

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
AND VARIANCE		
NE/end Carnival Ave., off Arcadia Ave.	*	DEPUTY ZONING COMMISSIONER
between Hanover Pike & Trenton Road		
5th Election District	*	OF BALTIMORE COUNTY
3rd Councilmanic District		
(16050 Carnival Avenue)	*	CASE NO. 02-443-XA
Arcadia Volunteer Fire Department, Inc.,	*	
Legal Owners <i>and</i>		
Verizon Wireless, Lessee	*	
<i>Petitioners</i>		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception and Variance filed by the legal owner of the subject property, the Arcadia Volunteer Fire Department, Inc. and Verizon Wireless as Lessee of the property located at 16050 Carnival Avenue. The special exception request is to approve a 199-ft. monopole antennae and related equipment for use as a telecommunications facility. In addition, a variance is requested from Section 426.9.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a telecommunications facility to be located on a 100 ft. x 100 ft. section of a larger 51.288 acre parcel of land in lieu of a lot of at least 5 acres.

Appearing at the hearing on behalf of this zoning request were Brian Stover, representing Verizon Wireless, David Martin, professional engineer, Kristina Capucilli and Zhongting Shen and Robert A. Hoffman, attorney at law, representing the Petitioner. Appearing in opposition to the Petitioner's request was Jack Dillon, Executive Director of the Valleys Planning Council.

Testimony and evidence indicated that the property, which is the subject of this zoning relief, consists of a gross acreage of 51.288 acres, of which a 100 ft. x 100 ft. section has been set aside for the proposed use of the construction of a monopole cellular communications tower. The subject property is located on the eastside of Hanover Pike in the Upperco area of northern

ORDER RECEIVED FOR FILING

Date 6/10/02

By R. J. [Signature]

Baltimore County. The overall parcel of property is mostly in agriculture with a smaller portion being wooded. The Petitioner proposes to locate its equipment and tower in the wooded portion of the property on the north side of the parcel. In order to proceed with the construction of this monopole, the special exception request is necessary. Furthermore, the Petitioner has chosen to lease only the 100-ft. x 100-ft. area of this overall tract. The regulations require that a telecommunications facility be located on at least 5 acres of property. Therefore, the Petitioner has requested a variance.

As stated previously, Mr. Jack Dillon, Executive Director of the Valleys Planning Council, appeared in opposition to the Petitioner's request. Mr. Dillon is concerned over the visual impact that this 199-ft. monopole structure will have on the surrounding rural area. He testified and has requested that the Petitioner reduce the height of the tower so that it extends only a short distance from the top of the existing tree line on the property. This would effectively reduce the height of this tower from 199 ft. to 110 ft. This would cause the tower, along with the antenna to be located thereon, to be less noticeable to surrounding residents. Mr. Dillon further testified that this practice is employed in Albemarle County in Virginia. The City of Charlottesville and the surrounding county have chosen to approve shorter towers, which can be better hidden in existing forests. Mr. Dillon has requested that this similar method be employed in this particular application. Photographs were entered into evidence by Mr. Dillon, which illustrated his position.

It is clear that the Baltimore County Zoning Regulations permit the 199-ft. monopole cellular tower in the R.C.2 zone by special exception. As is usual and customary with these particular requests, the matter was reviewed by the Baltimore County Tower Review Committee. That committee met on July 11, 2001 to specifically review and discuss this proposal for a 199-ft. monopole to be located at this location. The findings of the Tower Review Committee, as

contained within their report, indicated that the Petitioner had no other suitable site or existing structure to mount this particular antenna, no apparent serious community opposition, and noted the existence of a 620 ft. Baltimore County tower in close proximity to this proposed monopole. Accordingly, the Tower Review Committee Community Representative stated in the report, that the tower proposed to be located on this site would have little, if any, impact on the community and recommends approval of same. Furthermore, the Tower Review Committee identified a deficiency in coverage for the Verizon network along the Route 30 corridor. This deficiency would be resolved by the placement of this tower at this location. It was noted at the hearing, as well as within the Tower Review Committee report, that Baltimore County absolutely prohibited this Petitioner from locating their antenna on Baltimore County's own 620-ft. tower. It specifically mandated that a separate tower be constructed which would accommodate the Petitioner's antenna, as well as other co-locators. The Tower Review Committee also recognized that this particular monopole would be constructed within the Piney Run Designated Rural Legacy Area., However, the Tower Review Committee believes that this location is the best location to construct this proposed tower in this area of Baltimore County. Accordingly, the Tower Review Committee recommends that the proposed monopole be built as proposed on the site plan submitted into evidence.

In addition to satisfying the requirements of Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), the testimony and evidence offered at the hearing also satisfied the additional requirements imposed upon this Petitioner pursuant to Section 426.9 of the B.C.Z.R. Based on the testimony and evidence offered at the hearing, as well as the findings and conclusions made by the Tower Review Committee, I find that the special exception should be granted.

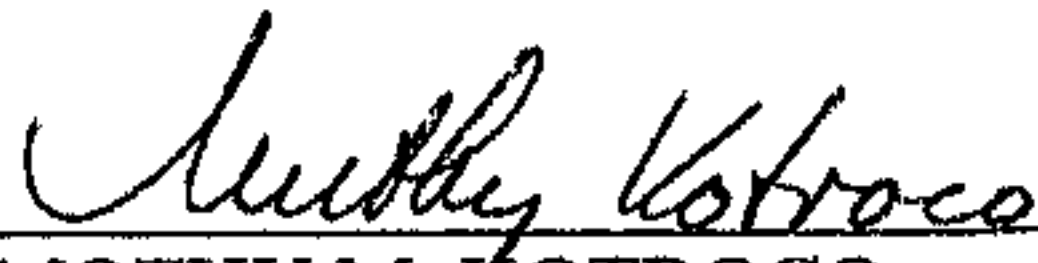
As stated previously, the Petitioner also requested a variance to allow this proposed monopole to be situated on a 10,000-sq. ft. parcel of property in lieu of the required 5 acres. There was no justification provided at the hearing to substantiate the granting of a variance in this regard. The testimony presented at the hearing demonstrated that this Petitioner has the ability to lease from the Arcadia Volunteer Fire Department a parcel of property constituting 5 acres. Since this can easily be done, the variance request shall be denied. The Petitioner shall be required to lease a total of 5 acres from the Arcadia Volunteer Fire Department, but may, however, utilize only a 10,000-sq. ft. area within that overall 5 acres for the purpose of locating their equipment. This, therefore, will satisfy this 5-acre minimum requirement.

THEREFORE, IT IS ORDERED this 10th day of June, 2002, by this Deputy Zoning Commissioner for Baltimore County, that the Petition for Special Exception to allow the development of a 199 ft. monopole antenna and related equipment on the subject property, be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the Variance Request to allow the telecommunications facility to be located on a 10,000 sq. ft. area of property in lieu of a lot of at least 5 acres, be and is hereby DENIED.

IT IS FURTHER ORDERED, that the Petitioner shall be required to lease from the Arcadia Volunteer Fire Department a total area of property constituting at least 5 acres of land.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 6/10/02
By TMK

TRANSMISSION VERIFICATION REPORT

TIME: 01/27/2003 11:18
NAME: BOARD OF APPEALS
FAX: 4108873182
TEL: 4108873180

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

01/27 11:17
94102965409
00:00:43
01
OK
STANDARD

fax to J. Sullivan
PP from 2/06
to 1/09/03

missing Order of Dismissal

#02-433-XA



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

June 25, 2003

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: *In the Matter of: Arcadia Volunteer Fire Department, Inc. -Legal Owner;*
Verizon Wireless - C.P. /Case No. 02-443-XA /Withdrawal of Petitions

Dear Mr. Hoffman:

Enclosed please find a copy of the Order of Dismissal of Petitions issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco /tes
Kathleen C. Bianco
Administrator

Enclosure

c: Arcadia Volunteer Fire Department, Inc.
Verizon Wireless /Brian Stover
/ Zhongting Shen
Jack Dillon, Executive Director
The Valleys Planning Council
Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Director /PDM

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
AND VARIANCE		
NE/end Carnival Ave., off Arcadia Ave.	*	DEPUTY ZONING COMMISSIONER
between Hanover Pike & Trenton Road	*	
5th Election District	*	OF BALTIMORE COUNTY
3rd Councilmanic District		
(16050 Carnival Avenue)	*	CASE NO. 02-443-XA
Arcadia Volunteer Fire Department, Inc.,	*	
Legal Owners <i>and</i>		
Verizon Wireless, Lessee	*	
<i>Petitioners</i>		

* * * * *

AMENDED ORDER

WHEREAS, this matter came before this Deputy Zoning Commissioner as a Petition for Special Exception and Variance filed by the Arcadia Volunteer Fire Department, Inc. and Verizon Wireless. The Petitioner requested approval of a telecommunications facility on property located at the terminus of Carnival Avenue in the Arcadia area of Baltimore County. The special exception and variance were granted by Order dated the 10th day of June, 2002.

WHEREAS, in my original approval of the special exception and variance request, I imposed as a condition that the Petitioner lease a 5-acre area of property in order to accommodate the communications tower. In lieu of leasing the property, the Petitioner has requested, by way of this reconsideration, that they be allowed to set aside a lot area of 5 acres for this communications facility. After reviewing the Baltimore County Zoning Regulations, I find it is appropriate that the Petitioner merely resubmit their site plan depicting the 5-acres of area upon which this communications facility shall be located. It is not actually necessary for them to lease this 5 acres, so long as the area requirement is set aside on the site plan pursuant to the regulations.

THEREFORE, IT IS ORDERED this 27th day of August, 2002, by the Deputy Zoning Commissioner for Baltimore County, that the Motion for Reconsideration shall be GRANTED,

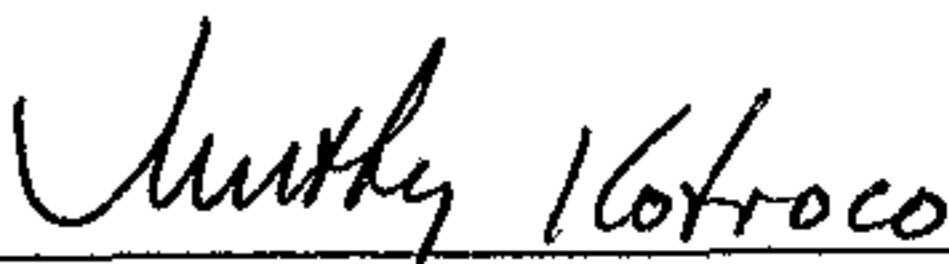
ORDER RECEIVED FOR FILING

Date 8/27/02

By [Signature]

and the Petitioner shall be required to resubmit a site plan depicting a 5-acre lot upon which the communications facility shall be located. It shall not be actually necessary for the Petitioner to enter into a lease agreement for the entire 5 acres so long as the area is set aside on their site plan submitted with the Office of Zoning.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
8/27/02
H. Jensen



Baltimore County
Zoning Commissioner

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

August 27, 2002

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Amended Order
Case No. 02-443-XA
Property: 16050 Carnival Avenue

Dear Mr. Hoffman:

Enclosed please find the Amended Order issued with reference to your motion for reconsideration regarding the above-captioned case.

