

IN RE: PETITIONS FOR SPECIAL HEARING
& SPECIAL EXCEPTION
W/S Ensor Mill Road, 450 ft. N
centerline of Belfast Road
8th Election District
3rd Councilmanic District
(15516 Ensor Mill Road)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY

Donald K. & Evelyn W. Taylor, *Legal Owners**
and
APC Realty & Equipment Company, LLC, *
By: Nicole M. Lacoste, Esquire, *
Authorized Agent, *Lessee* *
Petitioners

CASE NO. 05-487-SPHX

* * * * *

ORDER OF DISMISSAL

WHEREAS, the Petitioners herein filed Petitions for Special Hearing and Special Exception for the property located at 15516 Ensor Mill Road in the northern area of Baltimore County. The Petitioners requested a Special Exception pursuant to the Baltimore County Zoning Regulations (B.C.Z.R), to permit installation of 150 ft. stealth monopole and accompanying equipment cabinets that will serve as a wireless telecommunications facility containing an array of antenna concealed within the uppermost portion of the monopole. In addition, the Petitioners requested Special Hearing relief pursuant to Section 500.7 of the B.C.Z.R., to permit dual use of the subject property for a landscape service operation and a wireless telecommunications facility.

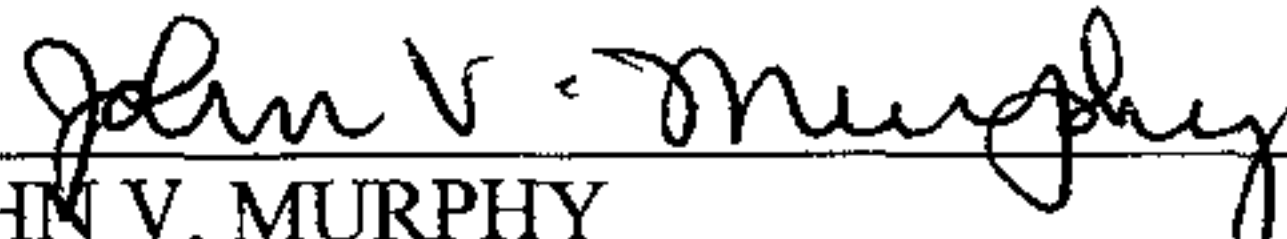
WHEREAS, at the hearing held on May 10, 2005, the Petitioners' attorney, Nicole M. Lacoste, Esquire, submitted a letter withdrawing the requested petitions for Special Exception and Special Hearing without prejudice. A copy of the May 10, 2005 letter is attached hereto and made a part hereof.

NOTED RECEIVED FOR FILING

5/13/05

Ray

IT IS THEREFORE, ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 13 day of May, 2005, that the hereinabove Petitions for Special Exception and Special Hearing, be and they are hereby WITHDRAWN and DISMISSED, without prejudice.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

RECEIVED FOR FILING

5/13/05

J. Ray

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel. 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

May 12, 2005

Nicole M. Lacoste, Esquire
Ballard, Spahr, Andrews & Ingersoll, LLP
300 E. Lombard Street, 18th Floor
Baltimore, Maryland 21202-3268

Re: Petitions for Special Hearing & Special Exception
Case No. 05-487-SPHX
Property: 15516 Ensor Mill Road

Dear Ms. Lacoste:

Enclosed herewith is a copy of an Order of Dismissal regarding the above-captioned case. The matter has been withdrawn and dismissed, without prejudice.

Very truly yours,

A handwritten signature in dark ink, reading "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Evelyn W. & Donald K. Taylor, 18425 Foreston Road, Parkton, MD 21120
APC Realty & Equipment Company, LLC, c/o Ballard, Spahr, Andrews & Ingersoll, LLP
300 E. Lombard Street, 18th Floor, Baltimore, Maryland 21202-3268
Kirsten A. Burger, 1906 Corbridge Lane, Monkton, MD 21111
Laura & George Rew, 17509 Prettyboy Dam Road, Parkton, MD 21120
Paul Hupfer, 831 Walters Lane, Sparks, MD 21152
Charles Gittings, 616 Gifford Lane, Monkton, MD 21152
Scott Earp, 15025 Priceville Road, Sparks, MD 21152
Frances Smith, 1018 Belfast Road, Sparks, MD 21152
Teresa Moore, c/o Valleys Planning Council, 207 Courtland Avenue, Towson, MD 21401
G. Macy Nelson, Esquire, 401 Washington Avenue, Suite 803, Towson, MD 21204

