IN RE: PETITION FOR SPECIAL HEARING

E/S of Jarrettsville Pike, 1,315 ft. S centerline of Paper Mill Road
10th Election District
3rd Councilmanic District
(14209 Jarrettsville Pike)

Cellco Partnership d/b/a Verizon Wireless By: David Hammond, Vice-President Petitioner

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 06-101-SPH

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

*

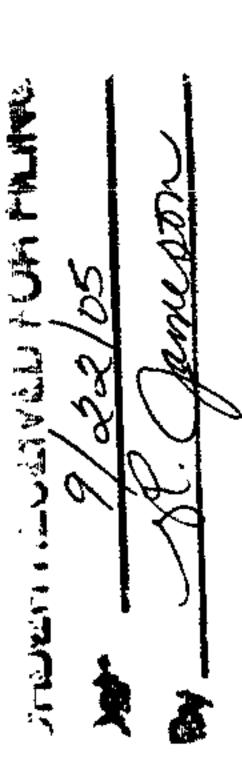
This matter comes before this Deputy Zoning Commissioner on a Petition for Special Hearing for the property located at 14209 Jarrettsville Pike in the northern area of Baltimore County. The Petition was filed by the Cellco Partnership, d/b/a/ Verizon Wireless, by David Hammond, Vice-President, the Petitioner. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve an amendment to the special exception approved in Case No. 76-27-X.

The property was posted with Notice of Hearing on September 4, 2005, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on September 6, 2005, to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 500.7 of the B.C.Z.R. Special Hearings

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.



Zoning Advisory Committee Comments

The Zoning Advisory Committee Comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing relief were Brad Thalwitzer, Frank Lucas, Phillip Burtner and R. Michael Peterson, for the corporate Petitioner. Arnold Jablon, Esquire and David Karceski, Esquire represented the Petitioners. There were no Protestants or interested citizens in attendance at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The subject property is the site of three wireless transmission towers, which were approved as a special exception in Case No. 76-27- X. The site also contains a building which houses various switching systems intended to route wireless telephone calls to proper destinations. The switcher building was approved administratively in 1998 as a minor adjustment to the site plan by spirit and intent letter. That building contains approximately 3,000 sq. ft. as shown on Petitioner's Exhibit 1.

The Petitioner would like to expand the switcher building by approximately another 5,000 sq. ft and to confirm the spirit and intent addition of the original switcher building. Mr. Karceski proffered that the Petitioner needed to handle greater call volume, provide increased security, and make the site better able to withstand power outages such as recently occurred in New Orleans. Consequently, they need additional room to house additional equipment.

Neither the present switcher building nor the expanded building will contain an office.

Mobile technicians on call who provide similar service along the East Coast will service the

FARTHONNE FOR FARE

equipment. Mr. Karceski indicated that there are no specific requirements in the B.C.Z.R., which address parking for such facilities, but that 10 parking spaces will be provided on-site as shown on the site plan. Mr. Peterson, who manages these sites for the Petitioner, indicated that this would be more than adequate to insure there would be no off-site parking along roads or streets in the area.

Mr. Karceski presented a series of photographs, Exhibit 2, which showed the existing site and the surrounding uses. These are primarily commercial uses, which include a shopping center, pharmacy, fuel service stations and the like. The only exception to this commercial corridor is the Jacksonville Elementary School located to the south. There will be no change to any of the existing towers on the site. The only change the community would see at the site would be a larger brick building. As such, Mr. Karceski proffered that there would be no adverse impact on the community and that the witnesses would testify that the revised site plan met each criteria of Section 502.1 of the B.C.Z.R.

Findings of Fact and Conclusions of Law

Since this request is to modify a previously granted special exception, I find that it is appropriate to review the request in light of the criteria of the special exception criteria of Section 502.1. From the testimony and evidence presented, the only change to the site is the addition of a larger brick building, which will house additional switching, security and power equipment. There is no office on-site. I find the parking sufficient to insure all service personnel will park on site.

As such, I find the request to modify the site plan most reasonable. There will be no adverse impact on the surrounding community. I further confirm the 1998 addition of the initial switcher building on-site which was approved administratively by spirit and intent letter.

Finally, I find that the revised site plan meets each criteria of Section 502.1 of the

B.C.Z.R. and consequently I will grant the Petitioner's request to revise the plan presented in

Exhibit 1.

