

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/S Mace Avenue, 250 ft. NW
of Golden Ring Road * ZONING COMMISSIONER

15th Election District * OF BALTIMORE COUNTY
7th Councilmanic District
Legal Owner: J.K. Holman * Case No. 98-43-A
Lessee: Bell Atlantic Nynex
Mobile, Petitioner
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located on the west side of Mace Avenue, approximately 250 ft. N.W. of the intersection of Mace Avenue and Golden Ring Road in eastern Baltimore County. The Petition was filed by J.K. Holman, property owner and Bell Atlantic Nynex Mobile, Lessee. Variance relief is requested pursuant to Section 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 8 ft. for a wireless communications tower and setbacks of 18 ft. and 10 ft. for the associated equipment building in lieu of the required 30 ft. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, received into evidence as Petitioner's Exh. No. 1.

Appearing at the public hearing held for this case was Maurice Thompson II, Real Estate Manager for Bell Atlantic Nynex Mobile. Also present was Timothy Madden, Landscape Architect, who prepared the site plan. The Petitioner was represented by Robert A. Hoffman, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject site is approximately .226 acres in area, split zoned B.R. and MLR-IM. The property is located in an industrial/commercial locale in eastern Baltimore County. As shown on the site plan and vicinity map, several adjacent properties to the subject site are owned by the same property owner, Joseph K. Holman.

ORDER: FILED FOR FILING
Date: 9/17/99
By: M. D. Davis

Bell Atlantic Nynex Mobile has entered into a contingent lease with Mr. Holman for the construction of a wireless communications and receiving facility tower on the subject site. The proposed tower will be a self support lattice tower 120 ft. in height. The tower is permitted by right on this property, due to the B.R. zoning classification. Thus, special exception approval is not necessary, pursuant to Sections 502.1 and 502.7 of the BCZR.

However, variance relief is required in that the proposed tower and related equipment building will constitute a principal building under the zoning regulations. As shown on the site plan, the tower will be set back approximately 8 ft. from the property line, and the equipment building will have setbacks of 18 ft. and 10 ft. to the side and rear lines.

As noted above, the co-Petitioner (Mr. Holman) also owns several adjacent properties to the subject site, including the tract from which the deficient setback for the tower and building will be measured. Additionally, the property, itself, is somewhat unusual in configuration in that same has sufficient depth but is of narrow width.

Based upon these factors and the testimony and evidence presented, I am persuaded to grant the Petition for Variance. In my judgment, the Petitioner has satisfied the criteria set forth in Section 307 of the BCZR. Specifically, I find that the property is unique by virtue of its unusual configuration and size. Additionally, it is clear that there will be no detrimental impact to surrounding properties by virtue of their current use and the character of the locale. Moreover, strict adherence to the zoning regulations would result in a practical difficulty upon the Petitioner. Thus, the Petition for Variance should and will be granted.

It is also to be noted that comments were made at the hearing that additional communication carriers may seek access to permit the installa-

ORDER RECORDED FOR FILING
Date 9/17/97
By [Signature]

tion of their equipment on this proposed tower. For so long as that equipment maintains the minimal setbacks as permitted herein, such additions should be allowed without the need for further variance relief and public hearings. As noted above, the use, itself, is permitted by right in this zone for so long as the minimum setbacks as permitted herein are provided.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of September 1997 that a variance from Section 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 8 ft. for a wireless communications tower, and setbacks of 18 ft. and 10 ft. for the associated equipment building, in lieu of the required 30 ft., be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmn



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

September 19, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Case No. 98-43-A
Petition for Variance
Bell Atlantic Nynex Mobile/J.K. Holman, Petitioner
Property: W/S 250 ft. N.W. of Mace Avenue & Golden Ring Road

Dear Mr. Hoffman:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. Maurice Thompson, II
Real Estate Manager
Bell Atlantic Nynex Mobile
9000 Junction Drive
Annapolis, Maryland, Md. 21701





Petition for Variance

CRITICAL AREA

A3

to the Zoning Commissioner of Baltimore County

for the property located at Mace Avenue ; W side 250 ft. N.W. of Mace AVE
which is presently zoned BR + Golden Ring Rd
AND MLR-1M

98-43-A

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 part of hereof, hereby petition for a Variance from Section(s)

238.2 to permit a side yard setback of 8 ft. for the tower and 18 ft. and 10 ft. for the equipment building in lieu of the 30 ft. required.

