence Motors, Inc.</u>	Address <u>1618 Providence Road</u>
Proposed Start Date <u>October 1, 1995</u>	City <u>Towson</u>
Proposed Term <u>10 yr. + 2 renewable (5 yr.) terms</u>	State <u>MD</u>
Monthly Lease Fee <u>\$800.00</u>	Zip Code <u>21286</u>

Building Tower Water Tank Raw Land

If proposed site is a building:

Physical Data

Height of building above ground (roof) _____
Height of Penthouse above main roof _____
Overall height of structure _____
Height of tallest element on roof _____

Describe adjacent or nearby manmade or natural obstructions

Transmitter shelter area (prepare drawing)

Existing Interior space - describe exact dimensions and locations:

Proposed new shelter - describe exact dimensions and locations:

Length of coax from TX to antennas _____

Penthouse Wall makeup. Please check for yes

Intake vents General Wall obstruction No obstructions

*American Personal Communications
Communications Site Survey Sheet*

Electrical

Kind of electrical service _____

Service board location _____

Please check for yes

- | | | |
|---|---|--|
| <input type="checkbox"/> Phone Circuits | <input type="checkbox"/> Pest Infestation | <input type="checkbox"/> Moisture/water |
| <input type="checkbox"/> Ventilation | <input type="checkbox"/> Air Conditioning | <input type="checkbox"/> 24hr/7 day access |
| <input type="checkbox"/> Clean | <input type="checkbox"/> Emergency Power | <input type="checkbox"/> Elevator to penthouse |
| | <input type="checkbox"/> Loading Dock | |

If site is a Communications Tower:

Physical Data

Manufacturer _____ Model _____

Primary Use _____ Type Guyed Self Support

Face Type Triangular Square Platform
 Pole metal Pole wood Other

Face Dimensions At Base ' "

At Mount ' "

At Top ' "

Leg Dimension "

Leg Type Solid Tubular Angular Other

Proposed Mounting Heights _____

Description of Tower Site, Access, Available Mounts, etc.

Length of coax from TX to Antennas _____

*American Personal Communications
Communications Site Survey Sheet*

Adjacent or nearby manmade or natural obstructions:

Transmitter shelter area - prepare drawing

Existing interior space - Describe exact dimensions and locations:

Proposed new shelter - Describe exact dimensions and locations:

Electrical

Kind of electrical service _____

Service board location _____

Please check for yes

- | | | |
|---|---|--|
| <input type="checkbox"/> Phone Circuits | <input type="checkbox"/> Pest Infestation | <input type="checkbox"/> Moisture/water |
| <input type="checkbox"/> Ventilation | <input type="checkbox"/> Air Conditioning | <input type="checkbox"/> 24hr/7 day access |
| <input type="checkbox"/> Clean | <input type="checkbox"/> Emergency Power | <input type="checkbox"/> Good access road |

*American Personal Communications
Communications Site Survey Sheet*

SITE ID#: BAN76B
SITE NAME: Hampton
SITE LOCALE: Providence Motors
SURVEYOR: K. Larkin

Additional Comments:

This property is located at 1618 Providence Road, Towson, Maryland 21286.

This site is approximately one (1) mile Northeast of the search ring.

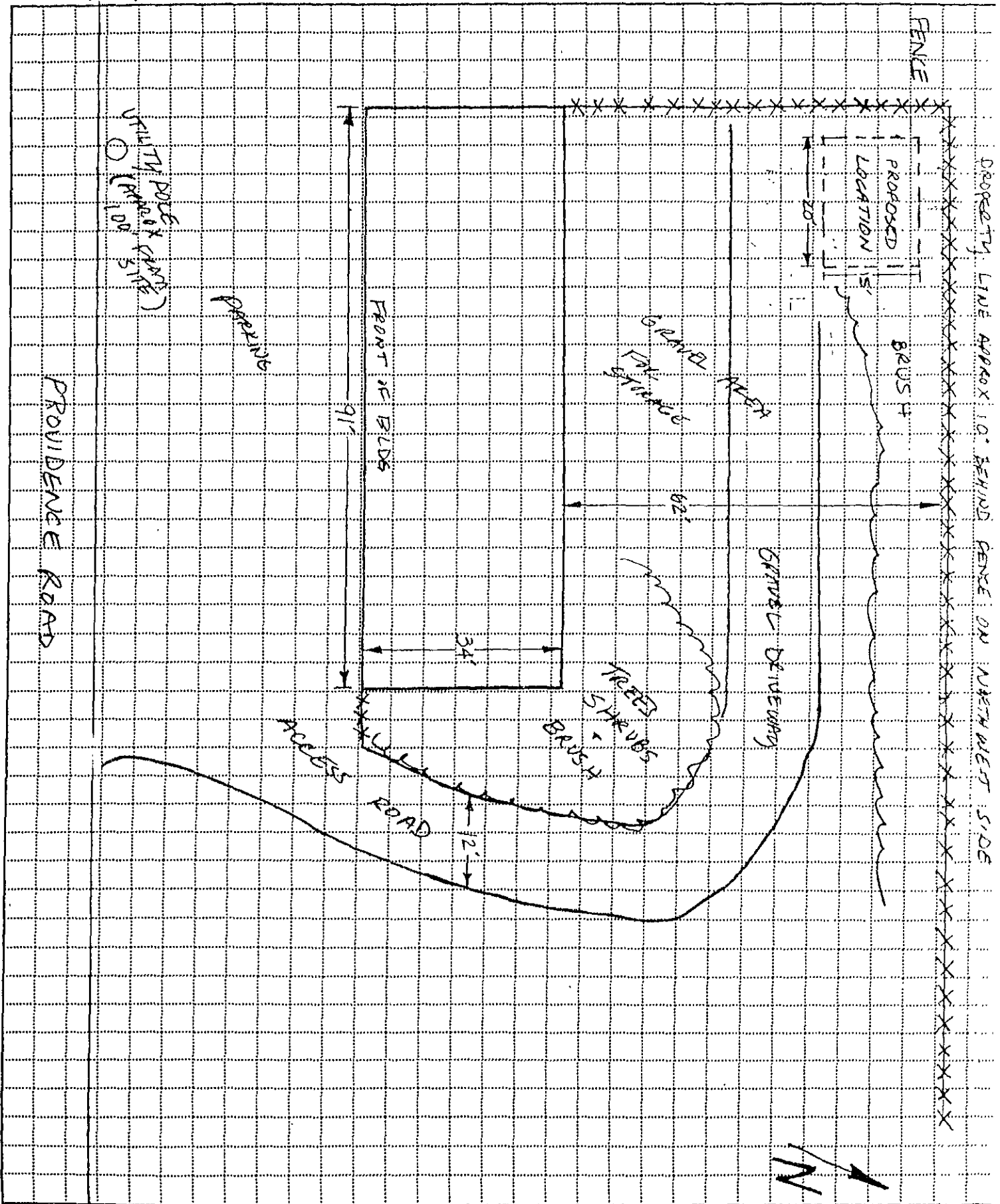
This property is zoned BL and the lot size is small and would require two (2) variances.

