

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND SPECIAL EXCEPTION - NE/S
Liberty Road, SW/S Deer Park Rd. * ZONING COMMISSIONER
(10006 Liberty Road)
2nd Election District * OF BALTIMORE COUNTY
2nd Councilmanic District * Case No. 98-60-SPHX
Baltimore County, Maryland, Owners;
AT&T Wireless Services, Inc., Contract Lessees

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by the owners of the subject property, Baltimore County, Maryland, by Robin L. Churchill, Administrative Officer, and the Contract Lessees, AT&T Wireless Services, Inc., by Frances Kingsbury, Agent, through their attorneys, Paul A. Dorf, Esquire and S. Leonard Rottman, Esquire. The Petitioners seek approval and confirmation of the variance granted in prior Case No. 96-33-A to permit the addition of a proposed 12' x 20' concrete pad and equipment cabinets on the subject property and nine (9) panel antennae on top of the existing water tank. In addition, the Petitioners seek special exception relief to permit the installation and operation of a wireless transmitting and receiving facility on an existing water tank, which is not permitted by Section 426 of the Baltimore County Zoning Regulations (B.C.Z.R.), but, pursuant to Section 230.13 of the B.C.Z.R. 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 Petitions were Michael Yglesias and Frances Kingsbury, representatives of AT&T Wireless Services, Inc., Richard I. Smith and Glenn L. Reeder, Jr., Professional Engineers

ORDER RECEIVED FOR FILING

Date 9/19/98

By [Signature]

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 0.94 acres, more or less, zoned B.L., and is improved with an elevated water tank. The property is located on the north side of Liberty Road, just west of its intersection with Deer Park Road in Randallstown, on a site owned by Baltimore County. The property was the subject of prior Case No. 96-33-A in which the Petitioners and American Personal Communications (APC), a competitor of AT&T Wireless Services, were granted variance relief to permit a wireless transmitting and receiving facility to be located 128 feet from D.R. 3.5 zoned land in lieu of the required distance of 200 feet. The Petitioners in the instant case, however, seek approval to install its own equipment and antennae on the subject site as set forth above. The location of the equipment building in both cases is pursuant to the instructions of the Department of Public Works to allow the County to maintain their water tower without any disruption. An environmental impact statement was submitted which indicates that the proposed use is appropriate for this site. 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 its 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.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

It is clear that the B.C.Z.R. permits the use proposed in a B.L. 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.

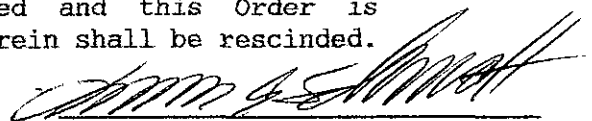
After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of September, 1997 that the Petition for Special Hearing seeking approval and confirmation of the variance granted in prior Case No. 96-33-A to permit the addition of a proposed 12' x 20' concrete pad and equipment cabinets on the subject property and nine (9) panel 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, which is not permitted by Section 426 of the Baltimore County Zoning Regulations (B.C.Z.R.), but, pursuant to Section 230.13 of the B.C.Z.R., 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

ORDER RECEIVED FOR FILING
Date 9/19/97
By [Signature]

60



Petition for Special Exception

98-60-SPHX

to the Zoning Commissioner of Baltimore County

for the property located at 10006 Liberty Road

which is presently zoned BL

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

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Installation and operation on an existing water tank of a wireless transmitting and receiving facility (antennas), not permitted by Section 426, pursuant to Section 230.13 of the Zoning Code.

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.

Contract Purchaser/Lessee:

At&T Wireless Service
(Type or Print Name)
Frances Kingsbury agent
Signature FRANCES KINGSBURY, AGENT
8403 Colesville Road, 16th Floor
Address
Silver Spring, Maryland 20910
City State Zipcode

(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):

Baltimore County Government
(Type or Print Name)
By *Robin L. Churchill*
Signature ROBIN L. CHURCHILL
Administrative Officer
(Type or Print Name)
Signature _____

Attorney for Petitioner:

Paul A. Dorf/S. Leonard Rottman
(Type or Print Name)
S. Leonard Rottman
Signature S. LEONARD ROTTMAN
600 Mercantile Bank & Trust Bldg.
2 Hopkins Plaza, Suite 600 (410) 539-5195
Address Phone No.
Baltimore, Md 21201
State Zipcode

400 Washington Ave. (410) 887-2460
Address Phone No.
Towson, Maryland 21204
City State Zipcode
Name, Address and phone number of representative to be contacted.

Patrick Roddy, Assistant County Attorney
Name
400 Washington Ave., Towson, Md 21204 (410/
Address Phone No. 887-4420)

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 By

DROP OFF
NO REVIEW
8/12/97
401





Petition for Special Hearing

98-60-SPHX

to the Zoning Commissioner of Baltimore County

for the property located at 10006 Liberty Road

which is presently zoned "BL"

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 and reconfirm the variance granted in Zoning Case 96-33A and the co-location of Petitioners Equipment on the top of the existing Baltimore County water tank.