Pursuant to the advertisement, posting of the property, and public hearing on this petition

held, and after considering the testimony and evidence offered by the Petitioners, I find that the

Petitioners' request for special hearing should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore

County, this _\(\frac{\partial}{2}\) day of September, 2005, that the Petitioners' request for special hearing relief

filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to

approve an amendment to the special exception approved in Case No. 76-27-X, be and is hereby

GRANTED.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

OHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj

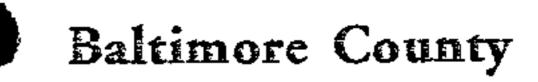
P. See Son Frank.

4

Zoning Commissioner

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





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

September 22, 2005

Arnold Jablon, Esquire David Karceski, Esquire Venable, Baetjer & Howard, LLP 210 Allegheny Avenue Towson, Maryland 21204

Re: Petitions for Special Hearing

Case No. 06-101-SPH

Property: 14200 Jarrettsville Pike

Property: 14209 Jarrettsville Pike

Dear Messrs. Jablon & Karceski:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure

c: Brad Thalwitzer, 437 Chestnut Street, Philadelphia, PA 19106 Frank Lucas, 400 Market Street, Ste. 800, Philadelphia, PA 19106 Philip Burtner, 1300 Horizon Drive, Chalfont, PA 18914 R. Michael Peterson, Verizon Wireless, 135 Rt. 202/206, Bedminster, NJ 07921



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 14209 Jarrettsville Pike which is presently zoned BM-CR

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

an amendment to the special exception approved in Case'No. 76-27-X.

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

If 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.

		-	We do solemnly declare and affirm. perjury, that live are the legal owner is the subject of this Petition.	under the penalties of (s) of the property which
	Contract Purchaser/Lesse	20 :	Legal Owner(s):	
			Cellco Partnership d/b/a	
	Name - Type or Print		Name - Type of Pari Verizon W	ireless
	Signature		Signature	
	Address	Telephone No.	Marge - Treas or Bright	resident- rea Network
	Attorney For Petitioner:	State Zip Code	Signature 180 Washington Valley	908-306- Road 6820
	Arnold Jablon / Davi	d Karceski	Address Bedminster, New Jerse	y 07921
	Name - Type of Prints War		Representative to be Contact Arnold Jablon	ted:
50	210 Allegheny Avenu Address Towson, Maryland 21	Telephone No.	Name 210 Allegheny Avenue Address Towson, Maryland 2120	410-494-6200 Telephone No. 4
	Case No. O6 [0]	SPH	OFFICE USE ON ESTIMATED LENGTH OF HEAD UNAVAILABLE FOR HEARING	RING JHY
	220 9/15/98	Revi	Date _ DROP-OFF	8/19/0.5



Damiano Long of PA, LLC Consulting Engineers

August 12, 2005

D&L # PA09052 Verizon Jacksonville Zoning Description

38 Belfast Road- Timonium, Maryland 21093 August 12, 2005

All that piece or parcel of land situate, lying, and being in the Tenth Election District of Baltimore County, State of Maryland, and described as follows, to wit:

Beginning for the same at an iron bar set in concrete at the southwest corner of steel fence surrounding a steel tower, said place of beginning being distant 1315 feet more or less measured southerly along center of the Jarrettsville Road from center of the Paper Mill Road, and approximately 115 feet measured easterly from the Jarrettsville Road, thence running for the outlines of the parcel of land now being described, referring all bearing to the true meridian as heretofore established on this site by others, by the eight following courses and distances respectively, viz: South 67 degrees 14 minutes 19 seconds East 299.76 feet to a steel pipe, North 22 degrees 41 minutes 41 seconds East 300.32 feet to an iron bar set in concrete, North 67 degrees 20 minutes 17 seconds West 125.00 feet to a steel pipe, North 73 degrees 53 minutes 07 seconds West 155.10 feet to a steel pipe, South 16 degrees 06 minutes 53 seconds West 168.18 feet to a steel pipe, South 22 degrees 37 minutes 35 seconds West 60.00 feet to a steel pipe, North 67 degrees 22 minutes 25 seconds West 40.00 feet to a steel pipe, and South 22 degrees 37 minutes 35 seconds West 55.00 feet to the place of beginning. Containing 1.854 acres of land more or less.