Visit the County's Website at www.baltimorecountyonline.info





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 15516 Ensor Mill Road
which is presently zoned R.C.2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Dual use of the subject property for a landscape service operation and a wireless telecommunications facility

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

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

APC Realty & Equipment Company, LLC
Name - Type or Print
Nicole M. Lacoste, authorized agent
Signature
c/o Ballard Spahr Andrews & Ingersoll
300 E. Lombard Street, 18th Floor (410) 528-
Address Telephone No. 5546
Baltimore, Maryland 21202-3268
City State Zip Code

Attorney For Petitioner:

Nicole M. Lacoste, Esquire
Name - Type or Print
Nicole M. Lacoste
Signature
Ballard Spahr Andrews & Ingersoll, LLP
Company (410) 528-
300 E. Lombard Street, 18th Floor 5546
Address Telephone No.
Baltimore, Maryland 21202-3268
City State Zip Code

Legal Owner(s):

Donald K. Taylor
Name - Type or Print
Donald K. Taylor
Signature
Evelyn W. Taylor
Name - Type or Print
Evelyn W. Taylor
Signature
18425 Foreston Road
Address Telephone No.
Parkton, Maryland 21120
City State Zip Code

Representative to be Contacted:

Nicole M. Lacoste, Esquire
Name
c/o Ballard Spahr Andrews & Ingersoll, LLP
300 E. Lombard Street, 18th Floor (410) 528-
Address Telephone No. 5546
Baltimore, Maryland 21202-3268
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JSK Date 3/28/05

ORDER RECEIVED FOR FILING

Case No. 05-478-SPHX

APR 9 11 198



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 15516 Ensor Mill Road

which is presently zoned R.C.2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Installation of 150' stealth monopole and accompanying equipment cabinets that will serve as a wireless telecommunications facility containing an array of 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 c/o Ballard Spahr Andrews & Ingersoll

300 E. Lombard Street, 18th Floor (410) 528-

Address

Telephone No. 5546

Baltimore, Maryland 21202-3268

City

State

Zip Code

Attorney For Petitioner:

Nicole M. Lacoste, Esquire

Name - Type or Print

Nicole M. Lacoste

Signature

Ballard Spahr Andrews & Ingersoll, LLP

Company

(410) 528-5546

300 E. Lombard Street, 18th Floor

Address

Telephone No.

Baltimore, Maryland 21202-3268

City

State

Zip Code

Legal Owner(s):

Donald K. Taylor

Name - Type or Print

Donald K. Taylor

Signature

Evelyn W. Taylor

Name - Type or Print

Evelyn W. Taylor

Signature

18425 Foreston Road

Address

443-507-0089

Telephone No.

Parkton, Maryland 21120

State

Zip Code

Representative to be Contacted:

Nicole M. Lacoste, Esquire

Name

c/o Ballard Spahr Andrews & Ingersoll, LLP

300 E. Lombard Street, 18th Floor (410) 528-

Address

Telephone No.

5546

Baltimore, Maryland 21202-3268

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By MR

Date 3/28/05

Case No. 05-487-SPHX

REV 09/15/98

ORDER RECEIVED FOR FILING

5/13/05

LEGAL DESCRIPTION FOR PARCEL 175

Being a parcel of land in Baltimore County in the State of Maryland, with Parcel Number 175, Tax Map 28, Grid 20 as recorded in Deed found in Liber 7159 and Folio 386 all in the records of Baltimore County of the State of Maryland, said Parcel 175 currently owned by Donald K. and Evelyn W. Taylor, being more particularly described as follows;

BEGINNING at a point, said point being the most south western corner of said Parcel 175 and the common northeasterly right of way line of Maryland Interstate Route 83 (having a variable width right of way) and the common northwesterly right of way line of Ensor Mill Road (having a variable width of right of way), said point having Maryland state plane coordinates North 685773.8858, East 1406989.9262;

