

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 PETITION FOR VARIANCE
 S/S Downes Road directly across Powers Rd * ZONING COMMISSIONER
 from Sampson Rd, 130' S of c/l I-83
 7th Election District, 3rd Councilmanic * OF BALTIMORE COUNTY

Legal Owner(s): Paul and Ruth Tittel * CASE NO. 98-125-XA
 Contract Purchaser(s): Nextel Communica-
 tions of the Mid-Atlantic, 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 29th day of October, 1997, a copy of the foregoing Entry of Appearance was mailed to Stanley S. Fine, Esq., 20 S. Charles Street, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN

RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
P/O Parcel 257, S/S Downes Road, S/S Downes Rd,
directly across Powers Rd from Sampson Rd, 130' S
of c/I I-83, 7th Election District, 3rd Councilmanic

Legal Owners: Paul G. and Ruth S. Tittel
Contract Purchaser/Lessee: Nextel Communications

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 98-125-SPHXA

Petitioner(s)

* * * * *

AMENDED 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 of 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
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of Sept., 1998, a copy of the foregoing Entry of Appearance was mailed to Stanley S. Fine, Esq., Rosenberg, Proutt, Funk, 25 S. Charles Street, Suite 2115, Baltimore, MD 21201, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at P/O PARCEL 257, S. SIDE DOWNES RD.
PARKTON, MD

which is presently zoned RC 2

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 ZONING CASE AND THE SITE
PLAN OF CASE NO. 91-378-SPHX.

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:

**NEXTEL COMMUNICATIONS OF
THE MID-ATLANTIC, INC.**

(Type or Print Name) **BY SEAN HUGHES, ZONING MGR.**

Signature Sean P. Hughes

**4340 EAST-WEST HIGHWAY
SUITE 800**

Address
BETHESDA, MD 20814
City State Zipcode

Attorney for Petitioner

STANLEY S. FINE

(Type or Print Name)

Signature Stanley S. Fine per

**25 S. CHARLES STREET
(410) 727-6600**

Address
BALTIMORE, MD 21201
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):

PALIL G. & RUTH S. TITTEL

(Type or Print Name)

Signature Palil G. & Ruth S. Tittel

(Type or Print Name)

Signature
**3203 DRY BRANCH ROAD
(410) 692-2757**

Address Phone No

WHITE HALL, MD 21161

City State Zipcode

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

STANLEY S. FINE

Name
25 S. CHARLES ST. (410) 727-6600

Address
BALTIMORE, MD 21201 Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: R.J. DATE 8-12-98



Revised 9/5/95

98-125-SPHXA

ITEM # 125



Petition for Special Exception

98-125-XA

to the Zoning Commissioner of Baltimore County

for the property located at

P/O Parcel 257, S. Downes Road,
Parkton, Maryland

which is presently zoned RC2

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

a wireless transmitting and receiving facility.

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:

**Nextel Communications
of the Mid-Atlantic, Inc.**

(Type or Print Name)

By: Sean P. Myky Zoning Manager

Signature

4340 East-West Highway, Ste. 800

Address

Bethesda, MD 20814

City

State

Zipcode

Attorney for Petitioner:

Stanley S. Fine

(Type or Print Name)

Stanley S. Fine

Signature

20 S. Charles St. 410-539-6967

Address

Phone No.

Baltimore

MD

21201

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):

Paul G. and Ruth S. Tittel

(Type or Print Name)

Paul G. Tittel

Signature

PAUL G. TITTEL + Ruth S. TITTEL

(Type or Print Name)

Signature

3203 DryBranch Road 410-662-9905

Address

Phone No.

White Hall

MD

21161

City

State

Zipcode

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

Stanley S. Fine

Name

20 S. Charles St., 410-539-6967

Address Baltimore 21201

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: SM DATE 1-10-97

125.



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

P/O Parcel 257, S. Downes Road,
Parkton, Maryland

which is presently zoned

RC2

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)

502.7C2 -- to permit property line setbacks of 360, 220 and 290 feet for a 200 foot communication tower in lieu of the required 400 feet.

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

Size and shape of lot and existing tree line make compliance with the regulations a hardship and practical difficulty.

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.

Contract Purchaser/Lessee:

Nextel Communications

of the Mid-Atlantic, Inc.

(Type or Print Name)

By:

Signature

4340 East-West Highway, Ste. 800

Address

Bethesda,

MD

20814

City

State

Zipcode

Attorney for Petitioner:

Stanley S. Fine

(Type or Print Name)

Signature

20 S. Charles St. 410-539-6967

Address

Phone No.

Baltimore,

MD

21201

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):

Paul G. and Ruth S. Tittel

(Type or Print Name)

Signature

PAUL G. TITTEL + RUTH S. TITTEL

(Type or Print Name)

Signature

3203 Dry Branch Road 410-662-9985

Address

Phone No

White Hall

MD

21161

City

State

Zipcode

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

Stanley S. Fine

Name

20 S. Charles St., 410-539-6967

Address

Baltimore, MD 21201 Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: SPM DATE 1-10-97



Printed with Soybean Ink
on Recycled Paper

125

98-125-XA

Description
To Accompany Petition for Special Exception
and Variance
12.00 Acres
South Side of Downes Road
East Side of Baltimore-Harrisburg Expressway
Seventh 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 at the end of the second of the two following courses and distances measured from a point formed by the intersection of centerline of Downes Road (60 feet wide) with the centerline of Baltimore-Harrisburg Expressway (300 feet wide), viz: (1) Easterly 150 feet, more or less, and thence (2) Southerly 30 feet, more or less, to the point of beginning, thence leaving said point of beginning and binding on said Downes Road (1) North 88 degrees 27 minutes 53 seconds East 40.02 feet, thence running for the five following courses and distances, viz: (2) Southerly by a line curving to the left with a radius of 5539.58 feet for a distance of 38.29 feet (the arc of said curve being subtended by a chord bearing South 03 degrees 27 minutes 45 seconds East 38.29 feet and having a beginning tangent bearing of South 03 degrees 15 minutes 58 seconds East and a departing tangent bearing of South 03 degrees 39 minutes 43 seconds East), thence (3) South 03 degrees 39 minutes 43 seconds East 721.28 feet, thence (4) North 82 degrees 53 minutes 58 seconds East 555.28 feet, thence (5) South 25 degrees 16 minutes 02 seconds East 809.01 feet, and thence (6) North 85 degrees 37 minutes 57 seconds West 901.00 feet, thence binding on the east side of Baltimore-Harrisburg Expressway, the two following courses and distances, viz: (7) North 03 degrees 39 minutes 43 seconds West 1314.30 feet, and thence (8)

Northerly by a line curving to the right with a radius of 5579.58 feet for a distance of 39.78 feet (the arc of said curve being subtended by a chord bearing North 03 degrees 27 minutes 28 seconds West 39.78 feet and having a beginning tangent bearing of North 03 degrees 39 minutes 43 seconds West and a departing tangent bearing of North 03 degrees 15 minutes 13 seconds West); containing 12.00 acres of land, more or less.