NOTICE OF ZOMME

The Zoning Commissioner of Baltimore County by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Fowson.

Maryland on the property identified herein as follows:

Case: #06-101-SPH
14209 Jarrettsville Pike
E/side of Jarrettsville Pike,
1,315 feet south of Paper
Mill Road
10th Election District
3rd Councilmanic District
Legal Owner(s): Cello Parinership d/b/a Verizon Wireless
Special Hearing to allow an amendment to the previous special exception approved in Case No. 76-27-X
Hearing: Wednesday,
September 21, 2005 at 2:00 p.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 accommodations Please Contact the
Zoning Commissioner's Office at (410) 887-4386.

fice at (410) 887-4360.

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

387-3391.

387-3391.

CERTIFICATE OF PUBLICATION

<u>9/8</u> , 20 <u>05</u>
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 9/6,20 <u>05.</u>
The Jeffersonian
☐ Arbutus Times
Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. Wilkings

LEGAL ADVERTISING

PINK - VELLOW	amount of the second	BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT MISCELLANEOUS RECEIPT ACCOUNT.
PELLOW - CUSTOMER	Reelfort Herry	10\ No. 449113

CERTIFICATE OF POSTING

RE: Case No.: 06 - 101-5PH

	Petitioner/Developer: CELLCO					
	PARTNERSHIP d/b/a VERIZED Date of Hearing/Closing: 9-21-05					
	Date of Hearing/Closing: 9-21-05					
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Fowson, Maryland 21204						
ATTN: Kristen Matthews {(410) 887-3394}						
adies and Gentlemen:	•					
his letter is to certify under the penalties of perjury that the necessary sign(s) required by law were ested conspicuously on the property located at: $ 14209 \nabla 400ETTSULLE P.V.E. $						
14209 J	ARRETTSVILLE PIKE					
The sign(s) were posted on	9-4-05					
	(Month, Day, Year)					
	Sincerely,					
	Signature of Sign Poster) (Date)					
	SSG Robert Black					
•	(Print Name)					
	1508 Leslie Road					
"}. '	(Address)					
	Dundalk, Maryland 21222					
	(City, State, Zip Code)					
	(410) 282-7940					
	(Telephone Number)					

14209 JARRETTSVILL

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW



ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

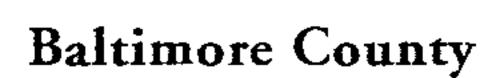
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Petitioner: Cellco Partnership
Address or Location: 14209 Jarrettsville Pike
PLEASE FORWARD ADVERTISING BILL TO: Name: Amy Dontell Address: 200 010 010000000000000000000000000000
Address: 210 Alkaheny Avenue Tauson HD. 21204
$\underline{\underline{1000001}, 110. 21001}$
Telephone Number: (410) 494 - 10 244

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





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

August 24, 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: 06-101-SPH

14209 Jarrettsville Pike

E/side of Jarrettsville Pike, 1, 315 feet south of Paper Mill Road

10th Election District – 3rd Councilmanic District

Legal Owners: Cellco Partnership d/b/a Verizon Wireless

Special Hearing to allow an amendment to the previous special exception approved in Case No. 76-27-X.

Hearing: Wednesday, September 21, 2005 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Arnold Jablon, 210 Allegheny Avenue, Towson 21204
David Hammond, 180 Washington Valley Road, Bedminster, New Jersey 07921

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 6, 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.



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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, September 6, 2005 Issue - Jeffersonian

Please forward billing to:

Amy Dontell 210 Allegheny Avenue Towson, MD 21204

410-494-6244

NOTICE OF ZONING HEARING

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

CASE NUMBER: 06-101-SPH

14209 Jarrettsville Pike

E/side of Jarrettsville Pike, 1, 315 feet south of Paper Mill Road

10th Election District – 3rd Councilmanic District

Legal Owners: Cellco Partnership d/b/a Verizon Wireless

Special Hearing to allow an amendment to the previous special exception approved in Case No. 76-27-X.

Hearing: Wednesday, September 21, 2005 at 2:00 p.m. in Room 106, County Office Building,

111 West 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.

Department of Permits and Development Management

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





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

September 12, 2005

Arnold Jablon Venable, LLP. 210 Allegheny Avenue Towson, Maryland 21204

Dear Mr. Jablon:

RE: Case Number: 06-101-SPH, 14209 Jarrettsville Pike

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 19, 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.

