

IN RE: PETITION FOR VARIANCE * BEFORE THE
 NE/S Silver Spring Road, 328'NW of *
 Md. Rte. 7 (Philadelphia Road) * DEPUTY ZONING COMMISSIONER
 (10700 Philadelphia Road) *
 11th Election District * OF BALTIMORE COUNTY
 6th Councilmanic District *
 * Case No. 97-245-A
 Honeygo Run Reclamation Center, Inc.
 Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 10700 Philadelphia Road, located in the vicinity of Silver Spring Road in White Marsh. The Petition was filed by the owner of the property, Honeygo Run Reclamation Center, Inc., by Wayne B. Knight, Owner, and the Contract Lessee, Nextel Communications of the Mid-Atlantic, Inc., by Timothy E. Conte, through their attorney, C. William Clark, Esquire. The Petitioner seeks relief from Section 250.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 24 feet in lieu of the required 40 feet in an M.L.R. zone. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Timothy E. Conte, with Nextel Communications, Robert Morelock, Professional Engineer with Daft-McCune-Walker, who prepared the site plan for this property, and C. William Clark, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of 68.174 acres, more or less, zoned M.L.R., and was formerly the site of a gravel quarry. The property was the subject of prior Case No.

ORDER RECEIVED FOR FILING
 Date 1/23/97
 By [Signature]

MICROFILMED

94-87-SPHXA in which a special exception for a rubble landfill and controlled excavation on the site was granted and a special hearing to allow a concrete recycling and wood waste chipping operation as accessory uses was approved on December 17, 1993. In addition, variance relief was granted to allow a crushed concrete road surface in lieu of the required paving or durable/dustless surface, and two freestanding identification signs in lieu of the permitted one sign, subject to certain terms and restrictions. The Petitioners now wish to install a wireless transmitting and receiving facility on the site, which is permitted as of right in the M.L.R. zone. However, due to the topography of the site, the proposed building and tower will be located within the minimum 40-foot setback required from Silver Spring Road. Thus, a variance is necessary in order to proceed with the proposed improvements. Testimony indicated that strict compliance with the zoning regulations would result in a practical difficulty and unreasonable hardship on the Petitioner in forcing the proposed building to be located on a severe slope.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

1/23/94
[Signature]

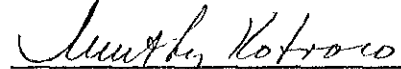
Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28
(1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of January, 1997 that the Petition for Variance seeking relief from Section 250.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 24 feet in lieu of the required 40 feet in an M.L.R. zone, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 1/23/97
By [Signature]

Mikro...



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10700 Philadelphia Road, Perry Hall, MD 21128

which is presently zoned MLR

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section (s)

250 .1 to permit a 24 foot front setback in an MLR zone in lieu of the required 40 feet.

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

Due to the unique topographic features of the site which prevent placing the proposed structures at the setback distance required by the BCZR and for other reasons to be presented at the hearing

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Petitioner

Contract Purchaser/Lessee:

Nextel Communications of the Mid-Atlantic, Inc.

Timothy J. E. Conter
(Type or Print Name)

[Signature]
Signature

4340 East West Highway, Suite 800
Address

Bethesda, MD 20814

City State Zipcode

Attorney for Petitioner:

C. William Clark

Nolan, Plumhoff & Williams Chartered
(Type or Print Name)

[Signature]
Signature

Suite 700 Nottingham Centre

502 Washington Avenue 823-7800

Towson, MD 21204 MD 21204
City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Honeygo Run Reclamation Center, Inc.

WAYNE B. KNIGHT, OWNER
(Type or Print Name)

[Signature]
Signature

(Type or Print Name)

Signature

8814 Cowenton Avenue

Address

Perry Hall, MD 21128

City State Zipcode

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

Robert E. Morelock

Daft McCune Walker, Inc.

Name

200 E. Pennsylvania Avenue 296-3333

Address Phone No.

Towson, MD 21286

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE: _____



ORDER RECEIVED FOR FILING

Date 1/23/91

By [Signature]

MICROFILMED. 245



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 23, 1997

C. William Clark, Esquire
Nolan, Plumhoff & Williams
Suite 700 Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
NE/S Silver Spring Road, 328'NW of Md. Rte. 7 (Philadelphia Road)
(10700 Philadelphia Road)
11th Election District - 6th Councilmanic District
Honeygo Run Reclamation Center, Inc. - Petitioner
Case No. 97-245-A

Dear Mr. Clark:

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

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

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Wayne B. Knight, c/o Honeygo Run Reclamation Center, Inc.
8814 Cowenton Avenue, Perry Hall, MD 21128

Mr. Timothy E. Conte, c/o Nextel Communications
4340 East West Highway, Suite 800, Bethesda, MD 20814

People's Counsel

File



Description
To Accompany Petition
For Zoning Variance
68.174 Acre Parcel

Honeygo Run Reclamation Center, Inc., Property

Northeast Side of Silver Spring Road

Northwest Side of Old Philadelphia Road (Maryland Route 7)

Eleventh Election District, Baltimore County, Maryland

Beginning for the same on the northeast side of Silver Spring Road at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Silver Spring Road with the centerline of Old Philadelphia Road (Maryland Route 7), (1) Northwesterly 328 feet, more or less, and thence (2) Northeasterly 15 feet, more or less, to the point of beginning, thence leaving said point of beginning and binding on the northeast side of Silver Spring Road, (1) North 13 degrees 51 minutes 50 seconds West 363.85 feet, thence leaving the said northeast side of Silver Spring Road and running for the five following courses and distances, viz: (2) North 25 degrees 34 minutes 46 seconds East 152.53 feet, thence (3) North 65 degrees 56 minutes 52 seconds West 210.55 feet, thence (4) North 27 degrees 09 minutes 08 seconds East 61.79 feet, thence (5) North 62 degrees 50 minutes 52 seconds West 121.00 feet, and thence (6) South 27 degrees 09 minutes 08 seconds West 270.00 feet to intersect the hereinmentioned northeast side of Silver Spring Road, thence binding thereon, (7) North 74 degrees 50 minutes 22 seconds West 1273.30 feet, thence leaving said northeast side of road and running the two following



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

courses and distances, viz: (8) North 25 degrees 34 minutes 46 seconds East 657.32 feet, and thence (9) North 57 degrees 01 minute 29 seconds West 448.52 feet to intersect the southeast side of Interstate 95, thence binding thereon the four following courses and distances, viz: (10) North 33 degrees 37 minutes 25 seconds East 160.36 feet, thence (11) North 39 degrees 06 minutes 16 seconds East 301.24 feet, thence (12) North 54 degrees 40 minutes 07 seconds East 258.61 feet, and thence (13) North 39 degrees 14 minutes 57 seconds East 403.80 feet, thence leaving the said southeast side of Interstate 95 and running the forty-eight following courses and distances, viz: (14) South 42 degrees 40 minutes 14 seconds East 37.85 feet, thence (15) South 17 degrees 40 minutes 14 seconds East 90.00 feet, thence (16) South 41 degrees 12 minutes 46 seconds West 61.04 feet, thence (17) South 12 degrees 49 minutes 46 seconds West 60.00 feet, thence (18) South 26 degrees 10 minutes 14 seconds East 110.00 feet thence (19) South 84 degrees 01 minute 24 seconds West 21.74 feet, thence (20) South 06 degrees 43 minutes 44 seconds East 16.60 feet, thence (21) South 23 degrees 37 minutes 24 seconds West 28.71 feet, thence (22) South 85 degrees 26 minutes 16 seconds West 36.35 feet, thence (23) South 68 degrees 38 minutes 13 seconds West 36.57 feet, thence (24) South 22 degrees 00 minutes 47 seconds West 57.71 feet, thence (25) South 13 degrees 12 minutes 29 seconds East 38.84 feet, thence (26) South 66 degrees 14 minutes 26 seconds East 64.58 feet, thence (27) South 24 degrees 43 minutes 17 seconds East 36.17 feet, thence (28) South 41 degrees 54 minutes 02 seconds West 43.88 feet, thence (29) South 16 degrees 11 minutes 41 seconds East 50.66 feet, thence (30) South 76 degrees 28 minutes 37 seconds East 73.51 feet, thence (31) South 76 degrees 48 minutes 05 seconds East 72.60 feet, thence (32) North 10 degrees 16 minutes 18 seconds West 61.04 feet, thence (33) North 84 degrees 14 minutes 53