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

September 22, 1997

Project No. 97057 (L97057)



Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than 10-SEPT-98

Format for Sign Printing, Black Letters on White Background:

ITEM # 125

ZONING NOTICE

Case No.: 98-125-SPHXA

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

PLACE: Rm. 106, County Office Bldg., 111 W. Chesapeake Ave., Towson, MD

DATE AND TIME: FRIDAY, SEPTEMBER 25, 1998, 9:00 AM

REQUEST: SPECIAL HEARING TO AMEND THE ZONING CASE AND
SITE PLAN OF CASE No. 91-378-SPHX

SPECIAL EXCEPTION TO PERMIT A WIRELESS
TRANSMITTING & RECEIVING FACILITY IN AN R.C.2 ZONE

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

Sign Form wrong
in variance
wording on it

Request for Zoning: Variance, Special Exception, or Special Hearing

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

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-125-Spx A.

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

PLACE: _____ *

DATE AND TIME: _____ *

REQUEST: SPECIAL EXCEPTION FOR WIRELESS TRANSMITTING/
RECEIVING TOWER. VARIANCE TO ALLOW 360/220,
290 LLN. FEET, FOR 206 FT. COMMUNICATION TOWER WHICH
IS REQUIRED 400 LLN. FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

98-125-XA
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 125.

Petitioner: NEXTEL COMMUNICATIONS

Location: P/O PARCEL 257. S. Downes Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: STANLEY S. FLUG.

ADDRESS: 20. S. CHARLES ST.

BALTIMORE MD. 21201.

PHONE NUMBER: 410-539-6967.

AJ:ggs

(Revised 09/24/96)

125.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

98-125-VA

042728

DATE

10-1-97

ACCOUNT

R-CC1-G150

AMOUNT \$

550.00

RECEIVED
FROM:

KAPLAN, HAYMAN, D.

FOR:

020 COMMERCIAL JARVIS 250

050 SPECIAL EXEMPTION 300

TOTAL

550

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

57A.
125.

PAID RECEIPT

PROCESS

ACTUAL

TIME

10/01/1997 10/01/1997 14:30:44

REG 4504 CASHIER LSMT LKS BRANCH 4

MISCELLANEOUS CASH RECEIPT

Receipt #

022225

0714

CR NO. 042728

550.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARY ID
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

98-125 PHXA
No. 056126

DATE 8-12-98 ACCOUNT 12001-6150

040-SPH
110-REVISIONS

AMOUNT \$ 350⁰⁰

RECEIVED
FROM: NEXTEL

FOR: SPHX PARCEL 257, S/S OF
DOWNES RD.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

RTI

PAID RECEIPT

PROCESS ACTUAL TIME
6/12/1998 8/12/1998 09:35:56

REC MS06 CASHIER NUEL NRM DRAPER

6 MISCELLANEOUS CASH RECEIPT

Receipt # 052534

CR NO. 056126

CEL

350.00 CHECK

Baltimore County, Maryland

98-125-SPHXA

CASHIER'S VALIDATION

98-125-XA

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 16, 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. 16, 19 97.

THE JEFFERSONIAN,

A. Henrichson
LEGAL AD. - TOWSON

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 #98-125-XA
S/S Downes Road directly across Powers Road from Sampson Road, 130' S of c/l I-83
7th Election District
3rd Councilmanic
Legal Owner(s):
Paul G. and Ruth Tittel
Contract Purchaser(s):
Nextel Communications, of the Mid-Atlantic, Inc.

Special Exception: for a wireless transmitting and receiving facility. **Variance:** to permit property line setbacks of 360, 220 and 290 feet for a 200' foot communication tower in lieu of the required 400 feet.

Hearing: Monday, November 3, 1997 at 11:00 a.m. in 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.

10/27/96 Oct. 16 C181899

**NOTICE OF ZONING
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: #98-125-SPHXA
S/S Downes Road directly across Powers Road from Sampson Road, 130' S of centerline 1-83

7th Election District
3rd Councilmanic District

Legal Owner(s):

Paul G. & Ruth S. Tittel

Contract Purchaser: :

Nextel Communications of the Mid-Atlantic, Inc.

Special Hearing: to approve an amendment to the zoning case and the site plan of case number 91-378-SPH-X.

Special Exception: for a wireless transmitting and receiving facility.

Variance: to permit property line setbacks of 260, 220 and 290 feet for a 200-foot communication tower in lieu of the required 400 feet.

Hearing: Friday, September 25, 1998 at 9:00 a.m., in Room 106, County Office Building, 111 West Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