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

To be determined at 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 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:

Bell Atlantic NYNEX Mobile

(Type or Print Name)

By:

Signature Maurice Thompson II, Real Estate Manager

9000 Junction Drive

Address

Annapolis Junction

City

MD

State

21701

Zipcode

Attorney for Petitioner:

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature

210 Allegheny Ave.

Address

(410) 494-6200

Phone No

Towson

City

MD

State

21204

Zipcode

Legal Owner(s):

J. K. Holman

(Type or Print Name)

Signature

(Type or Print Name)

Signature

12800 Bottom Road

Address

Phone No.

Hydes

City

MD

State

21082-9734

Zipcode

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

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

Address

(410) 494-6200

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY

DATE

8/5/97

Zoning Administration
& Development Management

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



43

98-43-A

ZONING DESCRIPTION

BEGINNING for the same at a point on the west side of Mace Avenue, 50 feet wide, which is located 250 feet, more or less, northwesterly from the intersection of the centerlines of Mace Avenue and Golden Ring Road, 60 feet wide, thence the following courses and distances:

North 86° 39' 40" West 166.92 feet, North 15° 37' West 62.29 feet, South 86° 42' 20" East 167.50 feet, By a curve to the right with a radius of 475.00 feet, an arclength of 62.28 feet, and a chord of South 15° 05' 07" East 62.24 feet to the place of the beginning.

CONTAINING 0.226 acres of land more or less.

BEING known as Parcel 738 as shown on Baltimore County Tax Map 40 and located in the Fifteenth Election District of Baltimore County, Maryland.

This description has been prepared for zoning purposes only and is based on a deed recorded in Liber 6676, Folio 447.



Donald N. Mitten 7/31/97
Donald N. Mitten, P.E.
Associate

☐ 139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836-7560
FAX (410) 879-1820

☒ 110 WEST ROAD, SUITE 105
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9446 (301) 470-4470
FAX (410) 792-7395

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: ZOB-46-A
WIS Mock Avenue, 250 NW
of Bowen Park Road

15th Edition, 1961
7th Edition, 1961
Legal Owner:
J. K. Blum
Contract: Photo East (S)
Bell Atlantic WINEX Mobile

Variances: to permit a side yard setback of 8 feet for the tower and 18 feet and 10 feet for the equipment building in lieu of the 30 feet required.

Hearings: Friday, September 12, 1997 at 8:00 a.m., Room 106 County Office Building, 111 W. Chesapeake 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.

8/31/97 August 28 C168038

CERTIFICATE OF PUBLICATION

TOWSON, MD., Aug 28, 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 Aug 28, 1997.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

JKL 43 No.

042706

DATE 8/5/97

ACCOUNT 80016150

AMOUNT \$ 250.00

RECEIVED FROM: VBH

FOR: CV FILING.

TRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
8/05/1997 8/05/1997 10:35:51
REG 4506 CASHIER KIM KIM DRAWER 4
MISCELLANEOUS CASH RECEIPT
Receipt # 010645 0911
CR 10. 042706

250.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-43-A

Petitioner/Developer: J.K. HOLMAN, ETAL
R. HOFFMAN, ESQ (V.B.H.)

Date of Hearing/Closing: 9/12/97

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 N/S MACE AVE. 250' N.W.
GOLDEN RING ROAD

The sign(s) were posted on 8/27/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 9/1/97

(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

Hunt Valley, MD 21030

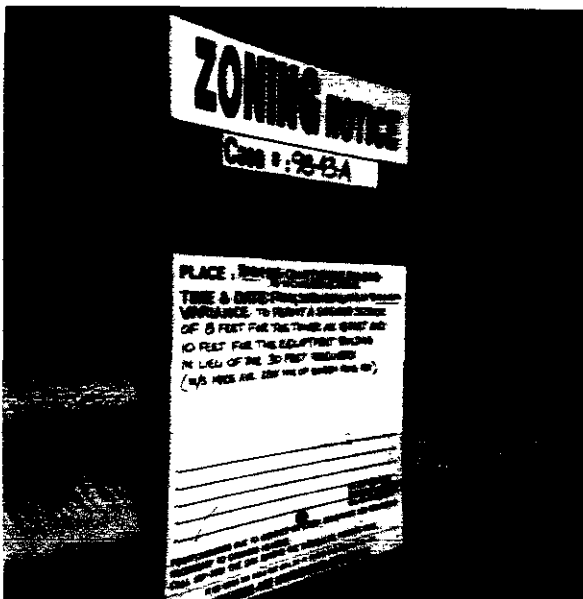
(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

