

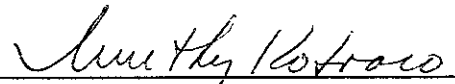
IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 SE/S Philadelphia Road, NE/S * DEPUTY ZONING COMMISSIONER
 Raphael Road and I-95 * OF BALTIMORE COUNTY
 (BGE Substation) * Case No. 97-584-SPH
 11th Election District
 5th Councilmanic District
 BG&E Company, Owners; APC Realty
 and Equipment Co., Contract Lessees
 * * * * *

ORDER OF DISMISSAL

WHEREAS, this matter was scheduled for a public hearing to be held on August 12, 1997 before the Deputy Zoning Commissioner for consideration of a Petition for Special Hearing to approve additions to an existing wireless transmitting and receiving facility on the subject property, as authorized in prior zoning Case No. 85-358-X, and to amend the restrictions contained therein to permit a larger mounting platform on the existing monopole for wireless Personal Communications Systems (PCS) antennae.

WHEREAS, by letter dated July 22, 1997 from Counsel for the Contract Lessee, Margaret C. Ruggieri, Esquire, to Arnold Jablon, Director of the Department of Permits and Development Management (DPDM), the Petitioners requested a withdrawal of the Petition for Special Hearing.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25th day of July, 1997 that the Petition for Special Hearing filed in the above-captioned matter, be and the same is hereby DISMISSED WITHOUT PREJUDICE.


 TIMOTHY M. KOTROCO
 Deputy Zoning Commissioner
 for Baltimore County

TMK:bjs

cc: Jack Evans, Esquire, Whiteford, Taylor & Preston
 400 Court Towers, 210 W. Pennsylvania Ave., Towson, Md. 21204

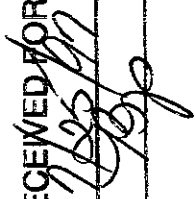
Margaret C. Ruggieri, Esquire, APC Realty and Equipment Co.
 One Democracy Ctr., 6905 Rockledge Dr., Suite 100, Bethesda, Md. 20817

People's Counsel; Case File

ORDER RECEIVED FOR FILING

Date

By



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
NEC Philadelphia and Raphel Roads * ZONING COMMISSIONER
11th Election District, 5th Councilmanic *
Legal Owner(s): Balto. Gas & Electric Co. * OF BALTIMORE COUNTY
Contract Purchaser(s): APC Realty and Equip. Co. *
Petitioners * CASE NO. 97-584-SPH

* * * * *

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 5th day of August, 1997, a copy of the foregoing Entry of Appearance was mailed to Jack Evans, Esq., 210 W. Pennsylvania Avenue, Suite 400, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



Petition for Special Hearing to the Zoning Commissioner of Baltimore County

97-584-SPH

for the property located at Southeast side of Philadelphia Road, Northeast
side of Raphael Road
which is presently zoned R.C.5

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

Additions to a wireless transmitting and receiving facility authorized by zoning case No. 85-358-X. and to amend the restrictions in the Decision and Order for that case to permit a larger mounting platform for wireless Personal Communications System (PCS) antennas on the existing monopole.

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:
APC Realty and Equipment Co., L.L.C.
Margaret Ruggieri-V.P. Legal Counsel

Legal Owner(s):
Baltimore Gas & Electric Co.

(Type or Print Name)
[Signature]
Signature
One Democracy Center, 6905 Rockledge Dr.
Suite 100
Address

G. D. Schwartz, Jr. V.P. General Services
(Type or Print Name)
[Signature]
Signature

Bethesda, MD 20817
City State Zipcode

(Type or Print Name)
Signature
Tax Accounting Unit
P.O. Box 1475 410-281-3126
Address Phone No.

Attorney for Petitioner:
Jack Evans
(Type or Print Name)
[Signature]
Signature
400 Court Towers
210 West Pennsylvania Ave. (410) 832-2000
Address Phone No.
Towson, MD 21204
City State Zipcode

Baltimore, MD 21203
City State Zipcode
Name, Address and phone number of representative to be contacted.
Jack Evans
Name
210 West Pennsylvania Ave. (410) 832-2000
Address Phone No.

