IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE – S/S Frederick Road, Across from Monmouth Drive **(2021 Frederick Road)** 1st Election District 1st Council District	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	OF BALTIMORE COUNTY
	*	Case No. 04-449-XA
Stagco Corporation, Owners; APC Realty & Equipment Co., Lessees	*	

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owners of the subject property, Stagco Corporation, and the Contract Lessees, APC Realty & Equipment Company, through their attorney, Nicole M. Lacoste, Esquire. The Petitioners request a special exception to allow the installation of a 95-foot tall stealth monopole to serve as a wireless telecommunications tower that will contain an array of Sprint PCS antenna concealed within the uppermost portion of the pole. In addition, variance relief is requested from Section 426.6A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 171 feet and a side (east) yard setback of 73 feet in lieu of the required 200 feet each. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Eugene A. Stallings, President, and John P. Murray, on behalf of Stagco Corporation, the corporate entity for the St. Agnes Knights of Columbus Council, which owns the subject property, and their attorney, Barry W. Casanova, Esquire. Also appearing were Michael Griffiths, Marc Marzullo, John Kinnally and Hazzan Khalil, on behalf of APC Realty & Equipment Company, LLC, Contract Lessees, and their attorney, Nicole Lacoste, Esquire, Authorized Agent/Attorney. Nearby residents Sheila M. Kulp, Michele A. Wehner, and John L. Aldelsberger appeared in opposition to the requests.

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Date 10/20/04
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Testimony and evidence offered revealed that the subject property is an irregularly shaped parcel located on the south side of Frederick Road (Maryland Route 44) between S. Morerick Avenue and Balfred Avenue in Catonsville. The property contains a gross area of 3.5225 acres, more or less, zoned D.R.5.5 and is improved with a one-story building and macadam parking area containing 135 spaces. Most of the rear of the site is unimproved and wooded. The property has been owned and used as a meeting hall by the St. Agnes Council of the Knights of Columbus, a religious social organization, for over 30 years. In addition to meetings, there are also social, charitable and other similar events held at the site. The Petitioners have entered into a conditional lease with APC Realty and Equipment Company LLC to lease a small portion of the site for a proposed wireless telecommunications facility. APC is a limited liability company associated with Sprint, a national wireless telephone and communications firm. As shown on the site plan, the Petitioners propose the construction of a 95-foot monopole on the south side of the parking lot, approximately 171 feet from the front property line and 73 feet from the east side property line. The pole will be located within a 20' x 20' fenced equipment compound area that will contain the necessary infrastructure related to the use of the pole.

Wireless communication towers and facilities are governed by Section 426 of the B.C.Z.R. Section 426.5 thereof provides that wireless communication towers are permitted in the D.R.5 zone by special exception only. Thus, the applicants filed the requisite Petition for Special Exception and must participate in a public hearing. The Zoning Commissioner can grant special exception relief, only if the requirements set out in Section 502.1 of the B.C.Z.R. are satisfied.

In addressing its burden under law, the Petitioners produced the testimony of Hassan Khalil, a Radio Frequency expert. Mr. Khalil testified that Sprint is licensed by the Federal Communications Commission (FCC) to provide wireless communication facilities in the Baltimore Metropolitan area. Under its license, Sprint must provide an unbroken network for its users and clients.

The wireless communication industry exploded on the scene in recent years and now a great majority of the population uses wireless telephones and other means of communication. In

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order to provide the necessary infrastructure, Sprint has constructed a tower network. The towers have limited power and range. As a mobile communication user travels, his/her call is handed off from one tower to the next. In the event of insufficient coverage, a "hole" in the network can exist wherein calls are dropped and/or cannot be received/made.

Mr. Khalil testified that there is a hole in Sprint's network in this area of Baltimore County. As a radio frequency engineer, his job is to ascertain suitable locations where a tower can be constructed to fill in the hole and provide an unbroken network. Mr. Khalil indicated that he considered a number of locations within the geographic area identified to complete the network. Apparently, two water tanks were considered, however were rejected because they were either not tall enough or too far away. Existing Baltimore Gas and Electric Transmission towers were also considered and rejected as unacceptable. A Presbyterian Church in the area was also considered; however, there are presently three antennae within its steeple and it cannot accommodate additional users. Mr. Khalil testified in detail about the options that were considered and concluded that the subject site was the only site available in this area. He further indicated that the maximum height of the proposed tower would be 95 feet.

John Kinnally also testified on behalf of the Petitioners. He is the real estate/site acquisition specialist for APC Realty. He corroborated much of Mr. Khalil's testimony and described in detail the investigation that was undertaken to find an appropriate site within the search area. He indicated that Sprint prefers to co-locate on an existing site or tower; however, there were none available.

Finally, testimony was received from Mark Marzullo, the professional engineer who prepared the site plan. He described the site in some detail and the proposed tower and improvements. As noted above, the tower will be 95 feet tall. He also indicated that the tower will be approximately 36 inches in diameter at the base; however, will taper to a diameter of 26 inches at the top. More importantly, unlike many towers that exist in the area, communications antenna will not be mounted on the outside of the tower, but rather will be located within the interior of the pole. Mr. Marzullo opined that the pole's narrow diameter and lack of exterior antenna would

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decrease its visibility. In this regard, photographs, a balloon test, and superimposed images of the proposed tower were submitted into evidence. He also indicated that the tower could be painted a variety of colors to match the background.

In addition to the testimony as summarized above, a series of exhibits were submitted in support of the request. These included site plans and maps, as well as photographs of the area and other studies and reports. Collectively, this information encompassed the testimony and evidence offered by the Petitioners' witnesses.

Testimony and questions were also received from residents of the area. Several of the citizens are concerned about the health impact of the tower, although there have been no competent studies that living within proximity of a tower will cause any adverse health impacts. There were also concerns expressed about the detrimental impact the tower might have on property values. Again, however, there were no appraiser's reports or other competent authority submitted to support this representation. Generally, these neighbors are concerned about the aesthetics of the tower and fear certain detrimental impacts upon their neighborhood.

As noted above, in order for special exception relief to be granted, the Petitioners must meet the burden set forth in Section 502.1 of the B.C.Z.R. Generally, the Petitioner must demonstrate that the proposed use will not be detrimental to the health, safety and general welfare of the locale. (See Schultz v. Pritts, 291 Md. 1 (1995). Moreover, as has been emphasized by the Court of Appeals in discussing the law of special exceptions, it is not merely the existence of an adverse impact that justifies a denial of the application. In order for a special exception to be denied, it must be demonstrated that the proposed use at the subject location will cause adverse impacts over and above those inherently associated with the use elsewhere in the zone. (See e.g., Mossberg v. Montgomery Co., 321, Md. 494 (1993).

In addition to the standards set forth in Section 502.1 of the B.C.Z.R., the Petitioner must also meet the standards set forth in Section 426.9 of the B.C.Z.R. Those standards include the requirement that the Petitioners make a diligent search to locate the antenna on an existing tower or non-residential building or structure, that the tower be of the minimal height necessary,

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that the tower be designed to accommodate antennae so that at least two other providers may use same, etc.

Upon due consideration of the testimony and evidence offered, I am persuaded that the Petitioners have met the requirements under law of both Sections 502.1 and 426.9 of the B.C.Z.R. Indeed, much of the testimony and evidence offered by the Petitioners was undisputed as to these requirements.

The Petitioners also asked for variance relief. Variances from the wireless communication facility requirements are authorized, pursuant to Section 426.11 of the B.C.Z.R. and governed by Section 307 thereof. Section 426.6.A.1 of the B.C.Z.R. requires that the tower be setback at least 200 feet from any other owner's residential property line. There are two variances requested in this case pursuant to that Section. The first is from the east side property line. In this respect, the subject property shares a common property line with an existing church on the adjacent property. There were no representatives of the Church present at the hearing and the Petitioners indicated that it had communicated their proposal to that property owner. Apparently, the Church does not object to the proposed special exception or variance.

In considering this request, it is to be noted that the subject property is but 371 feet wide. Thus, maintaining a 200-foot side yard setback on both sides is impossible. Obviously, a minimum width of 400 feet would be required to maintain the necessary setback. Based on this factor, I am persuaded that variance relief should be granted. In my judgment, the Petitioner has met the requirements of Section 307 of the B.C.Z.R. as to the side yard variance.

The front yard variance is another matter. As justification for this request, the Petitioners noted the existing woods that occupy the center and rear portions of the subject property. It was indicated that although the 200-foot setback could possibly be maintained, strict adherence with that regulation would require clearing of certain of the trees. Moreover, a small road from the rear of the parking lot would be required to provide access.

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The Protestants who appeared all reside on the other side of Frederick Road. The location of the tower less than 200 feet from the nearest residential line abutting the front of the property detrimentally impacts these residents, as it places the tower closer to them.

I am appreciative of the Petitioners concerns about the removal of some trees; however, a view of the photographs submitted shows that the site is heavily wooded. Even if certain trees need be removed in order to relocate the tower further towards the rear of the property, a mature stand of trees would literally surround the tower. Variances should not be granted for matters of mere convenience but only if a practical difficulty would result if strict adherence to the regulation was required. (See e.g. Cromwell v. Ward, 102 Md. App. 691 (1995). In this regard, I am not persuaded that the Petitioners have met their burden and thus, the variance to allow a 171-foot front yard setback shall be denied. In my judgment, the tower should be setback a minimum of 200 feet from the edge of paving of the subject property along Frederick Road. This will actually result in a larger setback than required from the residential lot line on the other (north) side of Frederick Road. However, pushing the tower further back to the interior of the site will decrease its visibility. In addition, painting the tower a color to match the background will further reduce its visibility. Thus, I will require that the Petitioners consult with the Office of Planning to determine an appropriate color scheme for the tower and submit an amended plan, showing the new location of the tower consistent with the terms and conditions of this order.

It is also to be noted that the property apparently rises in height from the front to the rear. Thus, relocating the tower to the rear of the property might result in a slight reduction in the overall height of the tower in that it will sit on higher ground. If the tower's height can be reduced because of the higher grade it should be. On its amended site plan, the Petitioner shall certify that the height of the tower at its new location shall not exceed 95 feet.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County his 2nd day of June 2004 that the Petition for Special Exception to permit the installation of a

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Date 6/2/04
By

95-foot tall stealth monopole containing an array of Sprint PCS antenna concealed within the uppermost portion of the pole, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 426.6A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard (east) setback of 73 feet in lieu of the required 200 feet, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) Prior to the issuance of any permits, the Petitioners shall submit a revised site plan showing a 200-foot front yard setback from the right-of-way along Frederick Road to the new location of the proposed tower, and its revised height, if necessary. If there is no revision to the height of the proposed tower, the Petitioners shall submit certification that 95 feet will be the maximum height of the tower.

3) The tower shall be painted a color as recommended by the Office of Planning to reduce visibility to the extent possible.

4) When applying for any permits, the site plan/landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 426.6A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 171 feet in lieu of the required 200 feet be and is hereby DENIED

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 4/2/99
By

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE – S/S Frederick Road, Across from Monmouth Drive **(2021 Frederick Road)** 1st Election District 1st Council District	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	OF BALTIMORE COUNTY
	*	Case No. 04-449-XA
Stagco Corporation, Owners; APC Realty & Equipment Co., Lessees	*	

* * * * * * * * * * *

ORDER ON REMAND

This matter comes before the Zoning Commissioner on Remand by Order issued by the Board of Appeals of Baltimore County dated February 9, 2005. By way of background, the Petitioners sought approval of a special exception to allow the installation of a 95-foot tall stealth monopole to serve as a wireless telecommunications tower that would contain an array of Sprint PCS antenna concealed within the uppermost portion of the pole. In addition, variance relief was requested from Section 426.6A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 171 feet and a side (east) yard setback of 73 feet in lieu of the required 200 feet each. For reasons stated within his Order dated June 2, 2004, then Zoning Commissioner Lawrence E. Schmidt approved the special exception and side yard variance request and denied the front yard setback variance. The Office of People's Counsel of Baltimore County subsequently filed a limited appeal of the Order issued by then Zoning Commissioner Schmidt on June 23, 2004.

At the hearing held before the Board of Appeals on January 13, 2005, Carole S. Demilio, Esquire, Deputy People's Counsel, appeared on behalf of the Office of People's Counsel. Nicole M. Lacoste, Esquire, appeared as Counsel for Sprint. At the outset of the hearing, Counsel for the parties advised that the appeal had been settled and presented to the Board of Appeals a joint request for remand of this matter to the Zoning Commissioner to incorporate certain terms and conditions detailed therein.

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Date 4/7/05
By

Subsequently, a Remand Hearing was scheduled before the undersigned Zoning Commissioner on March 29, 2005. At that hearing, Carole S. Demilio, Esquire, Deputy People's Counsel, appeared on behalf of the Office of People's Counsel, and Nicole M. Lacoste, Esquire, appeared as Counsel for Sprint. Counsel for the parties advised that the appeal had been resolved and submitted into evidence a revised site plan, as required by the Order of the Board, incorporating the terms of the agreement reached between the parties. The revised plan was accepted into evidence and marked as Petitioner's Exhibit 1A and includes the following conditions and restrictions:

a) Ninety-five (95) feet is the maximum height of the monopole;

b) Petitioners shall provide landscape screening along the frontage of the existing parking lot on Frederick Road;

c) Petitioners shall provide landscape screening along the proposed fence around the base of the monopole compound;

d) Petitioners shall provide a redesigned access road with a subtle curve design that minimizes the aesthetic effect of a straight-line driveway leading from the parking lot of the property to the monopole compound; and,

e) Petitioners shall show a 200-foot front yard setback from the right-of-way along Frederick Road to the new location of the proposed tower.

In that the appeal has been resolved, this Zoning Commissioner does not need to make further detailed factual findings relating to the special exception and variance request. Rather, having heard Counsels' proffers, and reviewed the pertinent file information, Petitions for Special Exception and Variance, the decision of the Zoning Commissioner dated June 2, 2004, and pursuant to the Order issued by the Board of Appeals, dated February 9, 2005,

IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of April 2005, that the Petition for Special Exception to permit the installation of a 95-foot tall stealth monopole containing an array of Sprint PCS antenna concealed within the uppermost portion of

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Date 4/7/05
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the monopole and accompanied by equipment cabinets, in accordance with Petitioner's Exhibit 1A, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 426.6A.1 of the Baltimore County Zoning Regulations to permit a side yard setback of 73 feet in lieu of the required 200 feet, in accordance with Petitioner's Exhibit 1A, be and is hereby GRANTED, subject to the following terms and conditions:

1) Sprint shall identify the trees on the property that it intends to remove as part of the construction phase of the monopole compound. After this identification of the trees, Sprint shall organize a public meeting at the property so that interested persons can review Sprint's tree removal plan prior to the commencement of the construction phase of the monopole compound. Sprint shall not commence construction of the monopole compound until this public meeting occurs.

2) The tower shall be painted a color as recommended by the Office of Planning to reduce visibility to the extent possible.

3) When applying for any permits, the amended site plan/landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
Date
By

IN THE MATTER OF THE	*	BEFORE THE
APPLICATION OF APC	*	
REALTY & EQUIPMENT	*	COUNTY BOARD OF APPEALS
COMPANY, LLC, LESSEE, (SPRINT)	*	
FOR A SPECIAL EXCEPTION AND	*	OF
VARIANCE ON PROPERTY LOCATED	*	
AT 2021 FREDERICK ROAD	*	BALTIMORE COUNTY
1st ELECTION DISTRICT	*	
1st COUNCILMANIC DISTRICT	*	CASE NO. 04-449-XA

* * * * * * * * * * * * *

REMAND ORDER TO ZONING COMMISSIONER

This matter comes before this Board on appeal filed by the People's Counsel for Baltimore County from a decision of the Zoning Commissioner dated June 2, 2004 in which the subject request for special exception and a side yard setback variance was approved. On June 23, 2004, a timely appeal of the Order of the Zoning Commissioner granting the special exception and the side yard setback variance was noted to this Board.

By hearing before the Board on January 13, 2005, Carole S. Demilio, Esquire, Deputy People's Counsel, and Nicole M. Lacoste, Esquire, Counsel for Sprint, presented the Board with a joint request for remand of this matter to the Zoning Commissioner for public hearing and further Order to include the following terms and conditions:

1. Sprint submits an amended site plan to the Zoning Commissioner that includes the following restrictions:

   a. Ninety-five feet is the maximum height of the monopole, with no exterior antenna;

   b. Landscaped with hedges and deciduous trees screening along the frontage of the existing parking lot fronting on Frederick Road subject, in addition, to the recommendations of Avery Harden, landscaping planner/architect for Baltimore County;

   c. Landscaped year-round evergreen blooming screening along the proposed fence around the base of the monopole compound; subject, in addition, to the recommendations of Avery Harden, landscaping planner/architect for Baltimore County;

d. Redesigned access road to include a subtle curve design that minimize the aesthetic effect of a straight line driveway leading from the parking lot of the property to the monopole compound; said driveway shall be no wider than twelve feet.

2. Sprint identifies the trees on the property which it intends to remove as part of the construction phase of the monopole compound. After this identification of the trees, Sprint shall organize a public meeting at the property so that interested persons can review Sprint's tree removal plan prior to the commencement of the construction phase of the monopole compound. Sprint shall not commence construction of the monopole compound until this public meeting occurs.

3. Any order by the Zoning Commissioner shall also include the restrictions set forth in the Zoning Commissioner's order dated June 2, 2004.

WHEREFORE, upon consideration of said request for REMAND, it is this 9th day of February, 2005, by the Board of Appeals of Baltimore County

ORDERED that said request be and is hereby GRANTED; and it is further

ORDERED that the above captioned case is REMANDED to the Zoning Commissioner for Baltimore County as agreed by all parties thereto, and in accordance with the terms of this Remand Order.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence S. Wescott, Chairman

Edward C. Crizer, Panel Member

John P. Quinn, Panel Member

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 2021 Frederick Road

which is presently zoned D.R.5.5

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

installation of 95' stealth monopole that will serve as a wireless telecommunications tower containing an array of Sprint PCS antenna concealed within the uppermost portion of the monopole.

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:

APC Realty & Equipment Company LLC
Name - Type or Print

Nicole M. Lacoste, authorized agent
Signature

One International Blvd. #800
Address — Telephone No.

Mahwah — NJ — 07495
City — State — Zip Code

Attorney For Petitioner:

Nicole M. Lacoste
Name - Type or Print

Nicole M. Lacoste
Signature

Tydings & Rosenberg LLP
Company

100 E. Pratt St., 26th Fl. (410) 752-9764
Address — Telephone No.

Baltimore — MD — 21202
City — State — Zip Code

Legal Owner(s):

Stagco Corporation
Name - Type or Print

Eugene A. Stallings
Signature

Eugene A. Stallings
Name - Type or Print

President, Stagco Corporation
Signature

2021 Frederick Ave. (410) 465-2680
Address — Telephone No.

Baltimore — MD — 21228
City — State — Zip Code

Representative to be Contacted:

Nicole M. Lacoste
Name

Tyding & Rosenberg LLP
100 E. Pratt St., 26th Fl. (410) 752-9764
Address — Telephone No.

Baltimore — MD — 21202
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 4.00 hrs

UNAVAILABLE FOR HEARING _____

Reviewed By [signature] Date 3-29-04

ORDER RECEIVED FOR FILING
Date 4/2/04
By [signature]

Case No. 04-449-X

REV 09/15/98

LEGAL DESCRIPTION FOR SUBJECT PARCEL 496.

BEGINNING AT A POINT BEING A FOUND IRON PIPE SAID POINT BEING THE SOUTH EAST CORNER OF SUBJECT PARCEL 496, AS RECORDED IN DEED FOUND IN LIBER 5163, FOLIO 316 CURRENTLY OWNED BY STAGCO CORPORATION, AND THE COMMON SOUTHWEST CORNER OF PARCEL 994, AS RECORDED IN DEED FOUND IN LIBER 13934, FOLIO 542 CURRENTLY OWNED BY JANET M MILLER;

THENCE SOUTH 89° 58' 16" WEST A DISTANCE OF 150.32' TO A POINT, SAID POINT BEING A FOUND IRON PIPE;

THENCE SOUTH 89° 58' 16" WEST A DISTANCE OF 75.25' TO A POINT;

THENCE NORTH 24° 33' 44" WEST A DISTANCE OF 82.50'TO A POINT;

THENCE NORTH 08° 46' 44" WEST A DISTANCE OF 382.30' TO A POINT;

THENCE NORTH 62° 44' 58" EAST A DISTANCE OF 188.55' TO A POINT;

THENCE NORTH 62° 26' 30" EAST A DISTANCE OF 169.51' TO A POINT;

THENCE SOUTH 00° 01' 44" EAST A DISTANCE OF 617.50' TO A POINT BEING THE POINT OF BEGINNING

THE ABOVE DESCRIBED PARCEL, CONTAINS 153,440 SQUARE FEET OR 3.5225 ACRES MORE OR LESS.

STATE OF MARYLAND
JERRY BERRAM
No. 56
REGISTERED
REGISTERED PROPERTY LINE SURVEYOR

449

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: #04-449-XA
2021 Frederick Road
South side of Frederick Road opposite Monmouth Road:
1st Election District - 1st Councilmanic District
Legal Owner(s): Stago Corporation, Eugene A. Stallings-President
Contrat Purchaser: APC Realty & Equipmenet Company, LLC

Special Exception: to permit installation of 95-foot stealth monopole that will serve as a wireless telecommunications tower containing an array of Sprint PCS antenna concealed within the uppermost portion of the monopole.
Variance: to allow a front setback of 171-feet and a side (east) yard setback of 73-feet in lieu of the minimum required 200-feet each.
Hearing: Wednesday, May 19, 2004 at 9:00 a.m., 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.
JT 5/6/17 May 4 3430

CERTIFICATE OF PUBLICATION

5/5/, 2004

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 5/4/, 2004.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. 35761
04-444-XA

DATE 3-29-04 ACCOUNT R-001-006-6150

AMOUNT $ 705.00

RECEIVED FROM: Tydings & Rosenberg, LLP

FOR: Commercial Special Except & Var. hg for
2021 Frederick Rd.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
03/30/2004	3/29/2004	15:31:39	2

REG W004 WALKIN DOOL DWD
RECEIPT # 260106 3/29/2004 OFLH
Dept 5 529 ZONING VERIFICATION
CK NO. 035761
Recpt Tot $705.00
$705.00 CK $0.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 22681

DATE 12-4-06 ACCOUNT 1001-006-6150

AMOUNT $ 50.00

RECEIVED FROM: Lindy Construction

FOR: 2021 Shady Lane Parking

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
12/05/2006	12/04/2006	12:48:25	1

REG WS01 WALKIN JRIC JRH
>>RECEIPT # 311568 12/04/2006 OFLR
Dept: 5 526 ZONING VERIFICATION
CR NO. 022681
Recpt Tot 450.00
450.00 CH 0.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

RECEIVED
DEC 4 2006
06-2390
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

CERTIFICATE OF POSTING

RE: Case No.: 04-499-XA

Petitioner/Developer: APC REALTY & EQ. CO. LLC

Date of Hearing/ Closing: MAY 19, 2004

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

Attention: Becky Hart

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 # 2021 FREDERICK ROAD

The sign(s) were posted on MAY 3, 2004
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

APPEAL SIGN POSTING REQUEST

CASE NO.: 04-449-XA

STAGCO CORPORATION.– LEGAL OWNER

2021 FREDERICK ROAD

1ST ELECTION DISTRICT

APPEALED: JUNE 24, 2004
AMENDED APPEAL: JUNE 30

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

APPEAL SIGN POSTING REQUEST

CASE NO.: 04-449-XA

STAGCO CORPORATION.– LEGAL OWNER

2021 FREDERICK ROAD

1ST ELECTION DISTRICT

APPEALED: JUNE 24, 2004
AMENDED APPEAL: JUNE 30

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

CASE NO.: 04-449-XA

Petitioner/Developer:

STAGCO CORPORATION. – LEGAL OWNER

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

2021 FREDERICK ROAD

The sign was posted on 9/30, 2004

By: Gary Freund
(Signature of Sign Poster)

GARY FREUND
(Printed Name)

ZONING NOTICE

CASE # 04-449-XA

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

PLACE: ROOM 407 COUNTY COURTS BUILDING
401 BOSLEY AVENUE
TOWSON, MD 21204

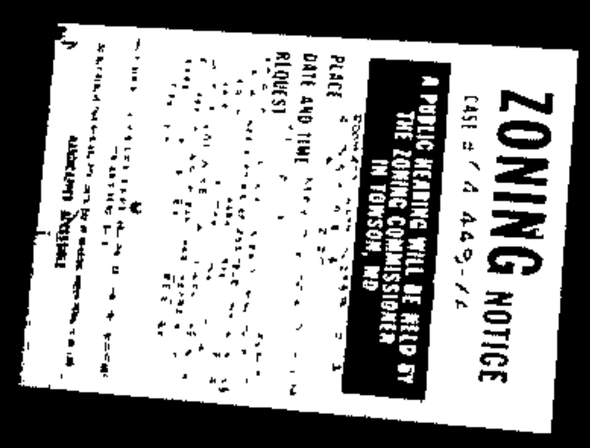
DATE AND TIME: MAY 19, 2004 AT 9:00 A.M.

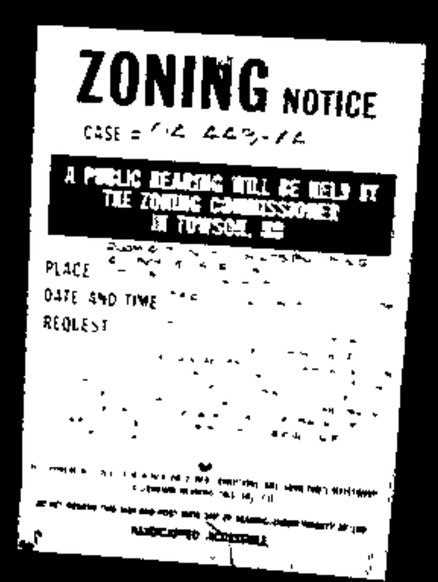
REQUEST: SPECIAL EXCEPTION TO PERMIT INSTALLATION OF 95-FOOT STEALTH MONOPOLE THAT WILL SERVE AS A WIRELESS TELECOMMUNICATIONS TOWER CONTAINING AN ARRAY OF SPRINT PCS ANTENNA CONCEALED WITHIN THE UPPERMOST PORTION OF THE MONOPOLE. VARIANCE TO ALLOW A FRONT SETBACK OF 171 FEET AND A SIDE (EAST) YARD SETBACK OF 73 FEET IN LIEU OF THE MINIMUM REQUIRED 200 FEET EACH.

[illegible] DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL [illegible]

[illegible] THIS SIGN AND POST WITH [illegible]

HANDICAPPED ACCESSIBLE





ZONING NOTICE

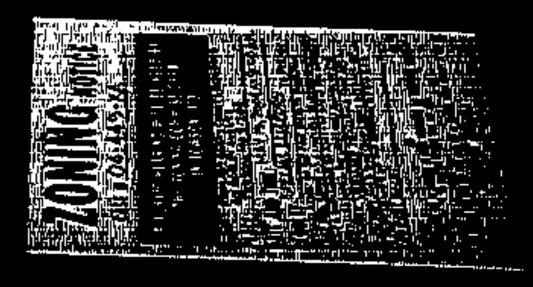
CASE # 04-449-XA

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

PLACE: ROOM 407 COUNTY COURTS BUILDING
401 BOSLEY AVENUE
TOWSON, MD. 21204

DATE AND TIME: MAY 19, 2004 AT 9:00 A.M.

REQUEST: SPECIAL EXCEPTION TO PERMIT INSTALLATION OF 95-FOOT STEALTH MONOPOLE THAT WILL SERVE AS A WIRELESS TELECOMMUNICATIONS TOWER CONTAINING AN ARRAY OF SPRINT PCS ANTENNA CONCEALED WITHIN THE UPPERMOST PORTION OF THE MONOPOLE. VARIANCE TO ALLOW A FRONT SETBACK OF 24.5 FEET AND A SIDE YARD SETBACK OF 25 FEET IN LIEU OF THE REQUIRED 200 FEET EACH.



TO: PATUXENT PUBLISHING COMPANY
Wednesday, May 4, 2004 Issue - Jeffersonian

Please forward billing to:
Nicole M. Lacosate
Tydings and Rosenberg
100 E. Pratt Street, 26th Floor
Baltimore, Maryland 21202

410-752-9764

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: 04-449-XA
2021 Frederick Road
South side of Frederick Road opposite Monmouth Road.
1st Election District—1st Councilmanic District
Legal Owners: Stago Corporation, Eugene A. Stallings-President
Contract Purchaser: APC Realty & Equipment Company, LLC.