seconds East 60.84 feet, thence (34) South 33 degrees 55 minutes 05 seconds East 52.20 feet, thence (35) South 18 degrees 24 minutes 51 seconds West 43.81 feet, thence (36) South 22 degrees 07 minutes 43 seconds East 65.30 feet, thence (37) South 62 degrees 45 minutes 15 seconds East 149.65 feet, thence (38) South 83 degrees 26 minutes 12 seconds East 65.60 feet, thence (39) South 27 degrees 17 minutes 58 seconds East 69.77 feet, thence (40) South 20 degrees 40 minutes 13 seconds East 100.57 feet, thence (41) South 43 degrees 34 minutes 31 seconds East 60.00 feet, thence (42) South 57 degrees 34 minutes 31 seconds East 180.00 feet, thence (43) South 86 degrees 34 minutes 31 seconds East 125.00 feet, thence (44) North 38 degrees 25 minutes 29 seconds East 30.00 feet, thence (45) South 67 degrees 34 minutes 31 seconds East 70.00 feet, thence (46) North 62 degrees 25 minutes 29 seconds East 100.00 feet, thence (47) South 50 degrees 19 minutes 31 seconds East 150.00 feet, thence (48) North 88 degrees 10 minutes 29 seconds East 100.00 feet, thence (49) North 57 degrees 10 minutes 29 seconds East 135.00 feet, thence (50) South 80 degrees 47 minutes 31 seconds East 75.26 feet, thence (51) South 67 degrees 16 minutes 20 seconds East 80.00 feet, thence (52) North 44 degrees 13 minutes 40 seconds East 90.00 feet, thence (53) South 68 degrees 16 minutes 20 seconds East 40.00 feet, thence (54) South 15 degrees 13 minutes 40 seconds West 100.00 feet, thence (55) South 77 degrees 46 minutes 20 seconds East 70.00 feet, thence (56) North 43 degrees 53 minutes 40 seconds East 70.00 feet, thence (57) South 79 degrees 46 minutes 20 seconds East 120.00 feet, thence (58) South 36 degrees 16 minutes 20 seconds East 80.00 feet, thence (59) North 64 degrees 43 minutes 40 seconds East 50.00 feet, thence (60) South 71 degrees 07 minutes 40 seconds East 106.24 feet, and thence (61) South 88 degrees 44 minutes 10 seconds East 123.78 feet to intersect the northwest side of Old Philadelphia

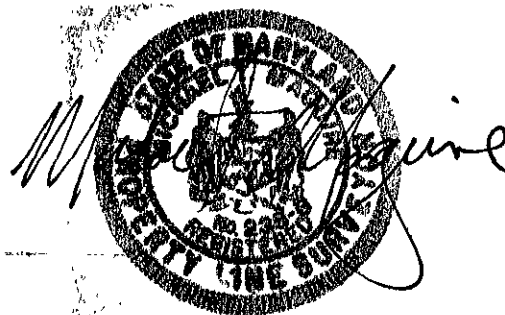
Road, thence binding thereon the five following courses and distances, viz: (62) South 29 degrees 18 minutes 10 seconds West 43.37 feet, thence (63) South 60 degrees 41 minutes 50 seconds East 10.00 feet, thence (64) South 29 degrees 18 minutes 10 seconds West 73.81 feet, thence (65) South 26 degrees 30 minutes 38 seconds West 89.78 feet, and thence (66) South 21 degrees 27 minutes 24 seconds West 72.73 feet, thence leaving the said northwest side of Old Philadelphia Road, (67) South 70 degrees 48 minutes 18 seconds East 40.00 feet to intersect the centerline of Old Philadelphia Road, thence binding thereon the seven following courses and distances, viz: (68) Southwesterly by a line curving to the left with a radius of 881.50 feet for a distance of 29.44 feet (the arc of said curve being subtended by a chord bearing South 18 degrees 14 minutes 17 seconds West 29.44 feet and having a beginning tangent bearing of South 19 degrees 11 minutes 42 seconds West and a departing tangent bearing of South 17 degrees 16 minutes 52 seconds West), thence (69) South 16 degrees 53 minutes 45 seconds West 254.38 feet, thence (70) Southwesterly by a line curving to the right with a radius of 727.08 feet for a distance of 238.83 feet (the arc of said curve being subtended by a chord bearing South 25 degrees 59 minutes 53 seconds West 237.76 feet and having a beginning tangent bearing of South 16 degrees 35 minutes 16 seconds West and a departing tangent bearing of South 35 degrees 24 minutes 29 seconds West), thence (71) South 35 degrees 24 minutes 29 seconds West 196.73 feet, thence (72) Southwesterly by a line curving to the right with a radius of 901.04 feet for a distance of 142.61 feet (the arc of said curve being subtended by a chord bearing South 39 degrees 56 minutes 33 seconds West 142.46 feet and having a beginning tangent bearing of South 35 degrees 24 minutes 29 seconds West and a departing tangent bearing of South 44 degrees 28

minutes 36 seconds West), thence (73) Southwesterly by a line curving to the right with a radius of 4929.70 feet for a distance of 337.86 feet (the arc of said curve being subtended by a chord bearing South 46 degrees 26 minutes 24 seconds West 337.80 feet and having a beginning tangent bearing of South 44 degrees 28 minutes 36 seconds West and departing tangent bearing of South 48 degrees 24 minutes 12 seconds West), and thence (74) South 48 degrees 24 minutes 12 seconds West 35.70 feet, thence leaving the said centerline of Old Philadelphia Road and running the seven following courses and distances, viz: (75) North 41 degrees 35 minutes 48 seconds West 40.00 feet, thence (76) South 80 degrees 30 minutes 54 seconds West 45.82 feet, thence (77) Northwesterly by a line curving to the right with a radius of 1910.00 feet for a distance of 181.01 feet (the arc of said curve being subtended by a chord bearing North 83 degrees 14 minutes 00 seconds West 180.94 feet and having a beginning tangent bearing of North 85 degrees 56 minutes 54 seconds West and a departing tangent bearing of North 80 degrees 31 minutes 06 seconds West), thence (78) North 13 degrees 51 minutes 50 seconds West 11.79 feet, thence (79) South 48 degrees 24 minutes 12 seconds West 13.56 feet, thence (80) North 68 degrees 59 minutes 51 seconds West 49.61 feet, and thence (81) North 84 degrees 57 minutes 23 seconds West 37.85 feet to the point of beginning; containing 68.174 acres of land, more or less.

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

December 9, 1996

Project No. 96073 (L96073)



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: #97-245-A
(Item 245)
10700 Philadelphia Road
NE/S Silver Spring Road, 328'
NW of MD. Rt. 7
11th Election District
5th Councilmanic
Legal Owner(s):
Honeygo Run Reclamation
Center, Inc.
Petitioner:
Nextel Communications of
the Mid-Atlantic, Inc.
Variance: to permit a 24 foot
front setback in lieu of the re-
quired 40 feet
Hearing: Wednesday, January
15, 1997 at 9:30 a.m. in Rm.
106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call 887-3353.
(2) For information concern-
ing the File and/or Hearing,
Please Call 887-3391.

12/254 Dec. 26 C108651

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/26, 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 12/26, 1996.

THE JEFFERSONIAN,

A. Henrickson
LEGAL AD. - TOWSON



Baltimore County
 Department of Permits and
 Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 245

Petitioner: NEXTEL COMMUNICATIONS

Location: 10700 PHILADELPHIA RD., PERRY HALL, MD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DMW, INC. ATTN: ROBERT MORELOCK

ADDRESS: 200 E. PENNSYLVANIA AVE.

TOWSON, MD 21286

PHONE NUMBER: 296-3333

AJ:ggs

(Revised 09/24/96)



XXXXXXXXXXXXXXXXXXXX

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

No. 029942

DATE 9 Dec 96 ACCOUNT R-001-6150

CAN 245 AMOUNT \$ 250.00

RECEIVED FROM: Noytel

FOR: 10700 Philadelphia

CV 10700 PHILADELPHIA 10700 PHILADELPHIA \$250.00

VALIDATION OR SIGNATURE OF CASHIER

White - CASHIER PINK - AGENCY YELLOW - CUSTOMER

REPRODUCTION

ZONING NOTICE
Case # 97-245-A

FOR THE BOARD OF ZONING APPEALS
TO PERMIT A SETBACK OF
24 FEET IN LIEU OF THE
REQUIRED 40 FEET.

ZONING NOTICE

Case # 97-245-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN DOWSON, MD.

PLACE: Room 106 County Office Building
11100 Greenway, P.O. Box 10000
TIME & DATE: JAN 16 1997 9:30AM

TO PERMIT A SETBACK OF
24 FEET IN LIEU OF THE
REQUIRED 40 FEET.

REQUIREMENTS due to weather or other conditions are sometimes
necessary to conduct hearings.
PLEASE ADVISE THE BOARD BEFORE THE SCHEDULED HEARING DATE
IF YOU CANNOT ATTEND AND WE WILL TRY TO FIND ANOTHER DATE FOR THE
HEARING AND MAKE IT MORE ACCESSIBLE.