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:

Frances Kingsbury

(Type or Print Name)

Frances Kingsbury

Signature

AT&T Wireless Services, Inc.
8403 Colesville Road, 16th Floor

Address

Silver Spring, MD 20910

City

State

Zipcode

Legal Owner(s):

Baltimore County Government

(Type or Print Name)

Robin L. Churchill

Signature

Administrative Officer

Robin L. Churchill

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

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

Patrick Roddy - Asst County Attorney

Name

400 Washington Ave 410-887-4420

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

Revised 9/5/95

DROP-OFF
NO REVIEW
8/12/97 uci

ORDER RECEIVED FOR FILING

Date

By

60

DESCRIPTION

0.94 ACRES $\pm$ PARCEL

98-60-SPHX

PROPERTY OF BALTIMORE COUNTY, MARYLAND

10006 LIBERTY ROAD

ELECTION DISTRICT 2, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point in the center line of Liberty Road (66' wide) said point of beginning being 640' $\pm$ west of the point formed by the intersection of the centerline of Liberty Road and the centerline of Deer Park Road (50' Wide) thence running and binding on the said centerline of Liberty Road, (1) North 56 degrees 14 minutes 30 seconds West 125.96 feet, thence leaving said centerline of Liberty Road (2) North 47 degrees 32 minutes 00 seconds East 360.94 feet to a point in the centerline of Deer park Road, (50 ' Wide), thence running with and binding on said centerline, (3) South 25 degrees 03 minutes 00 seconds East 135.10 feet, and thence leaving said centerline of Deer Park Road, (4) South 48 degrees 59 minutes 30 seconds West 290.60 feet to the place of beginning; containing 0.94 acres of land, more or less.

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



CERTIFICATE OF POSTING

RE: Case No.: 98-60-SPHX

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

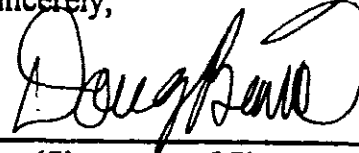
Attention: Ms. Gwendolyn Stephens

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 10006 LIBERTY RD.

The sign(s) were posted on SEPTEMBER 2, 1997
(Month, Day, Year)

Sincerely,

 9-3-97

(Signature of Sign Poster and Date)

Doug Baum

(Printed Name)

SHANNON-BAUM SIGNS

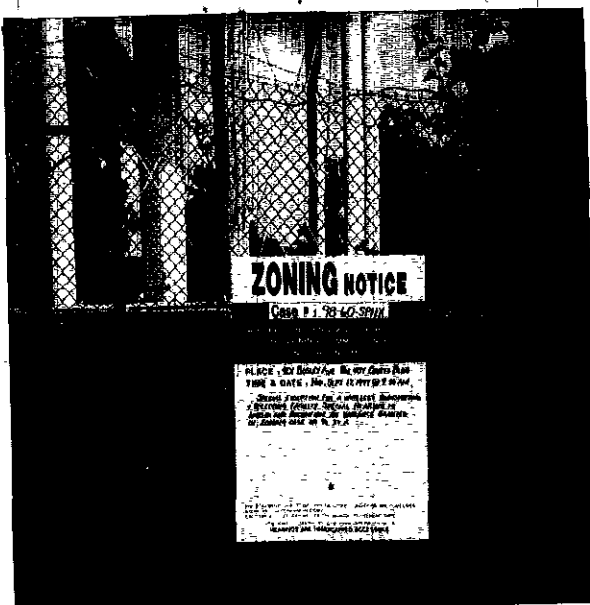
105 COMPETITIVE GOALS DR.

ELD: (Address) MD 21784

(City, State, Zip Code)

410-781-4000

(Telephone Number)



10,006
Liberty Rd



Baltimore County
Department of Permits and
Development Management

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

August 14, 1997

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

RE: Drop-Off Petition (Item #60)
10006 Liberty Road
2nd Election District

Dear Mr. Rottman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper forms pertaining to this. There is a form indicating the posting standards required by Baltimore County, as well as a list of vendors serving the Baltimore County area. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to Gwendolyn Stephens.

If you have any questions regarding the sign posting, please do not hesitate to contact Gwendolyn Stephens at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "wcr/scj".

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosures



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:

ITEM 60

ZONING NOTICE

Case No. 98-60-SPHX

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

PLACE: *

DATE AND TIME: *

REQUEST: SPECIAL EXCEPTION FOR A WIRELESS
TRANSMITTING + RECEIVING FACILITY. SPECIAL
HEARING TO AMEND + RECONFIRM THE
VARIANCE GRANTED IN ZONING CASE NO.
96-33-A.

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:

S. Leonard Rottman, Esq.
600 Mercantile Bank & Trust Bldg.
2 Hopkins Plaza
Baltimore, MD 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 Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-60-SPHX
10006 Liberty Road
NE/S Liberty Road, approximately 120' NW of c/l Sheraton Road Extended; also SW/S Deer Park Road
2nd Election District - 2nd Councilmanic
Legal Owner(s): Baltimore County Government
Contract Purchaser/Lessee: Frances Kingsbury

Special Exception for a wireless transmitting and receiving facility.
Special Hearing to amend and reconfirm the variance granted in zoning case 96-33-A.

HEARING: WEDNESDAY, SEPTEMBER 17, 1997 at 9:30 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 Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-60-SPHX

10006 Liberty Road

NE/S Liberty Road, approximately 120' NW of c/l Sheraton Road Extended; also SW/S Deer Park Road

2nd Election District - 2nd Councilmanic

Legal Owner(s): Baltimore County Government

Contract Purchaser/Lessee: Frances Kingsbury

Special Exception for a wireless transmitting and receiving facility.

Special Hearing to amend and reconfirm the variance granted in zoning case 96-33-A.