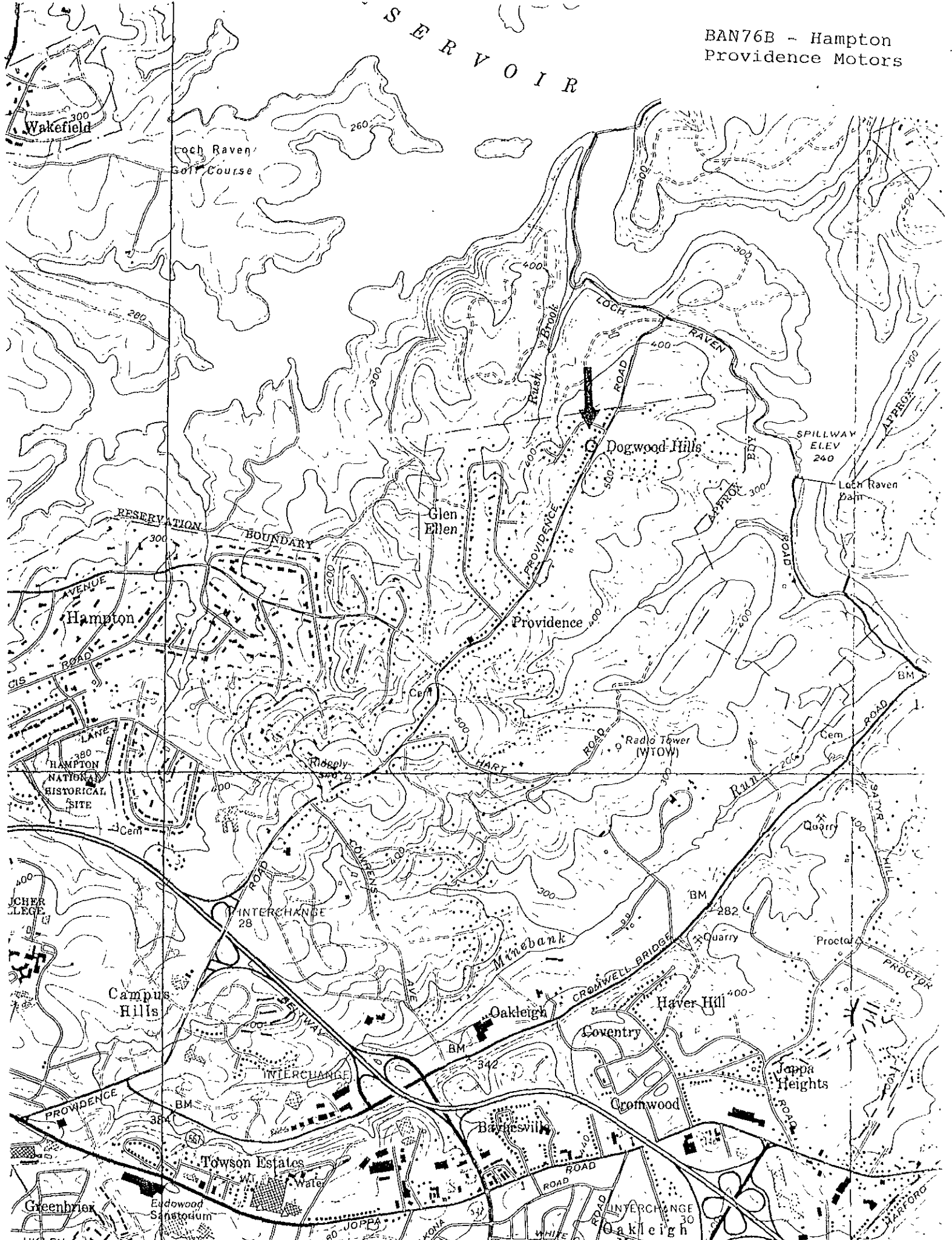
The compound size would need to be 20'x 15'.

I spoke with one of the owners of the property, Leroy Simms, and there is interest in leasing the property, however, the owners want their attorney to review the proposal prior to committing to lease.

American Personal Communications
One Democracy Center
6901 Rockledge Drive
Suite 600
Bethesda, Maryland 20817

Date 8/10/95
Site ID BAN 760
Site Name Hampton
Facility Name Providence Motors
Surveyed By K. Larkin