W. Carl Richards, Jr. Supervisor, Zoning Review

Very truly yours,

WCR: clb

Enclosures

c: People's Counsel
Cellco Partnership David Hammond 180 Washington Valley Road Bedminster New Jersey 07921



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

Opplat

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

DATE: September 6, 2005

SEP 8 2005

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-101- Special Hearing

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 Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By

Division Chief:

CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: September 2, 2005

TO: Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM: Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For September 6, 2005

Item Nos 221, 094, 095, 096, 097, 098,

099, 10, 10, 103, and 104

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-09022005.doc



Administration

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

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

Maryland Department of Transportation

Date: 8.30.05

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

RE:

Baltimore Coa. y
Item No.

WCR

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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

1. 1. Hall

Fire Department

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





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

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

August 26, 2005

ATTENTION: Kristen Matthews

Distribution Meetin, of: August 29,2005

Item No.: 091-094,095 102&104

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.

1. The fire marshal's office has no comments at this time.

Lt. Jimmie Mezick Fire Marshal's Office 410-887-4880 MS-1102F

cc: File



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

RE: PETITION FOR SPECIAL HEARING
14209 Jarrettsville Pike; E/side Jarrettsville
Pike, 1,315' S Papermill Road
10th Election & 3rd Councilmanic Districts
Legal Owner(s): Cellco Partnership
by David Hammond, Vice President
• Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * 06-101-SPH

* * * * * * * * * * *

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

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of August, 2005, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

AUG 2 6 200E

Per....

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

#-101-5PH KEEPIN FILE

FREQUENT FLYER ATTORNEYS DROP OFF ZONING PETITIONS POLICY PROCEDURES

The following zoning policy is related to the filing of zoning petitions and is aimed at expediting the petition filing process with this office:

- 1. The Director of the Office of Permits and Development Management (PDM) allows zoning attorneys who frequently file for zoning hearings and who are capable of filing petitions that comply with <u>all</u> technical aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of an appointment for review by zoning personnel.
- 2. Any attorney using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner may deny the petition due to errors or incompleteness. All petitions filed in this manner will receive a cursory review and if necessary they will be commented on by zoning personnel prior to the hearing. A corrective memo by zoning review may be placed in the hearing file to be considered by the Hearing Officer.
- 3. When a petition has been dropped off by the attorney, it will only be reviewed for very basic necessary input, logging, and distribution information.



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

(410) 494-6285

dhkarceski@venable.com

August 18, 2004

HAND DELIVERED

Mr. W. Carl Richards
Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Petition for Special Hearing

Petitioner: Cellco Partnership

Location: 14209 Jarrettsville Pike

Dear Mr. Richards:

I am drop filing the enclosed Petition for Special Hearing for the abovereferenced property. This property is not in violation of any zoning laws. With this letter, I have enclosed the following documents:

- 1. Petition for Special Hearing (3)
- 2. Zoning Descriptions (3)
- 3. Site Plans (12)
- 4. 2004 200' Scale Zoning Map (1)
- 5. Newspaper advertising form (1)
- 6. Check in the amount of \$325.00

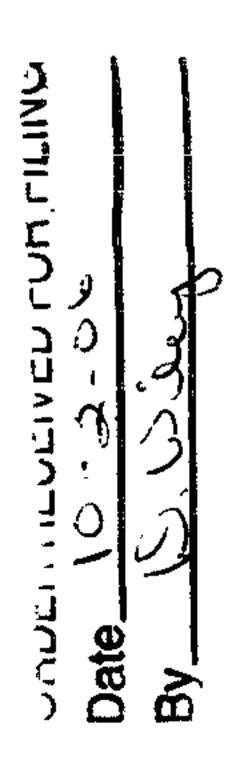
If you have any questions or concerns regarding this filing, please give me a call.