CERTIFICATE OF POSTING

RE: Case No.: 97-245-A

Petitioner/Developer: NEXTEL

COMMUNICATIONS

Date of Hearing/Closing: 1/15/97

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 10700 PHILADELPHIA ROAD, NE/S SILVER SPRING ROAD, 328' NW. OF MD. RT 7 11TH ELECTION DISTRICT - 5 COUNCILMANIC

The sign(s) were posted on DEC. 31, 1996
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 96-245-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: To permit A setback of 24' in
lieu of the required 40'

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTURENT PUBLISHING COMPANY
December 26, 1996 Issue - Jeffersonian

Please forward billing to:

Daft McCune Walker, Inc.
200 E. Pennsylvania Avenue
Towson, MD 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: 97-245-A (Item 245)
10700 Philadelphia Road
NE/S Silver Spring Road, 328' NW of MD. Rt. 7
11th Election District - 5th Councilmanic
Legal Owner(s): Honeygo Run Reclamation Center, Inc.
Petitioner: Nextel Communications of the Mid-Atlantic, Inc.

Variance to permit a 24 foot front setback in lieu of the required 40 feet.

HEARING: WEDNESDAY, JANUARY 15, 1997 at 9:30 a.m. in Room 106, County Office Building.

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

December 19, 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: 97-245-A (Item 245)
10700 Philadelphia Road
NE/S Silver Spring Road, 328' NW of MD. Rt. 7
11th Election District - 5th Councilmanic
Legal Owner(s): Honeygo Run Reclamation Center, Inc.
Petitioner: Nextel Communications of the Mid-Atlantic, Inc.

Variance to permit a 24 foot front setback in lieu of the required 40 feet.

HEARING: WEDNESDAY, JANUARY 15, 1997 at 9:30 a.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Honeygo Run Reclamation Center, Inc.
Nextel Communications of the Mid-Atlantic, Inc.
C. William Clark, Esq.
Daft, McCune, Walker, Inc.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 31, 1996.
(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



Baltimore County
Department of Permits and
Development Management

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

January 8, 1997

C. William Clark, Esquire
Nolan, Plumhoff & Williams Chartered
Suite 700 - Nottingham Centre
502 Washington Avenue
Towson, MD 21204

RE: Item No.: 245
Case No.: 97-245-A
Petitioner: Wayne B. Knight

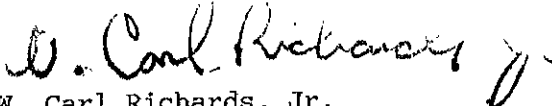
Dear Mr. Clark:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 6, 1996.

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

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

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

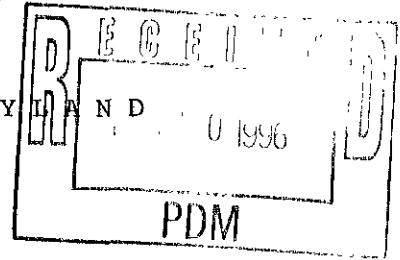
WCR/re
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE



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

Date: December 26, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for December 30, 1996
Item No. 245

The Development Plans Review Division has reviewed the subject zoning item. The Landscape Plan is currently under review by the Department of Permits & Development Management and the Department of Recreation & Parks. A Final Landscape Plan must be approved as a condition of releasing grading permits.

RWB:HJO:jrb

cc: File

ZONE43A

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: December 19, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

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

Item Nos. 238, 244, 245, 247, 248, 249, 250, 252, 253, 255, and 256

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

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

RE: Baltimore County 12.23.91
Item No. 245 (CAM)

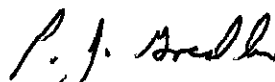
Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

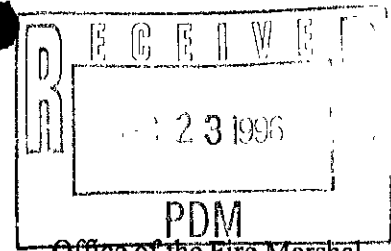
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

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

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500



Office of the Fire Marshal
(410) 887-4880

DATE: 12/19/96

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

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF DEC. 23, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

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

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 245, 246, 247, 248, 249, 250, 252, 253, 254 AND 256.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



RE: PETITION FOR VARIANCE
10700 Philadelphia Road, NE/S Silver
Spring Road, 328' NW of MD. Rt. 7
11th Election District, 5th Councilmanic

Legal Owner(s): Honeygo Run Reclamation Ctr.
Petitioner: Nextel Communications of the
Mid-Atlantic, Inc.
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-245-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of January, 1997, a copy of the foregoing Entry of Appearance was mailed to C. William Clark, Esq., Nolan, Plunhoff & Williams, 502 Washington Avenue, Suite 700, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

RECORDED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

William Clark

502 WASHINGTON AVE, TOWSON MD 21284

Timothy E. ConTE

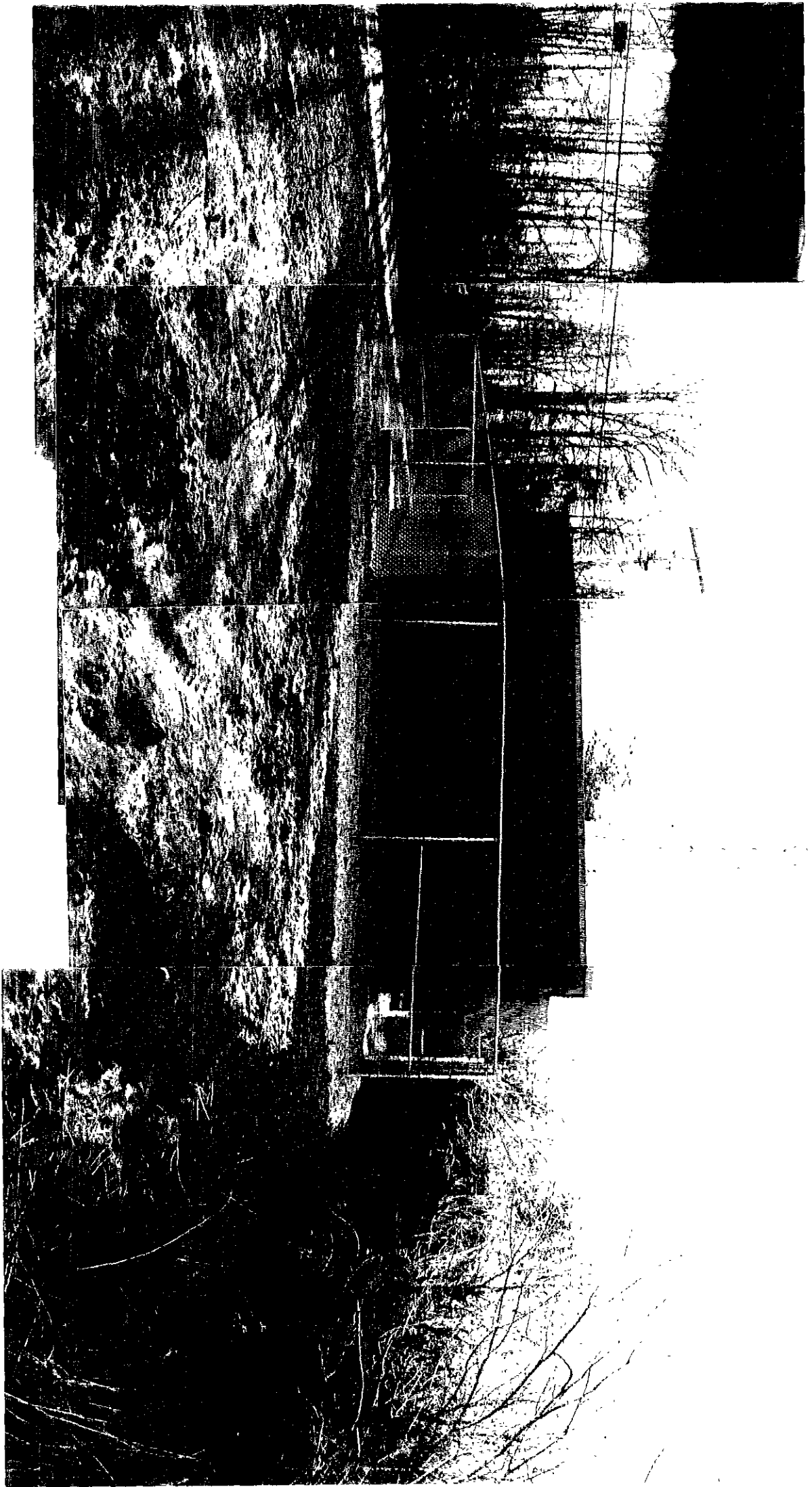
4340 EAST WEST HWY STE 800 BETHESDA
20814