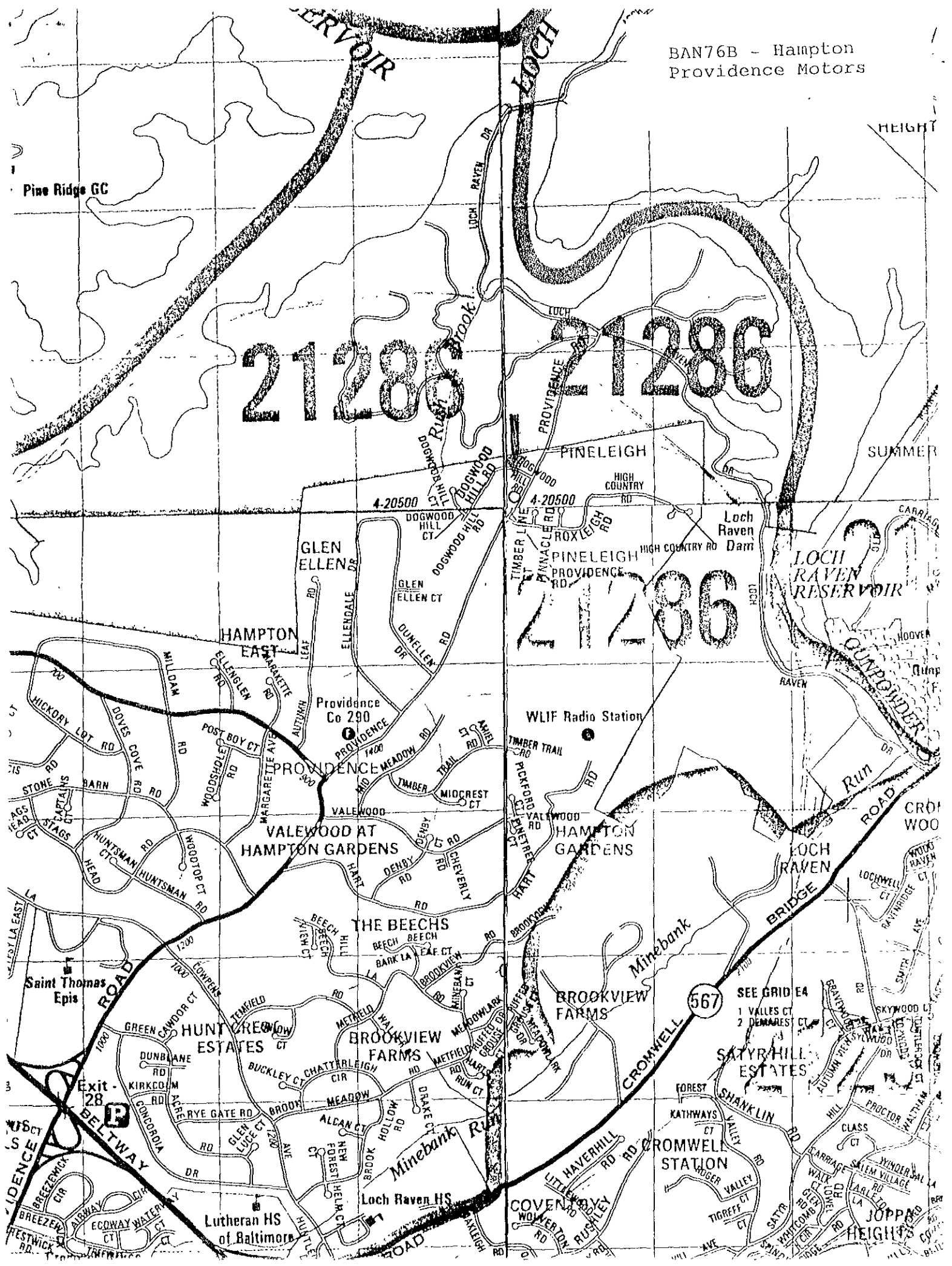




21286

21286

21286



Pine Ridge GC

HEIGHT

4-20500

4-20500

GLEN ELLEN DR

PINELEIGH

SUMMER

Providence Co 290

WLIF Radio Station

VALEWOOD AT HAMPTON GARDENS

HAMPTON GARDENS

THE BEECHS

BROOKVIEW FARMS

SEE GRID E4
1 VALLES CT
2 DENAREST CT

SATYR HILL ESTATES

CROMWELL STATION

Loch Raven HS

Lutheran HS of Baltimore

JOPPA HEIGHTS

Exit - 28
B
BELTWAY

567

African Personal Communications
Communications Site Survey Sheet

Prot. # 5

SITE IDENTIFICATION DATA

Site ID# BAN76 Site Name Hampton MTA/BTA Washington, DC
 Surveyor C. Jenkins Site Locale Providence Volunteer Fire Department Date of Survey 5/26/95

SITE LOCATION DATA

Street Address Street 1416 Providence Road
 County Baltimore City Towson
 State MD Zip Code 21286
 Coordinates Nlatitude 39° 25' 22" ✓ Wlongitude 76° 33' 53" ✓
 Grd. Elevation ~~360'~~ 480' Structure Hght. N/A 192' @ 150'
 USGS Map Name Towson

Exact Location if street address is insufficient:

Site Owner/Manager Data

Site Contact Gary Zour Phone (410) 828-9029
 Owner Property Mgr. Alt. Phone # (410) 232-1362 (pager)
 Employee Site Manager Facsimile # _____
 Address 1416 Providence Road City Towson
 State MD
 Zip Code 21286

*African Personal Communication
Communications Site Survey Sheet*

LEASE PROPOSAL DATA

Lessor Name	<u>Providence Volunteer Fire Dept.</u>	Address	<u>1416 Providence Road</u>
Proposed Start Date	<u>August 1, 1995</u>	City	<u>Towson</u>
Proposed Term	<u>10yr + (2) 5yr renewals</u>	State	<u>MD</u>
Monthly Lease Fee	<u>\$800.00</u>	Zip Code	<u>21286</u>

Building Tower Water Tank Raw Land

If proposed site is a building:

Physical Data

Height of building above ground (roof) _____

Height of Penthouse above main roof _____

Overall height of structure _____

Height of tallest element on roof _____

Describe adjacent or nearby manmade or natural obstructions

Transmitter shelter area (prepare drawing)

Existing Interior space - describe exact dimensions and locations:

Proposed new shelter - describe exact dimensions and locations:

Length of coax from TX to antennas _____

Penthouse Wall makeup. **Please check for yes**

Intake vents General Wall obstruction No obstructions

*American Personal Communication.
Communications Site Survey Sheet*

Electrical

Kind of electrical service _____

Service board location _____

Please check for yes

- | | | |
|---|---|--|
| <input type="checkbox"/> Phone Circuits | <input type="checkbox"/> Pest Infestation | <input type="checkbox"/> Moisture/water |
| <input type="checkbox"/> Ventilation | <input type="checkbox"/> Air Conditioning | <input type="checkbox"/> 24hr/7 day access |
| <input type="checkbox"/> Clean | <input type="checkbox"/> Emergency Power | <input type="checkbox"/> Elevator to penthouse |
| | <input type="checkbox"/> Loading Dock | |

If site is a Communications Tower:

Physical Data

Manufacturer _____ Model _____

Primary Use _____ Type Guyed Self Support

Face Type Triangular Square Platform

Pole metal Pole wood Other

Face Dimensions

At Base ' _____ "

At Mount ' _____ "

At Top ' _____ "

Leg Dimension _____ "

Leg Type Solid Tubular Angular Other

Proposed Mounting Heights _____

Description of Tower Site, Access, Available Mounts, etc.

Length of coax from TX to Antennas _____

*American Personal Communication
Communications Site Survey Sheet*

Adjacent or nearby manmade or natural obstructions:

Transmitter shelter area - prepare drawing

Existing interior space - Describe exact dimensions and locations:

Proposed new shelter - Describe exact dimensions and locations:

Electrical

Kind of electrical service _____

Service board location _____

Please check for yes

Phone Circuits

Pest Infestation

Moisture/water

Ventilation

Air Conditioning

24hr/7 day access

Clean

Emergency Power

Good access road

*American Personal Communication
Communications Site Survey Sheet*

SITE ID#: BAN76
SITE NAME: Hampton
SITE LOCALE: Providence Volunteer Fire Department
SURVEYOR: C. Jenkins

Additional Comments:

Providence Volunteer Fire Department is located on Providence Road near Seminary Avenue in Towson, MD.

The Fire Department sits on a 47,268 square foot parcel of land with a proposed monopole area behind parking area in the rear of the fire department building. The proposed monopole compound area is comprised of a mounded grassy area and would accommodate approximately a 20' x 15' compound. Grading of this area would certainly be required.

Although this property is a close to the BAN76 design site parameters, it is also in a heavily residential area.

The property is zoned EC.

