PETITION FOR SPECIAL HEARING 84-94-SPH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve Amendments to the site plan and Restriction No. 2 in Case No. 83-165-XA to increase the height of the proposed tower, add buildings, and other changes

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound 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 Lessee:
MCI Telecommunications (Type or Print Name)
James N. Kaiter (Signature)
4351 Industrial Access Road (Address)
Douglasville, Georgia 30134 (City and State)

Attorney for Petitioner:
Harris George (Type or Print Name)
Harris George (Signature)
102 W. Pennsylvania Avenue (Address)
Towson, Maryland 21204 (City and State)
Attorney's Telephone No.: 296-0200

Legal Owner(s):
Raymond J. Marocco (Type or Print Name)
Raymond J. Marocco (Signature)
Pio Joseph Marocco (Type or Print Name)
Pio J. Marocco (Signature)
1526 E. Joppa Road 828-9033 (Address, Phone No.)
Towson, Maryland 21204 (City and State)

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Robert McGinnis (Name)
4351 Industrial Access Rd.
Douglasville, Georgia (404) 942-2705 (Address, Phone No.)

MAP NE 27-13
ELECTION DISTRICT 10
DATE 1/18
TYPE HEARING SPH
BY
FINAL BY

84-94-SPH #39

ORDERED By The Zoning Commissioner of Baltimore County, this 9th day of August, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of October, 1983, at 10:45 o'clock A.M.

Arnold Jablon
Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING
DATE November 15, 1983
BY

Z.C.O.—No. 1 (over)

Raymond J. Marocco, et al 84-94-SPH
Beginning 599.20' W of Troyer Rd.,
1665' S of c/l of McComas Rd. 10th

RE: PETITION FOR SPECIAL HEARING Beginning 599.20' W of Troyer Rd., 1,665' S of the Centerline of McComas Rd., 10th District
RAYMOND J. MAROCCO, et al, Petitioners

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 84-94-SPH

:::::::

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

John W. Hessian, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 23rd day of September, 1983, a copy of the foregoing Order was mailed to Harris George, Esquire, 102 W. Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioners; and Mr. Robert McGinnis, MCI Telecommunications, 4351 Industrial Access Road, Douglasville, GA 30134, Lessee.

John W. Hessian, III

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE

PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Commodari, Chairman

MEMBERS: Bureau of Engineering; Department of Traffic Engineering; State Roads Commission; Bureau of Fire Prevention; Health Department; Project Planning; Building Department; Board of Education; Zoning Administration; Industrial Development

September 30, 1983

Harris George, Esquire
102 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 39 - Case No. 84-94-SPH
Petitioner - Raymond J. Marocco, et ux
Special Hearing Petition

Dear Mr. George:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your clients' proposal to increase the height of the proposed tower, add buildings and make other proposed changes to the site plan that was submitted with the previous special exception (Case No. 83-165-XA), this hearing is required.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari, bsc
NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures
cc: Mr. Robert McGinnis
4351 Industrial Access Road
Douglasville, Ga.

Fisher, Collins & Carter, Inc.
8388 Court Avenue
Ellicott City, Md. 21043

Harris George, Esquire
102 West Pennsylvania Ave
Towson, Md. 21204

Mr. Robert McGinnis
4351 Industrial Access Road
Douglasville, Ga.

Fisher, Collins & Carter, Inc.
8388 Court Ave
Ellicott City, Md. 21043

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 9th day of August, 1983.

ARNOLD JABLON
Zoning Commissioner

Petitioner Raymond J. Marocco, et ux
Petitioner's Attorney Harris George, Esquire

Received by: Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E.
DIRECTOR

September 8, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #39 (1983-1984)
Property Owner: Raymond J. & Pio J. Marocco
1665' S. from centerline McComas Road 384' from W/S Troyer Road
Acres: 10,000 sq. ft.
District: 10th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

The comments supplied in conjunction with the Zoning Advisory Committee review of this property in connection with Item 87 (1982-1983) are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 39 (1983-1984).

Very truly yours,

Robert A. Morton
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

II-NW Key Sheet
110-112 NE 6-8 Pos. Sheets
NE 28 B Topo
23 Tax Map

Attachment

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E.
DIRECTOR

cc: Jack Wimbley
II-NW Key Sheet
110-112 NE 6 B Pos. Sheet
NE 28 B Topo
23 Tax Map

December 17, 1982

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #87 (1982-1983)
Property Owners: Raymond J. Marocco, et a.
496.63' W. of Troyer Road 1665' S. from centerline of McComas Road
Acres: 10,000 sq. ft. District: 10th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item:

GENERAL:

Troyer Road (Md. 138) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improperty grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Public water supply and sanitary sewerage are not available to serve this property which is beyond the Baltimore County Metropolitan District and the Comprehensive Metropolitan Facilities Planning Area.

Baltimore County Water Supply and Sewerage Plans W and S-11A, as amended through Janaury 1982, respectively indicate "No Planned Service" in the area.

Very truly yours,

Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:pmg

Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell, Secretary
M. S. Caltrider, Administrator

August 22, 1983

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 8-9-83
ITEM: #39.
Property Owner: Raymond J. & Pio J. Marocco
Location: 1665' S. from centerline McComas Road 384' from W/S Troyer Rd., Route 138
Existing Zoning: R.C. 2
Proposed Zoning: Special Hearing to approve amendments to the site plan in Case No. 83-165-XA.
Acres: 10,000 sq. ft.
District: 10th

Dear Mr. Hammond:

On review of the site plan of 7-27-83, the State Highway Administration finds the plan generally acceptable.

All work within the State Highway Administration right of way must be through permit from the District #4 office, c/o Mr. Henry Saunders @ 321-3472.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Ogle
Mr. H. Saunders

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

MAR 23 1984

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts to remove Restriction 2 in Case No. 83-165-XA and to amend the site plan to increase the height of the proposed tower to 295 feet, add buildings, and make other changes would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations and would not be detrimental to the health, safety, and general welfare of the community, and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 15th day of November, 1983, that to remove Restriction 2 in Case No. 83-165-XA and amend the site plan to increase the height of the proposed tower to 295 feet, add buildings, and make other changes, as shown on the site plan prepared by Fisher, Collins & Carter, Inc., dated July 27, 1983, and marked Petitioner's Exhibit 1, are approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject to the approval of Petitioner's Exhibit 1 by the Department of Planning and Zoning, and to no building permits being issued until the expiration of any and all appeal periods.

