

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
SEC Park Heights Ave. & Valley *
Heights Drive * ZONING COMMISSIONER
11111 Park Heights Avenue *
3rd Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *
Legal Owner: Bais Yaakov School * Case No. 98-95-SPH
Lessee: APC Realty & Equip.Co., LLC
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 11111 Park Heights Avenue in Owings Mills. The Petition was filed by the Bais Yaakov School for Girls, Inc., property owner, and APC Realty and Equipment Company, LLC, Lessee. The Petition seeks approval of certain additions to a wireless transmitting and receiving facility which was authorized in zoning case No. 85-244-XA. The subject property and requested relief are more particularly shown on the amended plat to accompany the Petition for Special Hearing, marked into evidence as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing held for this case were Gregory Sarro and Ryan Conaway on behalf of American Personal Communications Realty Company, LLC, Co-Petitioner. Also present in support of the Petition was Bob Morelock from Daft-McCune-Walker. The Petitioner was represented by John P. Evans, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is approximately 48.113 acres in area, zoned R.C.5. The site is irregular in shape with a significant amount of frontage on Park Heights Ave. immediately abutting the intersection of that roadway and Velvet Ridge Road. The property is improved with an existing one story brick building which is used as the Bais Yaakov School for Girls. Other site improvements include an existing playground, a pool, and a macadam parking area.

DATE FILED
11/17/97
By: M. Spahr

The property enjoys a significant zoning history as it pertains to the instant request. In case No. 85-244-XA, the Bell Atlantic Company obtained special exception relief to permit the construction of 150 ft. monopole on the subject site. The special exception was initially granted by the then Zoning Commissioner and affirmed on appeal by the County Board of Appeals. An appeal of that decision by dissatisfied neighbors was ultimately dismissed in the Circuit Court for Baltimore County. Thereafter, the monopole was constructed and is now in use. That monopole reaches a total in height of 167 ft., including three existing whip antennas which are atop the pole. Moreover, Bell Atlantic's small equipment shed is located at the base of the tower, containing the electronic equipment necessary to operate this station.

Testimony and evidence offered before me was that APC wishes to co-locate on this tower. As has been set forth in numerous past opinions issued by this office, APC is one of the providers of wireless communication services in the Baltimore County region. These services include mobile phone, fax and other wireless data transmission. APC and its competitors are establishing a network of wireless transmitting and receiving facilities throughout Baltimore County. These facilities allow a mobile user (e.g., car phone) to be handed off from one station to the next. In this regard, Mr. Sarro testified that the company was experiencing a coverage problem in the vicinity of the subject property and desires to install its equipment on the existing pole so as to fill in this gap.

Other testimony was offered by Mr. Conaway, a Radio Frequency Engineer. He opined that there would be no threat to the health, safety or general welfare of the locale if the relief were granted. Moreover, an environmental impact statement containing similar conclusions was offered as Petitioner's Exhibit No. 3.

Based upon the testimony and evidence offered, all of which was uncontradicted, I am persuaded to grant the Petition for Special Hearing. This is a case where the applicant is following the County's mandate that different companies within this industry share facilities so as to reduce the proliferation of monopoles and towers in Baltimore County. The addition of APC's equipment on this pole is entirely appropriate and eliminates the possibility of an additional tower by APC in the immediate vicinity. Thus, the Petition for Special Hearing shall be granted.

Additionally, it should be noted that the site plan was amended in open hearing to reflect the fact that APC's equipment shed will be located outside the existing chain link fence. On the original plan the equipment was shown to be located within the existing fenced area, however, it has been decided to relocate that equipment outside the existing fence. A new fence will be constructed around the proposed equipment and all parts of the facility, including the base equipment, tower and antennas, will be within the special exception area previously approved by the County Board of Appeals. All equipment will also be secure from vandalism and outside the reach of children.

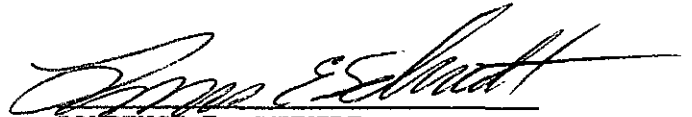
Additionally, the Petitioner requested relief, pursuant to Section 502.7 of the BCZR, to permit the special hearing be utilized within five years from the date of this Order. It was indicated that the Petitioner may not install its equipment within the two years normally provided for the exercise of the special exception, pursuant to the provisions of Section 502.7. The relief granted herein shall, therefore, be extended to a period of five years.

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 of Baltimore County this 17th day of November 1997 that, pursuant to the Petition for Special Hearing, approval of certain conditions for a wireless transmitting and receiving facility, which was authorized in zoning case No. 85-244-XA, be and is hereby GRANTED, subject, however to the following restrictions:

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.

