

IN RE: PETITION FOR VARIANCE
E/S North Point Road, 173' SE of the
c/l of Lodge Farm Road
(7500 North Point Road)
15th Election District
7th Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-081-A

North Point/Edgemere Volunteer Fire Co., and
American Tower Corporation - Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, North Point/Edgemere Volunteer Fire Company, and the Contract Lessee, American Tower Corporation, by and through their attorney, Karl Nelson, Esquire. The Petitioners seek relief from Section 426.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a wireless communications tower within 130 feet of an adjoining residential zone line in lieu of the required distance of 200 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing on behalf of the request were Clarence O. (Buddy) Staigerwald, Jr., President of the North Point/Edgemere Volunteer Fire Company; Patrick Welsh, a representative of American Tower Corporation; Robert Morelock, Registered Landscape Architect with Site Resources, Inc., the consulting firm which prepared the site plan for this property; Robert D. Tormeller, Sr., Joseph W. Cooke, Sr., and Rick Meeker, all members of the North Point/Edgemere Volunteer Fire Company; and, Karl Nelson, Esquire, attorney for the Petitioners. Appearing in opposition to the request were Joanne Reddy, Les Cunningham, Harry Wujek, Jr., and Myra Beck, all residents of the area.

Testimony and evidence presented revealed that the subject property is a rectangular shaped parcel consisting of a gross area of 2.00 acres, more or less, zoned B.L. The property has

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Date: 11/29/99
P. [Signature]

frontage on North Point Road, not far from its intersection with Lodge Farm Road, and is located immediately adjacent to the Sparrows Point High School and Sparrows Point Middle School campuses. The property is the home of the North Point/Edgemere Volunteer Fire Company. In addition to the main firehouse building, the property is improved with several accessory buildings related to the use of the property by the Volunteer Fire Company, and the rear portion of the site contains a macadam paved parking area. The Petitioners have entered into a contract to lease a small area to the rear of their property to American Tower Corporation for the purpose of erecting a 170-foot tall wireless communications tower. Originally, the American Tower Corporation intended to erect a 190-foot tower; however, same was scaled back to the proposed height of 170 feet. It was indicated that Cellular One, Inc. is interested in placing its antennae on the subject tower, due to a hole in their network coverage in the southeastern area of Baltimore County. Additionally, the proposed tower could accommodate other users.

The B.C.Z.R. encourage the construction of wireless communication towers on business-zoned property. The construction of towers at these locations is preferable to the erection of towers on residential or rural parcels. Additionally, the regulations encourage a multi-tenant use of single tower structures. That is, it is preferable for several tenants (e.g. Cellular One, Bell Atlantic, Spring/PCS, etc.) to locate on a single tower, as opposed to multiple towers being erected. Additionally, it was indicated at the hearing that the construction of the tower at the proposed location will provide revenue to the North Point/Edgemere Volunteer Fire Company.

Communication towers are permitted by right on B.L.-zoned property. That is, the Petitioner need not obtain a special exception or other approval to erect a tower on the property as proposed. The zoning relief sought, however, is from Section 426.6.A.2 of the B.C.Z.R., which requires that a tower be located at least 200 feet from an adjoining residential zone line. As shown on the site plan, the Sparrows Point High School/Middle School campuses are located on the adjacent property, zoned D.R.5.5. There are no residences within 200 feet of the subject tower. In fact, the closest residences to the north and east of the site are located on Chesapeake Avenue, and

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DATE 11/29/09
JOP

are at least 1,000 feet from the tower location, and to the south and west, those residences are across North Point Road, more than 500 feet away.

The Protestants were primarily concerned about the visual impact of the proposed tower. They suggested, as an alternative, that the tower be located on Bethlehem Steel property nearby. However, at the time of the hearing, no arrangements had been made with that Corporation to determine whether they would be willing to lease space for the tower and donate the proceeds to the Volunteer Fire Company. Moreover, it was unclear whether it was even feasible, from an electronics/engineering standpoint, to locate the tower on the Bethlehem Steel property. This Zoning Commissioner is well aware of the fact that wireless communications equipment operate at relatively low power levels and appropriate sites for the placement of such equipment and antennae are often restricted.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Variance. In my judgment, this appears to be an appropriate location for the tower. Although I encourage the exploration of other options, this applicant is under no requirement to do so. The subject property is zoned appropriately for the use.