Robert Morelock

200 E. PENNA. AVE, TOWSON 21286









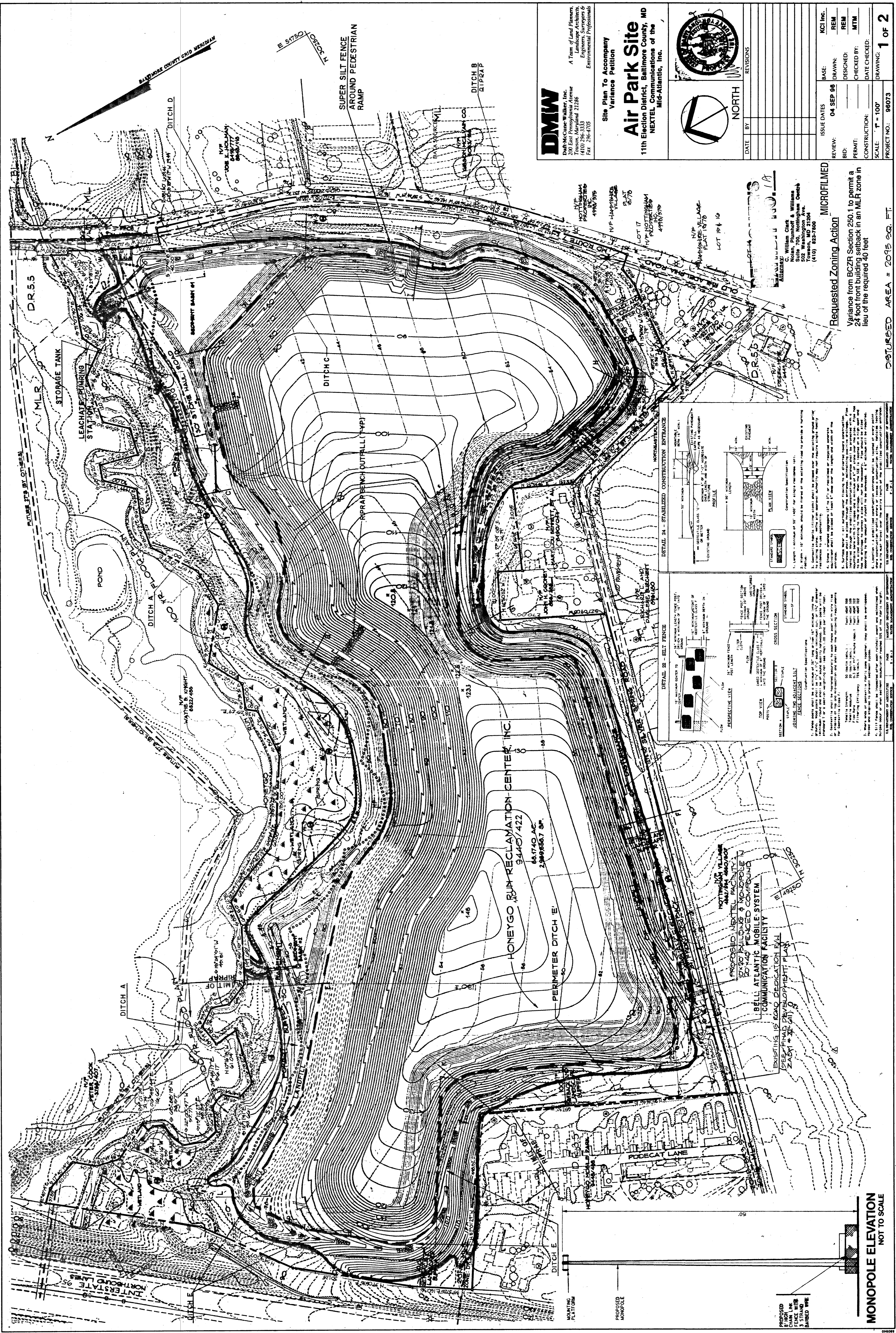
PROPOSED
FACILITY
HERE











DMW
 A Team of Land Planners,
 200 East Pennsylvania Avenue
 Baltimore, Maryland 21202
 Phone: 410-236-3333
 Fax: 236-4700

Air Park Site
 Site Plan To Accompany
 Variance Petition
 11th Election District, Baltimore County, MD
 NESTEL Communications of the
 Mid-Atlantic, Inc.

DATE BY: _____

ISSUE DATES: _____

REVISIONS:

NO. INC.	DATE	DESCRIPTION

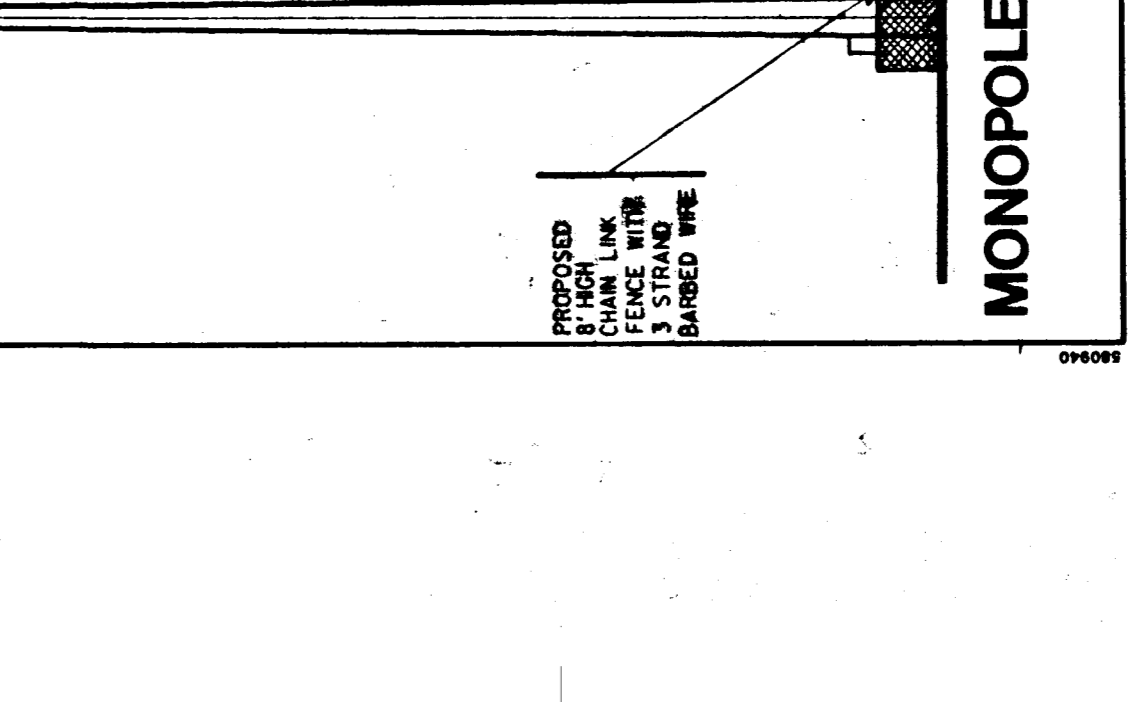
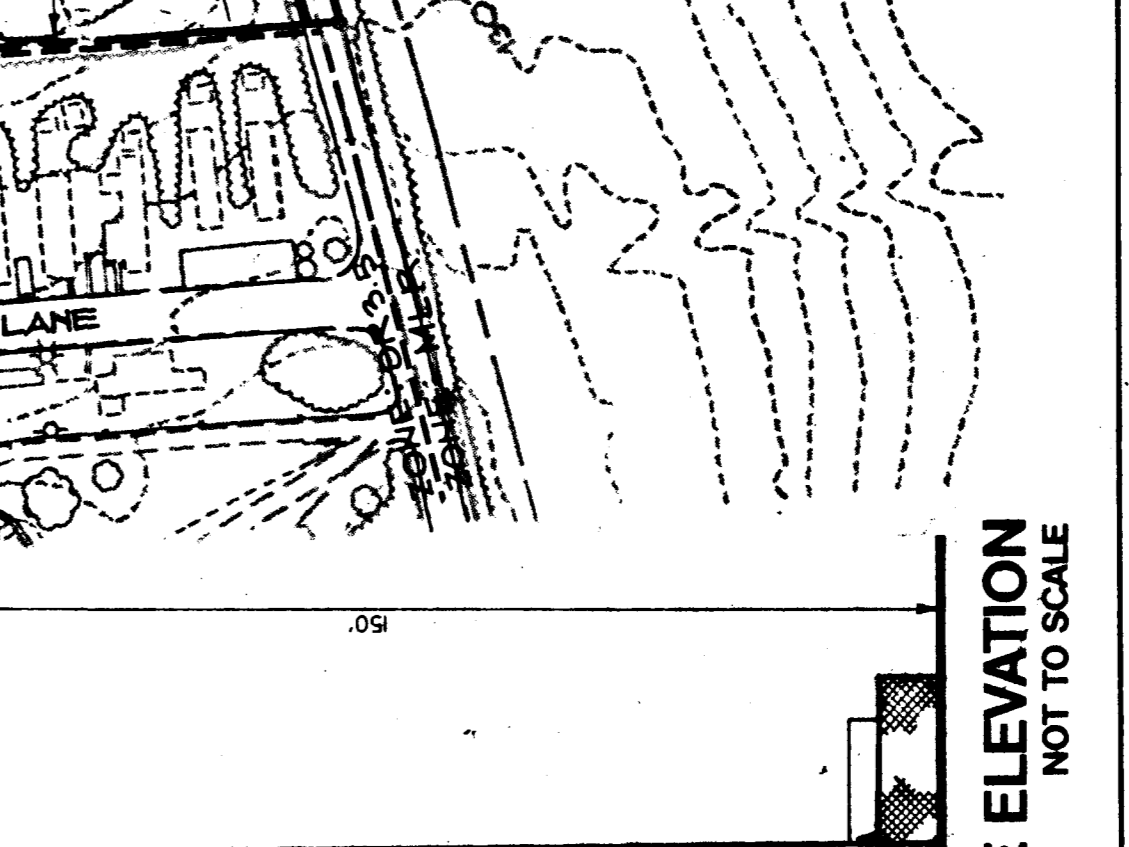
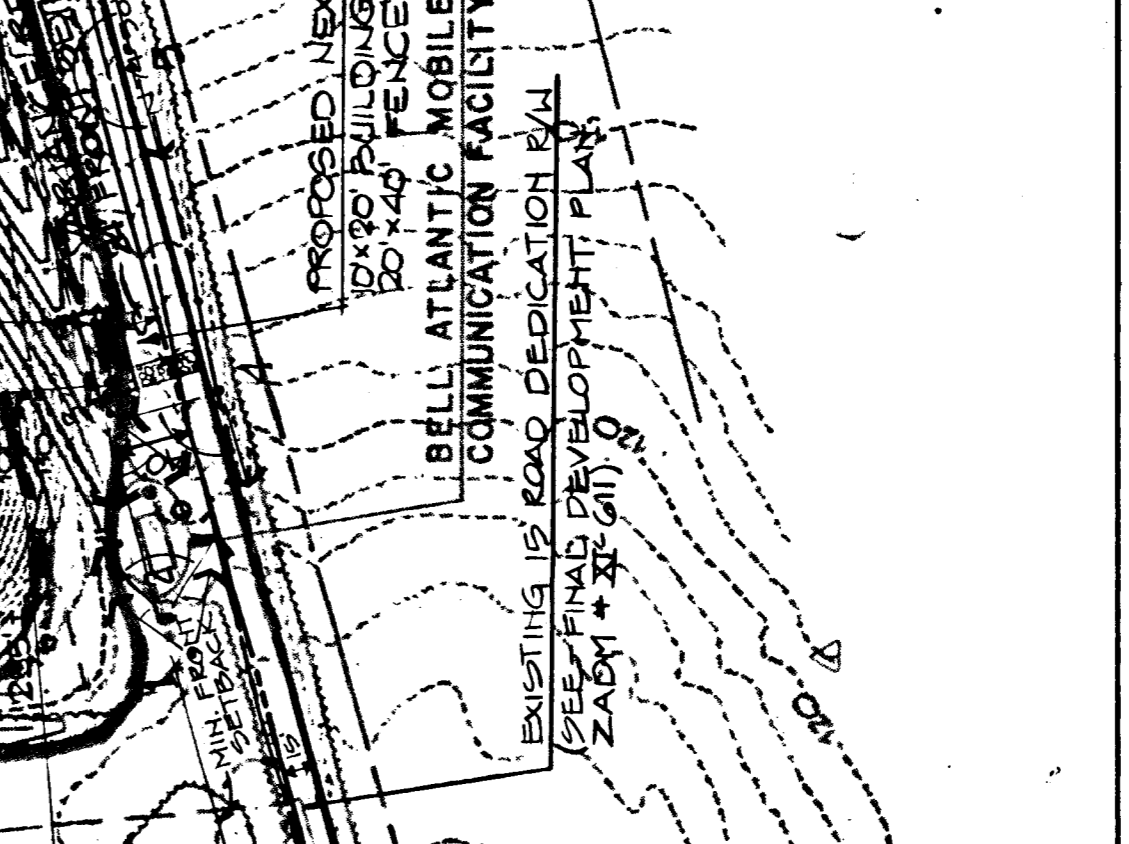
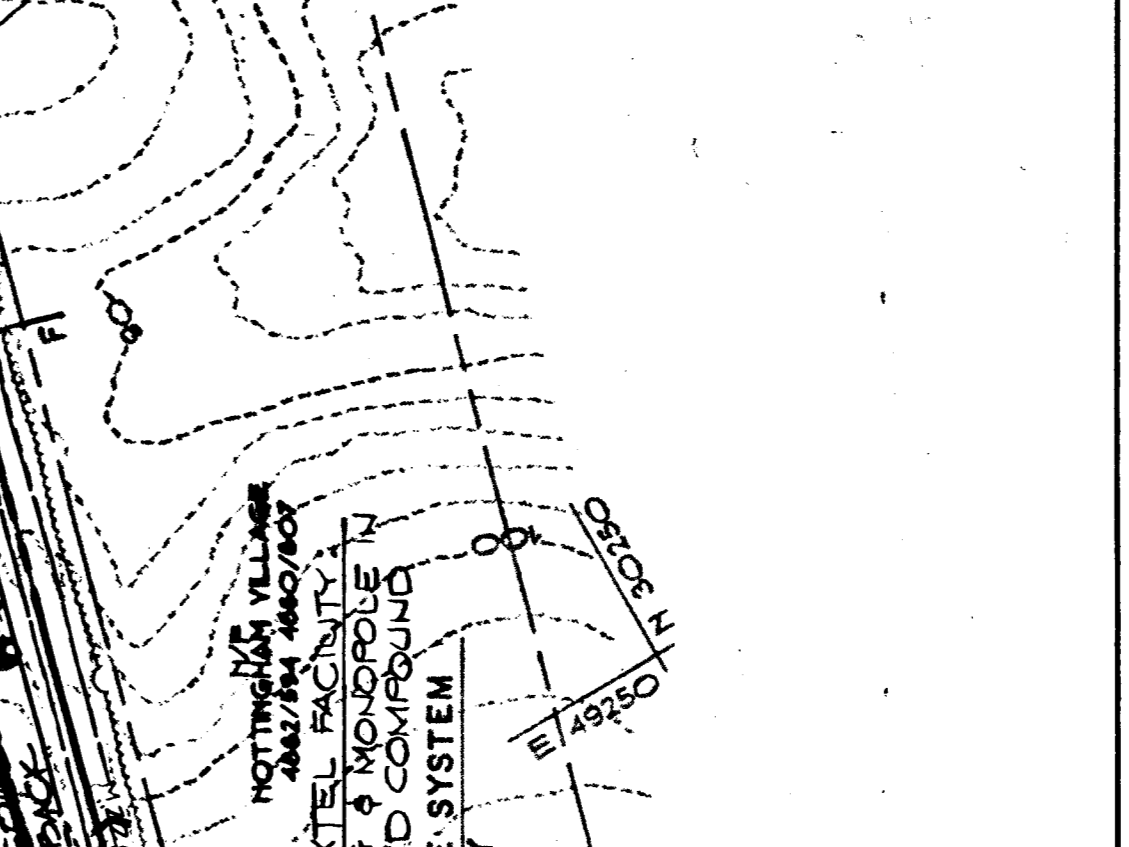