9/113 Sept. '10 C257367

CERTIFICATE OF PUBLICATION

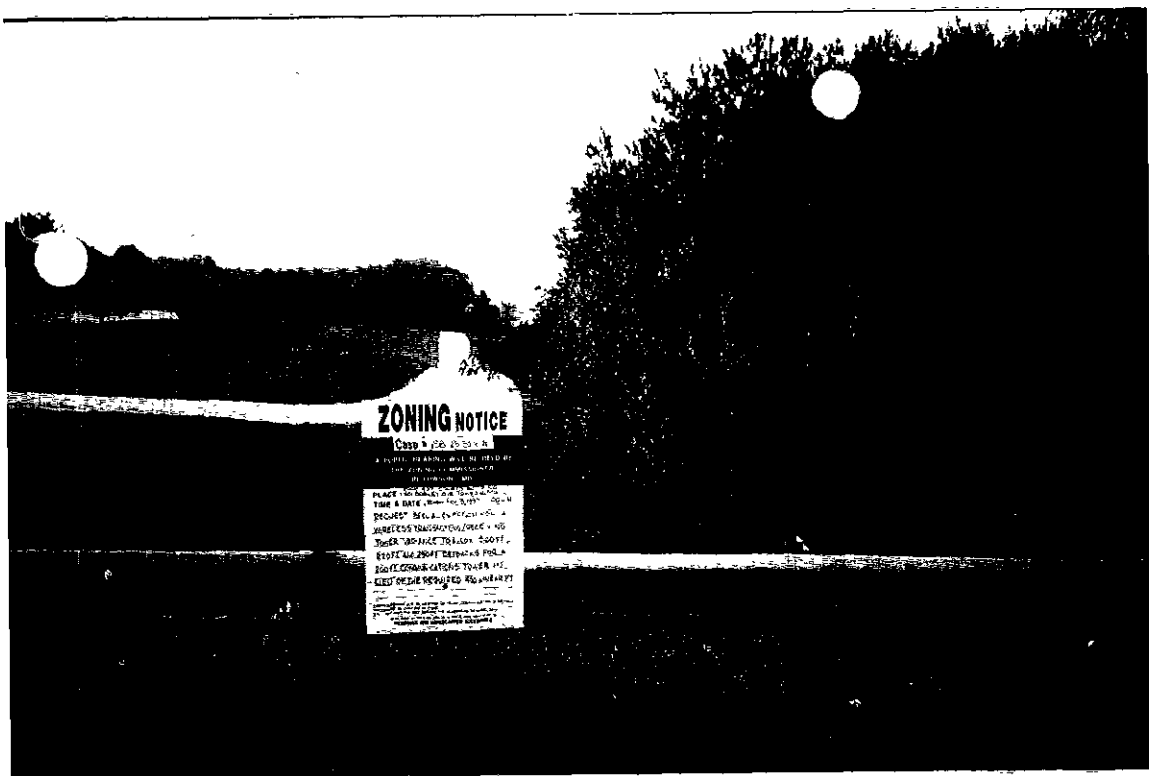
TOWSON, MD., 9/10, 19 98

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 9/10, 19 98.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON



ZONING NOTICE

Case # 98-125-SPX-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
ON THE FOLLOWING DATE:

PLACE: 10000 BROADWAY, SUITE 100

TIME & DATE: Monday, Nov. 2, 1997, 11:00 AM

PROJECT: SPECIAL EXCEPTION FOR A

WHALE-LESS TRANSMISSION TOWER

TO BE SITUATED ON THE CORNER OF

BROADWAY AND BAYVIEW AVENUE

IN THE CITY OF TOWSON, MD.

THE ZONING COMMISSIONER'S OFFICE

IS REQUESTING THAT YOU ATTEND

THE HEARING TO PRESENT YOUR

COMMENTS TO THE COMMISSIONER.

YOUR COMMENTS WILL BE HELD IN

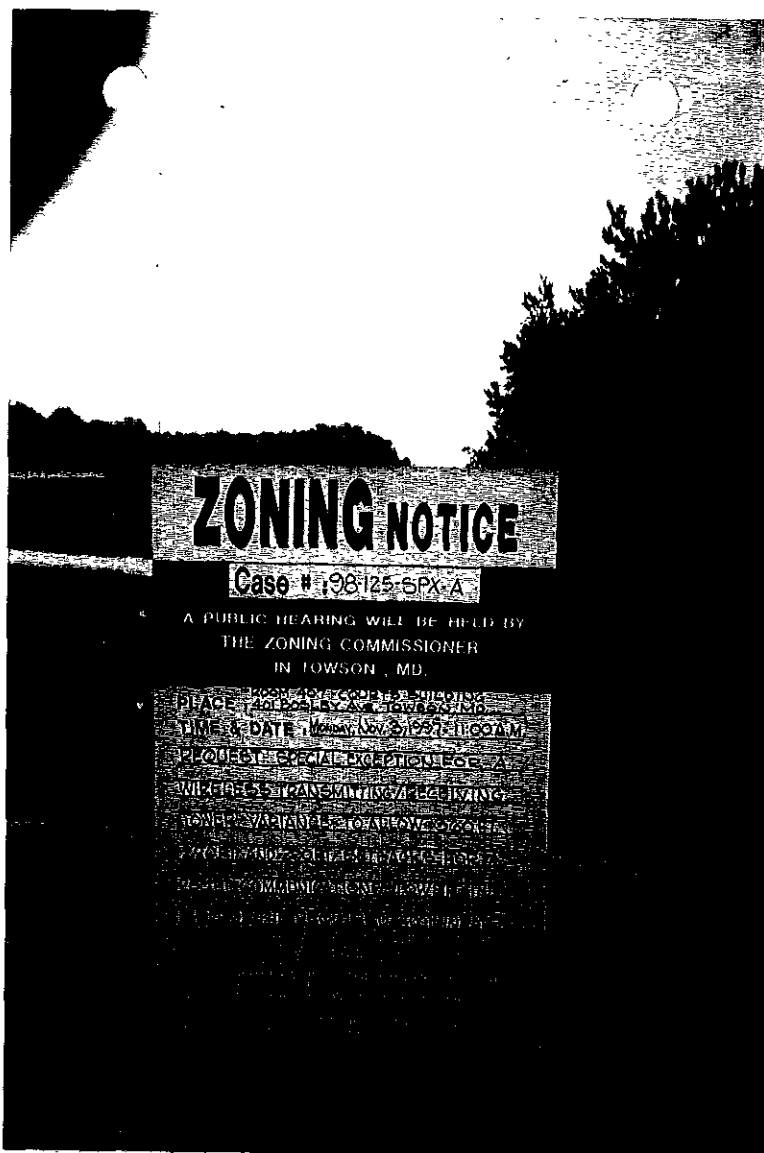
CONFIDENTIALITY.

IF YOU HAVE ANY QUESTIONS

PLEASE CALL THE ZONING

COMMISSIONER'S OFFICE AT

410-512-1234.



ZONING NOTICE

Case # 98-125-SPX-A

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

PLACE: 10000 BROADWAY, SUITE 100

TIME & DATE: Monday, Nov. 2, 1997, 11:00 AM

PROJECT: SPECIAL EXCEPTION FOR A

WHALE-LESS TRANSMISSION TOWER

TO BE SITUATED ON THE CORNER OF

BROADWAY AND BAYVIEW AVENUE

IN THE CITY OF TOWSON, MD.

THE ZONING COMMISSIONER'S OFFICE

IS REQUESTING THAT YOU ATTEND

THE HEARING TO PRESENT YOUR

COMMENTS TO THE COMMISSIONER.

YOUR COMMENTS WILL BE HELD IN

CONFIDENTIALITY.

IF YOU HAVE ANY QUESTIONS

PLEASE CALL THE ZONING

COMMISSIONER'S OFFICE AT

410-512-1234.

CERTIFICATE OF POSTING

RE: Case No.: 98-125-SPX-A

Petitioner/Developer: _____

NEXTEL FIVE FORKS BVO

Date of Hearing/Closing: Nov. 3, 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 SOUTH SIDE OF

DOWNIES ROAD - OPPOSITE SAMPSON ROAD

The sign(s) were posted on OCT. 19, 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)

CERTIFICATE OF POSTING

RE: Case No.: 98-125-SPHX A

Petitioner/Developer: _____

NEXTEL - FIVE

Date of Hearing/Closing: 9-25-98

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 _____

DOWNES ROAD & SAMPSON ROAD

The sign(s) were posted on SEPT. 9TH 1998
(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)





Baltimore County
Department of Permits and
Development Management

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

July 30, 1998

Stanley S. Fine, Esquire
20 South Charles Street
Baltimore, MD 21201

Dear Mr. Fine:

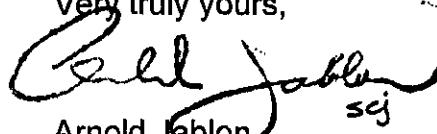
RE: Case Number 98-125-XA, Downes Road, Ruth & Paul Tittel (Legal Owners),
Nextel Communications of the Mid-Atlantic, Inc. (Contract Purchaser)

The above matter, previously assigned to be heard on November 3, 1997
has been **rescheduled for Friday, September 25, 1998 at 9:00 a.m. in Room 106,
County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.**

The new hearing date and time should be affixed to the hearing notice sign
posted on the property as soon as possible.