As to the specific legal requirements for the variance, the subject property is unique by virtue of its shape. It is only 150 feet wide; thus, the 200-foot setback requirement cannot be met, no matter where the tower would be located on this lot. I find that this unique characteristic drives the need for variance relief. Moreover, in that there are no actual dwellings within 500 feet of the proposed tower location, I find no adverse impact on the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of November, 1999 that the Petition for Variance seeking relief from Section 426.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a wireless communications tower to be located within 130 feet of an adjoining residential zone line in lieu of

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Date 11/29/99

the required distance of 200 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 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 REGRANTED FOR FILING
11/29/09
[Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

November 29, 1999

Karl Nelson, Esquire
Kramon & Graham
1 South Street, Suite 2600
Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
North Point/Edgemere Volunteer Fire Company - Petitioners
Case No. 00-81-A

Dear Mr. Nelson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order. In the event any party finds the decision rendered is unfavorable, that party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

As you are aware, John W. Nowicki, Esquire, Counsel for certain members of the community, contacted me subsequent to the hearing. Over the past several weeks, Mr. Nowicki and I have spoken on repeated occasions regarding negotiations to bring about the relocation of the proposed tower onto property owned by the Bethlehem Steel Corporation. I advised him to make sure his clients had contacted you to determine if such relocation is feasible.

I have not heard anything further regarding this proposal within the past week. Out of a sense of fairness, I do not believe it appropriate to continue to hold my decision in this case pending further negotiations. Obviously, my decision is subject to a Motion for Reconsideration and/or an appeal within thirty (30) days of the date of my Order. That additional time will provide the parties with a further opportunity to discuss alternatives.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjjs

cc: Mr. Clarence O. (Buddy) Staigerwald, Jr.
9203 Cuckold Point Road, Baltimore, Md. 21219
Mr. Patrick Welsh, American Tower Corporation
8370 Veteran's Highway, Suite A103, Millersville, Md. 21108
Mr. Robert Morelock, Site Resources, Inc.
14307 Jarrettsville Pike, Phoenix, Md. 21131
John W. Nowicki, Esquire, 6916 North Point Road, Baltimore, Md. 21219-1216
Ms. Jeanne Reddy & Ms. Myra Beck, 7423 Chesapeake Avenue, Baltimore, Md. 21219
Mr. Les Cunningham, 7501 Chesapeake Avenue, Baltimore, Md. 21219
Mr. Harry Wujek, Jr., 9005 Chesapeake Avenue, Baltimore, Md. 21219
People's Counsel Case File

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



CBCA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7500 North Point Road
which is presently zoned BL

This Petition shall be filed with the Department of Permits and 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)

426.6-A.2. to permit a Wireless Communications Tower within 130' of an adjoining residential zone line in lieu of the required 200'.

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

The shape of the property does not allow any placement of a tower that meets the 200' setback requirement from the adjoining residential zone. The residentially zoned property is not used for dwellings.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

American Tower Corporation
Name - Type or Print
[Signature] ZONING SPECIALIST
Signature
8370 Veteran's Highway, Suite A103 (410) 729-5821
Address Telephone No.
Millersville, MD 21108
City State Zip Code

Legal Owner(s):

North Point/Edgemere Volunteer Fire Company
Buddy Staigerwald, President
Name - Type or Print
[Signature]
Signature
C.O. (BUDDY) STAIGERWALD JR.
Name - Type or Print
Signature
7500 North Point Road (410) 887-7554
Address Telephone No.
Baltimore, MD 21219
City State Zip Code

Attorney for Petitioner:

Karl Nelson
Name - Type or Print
[Signature]
Signature
Kramon & Graham, P.A.
Company
11 South Street, Suite 2600 (410) 347-7434
Address Telephone No.
Baltimore, MD 21202
City State Zip Code