2. The authority conferred by the grant of this Petition may be exercised up to 5 years from the date hereof.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDERED 11/17/97
Date 11/17/97
By J. Howard



Baltimore County
Zoning Commissioner
Office of Planning

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

November 13, 1997

John P. Evans, Esquire
Whiteford, Taylor and Preston, LLP
400 Court Towers,
210 W. Pennsylvania Avenue
Towson, Maryland 21204

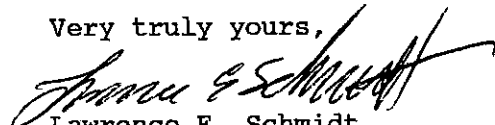
RE: Petition for Special Hearing
Case No. 98-95-SPH
Legal Owner: Bais Yaakov School for Girls, Inc.
Lessee: APC Realty and Equipment Co., LLC

Dear Mr. Evans:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted with restriction.

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.

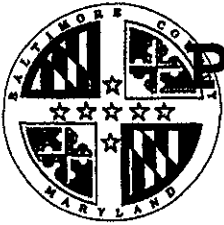
Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Messrs. Greg Sarro and Ryan Conaway
APC Realty and Equipment Co.
One Rockledge Drive, Suite 100
Bethesda, Maryland 20817





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 11111 Park Heights, Owings Mills, MD 21117

98-95-SPH

which is presently zoned RC-5

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

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Additions to a wireless transmitting and receiving facility authorized by Zoning Case No. 85-244-XA

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.

Contract Purchaser/Lessee:

APC Realty and Equipment Company, LLC
Margaret Ruggieri-Vice President

(Type or Print Name)

M. Ruggieri

Signature

One Democracy Center
6905 Rockledge Drive, Suite 100

Address

Bethesda, MD 20817

City

State

Zipcode

Attorney for Petitioner:

John Evans

(Type or Print Name)

John Evans

Signature 400 Court Towers

210 West Pennsylvania Ave. (410) 832-2000

Address

Phone No.

Towson, MD 21204

City

State

Zipcode

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

Legal Owner(s):

Bais Yaakov School for Girls, Inc.

(Type or Print Name)

Arrum M. Kowalski

Signature

Arrum M. Kowalski, Attorney

(Type or Print Name)

Attorney

Signature

11111 Park Heights Avenue

Address

(301) 214-9283

Phone No.

Owings Mills, MD 21117

City

State

Zipcode

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

John Evans

Name

210 West Pennsylvania Ave

(410) 832-2000

Address

Phone No.

Towson, MD 21204

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL

OTHER

REVIEWED BY: *Scy*

DATE

9-11-97

95

Zoning Administration
& Development Management

Description

48.113 Acre Parcel

98-95-SPH

To Accompany Petition for Special Hearing

Bais Yaakov School for Girls, Inc. Property

East Side of Park Heights Avenue

North of Melisa Court

Third Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same in the centerline of Park Heights Avenue (Maryland Route 129) at a point distant 105 feet, more or less, as measured northwesterly along said centerline from its intersection with the centerline of Melisa Court, thence binding on said centerline of Park Heights Avenue, the following seven courses and distances, viz: (1) North 02 degrees 20 minutes 49 seconds West 291.43 feet, thence (2) Northeasterly by a line curving to the right having a radius of 320.00 feet and an arc length of 211.31 feet (the arc of said curve being subtended by a chord bearing North 16 degrees 34 minutes 14 seconds East 207.49 feet and having a beginning tangent bearing of North 02 degrees 20 minutes 49 seconds West and a departing tangent bearing of North 35 degrees 29 minutes 15 seconds East), thence (3) North 35 degrees 29 minutes 15 seconds East 103.85 feet, thence (4) Northeasterly by a line curving to the left having a radius of 364.53 feet and an arc length of 191.33 feet (the arc of said curve being subtended by a chord bearing North 20 degrees 27 minutes 07 seconds East 189.14 feet and having a beginning tangent bearing of North 35 degrees 29 minutes 15 seconds East and a departing tangent bearing of North 05 degrees 24 minutes 56 seconds East), thence (5) North 05 degrees 24 minutes 56 seconds East 1345.00 feet, thence (6) Northwesterly by a line curving to the left having a radius of 814.73 feet and an arc length of 296.68 feet (the arc of said

curve being subtended by a chord bearing North 05 degrees 00 minutes 59 seconds West 295.04 feet and having a beginning tangent bearing of North 05 degrees 24 minutes 56 seconds East and a departing tangent bearing of North 15 degrees 26 minutes 53 seconds West), and thence (7) North 15 degrees 26 minutes 53 seconds West 79.45 feet, thence leaving the centerline of said road for the following four courses and distances, viz: (8) North 52 degrees 54 minutes 06 seconds East 52.46 feet, thence (9) South 48 degrees 46 minutes 04 seconds East 792.00 feet, thence (10) South 15 degrees 35 minutes 09 seconds East 1980.00 feet, and thence (11) South 87 degrees 26 minutes 06 seconds West 1424.48 feet to the point of beginning; containing 48.113 acres of land, more or less.

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

August 6, 1997

Project No. 94161.90 (L94161.90)

an



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

95

No.

042789

DATE

9/7/97

ACCOUNT

R001-6150

AMOUNT \$

250.00

RECEIVED
FROM:

APC READY

1111 Park HBS

FOR:

SDH - HPG. (040)

DUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

PAID RECEIPT

PROCESS ACTUAL TIME
9/12/1997 9/11/1997 15:15:24

REG MS01 CASHIER CLIM CML DRAWER

MISCELLANEOUS CASH RECEIPT

Receipt # 021710

CR NO. 042789

OFLN

250.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

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

Case: #98-95-SPH.
11111 Park Heights Avenue
SEC Park Heights Avenue
and Valley Heights Drive
3rd Election District
3rd Councilmanic.