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

Very truly yours,


Arnold Jablon
Director

AJ:scj

c: Ruth S. & Paul G. Tittel
Nextel Comm. of the Mid-Atlantic, Inc.
J. Carroll Holzer, Esquire
People's Counsel for Baltimore County
Robert E. Morelock & Mitchell J. Kellman, DMW
Mark J. Mayher & Sean Hughes, Nextel Communications
Eleanor C. & James C. Lindsay
Gloria & Dr. Richard W. McQuaid
Grace A. Russell
Dorothy Cox
Linda D. & William J. Schmalzer
Lillian E. Schmalzer
Robert Humphrey
Richard L. Craig
James B. Hattman





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

August 19, 1998

NOTICE OF ZONING 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: 98-125-SPHXA

S/S Downes Road directly across Powers Road from Sampson Road, 130' S of centerline I-83

7th Election District - 3rd Councilmanic District

Legal Owner: Paul G. & Ruth S. Tittel

Contract Purchaser: Nextel Communications of the Mid-Atlantic, Inc.

Special Hearing to approve an amendment to the zoning case and the site plan of case number 91-378-SPHX. Special Exception for a wireless transmitting and receiving facility. Variance to permit property line setbacks of 360, 220, and 290 feet for a 200-foot communication tower in lieu of the required 400 feet.

HEARING: Friday, September 25, 1998 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue

Arnold Jablon, Director

c: Stanley S. Fine, Esquire
Paul G. & Ruth S. Tittel
Nextel Communications of the Mid-Atlantic, Inc.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY SEPTEMBER 10, 1998**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.**

Come visit the County's Website at www.co.ba.md.us



TO: PATUXENT PUBLISHING COMPANY
September 10, 1998 Issue - Jeffersonian

Please forward billing to:

Stanley S. Fine, Esquire
25 S. Charles Street
Baltimore, MD 21201

410-727-6600

NOTICE OF ZONING 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: 98-125-SPHXA

S/S Downes Road directly across Powers Road from Sampson Road, 130' S of centerline I-83

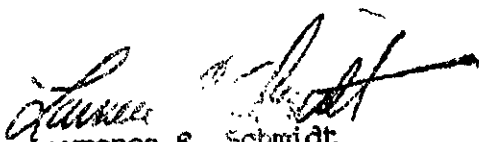
7th Election District - 3rd Councilmanic District

Legal Owner: Paul G. & Ruth S. Tittel

Contract Purchaser: Nextel Communications of the Mid-Atlantic, Inc.

Special Hearing to approve an amendment to the zoning case and the site plan of case number 91-378-SPHX. Special Exception for a wireless transmitting and receiving facility. Variance to permit property line setbacks of 360, 220, and 290 feet for a 200-foot communication tower in lieu of the required 400 feet.

HEARING: Friday, September 25, 1998 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue



Lawrence E. Schmidt

^{pg}
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.



Baltimore County
Department of Permits and
Development Management

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

October 10, 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: 98-125-XA

S/S Downes Road directly across Powers Road from Sampson Road, 130' S of c/l I-83

7th Election District - 3rd Councilmanic

Legal Owner(s): Paul G. and Ruth Tittel

Contract Purchaser(s): Nextel Communications of the Mid-Atlantic, Inc.

Special Exception for a wireless transmitting and receiving facility.

Variance to permit property line setbacks of 360, 220 and 290 feet for a 200 foot communication tower in lieu of the required 400 feet.

HEARING: MONDAY, NOVEMBER 3, 1997 at 11:00 a.m. in Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Paul and Ruth Tittel
Stanley S. Fine, Esq.
Nextel Communications of the Mid-Atlantic, Inc.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 19, 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 16, 1997 Issue - Jeffersonian

Please forward billing to:

Stanley S. Fine, Esq.
20 S. Charles Street
Baltimore, MD 21201
410-539-6967

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: 98-125-XA

S/S Downes Road directly across Powers Road from Sampson Road, 130' S of c/l I-83

7th Election District - 3rd Councilmanic

Legal Owner(s): Paul G. and Ruth Tittel

Contract Purchaser(s): Nextel Communications of the Mid-Atlantic, Inc.

Special Exception for a wireless transmitting and receiving facility.

Variance to permit property line setbacks of 360, 220 and 290 feet for a 200 foot communication tower in lieu of the required 400 feet.

HEARING: MONDAY, NOVEMBER 3, 1997 at 11:00 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 29, 1997

Stanley S. Fine, Esquire
20 S. Charles Street
Baltimore, MD 21201

RE: Item No.: 125
Case No.: 98-125-XA
Petitioner: Paul and Ruth Tittel

Dear Mr. Fine:

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 October 1, 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 dark ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

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

Date: October 20, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for October 20, 1997
 Item No. 125

The Bureau of Developer's Plans Review has reviewed the subject zoning item. All improvements, intersections, entrances, drainage requirements and construction affecting a State road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

RWB:HJO:jrb

cc: File

ZONE1020.125

BALTIMORE COUNTY, MARYLAND

23

INTER-OFFICE CORRESPONDENCE

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

Date: October 21, 1997

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

SUBJECT: P/O Parcel 257, S. Downes Road, Parkton Maryland

INFORMATION

Item Number: 125
Petitioner: Tittel Property
Zoning: RC 2

Based upon the information provided and analysis conducted staff offers the following comments:

The petitioner should provide evidence of a diligent search for an alternate location within a business, office or industrial zone. Additionally, evidence should be presented that the petitioner studied the feasibility of utilizing the two existing towers located along Old York Road (MD 439) approximately a 1/4 mile east of I-83. The feasibility of utilizing the Parkton Landfill site also should be studied.