Representative to be Contacted:

Robert Morelock
Site Resources, Inc.
Name
14307 Jarrettsville Pike (410) 683-3388
Address Telephone No.
Phoenix, MD 21131
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 1/2 hrs
UNAVAILABLE FOR HEARING
Reviewed By *[Signature]* Date 8-24-99

Case No. 00-81-1

FILED
11/29/99
REV 8/15/98

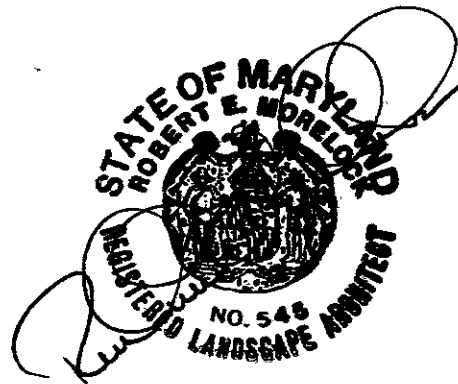


**ZONING DESCRIPTION OF 7500 NORTH POINT ROAD
NORTH POINT EDGEMERE VOLUNTEER FIRE DEPARTMENT, INC.**

BEGINNING for the same at a point on the east side of North Point Road right-of-way 40' wide, at a distance of 173' +/- measured southeasterly from the center line of Lodge Farm Road, thence running and binding on the eastern side of said North Point Road right-of-way.

1. South 21 degrees 51 minutes East 150.00 feet to a point, thence leaving said road and running for the three following courses, viz:
2. North 67 degrees 22 minutes East 580.84 feet,
3. North 21 degrees 51 minutes West 150.00 feet,
4. South 67 degrees 22 minutes West 580.84 feet, to the point of beginning.

Containing 2.00 acres more or less as recorded in the Land Records of Baltimore County in Deed Liber 2170, Folio 157. Also known as 7500 North Point Road and located in the 15th Election District. This description does not constitute a boundary or field survey and is only for the purposes of a zoning hearing.



BALTIMORE COUNTY, MARYLAND
 OFFICE OF BUDGET & FINANCE
 MISCELLANEOUS RECEIPT

Item No. 81
 069854

DATE 8-24-99 ACCOUNT R-001-6150

AMOUNT \$ 250.00

RECEIVED FROM: American Tower CO.

FOR: Commercial Variance Filing Fee
27500 North Point Rd. (21519)

