IN RE:

PETITIONS FOR SPECIAL HEARING,

SPECIAL EXCEPTION AND VARIANCE -

N/S Tower Road, 165' W of the

c/l Offutt Road (9100 Tower Road)

2nd Election District

2nd Councilmanic District

\* BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 98-55-SPHXA

Baltimore County, Maryland, Owners; AT&T Wireless Services, Contract Lessees

\* \* \* \* \* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owners of the subject property, Baltimore County, Maryland, by Robin L. Churchill, Administrative Officer, and the Contract Lessee, AT&T Wireless Services, by Frances Kingsbury, Agent, through their attorneys, Paul A. Dorf and S. Leonard Rottman, Esquire. The Petitioners seek approval of an amendment to the previously approved special exception and variances in prior Case No. 96-39-XA to permit the addition of a 12' x 20' concrete equipment pad with cabinets on the subject property and nine (9) antennae on top of the existing water tank. Additionally, the Petitioners request a special exception to permit the installation and operation of a wireless transmitting and receiving facility on an existing water tank, pursuant to Section 1B01.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief from Section 1B01.2.C.1.a of the B.C.Z.R. to permit a side yard setback of 10 feet in lieu of the required 20 feet, and a front yard setback of 38 feet in lieu of the required 50 feet for the proposed equipment pad. 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.

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Appearing at the hearing on behalf of the Petitions were Michael Yglesias and Frances Kingsbury, representatives of AT&T Wireless Services, Richard I. Smith and Glenn L. Reeder, Jr., Professional Engineers with KCI Technologies, Inc., who prepared the site plan for this property, and Paul A. Dorf, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 0.34 acres, more or less, zoned D.R. 3.5 and is the site of an elevated water tank. The property is located not far from Liberty Road in Randallstown on a site owned by Baltimore County. As noted above, this property was the subject of prior Case No. 96-39-XA, in which special exception and variance relief were granted the Petitioners and American Personal Communications (APC), a competitor of AT&T Wireless Services, for the installation of an equipment cabinet and their antennae at the base of the existing water tower on this site. In the instant case, similar relief is requested on behalf of AT&T Wireless Services as set An environmental impact statement was submitted which indiforth above. cates that the proposed use is appropriate for this site and will not result in any detriment to the surrounding locale. Furthermore, there was no opposition from any adjacent property owner and there were no adverse comments received from any Baltimore County reviewing agency.

While it was noted at the hearing that APC has not yet installed their equipment on the subject site, the approval granted herein is not contingent upon APC's utilization of the property. It is appropriate for these wireless transmitting and receiving facilities to be grouped on a single site, if possible, which is being done here. Thus, the relief requested should be granted.

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It is clear that the B.C.Z.R. permits the use proposed in a D.R. 3.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

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:

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- 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.

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 special hearing, special exception and variance relief are not granted. It has been established that the proposed use is consistent with existing conditions on the property and is therefore appropriate. Furthermore, 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 these Petitions held, and for the reasons set forth above, the special hearing, special exception and variance relief should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of September, 1997 that the Petition for Special Hearing seeking approval of an amendment to the previously approved special exception and variances in prior Case No. 96-39-XA to permit the addition of a 12' x 20' concrete equipment pad with cabinets on the sub-

ORDER RECEIVED FOR FILING
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ject property and nine (9) antennae on top of the existing water tank, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the installation and operation of a wireless transmitting and receiving facility on an existing water tank, pursuant to Section 1801.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B01.2.C.1.a of the B.C.Z.R. to permit a side yard setback of 10 feet in lieu of the required 20 feet, and a front yard setback of 38 feet in lieu of the required 50 feet for the proposed equipment pad, 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs



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

September 19, 1997

Paul A. Dorf, Esquire S. Leonard Rottman, Esquire 500 Mercantile Bank & Trust Building 2 Hopkins Plaza, Suite 600 Baltimore, Maryland 21201

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCE
N/S Tower Road, 165' W of the c/l Offutt Road
(9100 Tower Road)
2nd Election District - 2nd Councilmanic District
Baltimore County, Maryland, Owners; AT&T Wireless Services, Contract
Lessees - Petitioners
Case No. 98-55-SPHXA

Dear Messrs. Dorf & Rottman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Variance 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: Patrick Roddy, Esquire, Baltimore County Office of Law 400 Washington Avenue, Towson, Md. 21204

Mr. Frances Kingsbury, AT&T Wireless Services 8403 Colesville Road, 16th Floor, Silver Spring, Md. 20910

People's Counsel; Case Files



APPROVES HER BRDER OF

# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

North Side of Tower Road 165'+ West of Offutt Road

which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits & 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 an amendment to the existing Special

Exception and Variances Granted in Zoning Case 96-39XA to allow the addition of a 12' x 20' concrete equipment pad on the property in addition to Nine (9) antennas being placed on the top of the existing water tank.