Special Exception to permit installation of 95-foot stealth monopole that will serve as a wireless telecommunications tower containing an array of Sprint PCS antenna concealed within the uppermost portion of the monopole.
Variance to allow a front setback of 171-feet and a side (east) yard setback of 73-feet in lieu of the minimum required 200-feet each.

Hearing: Wednesday, May 19, 2004 at 9:00 AM, Room 407 County Courts Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

April 8, 2004

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: 04-449-XA
2021 Frederick Road
South side of Frederick Road opposite Monmouth Road.
1st Election District—1st Councilmanic District
Legal Owners: Stago Corporation, Eugene A. Stallings-President
Contract Purchaser: APC Realty & Equipment Company, LLC.

Special Exception to permit installation of 95-foot stealth monopole that will serve as a wireless telecommunications tower containing an array of Sprint PCS antenna concealed within the uppermost portion of the monopole.
Variance to allow a front setback of 171-feet and a side (east) yard setback of 73-feet in lieu of the minimum required 200-feet each.

Hearing: Wednesday, May 19, 2004 at 9:00 AM, Room 407 County Courts Building, 401 Bosley Avenue.

Timothy Kotroco

Timothy Kotroco
Director

TK: clb
C: Nicole M. Lacoste Tydings & Rosenberg 100 E. Pratt Street, 26th Fl Baltimore 21202
APC Realty & Equipment Co. One International Blvd. # 800, Mahwah, NJ 07495

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY MAY 4, 2004**
(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.

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: 04-449-XA

Petitioner: APC Realty + Equipment Company LLC c/o Mike Griffiths

Address or Location: One International Blvd, Suite 800, Mahwah, N.J. 07495

PLEASE FORWARD ADVERTISING BILL TO:

Name: Nicole M. Lacoste

Address: Tydings + Rosenberg LLP
100 East Pratt St, 26th floor
Baltimore, MD 21202

Telephone Number: 410-752-9764

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr, County Executive
Timothy M. Kotroco, Director

May 10, 2004

Nicole M. Lacoste
Tydings & Rosenberg, LLP
100 E. Pratt Street, 26th Floor
Baltimore, Maryland 21202

Dear Ms. Lacoste:

RE: Case Number:04-449-XA, 2021 Frederick Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 29, 2004.

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: clb

Enclosures

c: People's Counsel
Stagco Corporation Eugene A Stallings 2021 Frederick Avenue Baltimore 21228
APC Realty & Equipment Company One International Blvd # 800 Mahwah NJ 07495

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fig 5/19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: April 27, 2004

RECEIVED

APR 2 8 2004

ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case 4-449**

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: _____

Division Chief: _____

AFK/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: May 18, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For April 12, 2004
Item Nos. 436, 437, 438, 439, 440, 441,
445, 446, 447, 448, and 449

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

RWB:CEN:jrb

cc: File

Fire Department

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

Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

March 31, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: March 31, 2004

Item No.: 436-449

Dear Ms. Hart:

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.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

State Highway Administration
Driven to Excel

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4-5-04

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

RE: Baltimore County
Item No. 449 JJS

Dear Ms.Matthews:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/~~US~~ 144.
are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

K. A. McDonald

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley RBS/JPD

DATE: April 5, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 8, 2004

__X__ The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-436
04-437
04-438
04-439
04-440
04-441
04-445
04-446
04-447
04-448
04-449

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND
Interoffice Correspondence

DATE: May 15, 2003

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

FROM: Tower Review Committee

SUBJECT: Sprint PCS – Tower Light Pole - Catonsville

The Tower Review Committee met on May 14, 2003 and is making the following advisory comments to the Development Review Committee (DRC) in accordance with section 426.4 of the Baltimore County Zoning Regulations in reference to a proposed construction of a 90-foot stealth tower light pole to be located at the Knights of Columbus Hall, 2021 Frederick Road, Catonsville, Maryland 21228.

- *Antennas should be placed on existing towers, buildings, and structures, including those of public utilities, where feasible.*

Findings: Sprint has provided all requested information to the Tower Review Committee (TRC) to successfully demonstrate that no other co-location opportunities exist at this location that would suffice in providing their requested coverage.

- *If a tower must be built, the tower should be: Constructed to accommodate at least three providers.*

Findings: T-Mobile has stated that the new light pole will be constructed so as to support a minimum of two additional carriers.

- *Erected in a medium or high intensity commercial zone when available.*

Findings: The Knights of Columbus Hall is located in a D.R.5.5 zone This tower will require a special exception hearing as well as a variance.

- *Located and designed to minimize its visibility from residential and transitional zone.*

Findings: The tower will be designed as a stealth light pole set to the rear of an existing parking lot for the Knights of Columbus. We find that the visual impact will be negligible.

Conclusion

By a unanimous vote of the Tower Review Committee, it was agreed that the advisory comments provided above be forwarded to the Development Review Committee for further processing.

The Committee has also decided that consideration be given by the Zoning Commissioner to other proposed towers for this general vicinity, specifically, the T-Mobile tower proposed for the Montrose Manor Apartment Complex, located at 29 Montrose Manor Court. It is the Committee's feeling that the tower proposed by T-Mobile may eliminate the need for this tower at 2021 Frederick Road by providing Sprint with a co-location opportunity on the Montrose Manor tower.

Tower Review Committee

Charles C. Dennis, Tower Coordinator
Jeff Long, Office of Planning
Harry Wujek, Community Member TRC
Richard Sterba, OIT Representative

CC: Patrick Roddy, Baltimore County Office of Law

Thomas Iler, Director, OIT

Attachments: Original T-Mobile Application to DRC only

RE:	PETITION FOR SPECIAL EXCEPTION AND VARIANCE	*	BEFORE THE
	2021 Frederick Road; S/side Frederick Road opposite Monmouth Road	*	ZONING COMMISSIONER
	1st Election & 1st Councilmanic Districts	*	FOR
	Legal Owner(s): Stagco Corporation, Eugene Stallings, President	*	BALTIMORE COUNTY
	Contract Purchaser(s): APC Realty & Equipment Company, LLC	*	04-449-XA

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of April, 2004, a copy of the foregoing Entry of Appearance was mailed to Nicole M. Lacoste, Esquire, Tydings & Rosenburg, LLP, 100 E Pratt Street, 26th Floor, Baltimore, MD 21202, Attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED
APR 0 8 2004
Per.....

Department of Permits and Development Management

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

Baltimore County

James T Smith, Jr, County Executive
Timothy M Kotroco, Director

July 8, 2004

Nicole Lacoste
Ballard, Spahrs, Andrews, Ingersoll, LLP
300 E. Lombard Street, 13th Floor
Baltimore, MD 21202

RECEIVED
JUL 09 2004
BALTIMORE COUNTY
BOARD OF APPEALS

Dear Ms. Lacoste:

RE: Case : 04-449-XA, 2021 Frederick Road

Please be advised that an appeal of the above-referenced case was filed in this office on June 30, 2004 by Peoples Counsel of Baltimore County. 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,

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

c: Lawrence E. Schmidt, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
People's Counsel of Baltimore County, MS #2010
Eugene Stallings, John Murray, Stagco Corp., 2021 Frederick Rd., Baltimore 21228
Barry Casanova, 1407 Woodbridge Rd., Catonsville 21228
Michael Griffiths, 1 International Blvd., Ste. 800, Matwah NJ 07495
Marc Marzullo, 1575 I Street, Ste. 350 NW, Washington D.C., 20005
John Kinnally, 2012 Cedar Circle Drive, Baltimore 21228
Hassan Khalil, 6905 Rockledge Drive, #400, Bethesda 20817
Sheila Kulp, 99 Rollingbrook Way, Catonsville 21228
Michele Wehner, 96 Rollingbrook Way, Catonsville 21228
John Adelsberger, 9 Monmouth Road, Catonsville 21228

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APPEAL

Petition for Special Exception and Variance
2021 Frederick Road
S/s of Frederick Road, across from Monmouth Drive
1st Election District – 1st Councilmanic District
Stagco Corporation – Owners
APC Realty & Equipment Co. - Lessees

Case No.: 04-449-XA

✓ Petition for Special Exception and Variance (March 29, 2004)

✓ Zoning Description of Property

✓ Notice of Zoning Hearing (April 8, 2004)

✓ Certification of Publication (May 4, 2004 – The Jeffersonian)

✓ Certificate of Posting (May 3, 2004) by Garland Moore

✓ Entry of Appearance by People's Counsel (April 8, 2004)

✓ Petitioner(s) Sign-In Sheet
One Sheet

✓ Protestant(s) Sign-In Sheet
None

✓ Citizen(s) Sign-In Sheet
One Sheet

✓ Zoning Advisory Committee Comments (May 10, 2004)

✓ Petitioners' Exhibit
- ✓ 1A. Zoning Drawing
- 1B. Not in file
- ✓ 2. Tydings & Rosenberg (Table of Contents – all contents not found in exhibit)
- ✓ 3. Letter of Interest dated May 5, 2004 from T Mobile
- ✓ 4A. Photo
- ✓ 4B. Photo

✓ Protestants' Exhibits:
- ✓ 1. Signed petitions

Miscellaneous (Not Marked as Exhibit)
- ✓ 1. Air Photo
- ✓ 2. Application for Wireless Communication Site Placement
- ✓ 3. Letter of opposition
- ✓ 4. 2 Photos of Spring PCS Equipment Cabinets
- ✓ 5. List of Participants on Behalf of Petitioner
- ✓ 6. Letter dated March 11, 2003

Zoning Commissioner's Order (PARTIALLY GRANTED – June 2, 2004)

✓ Notice of Appeal received on June 24, 2004 from Peoples Counsel

✓ Notice of Amended Appeal received on June 30, 2004 from Peoples Counsel

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Eugene Stallings, John Murray, Stagco Corp., 2021 Frederick Rd., Baltimore 21228
Barry Casanova, 1407 Woodbridge Rd., Catonsville 21228
Michael Griffiths, 1 International Blvd., Ste. 800, Matwah NJ 07495
Marc Marzullo, 1575 I Street, Ste. 350 NW, Washington D.C., 20005
John Kinnally, 2012 Cedar Circle Drive, Baltimore 21228
Hassan Khalil, 6905 Rockledge Drive, #400, Bethesda 20817
Sheila Kulp, 99 Rollingbrook Way, Catonsville 21228
Michele Wehner, 96 Rollingbrook Way, Catonsville 21228
John Adelsberger, 9 Monmouth Road, Catonsville 21228

date sent July 9, 2004, klm

D S THALER & ASSOCIATES, INC.
7115 AMBASSADOR ROAD
BALTIMORE, MD 21244-7428

JOHN ADELSBERGER
9 MONMOUTH ROAD
CATONSVILLE, MD 21228

MICHELE WEHNER
96 ROLLINGBROOK WAY
CATONSVILLE MD 21228

HASSAN KHALIL
6905 ROCKLEDGE DRIVE
#400
BETHESDA MD 20817

NICOLE LACOSTE ESQUIRE
BALLARD SPAHRS ANDREWS
INGERSOLL LLP
300 E LOMBARD STREET
13TH FLOOR
BALTIMORE, MD 21202

EUGENE STALLINGS
JOHN MURRAY
STAGO CORP
2021 FREDERICK ROAD
BALTIMORE, MD 21228

BARRY CASANOVA
1407 WOODBRIDGE ROAD
CATONSVILLE MD 21228

MICHAEL GRIFFITHS
ONE INTERNATIONAL BLVD, SUITE 800
MATWAH NJ 07495

MARC MARZULLO
1575 I STREET NW
SUITE 350
WASHINGTON, D.C. 20005

JOHN KINNALLY
2012 CEDAR CIRCLE DRIVE
BALTIMORE, MD 21228

SHEILA KULP
99 ROLLINGBROOK WAY
CATONSVILLE MD 21228

Add to file: David Wasmund
8 Osborne Avenue
Catonsville, MD 21228

Special Exception and Variance Public Hearing
for
2021 Frederick Road
Legal Owners: Stagco Corporation, Eugene A. Stallings, President
Lessee: APC Realty & Equipment Company, LLC (t/a Sprint PCS)

Zoning Commissioner of Baltimore County
9:00 a.m. – Wednesday, May 19, 2004
County Courts Building
401 Bosley Avenue, Room 407
Towson, MD 21204

Participants on Behalf of Petitioner

1. Hassan Khalil, Sprint RF Engineer
   Expert Wireless Solutions, Inc.
   8221 Old Courthouse Rd., Suite 200
   Vienna, Virginia 22182
   Tel: 703-582-9728

2. John Kinnally, Site Acquisition
   NB&C (Contractor for Sprint PCS)
   2012.Cedar Circle Dr.
   Baltimore, MD 21228
   Tel: 443-255-0320

3. Marc Marzullo, Civil Structural Engineer
   Entrex Communication Services, Inc.
   1575 I St., NW, Suite 350
   Washington, DC 20005
   Tel: 301-275-9741

4. Eugene Stallings, President, Stagco Corporation
   2021 Frederick Ave.
   Baltimore, Md 21228
   Tel: 410-465-2680

5. Nicole Lacoste, Attorney for APC Realty & Equipment Company, LLC
   Tydings & Rosenberg LLP
   100 E. Pratt St., 26th Fl.
   Baltimore, MD 21202
   Tel: 410-752-9764

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M Kotroco, Director

March 15, 2005

Nicole Lacoste
Ballard Spahr Andrews & Ingersoll, LLP
300 E. Lombard Street, 18th Floor
Baltimore, MD 21202

Re: Case No. 04-449-XA, 2021 Frederick Road

Dear Ms. Lacoste:

This letter is to confirm the hearing date of the Remand request for the above-indicated case. The date as arranged with your office and the Zoning Commissioner's office is March 29, 2005 at 11:00 a.m. in the County Courts Building, 401 Bosley Avenue, Rm. 407. If you have any questions or concerns feel free to contact me at 410-887-3391.

Sincerely,

Kristen L. Matthews

Kristen L. Matthews
Zoning Review

Printed on Recycled Paper

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL
Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

June 30, 2004

Timothy Kotroco, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Hand-delivered

Re: **AMENDED APPEAL**
PETITION FOR SPECIAL EXCEPTION AND VARIANCE
2021 Frederick Road; S/side Frederick Road opposite Monmouth Road
1st Election & 1st Councilmanic Districts
Legal Owner(s): Stagco Corporation, Eugene Stallings, President
Contract Purchaser(s): APC Realty & Equipment Company, LLC
Case No. 04-449-XA

Dear Mr. Kotroco:

Please amend our appeal filed on June 23, 2004, to include the granting of the special exception permitting a 95' monopole containing Sprint PCS antennas and the granting of a variance permitting a side yard setback of 73' in lieu of the required 200'. We are not appealing the denial of the variance for a front setback of 171' in lieu of 200'.

Thank you for your consideration.

Very truly yours,

Carole S. Demilio
Deputy People's Counsel for Baltimore County

CSD/rmw

cc: Nicole M. Lacoste, Esquire
Barry W. Casanova, Esquire

RECEIVED
JUN 30 2004
Per.....

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

June 23, 2004

Timothy Kotroco, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Hand-delivered

Re: **PETITION FOR SPECIAL EXCEPTION & VARIANCE**
2021 Frederick Road; S/side Frederick Road opposite Monmouth Road
1st Election & 1st Councilmanic Districts
Legal Owner(s): Stagco Corporation, Eugene Stallings, President
Contract Purchaser(s): APC Realty & Equipment Company, LLC
Case No. 04-449-XA

Dear Mr. Kotroco:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated June 2, 2004 by the Baltimore County Zoning Commissioner in the above-entitled case

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel

RECEIVED
JUN 2 3 2004
Per.

PMZ/CSD/rmw

cc: Nicole M. Lacoste, Esquire
Barry W. Casanova, Esquire

We greatly appreciate you consideration of our objections. As taxpayers and homeowners, we are most concerned about the detrimental effects on our community, neighbors and our property values. It is unfair that American Personal Communications prosper at the expense of the taxpayers.

Sincerely,

William T. Beach

Mary L. Beach

BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

January 17, 2006

Ms. Katie Oppenheimer
Agent for T-Mobile Northeast LLC
12050 Baltimore Avenue
Beltsville, Maryland 20705

RE: Spirit & Intent Letter, 04-449-XA, 2021 Frederick Road
1st Election District

Dear Ms. Oppenheimer:

This office as requested by my December 21, 2006 letter has received the redlined plan for Zoning Case 04-449-XA located at 2021 Frederick Road. T-Mobile Northeast LLC proposes to install three (3) additional antennas inside the existing 95-foot stealth monopole and add three (3) equipment cabinets on the ground at the base of this existing monopole.

As shown on this plan, Zoning Review has determined that your request is in the spirit and intent of 04-449-XA. This approval is only valid if the existing monopole can structurally and safely accommodate these additional antennas. The approved redlined plan and my letter will become part of this zoning case.

I trust that this letter is sufficiently detailed and responsive to the request. If you have any questions I can be reached at 410-887-3391.

Sincerely,

Donna Thompson

Donna Thompson
Planner II, Zoning Review

DT

100 EAST PRATT STREET
BALTIMORE MARYLAND 21202
410/752-9700
FAX 410/727-5460

WASHINGTON DC OFFICE
202/296-1642
FAX 202/828-4130

ATTORNEYS AT LAW
TYDINGS & ROSENBERG LLP

NICOLE LACOSTE BOWLES
410/752-9764
nbowles@tydingslaw.com

March 11, 2003

HAND DELIVERED

Tower Review Committee
Mr. Charles C. Dennis, Chief
c/o Electronic Services/Telecommunications
11112 Gilroy Road, Suite 101
Hunt Valley, MD 21031

Re: APC Realty and Equipment Company LLC t/a Sprint PCS
Proposed Stealth Monopole – 90' Lightpole
Knights of Columbus/St. Agnes Council
2021 Frederick Road, Catonsville, MD 21228

Dear Mr. Dennis:

The undersigned represents APC Realty and Equipment Company LLC t/a Sprint PCS ("Sprint"). On behalf of Sprint, I am enclosing the following:

(1) Four (4) copies of an Application for Wireless Communication Site Placement;
(2) Four (4) copies of Plan entitled "Knights of Columbus – St. Agnes Council Plan to Accompany TRC and DRC Applications;"
(3) Four (4) copies of radio-frequency propagation maps illustrating the coverage area of the proposed stealth monopole and the coverage area without the proposed stealth monopole; and
(4) Check made payable to Baltimore County in the amount of $2,400.00 for the TRC application fee.

As set forth in the Application, Sprint proposes to install a working 90' lightpole that will serve as a stealth wireless telecommunication tower. The proposed lightpole will have an array of Sprint antennae located at the uppermost portion of the lightpole (covered by the skin of the lightpole). The lightpole can accommodate similar wireless antenna arrays for two other carriers. The proposed power and equipment cabinets (4 in total) will be located on concrete piers at the base of the proposed lightpole within a 20' x 12' fenced area. Applicant believes that installing this lightpole/monopole at this Knights of Columbus location will achieve the coverage objective while having the least possible impact upon the adjacent community.

#449

#333419

Sprint has filed concurrently herewith, a Development Review Committee Request Form, seeking an exemption under §26-171(a)(7) for the construction of the accessory structures. A copy of the DRC Application (without site plans) is also attached.

This property is located in the D.R.5.5 Zone and, accordingly, Sprint will need to file a Special Exception application for this use. Additionally, Sprint will need to seek variances from the 200' set back requirements applicable to monopoles. Upon receipt of any comments from the Tower Review Committee, Sprint intends to file a combined Special Exception and Variance application.

If the Tower Review Committee needs any further information, please let me know. On behalf of Sprint, I hereby request a meeting with the Tower Review Committee to discuss this Application. Please let me know what date is convenient to the Committee.

Thank you for your assistance. Again, if anything further is needed, please call me at (410) 752-9764.

Sincerely,

Nicole M. Lacoste

cc: Ade'an Hepburn/Sprint PCS

LAW OFFICES
BALLARD SPAHR ANDREWS & INGERSOLL, LLP
300 EAST LOMBARD STREET, 18TH FLOOR
BALTIMORE, MARYLAND 21202-3268
410-528-5600
FAX· 410-528-5650
WWW BALLARDSPAHR COM

PHILADELPHIA, PA
DENVER, CO
SALT LAKE CITY, UT
VOORHEES, NJ
WASHINGTON, DC
WILMINGTON, DE

NICOLE M LACOSTE
DIRECT DIAL: 410-528-5546
PERSONAL FAX. 410-361-8942
LACOSTEN@BALLARDSPAHR.COM

RECEIVED
JUL 20 2004
BALTIMORE COUNTY
BOARD OF APPEALS

July 19, 2004

Via Facsimile (410-887-3182) and U.S. Mail

Ms. Kathleen C. Bianco, Administrator
Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, MD 21204

RE: **Case No. 04-449-XA**

Dear Ms. Bianco:

I represent APC Realty and Equipment Company, LLC (hereinafter referred to by its trade name, "Sprint"), with the filing of its Petition for Special Exception and Petition for Variance to the Zoning Commissioner of Baltimore County for the installation of a telecommunications facility at 2021 Frederick Road (the "Property"). The Zoning Commissioner rendered an opinion in favor of Sprint's request for a special exception and one of Sprint's two requests for set-back variances on June 2, 2004.

On June 30, 2004, the Office of People's Counsel appealed, in part, the Zoning Commissioner's decision. This appeal by People's Counsel requires a hearing before the County's Board of Appeals (the "Board"). I understand from our conversation last week that the Board may not be able to place this application on its hearing agenda for approximately six months.

I respectfully request of the Board that it makes every effort to schedule Sprint's Petitions on the Board's hearing agenda as soon as possible. Sprint is mandated by the Federal Communications Commission (FCC) to provide seamless cellular service coverage to its customers by filling existing gaps in coverage . Sprint submitted its Petitions to the County because such a gap exists in Catonsville in the vicinity of the Property. As mandated by the FCC, Sprint needs to make every effort to fill this gap. Sprint is not able to fulfill this mandate until all of the appropriate governmental approvals are obtained to install a telecommunications facility designed to provide coverage in this gap.

Thank you in advance for your consideration of this request and your attention to this matter. If the Board requires any additional information regarding the urgency of this request, do not hesitate to contact me.

Sincerely,

Nicole M. Lacoste
Associate

NML/NL
cc: Mike Griffiths/Sprint PCS
Peter Max Zimmerman/People's Counsel

Please answer this for letter T. Fox

Tech Lu 12-4 respond w/ Lu

November 30, 2006

To: DT 12/6/06

Timorthy Kotroco, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue, Suite 105
Towson, Maryland 21204

Subject: Spirit & Intent Request
2021 Frederick Road, Election District 1

Dear Mr. Kotroco:

T-Mobile Northeast LLC ("T-Mobile") proposes to install three (3) antennas inside the existing 95-foot stealth monopole located at 2021 Frederick Road. Three (3) equipment cabinets will be located on the ground at the base of the existing stealth monopole. T-Mobile intends to install its antennas at a height of 80-feet, which will not extend the height of the existing monopole. T-Mobile requests that this application be found to be within the "spirit and intent" of the Baltimore County Zoning Regulations, as well as the underlying Special Exception and Variance (04-449-XA) which granted original approval of the stealth monopole and a side yard setback of 73-feet in lieu of the required 200-feet from the nearest residential property line.

Baltimore County Zoning Regulations (BCZR), Section 426 – Telecommunications Facilities

426.2 (A) Antennas should be placed on existing towers, buildings and structures, including those of public utilities, where feasible.

This application is to place antennas inside an existing 95-foot stealth monopole.

426.5 (Residential Zones – DR 5.5) Location and height restrictions for wireless telecommunications towers and antennas. Antennas are permitted by right. Antennas cannot be more than 15-feet high and 3-feet in diameter.

The property is zoned DR 5.5 with an existing stealth monopole. The monopole is 95-feet and was approved at a height of 95-feet. The proposed antennas are approximately 5-feet in height, 12-inches wide and 4-inches deep, and will be located at a height of 80-feet and will not extend the height of the existing stealth monopole.

Special Exception Case Number 04-449-XA

Per the "Finding of Fact and Conclusion of Law" dated April 7, 2005, the Petition for Special Exception to permit a 95-foot tall wireless telecommunications stealth monopole in a DR 5.5 zone was granted. Included with this Petition was a request for a Variance seeking relief from setback standards. The Variance granted with 04-449-XA was to permit a side yard setback of 73-feet in lieu of the required 200-feet from the monopole to the nearest residential property line.

T-Mobile will not be altering this approval, as the side yard setback from the monopole to the nearest residential property line will remain 73-feet.

The Remand Hearing for 04-449-XA, held on March 29, 2005, granted the case with the following conditions and restrictions:

a) 95-feet is the maximum height of the monopole
T-Mobile will not be extending the height of the stealth monopole – its antennas will be located inside the existing monopole at a height not to exceed 80-feet.
b) The Petitioner shall provide landscape screening along the frontage of the existing parking lot along Frederick Road.
Sprint, the Petitioner for 04-449-XA, intends to provide landscape screening to include six (6) Leyland Cypress trees, along the frontage of the existing parking lot along Frederick Road before its construction phase is complete.
c) The Petitioner shall provide landscape screening along the proposed fence around the base of the monopole compound.
Sprint, the Petitioner for 04-449-XA, intends to provide landscape screening to include sixteen (16) Leyland Cypress trees around the perimeter of their equipment compound before its construction phase is complete. As T-Mobile is proposing a 12-foot by 20-foot expansion of Sprint's original equipment compound, T-Mobile will provide nine (9) additional Leyland Cypress trees around its compound expansion before its construction phase is complete.
d) The Petitioner shall provide a redesigned access road with a subtle curve design that minimizes the aesthetic effect of a straight-line driveway leading from the parking lot of the property to the monopole compound; and
Sprint, the Petitioner for 04-449-XA, has designed an access road with a subtle curve leading from the parking lot of the property to the monopole compound. This will remain unchanged.
e) The Petitioner shall show a 200-foot setback from the right-of-way along Frederick Road to the new location of the proposed tower.
The monopole location will remain unchanged and will therefore still meet the 200-foot setback requirement from the right-of-way along Frederick Road to the original monopole's approved location.

The Order dated April 7, 2005, which followed an appeal, also gave additional terms and conditions for approval:

1. The Petitioner shall identify the trees on the property that it intends to remove as park of the construction phase of the monopole compound. After this identification of the trees, Sprint shall organize a public meeting at the property so that interested persons can review Sprint's tree removal plan prior to the commencement of the construction phase of the monopole compound. Sprint shall not commence construction of the monopole compound until this public meeting occurs.
Sprint held the public meeting at the property so that interested persons could review their tree removal plan prior to the commencement of construction. T-Mobile is not proposing any additional tree removal and, therefore, will not be holding a second public meeting.

2. The tower shall be painted a color as recommended by the Office of Planning to reduce visibility to the extent possible.
   The monopole is painted a neutral brown to blend in with the existing trees on the property. This color will remain unchanged.
3. When applying for any permits, the amended site plan/landscaping plan must reference this case and set forth and address the restrictions of this order.
   T-Mobile will reference and address the Case Number 04-449-XA and the conditions/restrictions of approval when applying for any permits.

Summary

The Baltimore County Zoning Regulations, specifically Section 426, state that it is the intent of Baltimore County that antennas should be placed on existing monopoles

Special Exception 04-449-XA was granted to allow for the operation of a stealth wireless transmitting and receiving monopole. The stealth monopole is currently 95-feet tall and was approved at a height of 95-feet. T-Mobile will in no way be extending the height of the existing stealth monopole and will locate all antennas inside the existing monopole at a height not to exceed 80-feet. In addition, the Variance granted with 04-449-XA permitting a side yard setback of 73-feet in lieu of the required 200-feet (from the monopole to the nearest residential property line) will not be altered. T-Mobile will not be altering this approval, as the side yard setback from the monopole to the nearest residential property line will remain 73-feet. T-Mobile will also reference and address all conditions and approvals under 04-449-XA when applying for any building permits.

If you have any questions with regards to this application, feel free to contact me at 203-240-5906. Thanks in advance for your time for this review.

Respectfully Submitted,

Katie Oppenheimer

Katie Oppenheimer
Agent for T-Mobile Northeast LLC, 12050 Baltimore Ave., Beltsville, MD 20705
203-240-5906 (p)
240-264-8604 (f)
katie.oppenheimer@t-mobile.com

Sprint

North East Site Development

Sprint PCS
1 International Boulevard
Suite 800
Mahwah, NJ 07495

Tydings & Rosenberg LLP
100 East Pratt Street, 26th Floor
Baltimore, Maryland 21202

Re: Authorization to file Permitting and Zoning Applications for sites throughout Maryland

Gentlemen:

William D. Shaughnessy, Esquire and any other attorney in the law firm of Tydings & Rosenberg LLP is hereby authorized on behalf of APC Realty and Equipment Company LLC, Sprint PCS Limited Partnership a/k/a Sprint Spectrum L.P, and Sprint Corporation, which is the indirect owner of APC Realty and Equipment Company LLC, all trading as Sprint PCS, to sign and file applications for special exceptions, conditional uses, variances, site plan approvals, building permits and all other governmental applications, relating to communications tower approvals and antenna installations in all jurisdictions throughout the State of Maryland.