HEARING: WEDNESDAY, SEPTEMBER 17, 1997 at 9:30 a.m., Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with the first name "Arnold" and last name "Jablon" clearly distinguishable.

Arnold Jablon
Director

cc: Robin L. Churchill, County Administrative Officer
AT&T 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 CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

98-60

No.

035928

DATE 8/12/97 ACCOUNT 001-6150

AMOUNT \$ 550.00 (WCR)

RECEIVED FROM: Adelberg, Rudow, Dorf, Hendler & Sameth

FOR: #050 - SPECIAL EXCEPTION & ##040 - SPECIAL HEARING
10006 Liberty Road
Drop-Off -- No Review Item #60

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
8/15/1997 8/15/1997 09:31:25
REG NO.04 CASHIER LSHI LYS DRYMER
MISCELLANEOUS CASH RECEIPT
Receipt # 017973
CR NO. 035928

550.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #98-60-SPHX
10006 Liberty Road
NE/S Liberty Road, approximately 120' NW of c/1 Sheraton Road Extended; also SW/S Deer Park Road
2nd Election District
2nd Councilmanic
Legal Owner(s).

Baltimore County Government

Contract Purchaser/Lessee:

Frances Kingsbury

Special Exception: for a wireless transmitting and receiving facility. **Special Hearing:** to amend and reconfirm the variance granted in zoning case 96-33-A.

Hearing: Wednesday, September 17, 1997 at 9:30 a.m., Room 407 Courts Bldg., 401 Bosley 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) 887-3391.

8/326 August 28 C169193

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

No. **044505**

DATE 10/24/97 ACCOUNT 001-6150

AMOUNT \$ 100.00 (WCR)

RECEIVED FROM: KCI Technologies, Inc.

FOR: #110 - REVISIONS

Item #50 CASE #98-60-SPHX
DROP-OFF NO REVIEW

D. UTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS	ACTUAL	TIME
10/24/1997	10/24/1997	11:41:38
REC WCR	CASHIER CLUM CML	TAXPAYER 1
5 MISCELLANEOUS CASH RECEIPT		
Receipt #	027462	OFLN
CR NO.	044505	

100.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION



Baltimore County
Department of Permits and
Development Management

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

September 26, 1997

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

RE: Drop-Off Petition Review (Item #60)
10006 Liberty Road
2nd Election District

Dear Mr. Rottman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

No telephone number listed for legal owner on petition form.

Site point of beginning (POB) on plan (460 feet to centerline of Deer Park Road) differs with that on the description (640 feet to centerline of Deer Park Road). Correct one!

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

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

John J. Sullivan
Planner II, Zoning Review

JJS:scj

c: Zoning Commissioner



Printed with Soybean Ink
on Recycled Paper

ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC

ATTORNEYS AT LAW

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

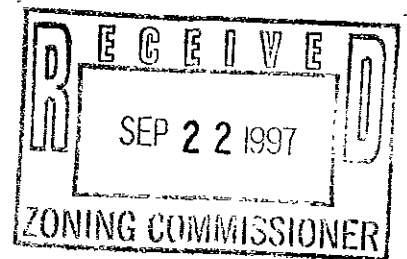
TELEPHONE
410-539-5195

TELECOPIER
410-539-5834

S. LEONARD ROTTMAN

September 18, 1997

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



Re: Case No.: 98-60-SPHX
10006 Liberty Road
AT&T Wireless Services; Site No.: B864
Our File No.: 9478-771

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.

Very truly yours,

S. Leonard Rottman

SLR/als

cc: Ms. Frances Kingsbury
Paul A. Dorf

073s/at&tsch5



Baltimore County
Department of Permits and
Development Management

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

September 11, 1997

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

RE: Item No.: 60
Case No.: 97-60-SPHX
Petitioner: Baltimore County, MD

Dear Messrs. Dorf and 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 25, 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. 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: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JL

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

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Aug 25, 97

DATE: 8/26/97

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

Item #'s: 52
53
56
57
58
60
61
62
63
64

RBS:sp

BRUCE2/DEPRM/TXTS8P



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary

Parker F. Williams
Administrator

9-5-97

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

RE: Baltimore County
Item No. 60 (WCR)

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval,
as a field inspection reveals the existing entrance ~~(S)~~ onto MD/13 #26
is ~~are~~ acceptable to the State Highway Administration (SHA) and this development is not
affected by any SHA 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,

Bob Small

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, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: August 29, 1997

FROM: *RWB* 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



Baltimore County
Fire Department

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
10006 Liberty Road, NE/S Liberty Road, *
appx 120' NW of c/l Sheraton Rd Extended; * OF BALTIMORE COUNTY
also SW/S Deer Park Road *
2nd Election District, 2nd Councilmanic * CASE NO. 98-60-SPHX
Legal Owner(s): Baltimore County Government
Contract Purchaser/Lessee: AT&T Wireless Services, Inc.
Petitioners *

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of September, 1997, a copy of the foregoing Entry of Appearance was mailed to Patrick Roddy, Esq., Assistant County Attorney, 400 Washington Avenue, Towson, MD 21204, attorney for Legal Owner Baltimore Co. Government, and to Paul A. Dorf, Esq., 2 Hopkins Plaza, Suite 600, Baltimore, MD 21201, attorney for Contract Purchaser/Lessee AT&T Wireless Services, Inc., Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Paul A Doy Esq.

