

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
& SPECIAL EXCEPTION		
2600 +/- - W Dogwood Road, 1500' +/-	*	DEPUTY ZONING COMMISSIONER
S of Old Court Road		
2nd Election District	*	OF BALTIMORE COUNTY
2nd Councilmanic District		
(9207 Dogwood Road)	*	CASE NO. 00-251-SPHX
Columbia Gas Transmission Corporation	*	
Petitioner		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Special Exception filed by the legal owners of the subject property, the Columbia Gas Transmission Corporation and the Lessee of the site, the Columbia Transmission Communications Corporation. These requests are for property located at 9207 Dogwood Road, which property is zoned R.C.2. The special hearing request is to approve a modified parking plan for non-striped parking on a surface other than a durable and dustless surface and to amend the site plans previously approved in Case Nos. 1549, 3315, 64-68X, 74-263-X and 75-232-X. In addition, the Petitioner is requesting a special exception for a telecommunications building.

Appearing at the hearing on behalf requests were Susan Levitt with the Columbia Transmission Communications Corporation, Raymond Rase with Specs, Incorporated and Howard Alderman, attorney at law, representing the Petitioner. Mr. Bob Hocutt, a concerned citizen, also attended the hearing.

Testimony and evidence indicated that the property which is the subject of this special hearing and special exception request consists of a gross area of 0.24 acres which is part of a larger tract of land owned by the Petitioner consisting of 8.355 acres. The Petitioner has set

00-251-SPHX
 1/31/2000
 S. R. Johnson

aside this 0.24 acre parcel for the purpose of constructing a 57 ft. x 132 ft. telecommunications building wherein certain electronic and telecommunication equipment will be installed. The subject building will be an unmanned building, constructed only to house this sensitive equipment. The Petitioner herein not only owns the 8.355 acre parcel whereupon they propose to construct this building, but also owns and maintains the Columbia Gas pipeline right-of-way which transects the property. The Petitioner already maintains several buildings on the subject property consisting of an office building, and several other metal industrial buildings. These buildings have existed on the property for the purpose of serving the Columbia Gas pipeline.

Testimony indicated that the Petitioner is now desirous of providing a fiber optic cable network from Washington, D.C. to New York City. They are utilizing their existing gas right-of-way for the purpose of installing this fiber optic network. The Petitioners are required, at certain intervals of the network, to provide and construct the telecommunication building which is the subject of this request. These buildings and the equipment located therein act as a booster to the fiber optic signal which passes through the cable. In addition, Columbia Transmission Communications Corporation will lease space within the building to potential customers and clients. In order to construct a building on the property, the special hearing and special exception are necessary.

It is clear that the B.C.Z.R. permits the use proposed in a R.C.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the

1/31/2000
R. J. JAMESON

B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 4 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

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

After reviewing all of the testimony and evidence presented, it appears that the special exception and special hearing should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the requested relief should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of January, 2000, that the Petitioner's Request for Special Exception to construct a telecommunications building, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the Petition for Special Hearing pursuant to Sections 409.12.B and 409.8.B.1, to approve a modified parking plan for non-striped parking on a surface other than a durable and dustless surface and to amend the site plans previously approved in Case Nos. 1549, 3315, 64-68X, 74-263-X and 75-232-X, be and is hereby GRANTED, subject, however, to the restriction listed below which is a condition precedent to the relief granted herein:

2-2-2000
1/31/2000
R. J. Jenson

1. The Petitioner may apply for their building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their 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. In an effort to provide a buffer to the Pahl property, the existing woods shall be retained.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date 1/31/2000
By R. Jones



Baltimore County
Zoning Commissioner

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

January 31, 2000

Howard Alderman, Esquire
Levin & Gann, P.A.
305 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petitions for Special Exception & Special Hearing
Case No 00-251-SPHX
Property: 9207 Dogwood Road

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The Requests for Special Exception and Special Hearing have been granted in accordance with the enclosed Order.