Sprint Corporation
Sprint PCS Limited Partnership a/k/a
Sprint Spectrum L.P
APC Realty and Equipment Company LLC
t/as SPRINT PCS

March 26, 2001
Date

By: _____

Title: Director of Site Development
Wash DC – Maryland – Philadelphia

449

#243877

Ken Patterson

Airspace Consulting, Inc.

www.airspace-ken.com

Site ID: WA54XC649A Knights of Columbus II February 2, 2004

To Whom It May Concern:

On February 2, 2004, I personally conducted an evaluation of a proposed telecommunications site for Sprint PCS. The study was to determine if the proposed structure would create any adverse effect on navigable airspace. The site is located near Catonsville, Maryland at 39° 15' 56.65" North and 76° 45' 43.57" West (NAD 83). The site elevation is 370' above mean sea level (AMSL). The proposed structure height is 120' above ground level (AGL) or 490' AMSL. Part 77 of the Federal Air Regulations and Part 17 of the FCC Rules and Regulations were used as the primary reference for this evaluation.

The closest public use landing surface is Runway 15R at Baltimore-Washington Int'l Airport. The distance to the runway is 6.10 nautical miles on a true bearing of 322.24° from the runway end.

The proposed 120' AGL (490' AMSL) structure would not exceed any FAR Part 77 or FCC Part 17 notice requirement and, therefore, notice to the FAA is not required for this structure. If filed, the proposed 120' AGL structure should be approved by the FAA.

Normally, structures that do not require notice to the FAA do not require marking and/or lighting.

The maximum height that would not require notice to the FAA is 200' AGL (570' AMSL).

Private use landing facilities and AM broadcast stations are not a factor for this site. For additional information or questions about this study, contact my office anytime.

Sincerely,

Ken Patterson

Ken Patterson

#449

KP 10368

141 Massengale Road, Brooks, GA 30205
(770) 461-0563 FAX (501) 638-5264 kpac@mindspring.com

Charles P. Johnson & Associates, Inc.
Planners Engineers Landscape Architects Surveyors

CPJ Associates

Silver Spring, MD Frederick, MD Fairfax, VA

FAA 2-C SURVEY CERTIFICATION

Applicant: Sprint PCS
Crossroads Corporate Center
One International Boulevard
Mahwah, NJ 07495

Site Name: Knights Of Columbus II
Site Number: WA54ZC649-A
Site Address: 2021 Frederick Road
Catonsville MD, 21228

Horizontal Datum: NAD83 GPS observations

Vertical Datum: NGVD 1929 (AMSL)

Structure Type: ☐New Tower ☐Existing Tower ☐Roof Top
☐Water Tank ☐Smoke Stack ☐Other LIGHT POLE

Latitude: N 39°15'56.65"

Longitude: W 076°45'43.57"

Ground Elevation: 370 AMSL Elevation (in feet)

Top of Tower: 90' AGL Elevation (in feet)

Certification: I certify that the latitude of N 39°15'56.65" and the longitude of W 076°45'43.57" are accurate to within ±50 feet horizontally, and that the site elevation of 370 AMSL is accurate to within ±20 feet vertically. The horizontal datum (coordinated) are in terms of the North American Datum of 1983 (NAD83) and are expressed in degrees, minutes and seconds, to the nearest hundredth of a second. The vertical datum (heights) are in terms of the National Geodetic Vertical Datum of 1929 and are determined to the nearest foot.

Company: Charles P. Johnson & Associates
1751 Elton Road
Silver Spring MD 20903

Surveyor: Signature/Seal Ronald L. Collier
Professional Land Surveyor
MD Reg No. 20014

Date March 15, 2002

STATE OF MARYLAND

#449

N:\30192\wp\FAA 2C Cert for Knights Of Columbus II WA54ZC649-A.wpd

May 24, 2004

Baltimore County Zoning
Commissioner's Office
Towson, Maryland 21204

RE: Case #4-449XA

FAXED TO: 410887-3468

The attached copy is a letter I faxed to the Zoning Commissioner's Office on May 19, 2004. I did not include my address.

Please attach this memo to my letter with my home address so that my complete information is on file.

ADDRESS: 105 Hillside Road
Baltimore, MD 21228

Thank you,

Mary L. Beach

FAXED TO: 410-887-3468

Mr. Timothy Kotroko, Zoning Commissioner
Baltimore County
Towson, Maryland 21204

RE: Case # 4-449XA
Location: Southside of Frederick Road across from Monmouth Road

Dear Mr. Kotroko:

This letter is in strong opposition to the above noted request for Special Exception to permit installation of a 95 foot stealth monopole at the above noted site.

We oppose this exception for the following reasons:

1. Most importantly, this area consists mostly of residential homes valued between $250,000 and $600,000. The proposed structure is not compatible with a residential area. These types of structures typically are located in dense, business areas or on farms, isolated from residential communities. We have lived in the surrounding area, first at 100 Rollingbrook Way from 1984 until 1992, and currently at 105 Hillside Road since 1992.. We are most concerned about the negative impact of this monopole on our property value. Aesthetically, a structure such as this one, will be in the direct view of many homeowners.

2. The site noted is located directly on Frederick Road which is a scenic route as designated by Baltimore County. This road is the main road into Historic Catonsville, Historic Ellicott City and is used to access Banneker Park. Baltimore County should maintain this route as scenic and a 95 foot monopole certainly would not be considered scenic.

3. Current zoning requirements are for a minimum 200 foot setback from the front of the property and 200 foot setback from the sides. The variance requested to allow a 171 foot from the front and 73 feet from the side represents a substantial shortage of 39% of the required footage. This is a potential hazard to residents and motorists traveling on Frederick Road. Placement of large structures such as monopoles should adhere to zoning requirement so that residents and motorist are not put in danger.

We greatly appreciate you consideration of our objections. As taxpayers and homeowners, we are most concerned about the detrimental effects on our community, neighbors and our property values. It is unfair that American Personal Communications prosper at the expense of the taxpayers.

Sincerely,

William T. Beach

Mary L. Beach

Case No.: 04-449-XA

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1A	AMENDED RED LINE SITE PLAN REMAND HEARING 3/29/05 - 2 PAGES -	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
EUGENE A. STALLINGS	2021 FREDERICK ROAD	BALTIMORE, MD 21228	EASPE@AOL.COM
JOHN P. MURRAY	2021 FREDERICK ROAD	BALTIMORE, MD 21228	
Michael Griffiths	1 International Blvd. Suite 800	Mahwah, NJ 07495	egriff04@sprintspectrum.com
Nicole ~~LaCost~~ Lacoste	100 East Pratt Street, 26th Floor	Baltimore, MD 21201	NLacoste@lydigslaw.com
JOHN KINNALLY	2012 CEDAR CIRCLE DR	BALT, MD 21228	mrjack4@AOL.com
MARC MARZULLO	1575 I St. Ste 350 NW	Washington DC 20005	mmarzullo@enterex.com
BARRY W CASANOVA	1407 WOODBRIDGE RD	CATONSVILLE MD 21228	BWCASANOVA@MSN.COM
Hassan Khalil	6905 Rockledge Dr #400	Bethesda, MD 20817	HKhalil01@sprintspectrum.com

PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Sheila M. Kulp	99 Rollingbrook Way	Catonsville MD 21228	sdkulp@cs.com
Michele A. Wehner	96 Rollingbrook Way	Catonsville MD 21228	Aerobicqueen56@aol.com
John L Adelsberger	9 MONMOUTH RD	CATONSVILLE MD 21228	john.l.adelsberger@bge.com

IN THE MATTER OF:	* BEFORE THE
STAGCO CORPORATION - owner;	* BOARD OF APPEALS
APC REALTY & EQUIPMENT CO. -	* OF
Lessee (Sprint)	* BALTIMORE COUNTY
2021 Frederick Road	* Case No. 04-449-XA
1st E, 1st C	* January 13, 2005

* * * * *

The above-entitled matter came on for hearing before the County Board of Appeals of Baltimore County at the Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204, at 10 o'clock a.m., January 13, 2005.

Reported by:

C.E. Peatt

1 BOARD MEMBERS:
2
3 LAWRENCE S. WESCOTT, Chairman
4 EDWARD C. CRIZER, JR.
5 JOHN P. QUINN
6
7
8
9 APPEARANCES:
10 NICOLE M. LACOSTE, Esquire
On behalf of APC Realty &
11 Equipment Company LLC, trading
as Spirit PCS
12 CAROLE S. DEMILIO, Esquire
Deputy People's Counsel
13 On behalf of Baltimore County
14
15
16
17
18
19
20
21

1 PROCEEDINGS
2 * * * * *
3 THE CHAIRMAN: Good morning, ladies and
4 gentlemen. This is a regular meeting of the County Board
5 of Appeals of Baltimore County in Case No. 04-449-XA, in
6 the matter of Stagco Corporation, owner, APC Reality &
7 Equipment Company - lessee (Sprint), 2021 Frederick Road,
8 in the 1st Election District, 1st Councilmanic District.
9 This is an appeal from the Zoning Commissioner's
10 order in which requested special exception and variance
11 relief was granted with restrictions.
12 Would counsel please their appearance, for the
13 record.
14 MS. LACOSTE: Nicole Lacoste, on behalf of APC
15 Realty & Equipment Company LLC, trading as Sprint PCS.
16 MS. DEMILIO: Carole Demilio, Deputy People's
17 Counsel, for Baltimore County.
18 THE CHAIRMAN: Thank you. My understanding,
19 there's been an agreement on certain matters, is that
20 correct?
21 MS. LACOSTE: yes.

1 MS. DEMILIO: That's correct, Mr. Chairman. If I
2 may -- if it's all right with Nicole – if I put on the
3 record, and then she can offer any comment if I've left
4 anything out.
5 This was an appeal of the Zoning Commissioner's
6 decision of June 2, 2004, approving a special exception
7 and a side yard variance for a Sprint cell tower located
8 at 2021 Frederick Road.
9 Our office has indicated a timely limited appeal
10 from the grant of the special exception, from the grant of
11 a single variance in this case.
12 Subsequent to our appeal, we have had discussions
13 with the representatives from Sprint as well as the
14 individual who's here, who is the property owner, or
15 represents the property owner, the company of the
16 property, and we've reached an agreement with regard to
17 this case.
18 Our agreement indicates that we would remand the
19 case to the Zoning Commissioner for an amended order
20 wherein the special exception would be approved and the
21 single side yard variance on the east side of 75.5 feet

1 setback would be approved and the Zoning Commissioner's
2 restrictions located in that order of June 2, 2004, also
3 be incorporated, with the additional restrictions as
4 follows?
5 Sprint would submit an amended site plan which
6 would include these restrictions that I am discussing
7 today.
8 The maximum height of the tower would be no more
9 than ninety-five feet. The color of the tower would match
10 the bark on the surrounding trees.
11 The spirit of the construction of this equipment
12 and the tower would be to minimize the number of trees
13 removed, so Sprint has agreed that they would tag the
14 trees in the field that they intend to remove in order to
15 construct the cell tower and the equipment that's
16 necessary for maintenance of the cell tower, and then
17 contact the community to actually look at those proposed
18 tree removals to be sure that everyone is satisfied that
19 the minimum number of trees that have to be removed would
20 be removed.
21 Also in line with that, there is a proposed

Page 6

1 driveway that's on the current site plan that Sprint has
2 agreed would change somewhat to have some deviation in it
3 so it would not be a straight line, but would represent
4 some type of curve into the actual site of construction so
5 that the aesthetic effect of the driveway would be to
6 minimize the concrete that's shown, or would be to
7 minimize the appearance of a straight line driveway.
8 Sprint has also agreed that they would make some
9 proposal in terms of modifying the driveway from what
10 currently exists on the site plan, and then they will
11 review that with the community as well, with the whole
12 idea in keeping the screening to a maximum as possible.
13 The driveway will be no wider than twelve feet wide.
14 In addition, Sprint has agreed, with the
15 cooperation and agreement of the Stago representative that
16 is here today, the owner of the property, that Sprint will
17 provide some screening of hedges and some deciduous trees
18 along the parking lot for the property so that it will
19 also minimize the impact of the equipment that's there.
20 As its usual practice, Sprint has agreed to
21 constructing a board-on-board fence around the equipment,

Page 7

1 or the box that you would traditionally see with these
2 towers, and will provide screening around the
3 board-on-board fence so that the equipment itself will not
4 be visible.
5 The landscaping that is proposed would be
6 reviewed by Mr. Avery Harden, who's the landscape
7 architect for Baltimore County, in order to be sure that
8 the proper type of trees and the height of trees and
9 whatnot and the maximum screening does take place.
10 The screening around the fence that I mentioned,
11 around the board-on-board fence, would preferably be pine
12 and evergreen so that it would be screened year-round.
13 Again, as I mentioned, the Zoning Commissioner's
14 hearing indicated that the type of tower that Sprint is
15 proposing here will have no exterior antenna, it will not
16 increase in size, diameter or the ninety-five foot height
17 that I mentioned, that they had agreed to the Zoning
18 Commissioner's decision.
19 The setback, the front yard setback, which was
20 denied below, is not under review at this hearing, this de
21 novo hearing, because Sprint has agreed that they will

Page 8

1 maintain a minimum of a 200 foot setback from the property
2 line, Stagco's side of Frederick Road for the setback, so
3 there's no variance necessary for the front yard setback
4 for this proposal.
5 I believe other than submitting the names of the
6 people that are here today, I believe that should be the
7 restrictions which will be placed in some fashion on the
8 amended site plan, either in notes or actual drawings as
9 the land planner for Sprint has seen fit, and he's also
10 here.
11 So the names of everyone on the sign-in sheet,
12 while it usually contains People's Counsel's witnesses, at
13 this time, for the Board's convenience, and for the
14 purpose of the order, the sign-in sheet will contain the
15 name of everyone who's here, including the expert
16 witnesses for Sprint.
17 What we are proposing, if the Board agrees, is a
18 simple order that will state that the case will be
19 remanded for an amended site plan to comply with the
20 restrictions that I've stated, and I believe that counsel
21 will agree, so I don't think that we need a complicated

Page 9

1 order from the Board.
2 I think it will be relatively simple from the
3 Board. And I will say, for the record, our office will
4 work with Ms. Lacoste to expedite this matter before the
5 Zoning Commissioner as quickly as possibly.
6 THE CHAIRMAN: Will you prepare the order?
7 MS. DEMILIO: We'll prepare the order as soon as
8 the site plan is ready.
9 I just want to say for the record we'll work with
10 her to have it heard as quickly as possibly before the
11 Zoning Commissioner for purposes of amending the order to
12 include the restrictions.
13 So let me just offer the sign-in sheet and say
14 that all these people are here. I hope I have mentioned
15 everything.
16 Mr. Dillon, who is our expert land planner has
17 been working with us, and he has a comment.
18 MR. DILLON: Just to clarify, the landscaping
19 along the parking lot was along the Frederick Road edge of
20 the property.
21 MS. DEMILIO: Okay.

1 THE CHAIRMAN: Ms. Lacoste?
2 MS. LACOSTE: I agree with the presentation by
3 Ms. Demilio, and we thank the Board.
4 THE CHAIRMAN: Very well. If there's nothing
5 further, we'll postpone, or continue the hearing.
6 MS. DEMILIO: Remand it, actually. We are going
7 to do an order of remand so the Board really doesn't have
8 to address the merits of the special exception.
9 Our undertanding, that would expedite this
10 matter, and really relieve the Board of anything other
11 than signing the order of remand to amend the June 2, 2004
12 order to incorporate the conditions which were indicated
13 on the record today.
14 THE CHAIRMAN: You want to preserve for posterity
15 this sign-in sheet? You want the reporter to type the
16 names of the people in the record, or we can put it in as
17 People's Counsel Exhibit 1 and put it in the file, and
18 have it preserved?
19 MS. DEMILIO: It might be good if we can have the
20 court reporter type it into the record.
21 MR. LACOSTE: We would prefer it be put into the

1 record.
2 MS. DEMILO: I don't think it's necessary to read
3 them. I am satisfied that the court reporter takes the
4 list and just types them into the record.
5 MS. LACOSTE: We've both reviewed the document
6 and we agree that's the complete list of everyone that was
7 present today.
8 MS. DEMILIO: Thank you, Mr. Wescott.
9 THE CHAIRMAN: Very well. If there's nothing
10 further, we are adjourned.
11 (Hearing concluded.)
12 * * * * *
13
14
15
16
17
18
19
20
21

1 PEOPLE'S COUNSEL SIGN-IN SHEET
2
3 John Adelsberger
9 Monmouth Road 410-869-1775
4
David Wasmund
5 8 Osborne Ave 410 747-6882
6 Berchie Manley.
402 Montemar Ave. 410 747-7419
7
Marc A. Marzullo
8 Etrex Communication Services
1575 L St. NW Ste. 350
9 Washington, D.C. 202 408-0966 (or 0960)
10 John Kinnally
2012 Cedar Circle Dr.
11
Hassan Khalil
12 HKhali@sprintspectrum.com
13 Eugne Stallings, Stago
4808 Woodbridge Ct.
14
M. Ronald Lipman
15 8815 Centre Pk. Dr. Ste. 200 410-423-2300
16 Jack Dillon
207 Courtland Road 410-33705465
17
Mike Griffiths 201-684-4212
18 1 International Circle Ste. 800
Mahwah, N.J. 07495
19
20
21

-&-

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BALTIMORE COUNTY, MARYLAND
APPLICATION FOR WIRELESS COMMUNICATION SITE PLACEMENT
(New freestanding towers/monopoles only)

Date: March 11, 2003 DRC Number: _____

Applicant Name: APC Realty and Equipment Company LLC t/as SPRINT PCS

Address: One International Boulevard, Suite 300, Mahwah, NJ 07430

(Attn: Ms. Ade'an Hepburn)

Telephone: (201) 684 – 4175 Fax: (201) 684- 4169

Carrier/Company Name: SPRINT PCS

Site Engineer: Malcolm Pirnie, Inc.

Attorney (if applicable): Tydings & Rosenberg LLP, 100 E. Pratt St – 26th Floor
Baltimore, MD 21202

Contact Person: Nicole M. Lacoste Phone: (410) 752-9764

Proposed Installation:

Please describe the tower/monopole being proposed, capacity information for potential co-location, and information on equipment buildings, or other items Related to the structure.

Applicant proposes to install a working 90' lightpole that will serve as a stealth wireless telecommunication tower. The proposed lightpole will have an array of Sprint PCS antennae located at the uppermost portion of the lightpole (covered by the skin of the lightpole). The lightpole can accommodate similar wireless antenna arrays for two other carriers. The proposed power and equipment cabinets (4 in total) will be located on concrete piers at the base of the proposed lightpole within a 20' x 12' fenced area. Applicant believes that installing this lightpole/monopole at this Knights of Columbus location will achieve the coverage objective while having the least possible impact upon the adjacent community.

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Site Description:
Address: 2021 Frederick Road, Catonsville, MD 21228

Location (SPCS): latitude: N 661,552 longitude: E 1,201,482

Height of proposed tower: Lightpole (stealth monopole) – 90 feet

Type of antenna to be located on tower: EMS Wireless Stealth Antenna (model# FR65-18-02DPL2)

Area to be served by proposed siting: Catonsville area – primarily along Frederick Road west of Rolling Road and east of Old Frederick Road

(Public Benefit):
This installation will improve wireless telecommunication coverage along Frederick Road and the surrounding area, increase capacity and avoid dropped calls, provide seamless wireless coverage in the area, and provide an opportunity for co-location for two additional carriers.

Has co-location been investigated on nearby structure? Yes.

Results:
Sprint looked at co-locating in the steeple of the Catonsville Presbyterian Church at 1400 Frederick Road, however, due to existing antennae in the steeple, it was not feasible from an engineering standpoint. Sprint looked at the Baltimore County Lattice Tower located at 6501 Emerson Avenue, however, this site was outside the search ring and too close to another Sprint site so it was not acceptable from a radio frequency standpoint. Sprint looked at placing its antennae on nearby BGE power lines but the site was too close to another Sprint site in Ellicott City and was not acceptable from a radio frequency standpoint. Sprint also contacted the owner of a horse farm on Frederick Road but no opportunity for co-location existed at this site.

Is a hearing required before the Zoning Commissioner? Yes X No _____

If yes, please note reason:
Because the property is located in an D.R.5.5 zone, a special exception is needed for the construction of a telecommunication pole. Due to the location of the proposed lightpole along the existing parking lot of the Knight of Columbus facility, a variance from the 200' side yard setback is needed.

Please submit this application, accompanying site plan (four copies), and supportive Documentation to:

Tower Review Committee
Charles C. Dennis, Chief
C/O Electronic Services/Telecommunications
11112 Gilroy Road Suite 101
Hunt Valley, MD 21031

Jules Cohen, P.E.
Consulting Engineer

RADIO FREQUENCY EXPOSURE CONSIDERATIONS APPLICABLE TO SPRINT PCS BASE STATIONS

This engineering statement has been prepared in response to a request from Sprint PCS (Sprint) to provide radio-frequency (RF) exposure data relative to Personal Communications System (PCS) base stations. Results of the study made and the procedures followed are described below.

In brief, the calculations made show that the maximum level of exposure to RF energy from operation of PCS base stations by Sprint for a person at ground level anywhere in the vicinity of a base station site is far below the maximum permitted by the rules of the Federal Communications Commission (FCC) for the general population/uncontrolled environment. The exposure level is also far below standards that have been adopted anywhere in the world.

The standard adopted by the FCC follows the maximum exposure limits set by the National Council on Radiation Protection and Measurements (NCRP), with some features taken from Standard C95.1/1992 of the American National Standards Institute/Institute of Electrical and Electronics Engineers. The NCRP is an independent expert group chartered by Congress. The permissible exposures set, even for the occupational/controlled

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environment, are not at the threshold where biological harm may result. They are based on the scientific literature, including a data base of in excess of 10,000 papers, reporting experimental results. Studies show that the most sensitive indicator of a biological effect is behavioral. When animals are trained to do a particular task, their performance of that task is modified when exposure is equal to a level approximately ten times greater than the maximum exposures permitted for the occupational/controlled environment and fifty times greater than the exposures permitted for the general population/uncontrolled environment. Behavior modification is not necessarily harmful and disappears when the field is reduced, but the assumption is made that prolonged exposure in excess of the level causing behavioral modification might be harmful. The FCC standard is premised on avoidance of RF exposure that may have an adverse biological effect.

Base stations operated by Sprint transmit in the frequency band 1930 to 1945 megahertz (millions of cycles per second - abbreviated as MHz). To provide satisfactory service to the mobile units, an antenna is used that directs power toward the horizon, with very little power directed downward. The transmission system used is known as Code Division Multiple Access (CDMA) permitting the provision of service to multiple users within the same frequency band. Maximum "effective radiated power," the product of antenna input and antenna gain (a measure of the degree of concentration of the transmitted

power) is 300 watts. As noted, that level of power is directed principally toward the horizon. At angles toward the ground in the vicinity of the antenna, the power level is far less. Because of the low power used, and the direction of maximum radiation toward the horizon to maximize service, the exposure level, even directly below the antenna system of the base station is only a small fraction of the permitted level of 1,000 microwatts per square centimeter ($\mu W/cm^2$) specified in Section 1.1310 of the FCC rules. In the following tables, the RF exposure has been calculated as specified by the FCC and is shown at approximate head height (six feet above ground) for five antenna heights likely to be used by Sprint.

Even in the main beam of the 1900 MHz antenna, a location not usually accessible, uncontrolled environment criteria are not exceeded until within about five feet of the antenna. Mounting of the antenna is necessarily such that interception of the maximum field is not possible for anyone other than maintenance personnel. An important criterion in designing the mounting arrangement, is that no obstructions may be introduced in the antenna's vicinity.

The conclusion of the study made is that operation of a base station, with antennas mounted as described, is well within the standards for exposure of humans to radio-frequency radiation. Those standards were promulgated to provide a safe environment for workers and the population at large.

RF EXPOSURE FROM PCS ANTENNA 100 FEET ABOVE GROUND LEVEL			
Hor. Distance (feet)	**Power Density ($\mu W/cm^2$)**	**% of Uncontrolled MPE**	**Safety Factor**
0	0.03906	0.003906	1,280,000
10	0.03620	0.003620	1,381,000
30	0.04431	0.004431	1,128,000
50	0.07611	0.007611	657,000
100	0.1431	0.01431	349,000
200	0.1391	0.01391	359,000
300	0.1091	0.01091	458,000
400	0.08049	0.008049	621,000
500	0.06584	0.006584	759,000
1000	0.04255	0.004255	1,175,000
2000	0.01698	0.001698	2,945,000
3000	0.01197	0.001197	4,176,000
4000	0.00674	0.000674	7,422,000

RF EXPOSURE FROM PCS ANTENNA 125 FEET ABOVE GROUND LEVEL			
Hor. Distance (feet)	Power Density ($\mu W/cm^2$)	% of Uncontrolled MPE	Safety Factor
0	0.02408	0.002408	2,076,000
10	0.02268	0.002268	2,204,000
30	0.02148	0.002148	2,328,000
50	0.03236	0.003236	1,545,000
100	0.08926	0.008926	560,000
200	0.1255	0.01255	399,000
300	0.08180	0.008180	611,000
400	0.06193	0.006193	807,000
500	0.08166	0.008166	612,000
1000	0.03361	0.003361	1,488,000
2000	0.01695	0.001695	2,949,000
3000	0.01196	0.001196	4,179,000
4000	0.00673	0.000673	7,424,000

RF EXPOSURE FROM PCS ANTENNA 150 FEET ABOVE GROUND LEVEL			
Hor. Distance (feet)	**Power Density ($\mu W/cm^2$)**	**% of Uncontrolled MPE**	**Safety Factor**
0	0.01647	0.001647	3,035,000
10	0.01553	0.001553	3,219,000
30	0.01496	0.001496	3,343,000
50	0.01857	0.001857	2,692,000
100	0.05615	0.005615	890,000
200	0.08880	0.00880	563,000
300	0.06136	0.006136	815,000
400	0.04714	0.004714	1,061,000
500	0.05020	0.005020	996,000
1000	0.02652	0.002652	1,885,000
2000	0.01344	0.001344	3,720,000
3000	0.01196	0.001196	4,182,000
4000	0.00673	0.000673	7,427,000

RF EXPOSURE FROM PCS ANTENNA 200 FEET ABOVE GROUND LEVEL			
Hor. Distance (feet)	**Power Density ($\mu W/cm^2$)**	**% of Uncontrolled MPE**	**Safety Factor**
0	0.00908	0.000908	5,509,000
10	0.00858	0.000858	5,830,000
30	0.00840	0.000840	5,954,000
50	0.00806	0.000806	6,201,000
100	0.01359	0.001359	3,680,000
200	0.03473	0.003473	1,440,000
300	0.04225	0.004225	1,183,000
400	0.03438	0.003438	1,454,000
500	0.02962	0.002962	1,688,000
1000	0.01642	0.001642	3,045,000
2000	0.01338	0.001338	3,736,000
3000	0.00753	0.000753	6,640,000
4000	0.00534	0.000534	9,364,000

RF EXPOSURE FROM PCS ANTENNA 250 FEET ABOVE GROUND LEVEL			
Hor. Distance (feet)	Power Density ($\mu W/cm^2$)	% of Uncontrolled MPE	Safety Factor
0	0.00574	0.000574	8,716,000
10	0.00543	0.000543	9,215,000
30	0.00535	0.000535	9,339,000
50	0.00522	0.000522	9,586,000
100	0.00776	0.000776	6,447,000
200	0.02167	0.002167	2,307,000
300	0.02524	0.002524	1,981,000
400	0.02751	0.002751	1,817,000
500	0.02195	0.002195	2,278,000
1000	0.01435	0.001435	3,484,000
2000	0.00667	0.000667	7,498,000
3000	0.00596	0.000596	8,383,000
4000	0.00424	0.000424	11,799,000

In the foregoing tables, RF exposure does not drop off uniformly with increasing distance because of the effect of the vertical plane radiation pattern. As distance increases, the angle below horizontal toward the point of interest decreases and the power radiated approaches maximum. In some distance steps, the effect of increase in radiated power is greater than the contrary distance effect. As the distance becomes sufficiently great that radiated power is essentially at the maximum, exposure drops off inversely with the square of the distance, *i.e.* if the distance is doubled, the exposure level is reduced by a factor of four.