Jean M. H. Jung
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE November 15, 1983
BY Mary Langrana (Clerk)
ADMINISTRATIVE ASSISTANT

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

September 1, 1983

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 36, 37, 39, 40, 4. ZAC - Meeting of August 9, 1983
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 36, 37, 40, and 42.

39

Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/ccm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Arnold Jablon Zoning Commissioner
Office of Planning and Zoning
Date August 31, 1983

FROM Ian J. Forrest

SUBJECT Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

Item #35 - Garrett Leasing Associates
Item #36 - Joris & Carol Brooks
Item #38 - William F. Wilke, Inc.
Item #39 - Raymond J. & Pio J. Marocco
Item #40 - Charles & Mary Robbel
Item #41 - Calvin & Joan L. Hornstein
Item #42 - Robert D. Battista

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/ith

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3900

TED ZALESKI, JR.
DIRECTOR

September 20, 1983

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond

Comments on Item # 39 Zoning Advisory Committee Meeting are as follows:

Property Owner: Raymond J. & Pio J. Marocco
Location: 1665' S. from centerline McComas Road 384' from W/S Troyer Rd.
Existing Zoning: RC 2
Proposed Zoning: Special Hearing to approve amendments to the site plan in Case No. 83-165-XA.
Acres: 10,000 sq. ft.
District: 10th

The items checked below are applicable:

X A. All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

X B. A building/and other miscellaneous permits shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

D D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0 of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0 of lot lines. A firewall is required if construction is on the lot line, See Table 401, line 2, Section 1407 and Table 1402.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 601.

X I. Comments: Permit drawings will require the Seal of a Structural Engineer registered in Maryland. Tower shall be certified by engineer of record when completed.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,

Charles E. Burnham, Chief
Plans Review

CEB:rrj

FORM 01-82

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland — 21204

Date: August 4, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: August 9, 1983

RE: Item No: 35, 36, 37, 38, 39, 40, 41 & 42
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

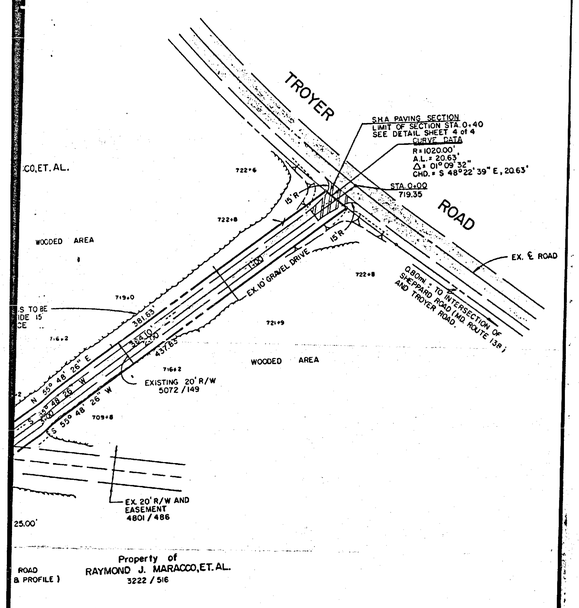
Dear Mr. Hammond:

The above mentioned items have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp



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6). The exact location of all temporary shelters has been changed. The equipment shelters will now be located within 3 ft. of the tower base. The generator shelter will remain in the northeast corner of the fenced area and be moved approximately 15 ft. from its original position. The 1000 gal LPG fuel tank has been relocated to the southeast corner of the fenced site and was moved approximately 50 ft. south of its original position.

The above changes were all part of the revised drawings submitted to the county after the original zoning hearing, except for the increase in tower height and the reduction in fenced area. The site layout changes were due to the issuance of site layout standards by MCI in late January of 1982. The surveyor had already submitted site plans to the county with the application for the hearing, so the new standards could not be incorporated into the site plans until after the hearing.

The legal description of the 100' x 100' was also changed. This resulted from the relocation of the access road centerline. The actual 100' x 100' leased area did not change, just the description of the leased boundaries.

Please contact me, if the above information is not sufficient or seems to disagree with your understanding of the project.

Sincerely,

James N. Koutris

cc: Pat Kelly
Bob McGinnis
Jerry Worth
Bill Stallings
Larry Berrent

MCI TELECOMMUNICATIONS CORPORATION
1133 19TH STREET, NW • WASHINGTON, DC 20036 • 202-872-1600

September 19, 1983

RECEIVED
SEP 23 1983
EVANS, GEORGE & SOLED

Harris George
Evans, George, & Soled
507 Alex. Brown & Sons Building
102 West Pennsylvania Avenue
Towson, MD 21204

Dear Bud:

Thank you for notifying me of the scheduled date for the special zoning hearing for Troyer, Md.

As you requested, I have tried to detail all changes on the revised site plan. The following is a list of the changes.

1). The fenced area was reduced from 100 ft. by 100 ft. to 70 ft. by 85 ft. All site fencing will now be located on or inside the 5 ft. setback requirement.

2). The centerline of the 12 ft. access road was moved 35 ft. north and is now centered on the eastern side of the 100 ft. x 100 ft. leased area. The site gate was also moved to correspond with the access road relocation.

3). The present approved tower height is 260 ft. The requested tower height change will raise the tower to 295 ft. with 275 ft. being installed during initial tower construction and 20 additional feet reserved for future expansions.

4). The location of the tower base was changed. The tower will now be centered with respect to the North/South leased lines. This results in the tower center being moved 20 ft. north and 4 ft. east of its original position..

5). The original plat showed two temporary shelters on the site; one equipment shelter and one generator shelter. During the original hearing for the site, a second equipment shelter was mentioned. The revised site plans submitted after the hearing show this second equipment shelter. MCI did not finalize its plans for the second equipment shelter until March, 1982. The new plans also show three temporary shelters, two equipment shelters, and one generator shelter.

PETITIONER'S EXHIBIT 2

MAR 23 1984

LAW OFFICES
EVANS, GEORGE & SOLED
507 ALEX. BROWN & SONS BUILDING
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 296-0200

L. ROBERT EVANS
HARRIS JAMES GEORGE
ALEX J. SOLED

NOV 10 AM
ZONING DEPARTMENT
By ....