ORDER RECEIVED FOR FILING
Date 7/25/97
By [Signature]



OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING 1 hr
unavailable for Hearing
the following dates _____ Next Two Months
ALL OTHER _____
REVIEWED BY: cam DATE 25 Aug 97

584

97-584-SPH

Description

To Accompany Petition for

Special Hearing

2.3 Acre Parcel

Southwest of Raphael Road

Northwest of Philadelphia Road



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

410 296 3333

Fax 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Raphael Road with the centerline of Philadelphia Road (1) Northwesterly along said centerline of Raphael Road 150 feet, more or less, and thence (2) Southwesterly 12 feet, more or less, to the point of beginning, thence leaving said beginning point and running the nine following courses and distances, viz: (1) South 59 degrees 28 minutes 13 seconds West 15.00 feet, thence (2) North 30 degrees 31 minutes 47 seconds West 50.62 feet, thence (3) South 61 degrees 53 minutes 24 seconds West 800.91 feet, thence (4) South 60 degrees 09 minutes 00 seconds East 30.62 feet, thence (5) South 29 degrees 51 minutes 00 seconds West 348.48 feet, thence (6) North 60 degrees 09 minutes 00 seconds West 250.00 feet, thence (7) North 29 degrees 51 minutes 00 seconds East 348.48 feet, thence (8) South 60 degrees 09 minutes 00 seconds East 201.68 feet, thence (9) North 61 degrees 53 minutes 24 seconds East 824.68 feet to Raphael Road, thence binding thereon (10) South 30 degrees 31 minutes 47 seconds East 65.00 feet to the point of beginning; containing 2.3 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 20, 1997

Project No. 94161.94 (L94161.94)



584

CERTIFICATE OF PUBLICATION

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 in Towson, Maryland on the property identified herein as follows:

Case: #97-584-SPH
NEC Philadelphia and Raphael Roads
11th Election District
5th Councilmanic
Legal Owner(s):
Baltimore Gas & Electric Co.
Contract Purchaser(s):
APC Realty and Equipment Co., L.L.C.

Special Hearing: to approve additions to a wireless transmitting and receiving facility authorized by zoning case #85-358-X and to amend the restrictions for that case to permit a larger mounting platform for wireless Personal

Communications System (PCS) antennas on the existing monopole.
Hearing: Tuesday, August 12, 1997 at 9:00 a.m., Room 407 Courts Bldg., 401 Besley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are

Handicapped Accessible for special accommodations. Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3351.

7/31/97 July 24 C160004

TOWSON, MD., 7/24, 1997

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 7/24, 1997.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **038182**

DATE 25 June 97 ACCOUNT R-001-6150
584
AMOUNT \$ 250.00

RECEIVED FROM: DMW

FOR: APC Realty & NEC Philadelphia
+ Radial Rd

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
6/25/1997 6/25/1997 10:12:16
REG 4506 CASHIER KNOM KOM DRAWER
MISCELLANEOUS CASH RECEIPT
Receipt # 002879
CR NO. 038182
\$250.00
Baltimore

CASHIER'S VALIDATION



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Ave
 Towson, Maryland 21284

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.: 584

Petitioner: APC Realty and Equipment Company, LLC

Location: 6905 Rockledge Drive, Suite 100, Bethesda, 20817

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Greg Sarno - APC Realty + Equipment

ADDRESS: 6905 Rockledge Drive, Suite 100
Bethesda, MD 20817

PHONE NUMBER: 301-214-9293

AJ:ggs

(Revised 09/24/96)

584

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.: 97-584-SPH

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

PLACE: *

DATE AND TIME: *

REQUEST: Special Hearing to Amend Zoning Case
85-358-X

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

*UPON RECEIPT OF THE NOTICE OF HEARING, THE PETITIONER OR HIS AGENT FILLS IN THIS INFORMATION AND THEN FORWARDS THIS FORM TO THE SIGN POSTER.

584

TO: PUPPUKENT PUBLISHING COMPANY
July 24, 1997 Issue - Jeffersonian

Please forward billing to:

Greg Sarro
APC Realty & Equipment
6905 Rockledge Drive, Suite 100
Bethesda, MD 20817
301-214-9293

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-584-SPH
NEC Philadelphia and Raphael Roads
11th Election District - 5th Councilmanic
Legal Owner(s): Baltimore Gas & Electric Co.
Contract Purchaser(s): APC Realty and Equipment Co., L.L.C.