The variances will remain as approved in the prior case (96-39XA)

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	Legal Owner(s):
ATT Wireless Zerrices (Type or Prior Name)  Nances Rengesburg, Agent Signature  8403 Cobsville Rd 16 79 fl. Accress	BAltimore County, Maryland (Type or Print Name)  Significance  Fred I from An  Director of Budget And Finance (Type or Print Name)
Silver Spring MD 2090 City State Zipcode	Signature
Attorney for Petitioner  SEANAND ROHMAN/Paul A DORF  Type or Printy Hames  Signature  Men Ban/ Bl/ Address  Phone No. Phone No. State  Zipcode  Table  Table  The Med 21201	Goo Washington Ave 410-887-3313 Address Phone No  Towson Maryland 24304  City State Zipcode Name. Address and phone number of representative to be contacted.  Patrick Roddy  Name  400 Washington Ave 410-887-4920  Address Phone No.  OFFICE USE ONLY  ESTIMATED LENGTH OF HEARING  uneveilable for Hearing  the following dates.
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	REVIEWED BY: 0THER DATE 8-12-97
Revised 9/5/95	1
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# Petition for Special Exception

# 98-55-5PHXA to the Zoning Commissioner of Baltimore County

9100 Tower Road-Randallstown

for the property located at North side of Tower Rd- 165' +/- West of Offutt Rd.

which is presently zoned

D.R. 3.5

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 Exception under the Zoning Regulations of Baltimore County, to use the

Installation and operation on an existing water tank of a wireless transmitting and receiving facility (antennas), pursuant to Section 1 Bo1.1 C.20 of the Zoning Ordinance.

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 scientify 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: Legai Owner(s): AT&T Wireless Services Baltimore County, Md Type or Print Name KINGSBURY, ROBIN L. CHURCHILL 8403 Colesville Road, 16th Floor <u>Administrative</u> Officer (Type or Print Name) Silver Spring, Maryland Signature 400 Washington Ave (410) 887-3313 Attorney for Petitioner. Phone No. . Dopf/S. Leonard Rottman Maryland Address and phone number of representative to be co S. LEONARD ROTIMAN Patrick Roddy, Esquire Mercantile Bank & Trust Bldg. 400 Washington Ave., Towson, Md 21204 (410/887-4420) <u>Hopkins Plaza, Suite 600 (410) 539-5195</u> Phone No. <u>timore.</u> Md 21201 OFFICE USE ONLY Zipcode ESTIMATED LENGTH OF HEARING unavariable for Hearing the following dates **Next Two Months** 

REVIEWED BY:

OTHER



# Petition for Variance

98-55-5PH×A to the Zoning Commissioner of Baltimore County

9100 Tower Road- Randallstown for the property located at North side of Tower Rd- 165' +/- West of Offutt Rd.

which is presently zoned

D.R. 3.5

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 Variance from Section(s)

1 B01.2 C 1.a to allow a 10' side yard rather than the required 20' side yard, and a 38' front yard rather than the required 50'.

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

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.

			We do solemnly declare and affirm, under the penalties of perjury, that tiwe are the legal owner(s) of the property which is the subject of this Petition.
		Contract Purchaser/Lessee:	Legal Owner(s):
		AT&T Wireless Services	Baltimore County, Md
		(Type or Print Name)	(Type or Pnnt Name)
		Maplan agent	By Lobin & Churchell
		Signature FRANCES KINGSBURY, AGENT	ROBIN L. CHURCHILL
		8403 Colesville Road, 16th Floor	Administrative Officer (Type or Print Name)
		Silver Spring, Maryland 20910	
		Gry State Zipcode	Signature
		Atomey for Petitioner: Paul A. Porlf/S. Leonard Rottman	
		Type or Print Name)	400 Washington Ave (410) 887-3313 Address Phone No.
,	O	Schadde & LEONARD ROTTMAN	City State Zincock
	STATE STATE OF THE	600 Mercantile Bank & Trust Bldg.	Name, Address and phone number of representative to be contacted.
i	Ī	2 Hopkins Plaza, Suite 600 (410) 539-5195	
Ş	Ĺ	Address Phone No.	Patrick Roddy, Esquire
Ú	ار ا	Baltimore, Md 21201	400 Washington Ave., Towson, Md 21204 (410/Address Phone No. 887-4420)
ב		State Zipcode	
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98-55-5PHXA