Legal Owner(s):

Bais Yaakov School for
Girls, Inc.

Contract Purchaser(s):

APC Realty & Equipment
Company, LLC.

Special Hearing: to approve
additions to a wireless trans-
mitting and receiving facility
authorized by zoning case no.
85-244-XA.

Hearing: Tuesday, October
21, 1997 at 10:00 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 concern-
ing the File and/or Hearing,
Please Call (410) 887-3391.

10/075 Oct. 2 C178371

TOWSON, MD., October 2, 19 97

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 Oct. 2, 19 97.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

INVOICE

114659

SOLD TO DAFT-McCUNE-WALKER, INC.		SHIP TO GARLAND E. MOORE	
ADDRESS 200 EAST PENNSYLVANIA AVE.		ADDRESS 3225 RYERSON CIRCLE	
CITY, STATE, ZIP TOWSON, MD. 21286		CITY, STATE, ZIP BALTIMORE, MD. 21227	
CUSTOMER ORDER NO.	SALESMAN	TERMS	F.O.B.
		DATE	

ORDERED	SHIPPED	DESCRIPTION	PRICE	UNIT	AMOUNT
		ZONING APPEAL SIGN, POSTING			
		CERTIFICATION AND PHOTOGRAPHS			
		1111 PARK HEIGHTS AVE.			
		PROJECT #94161.90			
		ATT: BOB MORELOCK			

DC5840



ZONING NOTICE

Case # : 98-95-SP

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

ROOM 407 COURT BUILDING
PLACE : 401 BOSLEY AVE. TOWSON, MD.

TIME & DATE : OCTOBER 21, 1997 - 10:00AM

REQUEST TO APPROVE ADDITIONS

TO A WIRELESS TRANSMITTING

AND RECEIVING AND AMEND

ZONING CASE NO 85-244-XA

CERTIFICATE OF POSTING

RE: Case No.: 98-95-SP

Petitioner/Developer: _____

APC-BAIS YAAKOV SCHOOL

Date of Hearing/Closing: 10-21-97

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 _____

1111 PARK HEIGHTS AVE.

The sign(s) were posted on _____

OCT. 3RD 1997

(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-95-SP. HRG.

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

PLACE: *

DATE AND TIME: *

REQUEST: TO APPROVE ADDITIONS TO A
WIRELESS TRANSMITTING AND RECEIVING AND
AMEND ZONING CASE # 85-244-XA.

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



Baltimore County
Department of Permits and
Development Management

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

September 25, 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: 98-95-SPH
11111 Park Heights Avenue
SEC Park Heights Avenue and Valley Heights Drive
3rd Election District - 3rd Councilmanic
Legal Owner(s): Bais Yaakov School for Girls, Inc.
Contract Purchaser(s): APC Realty & Equipment Company, LLC

Special Hearing to approve additions to a wireless transmitting and receiving facility authorized by zoning case no. 85-244-XA.

HEARING: TUESDAY, OCTOBER 21, 1997 at 10:00 a.m. in Room 407 Courts Building, 401 Bosley Avenue.

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

Arnold Jablon
Director

cc: John Evans, Esq.
APC Realty and Equipment Company, LLC
Bais Yaakov School for Girls, Inc.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 6, 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.



TO: PUTUXENT PUBLISHING COMPANY
October 2, 1997 Issue - Jeffersonian

Please forward billing to:

John Evans, Esq.
400 Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204
410-832-2000

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: 98-95-SPH
11111 Park Heights Avenue
SEC Park Heights Avenue and Valley Heights Drive
3rd Election District - 3rd Councilmanic
Legal Owner(s): Bais Yaakov School for Girls, Inc.
Contract Purchaser(s): APC Realty & Equipment Company, LLC

Special Hearing to approve additions to a wireless transmitting and receiving facility authorized by zoning case no. 85-244-XA.

HEARING: TUESDAY, OCTOBER 21, 1997 at 10:00 a.m. in 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

October 7, 1997

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

RE: Item No.: 95
Case No.: 98-95-SPH
Petitioner: Bais Yaakov School

Dear Mr. Evans:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 11, 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, appearing to read "W. Carl Richards, Jr.", written over a circular stamp.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





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 5-23-97
Item No. 095 JCM

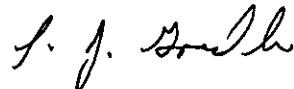
Dear Ms. Eubanks:

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

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

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

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

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



Baltimore County
Fire Department

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

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 SEPTEMBER 22, 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:

087, 088, 089, 090, 091, 092, 094, (095), AND 097

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F
cc: File



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: Sept 22, 97

DATE: 9/25/97

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

Item #'s: 88

89

90

91

92

95

96

98

RBS:sp

BRUCE2/DEPRM/TXTS8P

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: September 26, 1997

FROM: *RWB* Robert W. Bowling, Chief
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for September 29, 1997
Item Nos. 087, 088, 089, 091, 092,
095, 096, 097, and 098