Should the request be granted, the petitioner should minimize tree and vegetation removal, and minimize grading to preserve the quality of the existing landforms. In addition, the petitioner should design and locate structures and fences in a manner that is sensitive to the rural character of the area.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JL



Baltimore County
Fire Department

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

October 16, 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 October 14, 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:

120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130
and 131

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-1861. MS-11025
cc: File



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

TO: PDM

DATE: Oct 21, 97

FROM: R. Bruce Seeley .
Permits and Development Review
DEPRM

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

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

Item #'s: ~~41~~ 125

RBS:sp

BRUCE2/DEPRM/TXTSBP

serp
11/3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: October 21, 1997

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

SUBJECT: P/O Parcel 257, S. Downes Road, Parkton Maryland

INFORMATION

Item Number: 125

Petitioner: Tittel Property

Zoning: RC 2

Based upon the information provided and analysis conducted staff offers the following comments:

The petitioner should provide evidence of a diligent search for an alternate location within a business, office or industrial zone. Additionally, evidence should be presented that the petitioner studied the feasibility of utilizing the two existing towers located along Old York Road (MD 439) approximately a 1/4 mile east of I-83. The feasibility of utilizing the Parkton Landfill site also should be studied.

Should the request be granted, the petitioner should minimize tree and vegetation removal, and minimize grading to preserve the quality of the existing landforms. In addition, the petitioner should design and locate structures and fences in a manner that is sensitive to the rural character of the area.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 8.21.94

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 125

Dear Ms. Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

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

ROSENBERG PROUTT FUNK & GREENBERG, LLP

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

2115 FIRST MARYLAND BUILDING
25 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

(410) 727-6600

FACSIMILE: (410) 727-1115

STANLEY S. FINE

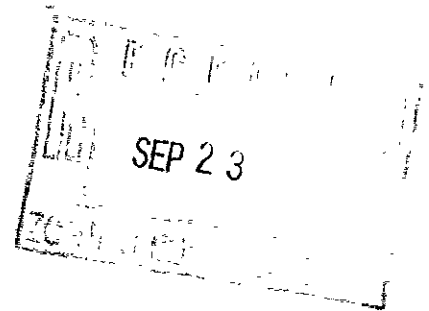
E-MAIL ADDRESS
stanley@rpf.com

September 23, 1998

**VIA FACSIMILE AND
HAND DELIVERY**

Mr. Timothy Kotroko
Deputy Zoning Commissioner
Rm. 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

Re: 98-125-SPHXA
S/S Downes Road
Tittel/Nextel Communications



Dear Mr. Kotroko:

Please be advised that this firm represents Nextel Communications, the applicant in the above matter, which is scheduled to be heard by you on Friday, September 25, 1998 at 9:00 a.m. My client has decided to re-evaluate its application in light of the current status of its system development. Accordingly, on behalf of our client, I respectfully request a postponement of the hearing on September 25, 1998.

I have spoken with J. Carroll Holzer, attorney for the Protestants, who has advised me that he has no objection to this postponement request.

Thank you for your cooperation in this matter.

Sincerely,


Stanley S. Fine

SSF:sac
0104426.01

cc: J. Carroll Holzer, Esquire (via facsimile and first class mail)
Nextel Communications (via facsimile)

98-125-XA

I called Stanley Fine, he indicated that he appeared before Tom Notaro on 11/1/97. Case was postponed at that time.

pending new "tower law" which was under consideration by County Council at that time. New law has been passed & is effective 3/20/98 (approx) -

Stanley said case is not dead! He wants to keep file open - amended petition +/- request for hearing may be forthcoming.

SES

3/23/98

PROTESTANT(S) SIGN-IN SHEET

ADDRESS

20225 Downes Rd - Parkton 21120

3442

1501 Harris Mill Rd, Parkton, 21220

20123 Downes Rd Parkton 21120

14515 Thornton Hill Rd Sparks 2152

1501 Harris Mill Rd. Dallas 75122

20404 Downes Rd Parkton 21120

20431 Downes Rd Pariton 21120

20404 Downes Rd Parkton 21120

20428 DOWNES Rd PANTON 21120

20315 DOWNS Rd PARKTON 21120

James B Hattman 410 239-2525 18535 Foxeston Rd Perketon 21120



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

ROBERT E. MORELOCK

DMW, INC.
200 E. PENNSYLVANIA AVE.
TOWSON, MD 21286

Mitchell J. Kellman

" "

Mark J. Mayher

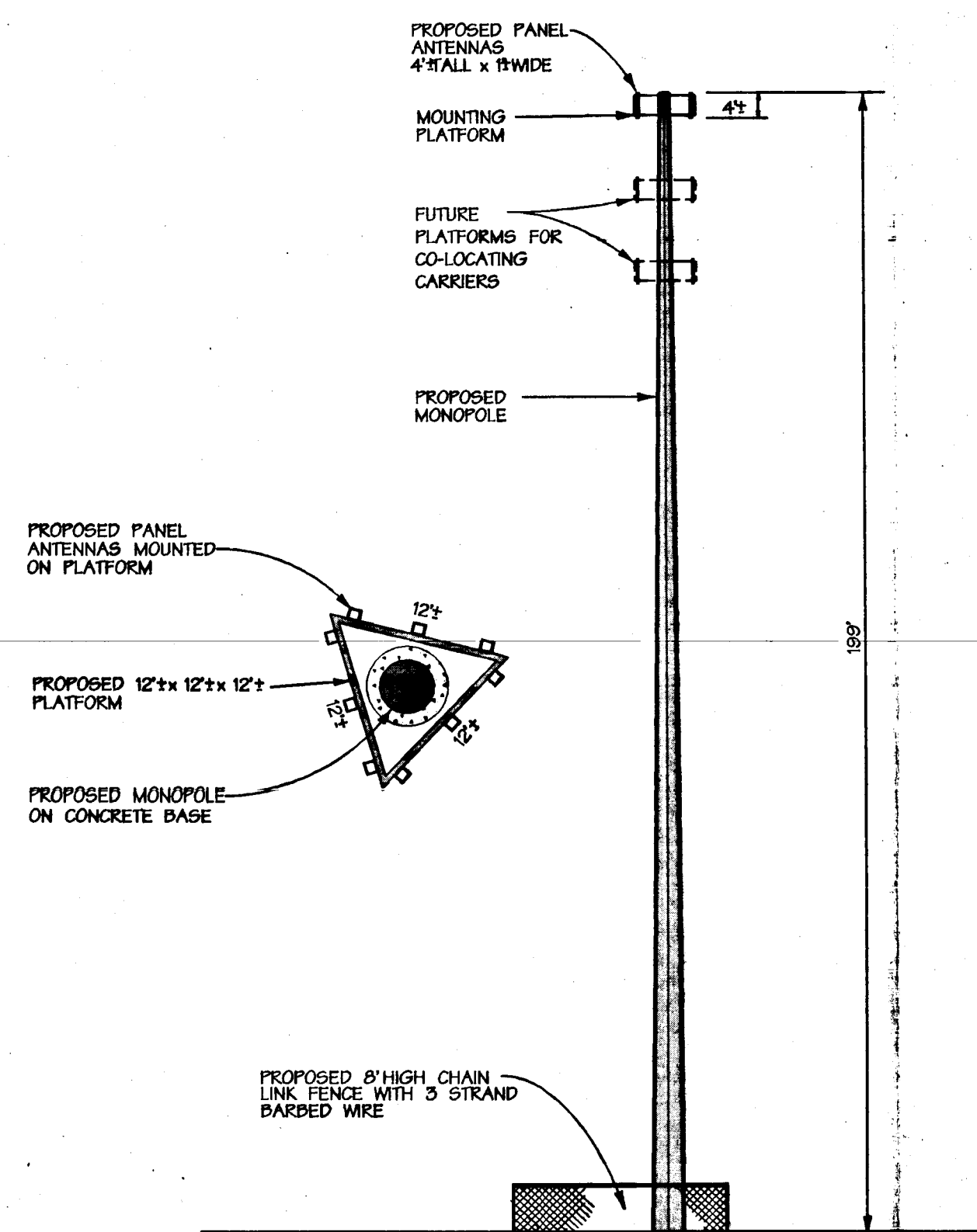
Nextel Communications
Bethesda, MD, 4340 East-West Hwy.
Suite 800