Michael Yglesias

RICHARD L SMITH

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

Frances Kingsbury Frances Kingsbury

Paul Lee

2 Hopkins Place
AT&T Wireless Services

11710 Beltsville Drive, Beltsville, MD 20705

KCI TECHNOLOGIES, INC.

10 NORTH PARK DR. HUNT VALLEY, MD. 21030

KCI Technologies, Inc.

10 North Park Dr. Hunt Valley, MD 21030

AT&T Wireless Svcs.

11710 Beltsville Drive 2nd floor Beltsville MD 20705

304 W. Penna. Ave. 21044



KCI

GLENN L. REEDER, JR., P.E.

437 Hand Court
Hampstead, MD 21074
(410) 374-6277

EDUCATION

THE PENNSYLVANIA STATE UNIVERSITY, University Park, PA

- Graduated May 1984
- Bachelor of Science Degree in Civil Engineering with Structural Emphasis
- Member of the Chi Epsilon Honor Society
- Cumulative Grade Point Average: 3.02 out of possible 4.0

WORK EXPERIENCE

KCI TECHNOLOGIES, INC., Hunt Valley, MD

- May 1987 to Present
- Participated in the inspection, design and managing of numerous bridge, water tank, building, retaining wall, foundation, and telecommunications projects. A detailed listing of these projects is included on the following sheets.

THE WILSON T. BALLARD, CO., Owings Mills, MD

- June 1984 to May 1987
- Participated in the inspection and load rating analysis of numerous steel, concrete, masonry and timber bridge structures. A detailed listing of these projects is included on the following sheets.

REGISTRATIONS

1990 PROFESSIONAL ENGINEER, MARYLAND, #18265

1997 PROFESSIONAL ENGINEER, PENNSYLVANIA, #PE-053123-E

PETITIONER'S
EXHIBIT No 3

SUPPLEMENTAL PROJECT INFORMATION
for
GLENN L. REEDER, JR., P.E.

The Wilson T. Ballard Company
17 Gwynns Mill Court
Owings Mills, Maryland 21117

Structural Engineer and Inspector (June, 1984 - May, 1987):

Participated in design, inspection, evaluation, and rehabilitation of existing bridges and design of miscellaneous structures. Responsibilities varied per task. Specific projects included:

- Inspection and load rating of approximately 300 Baltimore City Bridges consisting of concrete, steel, and masonry structures, including box culverts, arches, continuous and simple spans, railroad, highway and pedestrian bridges. Results were presented in reports with repair recommendations.
- Design of two-span, continuous steel girder bridge over the Catawba River in Mecklenburg County, North Carolina. Responsible for design, plan preparation and cost estimate.
- Design of two-span, continuous steel beam bridge in Monogalia County, West Virginia. Responsible for design, plan preparation, and cost estimate.
- Design of reinforced concrete oil spill containment structures at the Indian Head and Stump Neck Naval Facilities, Charles County, Maryland. Responsible for design and plan preparation.

KCI Technologies, Inc.
10 North Park Drive
Hunt Valley, Maryland 21030-1888

Structural Engineer and Inspector (May, 1987 - September, 1989):

Participated in design, evaluation, and inspection of miscellaneous structures. Specific projects included:

- Design of two sign support structures for the Delaware Turnpike Authority in New Castle County, Delaware.
- Design of miscellaneous access platforms, stairs, ladders, and foundations for a refuse to energy plant in Pigeon Point, Delaware. Inspected construction of structural design on a daily basis at the site.



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

Direct Dial 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 W864.1- Deer Park Water Tank
KCI Job Order No. 16-96013-F9

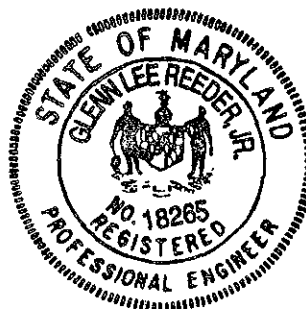
In accordance with your request, this letter is to confirm that the existing water tank can adequately support the additional weight and wind load created by the proposed AT&T antennas. In addition, the proposed structural antenna supports were designed to withstand a basic wind speed for Baltimore County 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,

A handwritten signature in dark ink, appearing to read "Glenn L. Reeder, Jr.", is written over the typed name.

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



Enclosures

File: A.DEERPARK.LTR

pc: Carlos Ostria, KCI
Leonard Rottman

PETITIONER'S
EXHIBIT No 4



KCI
TECHNOLOGIES

OFFICE OF KCI TECHNOLOGIES, INC.

3105 LORENA AVENUE
3220 TILLMAN DRIVE, SUITE 215
7739 FROSCH ROAD
387-A CORNELIUS STREET
10 NORTH PARK DRIVE
14409 GREENVIEW DRIVE, SUITE 202
8840 RIXLEW LANE
5001 LOUISE DRIVE, SUITE 201
100 COMMERCE DRIVE, SUITE 112
3 GATEWAY CENTER, SUITE 1885
4801 SIX FORKS ROAD, SUITE 200
11007 NORTH 68th STREET
1200 G STREET, NW, SUITE 800

BALTIMORE, MD 21230
BENSALEM, PA 18020-2083
CHARLOTTE, NC 28208
HILLSBOROUGH, NC 27278
HUNT VALLEY, MD 21030-1888
LAUREL, MD 20708
MANASSAS, VA 22110-3733
MECHANICSBURG, PA 17055-6912
NEWARK, DE 19713-2879
PITTSBURGH, PA 15222-1004
RALEIGH, NC 27609-5210
TEMPLE TERRACE, FL 33617
WASHINGTON, DC 20005

DESIGN _____ DATE _____ SUBJECT _____ J.O. _____
CHECK _____ DATE _____ SHEET _____ OF _____

PROJECT : DEER PARK WATER TANK
ANTENNA INSTALLATION FOR AT&T
STRUCTURAL COMPUTATIONS

DESIGNED BY: LEONARD HERBOCZEK, P.E.