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

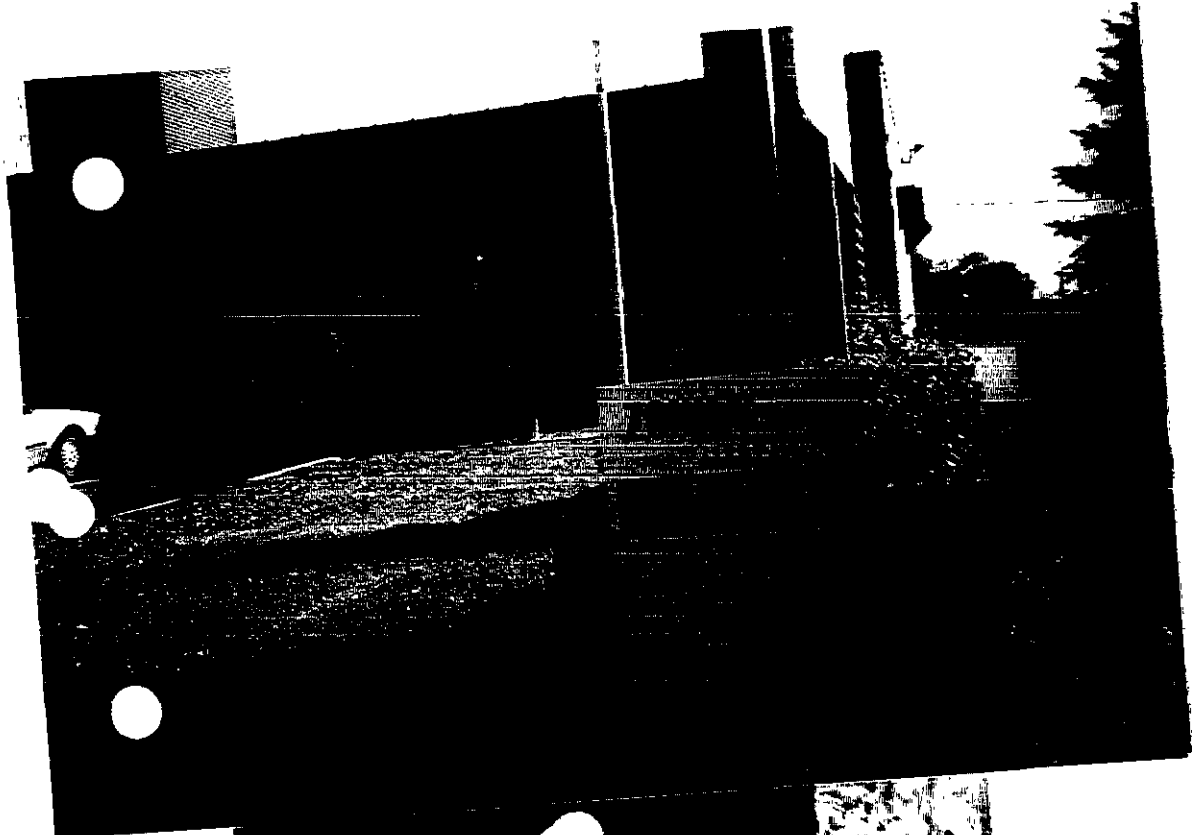
00-081-A

CASHIER'S VALIDATION

PAID RECEIPT

REG	8/26/1999	8/26/1999	10:24:13
Dept	5	CASHIER	WES PER DRUMER
Receipt #	075179	528 ZONING VERIFICATION	
(R.N.)	069854		
Receipt Tot	250.00		
250.00	OK		
Baltimore County, Maryland			

A-180-00



ZONING NOTICE

UNIT CO-081-A

THE HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
AT 10000 40

WESTMONTGOMERY COUNTY COURTS
151 401 ROGLEY AVE.
WEDNESDAY OCT 26, 1999
9 AM AT 11:00 AM

APPLICANT TO PERMIT A
TELECOMMUNICATION TOWER

ON THE PROPERTY OF THE APPLICANT
AT THE ADDRESS ABOVE

THE APPLICANT HAS REQUESTED
A ZONING VARIANCE TO PERMIT A

TELECOMMUNICATION TOWER
ON THE PROPERTY OF THE APPLICANT

AT THE ADDRESS ABOVE
THE APPLICANT HAS REQUESTED

A ZONING VARIANCE TO PERMIT A
TELECOMMUNICATION TOWER

ON THE PROPERTY OF THE APPLICANT
AT THE ADDRESS ABOVE

CERTIFICATE OF POSTING

RE: Case No.: 00-081-A

Petitioner/Developer: _____

AMERICAN TOWER CORP.

Date of Hearing/Closing: OCT. 20, 1999

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 _____

7500 NORTH POINT ROAD

The sign(s) were posted on OCT. 2, 1999
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

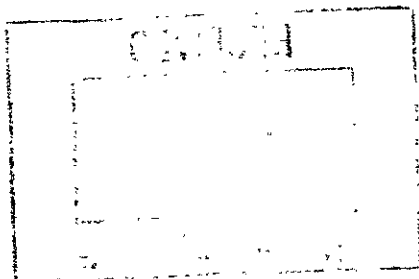
(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)



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: #00-081-A
7500 North Point Road
ES Northpoint Road
173 SE of centerline Lodge Farm Road
15th Election District - 7th Councilmanic District
Legal Owner(s): North Point/Eggeniere Volunteer Fire Company
Contract Purchaser: American Tower Corporation
Variance: to permit a wireless communications tower within 130 feet of an adjoining residential zone in lieu of the required 200 feet
Hearing: Wednesday, October 20, 1999 at 11:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 897-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 897-3391.