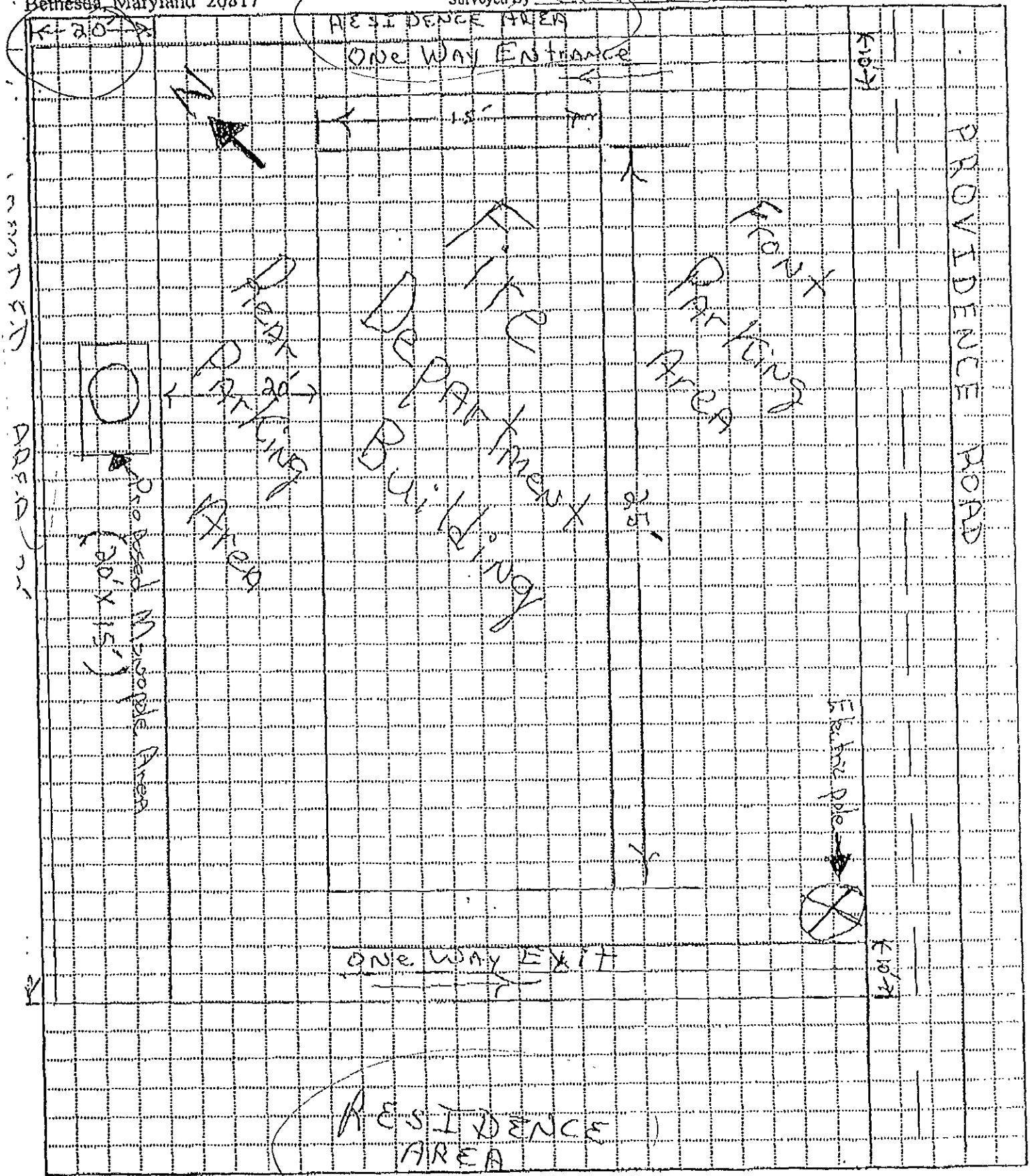
ID:

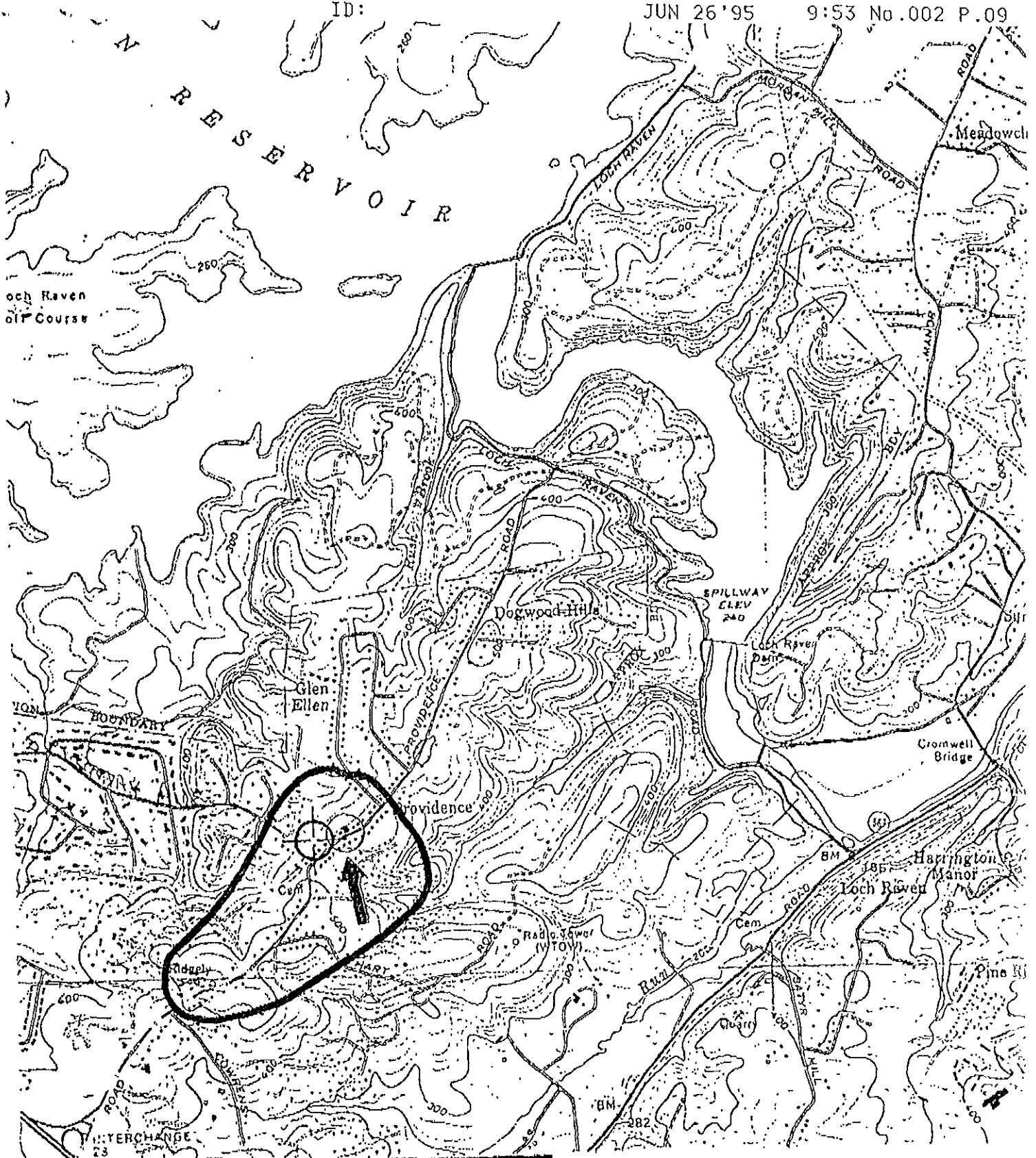
JUN 26 '95

9:52 No.002 P.08

American Personal Communications
One Democracy Center
6901 Rockledge Drive
Suite 600
Bethesda, Maryland 20817

Date 6/26/95
Site ID 137576
Site Name HAMILTON
Facility Name Providence Volunteer Fire Department
Surveyed By Carol Jenkins