Thence with said northeasterly right of way line of Maryland Interstate Route 83 north $34^{\circ} 45' 30''$ west a distance of 419.12' to a point;

Thence continuing on said right of way line north $32^{\circ} 25' 04''$ west a distance of 370.38' to a point;

Thence departing said right of way line north $68^{\circ} 48' 37''$ east a distance of 540.76' to a point on the northwesterly right of way line of Ensor Mill Road;

Thence with said right of way south $14^{\circ} 03' 19''$ east a distance of 206.25' to a point;

Thence continuing on said right of way south $08^{\circ} 12' 10''$ east a distance of 100.52' to a point;

Thence continuing on said right of way south $14^{\circ} 03' 19''$ east a distance of 78.50' to the beginning of a tangent curve to the right with a radius of 477.75;

Thence on said curve a distance of 526.01' with a chord bearing of south $47^{\circ} 33' 26''$ with a chord distance of 499.84 to a point, said point being the true point of beginning.

LESS AND EXCEPT from this conveyance, that certain tract or parcel of land dedicated to the use of telecommunications and described by metes and bounds as follows:

"Commencing at a point, said point being the most south western corner of said Parcel 175 and the common northeasterly right of way line of Maryland Interstate Route 83 (having a variable width right of way) and the common northwesterly right of way line of Ensor Mill Road (having a variable width of right of way), said point having Maryland state plane coordinates North 685773.8858, East 1406989.9262; Thence north $04^{\circ} 02' 03''$ west a distance of 174.05' to a point, said point being the TRUE POINT OF BEGINNING of a 50' x 50' Telecommunication Facility;

Thence north $17^{\circ} 11' 58''$ west a distance of 50.00' to a point;

Thence north $72^{\circ} 48' 02''$ east a distance of 50.00' to a point;

Thence south $17^{\circ} 11' 58''$ east a distance of 50.00' to a point;

Thence south $72^{\circ} 48' 02''$ west a distance of 50.00' back to the true point of beginning, containing 2,500 square feet or 0.0574 acres of land more or less."

The above described parcel, contains 230,982 square feet or 5.30 acres more or less and is subject to all matters of public record. All bearings are NAD83 Maryland state grid and the distances are ground.



LEGAL DESCRIPTION FOR A 50' x 50' TELECOMMUNICATION FACILITY

Being a parcel of land in Baltimore County in the State of Maryland, within Parcel Number 175, Tax Map 28, Grid 20 as recorded in Deed found in Liber 7159 and Folio 386 all in the records of Baltimore County of the State of Maryland, said Parcel 175 currently owned by Donald K. and Evelyn W. Taylor, being more particularly described as follows;

Commencing at a point, said point being the most south western corner of said Parcel 175 and the common northeasterly right of way line of Maryland Interstate Route 83 (having a variable width right of way) and the common northwesterly right of way line of Ensor Mill Road (having a variable width of right of way), said point having Maryland state plane coordinates North 685773.8858, East 1406989.9262; Thence north 04° 02' 03" west a distance of 174.05' to a point, said point being the TRUE POINT OF BEGINNING of a 50' x 50' Telecommunication Facility;

Thence north 17° 11' 58" west a distance of 50.00' to a point;
Thence north 72° 48' 02" east a distance of 50.00' to a point;
Thence south 17° 11' 58" east a distance of 50.00' to a point;
Thence south 72° 48' 02" west a distance of 50.00' back to the true point of beginning;

The above described parcel, contains 2,500 square feet or 0.0574 acres more or less and is dedicated to the construction, repair, maintenance, replacement and operation of all equipment, necessary for the operation of a telecommunication facility and is subject to all matters of public record. All bearings are NAD83 Maryland state grid and the distances are ground.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 443621

DATE 3/28/05 ACCOUNT R001-006-6150

AMOUNT \$ 703.00

RECEIVED FROM Baltimore-South Andrews Industrial LLP

FOR Share of Housing & Support Expenses

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACCT. TIME
3/29/2005 3/29/2005 10:45:30