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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, which appears to read "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper

Copies to:

Ms. Susan Levitt
12801 Fair Lakes Parkway
Fairfax, Virginia 22033

Mr. Raymond Rase
Specs, Incorporated
105 S. Centre Street
Cumberland, Maryland 21502

Mr. Bob Hocutt
2615 Ridge Road
Baltimore, Maryland 21244



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 9207 Dogwood Road
which is presently zoned R.C. 2

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 Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Telecommunications building. See attached description for detail.

Wireless telecommunications use

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

I, or we, agree to pay expenses of above Special Exception, 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.

Contract Purchaser/Lessee:

Robert Rockwood, Communications, Corp.
Name - Type or Print

[Signature]
Signature

12801 Fair Lakes Parkway 703-227-3279
Address Telephone No.

Fairfax VA 22033
City State Zip Code

Attorney For Petitioner:

Caroline Henrich
Name - Type or Print

[Signature]
Signature

Columbia Transmission Communications Corporation
Company

12801 Fair Lakes Parkway (703) 227-3200
Address Telephone No.

Fairfax VA 22033
City State Zip Code

Legal Owner(s):

Dana Debaets
Name - Type or Print

[Signature]
Signature

Name - Type or Print

Signature

Columbia Gas Transmission Corp. 304-357-2502
Address Telephone No.

1700 MacCorkle Ave, S.E. Charleston, WV 25314
City State Zip Code

Representative to be Contacted:

Susan Levitt
Name

12801 Fair Lakes Parkway 703-227-3237
Address Telephone No.

Fairfax VA 22033
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 12-15-99

Case No. 00-251-SP4X

REV 09/15/98 ORDER RECEIVED FOR FILING

Date 1/31/2000
By [Signature]

00-251-SP4X

Columbia Transmission Communications Corporation (CTC) is constructing a fiber optic network from Washington, D.C. to New York City. This network is being located primarily within existing natural gas pipeline rights-of-way operated by Columbia Gas Transmission Corporation, an affiliated company, and includes approximately 25 miles of right-of-way in Baltimore County. Appurtenant to this project, CTC proposes to construct an unmanned telecommunications building to house electronic equipment at 9207 Dogwood Road outside Randallstown.

The building site is located at an existing natural gas metering station owned and operated by Columbia Gas Transmission Corporation. The adjacent property nearest the building location is a Baltimore Gas and Electric Company electric sub-station which supports a large electric transmission line crossing the area. The proposed building will be approximately 8,000 square feet enclosed with an additional 800 square feet of open pad. The building site is not visible from Dogwood Road, nor is it visible from any residences in the vicinity.

In considering this Special Exception request, please note the following:

- a) The proposed building will not create emissions or wastes other than water condensate from the air conditioning system, and therefore will not be detrimental to the health, safety or general welfare of the area.
- b) The proposed building will be unmanned and therefore will not create additional traffic congestion.
- c) The building will meet the highest applicable standards and codes and will be equipped with an automatic fire suppression system, and therefore will not create a significant fire hazard or other public hazard.
- d) The building is light industrial not residential and will not cause concentration of population or overcrowd the land.
- e) The proposed building will not require interface with county services and infrastructures.
- f) The proposed building will not interfere with light and air for surrounding property owners.
- g) The proposed building will be consistent with the spirit and intent of the Baltimore County Zoning Regulations and will meet the applicable requirements for construction in R.C.2 zones.
- h) The proposed building will create a small area of new impervious surface, however the site plan includes stormwater detention basins to control the additional runoff.