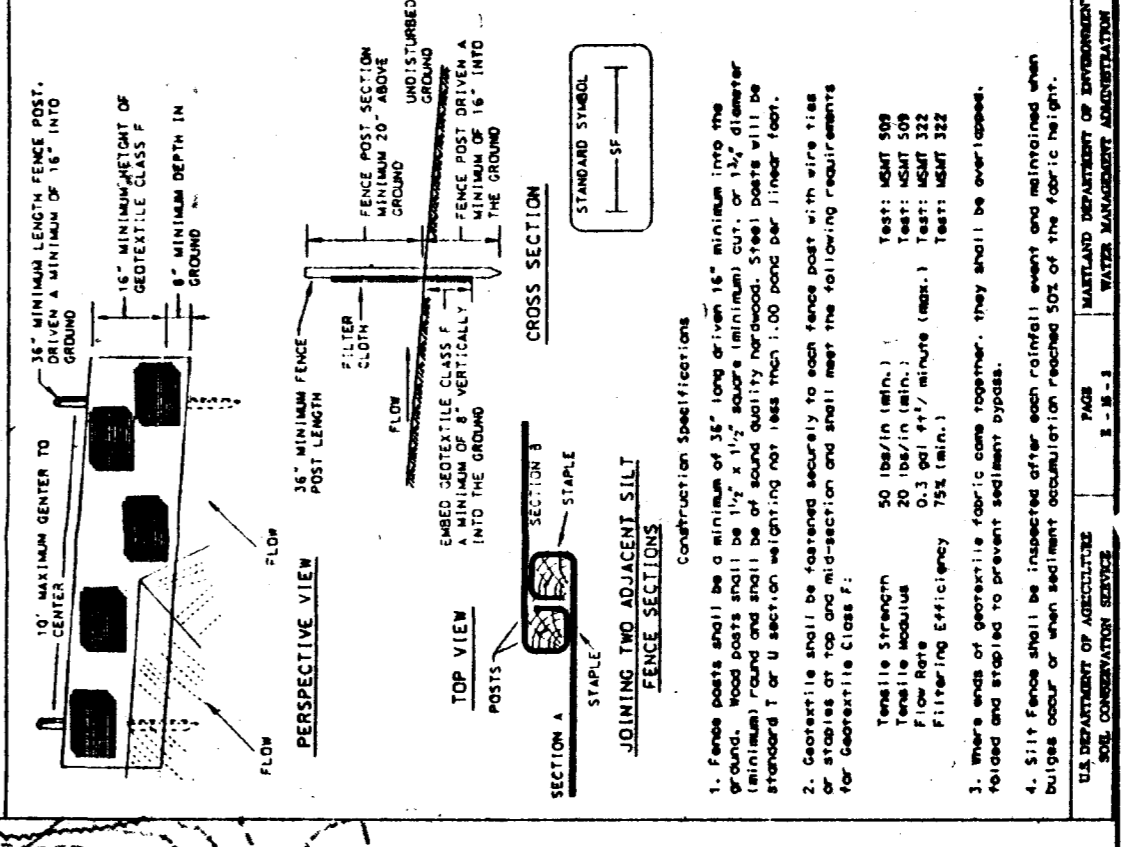
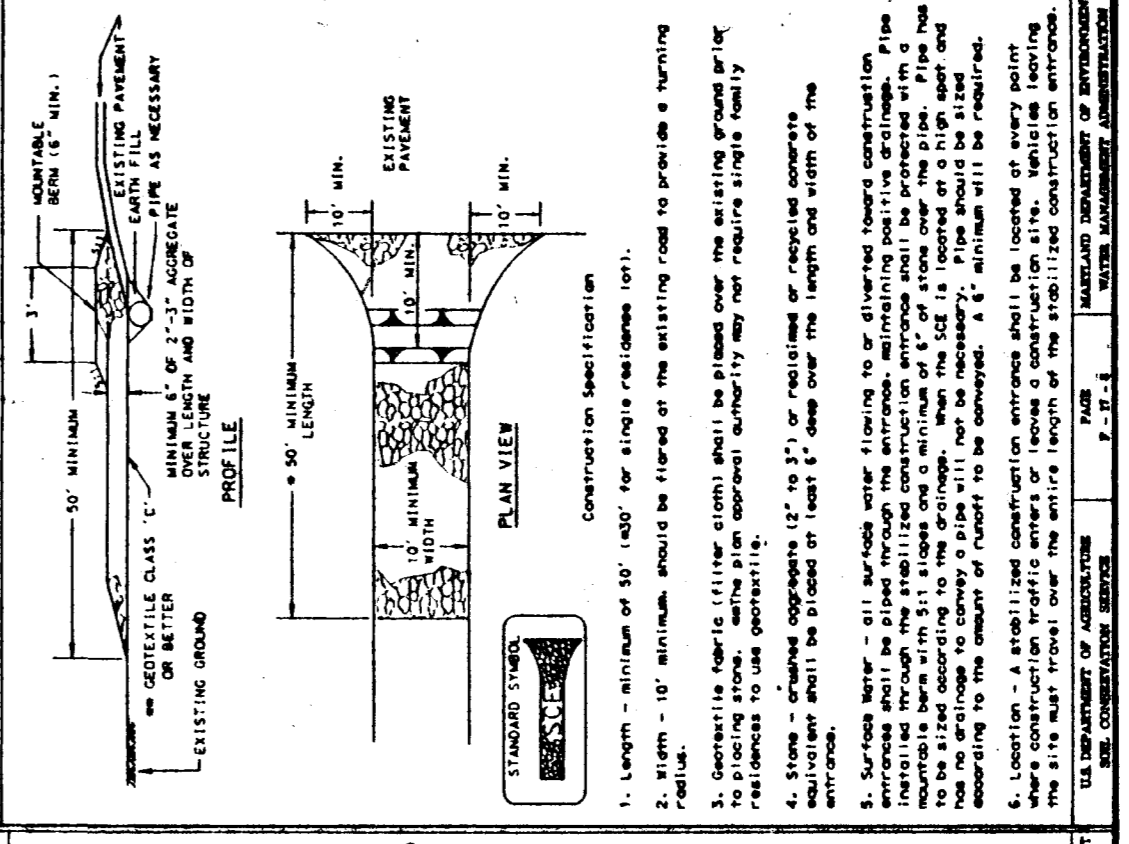
REVIEW: 04 SEP 08
 BASE: _____
 DRAWN: _____
 DESIGNED: _____
 CHECKED BY: _____
 DATE CHECKED: _____