CHECKED BY: BOB HEYMAN



KCI
TECHNOLOGIES

OFFICE KCI TECHNOLOGIES, INC.

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11007 NORTH 56th STREET
1200 G STREET, NW, SUITE 800

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TEMPLE TERRACE, FL 33617
WASHINGTON, DC 20005

DESIGN LH DATE 6/11/97 SUBJECT ATT DEER PARK W.T. J.O. 1696013F9
CHECK BH DATE 6-13-97 SHEET 1 OF 1

DESIGN CRITERIA

- ✓ 1) ATT INTENDS TO INSTALL NINE (9) ANTENNAS ON THE DEER PARK WATER TANK. GOVERNMENT REQUIRES CALCULATIONS FOR THE ANTENNA SUPPORT AND A STABILITY CHECK FOR THE TANK.
- ✓ 2) CODE & STANDARDS: BOCA 93
ACI 318-92 - STRUCTURAL CONCRETE
AISC-9TH ED. - STRUCTURAL STEEL
- ✓ 3) DESIGN LOADS: WIND VELOCITY 100 MPH, EXP. C
OR 75 MPH MIN.
- ✓ 4) MATERIALS: A36 STL.

DESIGN ANTENNA SUPPORT

STRUCTURE HEIGHT = 115' USE 120'

$$P_v = 25.6 \text{ PSF} \quad I = 1.0$$

$$K_{120} = 1.45 \quad G_{120} = 1.15$$

$$P = 25.6 \times 1.45 \times 1.15 = 42.7 \text{ PSF}$$

$$\text{FLAT SIDED MBRS.} \quad C_p = 2.0 \quad P = 42.7 \times 2 = 85.4 \text{ PLF}$$

$$\text{ROUNDED MBRS.} \quad C_p = 1.5 \quad P = 42.7 \times 1.5 = 64.1$$

$$L \ 2\frac{1}{2} \quad W = \frac{2.5}{12} \times 85.4 = 17.8$$

$$2\frac{1}{2}'' \phi \quad W = \frac{2.875}{12} \times 64.1 = 15.4$$

ANTENNA $P = 67^* @ 93 \text{ MPH}$

$$67 \times \frac{100^2}{93^2} = 77.5^* \text{ SAY } 100^* @ 100 \text{ MPH}$$

CONSERV.



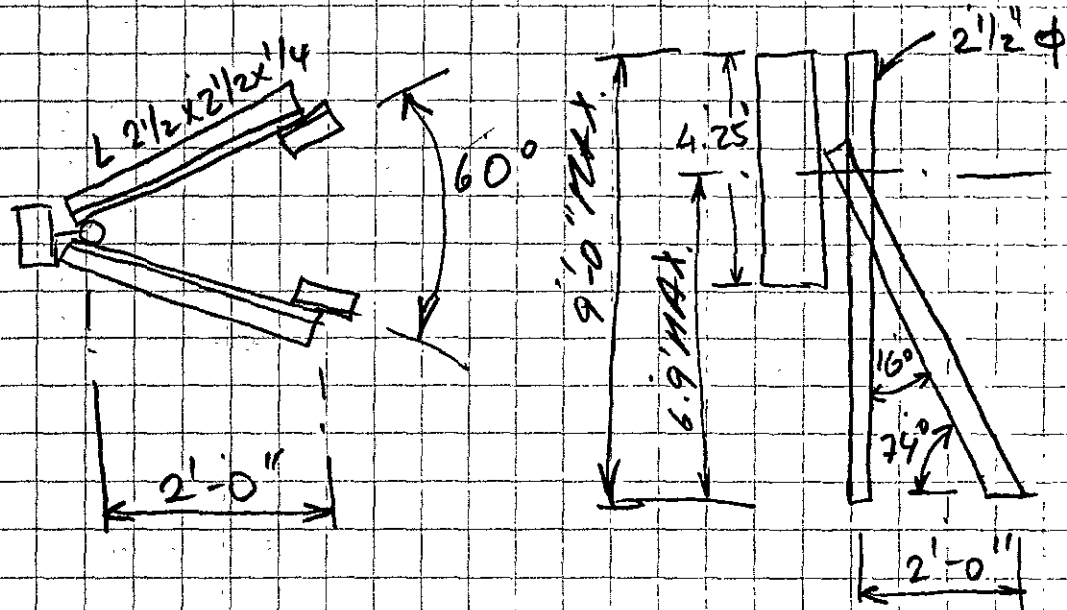
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TECHNOLOGIES

OFFICE OF KCI TECHNOLOGIES, INC.