DESCRIPTION

0.34 ACRE ± PARCEL

# NORTH SIDE OF TOWER ROAD 165 $\pm$

### NORTHWEST OF OFFUTT ROAD

## PROPERTY OF BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the north right-of-way line on Tower Road, said point of beginning being N 57° 55' W 165 ± from the center line of Offutt Road; thence running and binding on the north right-of-way line of Tower Road (1) N 57° 55' W 100.00, thence the three following a courses and distances; (2) N 25° 05' E 150.00; (3) S 57° 55' E 100.00 and (4) S 25° 05' W 150.00 to the point of beginning.

Containing 0.34 acres of land, more or less (15,000 Sq. Ft. ±)

This description is for zoning purposes only and it is not intended to be used for conveyance.





# CERTIFICATE OF PUBLICATION

published in THE JEFFERSONIAN, a weekly newspaper published 

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# CERTIFICATE OF POSTING

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	Petitioner/Developer: Adelberg, Rudow,
	Dorf. Hendler & Sameth, LLC
	Date of Hearing/Closing: Sept. 17, 1997
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	9 1997
Attention: Ms. Gwendolyn Stephens	£
Ladies and Gentlemen:	
The sign(s) were posted onSEPTEM!	
	SER 2, 1997 Month, Day, Year)
	Sincerely,  (Signature of Sign Poster and Date)
	Sincerely,  (Signature of Sign Poster and Date)  (Printed Name)  SHANNON-BAUM SIGNS
	Sincerely,  (Signature of Sign Poster and Date)  (Printed Name)
	Sincerely,  (Signature of Sign Poster and Date)  (Printed Name)  SHANNON-BAUM SIGNS  105 COMPETITIVE GOALS DR.
	Sincerely,  (Signature of Sign Poster and Date)  (Printed Name)  SHANNON-BAUM SIGNS  105 COMPETITIVE GOALS DR.  ELDERS (Address) 21784

Request for Zoning: Va
Date to be Posted: Anytime before but no later than
Format for Sign Printing, Black Letters on White Background:

# **ZONING** NOTICE

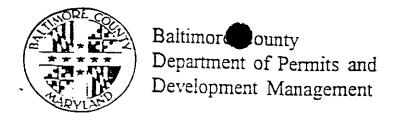
Case No.: 98-55-5PH, XA

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

PLACE: *
DATE AND TIME: *
REQUEST: A SPECIA / HEARING TO AMENO LOWING CASE 96-39XA TO DEPONIT
THE ADDITION of 9 ANTENNESS ON TOP of AN EXISTING WATER TANK; AND,
A Special EXCEPTION TO PERMIT The INSTAllATION AND APPEARING of A
WIRELES TRANSMITTING TO DEPOSIT A LOTT.
AND 38TT. SO SIDEMPRO SETBACKS IN LIEU OF THE REDUIRED 20T AND
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



Development Processing County Office Building 111 West Chesapeake A Towson, Maryland 2120

# 98-55-50HXA

# 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.: 55
Petitioner: AT & T WIRELESS SERVICES.
Location: 9100 Tower Po.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: S. LEONARD POTTMAN
ADDRESS: 600 MERIANTILE BANK & TRUST Bldg.
PHONE NUMBER: (410) 539-5195
AJ:ggs

(Revised 09/24/96)

FO: PUTUXENT PUBLISHING COMPANY
August 28, 1997 Issue - Jeffersonian

Please foward billing to:

S. Leonard Rottman, Esq. 600 Mercantile Bank & Trust Bldg. 2 Hopkins Plaza Baltimore, ND 21201 410-539-5195

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in <u>Towson</u>, <u>Maryland</u> on the property identified herein as follows:

CASE NUMBER: 98-55-SPHXA

9100 Tower Road

N/S Tower Road, 165'+/- W of c/l Offutt Road 2nd Election District - 2nd Councilmanic Legal Owner(s): Baltimore County, MD

Contract Purchaser/Lessee: ATST Wireless Services

Special Hearing to approve an amendment to the existing special exception and variances granted in zoning case 96-39-XA to allow the addition of a 12 foot by 20 foot concrete equipment pad on the property in addition to 9 antennas being placed on the top of three existing water tanks.