The safety factor in the tables takes into account the fact that, in setting the level for maximum permitted exposure for the general population/uncontrolled environment, the standard was set fifty times below the level where experiments had indicated the possibility of an adverse biological effect.

Jules Cohen

Jules Cohen, P.E.

March 4, 1999

Effective January 1, 2002

FCC LICENSEES AND APPLICANTS SECTION 106 SUBMITTAL FORM

Project Name Knights of Columbus **Date** 4/4/03

Carrier/Tower Builder
Company Name: Sprint PCS
Contact Person: Steve Wingtack
Address:
Phone Number: 201-684-4128

Preparer/Consultant
Company Name: Marshall Miller & Assoc.
Contact Person: Brian Shellenberger
Address: 3913 Hartzdale Dr. Camp Hill, PA 17011
Phone Number: 717-730-7810

Tower Description
Site Address: 3905 Stealth light pole 2021 Frederick Rd. Catonsville, MD 21228

Type: ☐ monopole ☐ lattice ☑ other ☐ new tower ☐ co-location

If co-location, does it met one of the following criteria? ☐ Increase existing tower height by 10% or more ☐ on a building 50 years or older ☐ substantially alter the size of the ground equipment ☐ in a National Register listed/eligible Historic District (If not, no submittal is required.)

Lighting: ☐ none ☑ yes If yes, what kind Halogen Street lights

Height: 90 Feet

Required Drawings: ☑ site plan (include access roads)

☑ tower elevation with antennas (also include depth of disturbance for tower, equipment compound, and access road)

Site Description
Altitude: 375 ft
Topography: Very Hilly
Tree height: 70 ft

Historic Properties Identification
APE: ☑ 1-mile (up to 199ft) ☐ 2-miles (200ft +) ☐ direct physical impact (co-locations, fiber optic cables, archeological sites) ☐ other, justify

NR Sites ✓
MIHP sites ✓
Other properties more than 50 years

List these on a separate page with indication of eligibility and potential impact. (Most MIHP sites have NOT been evaluated for eligibility.)

Map Requirements
☐ USGS Quad Ellicott City
✓ APE indicated on the map
✓ Indicate tower site location
✓ Indicate all potential historic site locations, label with MIHP number
✓ Label with quad name

Photograph Requirements
Kinds:
✓ Where the tower will be built
✓ Inventoried properties that may be impacted by the undertaking
✓ Any property more than fifty years of age within the APE that may be impacted by the undertaking

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Labeling.
— MIHP number
— Address
— Property owner's name if known

Zoning Hearing
☐ Occurred ☐ Not occurred ☑ Unknown
If occurred, please included: — copy of newspaper announcement — Board comments

Consulting parties contacted:

_____ _____

— Copy of letter, if one sent

Native American Concerns
Please note that there are no Indian tribes officially recognized by the U. S. or State governments within Maryland. The Maryland Historical Trust does not maintain an inventory of sacred Native American sites.

Effect Determination
☑ No effect to historic properties
☐ No adverse effect
☐ Adverse effect

Brian E. Stellwagen 4/11/02
Agency Representative Date

The Maryland Historical Trust ☑ concurs ☐ does not concur with the above determination of effect.
Comments:

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5/29/02
Maryland Historical Trust
Project Review and Compliance Date

200201264
MHT Log #

March 23, 2004

Justification Statement

APC Realty & Equipment Company LLC
("Sprint PCS")

Sprint site: WA54XC649E

Knights of Columbus/Woodwind

2021 Frederick Road
Baltimore, Maryland 21228

Tax Map 100, Parcel 496

Submitted by Authorized Agent for
APC Realty & Equipment Company LLC:
Nicole M. Lacoste, Esquire
Tydings & Rosenberg LLP
100 East Pratt Street
Baltimore, MD 21202

#449

#342261

PURPOSE OF APPLICATION

APC Realty and Equipment Company LLC (t/a Sprint PCS and hereinafter referred to as "Sprint") submits this justification statement in support of its application for a special exception and variances from the Baltimore County Zoning Regulations (the "BCZR") for the installation of a wireless telecommunications facility with antenna arrays concealed within the skin of a monopole (the "Monopole") and accompanying equipment cabinets (collectively, the "Proposed Use") at the Knights of Columbus property located at 2021 Frederick Road (the "Property").

THE PROPOSED USE

Sprint proposes to install the Monopole, ninety-five feet (95') in height, on the Property. The Monopole will have one (1) array of three (3) Sprint PCS antennae concealed at the uppermost portion of it. The Monopole is designed to minimize its visibility from residential and transitional zones, in accordance with § 426.2(B)(3) of the BCZR. The Monopole can accommodate similar wireless antenna arrays for two other carriers, in accordance with § 426.2(B)(1) of the BCZR. The Monopole will not support any lights.

The battery cabinet, flexent cabinet, power and telco cabinet, and the electrical meter will be located within a twenty-foot by twenty-foot (20' x 20') fenced area that also contains the Monopole. The fence surrounding the compound will be an eight (8) foot high wooden board-on-board fence. A twelve (12) foot wide entrance gate secured by a combination lock will allow access to the compound via the existing parking lot. A three (3) foot wide entrance gate secured by a combination lock will provide access to the compound via the side yard of the Property.

Sprint believes that placing this Monopole on the Property will achieve its radio frequency coverage objective while having the least possible impact upon the adjacent community.

THE PROPERTY

The Property is owned by Stagco Corporation, a body corporate of the State of Maryland. Stagco Corporation and Sprint have entered into a lease agreement for the Proposed Use on the Property.

The Property contains 3.5225 acres. This complies with § 426.9(C) of the BCZR requiring that in all residential or transitional zones other than an R.C. Zone, a tower shall be located on a lot of at least three acres. The location of the Monopole on the Property is not within a scenic viewshed.

ZONING

The Property is located in the D.R.5.5 Zone. No record of any previous applications for zoning is contained within Baltimore County's files of zoning.

SPECIAL EXCEPTION

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Sprint seeks a grant of a special exception pursuant to § 426.5 of the BCZR for the Proposed Use, all as shown on the attached zoning drawing dated February 25, 2004, and entitled "Zoning Drawing" (the "Zoning Drawing").

In accordance with § 426.9(A), Sprint meets the additional conditions for towers permitted by special exception:

1. Sprint has made a diligent attempt to locate the antenna on an existing tower or nonresidential building or structure. The site acquisition specialist employed by Sprint investigated the following properties as potential candidates for this search ring and determined the Property to be the best candidate:
   a) *Catonsville Presbyterian Church at 1400 Frederick Road*: Sprint investigated the possibility of co-locating its antennae in the church steeple but due to existing antennae in the same location, Sprint's co-location was deemed not feasible from an engineering standpoint.
   b) *Baltimore County Lattice Tower at 6501 Emerson Avenue*: Sprint investigated the possibility of co-locating its antennae on this existing tower but due to its location outside of the search ring for this antenna array, it was deemed not feasible from a radio frequency standpoint.
   c) *BGE Power Lines*: Sprint investigated the possibility of co-locating its antennae on these existing power lines but they ran to close to another Sprint antenna set in Ellicott City and was deemed by Sprint to not be feasible from a radio frequency standpoint.
   d) *Horse Farm on Frederick Road*: Sprint investigated the possibility of locating a telecommunications facility at this property but the property owner was not interested in discussing the location of a telecommunications facility on this property.

2. Due to the location, elevation, engineering, technical feasibility or inability to obtain a lease or ownership of a location elsewhere, the construction of a tower at the Property is warranted. Radio frequency engineers for Sprint have identified the Property as a suitable location for this antenna array. Sprint's objective is to provide seamless wireless coverage to its users and this location fills a gap in Sprint's current coverage in the Catonsville area.

3. To the extent technically feasible, the Monopole has been designed to accommodate antennas of at least two other providers. The Zoning Drawing included in this application illustrates accommodation for two additional carriers.

4. The height of the tower is no higher than what is required to enable present and future co-location of other providers. Radio frequency engineers for Sprint have confirmed that coverage objectives are met at the proposed height.

In accordance with § 426.9(C) of the BCZR, Sprint meets the additional requirement set forth for residential zones. There is no available, suitable site for the Monopole in a

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medium or high intensity commercial zone. Sprint has identified above with particularity the other sites considered within this radio frequency search ring in the Catonsville area. All along Frederick Road in this area, the properties are primarily residential or transitional in use. Sprint has determined that the Monopole, with its stealth design, blends best into this neighborhood located on the Property because of the existing Knights of Columbus building, existing trees, and the location adjacent to an existing paved parking lot.

Sprint's application for the Proposed Use also meets the special exception criteria set forth in § 502.1 of the BCZR:

1. The Proposed Use is not detrimental to the health, safety or general welfare of the area. Included in this application at Tab 10 is a report entitled, "Radio Frequency Exposure Considerations Applicable to Sprint PCS Base Stations." This report discusses Sprint's radio frequency (RF) emissions that are in compliance with the Federal Communication Commission's regulations concerning such emissions.
2. The Proposed Use will not create congestion in roads, streets or alleys in the vicinity. Sprint's periodic maintenance visits to the site will not generate significant traffic in the area. Sprint estimates, on average, one or two vehicles per month for routine maintenance would visit the Property after construction is completed.
3. The Proposed Use will not create a potential hazard from fire, panic or other dangers. Sprint acknowledges that the Monopole shall be designed and constructed in accordance with all applicable American National Standards Institute standards. The Proposed Use will enhance governmental facilities and promote the public welfare by providing a modern, more efficient system of communications for police, fire and other emergency services as well as provide modern cellular service to business, industry, and individuals.
4. The Proposed Use will not overcrowd land and cause undue concentration of population. The non-residential Proposed Use will not create any increase in the population of the area.
5. The Proposed Use will not interfere with adequate provision for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements. The Proposed Use will not impose an undue burden on the County's infrastructure. No water or sewer services are required for the Proposed Use.
6. The Proposed Use will not interfere with adequate light and air. The FCC approves all telecommunications equipment used by Sprint and generally assigns painting and lighting requirements according to the Federal Aviation Administration's (FAA) "determination" for a structure at the time of registration. The "determination" references FAA Advisory Circular AC 70/7460-1, "Obstruction Marking and Lighting," presently incorporated in the FCC Rules. In addition, both the FCC and the FAA strictly regulate the construction, marking and lighting of antenna structures near airports or close to flight paths and runways. In these cases, the FAA will specify appropriate painting and lighting requirements for the monopole. Sprint must maintain painting and lighting in accordance with any specifications assigned to the structure. (See FAA 2-C

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Survey Certification at Tab 11 and Airspace Consulting, Inc. Determination Letter at Tab 12).

7. The Proposed Use will not be inconsistent with the purposes of the Property's zoning classification nor in any other way inconsistent with the spirit and intent of the BCZR. The Proposed Use will not pollute, will not create noise or vibration, and will not create environmental problems.
8. The Proposed Use is not inconsistent with the impermeable surface and vegetative retention provisions of the BCZR; and
9. The Proposed Use is not detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5, or R.C.7 Zone.

In addition, an environmental assessment, prepared by Marshall Miller & Associates and in compliance with the National Environmental Policy Act (NEPA), revealed no negative impacts on the wilderness area, wilderness preserve, historic places, Indian religious places, floodplains, surface features such as wetlands and floodways, and high intensity white lights of this area. In addition, the Maryland Historic Trust concurred with Marshall Miller & associates' determination that the Proposed Use has no effect on historic properties. (See FCC Licensees and applicants Section 106 Submittal Form at Tab 13).

VARIANCE

The Proposed Use is set in a residential zone. In compliance with § 426.6 of the BCZR, the Monopole should be set back at least two hundred (200) feet from any other owner's residential property line. Therefore, Sprint seeks variances from the two hundred (200) foot side yard and front yard setback requirements applicable to this Monopole.

On the Property, it is impossible for Sprint to meet all of the setback requirements with the Monopole. The width of the Property equals three hundred seventeen (317) feet. The depth of the Property equals five hundred seventy two (572) feet. The Zoning Drawings depicts the Monopole with a front yard setback of one hundred seventy one (171) feet and a side yard set back (on the easterly side of the Property) of seventy three (73) feet.

In accordance with § 426.11 of the BCZR, Sprint seeks variances for the following reasons related to the practical difficulty of locating the Monopole elsewhere on the Property:

1. Strict compliance with setback and lot area requirements would render conformance unnecessarily burdensome;
2. A lesser relaxation than the setback requirements would give substantial relief; and
3. Relief can be granted in such a fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

TOWER REVIEW COMMITTEE

Sprint has already filed an Application for Wireless Communication Site Placement with the Tower Review Committee (TRC), in accordance with § 426.4(E) of the BCZR. Sprint received comments from the TRC on May 14, 2003, in response to its submission to the TRC for this proposed Monopole. A copy of Sprint's TRC application for this Proposed Use and the TRC comment memorandum are included in this application packet. (See TRC Application at Tab 8).

APPLICABLE FEDERAL LEGAL STANDARDS

The 1996 Federal Telecommunications Act (the "Act") in Section 704(a), requires that State and local governments *"(I) shall not unreasonably discriminate among providers of functionally equivalent [wireless telecommunications] services; and (II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services."* (Emphasis added). Accordingly, local governments cannot prohibit, either by law or by action, wireless telecommunications facilities. Moreover, local governments must undertake to consider all wireless telecommunication zoning requests on an equal basis.

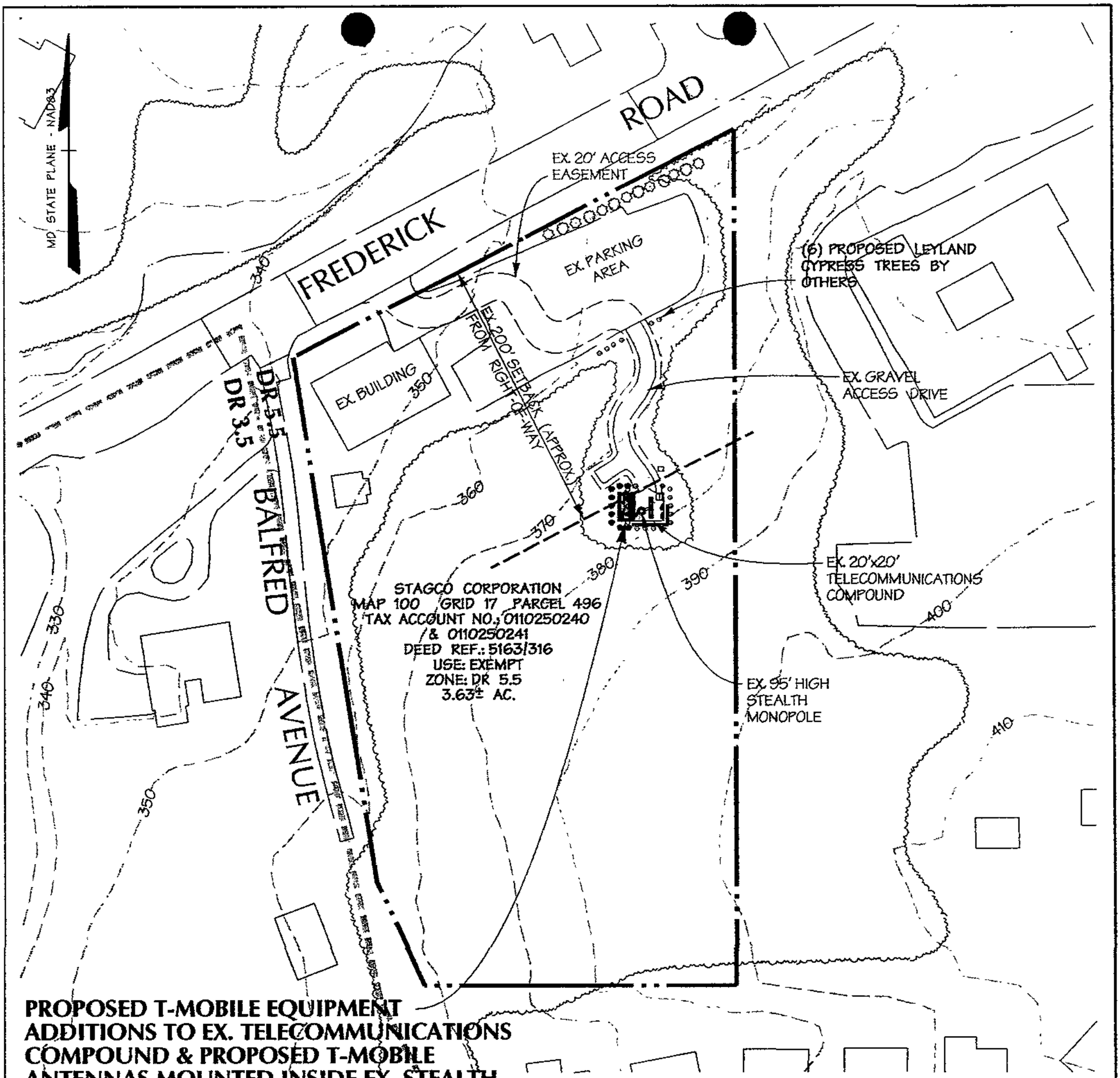
In addition, Section 704(a) of the Act provides that *"(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions."* All Sprint PCS antennas are in compliance with the applicable FCC emission requirements. In addition, the proposed facility poses no threat to the public health, safety or welfare and will not affect telephone, radio or television reception.

CONCLUSION

The power to move information is one of the world's most valuable assets. On February 8, 1996, the President signed the Telecommunications Act of 1996 into law to provide for a competitive, deregulatory national policy framework that would rapidly accelerate private sector deployment of advanced telecommunications and information technologies and services to all Americans by opening all telecommunications markets to competition. This Proposed Use in Baltimore County furthers that goal. This project will be part of a state and national wireless infrastructure, an infrastructure that will not require overhead telephone wires, trenching, or road reconstruction to bury cables.

The facility that Sprint is proposing herein is a crucial link in Sprint's network and in its ability to provide quality service to the local community. Sprint makes this application to construct a telecommunications compound in Catonsville, Maryland, to fulfill its obligation to provide service to the entire community, including emergency services, businesses and private individuals.

Sprint urges that Baltimore County approves this application and find that the request meets the standards for granting a special exception and a variance as required by the BCZR.



PROPOSED T-MOBILE EQUIPMENT ADDITIONS TO EX. TELECOMMUNICATIONS COMPOUND & PROPOSED T-MOBILE ANTENNAS MOUNTED INSIDE EX. STEALTH MONOPOLE (SEE SHEETS 2 & 3 FOR DETAIL)

SITE PLAN

SCALE: 1"=100'

REV.	DATE	REVISION / ISSUE	BY
A	11-28-06	ISSUED FOR REVIEW	MSR

NOTE:

THE INFORMATION SHOWN HEREON, IS TAKEN FROM BALTIMORE COUNTY GIS. BOUNDARY INFORMATION IS TAKEN FROM DEEDS, PLATS, AND OTHER SOURCES DEEMED RELIABLE. THIS PLAN IS NOT THE RESULT OF A DMW BOUNDARY OR TOPOGRAPHIC SURVEY. TO BE USED FOR INFORMATION PURPOSES ONLY.

DMW

Daft·McCune·Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

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

SITE NO. BAN095G

SSUSA–CATONSVILLE

2021 FREDERICK RD
CATONSVILLE, MD 21228

TAX MAP 100 GRID 17 PARCEL 496

ELECTION DISTRICT 01 BALTIMORE COUNTY, MD

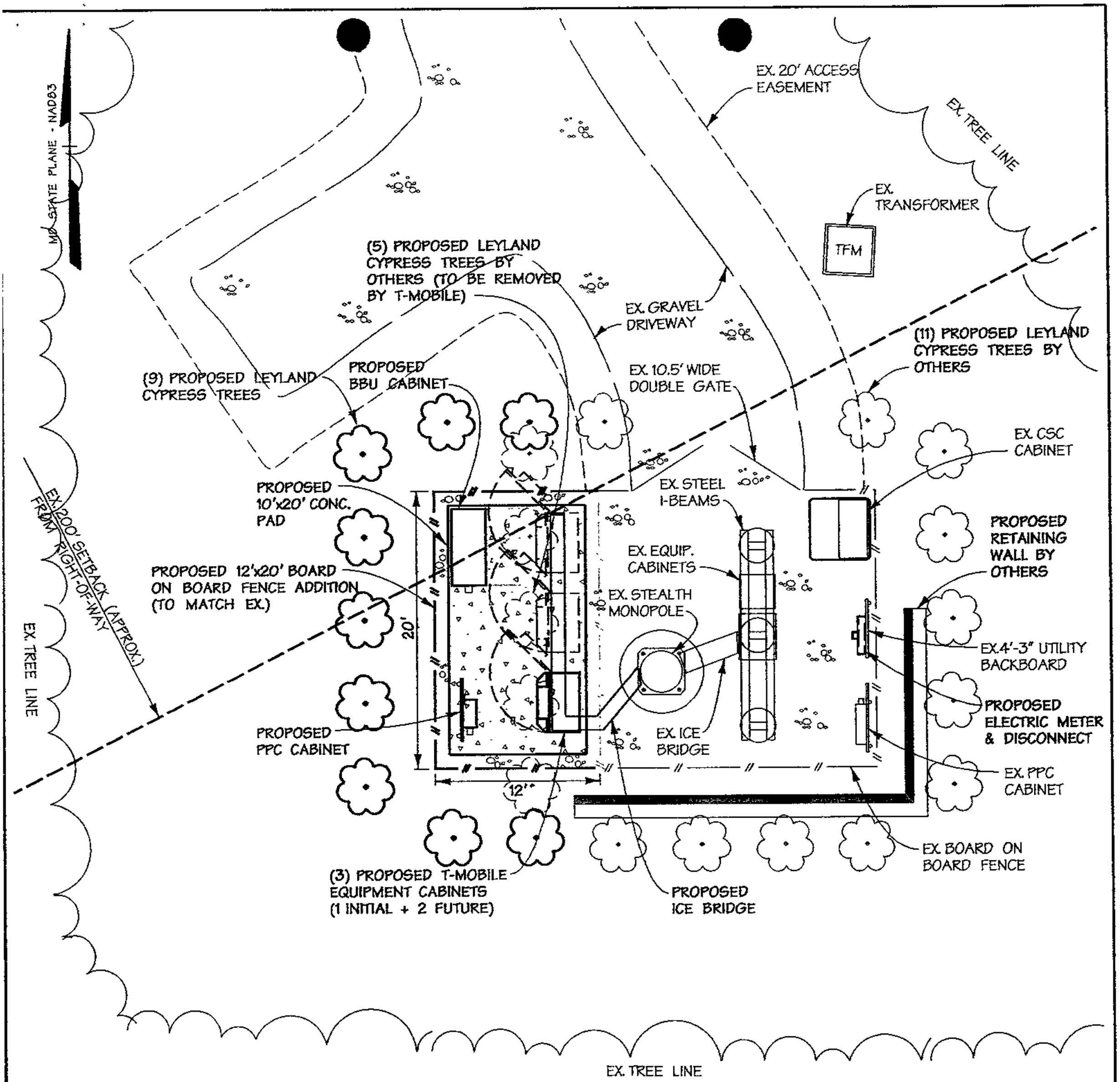
T–Mobile Northeast LLC

12050 BALTIMORE AVENUE
BELTSVILLE, MD 20705
(240) 264–8600 FAX. (240) 264–8610

DRAWING TITLE:

LEASE EXHIBIT

SCALE:	AS SHOWN	DRAWN BY:	MSR
PROJECT #:	06116	CHECKED BY:	MDM
SHEET	1 OF 4	DATE	11-28-06



COMPOUND DETAIL

SCALE: 1"=10'

REV.	DATE	REVISION / ISSUE	BY
A	11-28-06	ISSUED FOR REVIEW	MSR

NOTE:

THE INFORMATION SHOWN HEREON, IS BASED ON A SITE VISIT ON 11-20-06. THIS PLAN IS NOT THE RESULT OF DMW TOPOGRAPHIC OR BOUNDARY SURVEY. FOR INFORMATION PURPOSES ONLY.

DMW

Daft·McCune·Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

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

SITE NO. BAN095G

SSUSA–CATONSVILLE

2021 FREDERICK RD
CATONSVILLE, MD 21228

TAX MAP 100 GRID 17 PARCEL 496

ELECTION DISTRICT 01 BALTIMORE COUNTY, MD

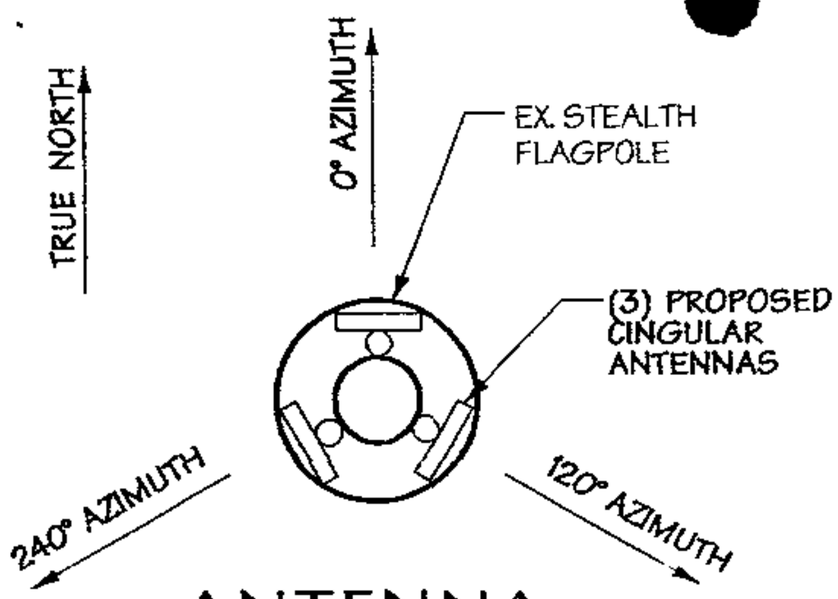
T–Mobile Northeast LLC

12050 BALTIMORE AVENUE
BELTSVILLE, MD 20705
(240) 264-8600 FAX: (240) 264-8610

DRAWING TITLE:

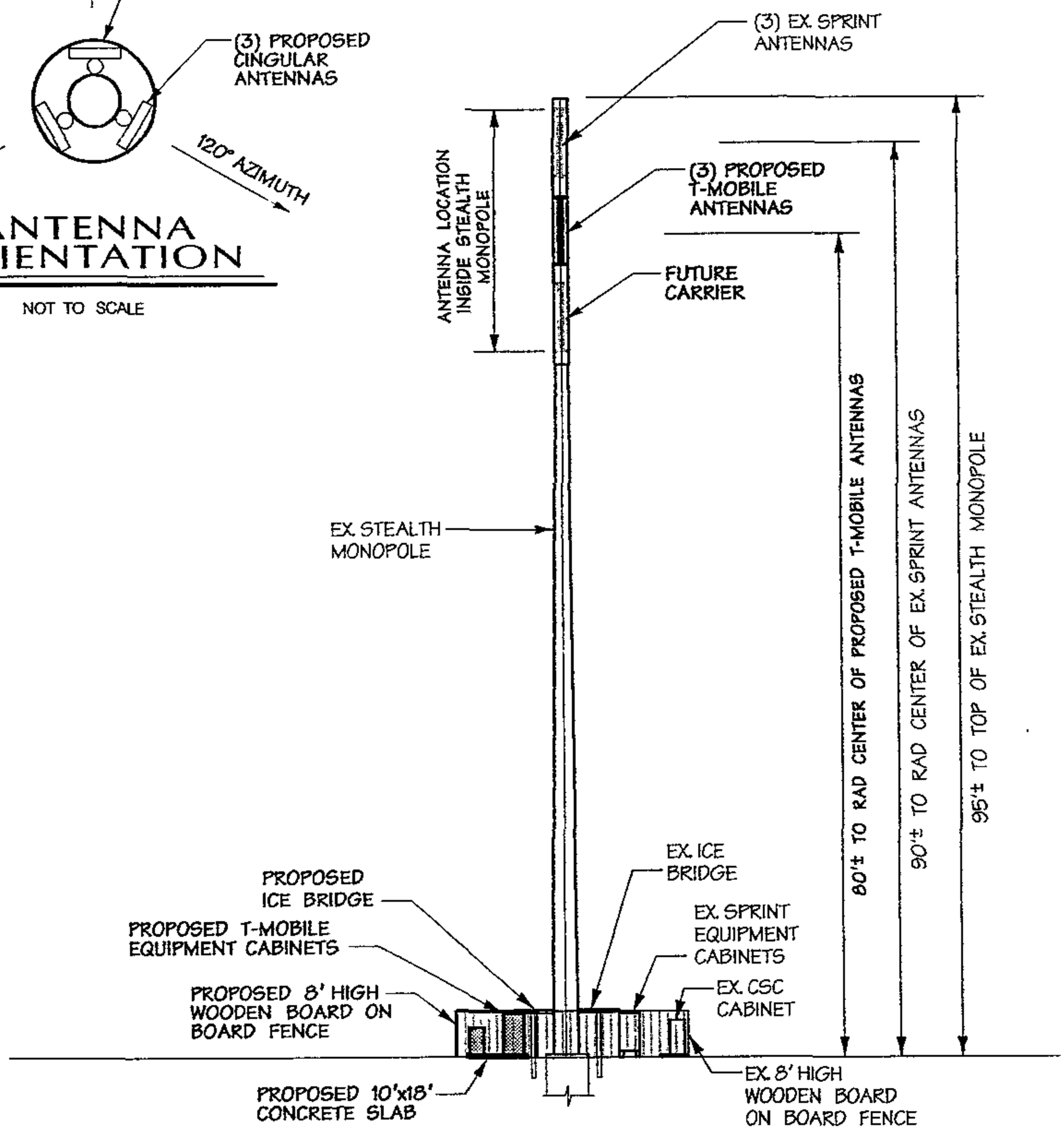
LEASE EXHIBIT

SCALE:	AS SHOWN	DRAWN BY:	MSR
PROJECT #:	06116	CHECKED BY	MDM
SHEET	2 OF 4	DATE:	11-28-06



ANTENNA ORIENTATION

NOT TO SCALE



NOTE: ALL REFERENCES TO THE STEALTH FLAGPOLE AND ITS FOUNDATION ARE DIRECTED TO THE DESIGN AND DETAIL DRAWINGS BY THE POLE SUPPLIER.