00-251-SP4X



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 9207 Dogwood Road
which is presently zoned RC2

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

See Attached

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

I, or we, agree to pay expenses of above Special Hearing, 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:

General Manager
Robert Rockwood, Columbia Transmission
Name - Type or Print
12420 Rockwood Communications Corp.
Signature
12801 Fair Lakes Parkway 703-227-3279
Address Telephone No.
Fairfax Virginia 22033
City State Zip Code

Attorney For Petitioner:

Howard L. Alderman, Jr.
Name - Type or Print
Howard L. Alderman Jr. City
Signature
Levin & Gann, P.A.
Company
305 W. Chesapeake Avenue, #113 410-321-0600
Address Telephone No.
Towson Maryland 21204
City State Zip Code

Legal Owner(s):

General Manager
GLEN L. KETTERING, COLUMBIA GAS TRANSMISSION
Name - Type or Print
Glen L. Ketting
Signature
Name - Type or Print
Signature
12801 FAIRLAKES PKWY 703-227-3235
Address Telephone No.
FAIRFAX VA 22033
State Zip Code

Representative to be Contacted:

Susan Levitt
Name
12801 Fair Lakes Parkway 703-227-3237
Address Telephone No.
Fairfax Virginia 22033
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By 5007 Date 12-15-99

Case No. 00-251-SPHX
COPIES FOR FILING

REV 9/15/88

1/31/2000
By J. P. Johnson

00-251-SPHX

Attachment 1

PETITION FOR SPECIAL HEARING

CASE NO: _____

Address: 9207 Dogwood Road
Legal Owners: Columbia Gas Transmission Corp.
Lessee: Columbia Transmission Communications Corp.
Present Zoning: RC-2

REQUESTED RELIEF:

Special Hearing to: i) approve, pursuant to BCZR §§409.12.B and 409.8.B.1, a modified parking plan and modified parking requirements for the proposed uses in accordance with the specific detail shown on the Plat to accompany this Petition, including without limitation non-striped parking on other than a durable and dustless surface; and ii) amend the site plans in Case Nos. 1549, 3315, 64-68X; 74-263-X and 75-232X, consistent with the Plat to accompany this Petition.

FOR ADDITIONAL INFORMATION CONTACT:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
305 W. Chesapeake Avenue
Suite 113
Towson, Maryland 21204

(410) 321-0600
Fax: (410) 296-2801
halderma@bcpl.net

SP4
00-251-SP4X

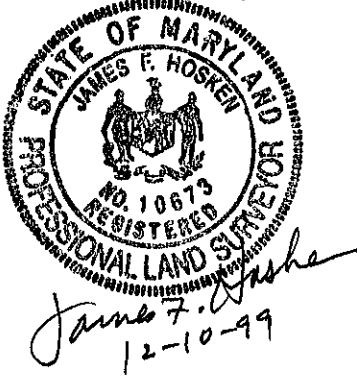
CONFIRMATORY PROPERTY DESCRIPTION PREPARED FOR
COLUMBIA TRANSMISSION COMMUNICATIONS CORP.
FOR THE PURPOSE OF ACCOMPANYING
PETITIONS FOR SPECIAL EXCEPTION AND SPECIAL HEARING

1. North 14 degrees 08 minutes East 400.00 feet to a point, thence
2. North 13 degrees 56 minutes 18 seconds East 100.00 feet to a point, thence
3. North 67 degrees 09 minutes 42 seconds West 557.08 feet to a point, thence
4. North 89 degrees 28 minutes 27 seconds West 383.18 feet to a point, thence
5. South 13 degrees 42 minutes 53 seconds West 497.07 to a point, thence
6. South 75 degrees 52 minutes 00 seconds East 921.02 to the point of beginning.

Containing 8.35 acres.

This description prepared for zoning purposes only.

James F. Hosken, PE, RLS



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 076693

DATE 12-13-99 ACCOUNT R-101-GISC.

AMOUNT \$ 550.00

RECEIVED FROM: COLUMBIA TRANSMISSION

COMMUNICATIONS CORP.