Sean Hughes

" " "

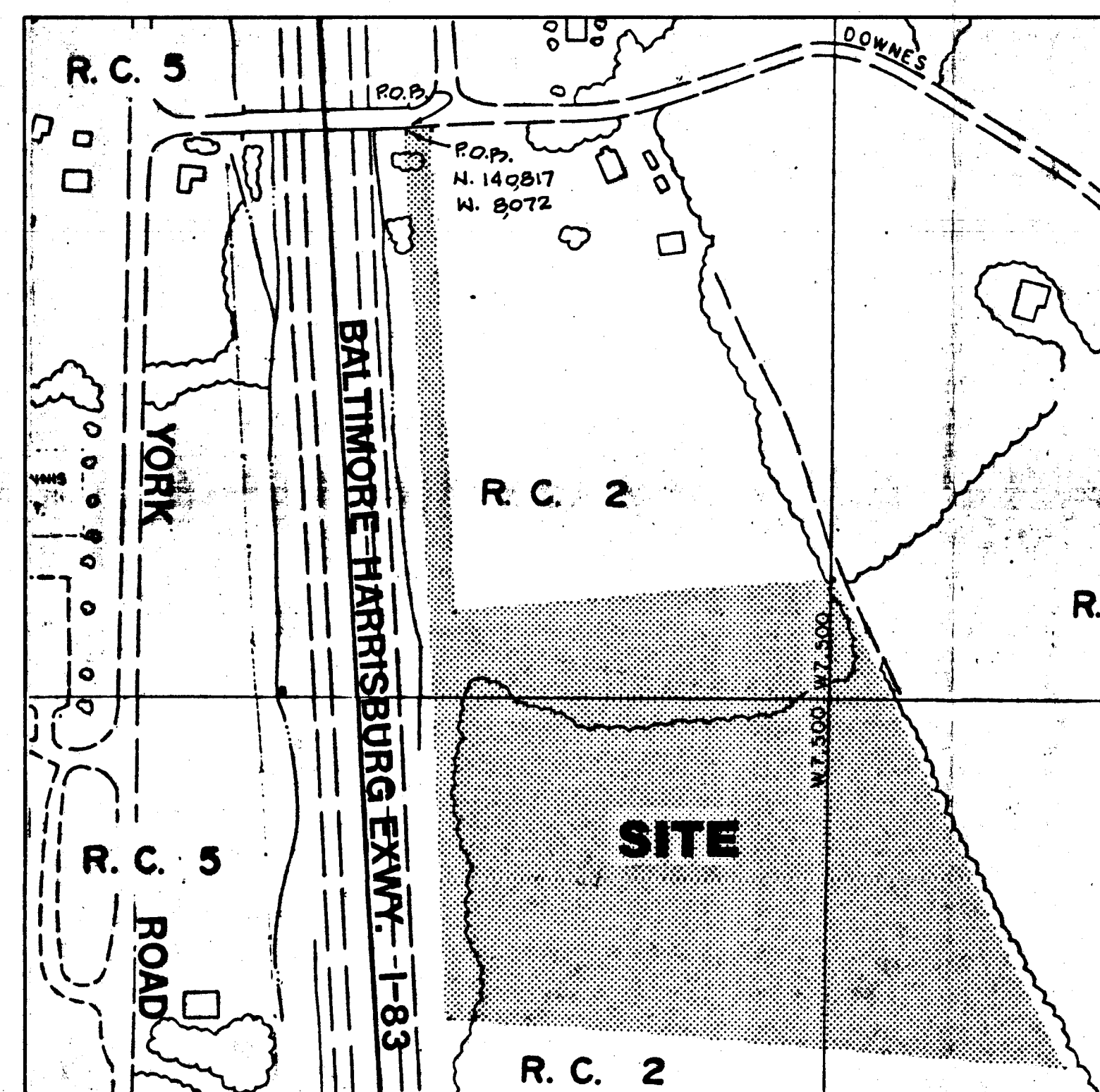
Stanley Park





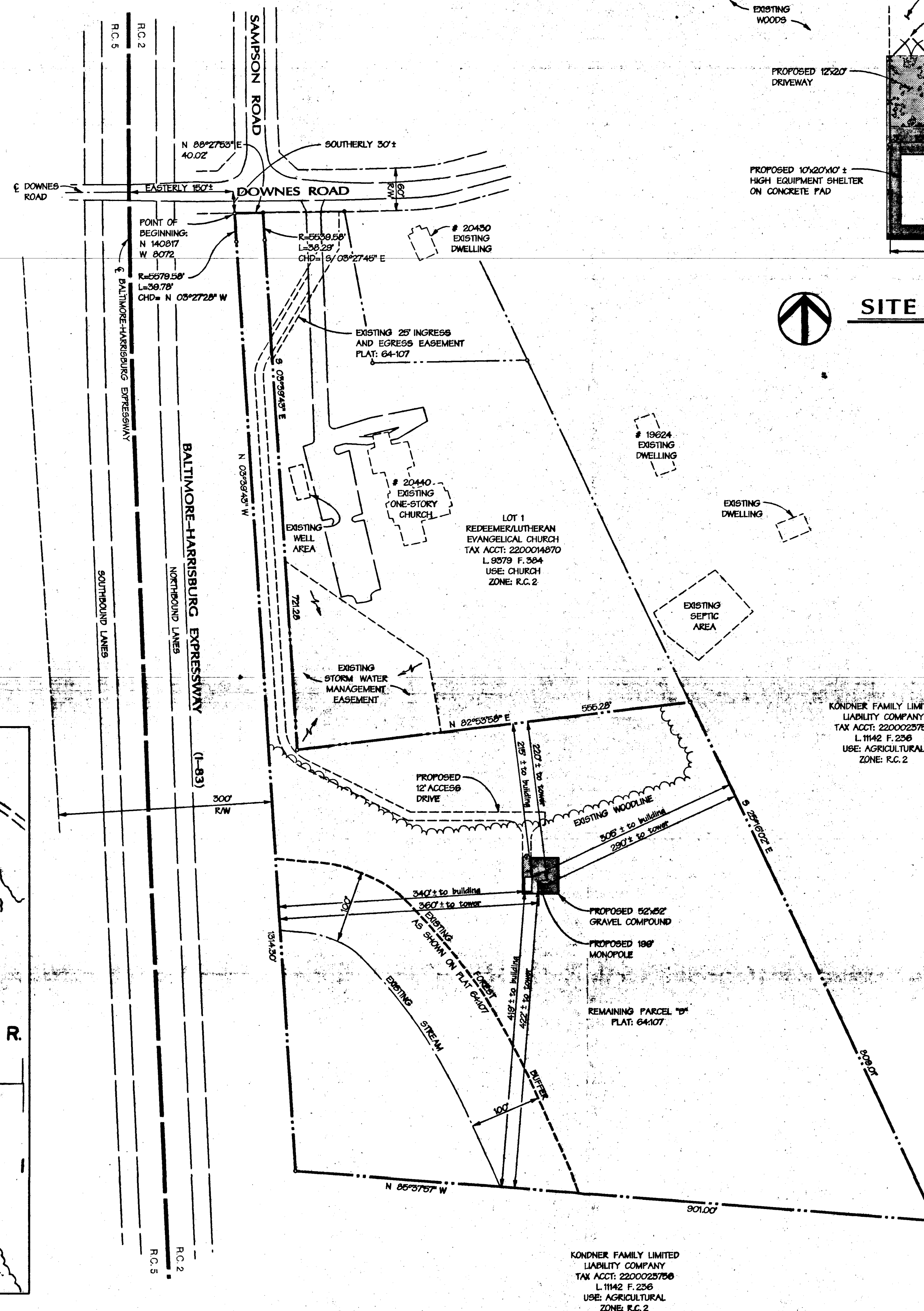