MONOPOLE ELEVATION

NOT TO SCALE

REV.	DATE	REVISION / ISSUE	BY
A	11-28-06	ISSUED FOR REVIEW	MSR

NOTE:

THE INFORMATION SHOWN HEREON IS ILLUSTRATIVE PURPOSES ONLY.

SITE NO. BAN095G

SSUSA–CATONSVILLE

2021 FREDERICK RD
CATONSVILLE, MD 21228

TAX MAP 100 GRID 17 PARCEL 496

ELECTION DISTRICT 01 BALTIMORE COUNTY, MD

T–Mobile Northeast LLC
12050 BALTIMORE AVENUE
BELTSVILLE, MD 20705
(240) 264–8600 FAX (240) 264–8610

DRAWING TITLE:

LEASE EXHIBIT

SCALE:	AS SHOWN	DRAWN BY.	MSR
PROJECT #:	06116	CHECKED BY.	MDM
SHEET	3 OF 4	DATE:	11-28-06

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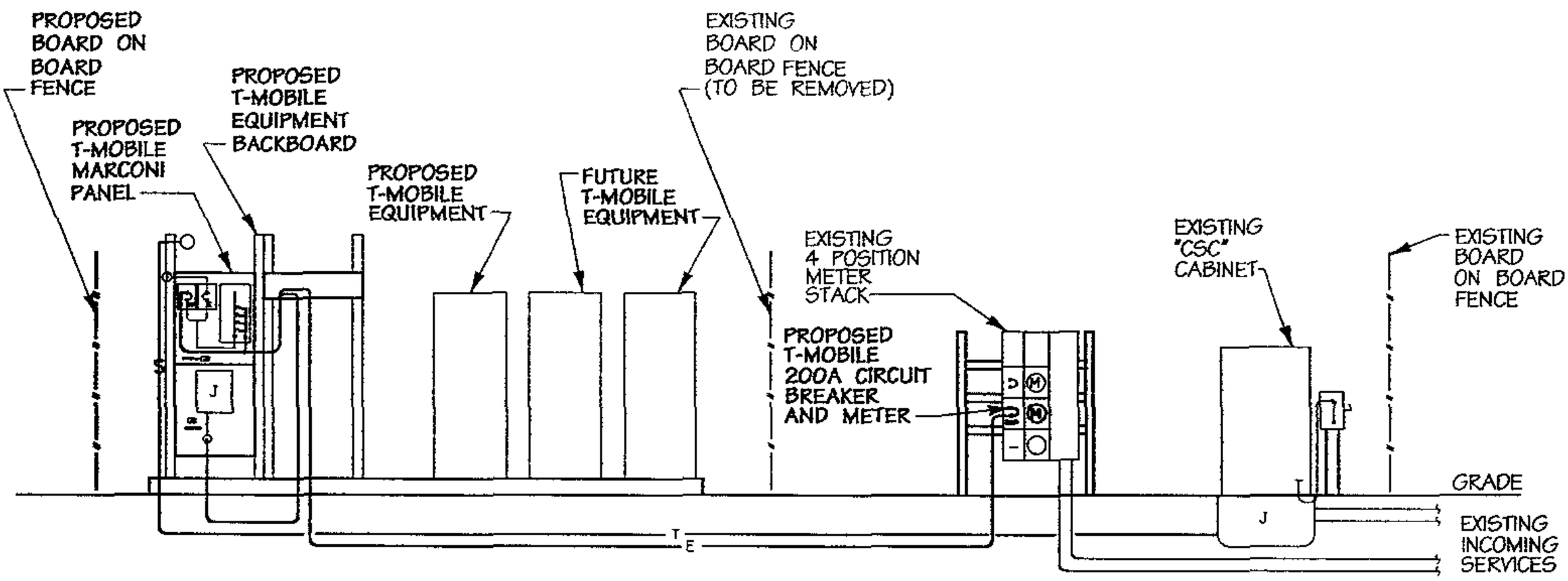

POWER RISER

NOT TO SCALE

REV.	DATE	REVISION / ISSUE	BY
A	11-28-06	ISSUED FOR REVIEW	MSR

NOTE:

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200 East Pennsylvania Avenue
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Fax 296-4705

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

SITE NO. BAN095G

SSUSA–CATONSVILLE

2021 FREDERICK RD
CATONSVILLE, MD 21228

TAX MAP 100 GRID 17 PARCEL 496

ELECTION DISTRICT 01 BALTIMORE COUNTY, MD

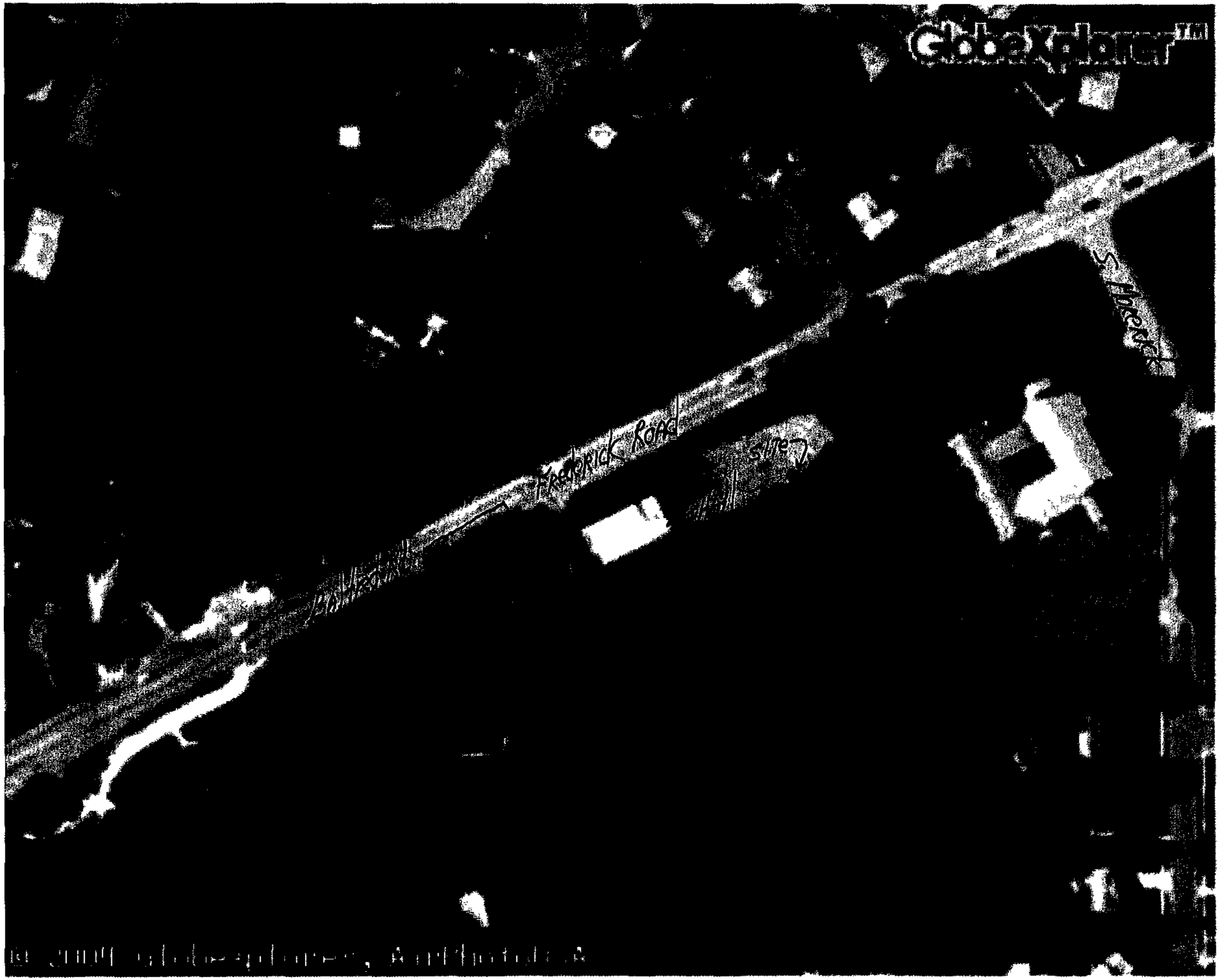
T–Mobile Northeast LLC

12050 BALTIMORE AVENUE
BELTSVILLE, MD 20705
(240) 264–8600 FAX. (240) 264–8610

DRAWING TITLE:

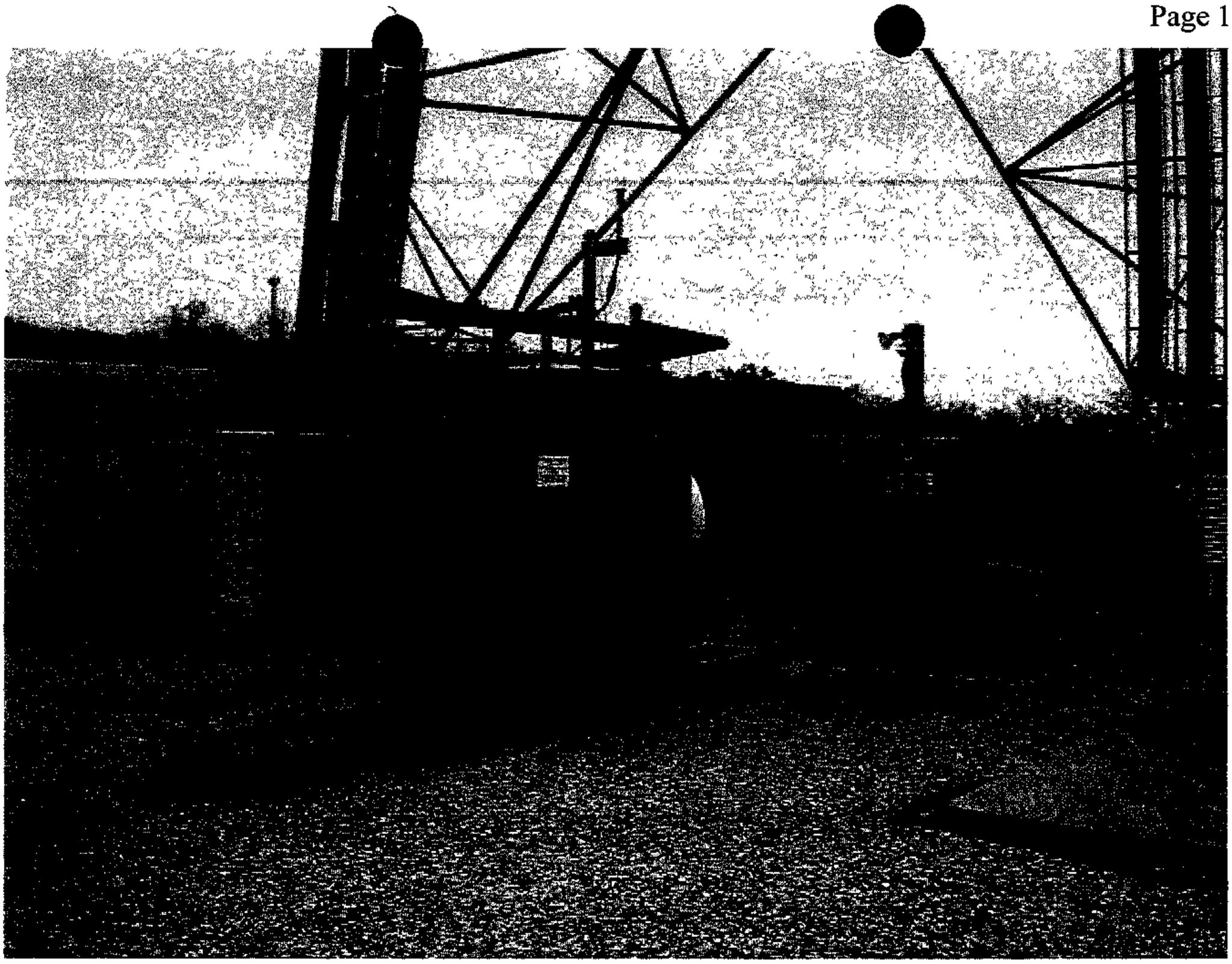
LEASE EXHIBIT

SCALE:	AS SHOWN	DRAWN BY.	MSR
PROJECT #:	06116	CHECKED BY:	MDM
SHEET	4 OF 4	DATE:	11-28-06


Globexplorer™
Frederick Road
Route 7
Spring Creek

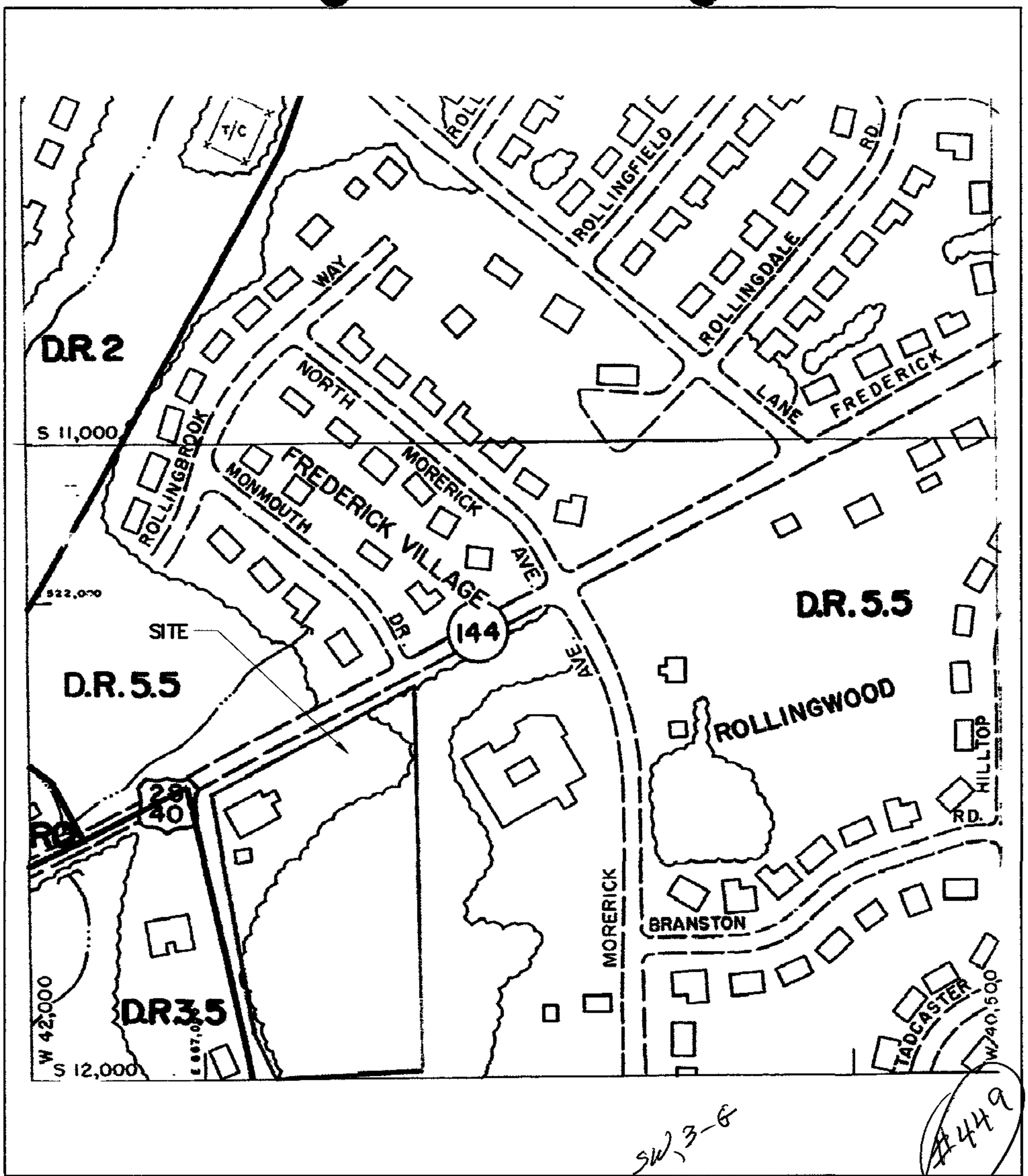
Sprint PCS Equipment Cabinets

#449



Sprint PCS Equipment Cabinets

#449



entrex
communication services, inc.