Special Hearing to approve additions to a wireless transmitting and receiving facility authorized by zoning case #85-358-X and to amend the restrictions for that case to permit a larger mounting platform for wireless Personal Communications System (PCS) antennans on the existing monopole.

HEARIN:G TUESDAY, AUGUST 12, 1997 at 9:00 a.m, Room 407 Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



Baltimore County
Department of Permits and
Development Management

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

July 14, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-584-SPH
NEC Philadelphia and Raphael Roads
11th Election District - 5th Councilmanic
Legal Owner(s): Baltimore Gas & Electric Co.
Contract Purchaser(s): APC Realty and Equipment Co., L.L.C.

Special Hearing to approve additions to a wireless transmitting and receiving facility authorized by zoning case #85-358-X and to amend the restrictions for that case to permit a larger mounting platform for wireless Personal Communications System (PCS) antennas on the existing monopole.

HEARING TUESDAY, AUGUST 12, 1997 at 9:00 a.m, Room 407 Courts Building, 401 Bosley Avenue.

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

Arnold Jablon
Director

cc: G. D. Schwartz, Jr./Baltimore Gas & Electric Co.
APC Realty and Equipment Co., LLC
Jack Evans, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JULY 28, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

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

August 6, 1997

Jack Evans, Esquire
400 Court Towers
210 West Pennsylvania Avenue
Towson, MD 21204

RE: Item No.: 584
Case No.: 97-584-SPH
Petitioner: G. D. Schwartz, Jr.

Dear Mr. Evans:

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 June 25, 1997.

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 (410-887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: July 11, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
for July 21, 1997
Item Nos. 579, 580, 581, 582, 583,
584, 585, 586, 587, 588, & 589

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

RWB:HJO:jrb

cc: File

ZONE721.NOC

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 8, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 579, 581, 582, 583, 584, 586, 588, and 589

If there should be any questions or if this office can provide additional information,
please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by: Jeffrey W. Long
Division Chief: Carol L. Kerns

AFK/JL

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

TO: PDM

DATE: 7/10/97

FROM: R. Bruce Seeley *RBS/sp*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: July 14, 1997

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

Item #'s: 579
581
582
584
586
587
588
589

RBS:sp

BRUCE2/DEPRM/TXTSBP



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 7.14.97
Item No. 584 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,

A handwritten signature in cursive script, appearing to read 'R. J. Burns'.

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 Suite 901
Towson, MD 21286-5500

17 1997
(410) 887-4500

July 10, 1997

Arnold J. Jarmon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21284
MAIL STOP 1102F

RE: Property Owner: SEE BELOW

Occasion: DISTRIBUTION MEETING OF July 14, 1997

Item No.: SEE BELOW

Zoning Agenda:

Comments:

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.

The Fire Marshal's Office has no comments at this time,
REFERENCE TO THE FOLLOWING ITEM NUMBERS:

579, 580, 582, 583, 584, 585, 586, 588, and 589

REVIEWER: LT. ROBERT P. SAUERWALD

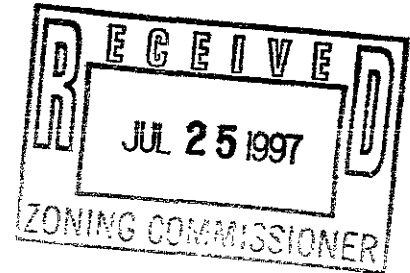
Fire Marshal's Office, PHONE 887-4881, MS-1102F

cc: File





6905 Rockledge Drive, Suite 100 • Bethesda, MD 20817
Tel. 301-214-9200 Fax. 301-214-9209



July 22, 1997


Mr. Arnold Jablon
Director
Permits and Development Management
111 West Chesapeake
Room 109
Towson, MD 21204

Re: Petition for Special Hearing #97-584-SPH

Dear Mr. Jablon:

On behalf of APC Realty & Equipment Company, LLC, I hereby withdraw the Petition for Special Hearing for the wireless transmitting and receiving facility located on the Southeast side of Philadelphia Road, Northeast side of Raphael Road. Thank you for your cooperation on this matter.

Very truly yours,


Margaret C. Ruggieri
Vice President - Legal Counsel

cc: Jack Evans, Whiteford, Taylor & Preston