Very truly yours,

David H. Karceski

DHK/ad Enclosures

TO1DOCS1/#212339 v1





JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

Benjamin Bronstein, Esquire 29 W. Susquehanna Avenue, Suite 205 Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE

(301 – 303 Main Street) ARMZ, LLC - Petitioners Case No. 06-101-SPHA

Dear Mr. Bronstein:

In response to your letter of September 21, 2006 and correspondence from others concerning a typographical error within the body of the Order issued in the above-captioned matter on September 12, 2006, the following comments are offered. The error in question relates to the size of the proposed addition. Specifically, Page 4, Line 8 of the Order indicates that the proposed two-story addition was scaled back from a three-story 11,600 sq.ft. addition to a two-story, 8,525 sq.ft. addition; however, that square footage is actually the total area of the proposed addition and existing building. Since the error relates to the size of the proposed addition and does not impact the nature of the relief requested, this letter will serve to correct the Order administratively and will not affect the appeal period. Therefore, pursuant to your request, the error has been duly noted and Page 4, Line 8, of the Order should be changed to read as follows:

"LPC review, the Petitioner scaled back their proposal and the area of the existing building and proposed two-story addition will now total 8,525 sq.ft."

A copy of this letter shall be incorporated into the case file and made a part of the Order and I trust that this will resolve any discrepancies found therein. Thank you for bringing this matter to my attention and should you need any further assistance in this regard, please do not hesitate to call me.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:bjs

cc: Mr. Alan R. Marani, 6703 Sherwood Road, Baltimore, Md. 21239

Mr. Robert S. Rosenfelt, Colbert Matz Rosenfelt, 2835-G Smith Avenue, Baltimore, Md. 21209

Ms. Claire Brunfitt, 14 Bond Avenue, Reisterstown, Md. 21136

Mr. Bill Keeney, 1908 Emory Road, Reisterstown, Md. 21136

Mr. Elias Rizakos, 1011 Berrymans Lane, Reisterstown, Md. 21136

Ms. Karen Fitchett, 313 Main Street, Reisterstown, Md. 21136

Mr. Nick Bouyiouclis, 14301 Great Oak Lane, Silver Spring, Md. 20905

Office of Planning; People's Counsel; Case File

BENJAMIN BRONSTEIN

ATTORNEY AT LAW SUSQUEHANNA BUILDING, SUITE 205 29 WEST SUSQUEHANNA AVENUE TOWSON, MARYLAND 21204 (410) 296-0200 FAX: (410) 296-3719 Benbronstein@terralaw.net

SEP 2 9 2006

September 21, 2006

The Honorable William J. Wiseman, III Zoning Commissioner for Baltimore County County Courts Building - Suite 405 401 Bosley Avenue Towson, Maryland 21204

> RE: Petition for Special Hearing and Variance Case No.: 06-010 SPHA ARMZ, LLC, Petitioner Property - 301-303 Main Street

Dear Commissioner Wiseman:

Reference is made to your Order dated September 12, 2006 in the above-entitled case, specifically page 4, line 8. Please be advised that the proposed two-story edition should be 6,325 sq ft and not 8,525 sq ft as stated. I would appreciate if you can make the appropriate revision.

Thank you for your kind attention to this matter.

Very truly yours,

Benjamin Bronstein

BB/mlh

cc: Messrs. Zell Gresser & Ronald Walpert, ARMZ, LLC

Mr. Kenneth Colbert & Ms. Judith Floam, Colbert Matz Rosenfelt, Inc.

Ms. Claire Brunfitt

Mr. Bill Keeney

Mr. Elias Rizakos

Ms. Karen Fitchett

Mr. Nick Bouyiouclis

Office of Planning, Department of Economic Development; People's Counsel

Mark Levin, AIA, Levin/Brown & Associates, Inc.

September 20, 2006

SEP 2 - 2006

Mr. William J. Wiseman III Zoning Commissioner 401 Bosley Avenue Room 405 Towson MD 21204 re:

301-303 Main Street, Reisterstown MD

case no. 06-010-SPHA

Dear Commissioner Wiseman:

In your September 12, 2006 decision on the above property, line 8 of page 4 indicates an 8,525-square-foot addition, whereas we understand 8,525 square feet to be the *total* square footage of the project (i.e., existing building and addition); please clarify.

Also, please note that this is the same *total* square footage given in a letter dated April 7, 2006 from the developer, ARMZ, to the Landmarks Preservation Commission; a copy is enclosed.

The undersigned request that you give reconsideration to what appears to be an unintentional error.