November 10, 1983

Ms. Jean M.H. Jung
Deputy Zoning Commissioner of
Baltimore County
Zoning Office
County Office Building
Towson, Maryland 21204

RE: MCI Petition for Special Hearing; Case No: 84-94-SPH

Dear Madam Commissioner:

Robert Sloane, III, attorney for the Protestants, informs me, as attorney for MCI, that Protestants will withdraw their opposition to MCI's requested amendments provided that any amendment granting MCI the right to extend its tower above the 260 foot tower height already granted is subject to the condition that any such tower extension could not be seen from above the tree line as it existed on November 5, 1983, from the ground level of the real property located at 17208 Whitely Road, Monkton, Maryland.

Respectfully,

EVANS, GEORGE & SOLED

Harris James George

HJG/db

cc: Robert Sloane, III, Esq.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

November 15, 1983

Harris George, Esquire
102 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
Begin. 599.20' W of Troyer Rd., 1,665' S of the center line of McComas Rd. - 10th Election District
Raymond J. Marocco, et al - Petitioners
NO. 84-94-SPH (Item No. 39)

Dear Mr. George:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Ms. Pamela Z. Sloan
17208 Whiteley Road
Monkton, Maryland 21111

Mr. William H. Rew
17211 Wesley Chapel Road
Monkton, Maryland 21111

John W. Hessian, III, Esquire
People's Counsel

PETITION FOR SPECIAL HEARING

10th Election District

ZONING: Petition for Special Hearing

LOCATION: Beginning 599.20 ft. West of Troyer Road, 1,665 ft. South of the centerline of McComas Road

DATE & TIME: Tuesday, October 11, 1983 at 10:45 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve amendments to the site plan and Restriction No. 2 in Case No. 83-165-XA to increase the height of the proposed tower, add buildings, and other changes

All that parcel of land in the Tenth District of Baltimore County

Being the property of Raymond J. Marocco, et al, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner — Date: September 21, 1983

FROM: Norman E. Gerber, Director of Planning and Zoning

SUBJECT: Raymond J. Marocco, 84-94-SpH

The proposed use would not be inappropriate here.

Norman E. Gerber per JGHoswell
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:cav

1887
NBC

8/19/83
JJ, please see me
af

LAW OFFICES
EVANS, GEORGE & SOLED
507 ALEX. BROWN & SONS BUILDING
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 296-0200

L. ROBERT EVANS
HARRIS JAMES GEORGE
ALEX J. SOLED

Set ASAP
ZAC may not be needed
JJ

AUG 19 AM
ZONING DEPARTMENT
By ....

August 18, 1983

Arnold Jablon, Esq.
Zoning Commissioner for Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Item # 39

RE: Petition for Special Hearing; Item No. 39; Amendments to Site Plan filed in Zoning Case No. 83-165 XA

Dear Mr. Jablon:

On February 23, 1983, the Deputy Zoning Commissioner of Baltimore County granted the Petitions of MCI Telecommunications Corporation for a special exception and variance, which Petitions were for the purpose of permitting construction of a wireless transmitting or receiving facility (telephone relay transmission tower) in a remote section of northern Baltimore County. Although at the time the Petitions were filed, MCI believed, based upon its preliminary engineering studies, that a tower of 260 feet would suffice, subsequent in-depth studies have shown that 15 additional feet are required in order for the tower to serve the needs for which it is to be built.

Knowing that a hearing would be required for the additional 15 feet, MCI decided to make several other (but superficial) changes in its site plan in order that the one hearing might accomplish (hopefully) whatever other long-range plans MCI might have for this facility. Accordingly, on July 28, 1983, MCI filed the above captioned Petition for Special Hearing.

Of course, when MCI filed its original Petitions for Special Exception and Variance, the various agencies of Baltimore County reviewed those Petitions and submitted their comments to the Zoning Commissioner's Office. At the hearing, evidence was presented, and, based upon that evidence (including the comments of various County agencies), the Deputy Zoning Commissioner determined (favorably to MCI) the basic question of whether a 260 foot tower should be constructed on the site.

Since the subject matter of the current Petition for Special Hearing (Item No. 39) concerns only the question of whether the previously approved 260 foot tower could be increased by some additional feet (plus other minor changes to the site plan), it is anticipated that very little additional time will be required by the County agencies for review of the revised site plan filed along with the above captioned Petition.

Unfortunately, although construction contracts have been signed by MCI, contractors cannot begin to work on the MCI facility in accordance with the Deputy Zoning Commissioner's grant of February 23, 1983 until a ruling by the zoning authorities on MCI's amendments, as proposed by the Petition for Special Hearing.

I have discussed the problem with Mr. Carl Richards of the Zoning Office, who in turn discussed it with Mr. Commandari. They suggested that, under the circumstances, I write you a letter requesting an expedited hearing on the limited questions presented by the above captioned Petition.

I know that the Zoning Commissioner's office is extremely busy at this time of year, but I respectfully request that your office schedule an expedited hearing, if at all possible, in order that construction (which has already been delayed for so long) may commence as promptly as possible, thereby avoiding any delays which may be occasioned by the onset of winter.

Many thanks for your consideration in this matter.

Sincerely,

EVANS, GEORGE & SOLED

Harris James George

HJG/bd

DESCRIPTION

TO ACCOMPANY APPLICATION FOR A SPECIAL HEARING

PROPERTY OF
RAYMOND J. MAROCCO, ET AL
TENTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING at a point being North 80° 41' 48" West, 139.28 feet, 75.92 feet along the arc of a curve to the left having a radius of 100.00 feet and a chord bearing South 77° 33' 19" West, 75.11 feet and South 55° 48' 26" West, 384 feet along the centerline of a twenty (20) feet wide right of way for ingress and egress to the land of Woodrow W. Johnson from a point on the westernmost side of Troyer Road (40' wide) at a distance of 1665 feet measured along the westernmost side of Troyer Road in a southerly direction from the centerline of McComas Road, thence running for the following five (5) courses and distances, viz:

(1) North 09° 18' 12" East, 50.00 feet to a point on the South side of a twenty (20) feet wide right of way and easement which by Deed dated June 15, 1967 and recorded among the Land Records of Baltimore County, Maryland in Liber 4801, folio 486 was granted and conveyed by Pio J. Marocco, et al to The American Telephone and Telegraph Company of Baltimore City, thence binding along the South side of said last mentioned right of way and easement,

(2) North 80° 41' 48" West, 100.00 feet, thence leaving the outlines of said A.T. & T. right of way,

(3) South 09° 18' 12" West, 100.00 feet,

(4) South 80° 41' 48" East, 100.00 feet, and

(5) North 09° 18' 12" East, 50.00 feet to the point of beginning, containing 10,000 square feet of land, more or less.