The Bureau of Developer's Plans Review has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

Jim
10/21

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: October 1, 1997

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

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 95, 96, 100, 101, 103, 104 and 107

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Garry L. Kerns

AFK/JL

RE: PETITION FOR SPECIAL HEARING
11111 Park Heights Ave, SEC Park Heights
Avenue and Valley Heights Drive
3rd Election District, 3rd Councilmanic

Legal Owner: Bais Yaakov School for Girls
Contract Purchaser: APC Realty & Equip-
ment Company, LLC
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-95-SPH
*

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of October, 1997, a copy of the foregoing Entry of Appearance was mailed to John Evans, Esq., 210 W. Pennsylvania Avenue, Suite 400, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

JOHN PEVANS

WHITEFORD, TAYLOR, PRESTON L.L.P.
210 W. PENNSYLVANIA AVE 21204

Greg Sarro

6905 Rockledge Drive, Ste. 100
Bethesda MD 20817

Ryan Conway

6905 Rockledge Dr. Ste. 100
Bethesda, MD 20817

BOB MORELOCK

DMW, 200 E. PENNSYLVANIA AVE
TOWSON, MD 21286



Environmental Impact Statement

The project consists of a new radio station and receiving facilities for use by the U.S. Coast Guard. The station will consist of a four-story building, a tower, and an existing fence. The project is located on a site in the District of Columbia.

The project consists of a new radio station and receiving facilities for use by the U.S. Coast Guard. The station will consist of a four-story building, a tower, and an existing fence. The project is located on a site in the District of Columbia.

The project is located on a site in the District of Columbia.

Bais Yaakov School for Girls APC Site

The project is located on a site in the District of Columbia. The site is currently occupied by a school and is surrounded by residential areas. The project is located on a site in the District of Columbia.

DMW Project No. 94181.90
May 1997

The project is located on a site in the District of Columbia. The site is currently occupied by a school and is surrounded by residential areas. The project is located on a site in the District of Columbia.

Prepared for:
APC Realty & Equipment Co., L.L.C.
Three Democracy Center
Suite 600
6901 Rockledge Drive
Bethesda, MD 20817

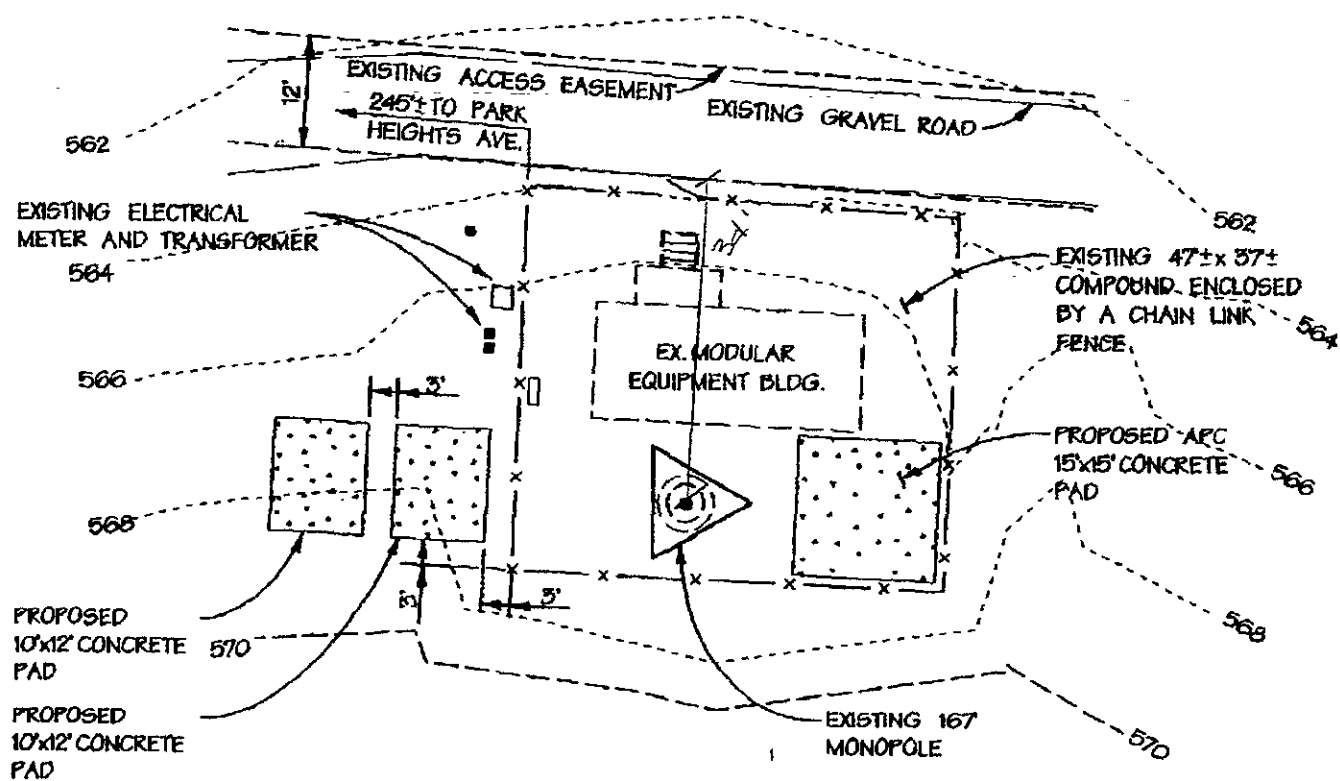
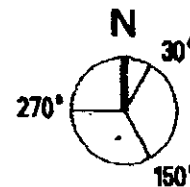
Prepared by:
Daff McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
(410) 296-4705 Fax
dmw@dmw.com