Sincerely,

Claire Brumfit

Bill K**q**eney

Elias Rizakos

April 07, 2006

Landmarks Preservation Commission c/o Mr. Tim Dugan, Chief - Preservation Services Office Office Of Planning * County Courts Building 401 Bosley Avenue Suite 406 Towson, MD 21204

Re; 301 Main Street - Reisterstown

Dear Commissioners,

During the past several months, we have had a number of productive meetings with our neighbors and other interested community members, particularly those from whom you have heard and who have been most concerned about our project. I am please to report that the attaches ubmission has garnered their support.

The attached submittal for 301 Main Street Reisterstown is a project consisting of 2200 sq. ft. of the existing building plus an addition of 6325 sq. ft for a total of 8525 sq. ft..

We have incorporated community recommendations by lowering the addition by 18", reducing the size by approximately 1100 sq. ft., reducing the parking lot, increasing the landscaping area on the east end and relocating the entrance to the parking lot.

Other aspects of previous submittals remain the same such as appropriate parking lot lighting fixtures and selection of materials. The attached Site Plan and building elevations illustrate this new proposal.

The design of our addition is in character with the Lanius House and adheres to the spirit of the Secretary of the Interior guidelines for such projects. We therefore respectfully request your approval of our project.

Truly,

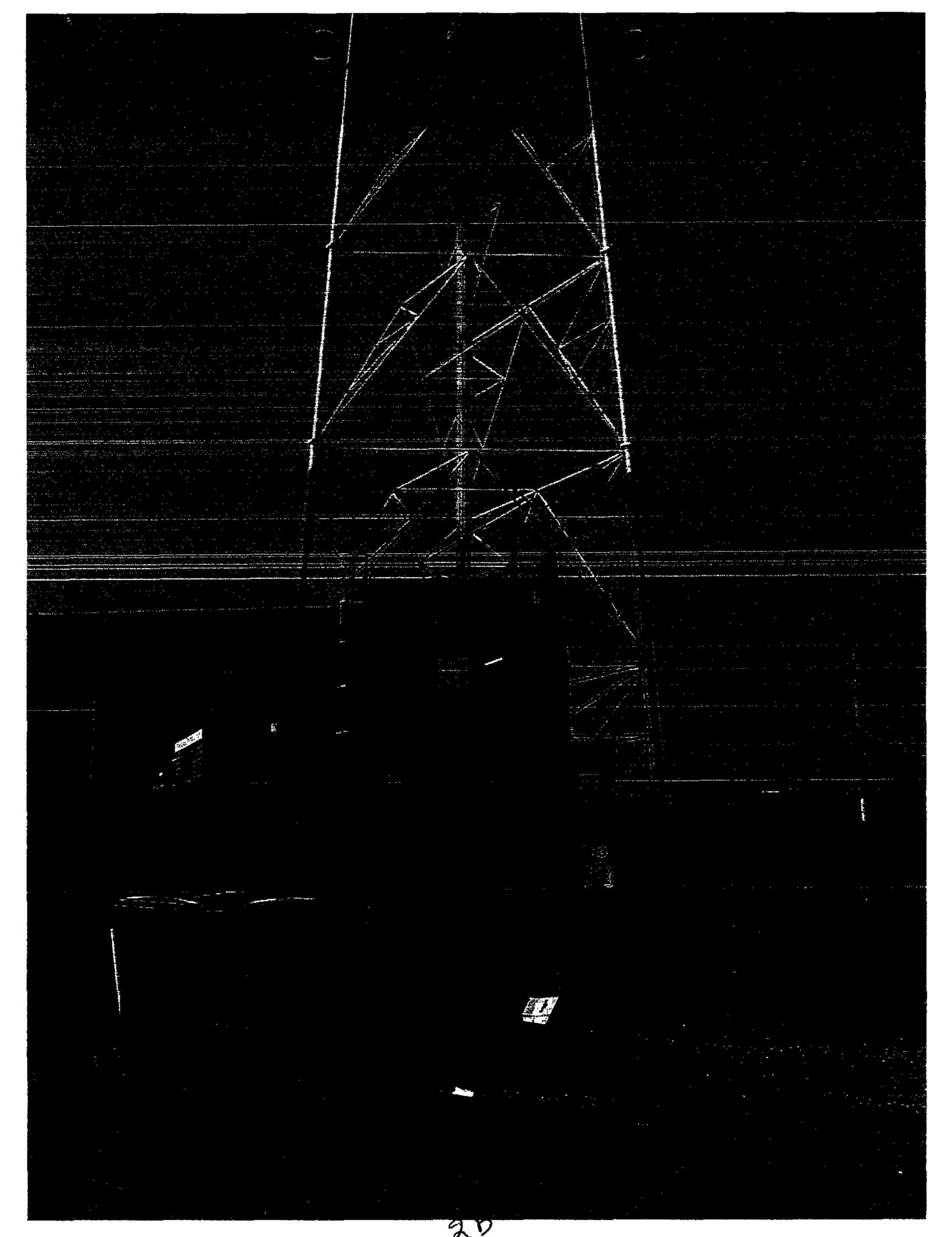
Mark D. Levin, AIA
Levin/Brown & Associates, Inc.
For the ARMZ, LLC Development Group