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 Office 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 cursive script, reading "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:

**Brian Stover
Zhongting Shen
Verizon Wireless
9000 Junction Dr
Annapolis Junction MD 20701**

**David Martin
1020 Cromwell Bridge Road
Towson MD 21286**

**Arcadia Volunteer Fire Dept Inc
c/o Roland L Davidson Pres
5415 Arcadia Ave
Upperco MD 21155**

**Jack Dillon
c/o Valleys Planning Council
207 Courtland Ave
Towson MD 21204**

IN RE: PETITION FOR
SPECIAL EXCEPTION
AND VARIANCE

NE/end Carnival Avenue, off Arcadia
Avenue between Hanover Pike
and Trenton Road
(16050 Carnival Avenue)

5th Election District
3rd Councilmanic District

Arcadia Volunteer Fire
Department, Inc., Owner
Verizon Wireless, Lessee

* BEFORE THE DEPUTY
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-443-XA

*
*

*

JUL 10 2002

* * * * *

MOTION FOR RECONSIDERATION

Arcadia Volunteer Fire Department, Inc., owner, and Verizon Wireless, lessee (hereinafter "Petitioners"), by Robert A. Hoffman with Venable, Baetjer and Howard, LLP, its attorneys, in accordance with Rule 2(k) of the Zoning Commissioner's Rules of Practice and Procedure, file this Motion for Reconsideration, as follows:

1. On June 10, 2002, the Deputy Zoning Commissioner issued a Special Exception and Variance Order in the above-referenced case, granting the requested special exception but denying the requested variance that would have allowed the subject communications facility "to be located on a 10,000 square foot area of property in lieu of a lot of at least 5 acres."

2. In denying the variance request, the Deputy Zoning Commissioner further ordered that "Petitioner shall be required to lease [emphasis added] from the Arcadia Volunteer Fire Department a total area of property constituting at least 5 acres of land."

3. Section 426.9.C.2 of the Baltimore County Zoning Regulations requires that "a tower in an RC zone shall be located on a lot [emphasis added] of at least five acres." Petitioners

believe they can designate 5 acres as the special exception area and that this will satisfy this requirement. This would be consistent with the interpretation of the Zoning Office.

WHEREFORE, Petitioner respectfully requests that the Deputy Zoning Commissioner amend his order to require Petitioners to designate at least 5 acres of Land as the special exception area in lieu of requiring the Lessee to Lease 5 acres from the Owner.

Respectfully submitted,


ROBERT A. HOFFMAN
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21285-5517
(410) 494-6200
Attorneys for Lessee

TOIDOC51/140700 v1



Baltimore County
Zoning Commissioner

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

June 10, 2002

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Petitions for Special Exception & Variance
Case No. 02-443-XA
Property: 16050 Carnival Avenue

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Special Exception has been granted and the Petition for Variance has been denied, 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 Office 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 cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



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on Recycled Paper

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

Copies to:

Brian Stover
Zhongting Shen
Verizon Wireless
9000 Junction Dr
Annapolis Junction MD 20701

David Martin
1020 Cromwell Bridge Road
Towson MD 21286

Arcadia Volunteer Fire Dept Inc
c/o Roland L Davidson Pres
5415 Arcadia Ave
Upperco MD 21155

Jack Dillon
c/o Valleys Planning Council
207 Courtland Ave
Towson MD 21204



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 16050 Carnival Avenue

which is presently zoned RC-2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, 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.

The development of a 199-foot monopole, antennae and related equipment.

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.

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:

Brian Stover/Verizon Wireless

Name - Type or Print

Signature

9000 Junction Drive 301-512-2186

Address

Annapolis Junction MD

Telephone No.
20701

City

State

Zip Code

Attorney For Petitioner:

Robert A. Hoffman, Esquire

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Avenue 410-494-6262

Address

Telephone No.

Towson, MD

21204

City

State

Zip Code

Legal Owner(s):

Arcadia Volunteer Fire Dept., Inc.

Name - Type or Print

Signature

Roland L. Davidson, President

Name - Type or Print

Signature

5415 Arcadia Ave. 410-374-4111 x5

Address

Telephone No.

Upperco MD

21155

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman, Esquire

Name

210 Allegheny Avenue 410-494-6262

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By LTM Date 4/11/02

ORDER RECEIVED FOR FILING

Case No. 02-443-XA

Date 6/10/02 By R. Hoffman



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 16050 Carnival Avenue

which is presently zoned RC 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 Variance from Section(s) 426.9.C.2 of the Zoning Regulations of Baltimore County to permit a telecommunications facility to be located on a 100' x 100' section of a 51.288 acre parcel in lieu of a lot of at least 5 acres 0.2296 acre

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

TO BE DETERMINED AT HEARING

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:

Brian Stover/Verizon Wireless

Name - Type or Print

Brian Stover

Signature

9000 Junction Drive 301-512-2186
Address Telephone No.

Annapolis Junction, MD 20701
City State Zip Code

Attorney For Petitioner:

Robert A. Hoffman, Esquire

Name - Type or Print

Robert A. Hoffman

Signature

Venable, Baetjer and Howard, LLP
Company

210 Allegheny Avenue 410-494-6262
Address Telephone No.

Towson MD 21204
City State Zip Code

Legal Owner(s):

Arcadia Volunteer Fire Dept., Inc.

Name - Type or Print

Signature

Roland L. Davidson, President

Name - Type or Print

Roland Davidson

Signature

5415 Arcadia Ave. 410-374-4111 x
Address Telephone No.
Upperco, MD 21155

City State Zip Code

Representative to be Contacted:

Robert A. Hoffman, Esquire
Name

210 Allegheny Avenue 410-494-6262
Address Telephone No.

Towson Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By CTM Date 9/11/02

Case No. 02-443-XA

**LEGAL DESCRIPTION OF
100' x 100' SPECIAL EXCEPTION AREA
TO SUPPORT THE SPECIAL EXCEPTION REQUEST**

Being part of that piece or parcel of land that the Arcadia Volunteer Fire Company, Inc., a body corporate of the State of Maryland acquired from L. Maurice Garrett and Grace V. Garrett by deed dated July 28, 1967 and Recorded among the land records of Baltimore County, Maryland in Liber 4787 Folio 266.

Beginning for the 100' x 100' Special Exception Area at a point being S 39° 10' 42" E, 189.25 feet from a iron pipe found marking the beginning of the 13th or N 67° 59' 00" E, 432.38 feet line of the above referenced conveyance to the Arcadia Fire Company, Inc.; thence departing the point of beginning and running through the property of the grantors herein with bearings and distances referenced to Maryland Grid North (NAD 83/91) the following courses and distances:

- 1) N 63° 22' 48" E 100.00 feet,
- 2) S 26° 37' 12" E 100.00 feet,
- 3) S 63° 22' 48" W 100.00 feet; and
- 4) N 26° 37' 12" W 100.00 feet to the point of beginning.

Containing 10,000 square feet or 0.2296 acres of land more or less.



Robert A. Kunderick
3/29/02

#443

**LEGAL DESCRIPTION OF
PARCEL 202, TAX MAP 25
51.288 ACRES MORE OR LESS
TO SUPPORT THE VARIANCE REQUEST**

Being the same piece or parcel of land that the Arcadia Volunteer Fire Company, Inc., a body corporate of the State of Maryland acquired from L. Maurice Garrett and Grace V. Garrett by deed dated July 28, 1967 and Recorded among the land records of Baltimore County, Maryland in Liber 4787 Folio 266.

Beginning for parcel 202 at a pipe marking the point of beginning as described by deed dated December 21, 1941 that L. Maurice Garrett and wife acquired from Horation R. Garrett and wife, said deed being recorded among the land records of Baltimore County, Maryland in Liber C.H.K. 1205 Folio 512; thence leaving the point of beginning and binding on the bounds of the said deed the following courses and distances as surveyed by magnetic bearings:

- 1) S 16°27'08" E 1591.09 feet to a nail near the centerline of Trenton Road, thence continuing on the bounds of the said Garrett deed:
- 2) S 70°08'53" W 549.25 feet,
- 3) N 80°08'30" W 27.50 feet; thence by two lines of division as surveyed:
- 4) N 09°49'34" E 321.21 feet to a pipe,
- 5) N 82°54'10" W 150.00 feet to a stone at the end of the N 09°05'E 300 feet line of the aforesaid Garrett deed; thence binding on the bounds of the said deed:
- 6) N 82°54'10" W 734.50 feet to a pipe,
- 7) N 20°08'56" W 455.19 feet to a pipe,
- 8) S 29°35'05" W 1049.40 feet to a point 2 feet southwest of the centerline of arcadia drive; thence running on the north side of Arcadia Drive,
- 9) N 67°33'00" W 23.10 feet; thence departing the north side of Arcadia Drive and running,
- 10) N 29°35'05" E 1348.34 feet to a pipe marking the beginning point of the Frank A. Mays and wife property, as described by deed dated May 3, 1948 and being recorded among the land records of Baltimore County, Maryland in Liber T.B.S. 1669 Folio 512; thence binding on the bounds of the said Mays deed:
- 11) N 10°59'30" W 351.20 feet to a pipe at the end of the S 03°27' W, 342.4 feet line as described by deed dated November 26, 1945 that Frank A. Mays and wife acquired from L. Maurice Garrett and wife, said deed being recorded among the land records of Baltimore County in Liber R.J.S. 1412 Folio 404; thence binding on the bounds of the said Mays deed reversely:
- 12) N 03°39'00" E 340.61 feet to a pipe,
- 13) N 67°59'00" E 432.38 feet to a pipe, and
- 14) S 83°26'50" E 178.76 feet a pipe intersecting the N 09°42' E 1138.5 feet line of the first said L. Maurice Garrett and wife deed; thence binding on the last said line:
- 15) N 12°01'50" E 686.93 feet to a pipe at the end of the S 11°55' W 116.4 feet line as described by deed dated February 9, 1946 that Frank A. Mays and wife acquired from L. Mayrice Garrett and wife, said deed being recorded among the land records of Baltimore County, Maryland in Liber R.J.S. 1435 Folio 76; thence binding said deed:
- 16) S 82°27'30" E 62.46 feet to a pipe,
- 17) N 12°24'25" E 99.70 feet to a point marked on the west side of a oak tree at the end of the S 73°03' E 62.7 feet line of the last said deed; thence binding on the bounds of the said deed:

- 18) N 78°06'00" E 123.75 feet to a pipe,
- 19) S 80°19'00" E 51.50 feet to a pipe,
- 20) S 07°04'00" E 534.10 feet to a pipe,
- 21) S 04°31'00" W 160.50 feet to a pipe,
- 22) S 11°12'00" W 199.47 feet to a pipe, and
- 23) S 00°41'18" W 133.41 feet to the point of beginning. Containing 51.288 acres of land more as less.