JUL 10 1999 Oct. 6 612 0343552

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/7, 1999

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 Tues 10/5, 1999.

THE JEFFERSONIAN,

S. Williams
LEGAL ADVERTISING

RE: PETITION FOR VARIANCE
7500 North Point Road, E/S North Point Rd,
173' SE of c/1 Lodge Farm Rd
15th Election District, 7th Councilmanic

Legal Owner: North Point/Edgemere Vol. Fire Co.
Contract Purchaser: American Tower Corp.
Petitioner(s)


* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-81-A

* * * * *

ENTRY OF APPEARANCE

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


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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 16th day of September, 1999 a copy of the foregoing Entry of Appearance was mailed to Karl J. Nelson, Esq., Kramon & Graham, 1 South Street, Suite 2600, Baltimore, MD 212023201, attorney for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

September 22, 1999

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: 00-081-A
7500 North Point Road
E/S Northpoint Road, 173' SE of centerline Lodge Farm Road
15th Election District – 7th Councilmanic District
Legal Owner: North Point/Edgemere Volunteer Fire Company
Contract Purchaser: American Tower Corporation

Variance to permit a wireless communications tower within 130 feet of an adjoining residential zone line in lieu of the required 200 feet.

HEARING: Wednesday, October 20, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

c: Karl Nelson, Esquire, Kramon & Graham, 1 South St., Suite 2600, Baltimore 21202
North Point/Edgemere Volunteer Fire Co., 7500 North Point Rd., Baltimore 21219
American Tower Corp., 8370 Veteran's Highway, Suite A103, Millersville 21108
Site Resources, Inc., 14307 Jarrettsville Pike, Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY OCTOBER 5, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 5, 1999 Issue – Jeffersonian

Please forward billing to:

American Tower Corp. 410-729-5821
8370 Veteran's Highway
Suite A103
Millersville, MD 21108
Attn: Ms. Julie Henn

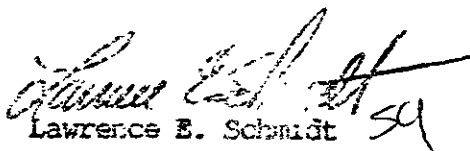
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HEARING: Wednesday, October 20, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-81-A

Petitioner: AMERICAN TOWER CORP.

Address or Location: ~~8370 VETERAN'S HWY SUITE A103 MILLERSVILLE, MD~~
7500 NORTH POINT RD, BALTO., MD ~~21108~~
21219

PLEASE FORWARD ADVERTISING BILL TO:

Name: AMERICAN TOWER CORP.

Address: 8370 VETERAN'S HIGHWAY, SUITE A103
MILLERSVILLE, MD 21108

Telephone Number: (410) 729-5821

ATTN: Ms. JULIE HENN



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

October 15, 1999

Mr. Karl Nelson
Kramon & Graham, P.A.
1 South Street, Ste 2600
Baltimore, MD 21202

Dear Mr. Nelson:

RE: 00-081-A , 7500 Norht Point Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on .

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj

Enclosures





**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

September 27, 1999

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF September 13, 1999

Item No.: See Below

Dear Ms. Stephens:

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:

069, 070, 071, 072, 073, 074, 075, *077, *079, 080, (081), 082,
083, 084, 085, 086, 087, 088, 089, 090, 091, 092, 093, 094,
095, 096, 097, and 098

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

*Break in sequence.

cc: File

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



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBS*
DATE: September 22, 1999
SUBJECT: Zoning Item #81
American Tower Inc., 7500 North Point Road

Zoning Advisory Committee Meeting of September 13, 1999

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code). The submitted proposal requires a variance to these regulations.

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: September 20, 1999

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for September 20, 1999
Item Nos. 070, 073, 074, 075, 076,
077, 079, 080, 081, 082, 083, 084,
085, 086, 087, 088, 090, 091, 092,
093, 094, 097, 098, 099, and 100

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

HJO
RWB:HJO:jrb

cc: File

file
10/20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 22, 1999

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

SEP 22

SUBJECT: 7500 North Point Road

INFORMATION:

Item Number: 81

Petitioner: North Point/Edgemere Volunteer Fire Company

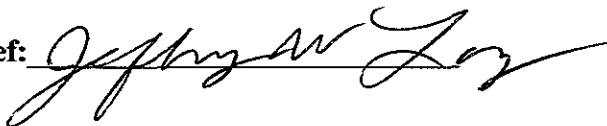
Zoning: BL

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The north and south sides of the fenced compound should be adequately landscaped.