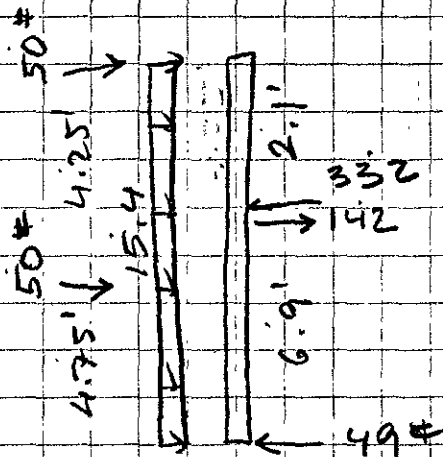
3105 LORENA AVENUE
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4601 SIX FORKS ROAD, SUITE 200
11007 NORTH 56TH STREET
1200 G STREET, NW, SUITE 600

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DESIGN LH DATE 6/11/97 SUBJECT ATT DEER PARK W.T. J.O. 1696013 FA
CHECK BH DATE 6-13-97 SHEET 2 OF 2



FRONTAL WIND



LOAD FROM L'S

$$2 \times \frac{1}{\cos 30^\circ} \times 6.9' \times 17.8/2 = 142 \#$$

$$R = [15.4 \times 9^2/2 + 50(4.75 + 9)]/6.9 + 142 = 332 \#$$

$$\text{PIPE } M_\ominus = 50 \times 2.1 + 15.4 \times 2.1^2/2 = 139 \#$$

$$M_\oplus = 6.9^2 \times 15.4/8 + 50 \times 6.9/4 = 179 \# \text{ OK CONSERV.}$$

$$S_{\text{req}} = .179 \times 12 / (.66 \times 35) = .09 < 1.06 \Rightarrow 2 1/2" \phi \text{ OK} \checkmark$$

LOAD TO SUPPORT L

$$\frac{1}{2} \times 332 / (\cos 74^\circ \times \cos 30^\circ) = 695 \#$$

$$l = 6.9 / (\cos 16^\circ \times \cos 30^\circ) = 8.29'$$

$$K=1.0 \quad K l / v = 8.29 \times 12 / .491 = 203 \approx 200 \quad L 2 1/2 \times 2 1/2 \times 1/4$$

$$F_a = 3.73 \text{ KSI} \quad F_a \times A = 3.73 \times 1.19 = 4.4 \text{ K} > .695 \text{ OK} \checkmark$$



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DESIGN LH DATE 6/11/97 SUBJECT ATT DEER PARK W.T. J.O. 1696013 F9
CHECK BH DATE 6-13-97 SHEET 3 OF 3

SIDE WIND LOADING

LOAD FROM L'S PROJECTED $L = 6.9 / \cos 16^\circ = 7.18'$

$$17.8 \text{ PLF} \times 7.18' / 2 = 64 \#$$

$$R = [15.4 \times 9^2 / 2 + 50 (4.75 + 9)] / 6.9 + 64 = 254 \#$$

LOAD TO SUPPORT L

$$254 / (\cos 60^\circ \times \cos 74^\circ) = \frac{1843}{1064} < 4400 \# \text{ OK}$$

$3/16"$ WELD CAP.

$$\frac{3}{16} \times .3 \times 70 \times \cos 45^\circ = 2.78 \text{ KLI}$$

1" OF WELD REQ'D ✓

TANK STABILITY

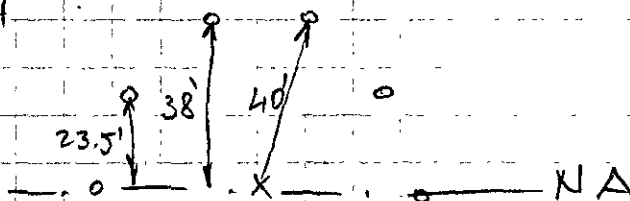
9 ANTENNA + FRAME LOAD

$$9 (332 + 49) = 3429 \#$$

ADDITIONAL OVERTURNING MOMENT

$$120' \times 3429 = 411480 \text{ ft}\#$$

PATTERN



$$\sum x^2 = 2 (23.5^2 + 38^2) = 3992.5 \times 2 \text{ SIDES} = 7985$$

$$\frac{M_x}{\sum x^2} = \frac{411480 \times 38}{7985} = 1958 \# \text{ MAX. ON SUPPORT}$$

2-1 1/2" ϕ ANCHOR BOLTS TENSILE CAP. = 33.7K ✓
MAX. % OVERSTRESS $\frac{1958}{33700 \times 1.35} \times 100 = 4.36\% < 5\% \text{ OK}$