This legal description is being prepared without performing a boundary survey. It is being the same description that particularly describes the land that The Arcadia Volunteer Fire Company, Inc., a body corporate of the State of Maryland acquired from L. Maurice Garrett and Grace V. Garrett by deed dated July 28, 1967 and recorded among the land records of Baltimore County, Maryland in Liber 4787 Folio 266.

This description was prepared in support of the variance request for Parcel 202, Tax Map 25.



Robert A. Kundrick
3/29/02

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 1447

DATE 7-12-02 ACCOUNT 001 006 615

AMOUNT \$ 285.00

RECEIVED FROM: ROBERT A HOFFMAN
VENABLE BUDGETER + HOWARD

FOR: APPEAL 02-443-XA
16050 CARNIVAL AVENUE
SPECIAL EXCEPTION

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
7/12/2002 7/12/2002 09:01:12
REG 46504 WALKIN DOLL DMD DRAWER 2
* RECEIPT # 211212 7/12/2002 OFLN
Dep 5 529 ZONE VERIFICATION
OF NO. 014474

Recpt Tot \$285.00
285.00 DE .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 14473

DATE 7-11-02 ACCOUNT 001 006 615

AMOUNT \$ 285.00

RECEIVED FROM: JACK DILLON
THE VALLEY PLANNING COUNCIL INC

FOR: APPEAL
CASE # 02-443-XA
16050 CARNIVAL
SPECIAL EXCEPTION

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
7/12/2002 7/11/2002 15:11:38
REG 46504 WALKIN DOLL DMD DRAWER 2
* RECEIPT # 186894 7/11/2002 OFLN
Dep 5 529 ZONE VERIFICATION
OF NO. 014473

Recpt Tot \$285.00
285.00 DE .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF BUDGET & FINANCE
VARIABLE RECEIPT

No. 12714

6/11/02

ACCOUNT

2001 006 6150

AMOUNT \$

550.00

VENABLE, BAETJER, HOWARD

S/C VARIANCE

CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VA

PAID RECEIPT

BUSINESS ACTUAL

6/11/2002 6/11/2002

REG W803 WALKIN DDL

RECEIPT # 239492 4/1

DEPT 5 520 ZONING UE

CR NO. 012714

Receipt Tot

550.00 OK

Baltimore County

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 #02-443-XA
16050 Carnival Avenue
NE/end Carnival Avenue, off Arcadia Avenue between Hanover Pike & Trenton Road
5th Election District - 3rd Councilmanic District
Legal Owner(s): Arcadia Volunteer Fire Dept., Inc., Roland L. Davidson, President

Contract Purchaser: Verizon Wireless, Brian Stover
Special Exception: for the development of a 199-foot monopole, antennae and related equipment. Variance: to permit a telecommunications facility to be located on a 100' x 100' 0.2298 acre section of a 51.288 acre parcel in lieu of a lot of at least 5 acres.

Hearing: Wednesday, June 5, 2002 at 9:00 a.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) 887-4388.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3881.
JT 5/7/48 May 21 0639993

CERTIFICATE OF PUBLICATION

5/23/2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/21/2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkins

LEGAL ADVERTISING

LS

CERTIFICATE OF POSTING

RE: Case No.: 02-443XA
Petitioner/Developer: ARCADIA VOL. F.C.
VBH
Date of Hearing/Closing: 6/5/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention:
G. ZAHNER
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 # 16050 CARNIVAL RD
ARCADIA VOL. F.C.

The sign(s) were posted on 5/19/02
(Month, Day, Year)

Post-it® Fax Note	7671	Date	# of pages
To	AMY DOWELL	From	02
Co./Dept.	VBH	Co.	
Phone #		Phone #	
Fax #	821-0147	Fax #	

Sincerely,

Patrick M. O'Keefe 5/20/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

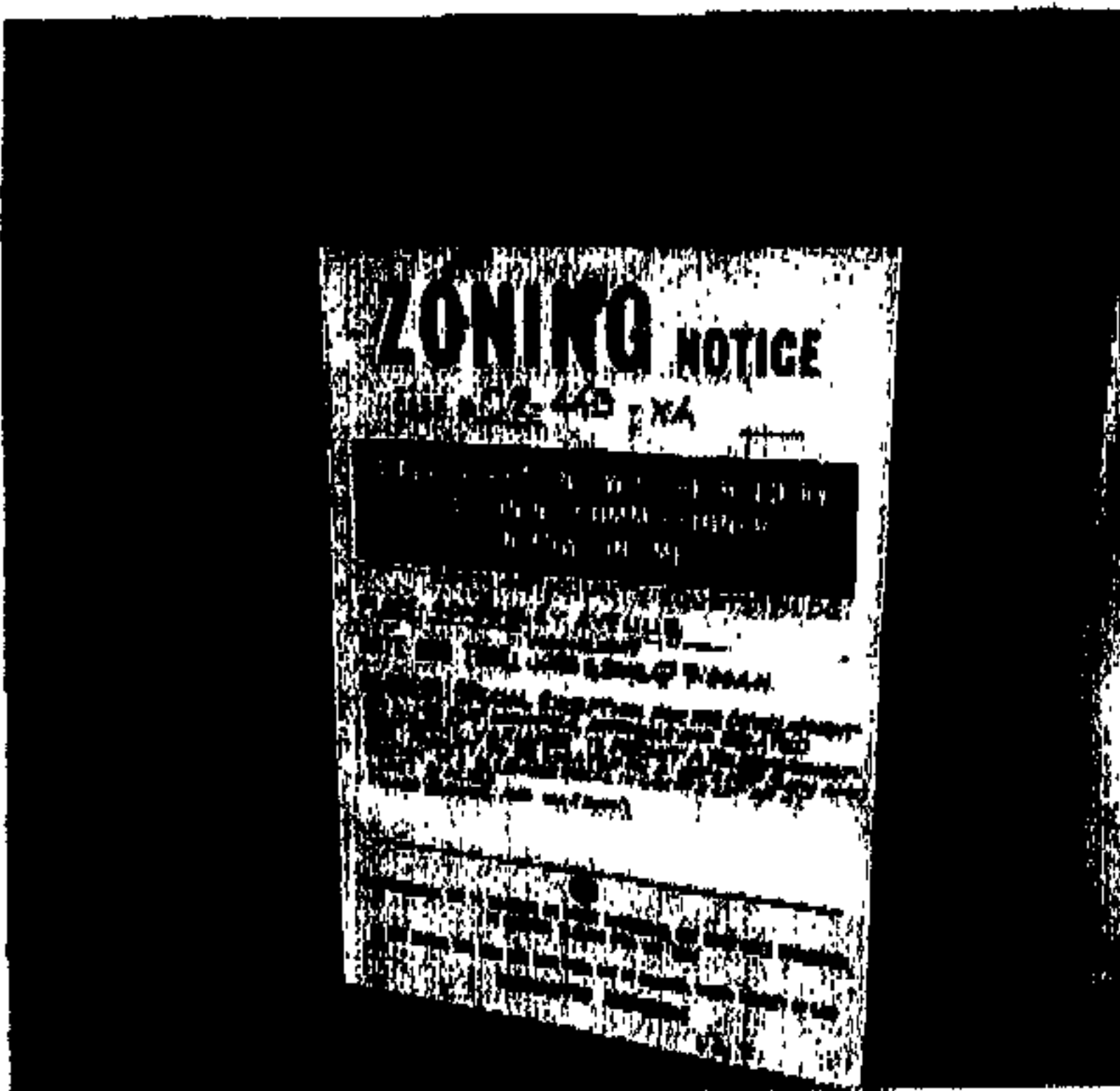
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)



02-443XA
16050 CARNIVAL RD
PAGE 01

P: O'KEEFE

41066660929

05/29/2002 15:34

APPEAL SIGN POSTING REQUEST

CASE NO.: 02-443-XA

Arcadia Volunteer Fire Department, Inc. - LEGAL OWNERS

ADDRESS

5th ELECTION DISTRICT

APPEALED: 7/10/2002

ATTACHMENT - (Plan to accompany Petition - Petitioner's Exhibit No. 1)

APPEAL SIGN POSTING REQUEST

CASE NO.: 02-443-XA

Arcadia Volunteer Fire Department, Inc. - LEGAL OWNERS

ADDRESS

5th ELECTION DISTRICT

APPEALED: 7/10/2002

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

*******COMPLETE AND RETURN BELOW INFORMATION*******

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21204

Attention: Kathleen Bianco
Administrator

RE: Case No.: 02-443-XA

Petitioner/Developer:

Arcadia Vol. Fire Co.

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

The sign was posted on 7/23/02, 2002

By: *Gary Freund*
(Signature of Sign Poster)

GARY FREUND
(Printed Name)

9K3

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: 02-493-XA

Petitioner: Verizon

Address or Location: 16050 Carnival Ave.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amy Donte

Address: 210 Allegheny Ave.

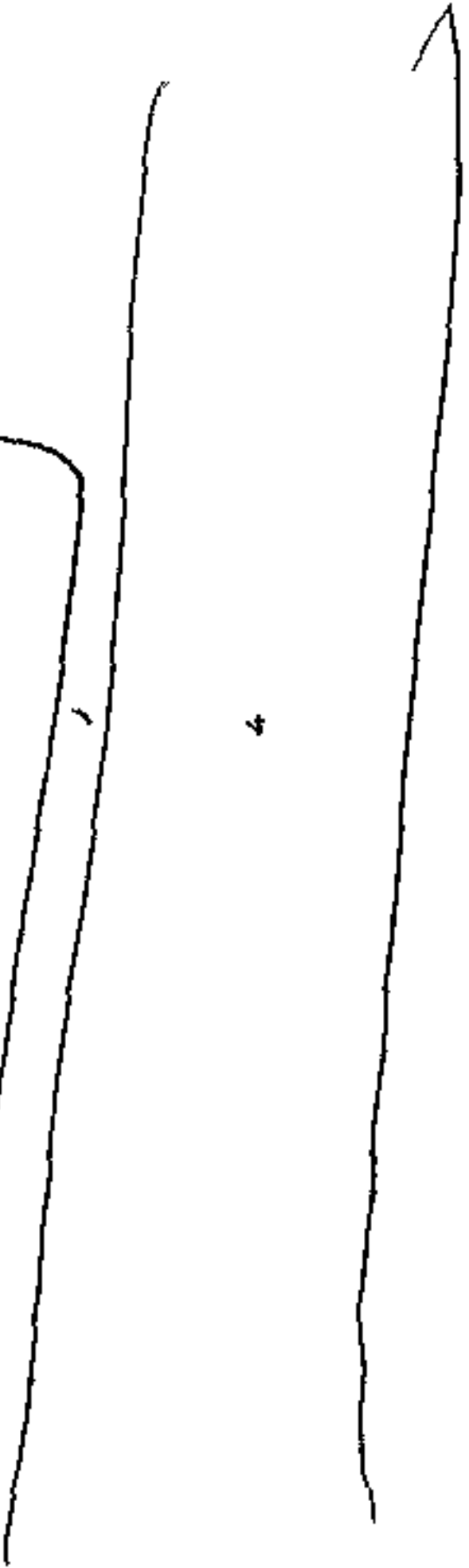
Towson, Maryland 21204

Telephone Number: 410-494-6244

RC-3

11/11/11

B12



TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 21, 2002 Issue -- Jeffersonian