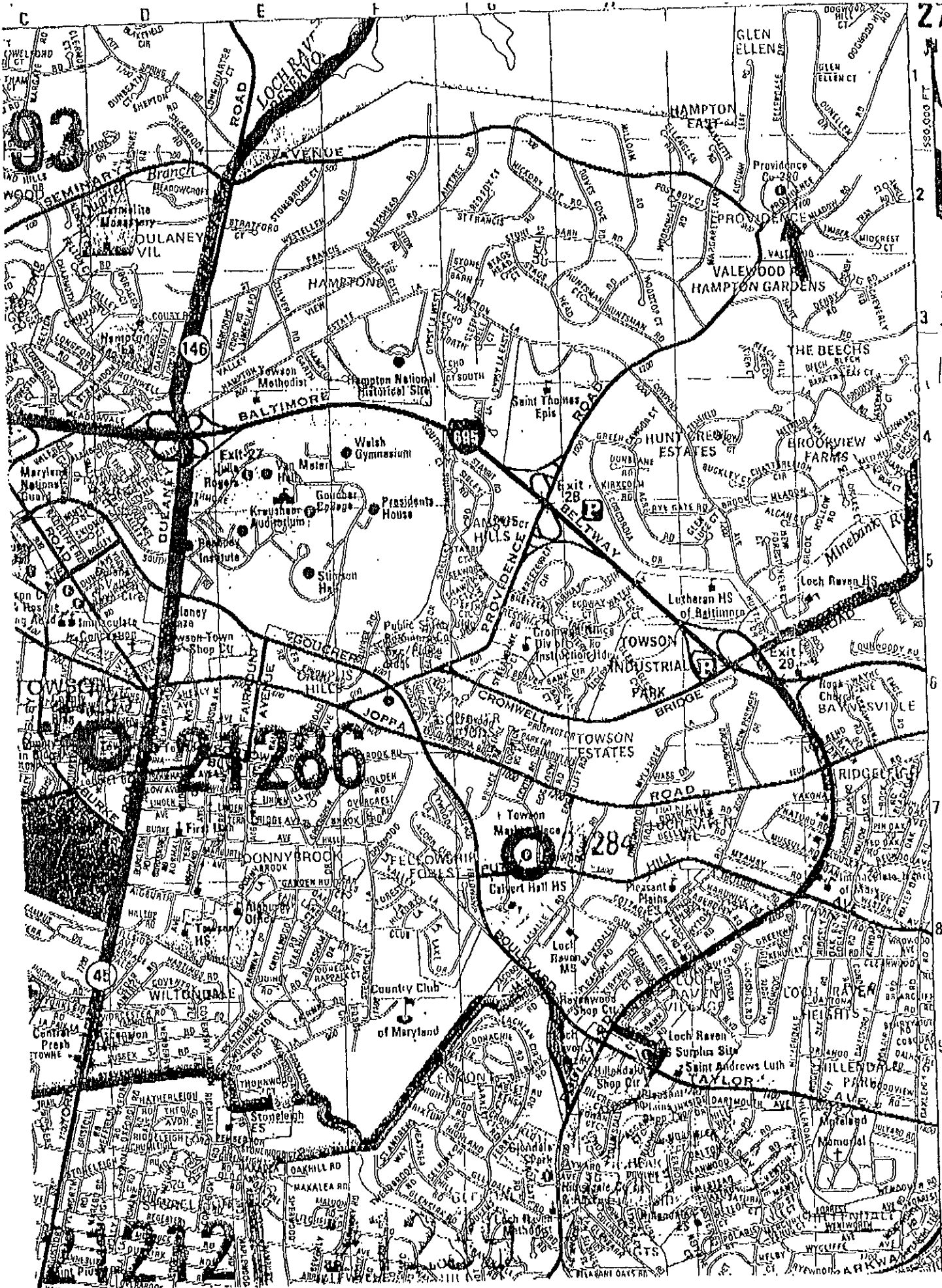


IN SITE PARAMETERS

Time	Hampton	Latitude	39-25-21 N
	BAN76	Longitude	76-34-02 W
	Washington MTA	Ground Elevation	480 ft.
	Baltimore	Radiation Center	140 ft.
	Maryland	Map Name (1:24K)	Yowson
Effective Date	5/15/95	Phase Number	2

SEARCH AREA REQUIREMENTS

Height Range (GE + RC)			
MIN	520 ft.	MAX	550 ft.
Min Structure Height		140 ft.	
Site Objectives: Coverage along Providence Road			
Handover to BAN25 and BAN75			
Note:	Building		



27

Joins Map 28

10

5722307

VCI
Communications Site Survey for
American Personal Communications

SITE IDENTIFICATION DATA

Site ID #: BAN076C Site Name: Hampton MTA/BTA: Wash/Balt
Facility Name: WLIF Radio Station
Surveyor: E. Vando Date of Survey: 3/26/96

SITE LOCATION DATA

Street Address: Street: 1570 Hart Road
County: Baltimore City: Towson
State: MD Zip Code: 21286
Coordinates: NLatitude: 39-25-20 WLongitude: 76-33-15
Ground Elevation: 440 ft. Structure Height: _____ ft.
USGS Map: Towson Lot Size: 9 acres
ADC Map: ADC Baltimore Cty Map 28 A-2 (raw land site only)
Exact Location if street address is insufficient: _____

SITE OWNER/ MANAGER DATA

Site Contact: Fred Rathert Phone: (410) 823-1570
Company: WLIF Lite 102 Alt. Phone: _____
 Owner Property Manager
 Employee Site Manager
Engineering Manager _____ (title)
Address: One West Pennsylvania Ave
Suite 850
City: Baltimore Property Management Company: WLIF Lite 102
State: MD Lease Contact: _____
Zip Code: 21204 Phone: (410) 823-1570

VCI
 Communications Site Survey for
 American Personal Communications

Site ID #: **BAN076C**
 Site Name: Hampton
 Facility Name: WLIF Radio Station

LEASE PROPOSAL DATA

Lessor Name: WLIF Radio Station Address: One West Pennsylvania Ave
 Proposed Start Date: _____ City: Baltimore
 Proposed Term: _____ State: MD
 Monthly Lease Fee: _____ Zip Code: 21204

Building Tower Water Tank Other Raw Land

IF PROPOSED SITE IS A BUILDING:

Physical Data

Height of building above ground: _____ ft.
 Height of penthouse above main roof line: _____ ft.
 Overall Height of structure: _____ ft.
 Height of tallest element on rooftop: _____ ft.

Describe adjacent or nearby manmade or natural RF obstructions:

IF PROPOSED SITE IS A TOWER, MONOPOLE, OR RAW LAND SITE:

Tower Type: Lattice Guyed
 Monopole Self Support

Tower Manufacturer: _____ Tower Model: _____

Primary Use of Tower: _____

Proposed Antenna Mounting Height: _____ 199 ft.

Access to Tower: Locked Gate Unlocked Gate
 Access Road: Paved Unpaved
 2W/D 4 W/D

Face Base: _____ ft.
 Dimensions: Mount: _____ ft.
 Top: _____ ft.
 Leg
 Dimensions: _____ ft.

Leg Type: Face Type:
 Solid Solid
 Angular Angular
 Tubular Tubular
 Triangular Triangular
 Other Other

Description of Tower Site, Access, Available Mounts, etc.:

VCI
Communications Site Survey for
American Personal Communications

Site ID #: **BAN076C**
Site Name: Hampton
Facility Name: WLIF Radio Station

PROPOSED TRANSMITTER AREA (Drawing Attached)

Existing Interior Space: Proposed Exterior Space:
Dimensions: 50' X 50'
Locations: On the southwestern side of the property.

Length of coax from TX to antennas: 199 ft.

Penthouse Wall Make-up:

Intake Vents Solid Concrete Wall General Wall Obstructions No Obstruction

Electrical/Telco Information

Utility Provider: BG&E
Kind of Electrical Service: 108/208 3 Phase, 4 Wire
Service Board Location: Utility Pole # 169246
Distance From Power Source: 100 ft.
Telephone Panel Location: Utility Pole # 169246, 169247
Distance From Telco Cable: 100 ft.