1 of 1 — July 27, 1983

September 14, 1983

Harris George, Esquire
102 West Pennsylvania Avenue
Towson, Maryland 21204

NOTICE OF HEARING

Re: Petition for Special Hearing
Beginning 599.20' W of Troyer Rd., 1,665' S of the c/l of McComas Rd.
Raymond J. Marocco, et al - Petitioners
Case No. 84-94-SPH

TIME: 10:45 A.M.

DATE: Tuesday, October 11, 1983

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

cc: MCI Telecommunications
c/o Robert McGinnis
4351 Industrial Access Road
Douglasville, Georgia 30134

Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT — No. 119498

DATE 7/28/83 ACCOUNT 01-615-000

AMOUNT $100.00

RECEIVED FROM: Harris George

FOR: Filing fee for Item #39

(C01)

B 157*****10000*b 5295A

VALIDATION OR SIGNATURE OF CASHIER

MAR 23 1984

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

September 29, 1983

Harris George, Esquire
102 W. Pennsylvania Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Beginning 599.20' W of Troyer Rd., 1,665'
S of c/l of McComas Road
Raymond J. Marocco, et al - Petitioners
Case No. 84-94-SPH

Dear Mr. George:

This is to advise you that $82.72 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 121561

DATE 10/5/83 ACCOUNT R-01-615-000
AMOUNT $82.72
RECEIVED Harris J. George
FOR: Advertising & Posting for Case # 84-94-SPH
Total
C 033******8272:0 9052A

VALIDATION OR SIGNATURE OF CASHIER

LIST OF RESIDENTS OF WHITELEY ROAD AND VICINITY OPPOSED TO PROPOSED ZONING

PROTESTANT'S EXHIBIT #1

Pamela J. Sloan	17208 Whiteley Road
Robert Sloan	17208 Whiteley Road
"	" " "
Charlene A. S. Whiteley Jr.	17110 WHITELEY ROAD
William T. Whiteley III	17217 Whiteley Road
Jay M. Whiteley	17217 Whiteley Road
Bill Whiteley	" " "
Carol Whiteley	
Patricia A. Hoyt	17204 Whiteley Rd.
Henry W. Hoyt Jr.	17215 WHITELEY RD.
Linda S. Hoyt	17215 WHITELEY RD
Dorothy J. Sloan	17200 Whiteley Rd.
Robert Sloan Jr.	17200 Whiteley Rd.
Lynne Swarenburg	17201 Whiteley Rd.
Chris Swarenburg	17201 Whiteley Rd.
Joel M. Drinnin	17201 WHITELEY RD.
[illegible]	17211 Wesley Chapel Rd.
William Rice	17211 WESLEY CHAPEL RD.

L53969 p50

PETITION FOR SPECIAL HEARING
10th Election District

ZONING: Petition for Special Hearing
LOCATION: Beginning 599.20 ft. West of Troyer Road, 1,665 ft. South of the centerline of McComas Road
DATE & TIME: Tuesday, October 11, 1983 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-density transfer of the site plan and Restrictions No. 2 in Case No. 83-168-XA to increase the height of the proposed tower, add buildings, and other changes.

All that parcel of land in the Tenth District of Baltimore County

Beginning at a point being North 89° 41' 46" West, 136.36 feet, 76.36 feet along the arc of a curve to the left having a radius of 100.00 feet and a chord bearing South 77° 27' 19" West, 75.11 feet and South 55° 12' 52" West, 384 feet along the centerline of a twenty (20) foot wide right of way for ingress and egress in the land of Woodrow W. Johnson from a point on the westerlmost side of Troyer Road 140 feet wide; at a distance of 1665 feet more or less South of the centerline of McComas Road; thence running for the following five (5) courses and distances, viz:

(1) North 00° 18' 15" East, 20.00 feet to a point on the South side of a twenty (20) feet wide right of way and easement which by Deed dated June 15, 1967 and recorded among the Land Records of Baltimore County, Maryland in Liber 5000 Folio 512 was granted and conveyed by Pia J. Marocco, et al to the American Telephone and Telegraph Company of Baltimore City, thence binding along the South side of said last mentioned right of way and easement

(2) North 89° 41' 46" West, 100.00 feet, thence leaving the outlines of said A.T. & T. right of way,

(3) South 00° 18' 15" West, 100.00 feet,

(4) South 89° 41' 46" East, 100.00 feet, and

(5) North 00° 18' 15" East, 80.00 feet to the point of beginning; containing 10,000 square feet of land, more or less.

Being the property of Raymond J. Marocco, et al, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of
ARNOLD JABLON,
Zoning Commissioner
Baltimore County

BY ORDER OF ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/27 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in THE TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 successive weeks, the first publication appearing on the 21st day of Sept 1983.

THE TOWSON TIMES
M. S. Arnold

Cost of Advertisement, $ 82.72

84-94-SPH

PETITION FOR
SPECIAL HEARING
10th Election District

ZONING: Petition for Special Hearing
LOCATION: Beginning 599.20 ft. West of Troyer Road, 1,665 ft. South of the centerline of McComas Road
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By Order Of
ARNOLD JABLON,
Zoning Commissioner
Baltimore County

Sept. 22.

84-94-SPH

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 22, 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time successive weeks before the 11th day of October, 1983, the first publication appearing on the 22nd day of September 1983.

THE JEFFERSONIAN,
S. Frank Smith
Manager.