Please forward billing to:

Amy Dontell
Venable Baetjer & Howard
210 Allegheny Avenue
Towson MD 21204

410-494-6244

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: 02-443-XA

16050 Carnival Avenue

NE/end Carnival Avenue, off Arcadia Avenue between Hanover Pike & Trenton Road

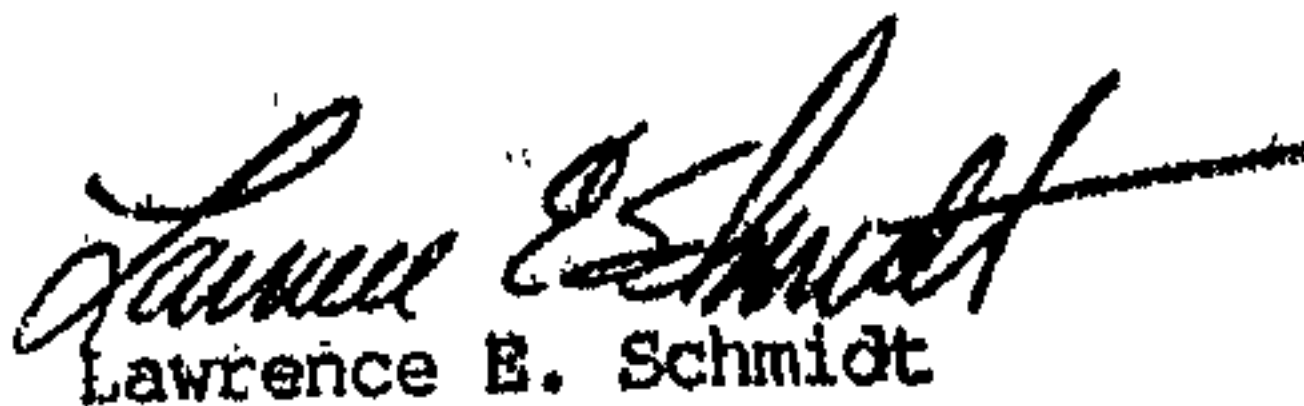
5th Election District -- 3rd Councilmanic District

Legal Owner: Arcadia Volunteer Fire Dept Inc, Roland L Davidson

Contract Purchaser: Verizon Wireless, Brian Stover

Special Exception for the development of a 199-foot monopole, antennae and related equipment. Variance to permit a telecommunications facility to be located on a 100' x 100' 0.2296 acre section of a 51.288 acre parcel in lieu of a lot of at least 5 acres.

HEARING: Wednesday, June 5, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
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

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

May 1, 2002

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: 02-443-XA

16050 Carnival Avenue

NE/end Carnival Avenue, off Arcadia Avenue between Hanover Pike & Trenton Road

5th Election District – 3rd Councilmanic District

Legal Owner: Arcadia Volunteer Fire Dept Inc, Roland L Davidson

Contract Purchaser: Verizon Wireless, Brian Stover

Special Exception for the development of a 199-foot monopole, antennae and related equipment.
Variance to permit a telecommunications facility to be located on a 100' x 100' 0.2296 acre section of a 51.288 acre parcel in lieu of a lot of at least 5 acres.

HEARING: Wednesday, June 5, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon G D Z
Director

C: Robert A Hoffman, Esquire, Venable Baetjer & Howard, 210 Allegheny Avenue,
Towson 21204

Arcadia Volunteer Fire Dept Inc, Roland L Davidson, President, 5415 Arcadia Ave,
Upperco 21155

Verizon Wireless, Brian Stover, 9000 Junction Drive, Annapolis Junction 20701

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 21, 2002.**
- (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.



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

May 8, 2002

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: 02-443-XA

16050 Carnival Avenue

NE/end Carnival Avenue, off Arcadia Avenue between Hanover Pike & Trenton Road

5th Election District – 3rd Councilmanic District

Legal Owner: Arcadia Volunteer Fire Dept Inc, Roland L Davidson, President

Contract Purchaser: Verizon Wireless, Brian Stover

Special Exception for the development of a 199-foot monopole, antennae and related equipment.
Variance to permit a telecommunications facility to be located on a 100' x 100' 0.2296 acre section of a 51.288 acre parcel in lieu of a lot of at least 5 acres.

HEARING: Wednesday, June 5, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon GDZ
Director

C: Robert A Hoffman, Esquire, Venable Baetjer & Howard, 210 Allegheny Avenue,
Towson 21204

Arcadia Volunteer Fire Dept Inc, Roland L Davidson, President, 5415 Arcadia Ave,
Upperco 21155

Verizon Wireless, Brian Stover, 9000 Junction Drive, Annapolis Junction 20701

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 21, 2002.**
- (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.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room – Room 48

Old Courthouse, 400 Washington Avenue

September 18, 2002

*PP'd to 7/09/03
my ab
petitioner*

NOTICE OF ASSIGNMENT

CASE #: 02-443-XA

IN THE MATTER OF: Arcadia Volunteer Fire Department, Inc. -
Legal Owner; Verizon Wireless – C.P. 16050 Carnival Avenue
5th Election District; 3rd Councilmanic District

6/10/02 – Special Exception for 199' monopole antenna and related granted
GRANTED; Variance relief DENIED.

ASSIGNED FOR:

THURSDAY, FEBRUARY 6, 2003 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

c: Appellant /Protestant
(appealed as to grant of special exception)

: Jack Dillon, Executive Director
The Valleys Planning Council

Counsel for Appellant /Legal Owner /Lessee
Appellant /Legal Owner
Appellant /Lessee
(appealed as to denial of variance relief)

: Robert A. Hoffman, Esquire
: Arcadia Volunteer Fire Department, Inc.
: Verizon Wireless /Brian Stover
/ Zhongting Shen

Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room – Room 48

Old Courthouse, 400 Washington Avenue

January 27, 2003

*Petitions
W/D by
Petitioner 6/18/03*

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 02-443-XA

**IN THE MATTER OF: Arcadia Volunteer Fire Department, Inc. -
Legal Owner; Verizon Wireless – C.P. 16050 Carnival Avenue
5th Election District; 3rd Councilmanic District**

6/10/02 – Special Exception for 199' monopole antenna and related granted
GRANTED; Variance relief DENIED.

which had been assigned to be heard on 2/06/03 has been **POSTPONED** at the request of Counsel for Petitioner due to unavailability of witnesses on the assigned date; and has been

REASSIGNED FOR:

WEDNESDAY, JULY 9, 2003 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

**Kathleen C. Bianco
Administrator**

c: Appellant/Protestant
(appealed as to grant of special exception)

: Jack Dillon, Executive Director
The Valleys Planning Council

Counsel for Appellant/Legal Owner/Lessee
Appellant/Legal Owner
Appellant/Lessee
(appealed as to denial of variance relief)

: Robert A. Hoffman, Esquire
: Arcadia Volunteer Fire Department, Inc.
: Verizon Wireless/Brian Stover
/ Zhongting Shen

Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director/PDM





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

May 31, 2002

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

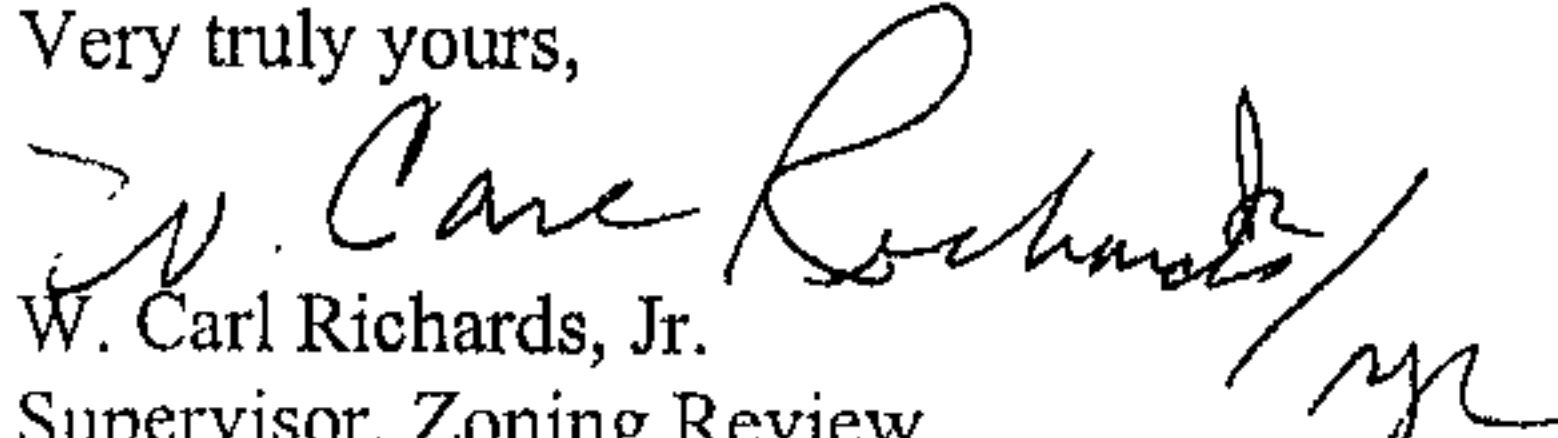
RE: Case Number: 02-443-XA, 16050 Carnival Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 11, 2002

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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,


W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:
Enclosures

c: Arcadia Volunteer Fire Dept., Inc., Roland L. Davidson, President, 5415 Arcadia Avenue,
Upperco MD 21155
Brian Stover/Verizon Wireless, 9000 Junction Drive, Annapolis, MD 20701
People's Counsel

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



Handwritten: 6/5
Signature

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 23, 2002

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-443, 02-445, & 02-453

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: Arnold F. Keller, III

AFK/LL:MAC

MAY 24 2002



Baltimore County
Fire Department

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

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

April 26, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 29, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

443-451, 453, 458 + 459

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

cc: File
{PRIVATE}

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



Jim
OK

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 29, 2002

FROM: *[Signature]* Robert W. Bowling
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for April 29, 2002
Item No. 443, 444, 446, 447, 448, 449, 450, 451, 452, 453,
458 and 459

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

RWB:CEN
Cc: file



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.26.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 443 LTM

Dear Mr. Zahner:

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,

in 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 COUNTY, MARYLAND
Interoffice Memorandum

DATE: 4/11/02

TO: File

FROM: Lloyd T. Moxley

SUBJECT: Case No. 02-443-XA

At the time of filing for the Petition for the Special Exception the following was discussed with the applicant's attorney.

It is the position of the Office of Zoning Review that the proposed telecommunications facility requires a minimum 5 acre Special Exception Area.