MONOPOLE ELEVATION

NO SCALE



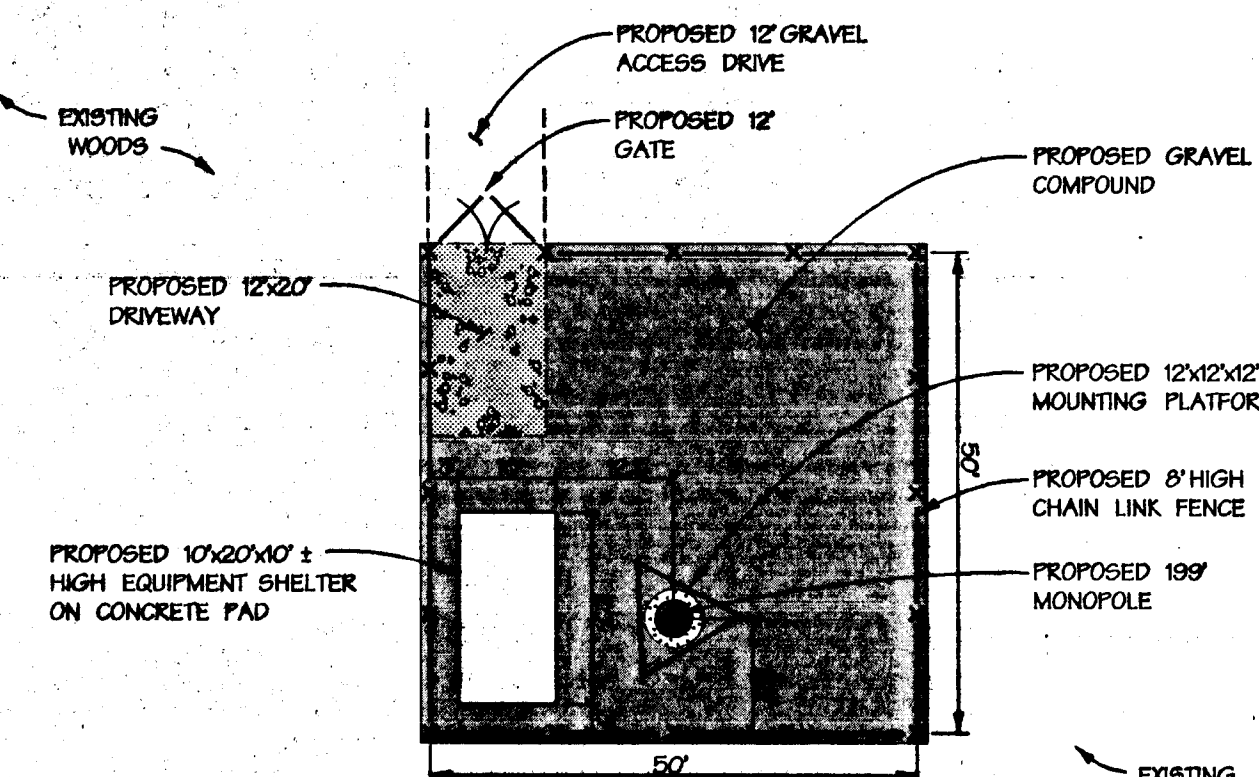
BALTIMORE COUNTY ZONING MAP NW-36B & NW-37B

SCALE: 1"=2000'