DMW



PETITIONER'S EXHIBIT No 3

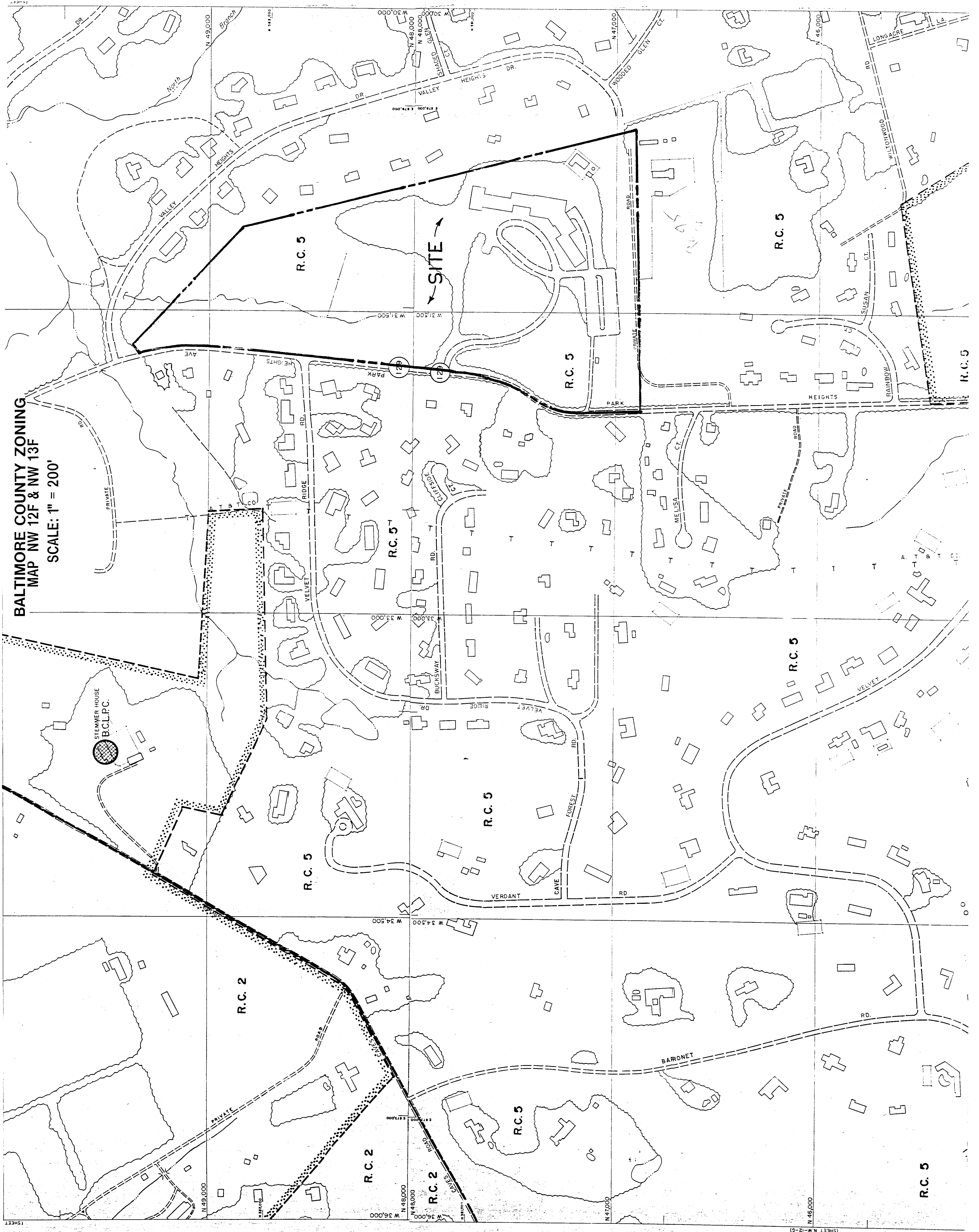
CBN 578

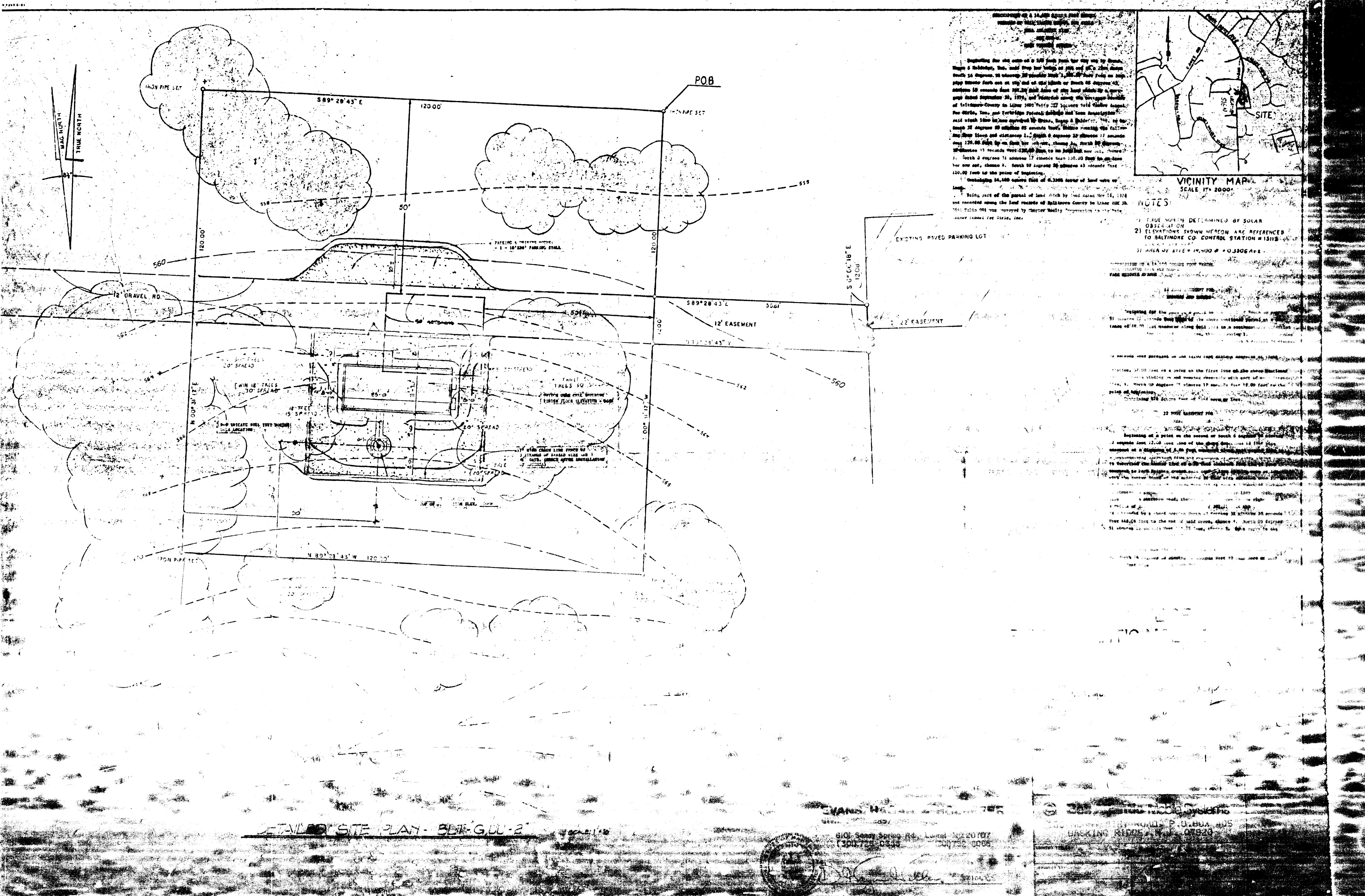


PRELIMINARY SKETCH
 PROPOSED AT&T EXPANSION
 AT BAIZ YAAKOV
 SCALE: 1"=20'

No 2

BALTIMORE COUNTY ZONING
MAP NW 12F & NW 13F
SCALE: 1" = 200'