FOR: SPECIAL SPEEDUP 300.00

SPECIAL ATTACH 250.00

TOTAL 550.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER CC-731-SPHX

PAID 12/13/99
FUND 001
PROJECT 001
72-16-009 12/13/99 12:25:19
PES WAB CASHIER NOTE REC 000000
Dept 5 528 ZONING DEPARTMENT
FUNDING 134610
OR NO. 076693
Voucher # 101
550.00
BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

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: #00-251-SPHX

9207 Dogwood Road

2600' +/- W of Dogwood Road, approximately 1500' S of Old Court Road

2nd Election District - 2nd Councilmanic District

Legal Owner(s): Columbia Gas Transmission Corporation

Contract Purchaser: Columbia Transmission

Communications Corporation

Special Hearing: to approve a modified parking plan including without limitation non-striped parking on other than a durable and dustless surface and to amend the site plans in case numbers 1549, 3315, 64-68-X, 74-263-X and 75-232-X. **Special Exception:** for a wireless telecommunications use.

Hearing: Wednesday, January 19, 2000 at 2:00 p.m. in Room 407, County Courts Building, 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) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JTU/01/600 Jan. 4

C361537

CERTIFICATE OF PUBLICATION

TOWSON, MD, 1-4, 2000

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 1-4, 2000.

J. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING

CERTIFICATE OF POSTING

**RE: CASE #00-251-SPHX
PETITIONER/DEVELOPER
(Columbia Transmission)
DATE OF Hearing
(Jan 19, 2000)**

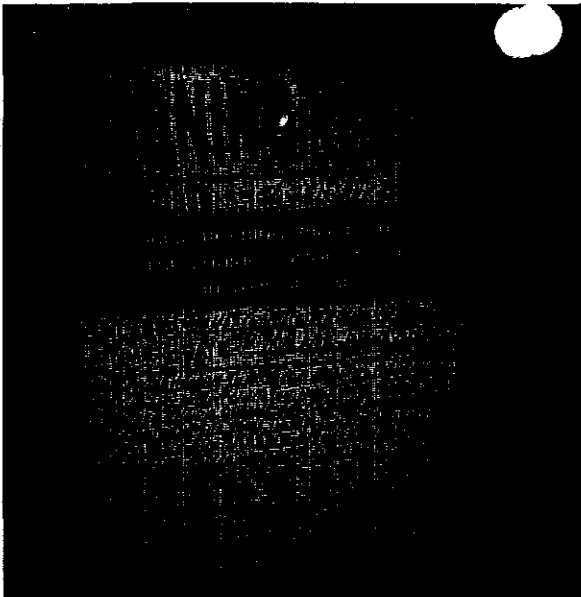
**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204**

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
9207 Dogwood Road Baltimore, Maryland 21244**

The sign(s) were posted on 1-4-00
(Month, Day, Year)



Sincerely,


(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

**_____ (410)-687-8405 _____
(Telephone Number)**

**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: 00-251 -SPHX

Petitioner: Columbia Gas Transmission Corp & Columbia Transmission Communications Corp

Address or Location: 9207 Dogwood Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Ms. Susan Levitt

Address: Columbia Transmission Communications Corp

12801 Fair Lakes Parkway

Fairfax, Virginia 22033

Telephone Number: 703-227-3235

Revised 2/20/98 - SCJ

00-251-SPHX
5007

RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
9207 Dogwood Road, 2600' +/- W of Dogwood Rd,
appx. 1500' S of Old Court Rd
2nd Election District, 2nd Councilmanic

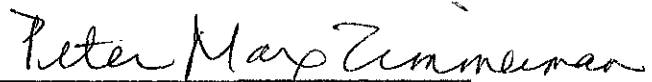
Legal Owner: Columbia Gas Transmission Corp.
Contract Purchaser: Columbia Transmission
Communications Corp.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-251-SPHX

* * * * *

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 30th day of December, 1999 a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., Levin & Gann, 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, 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

December 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: 00-251-SPHX

9207 Dogwood Road

2600' +/- W of Dogwood Road, approximately 1500' S of Old Court Road

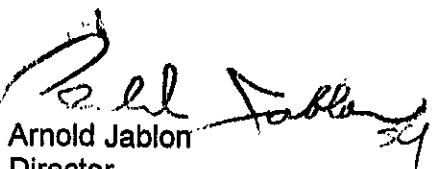
2nd Election District – 2nd Councilmanic District