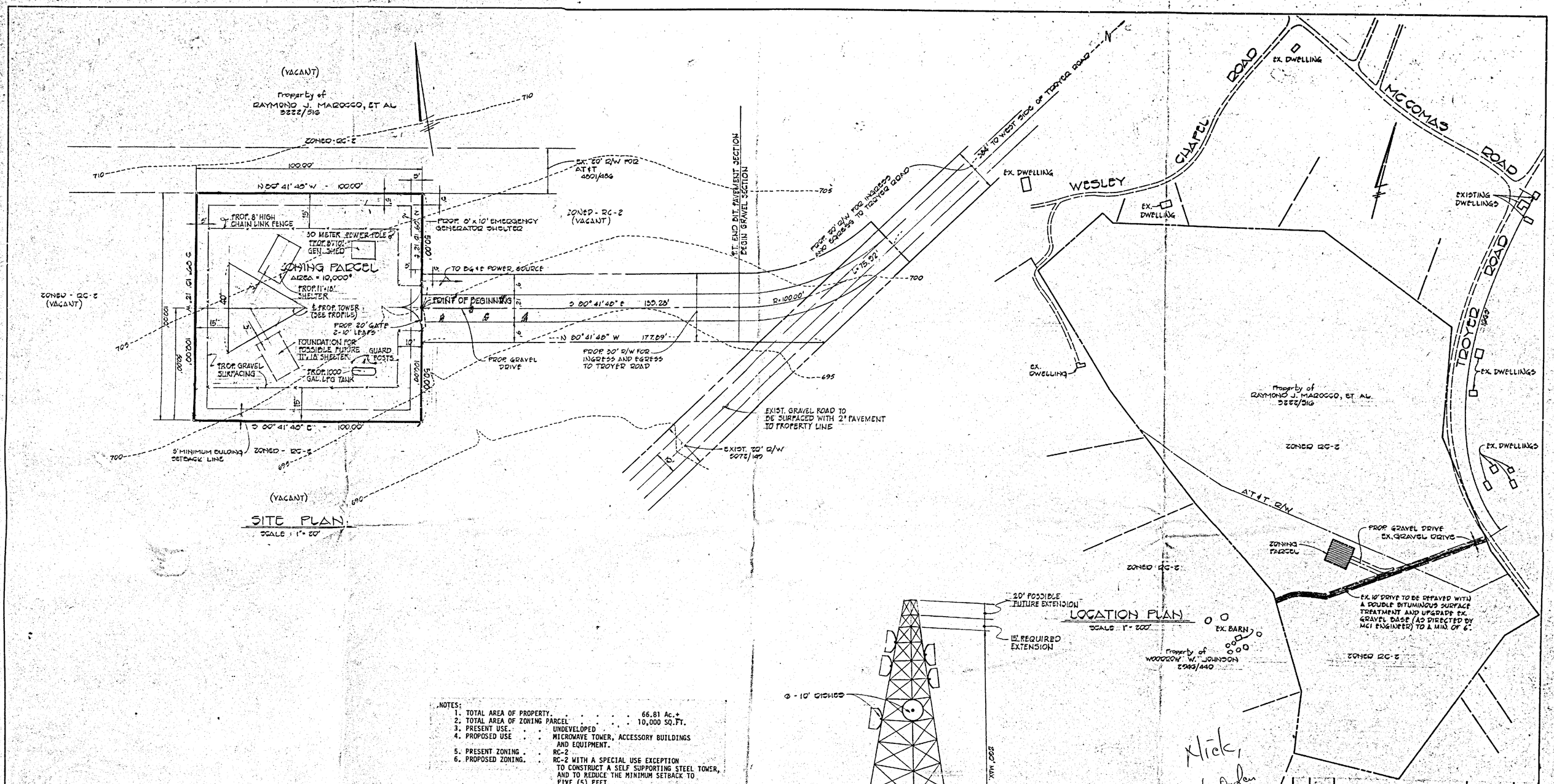
Cost of Advertisement, $ 35.00

84-94-SPH

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

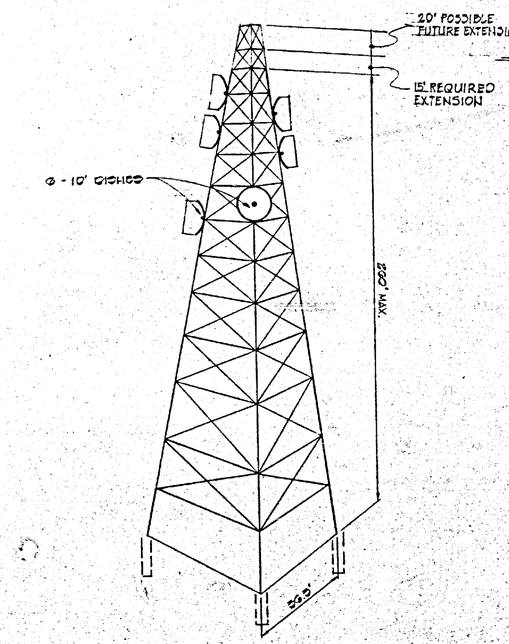
District 10 Date of Posting 9/25/83
Posted for: Petition for Special Hearing
Petitioner: Raymond J. Marocco, et al
Location of property: Beginning 599.20' W. of Troyer Rd., 1665' S of c/l of McComas Rd.
Location of Signs: facing Troyer Rd.
Remarks:
Posted by Ellen F. Coleman Signature Date of return: 9/30/83
Number of Signs: 1

MAR 23 1984



NOTES:

1. TOTAL AREA OF PROPERTY. . . . . 66.81 Ac.+
2. TOTAL AREA OF ZONING PARCEL . . . . . 10,000 SQ.FT.
3. PRESENT USE. . . UNDEVELOPED
4. PROPOSED USE . . MICROWAVE TOWER, ACCESSORY BUILDINGS AND EQUIPMENT.
5. PRESENT ZONING . . RC-2
6. PROPOSED ZONING. . RC-2 WITH A SPECIAL USE EXCEPTION TO CONSTRUCT A SELF SUPPORTING STEEL TOWER, AND TO REDUCE THE MINIMUM SETBACK TO FIVE (5) FEET.
7. AT SUCH TIME AS THE USE IS TERMINATED, THE TOWER SHALL BE REMOVED.



PROPOSED STEEL TOWER
NOT TO SCALE

Mick,
Check Ordinance 83-165 - Show both Bldgs. Distance between Principal Bldgs?
Carl

Item #139

PETITIONER'S EXHIBIT

OFFICE COPY

NO.	DATE	REVISIONS	REQ BY	DATE
		PRELIMINARY ISSUE		
		FINAL		

ENGINEER-SURVEYOR FIRM NAME: FISHER, COLLINS AND CARTER, INC.

ADDRESS-STREET, CITY, STATE, ZIP: 8565 COURT AVENUE, ELLICOTT CITY, MARYLAND 21043

CONTACT-NAME: RONALD CARTER — TELEPHONE NO.: 461-2565

DATE: JULY 27, 1989 — DRAWN BY: A. DOGDAN

STAMP P.E./SURVEYOR

MCI COMMUNICATIONS CORPORATION
WASHINGTON, D.C.