1575 Eye Street, N.W. Suite 350
WASHINGTON, D.C. 20005
PHONE: (202)408-0960
FAX: (202)408-0961

Baltimore County Official Zoning Map

Location: Catonsville, MD

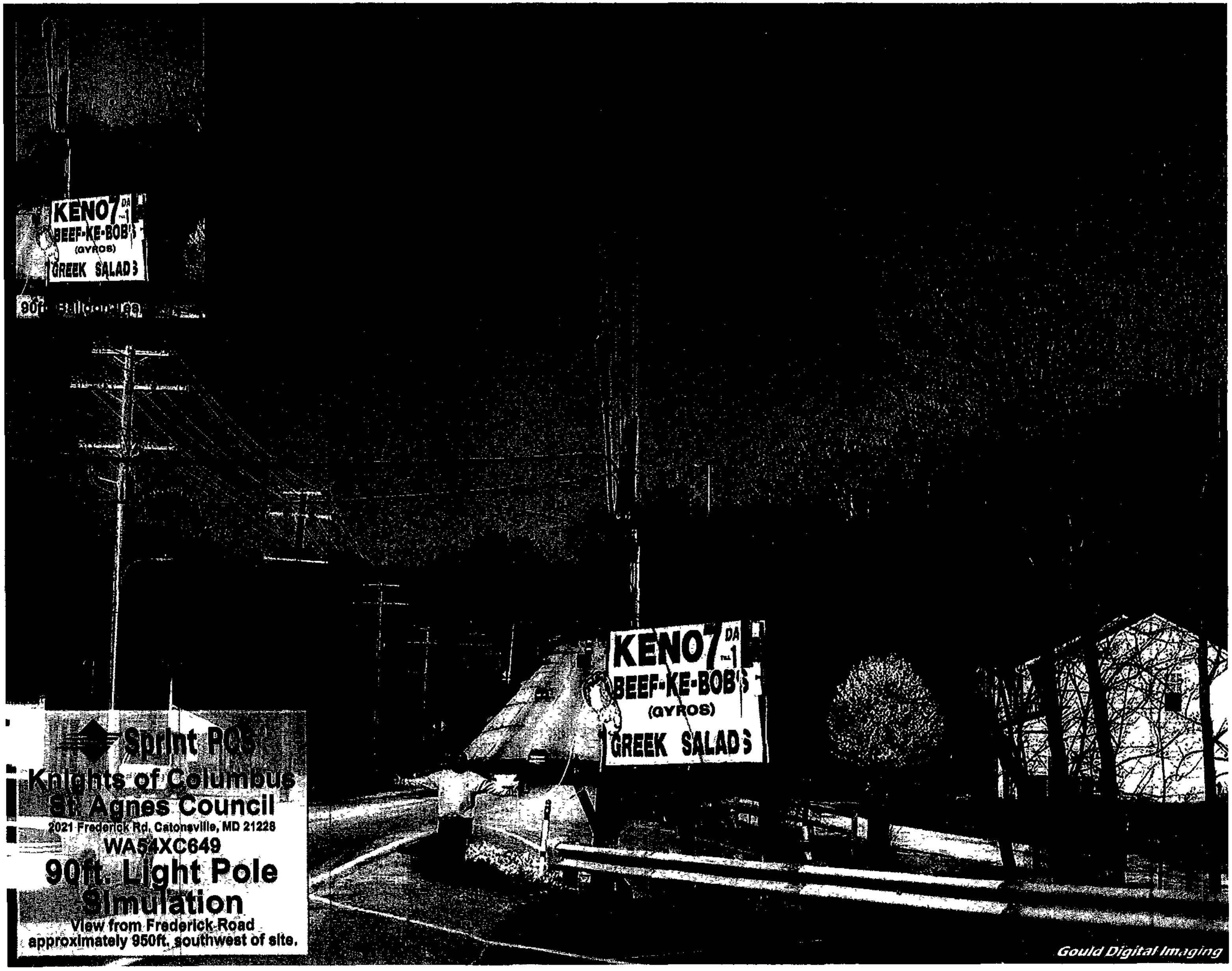
SW 36

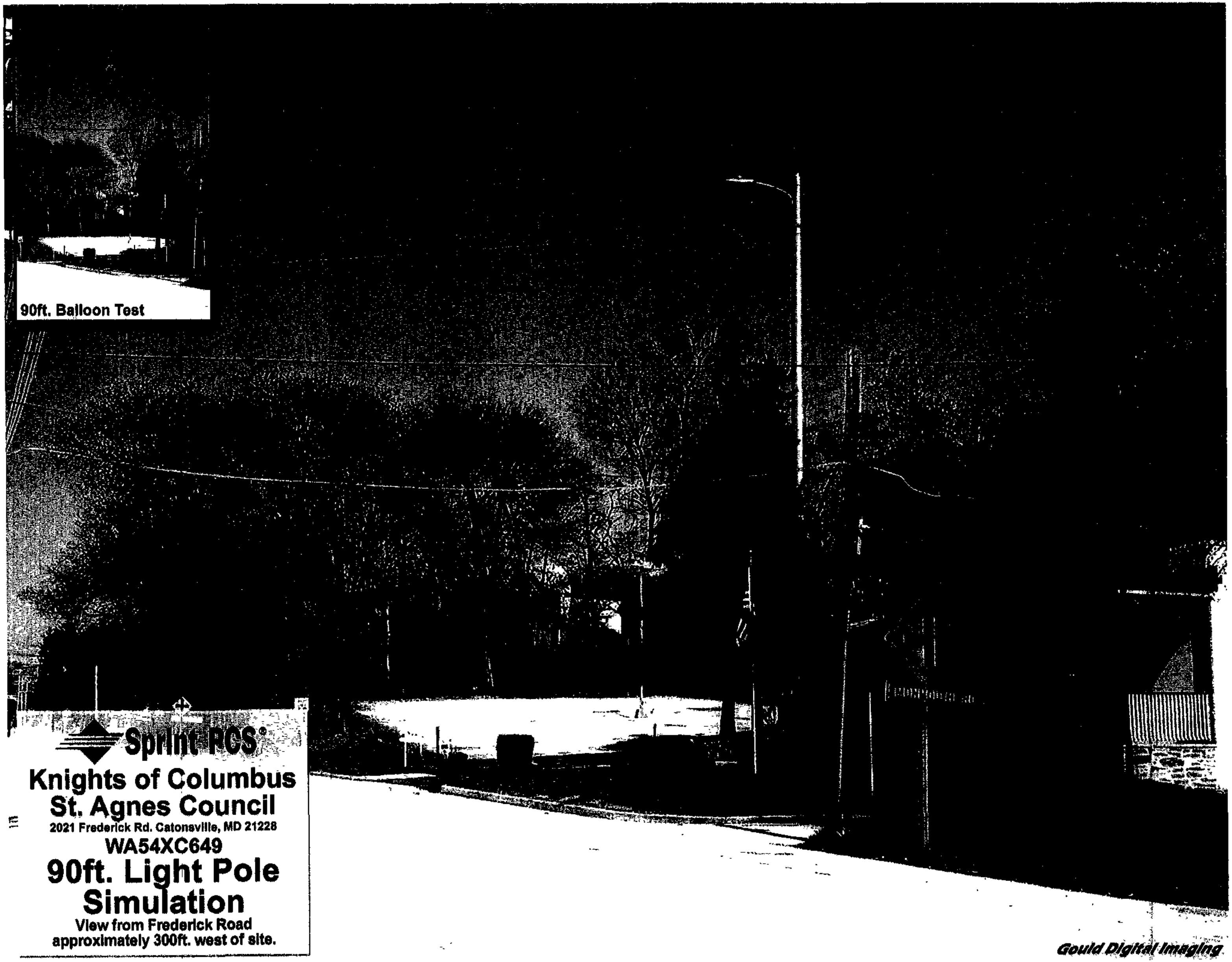
Tax Map: 100 Parcel: 496

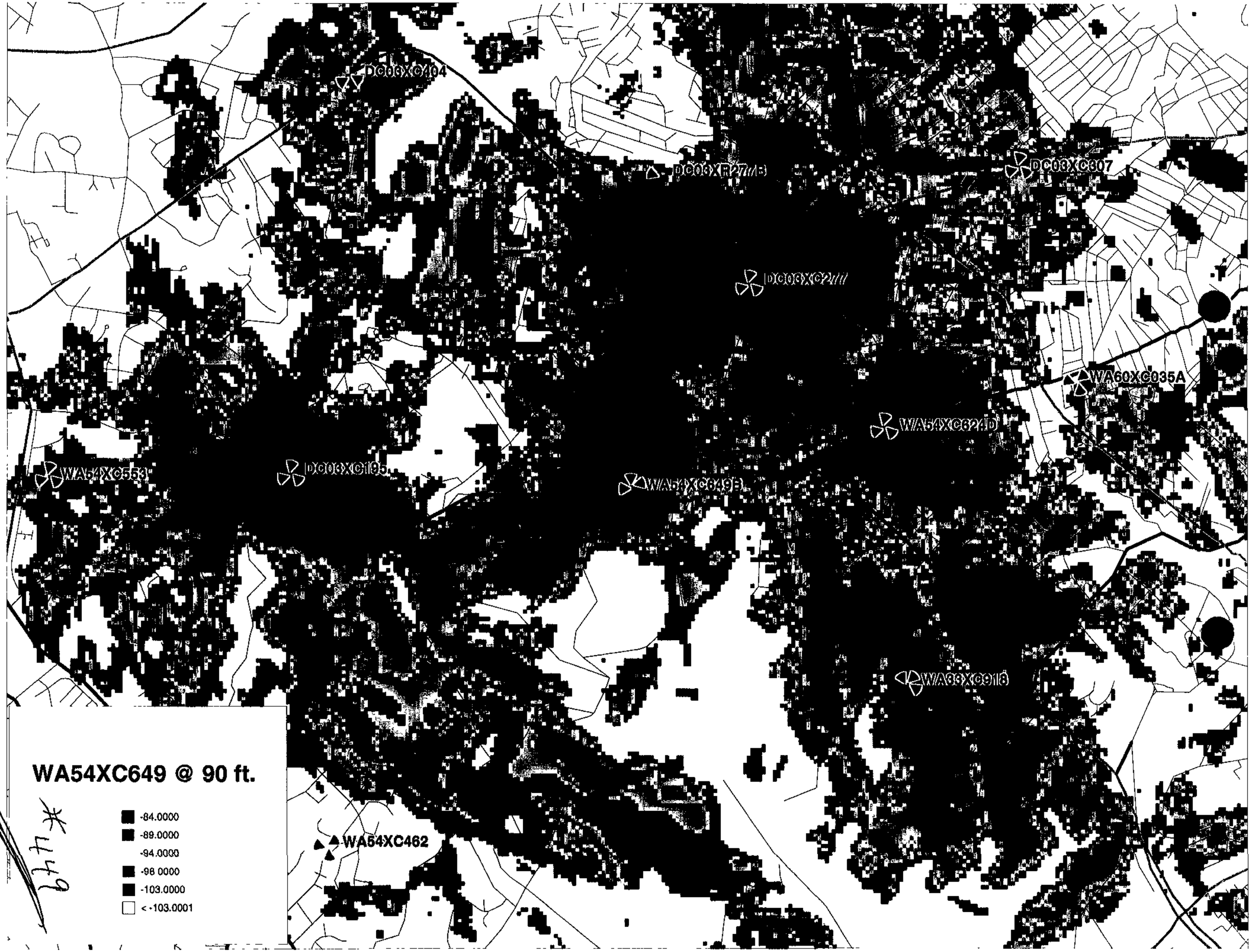
Scale: 1" = 200' ±

FIGURE 1

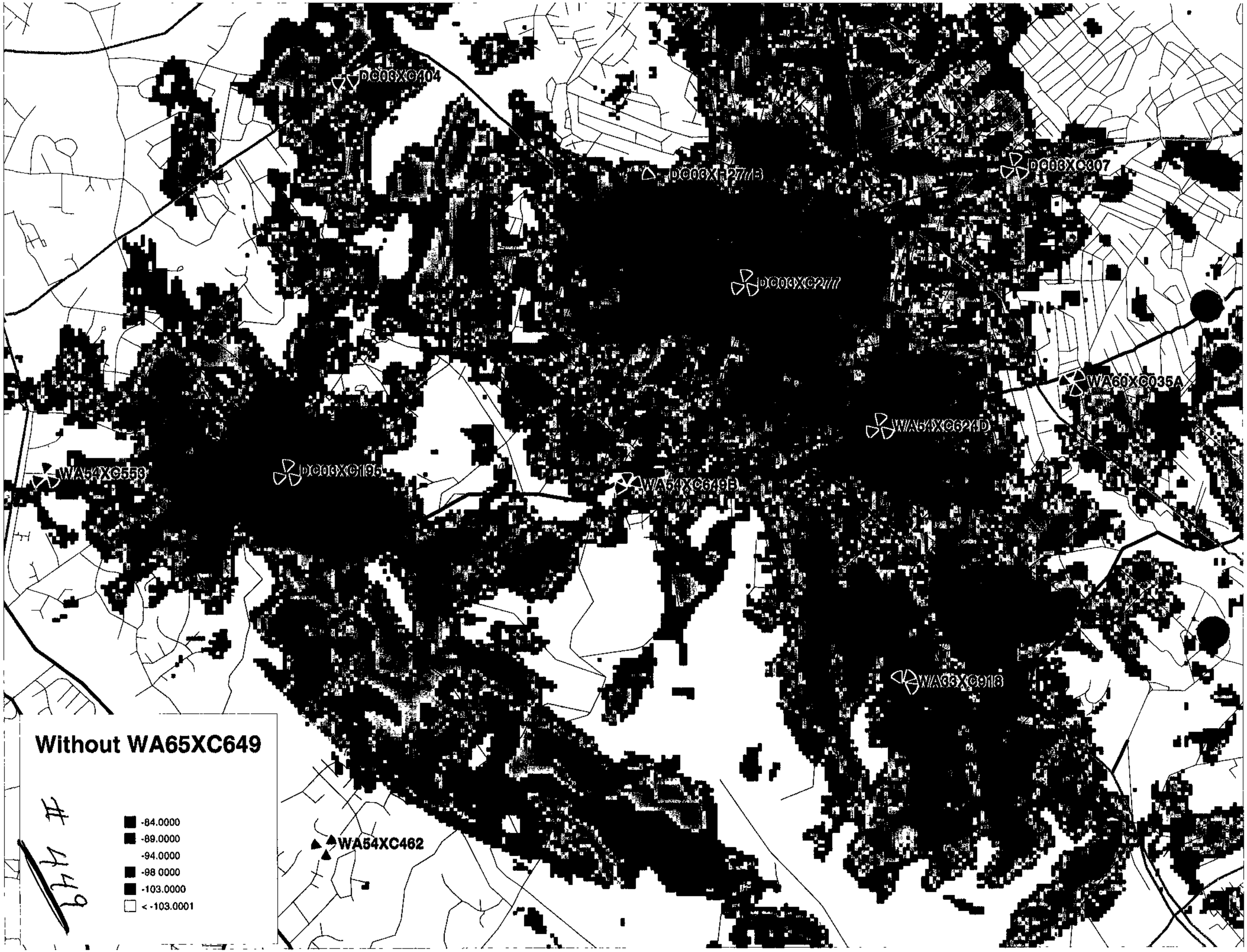
March 03, 2004


KENO 7
BEEF-KE-BOB'S
(GYROS)
GREEK SALADS
Sprint PCS
Knights of Columbus
St. Agnes Council
2021 Frederick Rd, Catonsville, MD 21228
WA54XC649
90ft. Light Pole
Simulation
View from Frederick Road
approximately 950ft. southwest of site.
Gould Digital Imaging


90ft. Balloon Test
Sprint PCS®
Knights of Columbus
St. Agnes Council
2021 Frederick Rd. Catonsville, MD 21228
WA54XC649
90ft. Light Pole
Simulation
View from Frederick Road
approximately 300ft. west of site.
Gould Digital Imaging


DC03XC404
DC03XR277/B
DC03XC807
DC03XC277/
WA60XC035A
WA54XC824D
WA54XC553
DC03XC195
WA54XC649B
WA63XC911B
WA54XC649 @ 90 ft.
-84.0000
-89.0000
-94.0000
-98.0000
-103.0000
< -103.0001
WA54XC462

#449


DC06XC404
DC06XC307
WA60XC035A
WA54XC553
DC06XC1196
WA54XC649B
WA66XC918
WA54XC462
Without WA65XC649
-84.0000
-89.0000
-94.0000
-98.0000
-103.0000
< -103.0001

449

Protestants No 1

This is a petition against the following notice.

Zoning Notice
Case# 04-449-XA
A Public Hearing Will Be Held By
The Zoning Commissioner
In Towson, Maryland
PLACE: Room 407 County Courts Building
401 Bosley Avenue
Towson, MD 21204
DATE +TIME: May 19, 2004 at 9:00AM
REQUEST: **Special Exception** to Permit
Installation of 95-foot stealth monopole
That will serve as a wireless telecommunications
Tower containing an array of Sprint PCS antenna
Concealed within the uppermost portion of the
monopole. **VARIANCE:** To allow a front setback of
171 feet and a side(East) yard setback of 73 feet in lieu
of the minimum required 200 feet each.
Confirm Call 887-3391

This proposed monopole site will greatly impact four adjacent neighbourhoods and three additional neighbourhoods (Over 100 homes). These maintained residences are individually appraised at values ranging from $250,000 to over $500,000. This monopole will greatly decrease the value of our homes. The placement of the 95ft monopole will result in blinking lights in many kitchen and bedroom windows. Allowing the monopole to be installed even closer to the boundary line will have an even greater impact to our lives. This installation is on a major road (Frederick Road) that would cause major problems if it were to fall over the decreased setback requirement. The following names are only a handful of those Catonsville residents that are directly affected by and totally against this zoning notice.

NAME	ADDRESS	TELEPHONE #
Sheila Kulp	99 Rollingbrook Way	(410)455-0964
R Hottschneider	98 Rollingbrook Way	410-744-2841
Patty Hottschneider	98 Rollingbrook Way	410-744-2841
John Adlesby	9 MONMOUTH RD	410-869-1775
Suzanne Wilson	7 Monmouth Rd	410.788.4516
[illegible]	7 Monmouth RD	410-788-4516
JOANN HAHN	6 Monmouth RD	410-744-1140
Tom Hahn	" "	" " "
Michelle Stehner	96 Rollingbrook Way	410-788-1459
Rosemary Miller	104 Rolling Brook Way	410-788-0814
Renee Camden	4 Monmouth Rd	410-744-1610
Kenneth W Camden	4 MONMOUTH RD	410-744-1610

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NAME	ADDRESS	TELEPHONE #
Mary Lou Beach	105 Hillside Rd	4107473870
Catherine Hellman	109 Hillside Rd.	410-747-1078
Rachel Leasure	107 Hillside Rd	410-744-0329
David R Leasure	107 Hillside Rd.	410-744-0329
Diane Sybor	101 Hillside Rd	410-719-7237
John Sybor	101 Hillside Rd	410 719 7237
Thelma C. McCulloh	101 Hillside Rd	410 788-0503
Robert G Wyper	100A HILLSIDE Rd	410 747 7030
Jennifer McCaw	102 Hillside Rd.	410-869-0798
Rick Birnbach	99A HILLSIDE ROAD	410 744-2578
Robert Grumpo	97 Hillside Rd	410 747 7629
William V. Beach	105 HILLSIDE Rd	410-747-8870

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NAME	ADDRESS	TELEPHONE #
Dana L Fields	8 Monmouth Rd	410-869.7778
Mark C Fields	"	"
Susie K. Fields	1 Monmouth RD	410 747-6739
Charlotte L. Cain	1 Balfred Rd	410-788-6801
Ronald R Cain	1 BALFRED RD.	410 788-6801
Donald J Whatley	1912 Frederick Rd	410-461-9111 x519
MATT GUPPI	1906 FRANCIS RD	410-744-0247
NINA GARDCHOUX	1913 Branston Rd	410-869-0534
Ant Bartnik	1912 Branston Rd	410-747-1948
Mike Bon	1908 Branston Rd	410-788-6704
Anne Colantoni	1907 Branston Rd	410-788-1091

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NAME	ADDRESS	TELEPHONE #
BRUCE A. PACKAL	3N MOREWICK AVE	410 719 7913
E. M. Hatton	106 Rollingbrook Way	410 786-9982
Jackie Krupp	112 Rollingbrook Way	21228
[illegible]	112 Rollingbrook Way	21228
Joyce Gantt	114 Rollingbrook Way	21228
Bob Gantt	114 Rollingbrook Way	21228
Norma Wills	8 N. MOREWICK AVE	21228
Robert W. Wills	8 N. Morewick Ave	21228
Edward D Tabor	108 Rollingbrook Way	410744-2528
Ruth Y. Tabor	108 Rollingbrook Way	410 744-2528
Franklin Dickson	102 Rollingbrook Way	21228
Carol Olson	3 Monmouth Rd	Balt. MD 21228
Stanley Olson	3 Monmouth Rd	Balt. MD 21228

Brenda Camden 4 Monmouth Rd. (410) 744-1610

CAROL S. MILLER Carol S Miller 13 N. MOREWICK AVE. BALTO., MD. 21228

Kelly S. Miller Kelly S. Miller 13 N. Morerick Ave. Balto. MD 21228

VINCE CUFFARI 7 N Morerick Ave (410) 788-9385 (410 747 6333)

SUSAN CUFFARI Susan Cuffari 7 N. Morerick Ave Balto MD 21228 (410) ~~788-93~~ 747-6333

CARA DUFFY Cara Duffy 2 N. Morerick Ave Catonville 21228 410-747-2747

David Carreon 2 N. Morerick Ave Catonville, MD 21228 (same phone)

Karen Miranda Karen Miranda 5 Monmouth Rd, Catonsville, MD 21228

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NAME	ADDRESS	TELEPHONE #
Jeannie Urena	2 Monmouth Road	410-788-1027
[illegible]	5 MONMOUTH RD	410 747 7058
Dorothy & Richard Schepptske	1 N. Morerick Ave	410-747-4718
DAVID P. MYERS	16 S. MORERICK AVE.	410-747-2805
Barbara E. Myers	16 S. Morerick Ave.,	(410) 747-2805
George R Miller	20 S. MORERICK AVE	410-788-7595
Robert Hudler	2000 Helmsby Rd	410-788-0022
Lycho Leslie	2002 Helmsby Rd	410-7485[illegible]

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NAME	ADDRESS	TELEPHONE #
Ernest Stinecipher	2007 Helmsby Rd Catonsville	4107882116
GEORGE McGROW	2010 HELMSBY RD. BALTO 21228	410-747-8005
Marian McGrow	2010 Helmsby Rd 21228	(410) 747-8005
Emma Simons	2009 Helmsby Rd. 21228	(410) 744-6998
Bill Barber	2004 Tadcaster Rd.	(410) 747-0163
Christine Cull	2001 Helmsby Rd	(410) 788-4863
[illegible]	23 S. Moserick	410-869-7957
Vince Carson	6 N MOSERICK AVE	410 719-0320
Sharon Habighurst	100 Rollingbrook Way	410-455-9828

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NAME	ADDRESS	TELEPHONE #
Jean P. Manning	1905 Branston Rd. Balto. Md. 21228	410-744-4213
Eleanor Troy	1903 Branston Rd. Balto Md 21228	410-744-3891
Lauren Adelsberger	9 Monmouth Rd Baltimore, MD 21228	4108691775

100 EAST PRATT STREET
BALTIMORE MARYLAND 21202
410/752-9700
FAX 410/727-5460

ATTORNEYS AT LAW
TYDINGS & ROSENBERG LLP

WASHINGTON DC OFFICE
202/296-1642
FAX 202/828-4130

DIRECT DIAL

APPLICANT: APC REALTY & EQUIPMENT COMPANY LLC
("SPRINT PCS")

SPRINT SITE: WA54XC649E
2021 FREDERICK ROAD
BALTIMORE, MARYLAND 21228

TABLE OF CONTENTS

Pet No 2

1. PETITION FOR SPECIAL EXCEPTION
2. PETITION FOR VARIANCE
3. DESCRIPTION OF PROPERTY
4. ZONING MAP
5. JUSTIFICATION STATEMENT
6. PHOTO SAMPLES OF STEALTH FLAG POLE/MONOPOLE
7. RADIO-FREQUENCY PROPAGATION MAPS
8. TOWER REVIEW COMMITTEE APPLICATION
9. AUTHORIZATION TO FILE
10. "RADIO FREQUENCY EXPOSURE CONSIDERATIONS APPLICABLE TO SPRINT PCS BASE STATIONS, " BY JULES COHEN, P.E.
11. FAA 2-C SURVEY CERTIFICATION
12. AIRSPACE CONSULTING, INC. DETERMINATION LETTER
13. FCC LICENSEES AND APPLICANTS SECTION 106 SUBMITTAL FORM
14. $705.00 CHECK MADE PAYABLE TO BALTIMORE COUNTY ($380 FOR PETITION FOR SPECIAL EXCEPTION AND $325 FOR PETITION FOR ZONING VARIANCE)
15. TWELVE (12) SIGNED AND SEALED SITE PLANS.

T-Mobile®

Bid No 3

May 5, 2004

Mike Griffiths
Sprint Sites USA
1 International Blvd.
Suite 800
Mahwah, NJ 07495

RE: BAN095G– Sprint Cascade # WA54XC649
Letter of Interest

Mr. Griffiths:

This letter serves to confirm that Omnipoint Communications CAP Operations, LLC is interested in locating at the above referenced proposed structure in development by Sprint Sites USA.

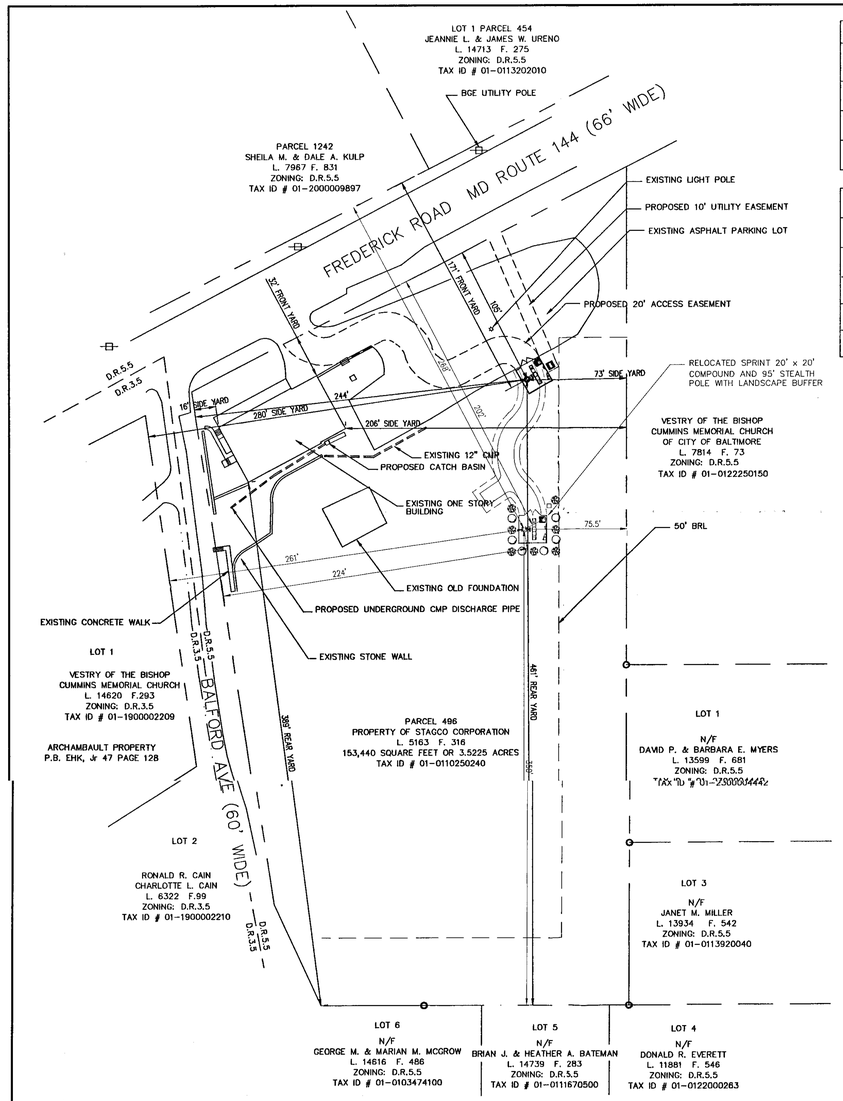
Our proposed radiation center is the 80', and will require ground space at the site for our equipment of approximately 200 square feet.

Thank you and we look forward to working with you on this project.

Sincerely,

Kevin Forshee
Technical Director

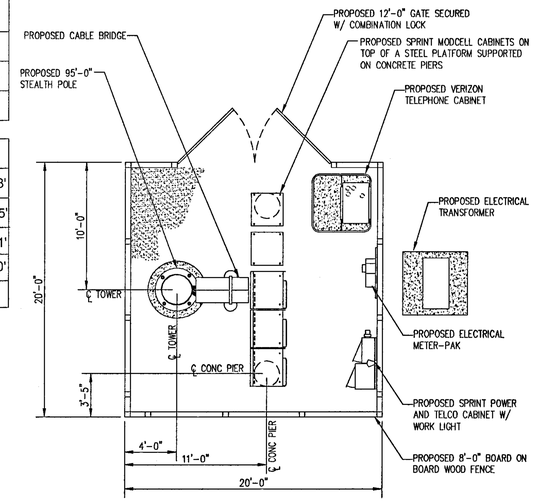
T-Mobile USA, Inc
Office. (240) 264-8600
Fax. (240) 264-8610
12050 Baltimore Avenue
Beltsville, MD 20705



SITE PLAN
SCALE: 1"=50'

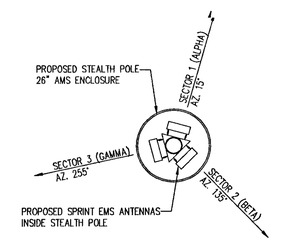
ZONING TABLE		
	REQUIRED	PROVIDED
MINUMUM LOT AREA	3.0 ACRES	3.52 ACRES
	-	±153,440 S.F.
MINIMUM LOT WIDTH	55'	±290'

STEALTH POLE		
FRONT	200'	~~171'~~ 268'
SIDE (EAST)	200'	~~73'~~ 75.5'
SIDE (WEST)	200'	~~280'~~ 261'
REAR	200'	~~461'~~ 350'
HEIGHT	200'	95'



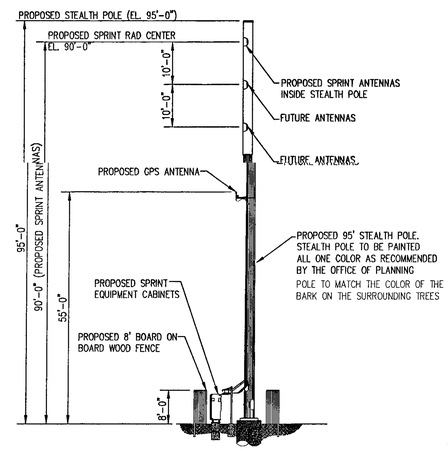
COMPOUND PLAN
SCALE: 3/16"=1'-0"

TRUE NORTH



ANTENNA MOUNTING LAYOUT
SCALE: 1/2"=1'-0"

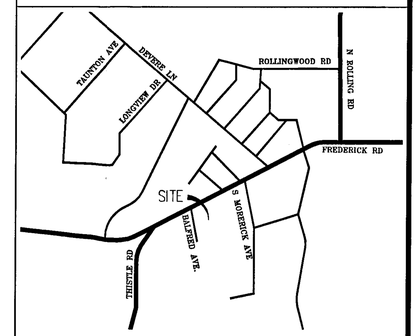
TRUE NORTH



POLE ELEVATION (LOOKING SOUTH)
SCALE: 1/16"=1'-0"

GENERAL NOTES:

1. THE PURPOSE OF THIS DRAWING IS TO PROVIDE THE BALTIMORE COUNTY ZONING COMMISSION WITH A GRAPHICAL REPRESENTATION OF THE LOCATION AND GENERAL ELEVATION VIEW OF THE STEALTH POLE. UPON COMPLETION OF THE COMMISSION REVIEW, DETAILED ENGINEERING DRAWINGS OF THE STRUCTURAL COMPONENTS WILL BE PROVIDED IN SUPPORT OF THE BUILDING PERMIT APPLICATION.
2. THE FOLLOWING REPRESENTATIONS ARE BASED ON THE PROPERTY SURVEY AND SITE TOPOGRAPHY PREPARED BY ENTREX COMMUNICATION SERVICES, INC.
   A. PROPERTY LINE SHOWN HEREON ARE BASED ON INFORMATION FROM DEEDS, PLATS AND TAX ASSESORS RECORDS. NOT ALL LINES HAVE BEEN SURVEYED IN THE FIELD. THIS IS NOT A BOUNDARY SURVEY OF THE SUBJECTS PROPERTY.
   B. THERE ARE NO NATURAL SPRINGS IN THE AREA OF THE PROPOSED SITE.
   C. THE TOWER SITE IS NOT WITHIN 30 FEET OF ANY EXISTING WELL AND IS NOT SITUATED OVER TOP OF ANY SEPTIC FIELD.
3. BASED ON THE FAA 1-A SURVEY CERTIFICATION PREPARED BY: ENTREX COMMUNICATION SERVICES, INC. THE CENTER/TOP OF THE PROPOSED STEALTH POLE HAS MARYLAND STATE PLANE COORDINATES OF N. 582,456 AND E. 1,379,674 AND GEOGRAPHIC COORDINATES OF LAT. N 39° 15' 56.64" AND LONG. W 76° 45' 43.77" ARE ACCURATE WITHIN ±15 FEET HORIZONTALLY, AND THAT THE SITE ELVATION IS 370' AMSL AND 465' AGL IS ACCURATE WITHIN ±3 FEET VERTICALLY. THE HORIZONTAL DATUM (COORDINATED) ARE IN TERMS OF THE NORTH AMERICAN DATUM 1983 (NAD83) AND ARE EXPRESSED IN DEGREES, MINUTES AND SECONDS, TO THE NEAREAST HUNDRETH OF A SECOND. THE VERTICAL DATUM (ELEVATIONS) ARE IIN TERMS OF THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) AND ARE DETERMINED TO THE NEAREST FOOT.
4. THERE ARE 42 STRIPED PARKING SPACES INCLUDING 3 HANDICAPPED SPACES. THE PROPOSED EGRESS AND UTILITY EASEMENTS DO NOT IMPACT EXISTING PARKING SPACES.



VICINITY MAP
SCALE: 1"=10,000'

TRUE NORTH

SCOPE OF WORK: THE SUBJECT PROPERTY IS MOSTLY WOODED. IT HAS A ONE STORY BUILDING IN THE NORTHWEST CORNER THAT IS USED AS A MEETING HALL FOR THE KNIGHTS OF COLUMBUS (ST AGNES COUNCIL) AND HAS A PARKING LOT ON THE EAST SIDE OF THE BUILDING. THE PROPOSED IMPROVEMENTS WILL BE LOCATED ON THE SOUTH SIDE OF THE PARKING LOT.

THE WORK WILL INCLUDE THE INSTALLATION OF A STEALTH POLE WITH ANTENNAS INSIDE THE POLE , A 20' x 20' FENCED EQUIPMENT COMPOUND AREA WITH COMMUNICATION CABINETS, SITE IMPROVEMENTS, ELECTRICAL AND TELEPHONE SERVICE.

OWNER: STAGCO CORPORATION
2021 FREDERICK RD
BALTIMORE, MD 21228
BJ NOPPINGER
(410) 465-1397

CONTACT: ENTREX COMMUNICATION SERVICES, INC.
MARC A. MARZULLO, P.E.
(202) 408-0960

APPLICANT: APC REALTY AND EQUIPMENT COMPANY, LLC,
d/b/a SPRINT PCS
ONE INTERNATIONAL BLVD. STE. 800
MAHWAH, N.J. 07495

POWER PROVIDER: BALTIMORE GAS & ELECTRIC
1-800-233-1854

PHONE PROVIDER: VERIZON
1-301-954-6232

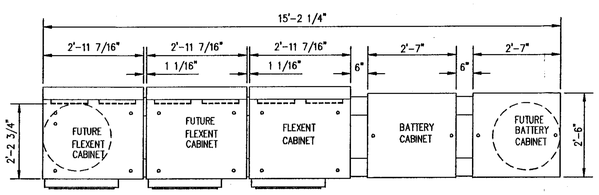
SITE NUMBER: WA54XC649E
SITE NAME: KNIGHTS OF COLUMBUS (ST AGNES COUNCIL)
SITE ADDRESS: 2021 FREDERICK RD
CITY/STATE: BALTIMORE, MD 21228

CURRENT ZONING: DENSITY RESIDENTIAL ZONE (D.R. 5.5)
JURISDICTION: BALTIMORE COUNTY
PROPERTY INFO: DEED LIBER: 5163 FOLIO: 316
MAP: 100 GRID: 17 PARCEL: 496
STATE ZONING MAP#: SW 3-G
ELECTION DISTRICT: 01
COUNCILMATIC DIST.: 01
TAX IDENTIFICATION #: 01-0110250240
PREVIOUS COMMERCIAL PERMIT: NO COMMERCIAL PERMITS IN THE PAST THREE YEARS

LATITUDE: N 39° 15' 56.64"
LONGITUDE: W 76° 45' 43.77"

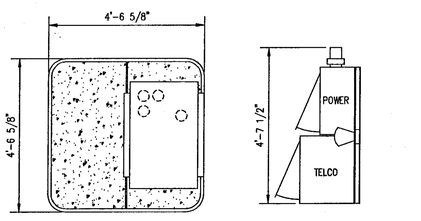
GROUND ELEVATION: 366' AMSL

TOTAL DISTURBED AREA: 368' AMSL



CABINET HEIGHT ON FRAME ABOVE GROUND 7'-0"

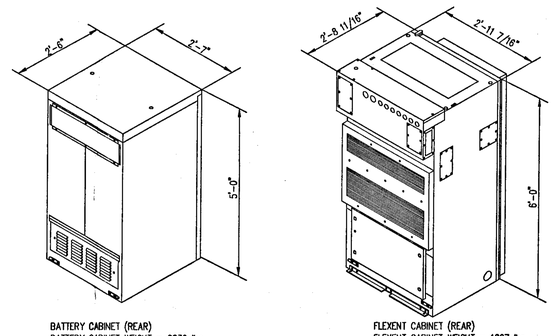
PCS EQUIPMENT LAYOUT
SCALE: 1/2"=1'-0"



VERIZON TELEPHONE CABINET AND PAD CABINET HEIGHT 5'-6"

PROPOSED SPRINT POWER AND TELCO CABINET CABINET HEIGHT 6'-0"

EQUIPMENT DETAILS
SCALE: 1/2"=1'-0"



BATTERY CABINET (REAR)
BATTERY CABINET WEIGHT = 2830 lbs.

FLEXENT CABINET (REAR)
FLEXENT CABINET WEIGHT = 1067 lbs.

ISOMETRIC 3 CARRIER MODCELL EQUIPMENT CABINETS
SCALE: 1/2"=1'-0"

entrex
communication services, inc.
1575 Eye Street, N.W. Suite 350
WASHINGTON, D.C. 20005
PHONE: (202)408-0960
FAX: (202)408-0961

SUBMITTALS

DATE	DESCRIPTION	REV.
02-25-04	ZONING	
01-27-05	ZONING REDLINES	

SEAL:

STATE OF MARYLAND
MARC ANTHONY MARZULLO
PROFESSIONAL ENGINEER

Sprint
APC REALTY AND EQUIPMENT COMPANY, LLC.
d/b/a
SPRINT PCS

PROJECT NO:	1015.304
DESIGNER:	F.Y.
ENGINEER:	M.M.