PLEASE PRINT CLEARLY

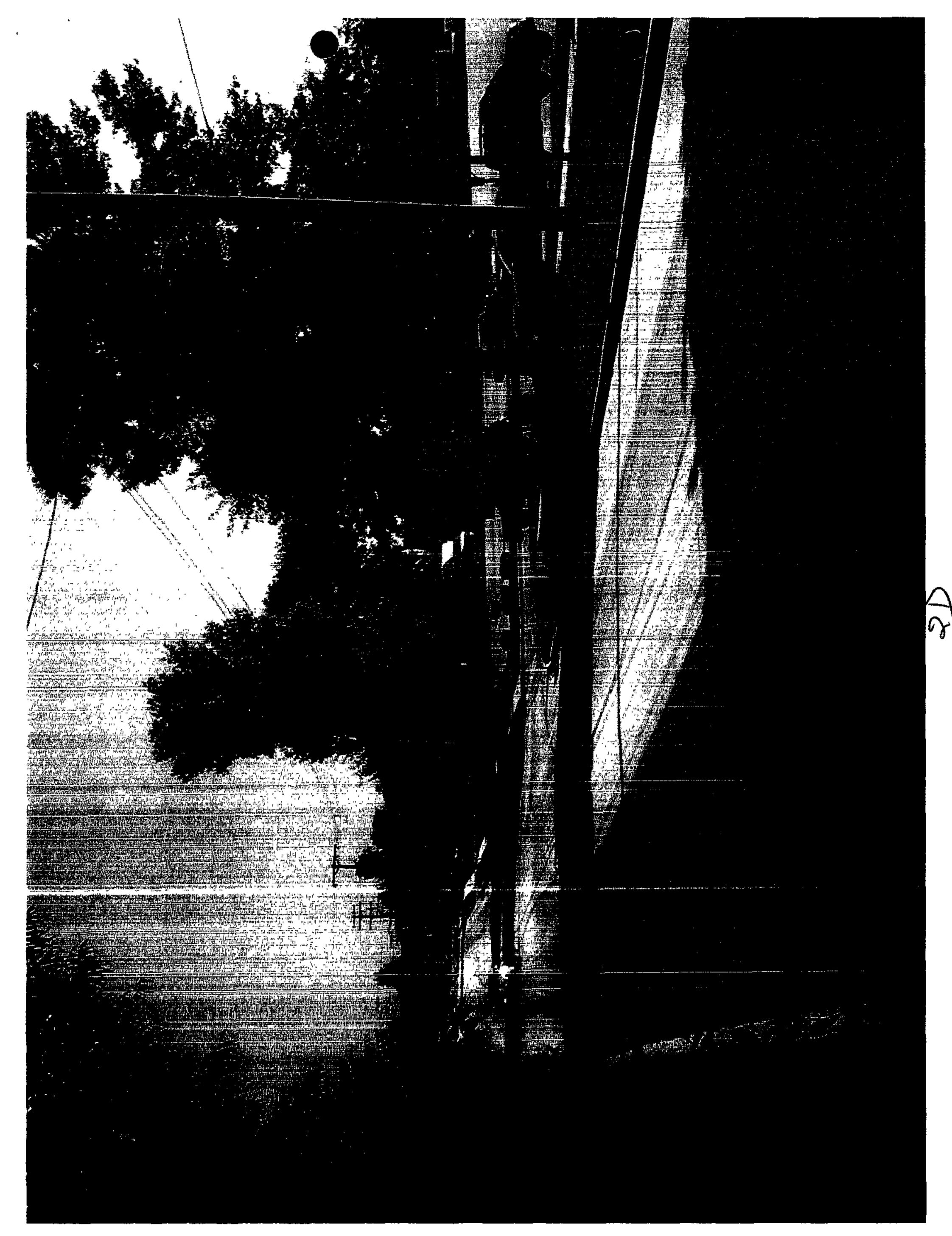
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