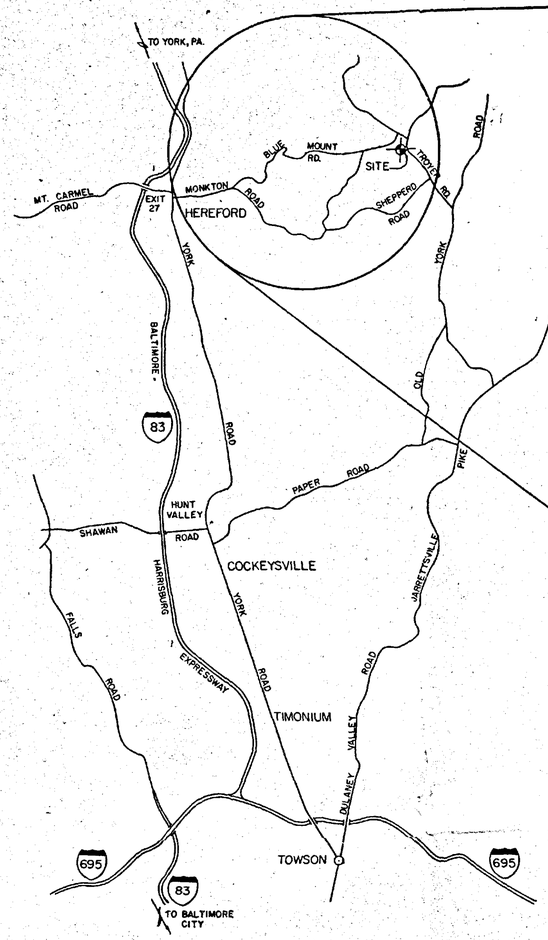
DRAWING TITLE: PLAT TO ACCOMPANY APPLICATION FOR SPECIAL HEARING

SITE NAME: PROPERTY OF RAYMOND J. MAROCCO, ET AL
10TH ELECT. DISTRICT, BALTIMORE CO., MARYLAND

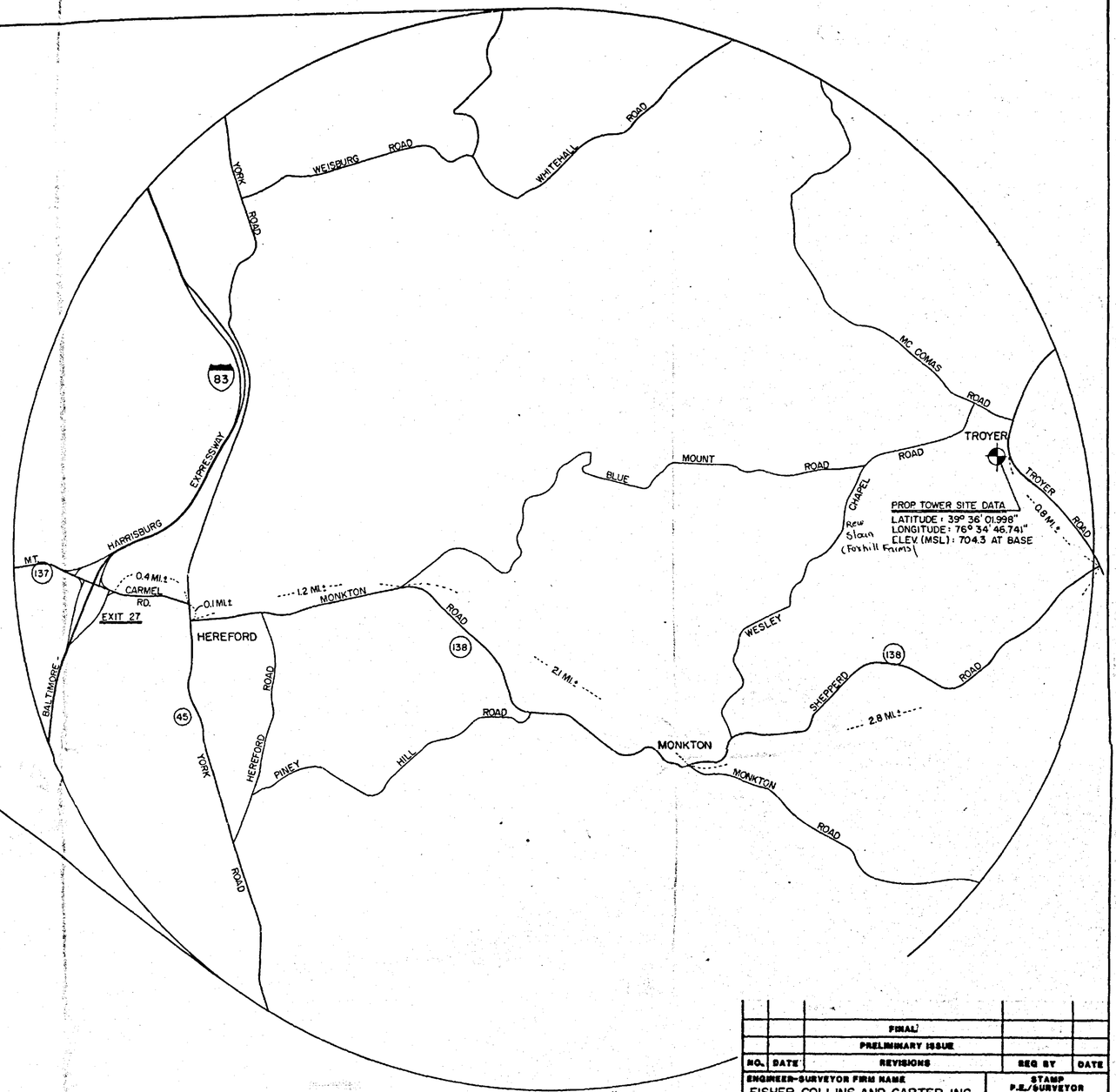
SIZE: D — DRAWING NO. (MCI USE)

SCALE: AS SHOWN — SHEET: 1 of 1

FISHER, COLLINS & CARTER, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
8565 COURT AVENUE
ELLICOTT CITY, MARYLAND 21043



LOCATION MAP
SCALE: 1" = 17 MILES



SITE MAP
SCALE: 1" = 2000'