Please Check if Yes:

Phone Circuits Infestation Air Conditioning Elevator to Penthouse
 Ventilation Clean Emergency Power Moisture/Water (Outside)
 24 Hour/7 Day Access Loading Dock Good Access Road

ZONING INFORMATION

Classification: DR-1 Public Private

Comments: Special Exception is required when placing telecommunications facilities in DR zone. 2 to 1 setback from property line is required. This setback will not be able to be met because the tower owner wants the pole away from the tower and near the front of the property line, therefore a Variance will be required. The minimum 5 acre parcel size will be met. Timeframe for Variance and Special Exception is 2 months.

CONSTRUCTION INFORMATION

Rooftop to Basement Conduit: Yes No
Penthouse to Basement Conduit: Yes No

VCI
Communications Site Survey for
American Personal Communications

Site ID #: BAN076C
Site Name: Hampton
Facility Name: WLIF Radio Station

MISCELLANEOUS SITE INFORMATION

1. On this property there is a Guyed Tower which is approximately 960 feet.

2. This property has 9 acres of land, half of which is slanted

3. The Landowner does not want us to locate near their tower. The area in which the Landowner wants us to place our equipment will not meet the setback requirements.

ALTERNATE LOCATIONS

Name	Address	Phone	Comments

Prot. # 3

VCI

Communications Site Survey for
American Personal Communications

SITE IDENTIFICATION DATA

Site ID #: BAN076A Site Name: Hampton MTA/BTA: Balt/Wash

Facility Name: Edmund Haile Property

Surveyor: T. Yazdani Date of Survey: 11/15/95

SITE LOCATION DATA

Street Address: Street: 1501 Providence Rd

County: Baltimore City: Towson

State: Maryland Zip Code: 21286

Coordinates: N Latitude: 39° 25' 30" W Longitude: 76° 33' 10"

Ground Elevation: 480 ft. Structure Height: _____ ft.

USGS Map: Baltimore East Lot Size: 4.6 acres

ADC Map: Baltimore Map 27 K-2 *(raw land site only)*

Exact Location if street address is insufficient: _____

SITE OWNER/ MANAGER DATA

Site Contact: Ed Haile Phone: (410) 321-9566

Company: _____ Alt. Phone: (410) 296-3333

Owner Property Manager

Fax Number: (410) 296-4705

Employee Site Manager

(title)

Address: 200 E. Pennsylvania Ave

Property Management Company: _____

City: Towson

State: Maryland

Lease Contact: Ed Haile

Zip Code: 21286

Phone: 410-575-7015

VCI
 Communications Site Survey for
 American Personal Communications

Site ID #: **BAN076A**
 Site Name: Hampton
 Facility Name: Edmund Haile Property

LEASE PROPOSAL DATA

Lessor Name: Ed Haile Address: 200 E. Pennsylvania Ave
 Proposed Start Date: _____ City: Towson
 Proposed Term: _____ State: Maryland
 Monthly Lease Fee: _____ Zip Code: 21286

Building Tower Water Tank Other Raw Land

IF PROPOSED SITE IS A BUILDING:

Physical Data

Height of building above ground: _____ ft.
 Height of penthouse above main roof line: _____ ft.
 Overall Height of structure: _____ ft.
 Height of tallest element on rooftop: _____ ft.

Describe adjacent or nearby manmade or natural RF obstructions:

IF PROPOSED SITE IS A TOWER, MONOPOLE, OR RAW LAND SITE:

Tower Type: Lattice Guyed
 Monopole Self Support

Tower Manufacturer: _____ Tower Model: _____

Primary Use of Tower: PCS

Proposed Antenna Mounting Height: 150 ft.

Access to Tower: Locked Gate Unlocked Gate
 Access Road: Paved Unpaved
 2W/D 4 W/D

Face Base: _____ ft.
 Dimensions: Mount: _____ ft.
 Top: _____ ft.
 Leg
 Dimensions: _____ ft.

Leg Type: Face Type:
 Solid Solid
 Angular Angular
 Tubular Tubular
 Triangular Triangular
 Other Other

Description of Tower Site, Access, Available Mounts, etc.:

VCI
Communications Site Survey for
American Personal Communications

Site ID #: **BAN076A**
Site Name: Hampton
Facility Name: Edmund Haile Property

PROPOSED TRANSMITTER AREA

(Drawing Attached)

Existing Interior Space: Proposed Exterior Space:
Dimensions: 2500 sq. ft.
Locations: On the southeastern side of the property

Length of coax from TX to antennas: 150 ft.

Penthouse Wall Make-up:

Intake Solid General Wall No
 Vents Concrete Wall Obstructions Obstruction

Electrical/Telco Information

Kind of Electrical Service: 110/230 3ph Utility Service: BG&E
Service Board Location: at the site
Distance From Power Source: 480 ft.
Telephone Panel Location: at the site
Distance From Telco Cable: 480 ft.

Please Check if Yes:

<input checked="" type="checkbox"/> Phone Circuits	<input type="checkbox"/> Infestation	<input type="checkbox"/> Air Conditioning	<input type="checkbox"/> Elevator to Penthouse
<input type="checkbox"/> Ventilation	<input type="checkbox"/> Clean	<input type="checkbox"/> Emergency Power	<input type="checkbox"/> Moisture/Water (Outside)
<input checked="" type="checkbox"/> 24 Hour/7 Day Access	<input type="checkbox"/> Loading Dock		<input checked="" type="checkbox"/> Good Access Road

ZONING INFORMATION

Classification: DR 1 Public Private

Comments: Special Exception required for telecommunications facilities in DR zones. Variance from 5 acre minimum lot size will be required as lot is 4.6 acres. 2 to 1 setback from property line may be able to be met depending on location of pole on property.
Time fram is approximately 2 months.

CONSTRUCTION INFORMATION

Rooftop to Basement Conduit: Yes No
Penthouse to Basement Conduit: Yes No

VCI
Communications Site Survey for
American Personal Communications

Site ID #: BAN076A

Site Name: Hampton

Facility Name: Edmund Haile Property

MISCELLANEOUS SITE INFORMATION

The ground elevation between the front and back of the land is 60 feet. The best location for the site is on the southeast side of the land behind the trees.

We were asked to survey this property by Patricia De Santis. Mr. Haile is the President of DMW the A&E firm used by APC in Maryland.

ALTERNATE LOCATIONS

Name	Address	Phone	Comments

VCI
Communications Site Survey for
American Personal Communications

SITE IDENTIFICATION DATA

Site ID #: BAN076B Site Name: Hampton MTA/BTA: Balt/Wash

Facility Name: Edmund Haile Property

Surveyor: T. Yazdani Date of Survey: 11/16/95

SITE LOCATION DATA

Street Address: Street: 1435 Providence Road

County: Baltimore City: Towson

State: Maryland Zip Code: 21286

Coordinates: NLatitude: 39° 25' 28" WLongitude: 76° 33' 11"

Ground Elevation: 480 ft. Structure Height: _____ ft.