Section Chief:



AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 9.13.99

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

RE: Baltimore County
Item No. 081 JJS

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 Kenneth A. McDonald Jr.
Acting Chief
Engineering Access Permits Division

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

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

JEANNE REDDY
LES CUNNINGHAM
HARRY WUTEK, JR.
MYRA BECK

7423 Chesapeake Ave 21219
7501 CHESAPEAKE AVE 21219
9005 CHESAPEAKE AVE. 21219
7423 CHESAPEAKE AV 21219



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Karl Nelson

One South St.

Bob Morelock

SITE RESOURCES, INC
14307 JARRETTSVILLE PIKE

Patrick Welsh

8370 Veterans Hwy, Ste A103
Millersville, MD 21108

CLARENCE O. STAIGERWALD JR.

9203 Cuckold Pt. Rd. 21219

Robert D Tormello Sr

2419 WYTHE AVE BELT MD 21229

JOSEPH W. COOKE SR.

2509 MAPLE ROAD SALTO MD 21219

RICK MECKER

1328 Cheshire Lane Bel Air MD 21014



10/19/99

We, the undersigned residents of Chesapeake Avenue, protest the proposed zoning variance for the cell phone tower that would be erected on the grounds of the Volunteer Fire Department located on North Point Road in Edgemere.

We propose that the variance be postponed pending completion of a feasibility study by Bethlehem Steel, who would take the tower onto their property and assign the monthly income to the Edgemere Volunteer Fire Department.

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE #</u>
M. Reddy	7423 Chesapeake Ave	477-8414
Gene Byston	3134 MAIN Ave	21219 388-9473
Samuel Vost	3136 MAIN Ave	21219 -
Francis Schmidt	3140 main ave	21219
Nancy R. Brum	3144 main Ave	21219
Josephine H. Lombardi	3148 main Ave	21219 477-5246
Elizabeth M. Chas	7401 Chesapeake Ave.	21219-477-4982
Edward H. Smith	7407 Chesapeake Ave	21219-477-0268
Janet L. Carnes	7413 Chesapeake Ave	21219 477-2148
Jennifer England	7413 Chesapeake Ave	21219 477-2148
Mrs. James Dorsch	7421 Chesapeake ave	fallw rd 21219
John Dorsch	7421 Chesapeake ave	fallw rd 21219
M. L. Beck	7423 Chesapeake av	21219
Clint J. May	7521 Chesapeake Ave	21219
Noreen James	"	410-677-8644
Watt Hank	7503 Chesapeake Ave	410-477-3252
John Nease	7505 Chesapeake Ave	
Betty Nowicki	7503 Chesapeake Ave	
Joe T. Cole	7519 Chesapeake #2	410 477 1633

Case # 00-081-A

3/26/01

John -

7500 North Point Rd -

The change from 10 feet set back
to 8079 feet looks OK to me.
The original variance in case 00-081-A
was for the tower - that is not
moving. The bldg setback for
to be setback to the OR-1
setback appears to be 0 feet
(See 232.2) If no
variance ~~is~~ is needed for
the Bldg as the result of its
move, this is OK

James S. Smith, Jr.

John R.

TOWER REVIEW COMMITTEE

RECOMMENDATION REPORT

(October 4, 1999)

Petitioner: American Tower Corporation

TRC#: 98017

Petition: Construct a 170' monopole at 7500 North Point Road (North Point-Edgemere Volunteer Fire Company site).

A meeting of the Tower Review Committee was held on September 13, 1999, in order to review the request mentioned above. The representatives of American Tower Corporation, Cellular One, and other relevant personnel, as well as representatives from the local community association and volunteer fire company, were in attendance at the meeting.