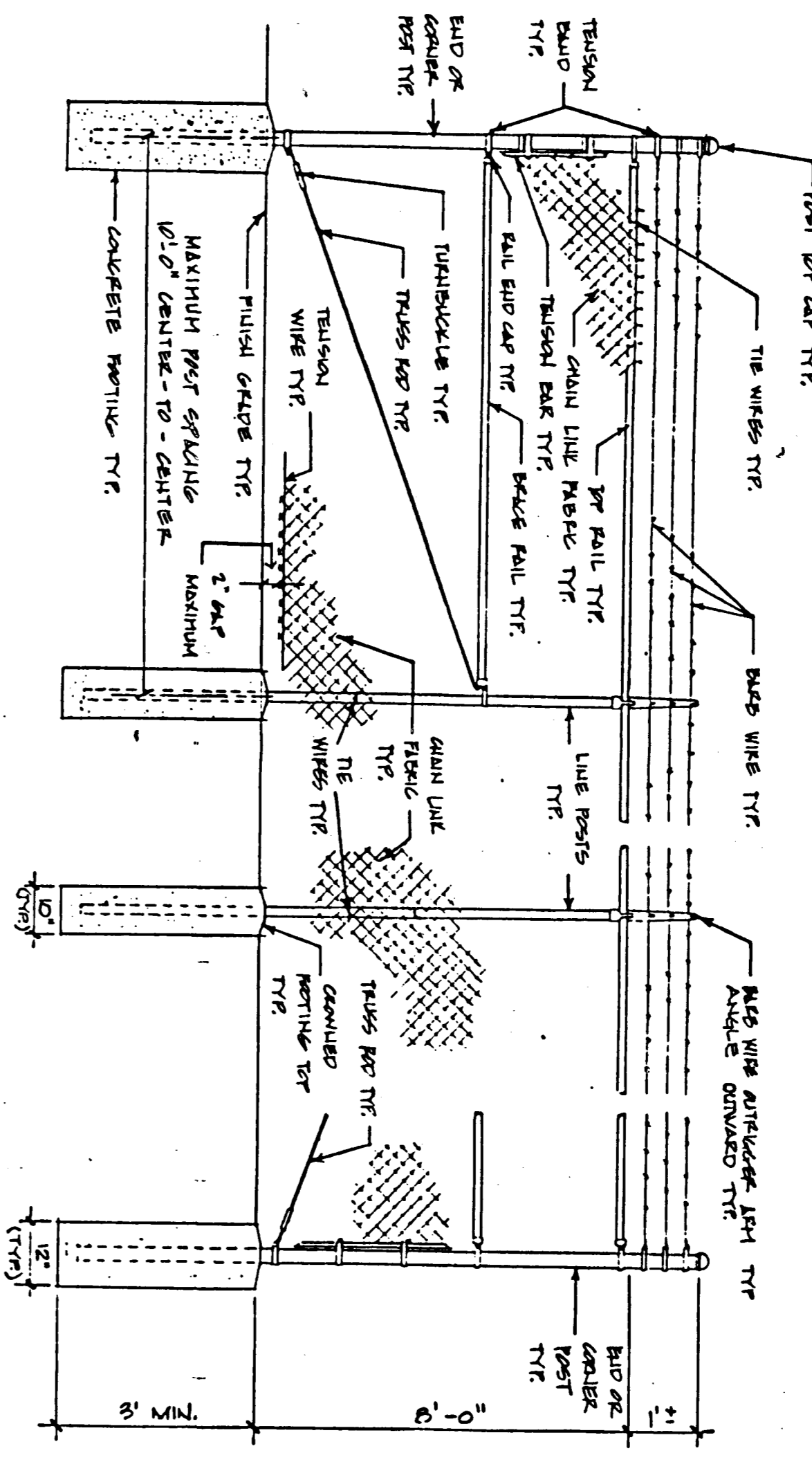
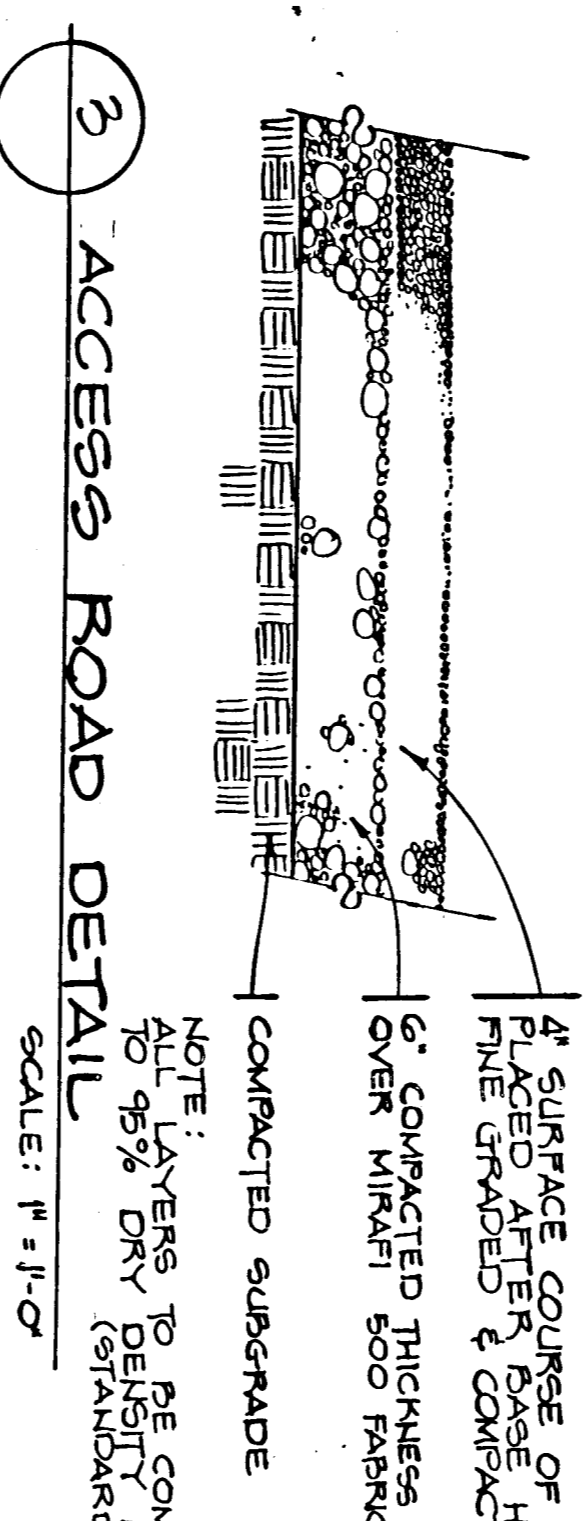
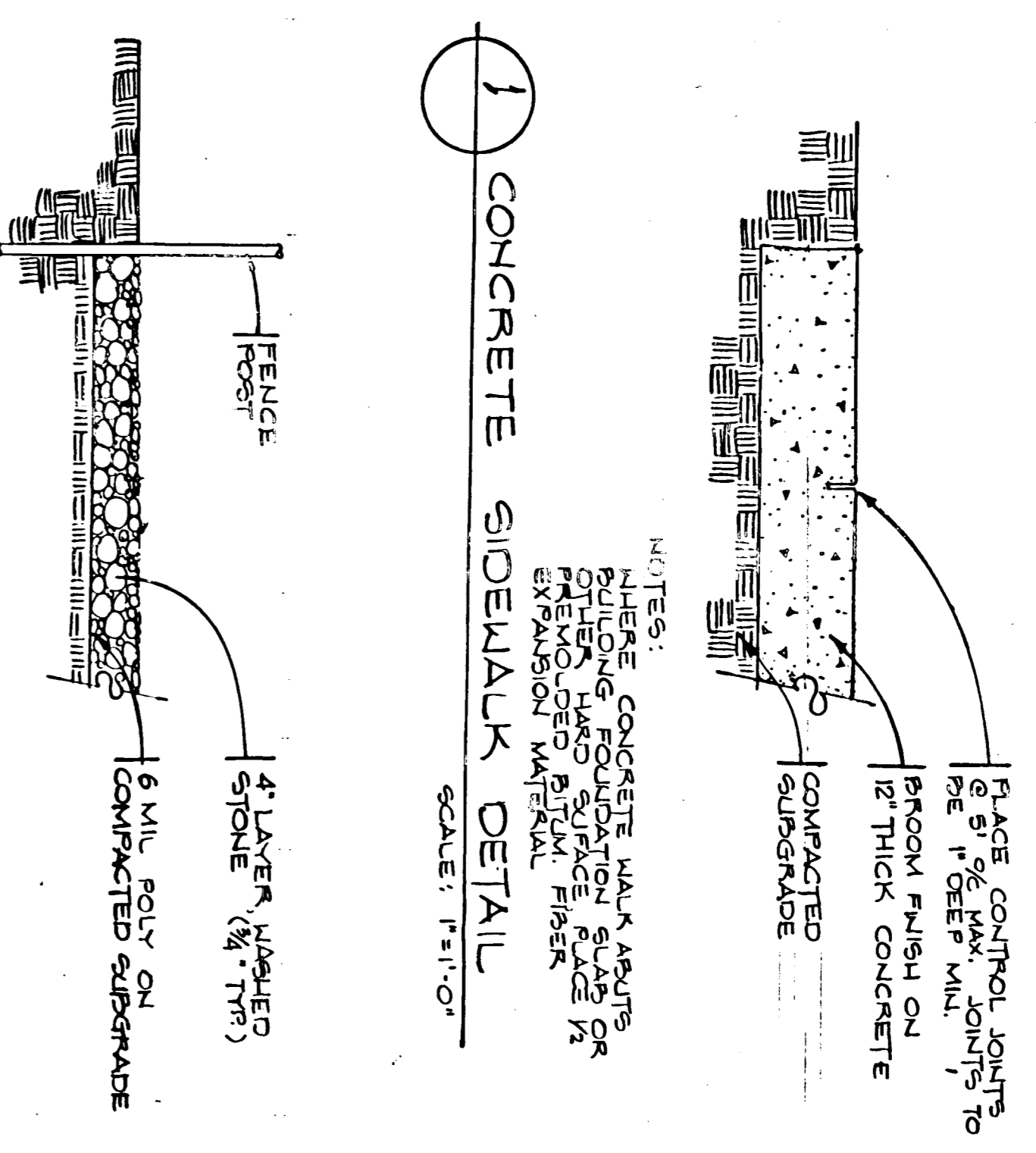
PERMIT: _____
 CONSTRUCTION: _____
 SCALE: 1" = 100'
 DRAWING: **1 of 2**
 PROJECT NO.: 98073