EB NO. 841111 010 MB
RECEIPT # 220751 3/29/2005 0911

APT. 5 528 TOWNS VENTILATION

TR NO. 443621

Receipt for

\$703.00

\$703.00 of

1.00 CA

01.00 RE

Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #05-487-SPHX

15516 Ensor Mill Road

W/side of Ensor Mill Road, 450 feet north of centerline of Belfast Road

8th Election District — 3rd Councilmanic District

Legal Owner(s): Donald K. & Evelyn W. Taylor

Contract Purchaser: APC Realty & Equipment Company, LLC

Special Exception: to permit installation of 150 feet stealth monopole and accompanying equipment cabinets that will serve as a wireless telecommunications facility containing an array of antenna concealed within the uppermost portion of the monopole. **Special Hearing:** to permit dual use of the subject property for a landscape service operation and a wireless telecommunications facility.

Hearing: Tuesday, May 10, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204.

WILLIAM WISEMAN

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 4/768 April 26

48338

CERTIFICATE OF PUBLICATION

4/27/2005

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 4/26/2005.

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

J. Wilkinson

LEGAL ADVERTISING

RE: Case No.: 05-487-SPHX

Petitioner/Developer: _____

DOUGLAS & EVELYN TAYLOR
CONTRACT PURCHASERS: APC REALTY
& EQUIPMENT CO., LLC

Date of Hearing/Closing: 5/10/05

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

Attention:

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 _____

15516 ENSOR MILL RD.

The sign(s) were posted on 4/25/05
(Month, Day, Year)

CASE # 05-487SPHX

Sincerely,

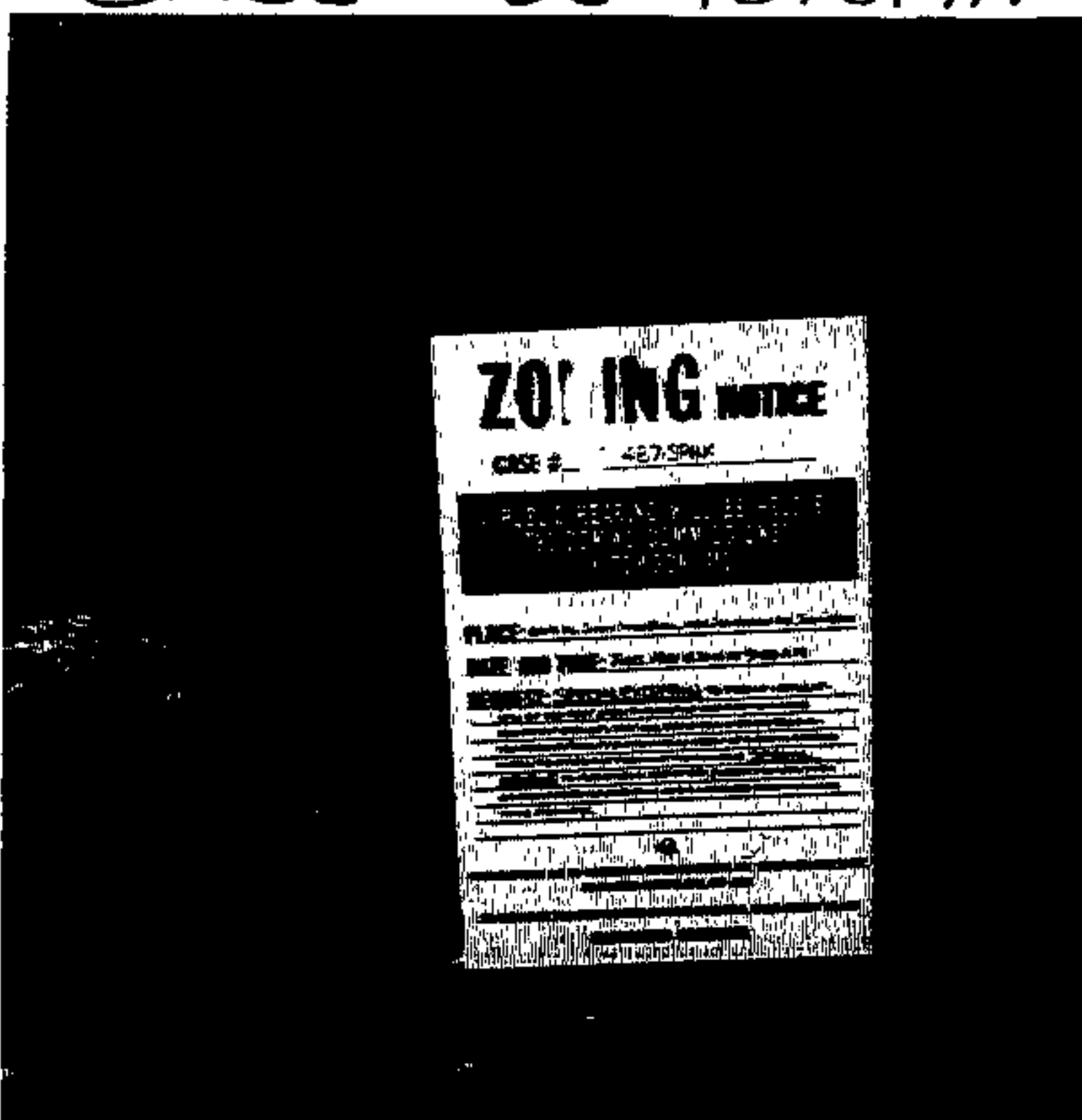
Richard E. Hoffman 4/25/05
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