✓ BOCA 1617.2



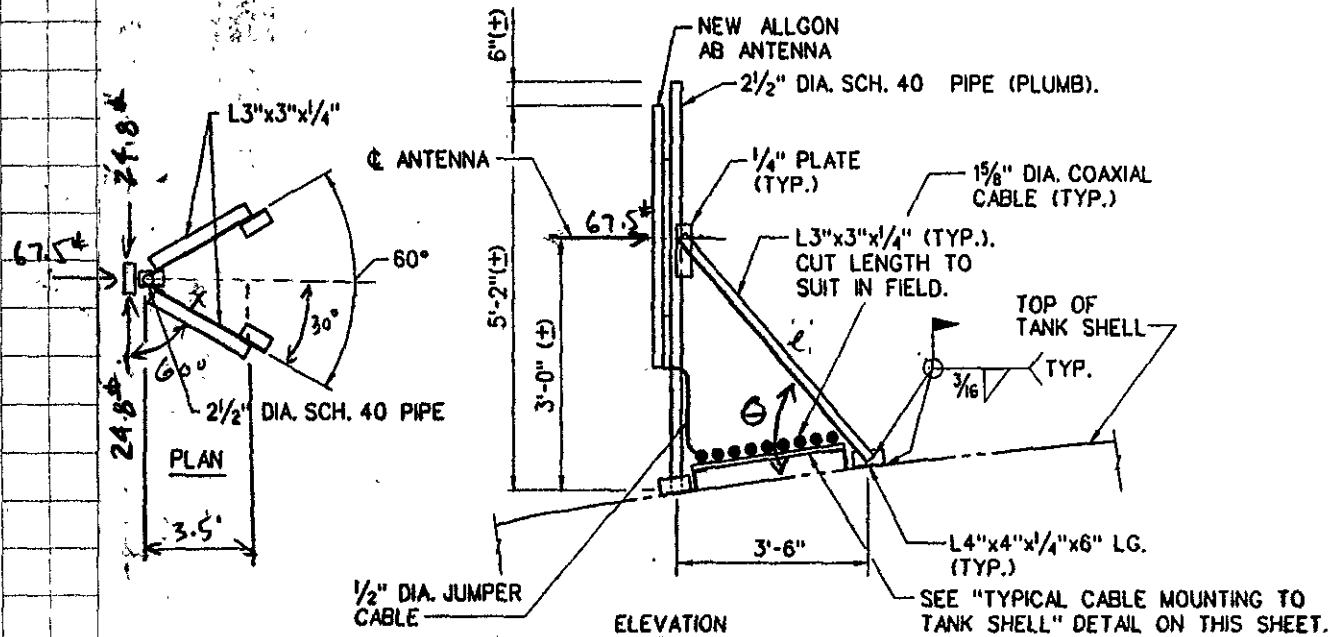
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WASHINGTON, DC 20005

DESIGN GN DATE 9/5/97 SUBJECT Typical AT&T Antenna J.O. 1696013 F8
CHECK BAH DATE 9-8-97 Mount on Water Tank SHEET 1 OF 1



ANTENNA MOUNTING FRAME DETAIL
NOT TO SCALE

check frame for max wind load which antenna can survive. From cut sheet, use 300 N and 110 N.

$$300 \text{ N} (0.225 \text{ \#/N}) = 67.5 \text{ \#} \quad 110 \text{ N} (0.225) = 24.8 \text{ \#}$$

$$[P(\cos \theta)] \cos 30^\circ = 67.5 \text{ \#}$$

$$x = 3.5' / \cos 30^\circ = 4.04' \rightarrow \therefore l = [(4.04')^2 + (3')^2 + (3.5')^2] = 6.13' = 73.6"$$

$$\theta = \tan^{-1}(3'/4.04') = 36.6^\circ$$

$$\therefore P = 67.5 \text{ \#} / (\cos 30^\circ)(\cos 36.6^\circ) = 97.1 \text{ \#}$$

$$L 3 \times 3 \times 1/4: \quad Kl/r = 73.6' / 0.592 = 124.2$$

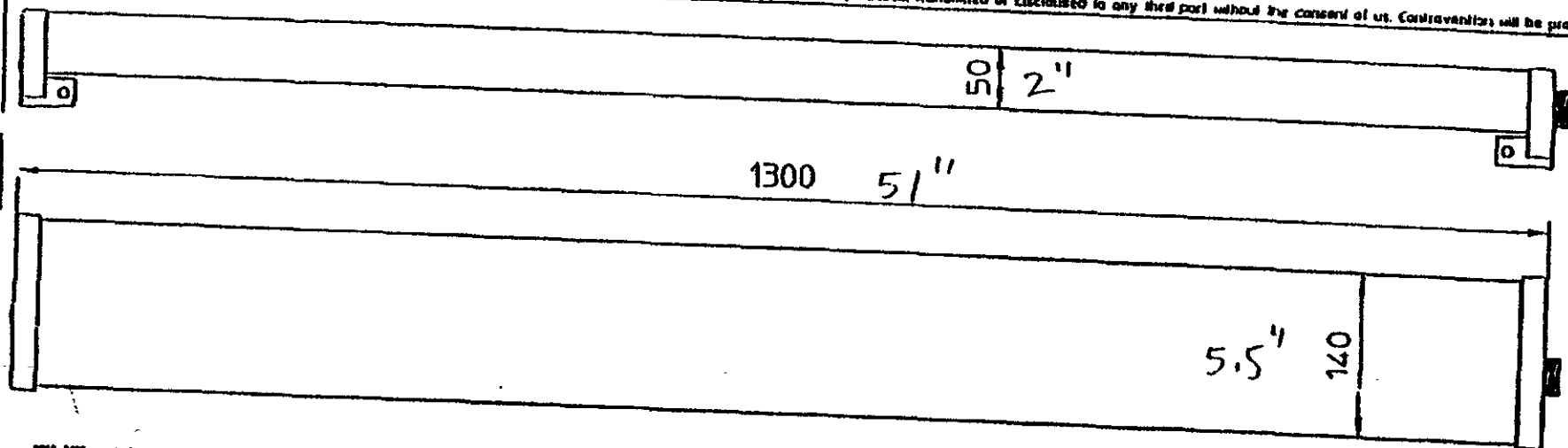
$$\therefore F_a = 9.66 \text{ ksi}$$

$$\therefore P_A = (9.66 \text{ ksi})(1.44 \text{ in}^2) = 13.9 \text{ K} \gg 0.097 \text{ K} \dots \text{OK}$$

$$L 2 \times 2 \times 1/4: \quad Kl/r = 73.6' / 0.391 = 188.2$$

$$F_a = (4.22 \text{ ksi})(0.938 \text{ in}^2) = 4 \text{ K} \gg 0.097 \text{ K} \dots \text{OK}$$