Page: (410) 905-8571

905-8571



98-43-A
N/S MACE AVE. 250' N.W. GOLDEN
RING ROAD - P 8/27/97
J.K. HOLMAN)
B.H. H- 9/12/97



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.: 43

Petitioner: Bell Atlantic NYNEX Mobile

Location: Mace Ave; W side 250' NW of Mace Ave +

PLEASE FORWARD ADVERTISING BILL TO: Golden Ring Road

NAME: Barbara W. Ormord

ADDRESS: Kennerly 210 Allegheny Avenue
Towson, Md 21204

PHONE NUMBER: 410-494-6201

AJ:ggs

(Revised 09/24/96)



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.: 97-43-A

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

PLACE: *

DATE AND TIME: *

REQUEST: A VARIANCE TO PERMIT A SIDE YARD SETBACK OF 8 FT. FOR
A ~~PROPOSED~~ COMMUNICATIONS TOWER AND
18 FT. AND 10 FT. FOR A PROPOSED EQUIPMENT BUILDING ALL IN WELL
OF THE REQUIRED 30 FT.

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: PUTUXENT PUBLISHING COMPANY

August 28, 1997 Issue - Jeffersonian

Please forward billing to:

Barbara Ormord
210 Allegheny Avenue
Towson, MD 21204
410-494-6201

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: 98-43-A

W/S Mace Avenue, 250' NW of Golden Ring Road

15th Election District - 7th Councilmanic

Legal Owner(s): J. K. Holman

Contract Purchaser: Bell Atlantic NYNEX Mobile

Variance to permit a side yard setback of 8 feet for the tower and 18 feet and 10 feet for the equipment building in lieu of the 30 feet required.

HEARING: FRIDAY, SEPTEMBER 12, 1997 at 9:00 a.m., Room 106 County Office Building, 111 W. Chesapeake 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

August 18, 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: 98-43-A
W/S Mace Avenue, 250' NW of Golden Ring Road
15th Election District - 7th Councilmanic
Legal Owner(s): J. K. Holman
Contract Purchaser: Bell Atlantic NYNEX Mobile

Variance to permit a side yard setback of 8 feet for the tower and 18 feet and 10 feet for the equipment building in lieu of the 30 feet required.

HEARING: FRIDAY, SEPTEMBER 12, 1997 at 9:00 a.m., Room 106 County Office Building, 111 W. Chesapeake Avenue.

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

Arnold Jablon
Director

cc: J. K. Holman
Bell Atlantic NYNEX Mobile
Robert A. Hoffman, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY AUGUST 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

September 8, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 43
Case No.: 97-43-A
Petitioner: J. K. Holman

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 5, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



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

DATE: August 25, 1997

To: Arnold L. Jablon
From: R. Bruce Seeley *ABS/98*
Subject: Zoning Item #043

Bell Atlantic NYNEX, Middle River Site

Zoning Advisory Committee Meeting of August 18, 1997

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
- ☐ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
- ☒ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

BS:KK:sp

Bell doc

INTEROFFICE CORRESPONDENCE

Date: August 22, 1997

SUBJECT: Zoning Advisory Committee Meeting
for August 25, 1997
Item No. 043

cc: File

ZONE825.043



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 8-14-97
Item No. 043 JLL

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,

/s/ 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, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 15, 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. 23, 42, 43, 46, 47, 48, 49, 50, and 51

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 Kerns

AFK/JL



Baltimore County
Fire Department

21

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

August 19, 1997

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 August 25, 1997

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 submitted for review to be corrected or incorporated into the final plan for the property.

The referenced property has no corners at this time.
The referenced property is located at 11111 11111.

11111 11111 11111 11111 11111 11111

11111 11111 11111 11111 11111 11111



RE: PETITION FOR VARIANCE
W/S Mace Ave., 250' NW of Golden Ring Rd
15th Election District, 7th Councilmanic

Legal Owner(s): J. K. Holman
Contract Purchaser: Bell Atlantic NYNEX Mobile
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-43-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 28th day of August, 1997, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

March 4, 2005

Mr. Leonard Jensen
Wireless Facilities, Inc.
1840 Michael Faraday Drive
Suite 200
Reston, Virginia 20190

Re: West side, Mace Avenue, 250 feet northwest of Golden Ring Road
Zoning Case # 98-43-A
15th Election District

Dear Mr. Jensen:

Your letter to Timothy Kotroco, Director of Permits Development Management, has been referred to me for reply. In zoning case No 98-43-A, the Zoning Commissioner, on September 19, 1997 granted a Variance to permit a side yard setback of 8 feet for a wireless communications tower and setbacks of 18 feet and 10 feet for the associated equipment building as shown on a submitted site plan. Cingular now requests approval of a side yard setback of 9 feet 4 inches for the proposed equipment building as shown on the submitted redlined site plan. This matter has been reviewed by staff and it has been determined that another variance would be required.