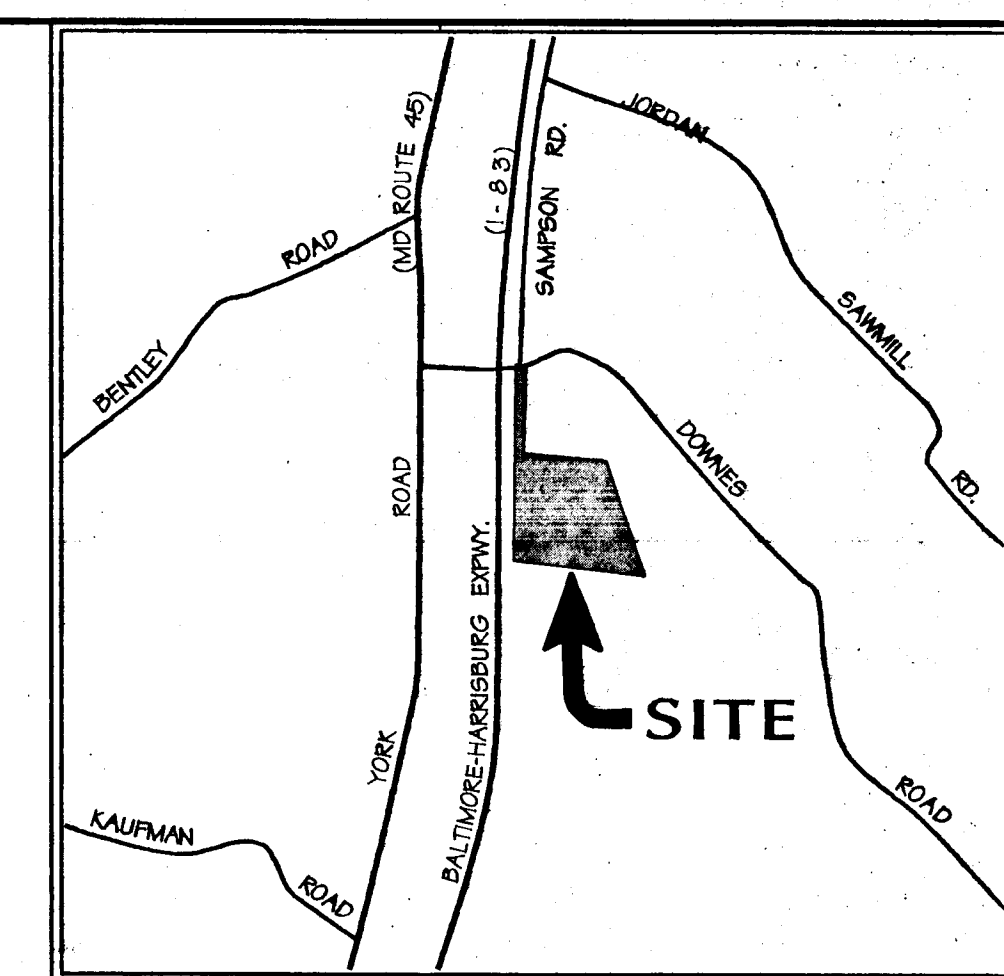
SITE PLAN

SCALE: 1"=100'



SITE DETAIL

SCALE: 1"=20'



VICINITY MAP

SCALE: 1"=1000'

GENERAL NOTES

- Current Owner and Street Address: PAUL G. & RUTH S. TITTEL
3205 DRY BRANCH ROAD
WHITE HALL, MD 21161
- Contract Lessee/Applicants: NEXTEL COMMUNICATIONS, INC.
4540 EAST WEST HIGHWAY, SUITE 800
BETHESDA, MARYLAND 20814
- Site Area: 12.00 AC. +/-
- Existing Use: VACANT/AGRICULTURE
- Site Address: DOWNES ROAD
PARKTON, MARYLAND 21120
- Site Data: TAX MAP 7 GRID 22 PARCEL 257
Ded. Reference: 7439/64
Plat Reference: 64107
Tax Account Number: 2200014871
Council District: 05
Election District: 07
Zoned: R.C. 2
- No water or sanitary utilities are required for the proposed facility.
- The property information and location shown hereon have been compiled from deeds and other sources believed to be reliable, however their accuracy is not guaranteed and is subject to change.
- There are no new signs proposed for this facility.
- No site lighting, antenna lights or stroboscopic lights are proposed for this facility, unless required by the Federal Aviation Administration.
- Previous Permits: None
- This site is not located within a 100 year flood plain as per the National Flood Insurance Program, Flood Insurance Rate Map Community Panel Number 240010-0050-B revised MARCH 2 1981.
- Floor Area Ratio: N/A
- Amenity Open Space: N/A
- Parking Required: 0 spaces (unmanned facility)
- Setbacks:

	Required to tower	Provided to tower	Required to building	Provided to building
Front	400'	220' ±	30'	218' ±
Side	400'	280' ±	30'	308' ±
Rear	400'	422' ±	30'	418' ±
- Zoning History: None

Requested Zoning Action:

Special Exception pursuant to BCZR §1A01.2.C.23 to permit a Wireless Transmitting and Receiving Facility in an R.C. 2 zone.

Variance from BCZR §502.7.C.2 to permit setbacks of 360', 220', and 280' for a 200' communications tower, in lieu of the required 400'.

DMW
Duff-McCune-Walker, Inc.

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

300 East Pennsylvania Avenue
Towson, Maryland 21204
(410) 286-3333
Fax: 286-4708

98-125-XA

NEXTEL
SITE PLAN TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION AND VARIANCE
FIVE FORKS SITE
BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT 07

No.	Description	Date
REVISIONS		
Proj. No.	97057	
Date	9/19/97	
Scale	AS SHOWN	
Last Rev.		



Sheet
1 of 1

SEP 30 1997

DAFT-McBUNE-WALKER, INC.



SCALE: 1"=1000'

1. Current Owner and Street Address:	PAUL G. & RUTH S. TITTEL 3203 DRY BRANCH ROAD WHITE HALL, MD 21161
2. Contract Lessee/Applicant:	NEXTEL COMMUNICATIONS, INC. 4340 EAST WEST HIGHWAY, SUITE 800 BETHESDA, MARYLAND 20814
3. Site Area:	12.00 AC. +/-
4. Existing Use:	VACANT/AGRICULTURE
5. Site Address:	DOWNES ROAD PARKTON, MARYLAND 21120
6. Site Data:	TAX MAP 7 GRID 22 PARCEL 257 Deed Reference: 7439164 Plat Reference: 64107 Tax Account Number: 2200014871 Council District: C8 Election District: 07 Zoned: R.C. 2 Zoning Maps N.W.35B and N.W.35B

- | 25. Sotthakes | Required
to tower | Provided
to tower | Required
to building | Provided
to building |
|---------------|----------------------|----------------------|-------------------------|-------------------------|
| Front | 320' | 321' ± | 35' | 310' ± |
| Side (East) | 320' | 360' ± | 35' | 344' ± |
| Side (West) | 320' | 332' ± | 35' | 342' ± |
| Rear | 320' | 321' ± | 35' | 324' ± |

Special Hearing to amend the zoning case and the site plan of 91-578-SPHX.

DAFT-McCUNE-WALKER, INC.

100 East Pennsylvania Avenue
Pawson, Maryland 21286
(410) 296-3333
fax 296-4705

REVIEWS		
	Description	Date
1.	Move Cell Site West to clearing in woods	10/18/97
	Lower monopole to 180' ft.	10/29/97
	Move compound location, add notes & revise requested zoning action	1/6/98
	Revised notes	2/16/98
	Change equip. pad width to 12'	4/30/98
	Add Special Hearing Request	8/6/98

Proj. No.	87057
Date	9/19/97
Scale	AS SHOWN
Last Rev.	8/6/98

Sheet
1 of 1

98-125-SPHXA