USGS Map: Baltimore East Lot Size: 0.463 acres

ADC Map: Baltimore Map 27 K-2 *(raw land site only)*

Exact Location if street address is insufficient: _____

SITE OWNER/MANAGER DATA

Site Contact: Ed Haile Phone: (410) 321-9566

Company: _____ Alt. Phone: (410) 296-3333

Owner Property Manager Fax Number: (410) 296-4705

Employee Site Manager
_____*(title)*

Address: 200 E. Pennsylvania Ave

City: Towson

State: Maryland

Zip Code: 21286

Property Management Company: _____

Lease Contact: Ed Haile

Phone: 410-575-7015

VCI
Communications Site Survey for
American Personal Communications

Site ID #: **BAN076B**
Site Name: Hampton
Facility Name: Edmund Haile Property

LEASE PROPOSAL DATA

Lessor Name: Ed Haile Address: 200 E. Pennsylvania Ave
Proposed Start Date: _____ City: Towson
Proposed Term: _____ State: Maryland
Monthly Lease Fee: _____ Zip Code: 21286

Building Tower Water Tank Other Raw Land

IF PROPOSED SITE IS A BUILDING:

Physical Data

Height of building above ground: _____ ft.
Height of penthouse above main roof line: _____ ft.
Overall Height of structure: _____ ft.
Height of tallest element on rooftop: _____ ft.

Describe adjacent or nearby manmade or natural RF obstructions:

IF PROPOSED SITE IS A TOWER, MONOPOLE, OR RAW LAND SITE:

Tower Type: Lattice Guyed
 Monopole Self Support

Tower Manufacturer: _____ Tower Model: _____

Primary Use of Tower: PCS

Proposed Antenna Mounting Height: _____ 150 ft.

Access to Tower: Locked Gate Unlocked Gate
Access Road: Paved Unpaved
 2W/D 4 W/D

Face Base: _____ ft.

Leg Type: Face Type:

Dimensions: Mount: _____ ft.

Solid Solid

Top: _____ ft.

Angular Angular

Leg Tubular Tubular

Dimensions: _____ ft.

Triangular Triangular

Other Other

Description of Tower Site, Access, Available Mounts, etc.:

VCI
Communications Site Survey for
American Personal Communications

Site ID #: **BAN076B**
Site Name: Hampton
Facility Name: Edmund Haile Property

PROPOSED TRANSMITTER AREA

(Drawing Attached)

Existing Interior Space: Proposed Exterior Space:

Dimensions: 625 sq ft.

Locations: On the southern side of the property

Length of coax from TX to antennas: 150 ft.

Penthouse Wall Make-up:

Intake Solid General Wall No
 Vents Concrete Wall Obstructions Obstruction

Electrical/Telco Information

Kind of Electrical Service: 110/230 3ph Utility Service: BG&E

Service Board Location: on Providence Rd.

Distance From Power Source: 210 ft.

Telephone Panel Location: on Providence Rd.

Distance From Telco Cable: 210 ft.

Please Check if Yes:

<input checked="" type="checkbox"/> Phone Circuits	<input type="checkbox"/> Infestation	<input type="checkbox"/> Air Conditioning	<input type="checkbox"/> Elevator to Penthouse
<input type="checkbox"/> Ventilation	<input type="checkbox"/> Clean	<input type="checkbox"/> Emergency Power	<input type="checkbox"/> Moisture/Water (Outside)
<input checked="" type="checkbox"/> 24 Hour/7 Day Access	<input type="checkbox"/> Loading Dock		<input checked="" type="checkbox"/> Good Access Road

ZONING INFORMATION

Classification: DR 1 Public Private

Comments: Special Exception is required when placing telecommunications facilities in DR zone 2 to 1 setback from property line is required. This setback will not be able to be met as the site is only .463 acres, therefore, variance is required. The minimum 5 acre lot requirement will not be met, therefore, a second variance will be required. Time frame is approximately 2 months.

CONSTRUCTION INFORMATION

Rooftop to Basement Conduit: Yes No
Penthouse to Basement Conduit: Yes No

MEMORANDUM

DATE: November 20, 1995
TO: Chad Kirkpatrick
FROM: Julie Middleton
RE: Site Survey Packages

Enclosed are site survey packages for the following sites:

*BAN076A	Hampton	Edmund Haile Property
*BAN076B	Hampton	Edmund Haile Property

I look forward to hearing from you soon regarding these sites.

Memorandum

Ret Nov

To: Greg Sarro
Christine McSherry, Esq.
Fr: Kevin Mason *KM*
Re: BAN76 Providence Road Survey
Dt: 7/19/96

Prior to entering lease negotiations with the Belvedere Baptist Church at 1301 Cheverly Road, the following sites were surveyed, considered, and rejected for the reasons noted below:

- 1) **WLIF Radio Tower, 1570 Hart Road:** A meeting was held on March 22, 1996 with Fred Rathert, Engineering Manager for WLIF Lite 102 (Infinity Broadcasting) to discuss co-location options on this 960' tower. Mr. Rathert stated that the tower was built between 1972 and 1976 and designed to meet specifications for 45 PSF, approximately 106 mph winds. The tower is not capable of supporting additional equipment. The parcel of land was surveyed by Vento Communications, Inc. (VCI) as a possible raw land site for a monopole. No location was found acceptable to Mr. Rathert due to the proximity of the guy wires for the existing tower.
- 2) **WKDB Radio Tower, 1550 Hart Road:** This 280' guyed tower was surveyed on June 13, 1995 by Airtel Communications. The tower was rejected by American Personal Communications (APC) RF engineers because it is an active AM tower.
- 3) **Edmund Haile Property, 1501 Providence Road:** This is a residential parcel, 4.6 acres in size. Multiple Variances would be required. Deborah Meaney, VCI, Michael Maguire, Daft-McCune and Walker (DMW), and Christine McSherry, Esq., Whiteford, Taylor & Preston met with Jeff Long and Donna Ifter of the Baltimore County Planning Department concerning this site on February 21, 1996. The Planning Department indicated that the site would likely meet with considerable opposition from the community. This theory was confirmed in a meeting with Walt Savoye, President of the Dogwood Hills Community Association on March 15th, 1996. Mr. Savoye stated that his organization has a policy of opposing any new development of a commercial nature North of the Baltimore Beltway in the Providence Road area.
- 4) **Providence Motors, 1618 Providence Road:** This is a small business parcel to the North on Providence Road. APC RF engineering rejected the site as being too far North of the search ring. This site is the only business parcel on Providence Road but would require Variances because of its size. This site was discussed in the meeting with Walt Savoye, President of the Dogwood Hills Community Association. Mr. Savoye indicated that the neighborhood would object to any expansion of a commercial nature on Providence Motors property. He considered the zoning of this property to be an anomaly, referring to it as "spot zoning" and as "already an eyesore for the community."
- 5) **Providence Volunteer Fire Department, 1416 Providence Road:** This site is within the search ring but in a heavily residential area. Due to its size, multiple Variances would be required for setback. Also, because the location is at a low point on Providence Road a larger monopole would be required. This site was not considered acceptable to Mr. Savoye of the Dogwood Hills Community Association.