Special Exception for installation and operation on an existing water tank of a wireless transmitting and receiving facility (antennas). Variance to allow a 10 foot side yard rather than the required 20 foot side yard and a 38 foot front yard rather than the required 50 feet.

HEARING: WEDNESDAY, SEPTEMBER 17, 1997 at 10:00 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

August 22, 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 <u>Towson</u>, <u>Maryland</u> on the property identified herein as follows:

CASE NUMBER: 98-55-SPHXA

9100 Tower Road

N/S Tower Road, 165'+/- W of c/l Offutt Road 2nd Election District - 2nd Councilmanic Legal Owner(s): Baltimore County, MD

Contract Purchaser/Lessee: ATST Wireless Services

Special Hearing to approve an amendment to the existing special exception and variances granted in zoning case 96-39-XA to allow the addition of a 12 foot by 20 foot concrete equipment pad on the property in addition to 9 antennas being placed on the top of three existing water tanks.

Special Exception for installation and operation on an existing water tank of a wireless transmitting and receiving facility (antennas). Variance to allow a 10 foot side yard rather than the required 20 foot side yard and a 38 foot front yard rather than the required 50 feet.

HEARING: WEDNESDAY, SEPTEMBER 17, 1997 at 10:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

Arnold Jablon

Director

cc:

Robin L. Churchill, County Administrative Officer

ATST Wireless Services

Paul A. Dorf and S. Leonard Rottman

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY SEPTEMBER 2, 1997.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



# ENVIRONMENTAL IMPACT STATEMENT

for Randallstown Water Tank KCI Job No. 1696013.F8

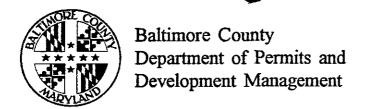
Prepared for: AT&T Wireless Services, Inc. 11710 Beltsville Dr. Beltsville, MD 20705

Prepared by: KCI Technologies, Inc. 14409 Greenview Dr., Suite 102 Laurel, MD 20708

September, 1997







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

September 11, 1997

S. Leonard Rottman, Esquire 600 Mercantile Bank & Trust Building 2 Hopkins Plaza, Suite 600 Baltimore, MD 21201

RE: Item No.: 55

Case No.: 97-55-SPHXA

Petitioner: Baltimore County, MD

Dear Mr. Rottman:

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 12, 1997.

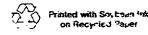
Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are 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

# INTER-OFFICE CORRESPONDENCE

**DATE:** August 25, 1997

TO: Arnold Jablon, Director Department of Permits

and Development Management

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. 52, 53 55, 56, 57, 60, 61, 62, and 64

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: Jeffry W. Jong

Division Chief: Cary L. Kenns

AFK/JL



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 Item No. 55 (JCM)

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as the proposed development is not located on a State roadway and there are no impacts to any SHA facilities.

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,

Ronald Burns, Chief

Engineering Access Permits

Division

LG

BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: August 29, 1997

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Bureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for September 2, 1997

Item Nos. 052, 053/055, 057,

060, and 064

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

RWB:HJO:jrb

cc: File



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

AUGUST 25, 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 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:

052, 055, 057, 058, 060, 062, AND 064

REVIEWER: LT. ROBERT P. SAUERWALD

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

cc: File

RE: PETITION FOR SPECIAL HEARING

BEFORE THE

PETITION FOR SPECIAL EXCEPTION

ZONING COMMISSIONER

PETITION FOR VARIANCE

9100 Tower Road, N/S Tower Road, 165'+/-

W of c/l Offutt Road, 2nd Election

OF BALTIMORE COUNTY

District, 2nd Councilmanic

CASE NO. 98-55-SPHXA

Legal Owner(s): Baltimore County, MD

Contract Purchaser/Lessee: AT&T Wireless Services

Petitioners

### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned 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.

People's Counsel for Baltimore County

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 31d day of September, 1997, a copy of the foregoing Entry of Appearance was mailed to Patrick Roddy, Esq., Assistant County Attorney, 400 Washington Ave., Towson, MD 21204, attorney for Legal Owner Baltimore County, MD, and to Paul A. Dorf, Esq. and S. Leonard Rottman, Esq., 2 Hopkins Plaza, Suite 600, Baltimore, MD 21201, attorneys for Contract Purchaser/Lessee AT&T

Wireless Services, Petitioners.

# ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC

ATTORNEYS AT LAW

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

TELEPHONE 410-539-5195

S. LEONARD ROTIMAN

TELECOPIER 410-539-5834

September 18, 1997

Lawrence D. Schmidt, Esquire Zoning Commissioner for Baltimore County 400 Washington Avenue Towson, Maryland 21204

Re: Case No.: 98-55-SPHXA

9100 Tower Road

AT&T Wireless Services; Site No.: B863

Our File No.: 9478-769

Dear Commissioner Schmidt:

The above referred to case came on for hearing before you on Wednesday, September 17, 1997. This will advise that I have confirmed with Ms. Gwendolyn Stevens of the Baltimore County Department of Permits & Development Management that the necessary verification of posting of the zoning Notice was received by her prior to the hearing, but after she had delivered the file for the hearing to your office. Ms. Stevens has confirmed to me that she has delivered to you the appropriate information, and the verification of posting of the Notice, and a picture of the sign to be placed in the file.

If you need anything further in connection with this matter, please let me know.

The second

S. Leonard Rottman

SLR/als

cc: Ms. Frances Kingsbury

Paul A. Dorf

073s/at&tsch6



10 North Park Drive Hunt Valley, MD 21030-1888 (410) 316-7800

Dîrect Dîal Number

(410) 316-7953

September 5, 1997

Ms. Frances Kingsbury AT&T Wireless Services, Inc. 11710 Beltsville Drive Beltsville, Maryland 20705

Gentlemen:

Subject: AT&T Site W863.1- Randallstown Water Tank

KCI Job Order No. 16-96013-F8

In accordance with your request, this letter is to confirm that the existing water tank can adequately support the additional weight and wind load created by the proposed AT&T antennas. In addition, the proposed structural antenna supports were designed to withstand a basic wind speed for Baltimore County of 75 mph including amplification factors for height above grade and antenna shape. The wind speed and amplification factors are in accordance with TIA/EIA-222-F, "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures" and The BOCA National Building Code/1993. Our structural computations are included herewith for your use.

If you should have any questions or need any other information concerning this project, please do not hesitate to call.

Sincerely,

Glenn L. Reeder, Jr., P.E.

Project Manager

**Enclosures** 

File A RANDALL LTR

pc: Carlos Ostria, KCI Leonard Rottman



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RALEIGH, NC 27695-5210
TEMPLE TERRACE, FL 33617
WASHINGTON, DC 20005

DESIGN LH DATE 6/11/97 SUBJECT ATT RANDALLSTOWN W.T.	J.O. 1696013 F8 SHEET 4 OF
ADDITIONAL TENSION TO ANCHOR BOLTS	
5901/2 BOLTS = 2951#	
TENSILE CAP. OF 13/8" & A36 = 28.4K	
MAX % OVERSTRESS 2951 X100= 7.8% >5 M	7
28400×1.35	<u>0</u> ,
3 A THOROUGH CHECK IS BEQUIRED	PECICIEN
DETERNIHE MAXIMUM MOMENT THAT CAN BE	DESISTED
BY ANCHOR BOUTS	7/02/77
M = 4BOCTS x 28400 * CAPACITY x 133 WIND x (2	
MOMENT DUE TO ANTENNAS	- 592515
	7011112
NONEUT FROM FRANEWORK AND STANDPIPE	
(ALC SIZES ESTIMATED FROM PHOTOGRAPHS)	
LEG WE'x12"	
I'A ROD BRACING	
LY"XY" HORIZOHTAL MBRS. QN 120 = 24	(SPACING OF HORIZ'S)
6 0 STANDPIPE COLUPIN	
PROJECTED WIDTH 2 x29'=58'	
HEIGHT OF FRAMEWORK 120'	
GROSS AREA PER 24' SECTION	
58'x24'= 1392 Ag	
SOLID AREA PER 24' SECTION,	
4x1'x 24' COWNUS + 4" x 29x2+ 2x - x38x61	200 = 134 A.
As /Aa = 134/1392 = 0972	3 44
TABLE 1611.9 (1) FLAT MBRS. Cp=2:0	P = 91.4 PSF (P.1
ROUND MBRS. G=1.2	P=45.7x1.2=54.
LOAD TO WIZ 1'x 91.4 = 91.4 PLF	L CONSERV.
L4 2 x914=30.5	
11 2 0 = 4 C	S. D. F. Franco. Lab. — W. An article.
LADDER SAY 91.4 PUF	
	1 .
	= 120/6 = 20
	-100/0-20
LOAD = .872 x 6' x 45.7 = 230 DLF	
10 N 10 N 17 2 3 N 47 Y 4 X 4 Y 4 X 4 Y 5 Y 60 V 10 P 1	