SITE DATA

ELECTRIC COMPANY SERVING SITE
BALTIMORE GAS & ELECTRIC COMPANY
ENERGY SERVICES DEPARTMENT
1507 WOODLAWN DRIVE
MEADOWS INDUSTRIAL PARK
BALTIMORE, MARYLAND 21207
ATTN: WILLIAM NEAL (301-298-1907)

LAND OWNER
RAYMOND J. MAROCCO
1526 E. JOPPA ROAD
TOWSON, MARYLAND 21204

SITE LOCATION
TROYER SITE
BALTIMORE COUNTY
MARYLAND

NEAREST AIRPORT
FALLSTON AIRPARK
711 RECKORD ROAD
FALLSTON, MARYLAND 21047
(1-301-877-9889)
LATITUDE: 39°30' LONGITUDE: 76°24' ELEV.: 445±
AIRPORT LOCATED APPROXIMATELY 10.8 MILES
SOUTHEAST OF TOWER SITE

DEPARTMENTS CONCERNED WITH SITE SERVICES & CONDITIONS
BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND LICENSES
BUILDING PERMITS (494-3900)
ELECTRICAL PERMITS (494-3960)

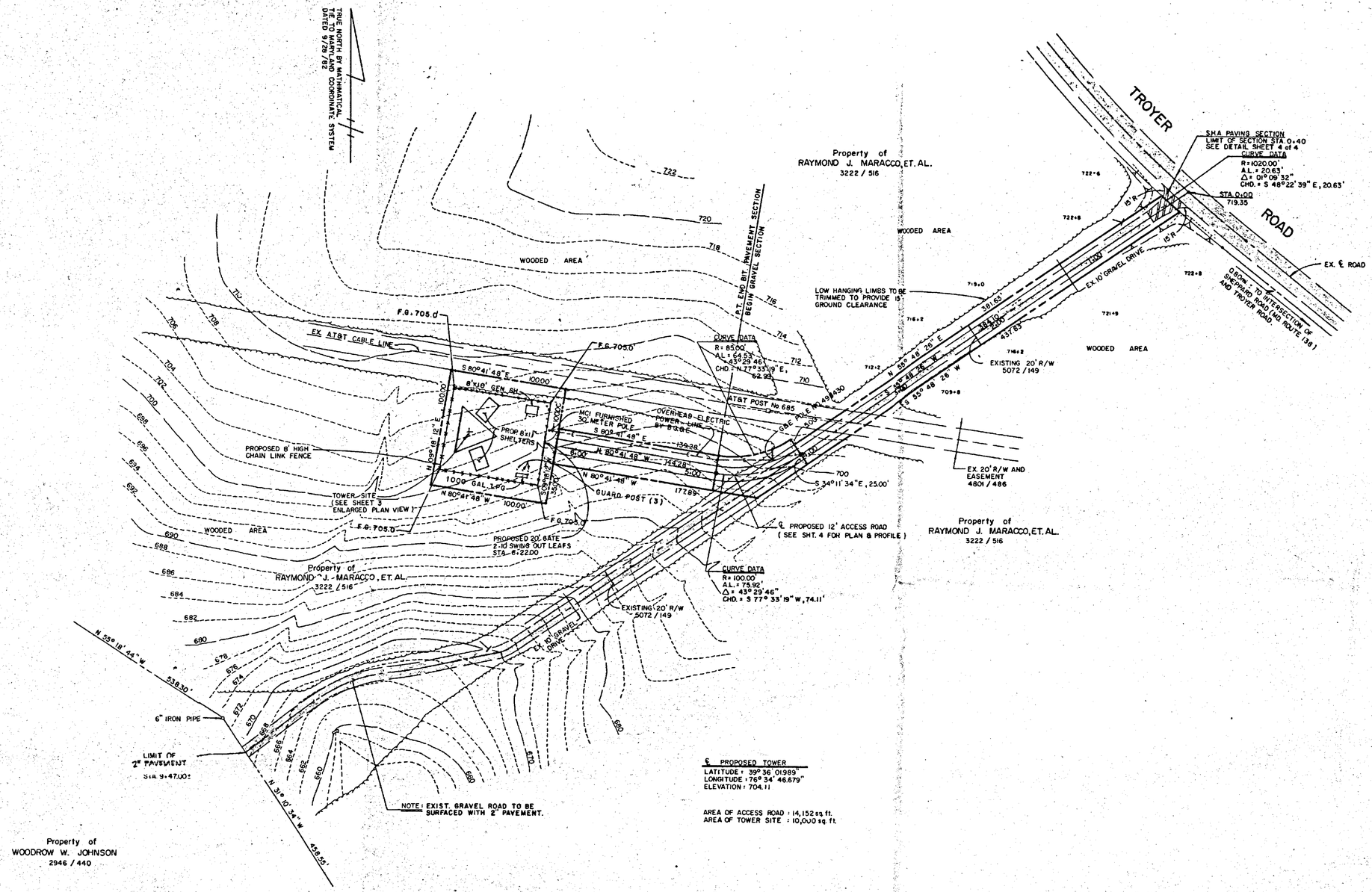
NO.	DATE	REVISIONS	REQ BY	DATE
		FINAL		
		PRELIMINARY ISSUE		

ENGINEER-SURVEYOR FIRM NAME: FISHER, COLLINS AND CARTER, INC.
ADDRESS-STREET, CITY, STATE, ZIP: 8388 COURT AVE., ELLICOTT CITY, MD. 21043
CONTACT-NAME: RONALD B. CARTER
TELEPHONE NO.: 1-301-461-2855
DATE: NOVEMBER 30, 1982
DRAWN BY: ALDO M. VITUCCI
STAMP P.E./SURVEYOR: R B CARTER, MD L S 10704

MCI COMMUNICATIONS CORPORATION
WASHINGTON, D.C.

DRAWING TITLE: SITE LOCATION AND GENERAL INFORMATION MAP
SITE NAME: TROYER, MARYLAND

SIZE: D
DRAWING NO. (MCI USE)
SCALE: as shown
SHEET 1 of 4



NO.	DATE	REVISIONS	REQ BY	DATE
		FINAL		
		PRELIMINARY ISSUE		

ENGINEER-SURVEYOR FIRM NAME: FISHER, COLLINS AND CARTER, INC.