All of the above listed sites were discussed in a meeting with Mr. Phil Cvach, President of the Hampton Gardens Community Association on March 27, 1996. Mr. Cvach stated that, due to its distance from Providence Road and relative isolation the Belvedere Baptist Church would be the least objectionable site from a community standpoint. As a result of this meeting contact was made with Pastor Ward of the Belvedere Baptist Church and the site was surveyed and accepted by APC RF engineering. The Hampton Gardens Community Association met on June 21, 1996 and formally considered APC's proposal for a telecommunications facility on the Belvedere Baptist Church property. A Statement of Position letter was signed by Mr. Cvach on behalf of the Hampton Gardens Community Association, Inc. in support of APC's Special Exception application.

enclosures: ADC Map
Tax Parcel Map
Zoning Map

MICHAEL

BAN 076 Providence Road
94161-67

The following are the community contacts provided by Donna Itter, Balto. Co. Planning Dept., to MTM at their meeting on 2/21/96:

- 1) Hampton Gardens
Phil Cvech
1303 Denby Rd.
Towson, MD 21286

339-7282 (H)
682-2467 (W)
- 2) Dogwood Hills
Walt Savage
901 Dogwood Hill Court
Towson, MD 21286

825-9310 (H)
646-4500 (W)
- 3) Summerfield Farms
Stan Polleck
4604 Copperwood Lane
Glen Arm, MD 21057

665-9172 (H)

Part 5

-- other side of reservoir - not affected



AT&T Wireless Services, Inc.
16th Floor
Baltimore/Washington PCS
8403 Colesville Road
Silver Spring, MD 20910

February 5, 1997

Mr. Gregory F. Sarro
Manager - Zoning
American Personal Communications
6905 Rockledge Drive, Suite 100
Bethesda, MD 20817

RE: Providence Road/Belvedere Baptist Church

Dear Greg:

As you know, both of our organizations are at various stages of pending monopole cases in the above-referenced area. AT&T Wireless currently has a hearing date of February 14 on our application at the Providence Road Volunteer Fire Department. Our understanding is that the appeal hearing date for APC on its application at Belvedere Baptist Church is March 19. At issue is the strong citizen opposition to the Baptist Church site and the zoning variances required by the Providence Road site.

Based on the separate conversations APC and AT&T Wireless have held with Councilman Bartenfelder's office, we believe it is necessary to confirm in writing that should the AT&T Wireless application be approved by the County, AT&T Wireless will allow APC on its site, and APC would forgo its Belvedere Baptist Church site in the interests of mitigating community concerns. Conversely, should the County uphold APC's ruling on the Belvedere Baptist Church site, our understanding is that APC will allow AT&T to co-locate on its facility. Such a written confirmation should not be construed as being in lieu of a lease arrangement between AT&T Wireless and APC, rather as a good faith commitment between both carriers and the community we both seek to serve.

On the basis of the above, AT&T Wireless is deferring its hearing date of February 14 until after the appeal date scheduled for APC on March 19. Under separate cover, Frances Kingsbury will be forwarding lease agreement to Bernie Fitzgerald for APC's review.

If this is your understanding of the current situation and APC's position on the pending applications in the Providence Road area, please sign below and return to me by February 12. Should you have a different understanding, please do not hesitate to contact me and we can discuss further. My direct line is 301-578-1111.

MICROFILM





While our two companies are competitors, we both recognize the importance of the industry working with communities to address their concerns as we develop and expand our systems. Committing to collocation on either site will benefit the industry and Baltimore County as these new technologies continue to be deployed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chris Doherty".

Christopher Doherty
Director, Public Affairs

for American Personal Communications

cc: Hon. Joseph Bartenfelder
Paul A. Dorf, Esq.
Leonard Rottman, Esq.
Bill Gill, Hampden Gardens Community Association
Dennis Rassmussen

SUPPORT DOCUMENTATION TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION AND SPECIAL HEARING
BELVEDERE BAPTIST CHURCH SITE, BAN 76D

TABLE OF CONTENTS

1. American PCS L.P. Corporate Profile
2. Radio Frequency Statement - Jules Cohen, P.E.
Reed E. Hurdt Statement
3. F.C.C. Radio Station Authorization
4. Site Photographs
5. Equipment Details and Specifications
Communication Pole Information - Valmont Industries, Inc.

Ref No 2

MICROFILMED

Environmental Impact Statement

Belvedere Baptist Church APC Site

June 1996
DMW Project No. 94161.73

The project is located on the property of the Belvedere Baptist Church, which is centrally located in Baltimore, Maryland. The church is zoned R-2 and is currently vacant. The site is adjacent to the city of Baltimore and is currently used as a parking lot.

The site is currently used as a parking lot and is adjacent to the city of Baltimore. The site is currently used as a parking lot and is adjacent to the city of Baltimore.

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

Prepared by:
Daft•McCune•Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax: 296 4705
dmw@dmw.com

DMW

...operation of a Personal ... and Intercon ... (5.3" x 6.3" ... monopole ... dishes mounted directly below ... (11" wide x 18" deep) will be ... the base of the monopole. The ... other equipment as needed ... compressed air ... shielded barbed wire ... being constructed by A...

... owned by the Trustees of the ... where the church currently exists ... Block 21, of Tax Map 61 and is ... Baltimore County ... exterior wall ... property boundary which ... adjacent properties are zoned ... the property. A ... surrounding areas ar...

... location with minimal land ... served by electric and telephone ... or natural ... needed ... period...



MICROFILMED

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of October, 1996, a copy of the foregoing

Notice of Appeal was mailed first class, postage prepaid to:

The Honorable Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Office of Planning and Zoning
Old Courthouse, Room 112
400 Washington Avenue
Towson, Maryland 21204

William N. Gill, Sr.
Hampton Gardens Community Association
2 Pickford Court
Towson, Maryland 21286

C. Edgar Thomas, Jr.
1101 Hart Road
Towson, Maryland 21286

Leslie Graef
6237 Bellona Avenue
Baltimore, Maryland 2122

Peter M. Zimmerman, Esquire
People's Counsel for Baltimore County
Old Courthouse, Room 47
400 Washington Avenue
Towson, Maryland 21204

Christine K. McSherry
Christine K. McSherry

89926



Baltimore County
Department of Permits and
Development Management

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

October 15, 1996

Christine K. McSherry, Esquire
Whiteford, Taylor & Preston
500 Court Towers
210 West Pennsylvania Avenue
Towson, MD 21204

RE: Petition for Special Hearing
and Special Exception
E/S Cheverly Road, 520' S of
the c/l of Valewood Road
(1301 Cheverly Road)
9th Election District
6th Councilmanic District
Glen Lewis, Trustee for
Belvedere Baptist Church -
Legal Owner
American Personal Comm., Inc.
- Contract Purchaser
Case No. 96-508-SPHX

Dear Ms. McSherry:

Please be advised that an appeal of the above-referenced case was filed in this office on October 8, 1996 by Mr. William N. Gill, Sr., Mr. C. Edgar Thomas, Jr. and Ms. Leslie Graef on behalf of the Hampton Gardens Community Association. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

ARNOLD JABLON
Director

AJ:rye

c: People's Counsel

MICROFILMED



HAMPTON VILLAGE

1079 N. 204th Avenue
Elkhorn, NE 68022
Ph: 402-289-1888
Fax: 402-289-1861

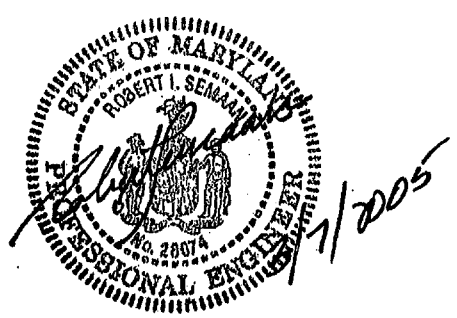
SEMAAN ENGINEERING SOLUTIONS

**150 ft Valmont Monopole
Structural Analysis**

TO BE KEPT
WITH S+I
DATED 12/29/05

**Prepared for:
Sprint Sites USA
1 International Blvd
Mahwah, NJ 07645**

**Site: DC03XC086
Verizon
Baltimore, MD**



March 7, 2005