SCALE:
0 1/2 1
GRAPHIC SCALE IN INCHES

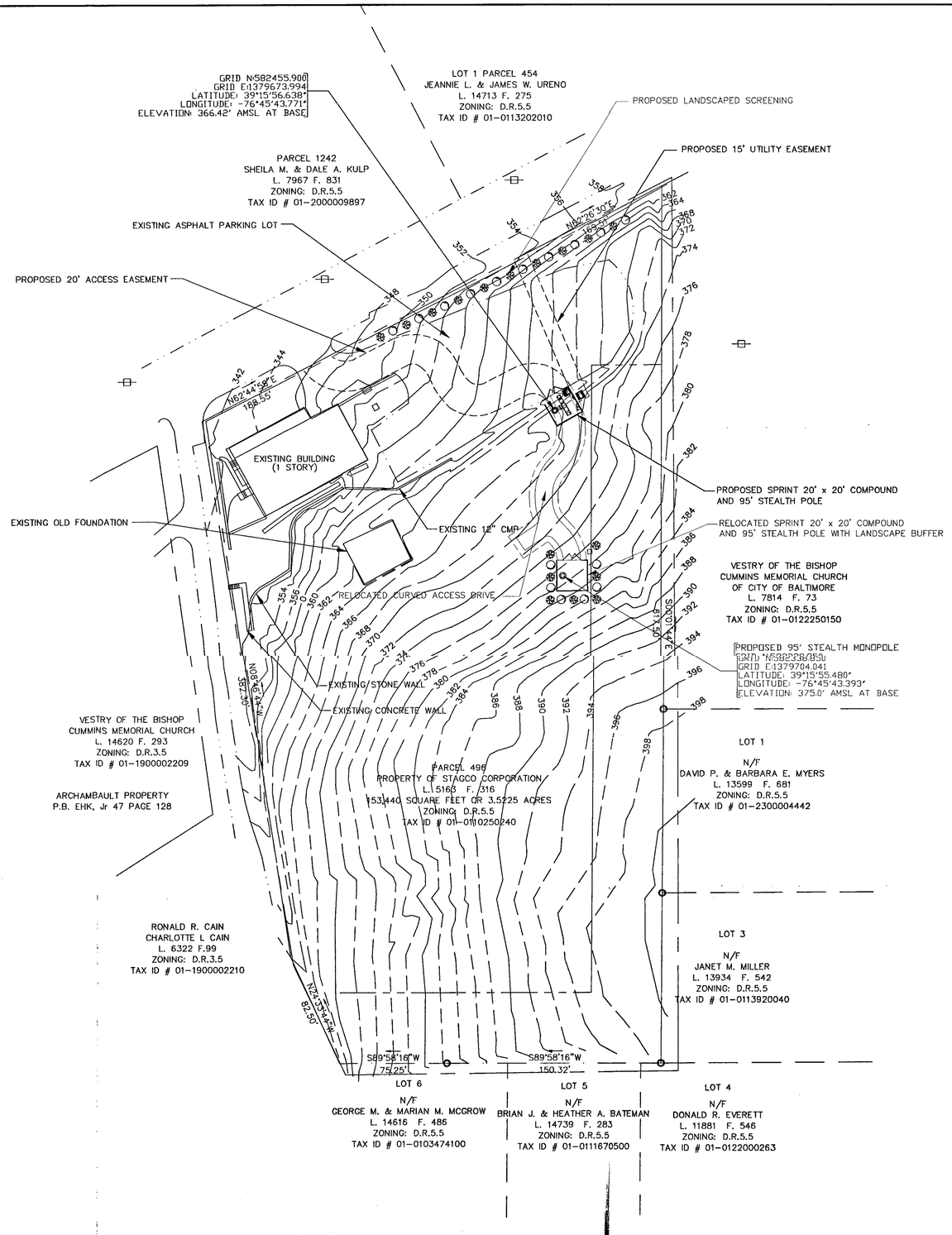
WA54XC649E
WOODWIND
KNIGHTS OF COLUMBUS
2021 FREDERICK ROAD
BALTIMORE, MD 21228

TITLE:

ZONING DRAWING
for Remand Hearing
March 29, 2005

SHEET NUMBER:
Z-

PETITIONER'S EXHIBIT NO. 1A



SITE SURVEY
SCALE: 1"=40'

LEGEND

- FOUND PROPERTY CORNER
- SET PROPERTY CORNER
- BENCH MARKS
- UTILITY POLE
- GUY ANCHOR
- SIGN
- LIGHT POLE
- TELEPHONE PEDESTAL
- DRAINAGE MANHOLE
- SANITARY MANHOLE
- INDIVIDUAL TREE – DECIDUOUS
- INDIVIDUAL TREE – CONIFER
- BUSH
- GRASS AREA
- TRANSFORMER
- ELECTRICAL MANHOLE
- CENTER OF PROPOSED TOWER
- CONCRETE SURFACE
- ASPHALT SURFACE
- GRAVEL SURFACE

LEGAL DESCRIPTION FOR SUBJECT PARCEL 496.

BEGINNING AT A POINT BEING A FOUND IRON PIPE SAID POINT BEING THE SOUTH EAST CORNER OF SUBJECT PARCEL 496, AS RECORDED IN DEED FOUND IN LIBER 5163, FOLIO 316 CURRENTLY OWNED BY STAGCO CORPORATION, AND THE COMMON SOUTHWEST CORNER OF PARCEL 994, AS RECORDED IN DEED FOUND IN LIBER 13934, FOLIO 542 CURRENTLY OWNED BY JANET M MILLER;

THENCE SOUTH 89° 58' 16" WEST A DISTANCE OF 150.32' TO A POINT, SAID POINT BEING A FOUND IRON PIPE;

THENCE SOUTH 89° 58' 16" WEST A DISTANCE OF 75.25' TO A POINT;

THENCE NORTH 24° 33' 44" WEST A DISTANCE OF 82.50'TO A POINT;

THENCE NORTH 08° 46' 44" WEST A DISTANCE OF 382.30' TO A POINT;

THENCE NORTH 62° 44' 58" EAST A DISTANCE OF 188.55' TO A POINT;

THENCE NORTH 62° 26' 30" EAST A DISTANCE OF 169.51' TO A POINT;

THENCE SOUTH 00° 01' 44" EAST A DISTANCE OF 617.50' TO A POINT BEING THE POINT OF BEGINNING

THE ABOVE DESCRIBED PARCEL, CONTAINS 153,440 SQUARE FEET OR 3.5225 ACRES MORE OR LESS.

entrex
communication services, inc.
1575 Eye Street, N.W. Suite 350
WASHINGTON, D.C. 20005
PHONE: (202)408-0960
FAX: (202)408-0961

SUBMITTALS

DATE	DESCRIPTION	REV.
02-25-04	ZONING	
01-27-05	ZONING REDLINES	

SEAL:

STATE OF MARYLAND
ANTHONY M. MARINO
No. 15812
REGISTERED PROFESSIONAL ENGINEER

Sprint

APC REALTY AND EQUIPMENT COMPANY, LLC.
d/b/a
SPRINT PCS

PROJECT NO:	1015.304
DESIGNER:	R.S.
ENGINEER:	M.M.

SCALE:
0 1/2 1
GRAPHIC SCALE IN INCHES

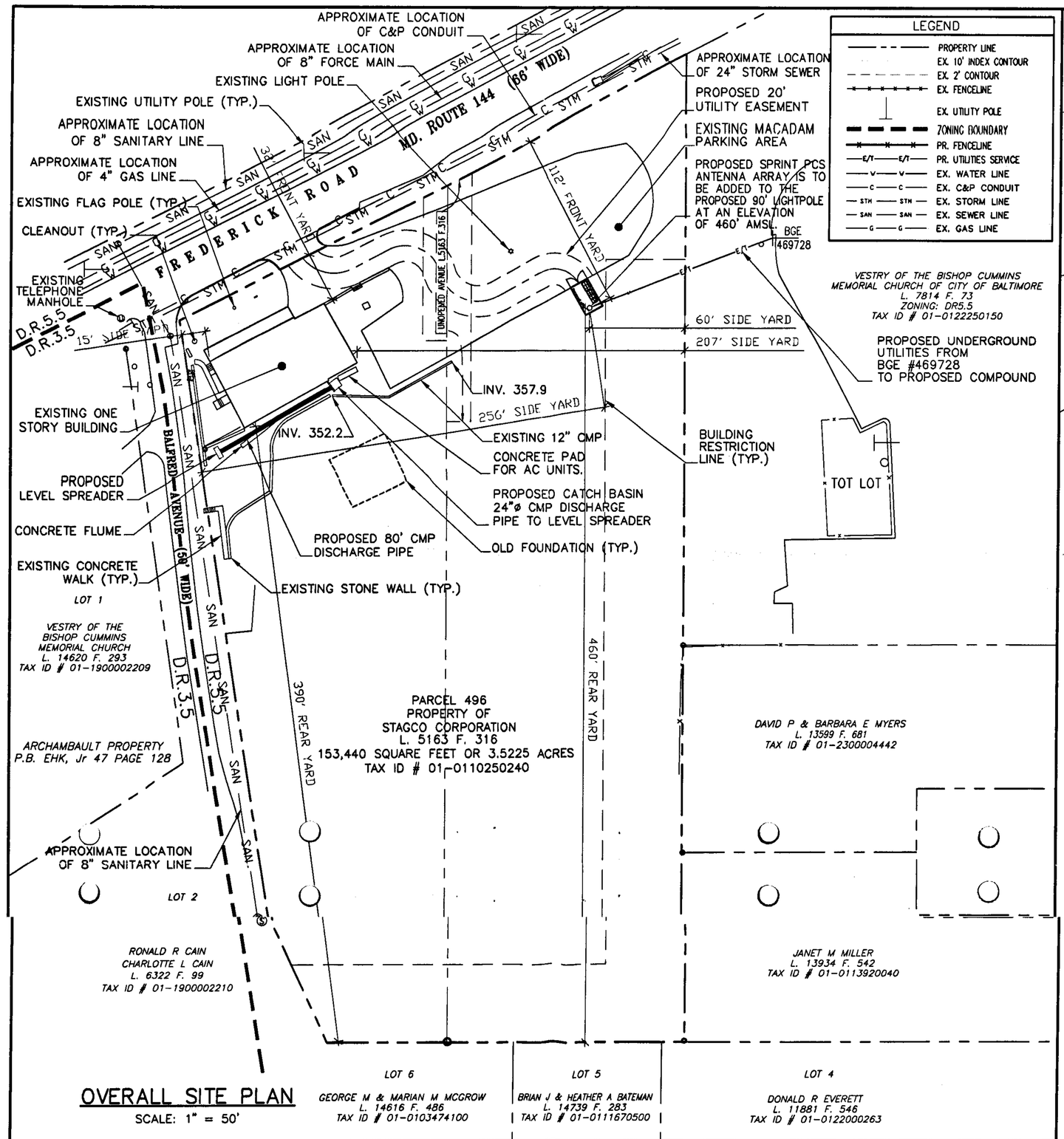
WA54XC649E
WOODWIND
KNIGHTS OF COLUMBUS
2021 FREDERICK ROAD
BALTIMORE, MD 21228

TITLE:

SITE SURVEY

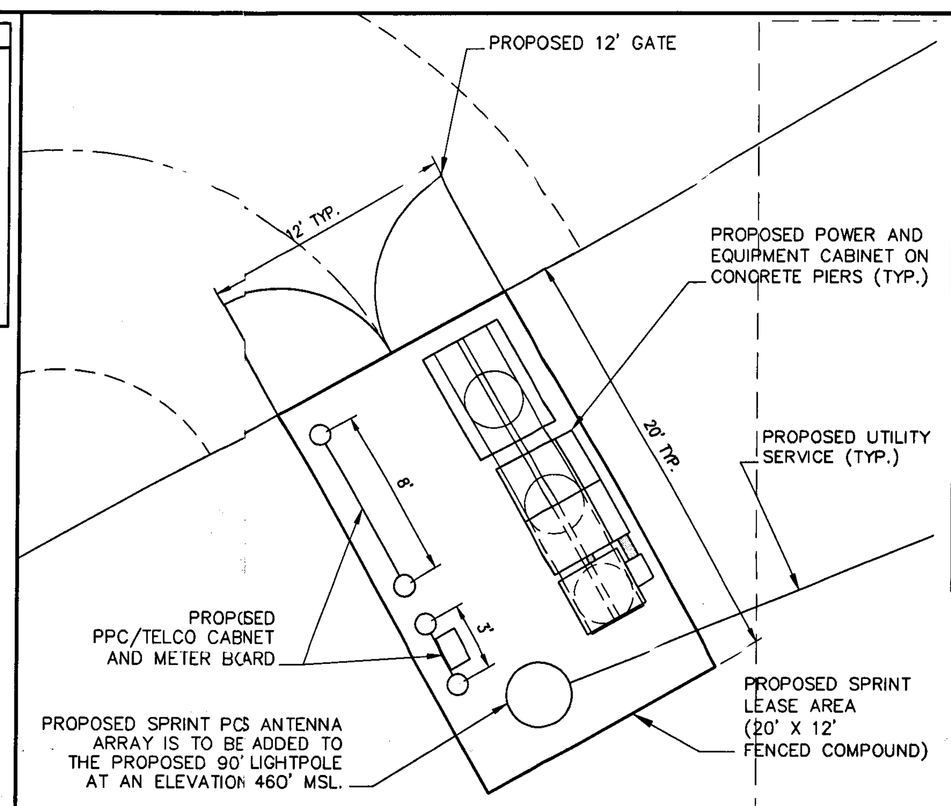
SHEET NUMBER:

Z-2



OVERALL SITE PLAN

SCALE: 1" = 50'



ENLARGED PARTIAL SITE PLAN

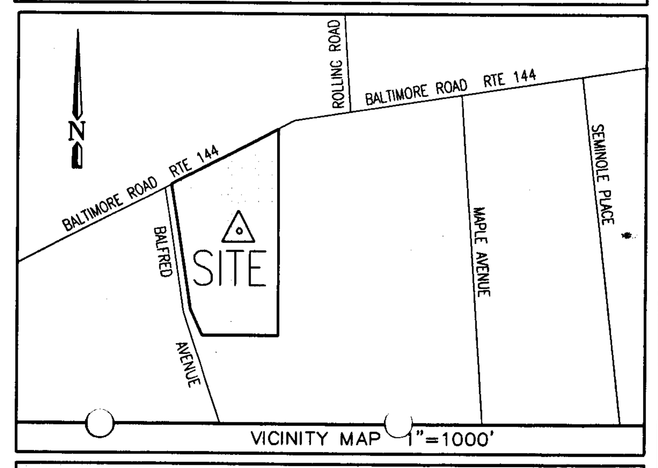
SCALE: 1" = 5'

ZONING TABLE	REQUIRED	PROVIDED
MAXIMUM LOT AREA	NONE	3.5 ACRES
	-	±153,440 S.F.
MINIMUM LOT WIDTH	55'	±290'
SETBACK REQUIREMENTS		
BUILDING		
FRONT	40'	±32'
SIDE	20'	±207', ±15'
REAR	30'	±390'
HEIGHT	50'	±15'
ANTENNA (LIGHTPOLE)		
FRONT	200'	±112'
SIDE	200'	±60', ±256'
REAR	200'	±460'
HEIGHT	200'	±90
PARKING REQUIREMENT		
1 SPACE PER 4 SEATS	39 SPACES	42 SPACES *

* - EXISTING PARKING INFORMATION PROVIDED IS TO SHOW THAT THE SITE CONFORMS TO THE BCZR.
(NO PARKING IS REQUIRED FOR TOWER AND EQUIPMENT)

GENERAL NOTES:

1. THE PURPOSE OF THIS DRAWING IS TO PROVIDE THE BALTIMORE COUNTY ZONING COMMISSION WITH A GRAPHICAL REPRESENTATION OF THE LOCATION AND A GENERAL ELEVATION VIEW OF THE LIGHTPOLE. UPON COMPLETION OF THE COMMISSION REVIEW, DETAILED ENGINEERING DRAWINGS OF STRUCTURAL COMPONENTS WILL BE PROVIDED IN SUPPORT OF THE BUILDING PERMIT APPLICATION.
2. THE FOLLOWING REPRESENTATIONS ARE BASED ON THE PROPERTY SURVEY AND SITE TOPOGRAPHY PREPARED AND CERTIFIED BY RONALD L. COLLIER, L.S., MD LICENSE NO. 20014, DATED APRIL 4, 2002: OF CHARLES P. JOHNSON & ASSOCIATES:
   A. PROPERTY LINE SHOWN HEREON ARE BASED ON INFORMATION FROM DEEDS, PLATS AND TAX ASSESSORS RECORDS. NOT ALL LINES HAVE BEEN SURVEYED IN THE FIELD. THIS IS NOT A BOUNDARY SURVEY OF THE SUBJECTS PROPERTY.
   B. THERE ARE NO NATURAL SPRINGS IN THE AREA OF THE PROPOSED SITE.
   C. THE TOWER SITE IS NOT WITHIN 30 FEET OF ANY EXISTING WELL AND IS NOT SITUATED OVER TOP OF ANY SEPTIC FIELD.
3. BASED ON THE FAA 1-A SURVEY CERTIFICATION PREPARED BY CHARLES P. JOHNSON & ASSOCIATES, DATED APRIL 4, 2002 THE CENTER/TOP OF THE PROPOSED LIGHTPOLE HAS MARYLAND STATE PLANE COORDINATES OF N. 661,552 AND E. 1,201,482 AND GEOGRAPHIC COORDINATES OF N. LAT 39°15'56.65" AND W. LONG. 076°45'43.57" ARE ACCURATE WITHIN ±15 FEET HORIZONTALLY, AND THAT THE SITE ELEVATION 370' AMSL AND 460' MSL IS ACCURATE WITHIN ±3 FEET VERTICALLY. THE HORIZONTAL DATUM (COORDINATED) ARE IN TERMS OF THE NORTH AMERICAN DATUM OF 1983 (NAD83) AND ARE EXPRESSED IN DEGREES, MINUTES AND SECONDS, TO THE NEAREST HUNDREOTH OF A SECOND. THE VERTICAL DATUM (HEIGHTS) ARE IN TERMS OF THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 AND ARE DETERMINED TO THE NEAREST FOOT.
4. THERE ARE 42 STRIPED PARKING SPACES INCLUDING 3 HANDICAPPED SPACES

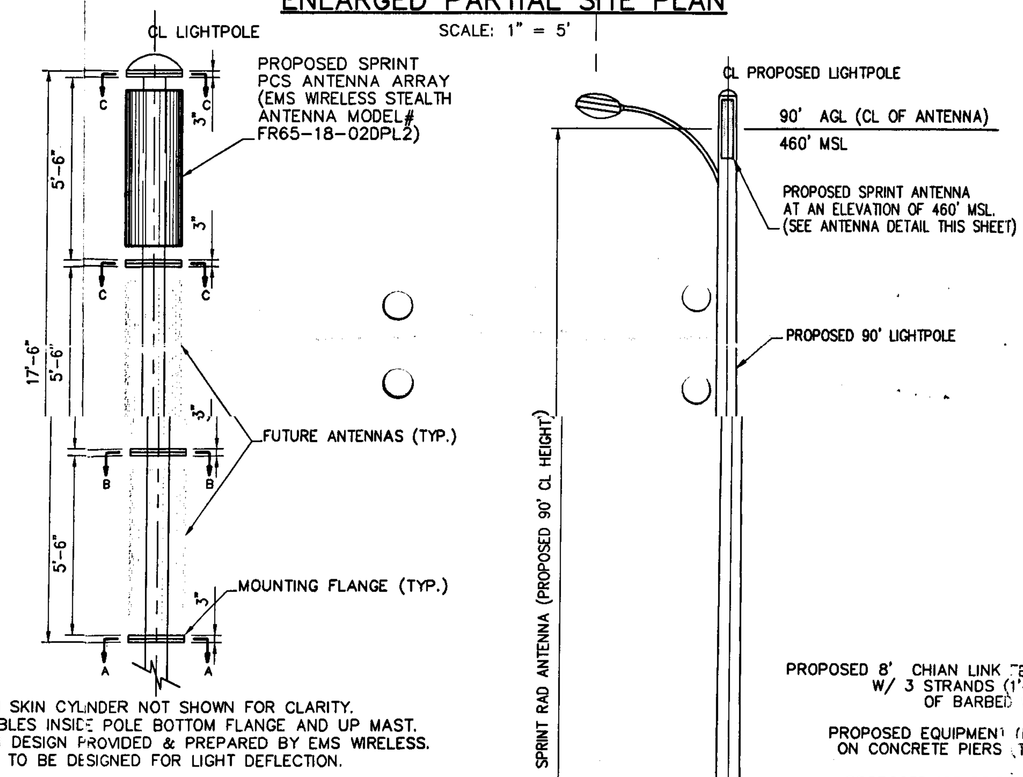


VICINITY MAP 1"=1000'

PROJECT DESCRIPTION

THE SUBJECT PROPERTY IS MOSTLY WOODED. IT HAS A ONE STORY BUILDING IN THE NORTHWEST CORNER THAT IS USED AS MEETING HALL FOR THE KNIGHTS OF COLUMBUS (ST. AGNES COUNCIL) AND HAS A PARKING LOT ON THE EAST SIDE OF THE BUILDING. THE PROPOSED IMPROVEMENTS WILL BE LOCATED ON THE SOUTH SIDE OF THE PARKING LOT.
THE PROPOSED IMPROVEMENTS WILL CREATE A FENCED ENCLOSURE FOR THE PROPOSED GROUND EQUIPMENT (COMMUNICATIONS, ELECTRIC AND POWER) AND LIGHTPOLE FOR THE PROPOSED TELECOMMUNICATIONS FACILITY.

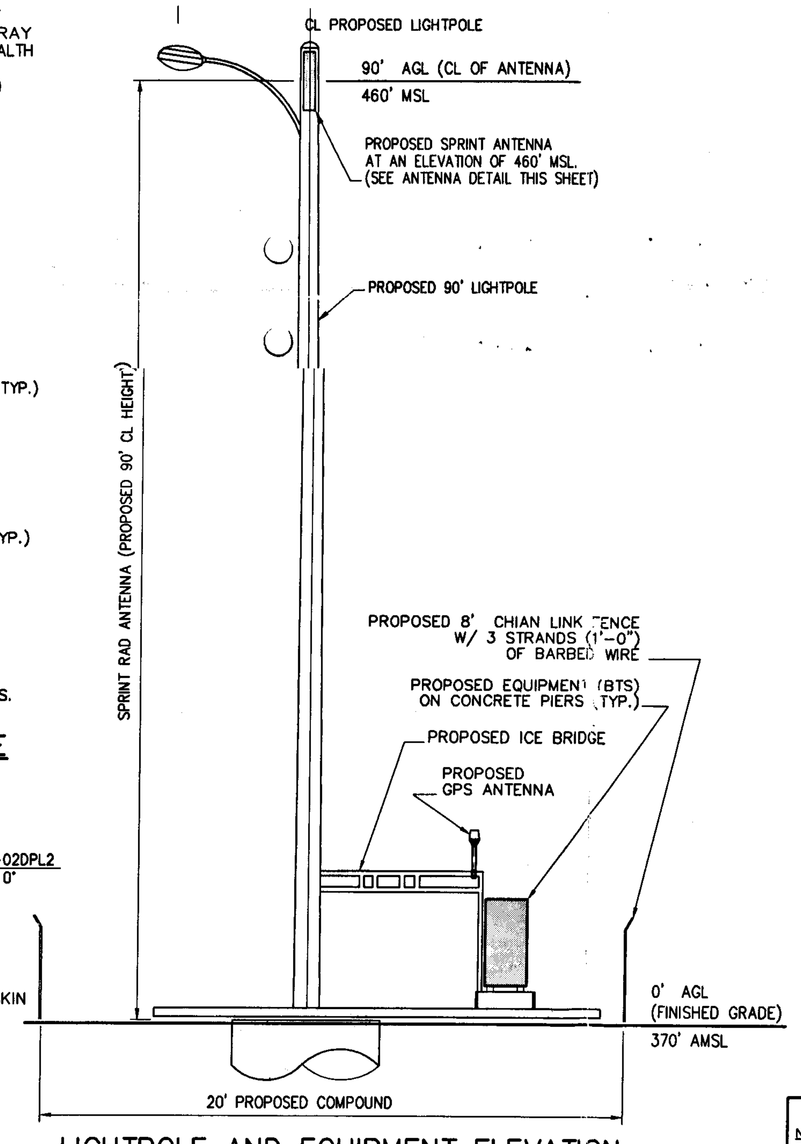
SITE NUMBER:	WA54XC649-E
SITE NAME:	KNIGHTS OF COLUMBUS - ST. AGNES COUNCIL
SITE ADDRESS:	2021 BALTIMORE ROAD
CITY/STATE:	BALTIMORE, MD 21228
ZONING JURISDICTION:	DENSITY RESIDENTIAL ZONE (D.R.5.5)
COUNTY:	BALTIMORE
MAP / GRID / PARCEL:	100 / 17 / 496
STATE ZONING MAP #:	SW 3-G
ELECTION DISTRICT:	01
COUNCILMATIC DISTRICT:	01
TAX IDENTIFICATION NO.	01-0110250240
PREVIOUS COMMERCIAL PERMIT:	NO COMMERCIAL PERMITS IN THE PAST 3 YEARS
AREA OF CONSTRUCTION:	±240 S.F. (0.01 ACRES)-(COMPOUND) ±240 S.F. (0.01 ACRES)-(TOTAL DISTURBANCE)
PROPERTY OWNER:	STAGCO CORPORATION 2021 BALTIMORE ROAD BALTIMORE, MD 21228
OWNER CONTACT:	BJ NOPPINGER (410) 465-1397
APPLICANT:	APC REALTY & EQUIPMENT CO., LLC 1 INTERNATIONAL BOULEVARD SUITE 800 MAHWAH, NJ 07495 (201) 684-4175
POWER PROVIDER: PHONE:	BALTIMORE GAS & ELECTRIC 1-800-233-1854
PHONE PROVIDER: PHONE:	VERIZON (301) 954-6232



NOTE:
1. STEALTH SKIN CYLINDER NOT SHOWN FOR CLARITY.
2. RUN CABLES INSIDE POLE BOTTOM FLANGE AND UP MAST.
3. STEALTH DESIGN PROVIDED & PREPARED BY EMS WIRELESS.
4. SHROUD TO BE DESIGNED FOR LIGHT DEFLECTION.

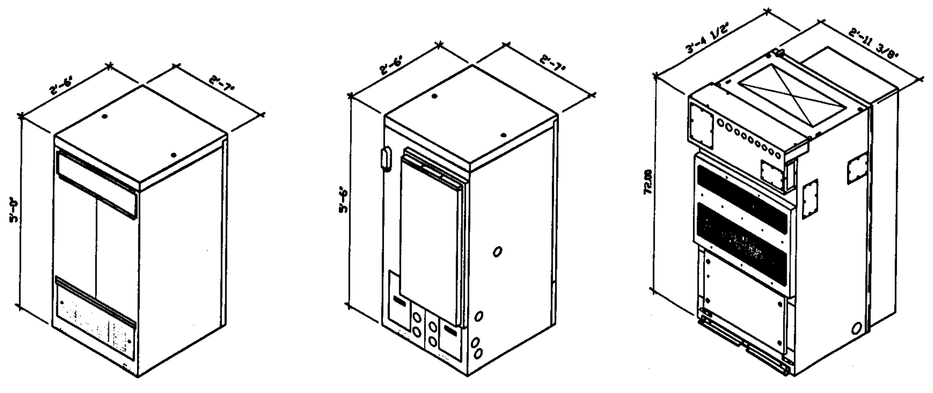
PROPOSED 3 CARRIER PCS FLAGPOLE

N.T.S.



LIGHTPOLE AND EQUIPMENT ELEVATION

N.T.S.



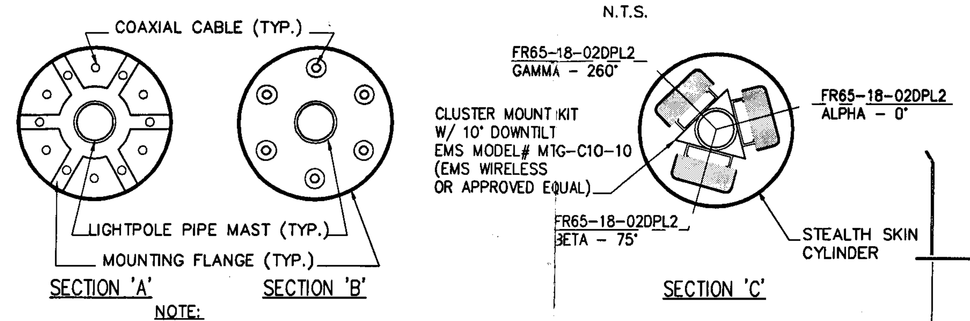
BATTERY CABINET WEIGHT = 2827 LBS
BATTERY CABINET ENCLOSURE (REAR)

POWER CABINET WEIGHT = 1747 LBS
POWER HOUSE(TM)24 CABINET ENCLOSURE (REAR)

FLEXENT CABINET WEIGHT = 1187 LBS
FLEXENT CABINET ENCLOSURE (REAR)

GROUND EQUIPMENT ELEVATIONS

N.T.S.