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.

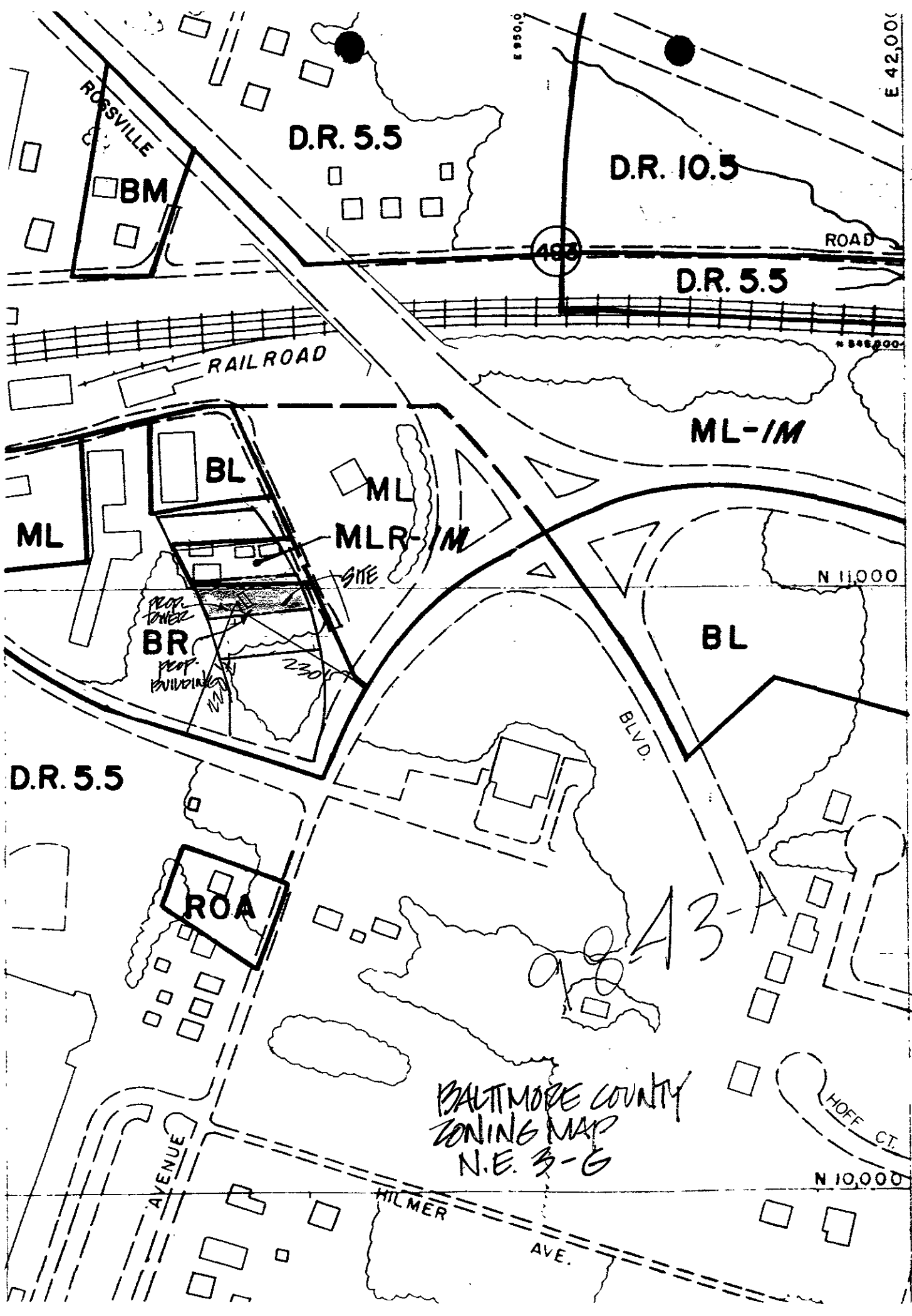
Sincerely,

A handwritten signature in black ink, appearing to read "John J. Sullivan".

John J. Sullivan
Planner II
Zoning Review

JJS/rjc

cc: Zoning Case # 98-043-A



BALTIMORE COUNTY
ZONING MAP
N.E. 3-G

(SHEET N. E. 3M)