The committee's recommendations are as follows:

Planning Considerations

The proposed construction of the monopole on the volunteer fire company site is generally in keeping with the land uses as seen on the property, and is well sited, away from the residences on the west side of North Point Road (Lodge Farm subdivision). It is recommended however, that in addition to the proposed fencing along the rear of the property (adjacent to the Wm. Karl trust parcel), vegetative screening also should be used around the perimeter of the property. There is probability that the Karl parcel will be developed at some point in the future, and the equipment building (s) and lower portion of the pole should be screened as much as possible. Additionally, as the petition will need a variance from zoning regulations (130' feet from residential zone line in lieu of required distance), the screening of the proposed use is strongly recommended.

Community Considerations

The community representatives stated that the general community is supportive of the request, and its benefit to the volunteer fire company. They did stress the need for extra screening along the proposed fencing surrounding the monopole and equipment building, and were pleased at the decrease in proposed height of the structure from 190' to 170'.

Information Technology Considerations

The proposed monopole is capable of supporting not only Cellular One antenna, but of other wireless carriers (up to three carriers). As the regulations urge co-location to the greatest extent possible, American Tower Corporation should make all efforts to seek other carriers for use of the space on the monopole. (see Telecommunication Engineering considerations below). The other potential sites in the area, such as tall structures on the Bethlehem Steel complex, and the water tower in Edgemere, were found to be inadequate in serving as a potential site to locate the additional carrier's antenna. Therefore, it appears that the construction of the monopole is warranted, and in keeping with the zoning regulations' intent.

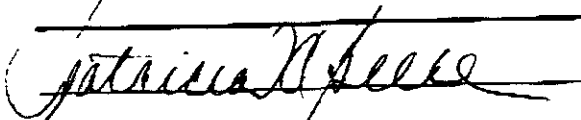

Telecommunication Engineering Considerations

American Tower Corporation proposes to construct a 170' monopole on the grounds of the North Point Volunteer Fire Company. The monopole would initially provide enhanced coverage for Cellular One customers in the North Point and Edgemere areas. American Tower anticipates leasing space on the monopole to as many as three additional cellular carriers, as well as to related paging services. American Tower has indicated that Bell Atlantic has an interest in locating on this site. An alternate site at the Bethlehem Steel Mill was considered, but would not provide as good coverage of the North Point and Edgemere areas and was subsequently rejected.

Final Recommendation

The Tower Review Committee recommends that American Tower Corporation's request to construct a 170' monopole at 7500 North Point Road (NPEVFCo.) be approved.

Committee Members

Patricia Beere, Project Coordinator
Office of Information Technology

Gary L. Kerns, Chief Comprehensive
and Community Planning
Office of Planning

ABSENT FROM MTG.

Alexander B. Page III
Community Representative

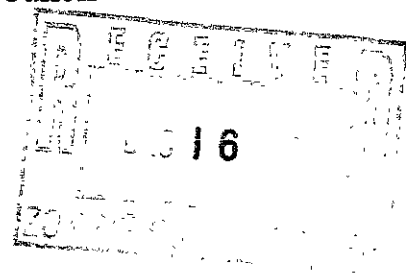
Tim Krout

Tim Krout
Telecommunications Engineer
Tower Coordinator

Date: 01/01/99

File

North Point Peninsula Community Coordinating Council
7114 North Point Road
Baltimore, Maryland 21219



Commissioner Larry Schmidt
Office of Zoning and Planning
401 Bosley Avenue
Baltimore, Maryland 21204

December 14, 1999

Re: Cell Tower in Edgemere

Case # 00-081-A

Dear Commissioner Schmidt:

Please be aware that at our monthly meeting held December 2, 1999, our Council voted in support of the erection of a Cell Tower on the grounds of the North Point-Edgemere Volunteer Fire Department. We need improved service to our peninsula and welcome a local Tower. If an appeal is filed, we just wanted the opportunity to voice our support.

Thank you for any continued support you will give this project.

Sincerely,

Carolyn Mroz

Carolyn Mroz, Secretary