NOTE:
1. RUN CABLES INSIDE POLE BOTTOM FLANGE AND UP MAST.
2. STEALTH DESIGN PROVIDED & PREPARED BY EMS WIRELESS.

SECTION VIEWS OF 3 CARRIER PCS FLAGPOLE MOUNT

N.T.S.

NOTE:
DAMAGE TO SITE DURING CONSTRUCTION SHALL BE REPAIRED TO PROPERTY OWNERS SATISFACTION, BY CONTRACTOR AND AT CONTRACTORS EXPENSE.

DESIGN NOTE:
THESE DRAWINGS AND DETAILS ARE TO BE USED AS GENERAL GUIDELINES FOR STANDARD SITE DESIGNS. IT SHALL BE THE RESPONSIBILITY OF THE WIRELESS IMPLEMENTATION ENGINEER TO VERIFY SITE CONDITIONS AND MODIFY THESE GUIDELINES AS NECESSARY IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, AND FEDERAL REQUIREMENTS.

MALCOLM PIRNIE

STATE OF MARYLAND — JOSEPH C. BARGELLA — No. 22025 — PROFESSIONAL ENGINEER

REVISIONS			
NO.	BY	DATE	REMARKS

DES TZ
DWN TZ
CKD JCB

Sprint PCS
APC REALTY & EQUIPMENT CO., LLC
1 INTERNATIONAL BOULEVARD
SUITE 800
MAHWAH, NJ 07495
(201) 684-4175
SITE NO.: WA54XC649-E

SPRINT PCS SAR NAME: KNIGHTS OF COLUMBUS

KNIGHTS OF COLUMBUS - ST. AGNES COUNCIL
PLAN TO ACCOMPANY TRC AND DRC APPLICATIONS

SCALE: AS NOTED

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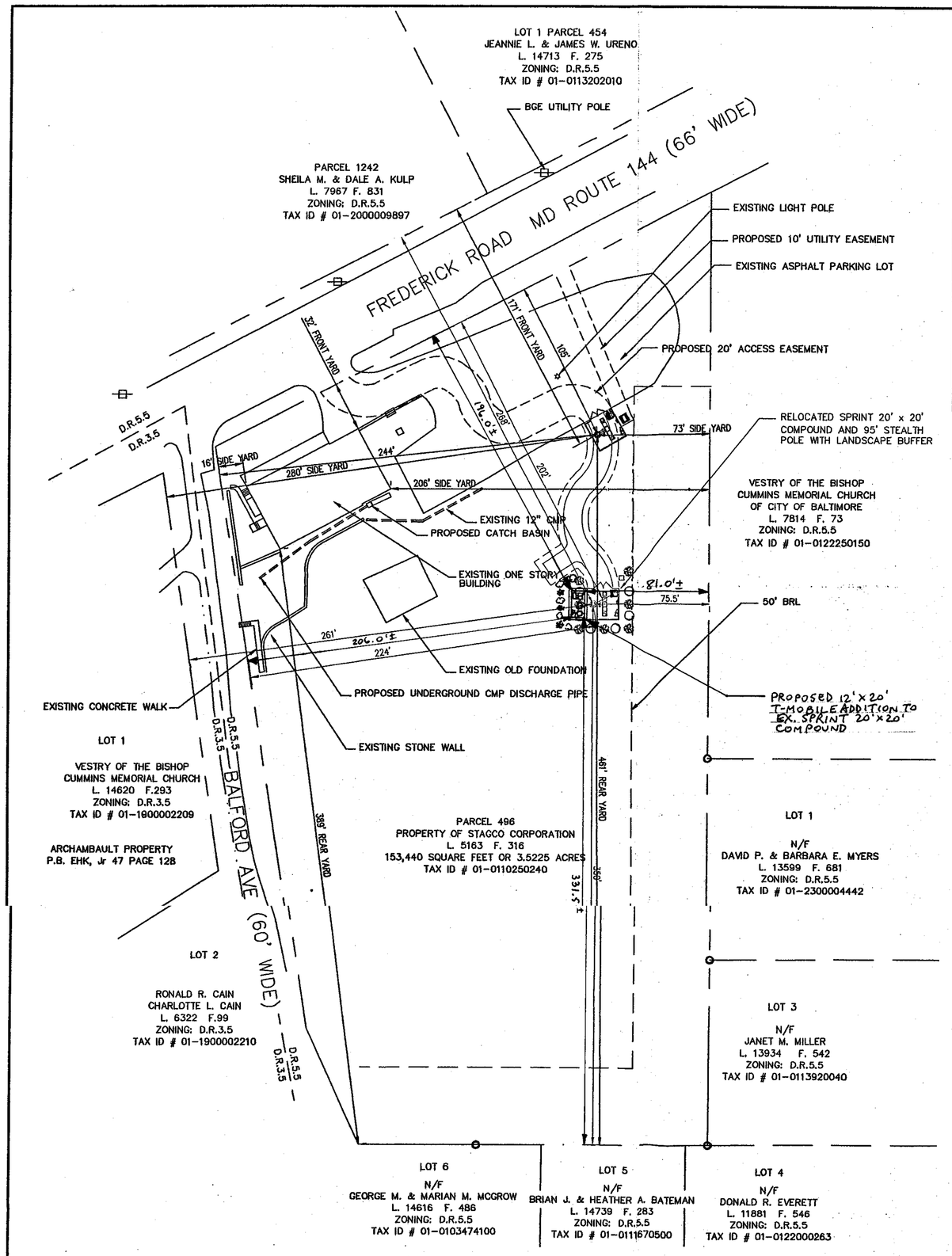
MALCOLM PIRNIE, INC.

DATE FEBRUARY 2003

SHEET 1 OF 1

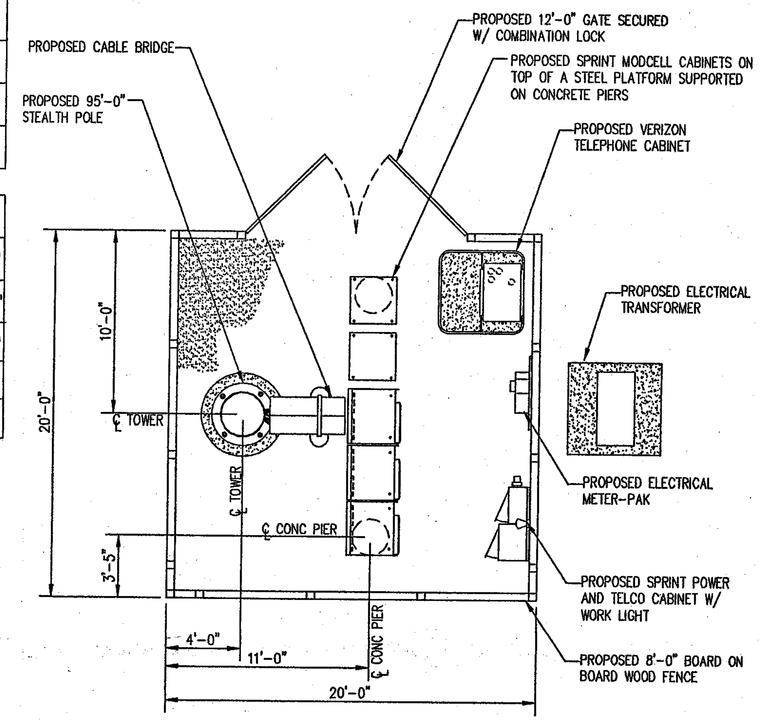
CAD REF. NO. 4191076



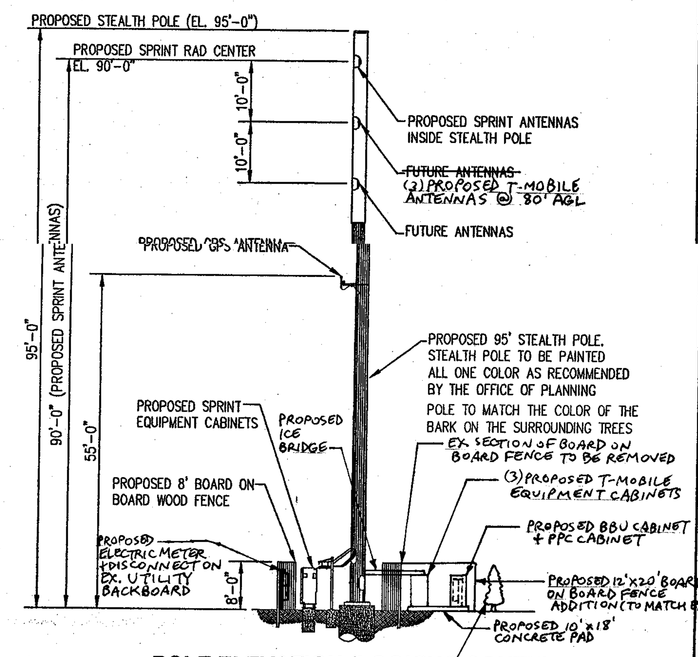
SITE PLAN
SCALE: 1"=50'

ZONING TABLE	REQUIRED	PROVIDED
MINUMUM LOT AREA	3.0 ACRES	3.52 ACRES
	-	±153,440 S.F.
MINIMUM LOT WIDTH	55'	±290'

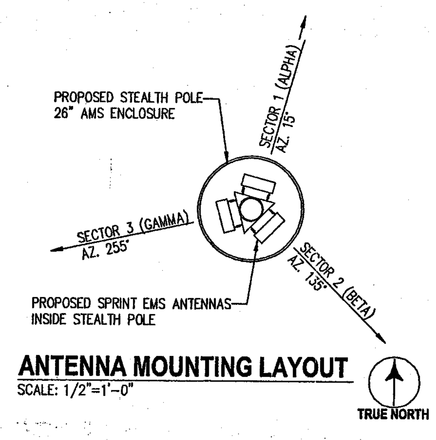
STEALTH POLE		
FRONT	200'	~~171'~~ 268'
SIDE (EAST)	200'	~~73'~~ 75.5'
SIDE (WEST)	200'	~~280'~~ 261'
REAR	200'	~~461'~~ 350'
HEIGHT	200'	95'



COMPOUND PLAN
SCALE: 3/16"=1'-0"



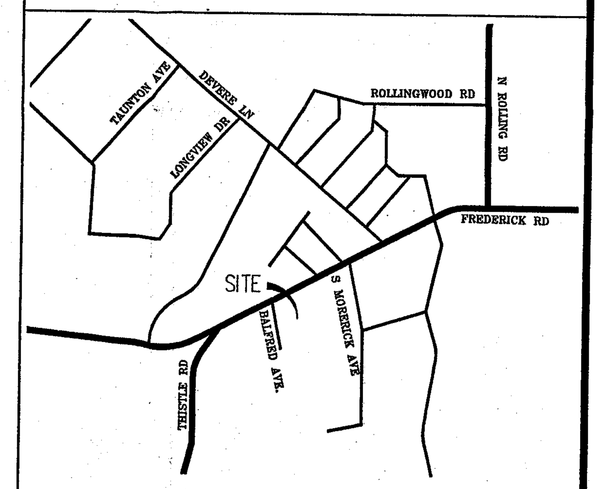
POLE ELEVATION (LOOKING SOUTH)
SCALE: 1/16"=1'-0"



ANTENNA MOUNTING LAYOUT
SCALE: 1/2"=1'-0"

GENERAL NOTES:

1. THE PURPOSE OF THIS DRAWING IS TO PROVIDE THE BALTIMORE COUNTY ZONING COMMISSION WITH A GRAPHICAL REPRESENTATION OF THE LOCATION AND GENERAL ELEVATION VIEW OF THE STEALTH POLE. UPON COMPLETION OF THE COMMISSION REVIEW, DETAILED ENGINEERING DRAWINGS OF THE STRUCTURAL COMPONENTS WILL BE PROVIDED IN SUPPORT OF THE BUILDING PERMIT APPLICATION.
2. THE FOLLOWING REPRESENTATIONS ARE BASED ON THE PROPERTY SURVEY AND SITE TOPOGRAPHY PREPARED BY ENTREX COMMUNICATION SERVICES, INC.
   A. PROPERTY LINE SHOWN HEREON ARE BASED ON INFORMATION FROM DEEDS, PLATS AND TAX ASSESSORS RECORDS. NOT ALL LINES HAVE BEEN SURVEYED IN THE FIELD. THIS IS NOT A BOUNDARY SURVEY OF THE SUBJECTS PROPERTY.
   B. THERE ARE NO NATURAL SPRINGS IN THE AREA OF THE PROPOSED SITE.
   C. THE TOWER SITE IS NOT WITHIN 30 FEET OF ANY EXISTING WELL AND IS NOT SITUATED OVER TOP OF ANY SEPTIC FIELD.
3. BASED ON THE FAA 1-A SURVEY CERTIFICATION PREPARED BY: ENTREX COMMUNICATION SERVICES, INC. THE CENTER/TOP OF THE PROPOSED STEALTH POLE HAS MARYLAND STATE PLANE COORDINATES OF N. 582,456 AND E. 1,379,674 AND GEOGRAPHIC COORDINATES OF LAT. N 39° 15' 56.64" AND LONG. W 76° 45' 43.77" ARE ACCURATE WITHIN ±15 FEET HORIZONTALLY, AND THAT THE SITE ELVATION IS 370' AMSL AND 465' AGL IS ACCURATE WITHIN ±3 FEET VERTICALLY. THE HORIZONTAL DATUM (COORDINATED) ARE IN TERMS OF THE NORTH AMERICAN DATUM 1983 (NAD83) AND ARE EXPRESSED IN DEGREES, MINUTES AND SECONDS, TO THE NEAREAST HUNDRETH OF A SECOND. THE VERTICAL DATUM (ELEVATIONS) ARE IIN TERMS OF THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) AND ARE DETERMINED TO THE NEAREST FOOT.
4. THERE ARE 42 STRIPED PARKING SPACES INCLUDING 3 HANDICAPPED SPACES. THE PROPOSED EGRESS AND UTILITY EASEMENTS DO NOT IMPACT EXISTING PARKING SPACES.



VICINITY MAP
SCALE: 1"=10,000'

SCOPE OF WORK: THE SUBJECT PROPERTY IS MOSTLY WOODED. IT HAS A ONE STORY BUILDING IN THE NORTHWEST CORNER THAT IS USED AS A MEETING HALL FOR THE KNIGHTS OF COLUMBUS (ST AGNES COUNCIL) AND HAS A PARKING LOT ON THE EAST SIDE OF THE BUILDING. THE PROPOSED IMPROVEMENTS WILL BE LOCATED ON THE SOUTH SIDE OF THE PARKING LOT. THE WORK WILL INCLUDE THE INSTALLATION OF A STEALTH POLE WITH ANTENNAS INSIDE THE POLE , A 20' x 20' FENCED EQUIPMENT COMPOUND AREA WITH COMMUNICATION CABINETS, SITE IMPROVEMENTS, ELECTRICAL AND TELEPHONE SERVICE.

OWNER: STAGCO CORPORATION
2021 FREDERICK RD
BALTIMORE, MD 21228
BJ NOPPINGER
(410) 465-1397

CONTACT: ENTREX COMMUNICATION SERVICES, INC.
MARC A. MARZULLO, P.E.
(202) 408-0960

APPLICANT: APC REALTY AND EQUIPMENT COMPANY, LLC,
d/b/a SPRINT PCS
ONE INTERNATIONAL BLVD. STE. 800
MAHWAH, N.J. 07495

POWER PROVIDER: BALTIMORE GAS & ELECTRIC
1-800-233-1854

PHONE PROVIDER: VERIZON
1-301-954-6232

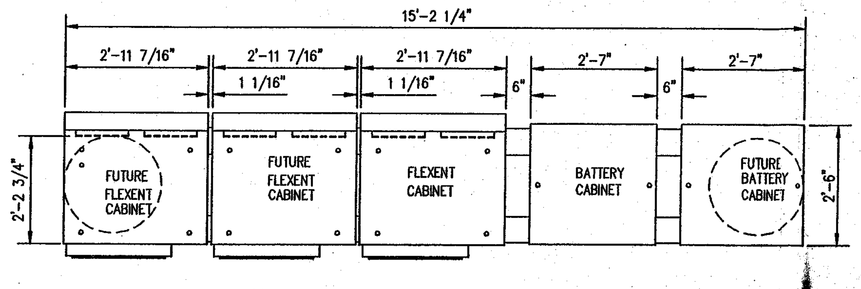
SITE NUMBER: WA54XC649E
SITE NAME: KNIGHTS OF COLUMBUS (ST AGNES COUNCIL)
SITE ADDRESS: 2021 FREDERICK RD
CITY/STATE: BALTIMORE, MD 21228

CURRENT ZONING: DENSITY RESIDENTIAL ZONE (D.R. 5.5)
JURISDICTION: BALTIMORE COUNTY
PROPERTY INFO: DEED LIBER: 5163 FOLIO: 316
MAP: 100 GRID: 17 PARCEL: 496
STATE ZONING MAP#: SW 3-G
ELECTION DISTRICT: 01
COUNCILMATIC DIST.: 01
TAX IDENTIFICATION #: 01-0110250240
PREVIOUS COMMERCIAL PERMIT: NO COMMERCIAL PERMITS IN THE PAST THREE YEARS

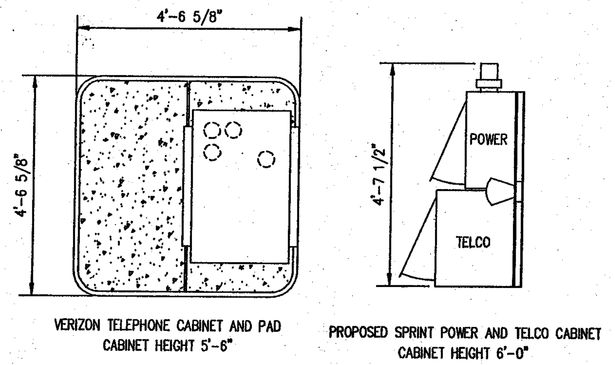
LATITUDE: N 39° 15' 56.64"
LONGITUDE: W 76° 45' 43.77"

GROUND ELEVATION: 366' AMSL

TOTAL DISTURBED AREA: 366' AMSL



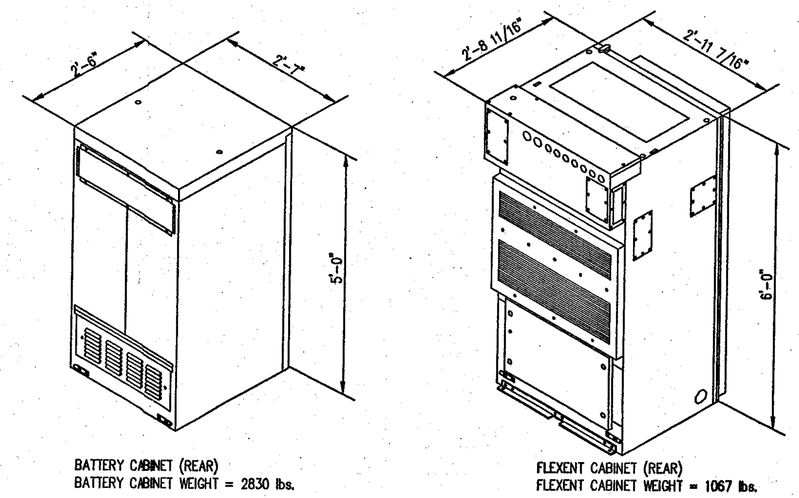
PCS EQUIPMENT LAYOUT
SCALE: 1/2"=1'-0"



VERIZON TELEPHONE CABINET AND PAD
CABINET HEIGHT 5'-6"

PROPOSED SPRINT POWER AND TELCO CABINET
CABINET HEIGHT 6'-0"

EQUIPMENT DETAILS
SCALE: 1/2"=1'-0"



BATTERY CABINET (REAR)
BATTERY CABINET WEIGHT = 2830 lbs.

FLEXENT CABINET (REAR)
FLEXENT CABINET WEIGHT = 1067 lbs.

ISOMETRIC 3 CARRIER MODCELL EQUIPMENT CABINETS
SCALE: 1/2"=1'-0"

entrex
communication services, inc.
1575 Eye Street, N.W. Suite 350
WASHINGTON, D.C. 20005
PHONE: (202)408-0960
FAX: (202)408-0961

SUBMITTALS

DATE	DESCRIPTION	REV.
02-25-04	ZONING	
01-27-05	ZONING REDLINES	

SEAL:

STATE OF MARYLAND
ANTHONY W. MARZULLO
No. 12121
REGISTERED PROFESSIONAL ENGINEER

Sprint
APC REALTY AND EQUIPMENT COMPANY, LLC.
d/b/a
SPRINT PCS

PROJECT NO:	1015.304
DESIGNER:	F.Y.
ENGINEER:	M.M.

SCALE:
0 1/2 1
GRAPHIC SCALE IN INCHES

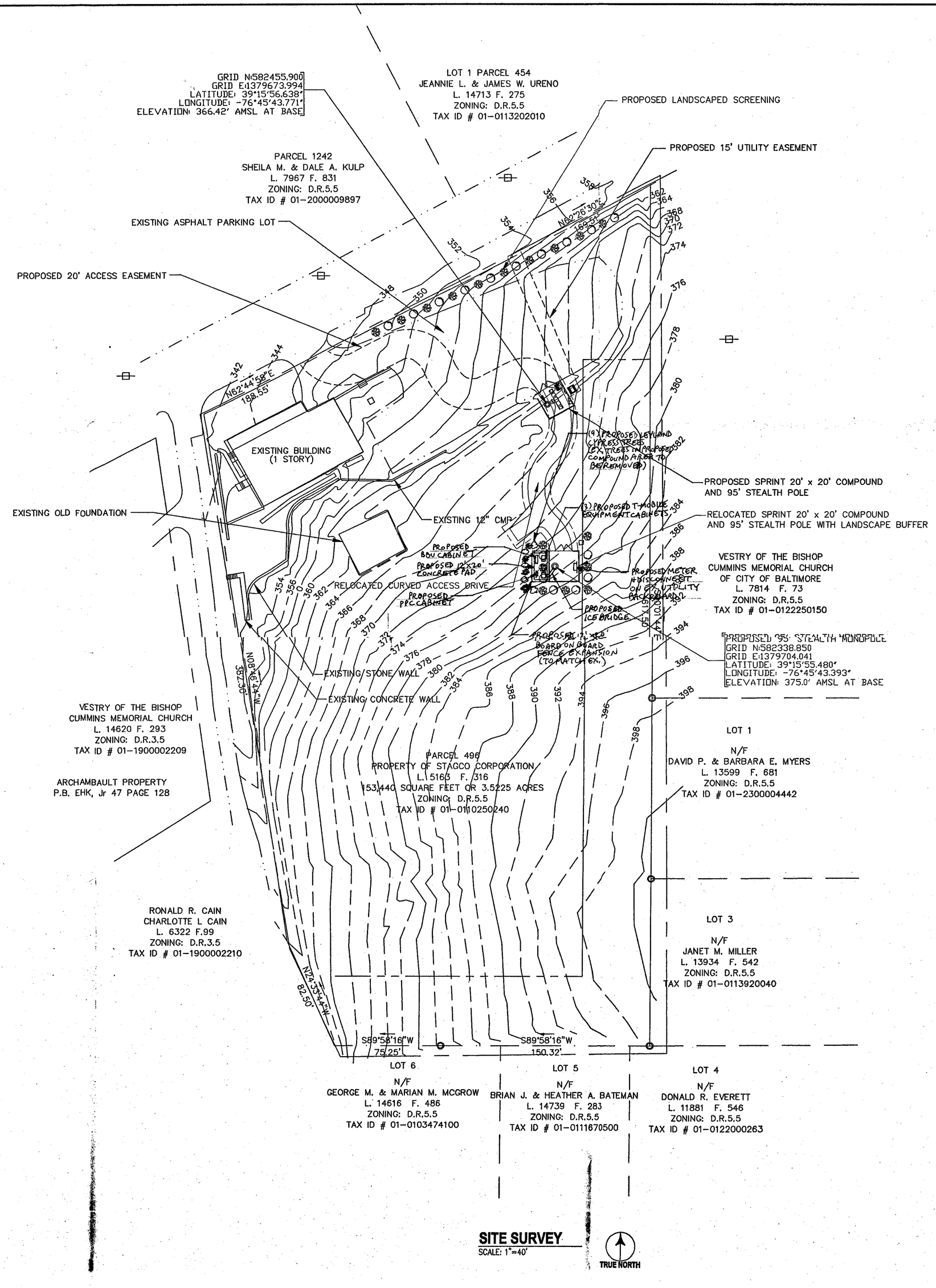
WA54XC649E
WOODWIND
KNIGHTS OF COLUMBUS
2021 FREDERICK ROAD
BALTIMORE, MD 21228

TITLE:

ZONING DRAWING
for Remand Hearing
March 29, 2005

SHEET NUMBER:
Z-

PETITIONER'S
EXHIBIT NO. 1A



SITE SURVEY
SCALE: 1"=40'

LEGEND

- FOUND PROPERTY CORNER
- SET PROPERTY CORNER
- BENCH MARKS
- UTILITY POLE
- GUY ANCHOR
- SIGN
- LIGHT POLE
- TELEPHONE PEDESTAL
- DRAINAGE MANHOLE
- SANITARY MANHOLE
- INDIVIDUAL TREE – DECIDUOUS
- INDIVIDUAL TREE – CONIFER
- BUSH
- GRASS AREA
- TRANSFORMER
- ELECTRICAL MANHOLE
- CENTER OF PROPOSED TOWER
- CONCRETE SURFACE
- ASPHALT SURFACE
- GRAVEL SURFACE

LEGAL DESCRIPTION FOR SUBJECT PARCEL 496.

BEGINNING AT A POINT BEING A FOUND IRON PIPE SAID POINT BEING THE SOUTH EAST CORNER OF SUBJECT PARCEL 496, AS RECORDED IN DEED FOUND IN LIBER 5163, FOLIO 316 CURRENTLY OWNED BY STAGCO CORPORATION, AND THE COMMON SOUTHWEST CORNER OF PARCEL 994, AS RECORDED IN DEED FOUND IN LIBER 13934, FOLIO 542 CURRENTLY OWNED BY JANET M MILLER;

THENCE SOUTH 89° 58' 16" WEST A DISTANCE OF 150.32' TO A POINT, SAID POINT BEING A FOUND IRON PIPE;

THENCE SOUTH 89° 58' 16" WEST A DISTANCE OF 75.25' TO A POINT;

THENCE NORTH 24° 33' 44" WEST A DISTANCE OF 82.50'TO A POINT;

THENCE NORTH 08° 46' 44" WEST A DISTANCE OF 382.30' TO A POINT;

THENCE NORTH 62° 44' 58" EAST A DISTANCE OF 188.55' TO A POINT;

THENCE NORTH 62° 26' 30" EAST A DISTANCE OF 169.51' TO A POINT;

THENCE SOUTH 00° 01' 44" EAST A DISTANCE OF 617.50' TO A POINT BEING THE POINT OF BEGINNING

THE ABOVE DESCRIBED PARCEL, CONTAINS 153,440 SQUARE FEET OR 3.5225 ACRES MORE OR LESS.

entrex
communication services, inc.
1575 Eye Street, N.W. Suite 350
WASHINGTON, D.C. 20005
PHONE: (202)408-0960
FAX: (202)408-0961

SUBMITTALS

DATE	DESCRIPTION	REV.
02-25-04	ZONING	
01-27-05	ZONING REDLINES	

SEAL:

STATE OF MARYLAND
ANTHONY MICHAEL MARCHIONI
No. 19218
REGISTERED PROFESSIONAL ENGINEER

Sprint
APC REALTY AND EQUIPMENT COMPANY, LLC.
d/b/a
SPRINT PCS

PROJECT NO:	1015.304
DESIGNER:	R.S.
ENGINEER:	M.M.

SCALE:
0 1/2 1
GRAPHIC SCALE IN INCHES

WA54XC649E
WOODWIND
KNIGHTS OF COLUMBUS
2021 FREDERICK ROAD
BALTIMORE, MD 21228

TITLE:

SITE SURVEY

SHEET NUMBER:

Z-2