Legal Owner: Columbia Gas Transmission Corporation

Contract Purchaser: Columbia Transmission Communications Corporation

Special Hearing to approve a modified parking plan including without limitation non-striped parking on other than a durable and dustless surface and to amend the site plans in case numbers 1549, 3315, 64-68-X, 74-263-X and 75-232-X. Special Exception for a wireless telecommunications use.

HEARING: Wednesday, January 19, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue


Arnold Jablon
Director

- c: Howard Alderman, Jr., Esquire, 305 W. Chesapeake Ave., #113, Towson 21204
Caroline Henrich, Esquire, 12801 Fair Lakes Parkway, Fairfax, VA 22033
Columbia Gas Transmission Corp., 12801 Fairlakes Parkway, Fairfax, VA 22033
Columbia Transmission Comm. Corp., 12801 Fair Lakes Parkway, Fairfax, VA 22033
Susan Levitt, 12801 Fair Lakes Parkway, Fairfax, VA 22033

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JANUARY 4, 2000.**
(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, January 4, 2000 Issue – Jeffersonian

Please forward billing to:

Ms. Susan Levitt
Columbia Transmission Communications Corp.
12801 Fair Lakes Parkway
Fairfax, VA 22033

703-227-3235

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: 00-251-SPHX

9207 Dogwood Road

2600' +/- W of Dogwood Road, approximately 1500' S of Old Court Road

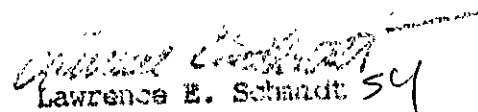
2nd Election District – 2nd Councilmanic District

Legal Owner: Columbia Gas Transmission Corporation

Contract Purchaser: Columbia Transmission Communications Corporation

Special Hearing to approve a modified parking plan including without limitation non-striped parking on other than a durable and dustless surface and to amend the site plans in case numbers 1549, 3315, 64-68-X, 74-263-X and 75-232-X. Special Exception for a wireless telecommunications use.

HEARING: Wednesday, January 19, 2000 at 2:00 p.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.



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

January 13, 2000

Mr. Howard L. Alderman
Levin & Gann PA
305 W Chesapeake Ave #113
Towson MD 21204

Dear Mr. Alderman:

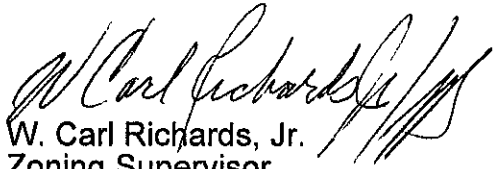
RE: Case Number 00-251-SPHX , 9207 Dogwood Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 15, 1999.

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.

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

C:



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: January 6, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
for January 3, 2000
Item Nos. 245, 246, 247, 248, 249,
250, 251, 252, 253, 254, 255, 256,
257, 259, and 261

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED JAN 10 2000

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: January 5, 2000

SUBJECT: Zoning Item #251
9207 Dogwood Road, Fiber Optic Station

Zoning Advisory Committee Meeting of December 27, 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:
- _____ X 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).
- _____ 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).