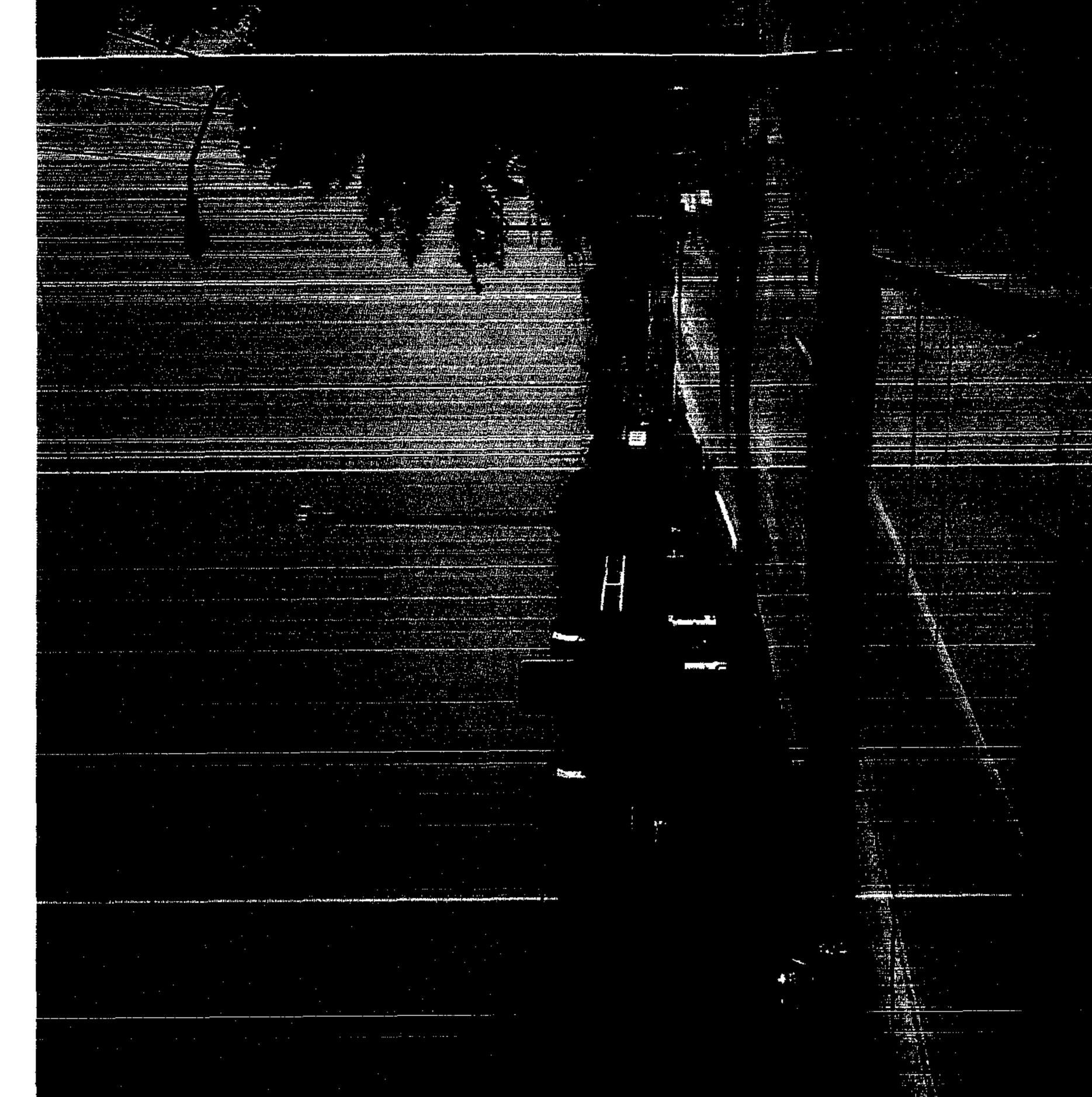
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