Requested Zoning Action
 Variance from BCZP Section 250.1 to permit a
 building to be located in an MLR zone in
 lieu of the required 30 feet

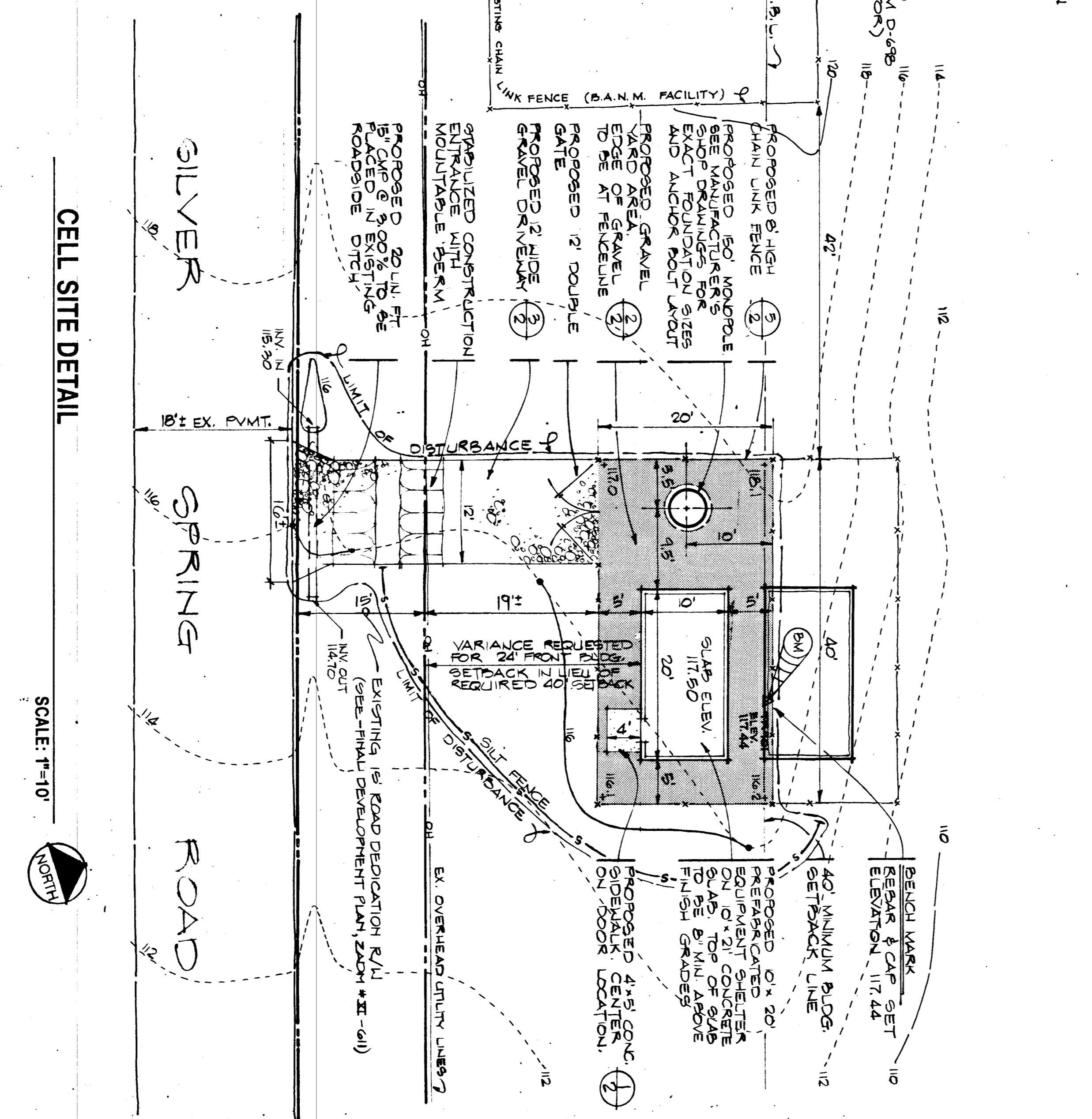
MICROFILMED

Prepared by:
 C. William Clark & Williams
 502 Washington Ave.
 Baltimore, MD 21201
 (410) 223-7400



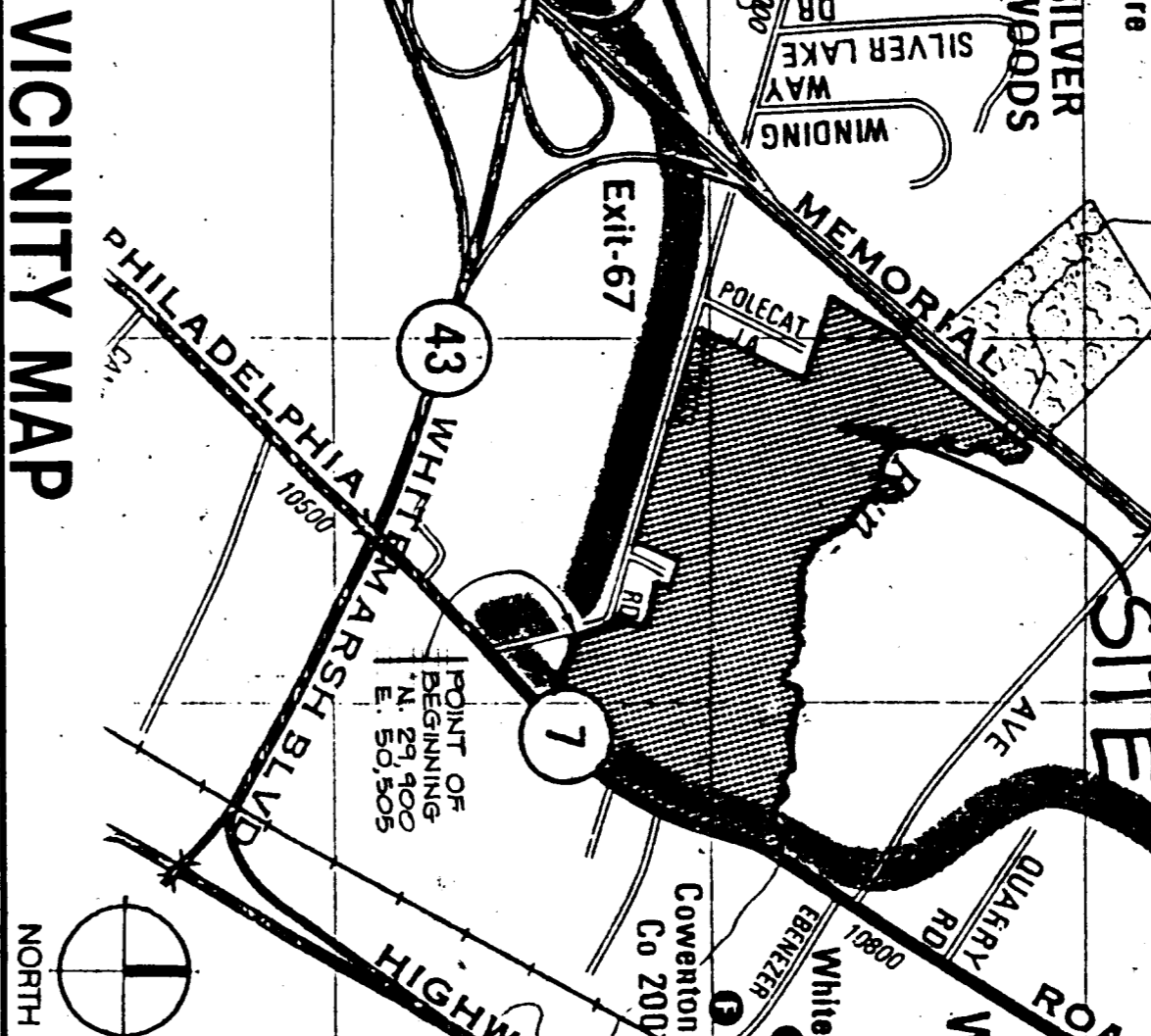


- NOTES:**
1. Chain link fence and steel posts: 18" x 18" x 1/2" galvanized steel, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 2. Concrete base: 4" thick, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 3. Site work: 6" thick, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 4. Existing site: 6" thick, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 5. Site work: 6" thick, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 6. Site work: 6" thick, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 7. Site work: 6" thick, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 8. Site work: 6" thick, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 9. Site work: 6" thick, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 10. Site work: 6" thick, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 11. Site work: 6" thick, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 12. Site work: 6" thick, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 13. Site work: 6" thick, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 14. Site work: 6" thick, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.



- NOTES:**
1. Cell site building: 12' x 12' x 10' high, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 2. Cell site building: 12' x 12' x 10' high, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 3. Cell site building: 12' x 12' x 10' high, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 4. Cell site building: 12' x 12' x 10' high, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
 5. Cell site building: 12' x 12' x 10' high, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.
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 14. Cell site building: 12' x 12' x 10' high, 12' wide, 12' high, 12' spacing, 12' high, 12' spacing, 12' high, 12' spacing.

- RAW LAND CIVIL SPECIFICATIONS**
- METEL CONSTRUCTION OF THE BALTIMORE, INC.
1. Elevation: 100.00
 2. Elevation: 100.00
 3. Elevation: 100.00
 4. Elevation: 100.00
 5. Elevation: 100.00
 6. Elevation: 100.00
 7. Elevation: 100.00
 8. Elevation: 100.00
 9. Elevation: 100.00
 10. Elevation: 100.00
 11. Elevation: 100.00
 12. Elevation: 100.00
 13. Elevation: 100.00
 14. Elevation: 100.00



DMW A Team of Land Planning, Engineering, Surveying & Environmental Professionals

11th Election District, Baltimore County, MD
NEXTTEL Communications of the Mid-Atlantic, Inc.

Site Plan To Accompany
Variance Petition

DATE: 04 SEP 96
PROJECT NO.: 86073

ISSUE DATES: 04 SEP 96
REVISIONS: 04 SEP 96
CHECKED BY: [Signature]
DRAWING: 2 OF 2

DATE: 04 SEP 96
PROJECT NO.: 86073

OWNER/DEVELOPER

HONEYGO RUN RECLAMATION CENTER, INC.
8814 COWENTON AVENUE
PERRY HALL, MARYLAND 21128

HONEYGO RECLAMATION PROJECT
HONEYGO RUN PARK
COUNCILMATIC DISTRICT #5
ELECTION DISTRICT #11
ADDRESS: 10700 PHILADELPHIA ROAD
PERRY HALL, MD. 21128

CENTURY ENGINEERING, INC.

*CONSULTING ENGINEERS, PLANNERS
32 WEST ROAD
TOWSON, MARYLAND 21204
(410) 823-8070*

AREA

TAX MAP NO. 72 & 82 PARCEL 107
LIBER 9440 FOLIO 422

TITLE

WINTER OF 92 AERIAL PHOTOGRAPH

Des. By	Scale 1"=100'	Proj. No. 92-032
Drn. By	Date 06-15-93	___OF___
Chk. By	Approved	

CROZIER ASSOCIATES
LANDSCAPE ARCHITECTURE / LAND PLANNING

MILL CENTRE · SUITE 400
3000 CHESTNUT AVE · BALTIMORE · MD · 21211

410 · 366 · 3330

REFER TO PAPER
FILE TO VIEW PLAT