Jim

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 14, 2000

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

SUBJECT: 9207 Dogwood Road

INFORMATION:

Item Number: 251-SPHX
Petitioner: Columbia Gas Transmission Corp.
Property Size: .24 acres for Special Exception, 9.25 acres overall
Zoning: RC 2
Requested Action:
Hearing Date: January 19, 2000

The subject property is located within the Patapsco/Granite Area Community Plan, which was adopted by the County Council on December 21, 1998 as an amendment to the Baltimore County Master Plan 1989-2000. While the property is zoned RC 2, the property no longer has agricultural potential as it has been utilized as a public utility use by Columbia Transmission gas pipeline since 1949. The property is currently improved with an office building and several small metal buildings. Access is provided via an existing roadway approximately 3400 feet from Dogwood Road. The requested petition for Special Exception if granted would allow the construction of an unmanned telecommunications building to house electronic equipment. The building is proposed to be 57' 4" x 132' or approximately 8000 square feet on a .24 acre portion of the overall 9.25 acre property. A Special Hearing to approve a modified parking plan and to amend the previous approved site plans is also requested. It should be noted that the adjoining ownership includes a working farm to the south owned by the Pahl family, and property owned by BGE on the remaining 3 sides.

SUMMARY OF RECOMMENDATIONS:

This office does not object to the petitions for Special Exception or Special Hearing as proposed provided the following two conditions are met

1. Storm water management in accordance with requirements of the Department of Environmental Protection and Resource Management is provided; and
2. The existing woods are retained as shown on the plan to provide a buffer for the Pahl farm.

Section Chief: _____

Jeffrey M. Long

AFK:DI:lsn



**Maryland Department of Transportation
State Highway Administration**

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

Date: 1.5.00

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

RE: Baltimore County
Item No. 251 JRA

RECEIVED JAN 06 2000

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., 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

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-9050

HOWARD L. ALDERMAN, JR.
halderma@bcpl.net

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-0600
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

12/16/99
ag
SJ
ok
12/17
wa

December 15, 1999

VIA HAND DELIVERY

Arnold Jablon, Director
Department of Permits & Development Management
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204

RE: Case No. 00-251-SPHX / 9207 Dogwood Road
Request for Expedited Hearing

Dear Mr. Jablon:

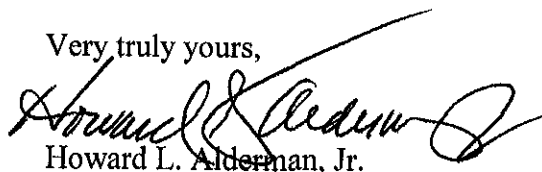
I represent Columbia Transmission Communications Corporation, one of the Petitioners in the above-referenced case. My client is proposing to construct an unmanned telecommunications building within the area that has been approved previously, by way of special exceptions, for gas transmission and communication tower facilities. Due to the size of the proposed building being over 100 square feet, a Special Exception is required; we have also filed a Special Hearing request to amend the prior, approved plans and to permit parking on other than a durable and dustless surface.

My client had proceeded with the understanding that the proposed building could be approved as an accessory structure. However, after consultation, the previously described zoning relief was identified.

My clients must now move quickly with the development of this property to ensure that a gap will not exist in its underground, east coast telecommunications system. In that regard, we respectfully request that you approve this Petition for an expedited hearing. Should you or your staff need any additional information to enable your favorable decision on this request, please do not hesitate to call me.

Thank you for your consideration of this request.

Very truly yours,


Howard L. Alderman, Jr.

HLA/gk

c: Columbia Transmission Communications Corporation
Ms. Gwendolyn Stephens

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Howard L Alderman Jr
Levin & Gann PA
Susan Levitt
Columbia Transcom

} { 305 W. Chesapeake Ave #113
Towson MD 21204
12801 Fair Lakes Parkway
Fairfax VA 22033

Raymond Rose
SPECB, INC.