15516 ENSOR MILL RD.

POSTED 4/25/05

Richard E. Hoffman 4/25/05

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 26, 2005 Issue - Jeffersonian

Please forward billing to:

Nicole Lacoste, Esq.
Ballard, Spahr, Andrews & Ingersoll, LLP
300 E. Lombard St., 18th Floor
Baltimore, MD 21202-3268

410-528-5546

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: 05-487-SPHX

15516 Ensor Mill Road

W/side of Ensor Mill Road, 450 feet north of centerline of Belfast Road

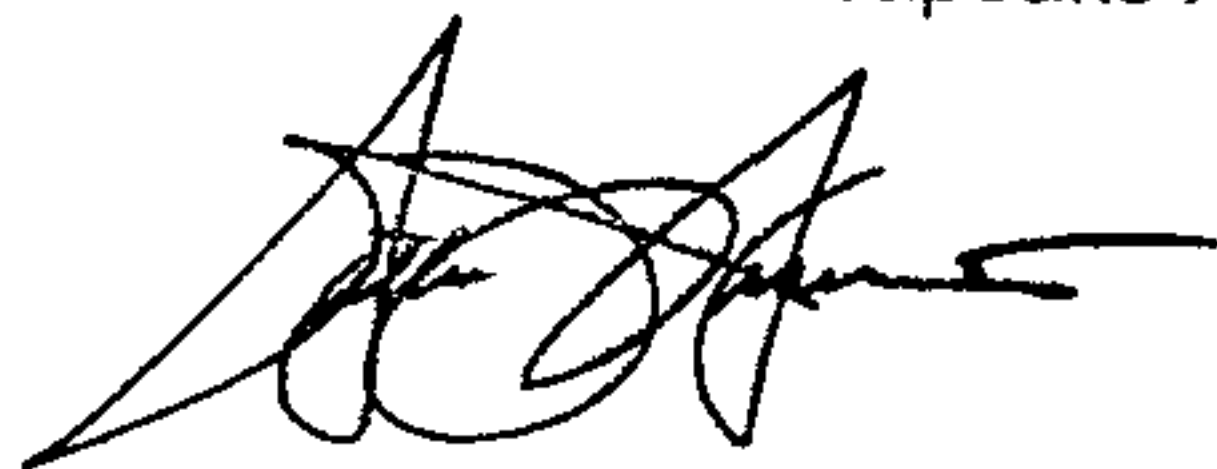
8th Election District – 3rd Councilmanic District

Legal Owners: Donald K. & Evelyn W. Taylor

Contract Purchaser: APC Realty & Equipment Company, LLC

Special Exception to permit installation of 150 feet stealth monopole and accompanying equipment cabinets that will serve as a wireless telecommunications facility containing an array of antenna concealed within the uppermost portion of the monopole. Special Hearing to permit dual use of the subject property for a landscape service operation and a wireless telecommunications facility.

Hearing: Tuesday, May 10, 2005 at 9:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN, III
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.