#443

BALTIMORE COUNTY, MARYLAND
ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Inter-Office Correspondence

DATE: June 5, 2002

TO: Todd Taylor

FROM: Wally Lippincott, Jr. *WLL*

RE: 16050 Carnival Avenue
Special Exception Case No. 02-443-xa

The proposed location of the tower is on a property immediately adjacent to a property preserved through the Maryland Rural Legacy Program as part of the Piney Run Rural Legacy Area. The subject property itself is within the Piney Run Rural Legacy Area. The visual impact on the Legacy Area should be taken into consideration. The purpose of the Rural Legacy Program is to protect large blocks of contiguous land in rural use. Protecting the scenic qualities of the rural legacy area is an important part of the program. Recommend that the County require the petitioner to take steps –which apparently the industry is doing elsewhere- to reduce the visual impact of the tower regardless of the fact that there is an adjacent tower.

It appears the tower location itself will have minimal impact on the agricultural resources of the property. The impact could be further minimized if the access road to the tower is shifted as far to the west as is possible – given the constraints of the existing guy wires. This would minimize the “square” of useless land created by the road access. See attached drawing.

P.B.
19.12.01
~~Bo~~
Arcadeh

**BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE**

TO: Fred Homan, Director
Office of Budget and Finance

FROM: Charles C. Dennis, Chief ~~EST~~
Electronic Services/Telecommunications (EST)

DATE: July 20, 2001

SUBJECT: Arcadia 800 Mhz Tower Site

In reference to the County's 800 MHz Radio tower located adjacent to the Arcadia Volunteer Fire Station in Upperco, Maryland, several vendors have approached EST about placing their antenna arrays on this tower structure. After careful consideration of the technical issues related to such antenna placements, Baltimore County has decided not to modify or reconstruct this tower to support the additional weight of multiple antenna arrays.

At the same time, EST realizes that it would be advisable, from a technical standpoint, to keep the antennas of vendors with 800 MHz frequencies that may cause harmful interference to the County's radio system in close proximity to our high powered transmitters at the Arcadia site. Assuming that these vendors will now have to construct their own tower in the Upperco area, it would be in the County's best interest to have this new tower built as close to the existing Arcadia tower as possible. The reason for this is that the farther away the vendors' tower is from the County's site, the greater the probability that the vendors' 800 MHz transmissions will be stronger than the County's 800 MHz transmissions into areas of the northwest County which experience diminished radio frequency (RF) reception from the Arcadia tower. The portable radios in use by our Public Safety personnel in these diminished coverage areas will not be able to differentiate or overcome the more powerful vendor's signal, thereby leading to interference on the County's emergency communications system in these specific locations. As a result, reception by the portable radios in these areas of the northwest County will generally become poor to non-existent. Consequently, to minimize the interference to the County's 800 MHz radio system, Electronic Services' experience indicates that placement of the vendors' tower/antennas in very close proximity to the County's transmission site would be the most prudent course of action.

Please contact me if I can be of further assistance on extension 1878.

Cc: Robert J. Barrett, Special Assistant to the County Executive

MHD

[Signature]

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
16050 Carnival Avenue, NE end Carnival Ave, off
Arcadia Ave betw Hanover Pike & Trenton Rd
5th Election District, 3rd Councilmanic

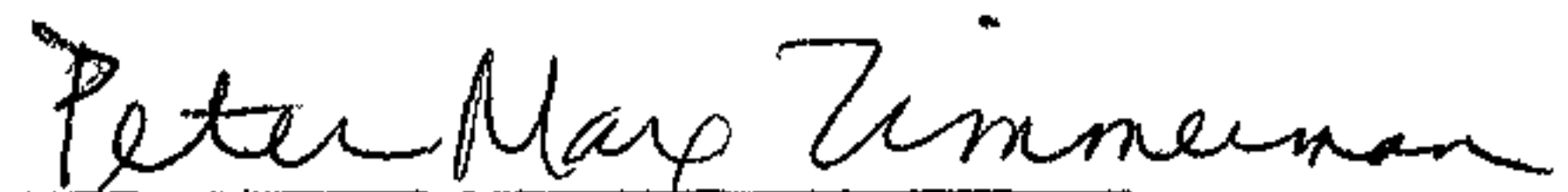
Legal Owner: Arcadia Volunteer Fire Dept., Inc.
Contract Purchaser: Verizon Wireless
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-443-XA

* * * * *

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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


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 2nd day of May, 2002 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).


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

July 15, 2002

The Valleys Planning Council, Inc,
Jack Dillon
207 Courtland Avenue
Towson MD 21204

Dear Mr. Dillon:

RE: Case No. 02-443-XA, 16050 Carnival Avenue

Please be advised that an appeal of the above-referenced case was filed in this office on July 10, 2002 for the Variance, Robert A Hoffman, Venable Baetjer & Howard. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

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

Arnold Jablon
Director

AJ: gdz

c: People's Counsel



APPEAL

Petition for Special Exception & Variance
16050 Carnival Avenue
NE/end Carnival Avenue, off Arcadia Avenue
Between Hanover Pike & Trenton Road
5th Election District – 3rd Councilmanic District
Arcadia Volunteer Fire Department, Inc - Legal Owner
Verizon Wireless - Contract Purchaser
Case No.:02-443-XA

Petition for Special Exception & Variance (dated 04/11/02)

Zoning Description of Property

Notice of Zoning Hearing (dated 05/08/02)

Certification of Publication (The Jeffersonian issue dated 05/21/02)

Certificate of Posting (dated 05/19/02 posted Patrick M O'Keefe)

Entry of Appearance by People's Counsel (dated 05/02/02)

Petitioner(s) Sign-In Sheet (1 sheet)

Protestant(s) Sign-In Sheet (1 sheet)

Citizen(s) Sign-In Sheet (None)

Zoning Advisory Committee Comments

Petitioners' Exhibits:

1. Plan to Accompany Petitions for Special Exception and Variance
2. Verizon Wireless Site
3. Letter to Fred Homan, Director, Office Budget & Finance from Charles C Dennis/Chief, Electronic Services/Telecommunications (EST) (dated 07/20/02)
4. Letter to Donald T Rascoe, Development Manager from Charles C Dennis, Chief EST (dated 08/14/01)
5. Verizon Wireless Arcadia Site & Scale 1' = 600' Site Map
6. Verizon Wireless Arcadia Site
7. Letter to Ms Elizabeth J Cole from Robert A Hoffman dated 07/31/01

Protestants' Exhibits:

1. Photograph (dated 05/03/02)
2. Photograph (dated 05/03/02)
3. Photograph (dated 05/03/02)
4. Photograph (dated 05/03/02)
5. Photograph (dated 05/03/02)

Miscellaneous (Not Marked as Exhibits): (None)

Deputy Zoning Commissioner's Order (06/10/02 – Special Exception APPROVED)
(06/10/02 – Variance DENIED)

Notice of Appeal received on Special Exception 07/10/02 from Jack Dillon Esquire

Notice of Appeal received on Variance 07/10/02 from Robert A Hoffman Esquire

OVER

c: The Valleys Planning Council, Inc, Jack Dillon, 207 Courtland Avenue
Towson 21204
Robert A Hoffman, Venable Baetjer & Howard, 210 Allegheny Avenue
Towson 21204
People's Counsel of Baltimore County, MS #2010
Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM

date sent 07/16/02 gdz

Case No. 02-443-XA

RE: Arcadia Volunteer Fire Department, Inc. –Legal Owner; Verizon
Wireless - Lessee

SE – To approve a 199' monopole antennae and related equipment for
use as a telecommunications facility; and

VAR – To permit telecommunications facility to be located on a 100' x
100' section of a larger 51.288 acre parcel of land ilo a lot of at least 5
acres.

6/10/02 –D.Z.C.'s decision in which Petition for Special Exception was
GRANTED and Petition for Variance was DENIED.

9/18/02 -- Notice of Assignment sent to following; scheduled for hearing on Thursday, February 6, 2003
at 10:00 a.m.:

Jack Dillon, Executive Director
The Valleys Planning Council
Robert A. Hoffman, Esquire
Arcadia Volunteer Fire Department, Inc.
Verizon Wireless /Brian Stover
/ Zhongting Shen
Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM

1/24/03 -- Letter via hand delivery from R. Hoffman requesting postponement of 2/06/03 date -- just learned that one
Verizon witness has changed companies and another witness is unavailable due to scheduling of wrong
date; requests that postponement be granted. T/C to Jack Dillon -- advised of same. No problem with PP
being granted; did have flyers prepared for 2/06/03, but would not object to the postponement, although he
wishes it had been requested sooner. Told him that R. Hoffman had just learned of this situation re
witnesses and had telephone here as soon as he learned of it. PP to be granted to July date (Mr. Dillon
scheduled for knee surgery in March; no other dates available that could be utilized prior to July 2003
date).

-- Notice of PP and Reassignment to be sent out on 1/27/03; to be sent also via FAX to R. Hoffman and
J. Dillon.

1/27/03 -- Notice of PP and Reassignment sent to parties (copy to J. Dillon and R. Hoffman via FAX also this date);
postponement request granted; reassigned to Wednesday, July 9, 2003 at 10:00 a.m.

6/18/03 -- Letter of Withdrawal of Petitions filed by Robert A. Hoffman, Esquire, counsel for Petitioner, Verizon
Wireless. Order of Dismissal of Petitions to be issued.

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: August 22, 2003

TO: Timothy Kotroco, Director
Permits & Development Management
Attn.: David Duvall

FROM: Theresa R. Shelton *tr*
Board of Appeals

SUBJECT: **CLOSED APPEAL CASE FILES**

The following case(s) have been finalized and the Board of Appeals is closing the copy of the appeal case file(s) and returning the file(s) and exhibits (if applicable) attached herewith.

<u>BOARD OF APPEALS CASE NUMBER</u>	<u>PDM FILE NUMBER</u>	<u>NAME</u>	<u>LOCATION</u>
02-568-SPH	<i>02-568-SPH</i>	NEW PLAN EXCEL REALTY	8700 LIBERTY ROAD
02-443-XA	<i>02-443-XA</i>	ARCADIA VOL. FIRE DEPT.	16050 CARNIVAL AVEN
02-046-M	<i>XI-906 02-046-M</i>	ROBERT M. TAYLOR	MINOR SUB / GLEN AR

Attachment: SUBJECT FILE(S) / EXHIBIT(S) ATTACHED

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

VENABLE
ATTORNEYS AT LAW

July 10, 2002

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman
(410) 494-6262
rahoffman@venable.com

HAND-DELIVERED

Mr. Arnold Jablon, Director
Department of Permits and Development
Management
County Office Building -- Room 111
111 W. Chesapeake Avenue
Towson, Maryland 21204

Lawrence S. Wescott, Chairman
County Board of Appeals for
Baltimore County
Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Petition for Special Exception and Variance
NE/end Carnival Avenue off Arcadia Avenue
between Hanover Pike and Trenton Road
5th Election District -- 3rd Councilmanic District
(16050 Carnival Avenue)
Case No.: 02-443-XA

02 JUL 10 PM 3:42

Dear Mr. Jablon and Mr. Wescott:

On behalf of the lessee of the above-referenced property, Verizon Wireless, as well as the legal owner of the property, Arcadia Volunteer Fire Department, Inc., we note an appeal from the decision of the Deputy Zoning Commissioner for Baltimore County, dated June 10, 2002, denying the Petition for Variance.