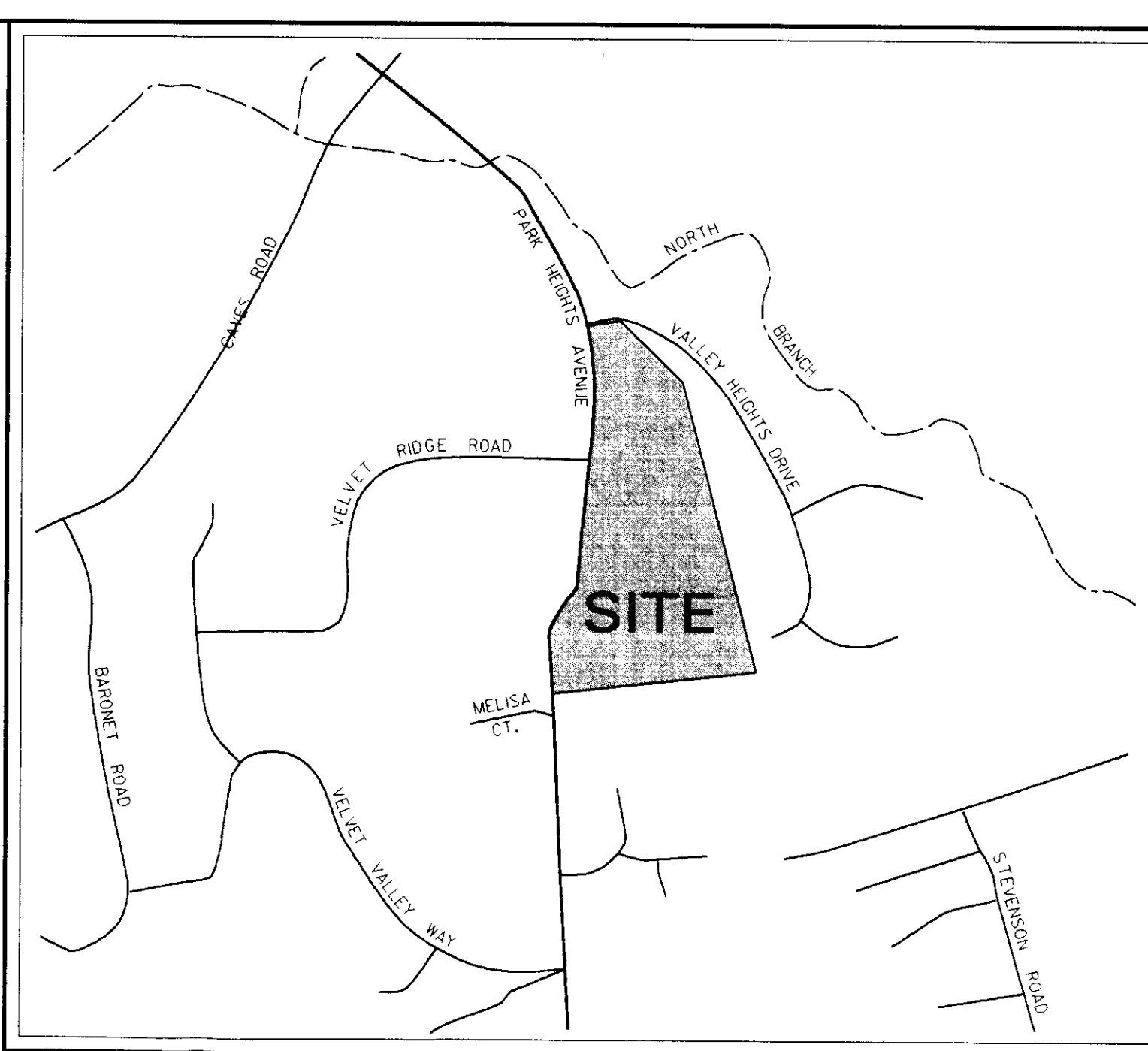
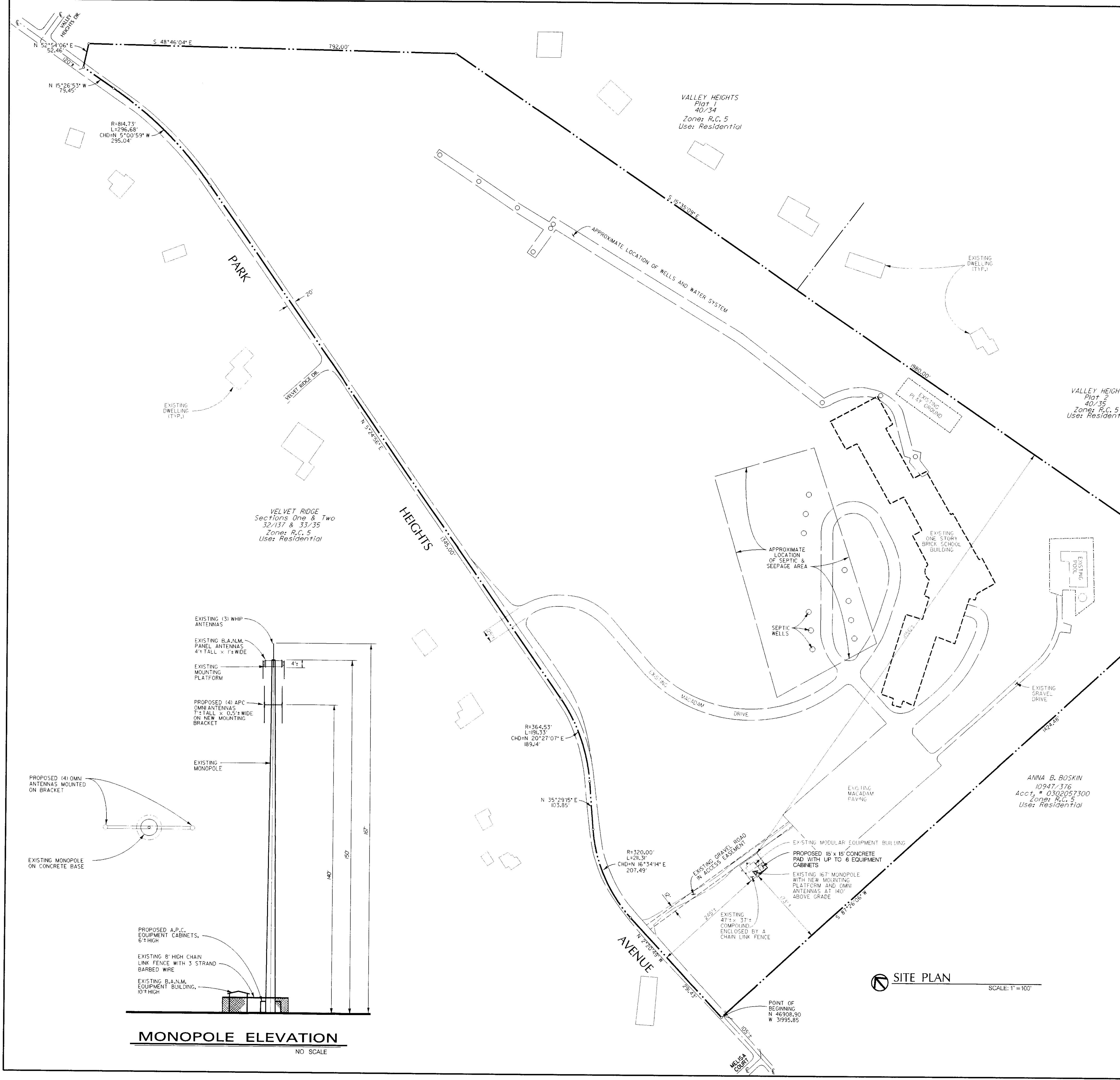