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

April 7, 2005

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: 05-487-SPHX

15516 Ensor Mill Road

W/side of Ensor Mill Road, 450 feet north of centerline of Belfast Road

8th Election District – 3rd Councilmanic District

Legal Owners: Donald K. & Evelyn W. Taylor

Contract Purchaser: APC Realty & Equipment Company, LLC

Special Exception to permit installation of 150 feet stealth monopole and accompanying equipment cabinets that will serve as a wireless telecommunications facility containing an array of antenna concealed within the uppermost portion of the monopole. Special Hearing to permit dual use of the subject property for a landscape service operation and a wireless telecommunications facility.

Hearing: Tuesday, May 10, 2005 at 9:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: Nicole M. Lacoste, 300 E. Lombard St., 18th Floor, Baltimore 21202-3268
Donald & Evelyn Taylor, 18425 Foreston Road, Parkton 21120

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 25, 2005.**
- (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: 05-487-SPHX
Petitioner: APC Realty + Equipment Company, LLC
Address or Location: 15516 Ensor Mill Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Nicole Lacoste
Address: Ballard Spahr Andrews & Ingersoll, LLP
300 E. Lombard St, 18th fl.
Baltimore, MD 21202
Telephone Number: 410-528-5546

**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 3, 2005

Nicole M. Lacoste, Esquire
Ballard, Spahr, Andrews & Ingersoll, LLP.
300 E. Lombard Street
Baltimore, Maryland 21202-3268

Dear Ms. Lacoste:

RE: Case Number: 05-487-SPHX, 15516 Ensor Mill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 28, 2005.

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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Donald K. and Evelyn W. Taylor 18425 Foreston Road Parkton 21120
APC Realty & Equipment Company 300 E. Lombard Street Baltimore 21202-3268

Visit the County's Website at www.baltimorecountyonline.info



April 14, 2005

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

ATTENTION: Zoning Review planners

Distribution Meeting of: April 11, 2005

Item No.: 487, 488, 489, 490, 491, 493, 493, 495, 496, 497, 502, 503

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Acting Lieutenant William F Connolly, Jr.
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director DATE: April 18, 2005
Department of Permits & Development
Management

FROM: Dennis A. Kennedy, ^{DAK} Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 18, 2005
Item No. 485, 486, 487, 488, 490, 491,
492, 494, 495, 497, 498, 499, 501, 503,
and 504

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

DAK:CEN:clw
cc: file
ZAC-NO COMMENTS-04182005.doc

5/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 28, 2005

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

SUBJECT: 15516 Ensor Mill Road

INFORMATION:

Item Number: 5-487

Petitioner: APC Realty & Equipment Company

Zoning: RC 2

Requested Action: Special Hearing

RECEIVED
MAY 2 2005
ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

Interstate 83 is designated as a scenic route in the Baltimore County Master Plan 2010. This office is of the opinion that the proposed location and height of the subject tower will have significant negative impact the scenic character of the highway. As proposed, the tower would extend above the existing tree-line and will be very noticeable from both northbound and southbound directions along Interstate 83.

In addition, the subject tower and antenna will be adjacent to the Western Run-Belfast Road National Register Historic District. This office opposes any development or structures that could potentially negatively affect the rural, historic or scenic character of the County's historic districts. The proposed location of this antenna will, in the opinion of this office, compromise the eastward viewshed of the Historic District.

Therefore, the Office of Planning recommends that the petitioner's request be **DENIED**.

For further information concerning the matters stated herein, please contact Bill Hughey at 410-887-3480.

Prepared by: Maebh Cunningham

Division Chief: Glen L. Loran

AFK/LL:MAC:

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



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

Maryland Department of Transportation

Date: 4.8.05

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

RE: Baltimore County
Item No. 489 JWP

Dear Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects

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

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits Division

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
AND SPECIAL EXCEPTION		
15516 Ensor Mill Road; W/side Ensor Mill	*	ZONING COMMISSIONER
Road, 450' N c/line Belfast Road		
8 th Election & 3 rd Councilmanic Districts	*	FOR
Legal Owner(s): APC Realty & Equipment		
Company, LLC by Nicole Lacoste, Esquire,	*	BALTIMORE COUNTY
Authorized Agent		
Petitioner(s)	*	05-487-SPHX

* * * * *

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.