The names and addresses are as follows:

Verizon Wireless
Brian A. Stover
9000 Junction Drive
Annapolis Junction, Maryland 20701

Arcadia Volunteer Fire Department, Inc.
c/o Roland L. Davidson, President
5415 Arcadia Avenue

①
placed for receipt
of zoning file.
K.

Mr. Arnold Jablon, Director
Mr. Lawrence S. Wescott, Chairman
July 10, 2002
Page Two

Upperco, Maryland 21155

We have enclosed a check in the amount of \$285.00 to cover the filing fee for the appeal and the costs associated with posting. If you have any questions regarding this appeal, please feel free to give me a call.

Very truly yours,

A handwritten signature in black ink, appearing to read 'RAH', followed by a long, sweeping horizontal line that extends to the right.

Robert A. Hoffman

RAH/sm
Enclosure

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

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Towson, Maryland 21285-5517
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WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman
(410) 494-6262

rahoffman@venable.com

January 24, 2003

VIA HAND DELIVERY

Kathleen C. Bianco, Administrator
County Board of Appeals
for Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 02-443-XA
16050 Carnival Avenue

RECEIVED
JAN 24 2003

**BALTIMORE COUNTY
BOARD OF APPEALS**

Dear Mrs. Bianco:

I represent Verizon Wireless in the above-captioned matter. A hearing before the Board of Appeals has been scheduled for Thursday, February 6, 2003, at 10:00 a.m. I apologize for the late notice, but I have a problem with two of my witnesses for that date.

I have just learned that one of the witnesses who testified below, Kristina Capucilli, has recently changed companies and, given this change, may not be able to testify on behalf of Verizon. Additionally, I also found out this morning that another of my witnesses, Brian Stover, Manager - Real Estate/Zoning for Verizon, had the wrong date for the hearing on his calendar and is not available on the actual date of February 6, 2003.

For these reasons, I am respectfully requesting that the hearing in the above-referenced matter be postponed to another date.

40 7/09/03

Kathleen C. Bianco, Administrator
January 24, 2003
Page 2

Thank you for your consideration in this matter.

Very truly yours,

Robert A. Hoffman /RAH

Robert A. Hoffman

RAH/ald

cc: Mr. Jack Dillon
Mr. Brian Stover

TO1DOCS1/ald99#153460 v1

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Including professional corporations

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VENABLE
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WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman
(410) 494-6262

rahoffman@venable.com

June 18, 2003

HAND-DELIVERED

Kathleen C. Bianco, Administrator
County Board of Appeals
of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

Timothy M. Kotroco, Director
Department of Permits and
Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petitions for Special Exception and Variance
Case No. 02-443-XA – 16050 Carnival Avenue
5th Election District, 3rd Councilmanic District

Dear Ms. Bianco & Mr. Kotroco:

I am requesting, on behalf of the Petitioner, Verizon Wireless, that the above-referenced Petitions for Special Exception and Variance be withdrawn and that the hearing scheduled for Wednesday, July 9, 2003, at 10:00 a.m. be cancelled. My client has decided against pursuing this site and is exploring other options. We have contacted those members of the surrounding community we believe may have had an interest in attending the hearing to inform them that Petitioner will not be going forward with the relief at this time.

If you have any questions regarding the above request, please feel free to give me a call.

Very truly yours,

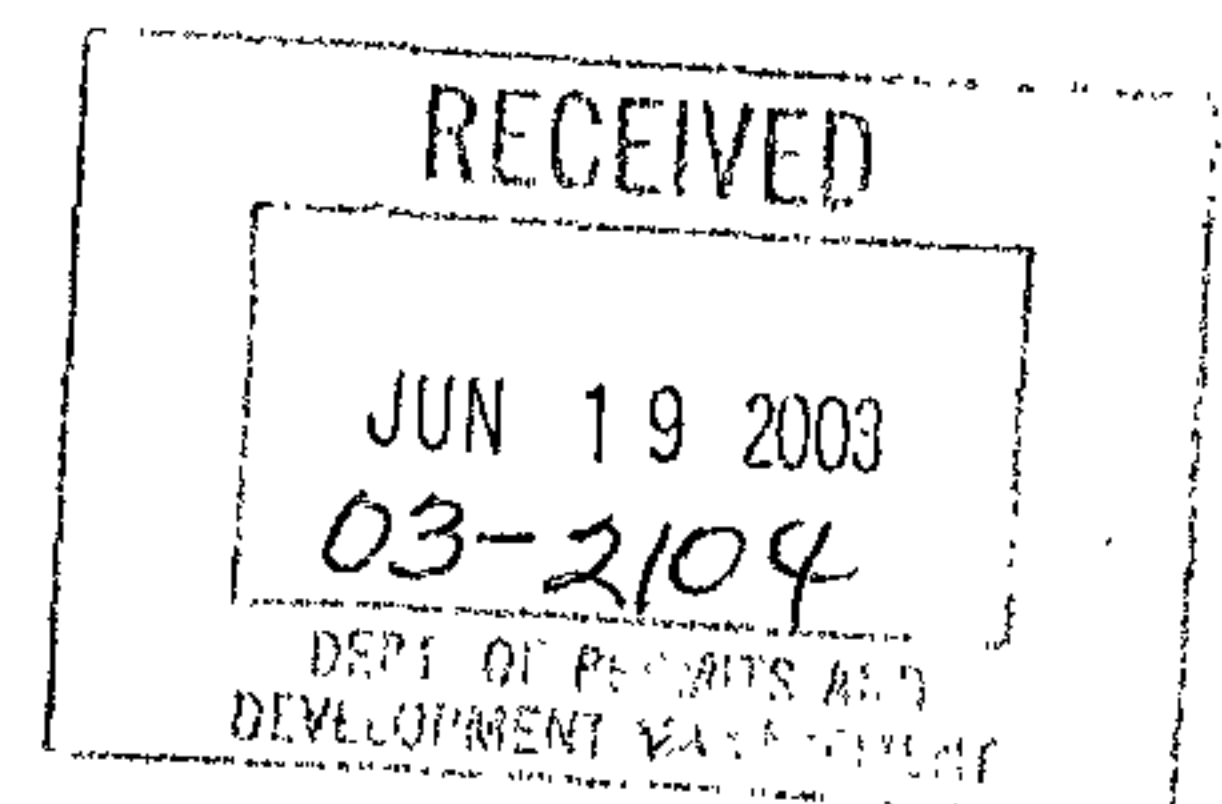
Robert A. Hoffman/RAH

Robert A. Hoffman

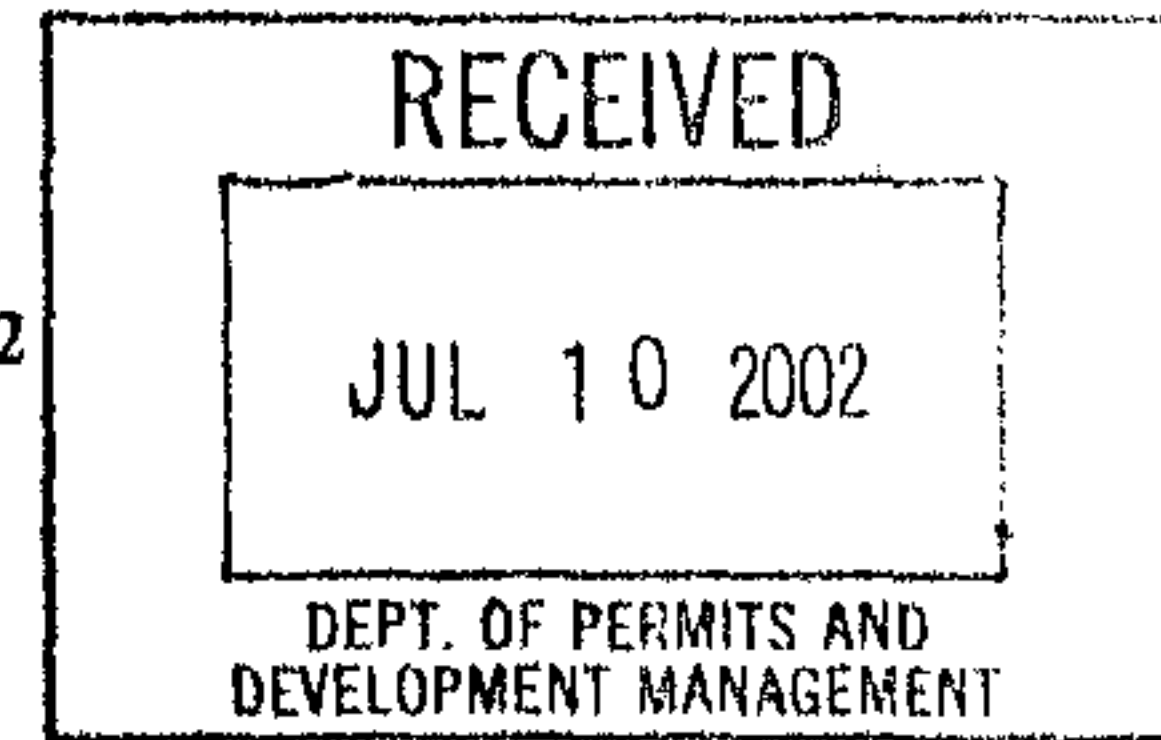
RAH/ald

cc: Mr. Brian Stover
Mr. Jack Dillon
Peter Max Zimmerman, Esquire

TO1DOCS1/163007v1



The Valleys Planning Council, Inc
207 Courtland Avenue, Towson, Maryland 21204
Mailing Address P.O. Box 5402, Towson, Maryland 21285-5402
Phone: 410-337-6877, Fax: 410-296-5409



July 8, 2002

Mr. Arnold Jablon, Director
Permits and Development Management
111 W. Chesapeake Ave.
Towson, Maryland 21204

Re: Case No. 02-443-XA
16050 Carnival Ave.

Dear Mr. Jablon:

I am enclosing a check in the amount of \$285.00 to cover the cost of an appeal of the above referenced case to the Baltimore County Board of Appeals. The subject property lies within the boundaries of The Valleys Planning Council area and therefor complies with Sec. 26-132 of the Baltimore County Code.