3105 LORENA AVENUE
320 TILLMAN DRIVE, SUITE 215
7739 FROSCH ROAD
387-A CORNELIUS STREET
10 NORTH PARK DRIVE
14409 GREENVIEW DRIVE, SUITE 202
8840 RDLEW LANE
5001 LOUISE DRIVE, SUITE 201
100 COMMERCE DRIVE, SUITE 112
3 GATEWAY CENTER, SUITE 1685
4601 SIX PORKS ROAD, SUITE 200
11007 NORTH 56th STREET
1200 G STREET, NW, SUITE 800

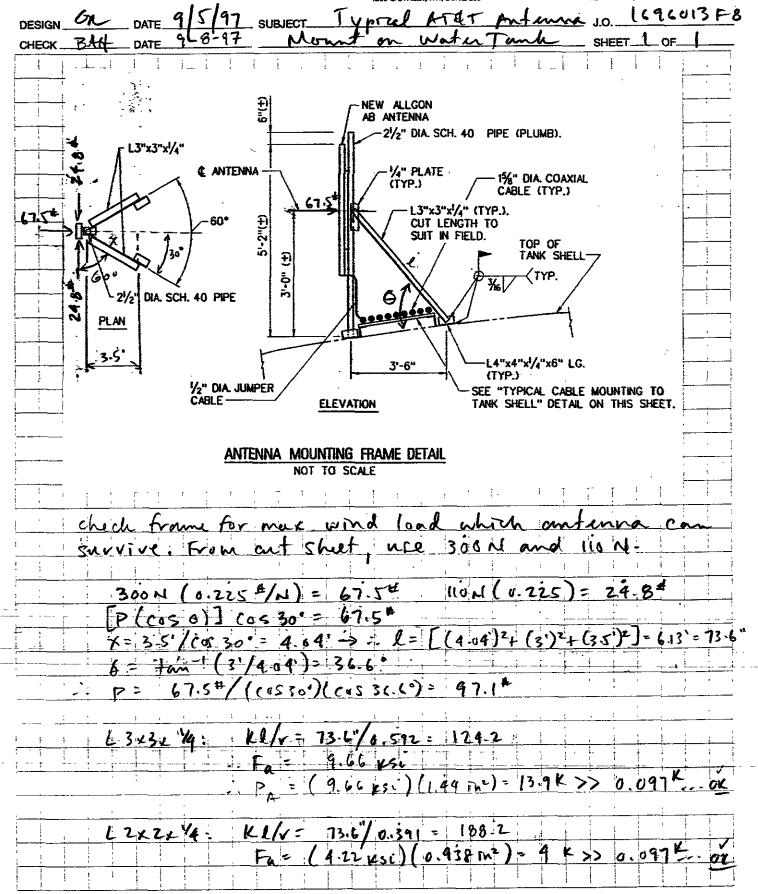
BALTIMORE, MD 21230
BENSALEM, PA 19020-2083
CHARLOTTE, NC 28208
HILLSBOROUGH, NC 2727B
HUNT VALLEY, MD 21030-1888
LAUREL MD 20708
MANASSAS, VA 22110-9733
MECHANICSBURG, PA 17055-6912
NEWARK, DE 19713-2879
PITTSBURGH, PA 15222-1004
RALEIGH, NC 27509-5210
TEMPLE TERRACE, FL 33617
WASHINGTON, DC 20005