DETAILED SITE PLAN - BLT-GLU-2

6101 Sandy Spring Rd. Laurel, MD 20701
(301) 755-0340 FAX (301) 755-0355

Mobile Systems
P.O. BOX 405
BRACKEN RIDGE, N.J. 07920



VICINITY MAP
SCALE: 1"=1000'

GENERAL NOTES

- Current owner: Bas Yaakov School for Girls, Inc. and street address: 11111 Park Heights Avenue Owings Mills, MD 21117
 - Contract/lessee: APC Realty & Equipment Co., LLC. Petitioner: 6806 Rockledge Drive Suite 100 Bethesda, MD 20817
 - Site area: 48.113 Ac. ±
 - Existing use: School & wireless transmitting & receiving facility
 - Site Address: 11111 Park Heights Avenue Owings Mills, MD 21117
 - Site data: Property parcel: Tax map 59, block 14, parcel 207. Deed Reference: 1541001. Tax Account No: 1700008870. School parcel: Tax map 59, block 14, parcel 539. Condominium: Plat Reference: 8733211. Tax Account No: 220008048. Zoning: R.C. 5 (Map NW 12F & NW 13F). Election District: 3. Councilmatic District: 3.
 - The modifications to the existing wireless transmitting and receiving facility will consist of the addition of (4) omni-directional antennas on a mounting bracket at 140' above grade on the existing 167' monopole and up to 6 new equipment cabinets. The cabinets will be located on a concrete pad at the base of the monopole.
 - No new or additional water or sanitary utilities are required for the proposed wireless transmitting and receiving facility.
 - The boundary information and location shown hereon have been compiled from deeds, plans, and other sources believed to be reliable; however their accuracy is not guaranteed and is subject to revision.
 - Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times.
 - An environmental impact statement as defined in Section 101 of the Baltimore County Zoning Ordinance shall be submitted to the Zoning Commission.
 - No white strobeoscopic lights are permitted or proposed.
 - Zoning History: On September 27, 1985 the County Board of Appeals ordered that Special Exception Case #85-244-XA be granted to permit a wireless transmitting and receiving communications facility in a R.C. 5 zone. There are no signs proposed for this facility.
 - Setbacks: Non-residential principal structure in a R.C. 5 zone pursuant to BCZR §1404.3.B.3.

	Required	Provided to wireless trans. & rec. facility
Front:	75' ±	245' ±
Side:	50' ±	173' ±
Rear:	50' ±	1050' ±
 - Research of Baltimore County's Building Permit Record revealed no permits for the existing school on this site.
 - Amenity open space: NA
 - Proposed parking spaces: 0
 - The proposed wireless transmitting and receiving facilities do not block or affect any existing parking spaces.
 - This site is not within a 100-Year Flood plain as per the National Flood Insurance Program Flood Insurance Rate Map: Community Panel Number 240010-0240-B revised November 17, 1993.
- Requested Zoning Action
- Special Hearing to Amend the Special Exception granted in Case Number 85-244-XA to permit up to 6 new equipment cabinets and up to 4 new antennas mounted on the existing monopole for the wireless transmitting and receiving facility pursuant to §1404.2.B.21

SITE PLAN
SCALE: 1"=100'

PRINTED
MAY 11 2004
DAN AND GAIL WALKER, INC.

MONOPOLE ELEVATION
NO SCALE

DMW
Dan & Gail Walker, Inc.
A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals
200 Plant Pennsylvania Avenue
Baltimore, Maryland 21208
410-996-3300
Fax 410-996-4700

American Personal Communications

SITE PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING
BAS YAAKOV SCHOOL FOR GIRLS
3rd ELECTION DISTRICT

Proj. No. 94161.90
Date 7.28.97
Scale AS SHOWN
Last Rev.

Sheet
1 of 1

CBN078
BALTIMORE COUNTY, MARYLAND