Sincerely,


Jack Dillon
Executive Director

cc: Robert A. Hoffman, Esq.
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Brian Stover
Zhongting Shen
Verizon Wireless
9000 Junction Drive
Annapolis Junction MD 20701

Arcadia Volunteer Fire Dept. Inc.
C/o Roland L. Davidson Pres.
5415 Arcadia Ave.
Upperco MD 21155

PETITIONER(S) SIGN-IN SHEET

#02-443-XA
HEARING: 6/5/02

NAME**ADDRESS**

210 Allegheny Ave 21204

9000 Junction Dr. Annapolis Junction MD 20701

1020 CROMWELL BRIDGE RD. TOWSON,
MD.

1846 MICHAEL FARADAY DR 21786

9000 Junction Dr. Annapolis Junction
MD 20701



Printed with Soybean Ink
on Recycled Paper

Case Number #02-443-XA

HEARING: 6/5/02

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

[illegible]

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

P.B.
V. 12-1
~~AB~~
Arcade

TO: Fred Homan, Director
Office of Budget and Finance

FROM: Charles C. Dennis, Chief ~~CA~~
Electronic Services/Telecommunications (EST)

DATE: July 20, 2001

SUBJECT: Arcadia 800 Mhz Tower Site

In reference to the County's 800 MHz Radio tower located adjacent to the Arcadia Volunteer Fire Station in Upperco, Maryland, several vendors have approached EST about placing their antenna arrays on this tower structure. After careful consideration of the technical issues related to such antenna placements, Baltimore County has decided not to modify or reconstruct this tower to support the additional weight of multiple antenna arrays.

At the same time, EST realizes that it would be advisable, from a technical standpoint, to keep the antennas of vendors with 800 MHz frequencies that may cause harmful interference to the County's radio system in close proximity to our high powered transmitters at the Arcadia site. Assuming that these vendors will now have to construct their own tower in the Upperco area, it would be in the County's best interest to have this new tower built as close to the existing Arcadia tower as possible. The reason for this is that the farther away the vendors' tower is from the County's site, the greater the probability that the vendors' 800 MHz transmissions will be stronger than the County's 800 MHz transmissions into areas of the northwest County which experience diminished radio frequency (RF) reception from the Arcadia tower. The portable radios in use by our Public Safety personnel in these diminished coverage areas will not be able to differentiate or overcome the more powerful vendor's signal, thereby leading to interference on the County's emergency communications system in these specific locations. As a result, reception by the portable radios in these areas of the northwest County will generally become poor to non-existent. Consequently, to minimize the interference to the County's 800 MHz radio system, Electronic Services' experience indicates that placement of the vendors' tower/antennas in very close proximity to the County's transmission site would be the most prudent course of action.

Please contact me if I can be of further assistance on extension 1878.

Cc: Robert J. Barrett, Special Assistant to the County Executive

MHD

Ref Ex #3

Ref Ex #4

BALTIMORE COUNTY, MARYLAND
Interoffice Correspondence

File
Arcadia

DATE: August 14, 2001

TO: Donald T. Rascoe, Development Manager
Department of Permits and Development Management

FROM: Charles C. Dennis, Chief, EST

SUBJECT: Tower Review Committee Results - Upperco, Maryland

The Tower Review Committee (TRC) met on July 11, 2001 to review and discuss the proposal for a new 199-foot monopole to be located at 16050 Carnival Avenue, Upperco, Maryland, 21155. Verizon representatives presented to the Tower Review Committee all requested coverage maps for technical evaluation and pictures of the affected area.

PLANNING CONSIDERATIONS:

Verizon Wireless is proposing to construct a new, 199' telecommunications monopole on a 10,000 sq. ft. leased site that is owned by the Arcadia Volunteer Fire Company. The site and surrounding properties are zoned R.C. 2. Since the proposed monopole will be constructed in a resource conservation zone, a special exception hearing will be required. Access into the site will be from an access utility easement at the end of Carnival Ave., which is presently used by Baltimore County. There is an existing guyed tower on an adjacent site that is owned by Baltimore County and used by the County for its Public Safety Radio Communications Network. Baltimore County will not allow Verizon to co-locate on this tower.

Section 426.9 C.2 states "A tower in a R.C Zone shall be located on a lot of at least five acres." The proposed monopole is to be constructed on an area that is less than five acres, thus a special exception hearing is required.

Planning staff visited the proposed site and offer the following comments. The site plan should show all existing structures on the site and surrounding land uses. There appears to be sufficient property to locate the proposed tower on a five-acre lease area. A revised plan should show a five-acre leased area for the proposed monopole. In addition this site is within the Piney Run Designated Rural Legacy Area. The Applicant may contact Wallace Lippincott, from the Department of Environmental Protection and Resource Management, at 410-887-4488, ext.241, for more information concerning the Piney Run Designated Rural Legacy Area..

The Office of Planning may have additional comments at the Special Exception Hearing.

The Applicant should contact:
Mr. George Harman, President
Hanover Road Association
P.O. Box 70
Boring, Maryland 21020

COMMUNITY CONSIDERATIONS:

The personal concerns of the TRC Community Representative, relating to the preliminary application for this referenced site, have been addressed. Considering the fact that there exists no other suitable site or existing structure to mount an antenna, no apparent serious community opposition, and the existence of a 620 foot, Baltimore County tower in close proximity to the proposed monopole, the TRC Community Representative believes this site should have little, if any, impact on the community and recommends approval.

TECHNICAL CONSIDERATIONS:

The Tower Coordinator surveyed the surrounding community on several occasions looking for co-location opportunities for Verizon. In doing so, no other area within the given search ring could be found that would provide the necessary -85 dBm coverage. In correspondence dated July 10, 2001, Verizon stated that -85 dBm was the acceptable level that would provide its advertised and expected standard of reliability for its user equipment. Baltimore County accepts and agrees in principal that this level is necessary for the uninterrupted communications necessary in the Verizon network.

After reviewing the coverage maps supplied by Verizon Wireless, the Tower Review Committee recognized that a deficiency in RF coverage exists in their network along the Route 30 corridor. This coverage deficiency, from approximately Route 91 to the Baltimore County/Carroll County line, can be resolved by the placement of a transmitter and receiver within the defined search ring at the Arcadia Volunteer Fire Company site.

Baltimore County's Tower Coordinator toured the proposed site on numerous occasions and has subsequently made several recommendations concerning the proposed tower's siting. Baltimore County will specify that Verizon place the center of the new tower no less than 200 feet from the County's tower and guyed wires. Verizon Wireless documented an acceptable placement on its final site plan, which was presented to the TRC for review. This defined distance and placement should be adhered to in order for Verizon to start construction. In addition, all public utilities to the proposed Verizon site must be connected directly to the source. Baltimore County will not allow Verizon to "tap" into the utility lines that service the County's existing Public Safety communications tower at the Arcadia site. Last, prior to final submission to the DRC, Verizon should make the necessary change to the longitude by changing the 77 degrees to 76 degrees.

Baltimore County has also attached a letter to this document describing its position on leasing space on the existing Arcadia Tower.

FINAL RECOMMENDATION

The Tower Review Committee recognizes and understands that the proposed monopole tower, located at 16050 Carnival Avenue, Upperco, Maryland, would be constructed within the Piney Run Designated Rural Legacy Area. However, based on the findings of the committee members and the information supplied to the Tower Review Committee by Verizon Wireless, the Tower Review Committee believes that this is the best location to construct the proposed tower in this part of the County. Placement of the tower on the site would be based on the construction guidelines specified above in the "Technical Considerations" section. Finally, in accordance with the provisions of the Baltimore County Code and Zoning Regulations relating to the Tower Review process, the committee recommends that the proposed monopole be built with the structural strength to withstand the weight of the antenna arrays of at least three (3) cellular/PCS carriers (includes Verizon Wireless).

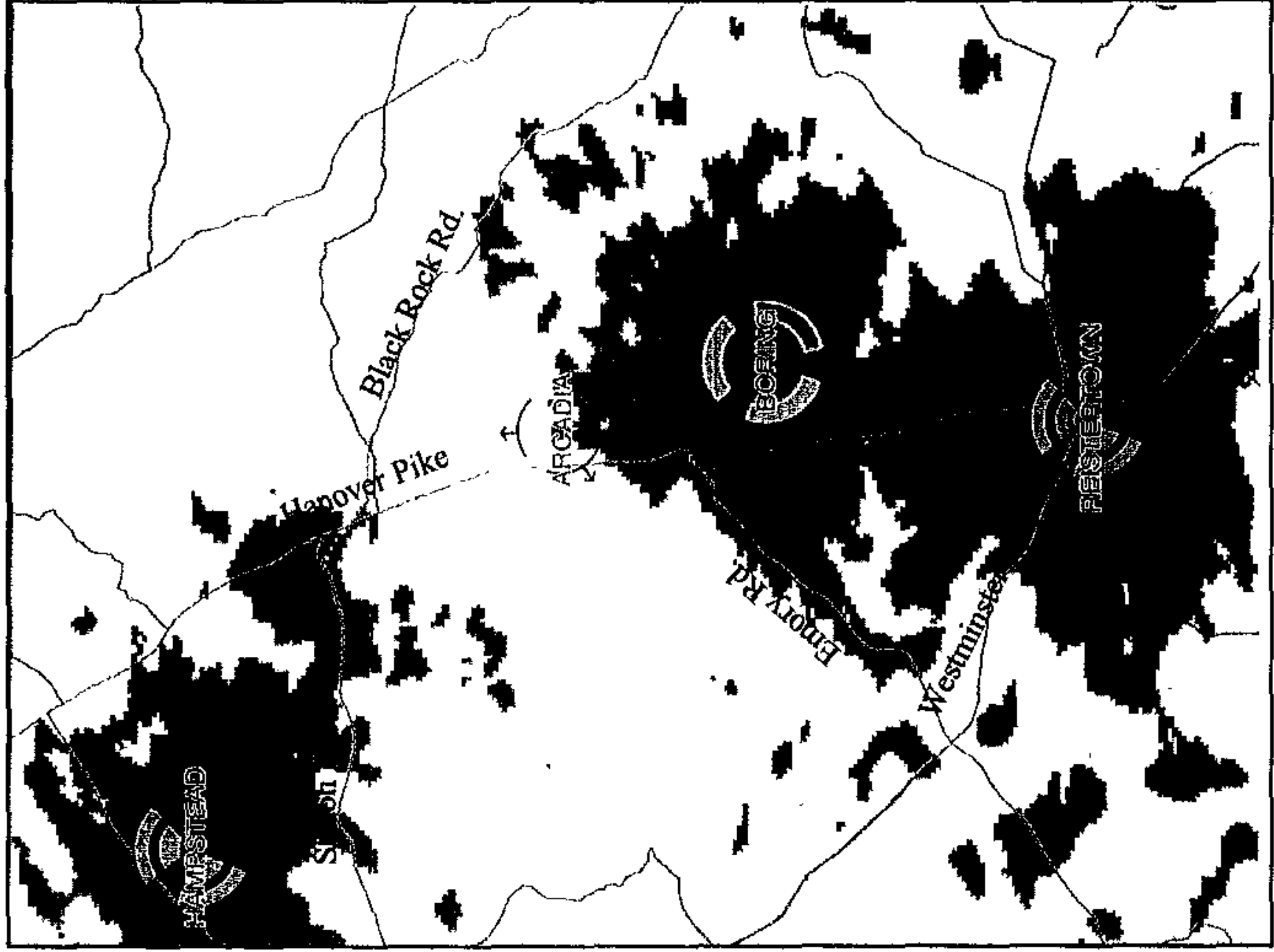
CC: Verizon Wireless
c/o WFI - Wireless Facilities, Inc
River Center 3
10280 Old Columbia Road
Suite 200
Columbia, Maryland 21046