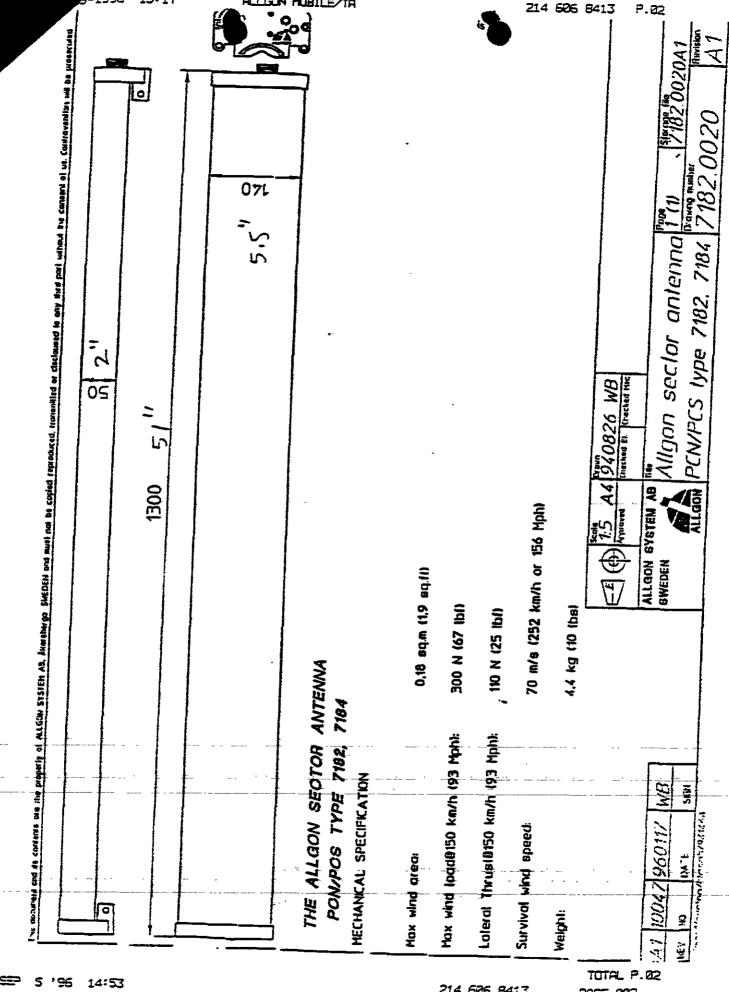
DESIGN LH DATE 6/11/97 SUBJECT ATT RANDALCSTOWN W.T. JO 1696013	3FB
CHECK BH DATE 6-12-97 SHEET 5 OF	
OVERTURNING MOMENT DUE TO LATTICEWORK & STAND	PIPE
COLVNE	ì
( + x38 x6 RODS / 24 ) x4.6 PUF + 4 COL'S x 91.4 PUF +	-91.4 LAL
+ 30.5 PLFUS X 58/24' ] X120'2/2 + 239x1202/2	
= 5568120(14)	·
REMAINING CAPACITY FOR TANK	
701117	
-5568120	
1442992	
CALCULATE PROJECTED AREA OF TANK	
300 000 GAL = x. 3378 = 40134 Ft3	
ASSUME TANK 2/3 FULL X 1. 375 = 53512 Ft3	
ASSUME CYLINDRICAL SHAPE 0=58'.  V= \$\frac{3}{3} - \tau_{\text{\$=\frac{3}{2}\sqrt{\frac{5}\sqrt{\frac{5}{2}\	•
$V = \frac{3}{3}\pi\lambda^{3} = \frac{3.57}{100} = \frac{3.57}{100} = \frac{4 \times 53512}{100} = \frac{20.25}{100}$	
PROJECTED AREA = 58 x 20.25 = 1175 Ft2	
$h/D = \frac{23.35}{25.25}/58 = .35 < i = 9 $ $Gp = : 7 $ $OK$	
FORCE = 45.7 x.7 x 1175 Ft = 37588 #	
MOMENT = 37588 x (160'- 20:25) = 56335391#>	<del>- ;</del>
>1442992 >NG =>	
	- F
TANK WAS HOT DESIGNED FOR 100 MPH WIMDY	
	:
CHECK FOR 75 MPH WIND VEWCITY	
Pr= 14.4 PSF  ANTENNA + FRAME WAD 35914 (P.3) x 14.4 = 2020	<del></del> ;
ANTENNA + FRAME WAD 35914 (P.3) x = 2020	<u>.</u>
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
ANTENNA MOMENT 2020 1165 = 33 32 90'4	
ADDITIONAL LOAD TO SUPPORT 333290 = 3320	<sub></sub>
MAX. OVERSTRESS IN ANCHOR BOLT 3320 _X100 = L	1.4%45
MAX. OVERSTRESS IN ANCHOR BOLT 3320 X100 = L	
⇒ OK /	



3105 LORENA AVENUE
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