105 S. CENTRE ST.
CUMBERLAND MD 21502



PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

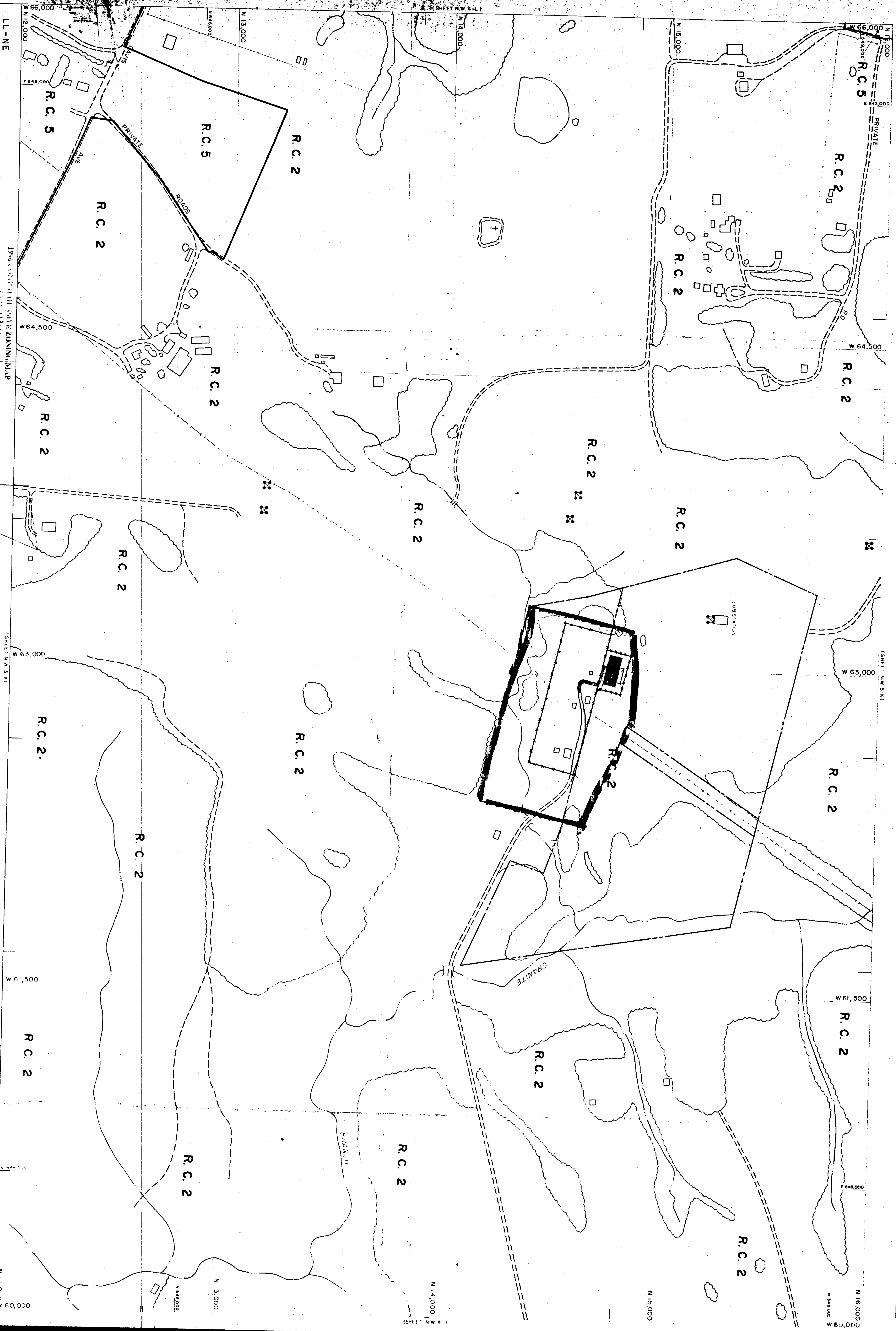
Bob Hocutt

ADDRESS

2015 Ridge Rd BAL-21244







THIS MAP HAS BEEN REVISED IN SELECTED AREAS
BY BUCHANAN, INC. BALTIMORE, MD. 21210

1996 ANNOTATED STATE ZONING MAP
Bill No. 135
JANUARY 1986

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200'	WEST OF KRAFT CORNER	N.W. 4-1
DATE OF PHOTOGRAPHY JANUARY 1986		RECEIVED DEC 07 1989 SPCS, INC.

8004
00-251-SPHY
SPCS, INC.