Tower Review Committee

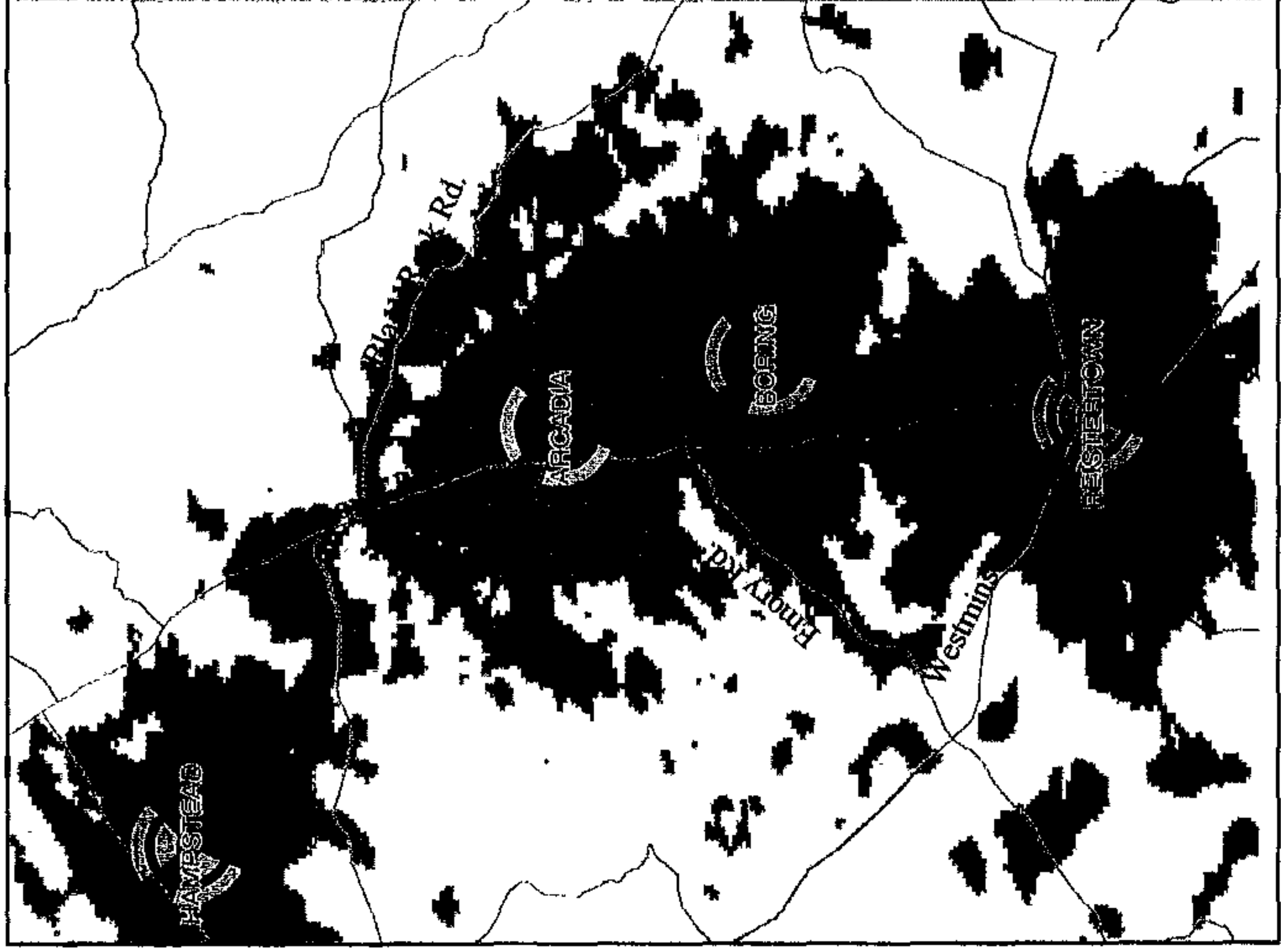
Charles C. Dennis, Tower Coordinator
Ervin McDaniel, Planning Representative
Richard Sterba, OIT Representative
Harry Wujek, Jr., Community Representative

Verizon Wireless Arcadia Site

Current Coverage (5/02)



Proposed Coverage

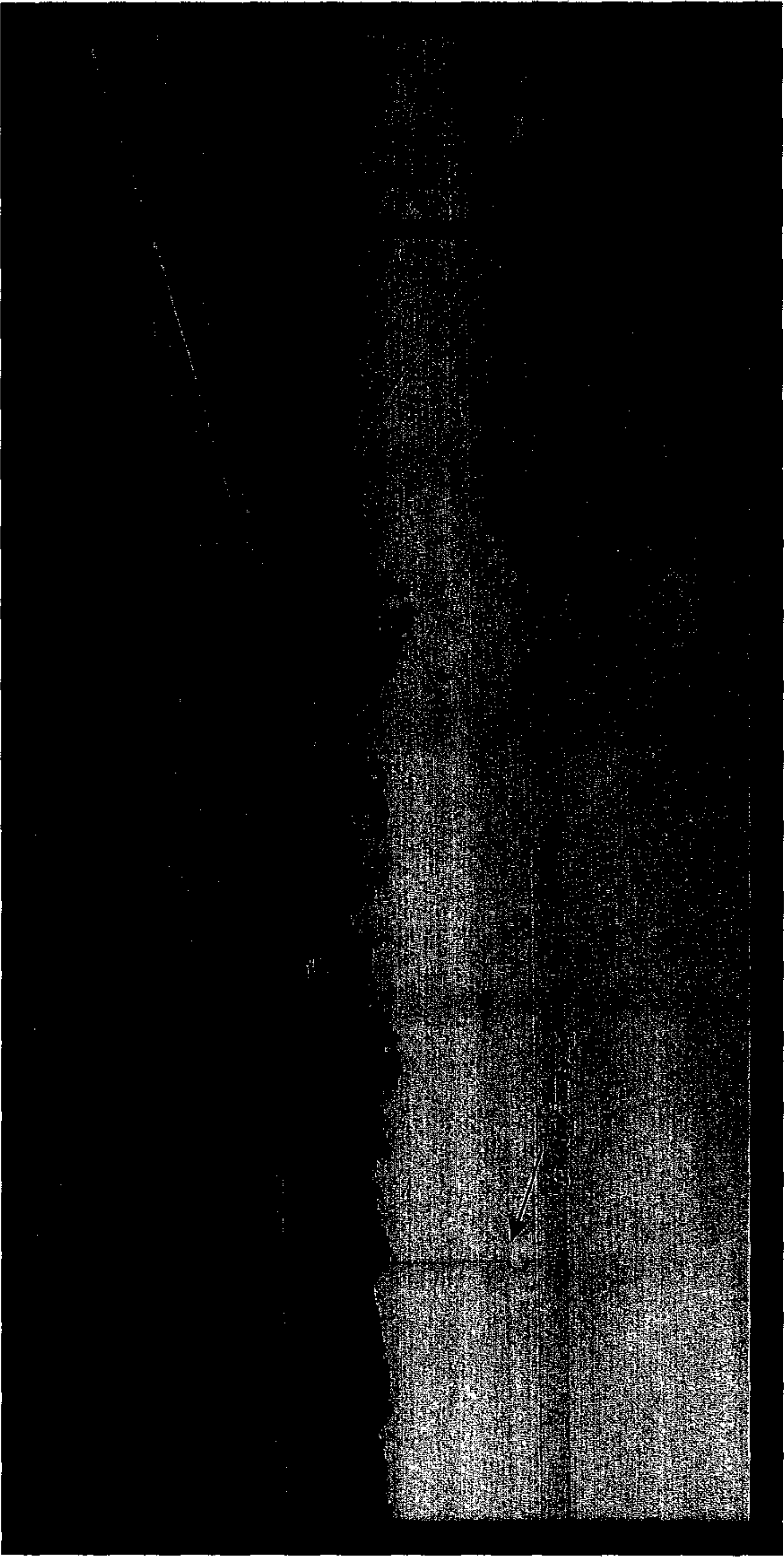


■ -85 dBm signal level

Proprietary Information of Verizon Wireless
Do Not Copy or Disseminate without Verizon Wireless' written permission

Ref #5

Verizon Wireless Arcadia Site



Per Ex #6

6/04/02

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

Two Hopkins Plaza, Suite 1800
Baltimore, Maryland 21201-2978
(410) 244-7400, Fax (410) 244-7742
www.venable.com

VENABLE
ATTORNEYS AT LAW

July 31, 2001

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Thomas Mark Ligan
(410) 244-7820
tmligan@venable.com

Via Certified Mail
Return Receipt Requested

Ms. Elizabeth J. Cole
Administrator, Review and Compliance
Maryland Department of Housing & Community Development
Division of Cultural and Historic Programs
100 Community Place
Crownsville, MD 21032

A review of MHT files and your submittal indicates that this project is likely to affect significant historical and archeological properties.

RECEIVED
AUG 9 2001

Office of Preservation Services
Maryland Historical Trust

Re: Historic Sites Evaluation
Verizon Wireless - Arcadia Volunteer Fire Department Cell Site
16020 Carnival Avenue, Upperco, Maryland

BA CO

Dear Ms. Cole:

I represent Verizon Wireless ("Verizon" or "the Company") and I write regarding the Company's evaluation of the possible effects of the above-noted telecommunication facility (the "Facility") on historic, archeological and similar resources. Verizon's operation of the Facility is licensed by the Federal Communications Commission ("FCC") and, as such, is subject to the requirements of the National Environmental Policy Act ("NEPA") and Section 106 of the National Historic Preservation Act ("§ 106").

Through this submission, Verizon is assisting the FCC in evaluating whether the Facility may affect buildings, structures or similar resources that are listed or are otherwise eligible for listing in the National Register of Historic Places (the "National Register"). This letter is sent to you in recognition of the Maryland Historic Trust's ("MHT's") advisory capacity in evaluating these potential impacts.

The Facility in question is the Verizon Arcadia cell site, which is located in a wooded area of an approximately 51.3 acre parcel of land that is owned by the Arcadia Volunteer Fire Department. The overall property is also the site of a 620-foot high communication tower owned and operated by the Baltimore County Government. Verizon proposes to install a 195-foot high telecommunication monopole with a 4-foot lightning rod affixed to the top. The monopole and a pre-fabricated equipment shelter will be constructed within a fenced compound at the site.

It is anticipated that Verizon will procure additional wireless telecommunication entities to collocate their antennas on the Facility and the underlying

Per Ex # 7

Hampstead

Arch.

1A 8-16-01