RECEIVED

Per.....

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 11th day of April, 2005, a copy of the foregoing Entry of Appearance was mailed to Nicole Lacoste, Ballard, Spahr, Andrews & Ingersoll, LLP, 300 E. Lombard Street, 18th Floor, Baltimore, MD 21202-3268, Attorney for Petitioner(s).

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

LAW OFFICES
BALLARD SPAHR ANDREWS & INGERSOLL, LLP
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ZONING COMMISSIONER

May 10, 2005

William J. Wiseman, III
Zoning Commissioner of Baltimore County
Zoning Commissioner's Office
401 Bosley Avenue, Room 405
Towson, Maryland 21204

RE: Withdrawal of Case 05-487-SPHX by Petitioner

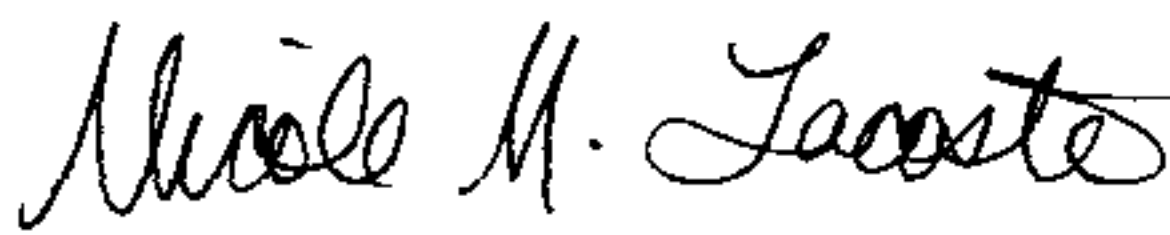
Dear Commissioner Wiseman:

I represent APC Realty and Equipment Company, LLC (the "Petitioner").
Petitioner for the above referenced matter respectfully withdraws without prejudice its Petition
for Special Hearing and Petition for Special Exception.

These Petitions requested approval of the installation of a 150' stealth monopole
and accompanying equipment cabinets on the property known as 15516 Ensor Mill Road. This
matter is scheduled to be heard on May 10, 2005. Petitioner understands that all fees paid to date
are nonrefundable and Petitioner is responsible for any invoices received for advertising fees
already incurred in regard to this matter.

Should your office have any questions regarding my client's withdrawal, do not
hesitate to contact me. Thank you.

Sincerely,


Nicole M. Lacoste

NML/tlc

cc: Peter Max Zimmerman, People's Counsel for Baltimore County
Carole S. Demilio, Deputy People's Counsel for Baltimore County
Evelyn and Donald Taylor

RECEIVED FOR FILING
5/13/05
Ray

CASE NAME 15516 Enson Mill Rd
CASE NUMBER 05-407-SPHX
DATE 5/10/05

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Kirsten A. Burger	1906 Cambridge Lane	Monkton, MD 21114	
Lauren Rees	17509 Prettyboy Dr. Rd	Parkton, Md 21120	
George Reul	" " " " "	" " "	
Paul Hupker	831 WILKINS LANE	SPARKS MD 21152	
Charles Gitting	616 Gifford Lane	Monkton, Md. 21111	
SCOTT EARP	15025 PRUEVILLE RD	SPARK MD 21152	
FRANCES SMITH	1018 BELLEFLORE RD	SPARKS MD 21152	
Teresa Moore	2007 Courtland Ave. Chantilly Vaden's Planning	TOWSON MD 21401	moorevp@comcast.net

CASE NAME 15516 Etnsor Mdl) R)
CASE NUMBER 05-489-584X
DATE 5/10/05

PETITIONER'S SIGN-IN SHEET

[illegible]

ZONING MAP

R.C. 5

R.C. 2

PARCEL 175

R.C. 2

ROUTE 83

BALTIMORE

HARRIS

ENSOR

MILL

Site

RD.

W-13,500' W-13,500'

ENSOR

MILL

STREAM

ZONING MAP NW 24C

ZONING MAP NW 23C

#478

Scale 1"=200'