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THE ALLGON SECTOR ANTENNA PCN/PCS TYPE 7182, 7184

MECHANICAL SPECIFICATION

Max wind area:	0,18 sq.m (1,9 sq.ft)
Max wind load@150 km/h (93 Mph):	300 N (67 lbf)
Lateral Thrust@150 km/h (93 Mph):	110 N (25 lbf)
Survival wind speed:	70 m/s (252 km/h or 156 Mph)
Weight:	4,4 kg (10 lbs)

	Scale 1:5	Drawn A4	940826 WB
	Approved	Checked El.	Checked Hec

ALLGON SYSTEM AB
SWEDEN

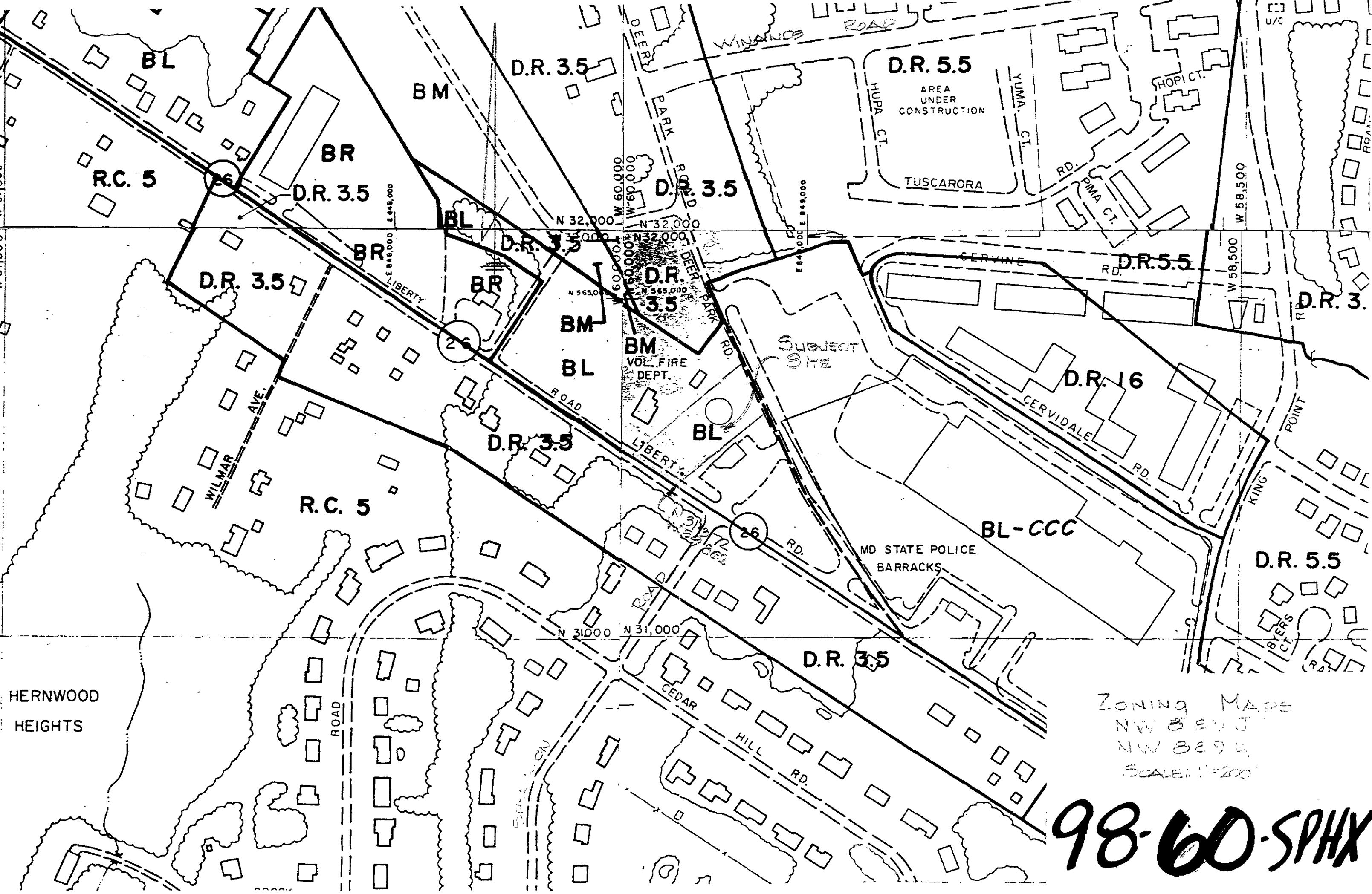


file
Allgon sector antenna
PCN/PCS type 7182, 7184

Page 1 (1)	Storage file 7182.0020A1
Drawing number 7182.0020	Revision A1

A1	10047	960117	WB
REV	NO	DATE	SIGN

214 606 8413



ZONING MAPS
NW 889 J
NW 889 K
SCALE 1"=200'

98-60-SPHX

PETITIONER'S
EXHIBIT No 2

ENVIRONMENTAL IMPACT
STATEMENT

for
Deer Park Water Tank
KCI Job No. 1696013.F9

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