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STAMP P.E./SURVEYOR — R.B. CARTER, MD. L.S. 10704

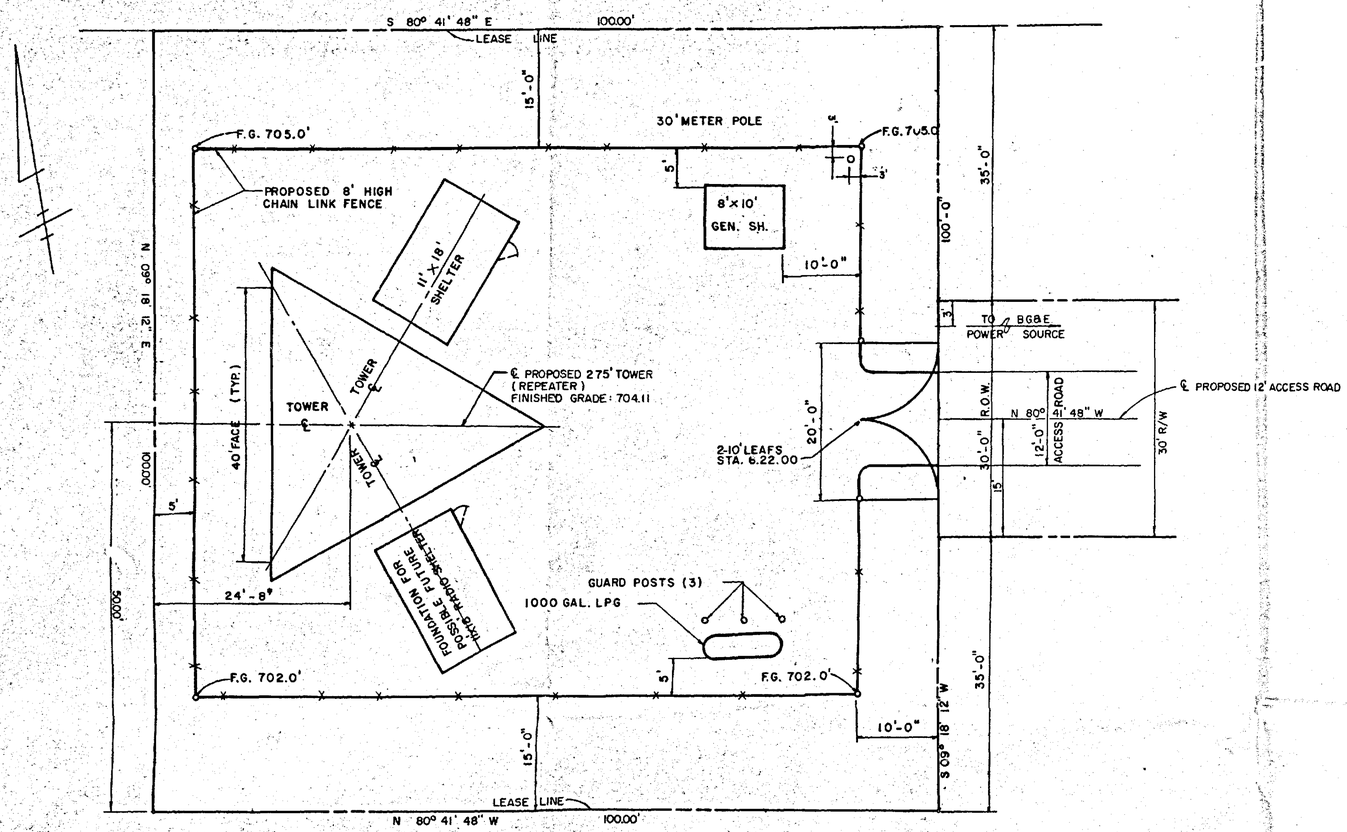
MCI COMMUNICATIONS CORPORATION WASHINGTON, D.C.

DRAWING TITLE: SITE PLAN

SITE NAME: TROYER, MARYLAND

SIZE: D — DRAWING NO. (MCI USE)

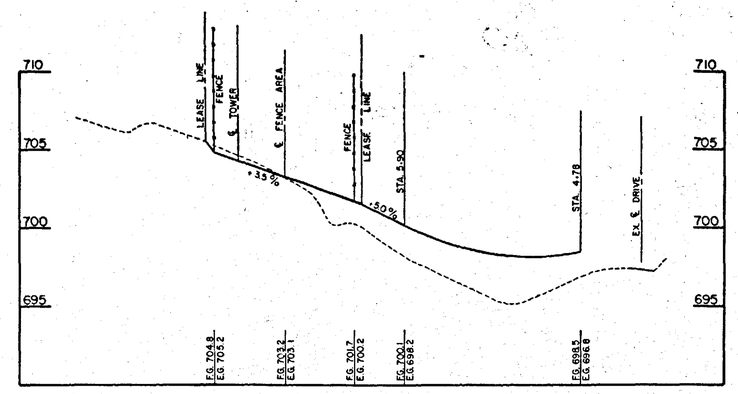
SCALE 1"=50' — SHEET 2 of 4



ENLARGED PLAN VIEW

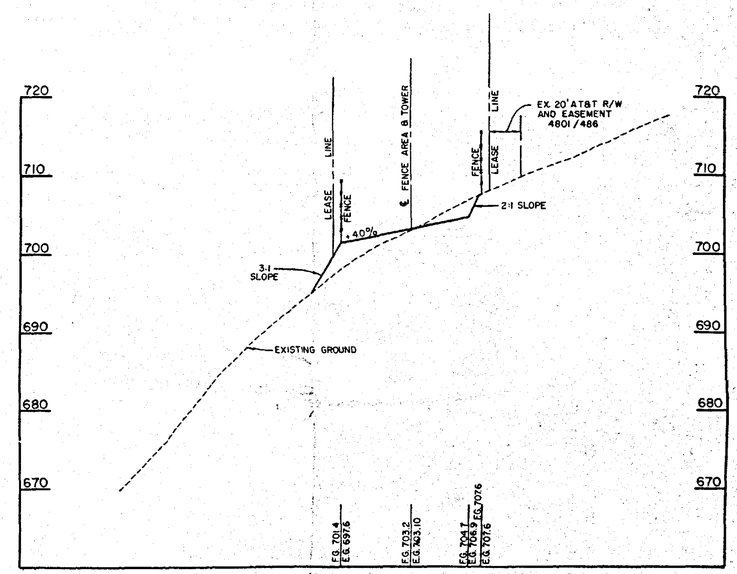
SCALE

0 10 20 30



SITE CROSS SECTION A-A

SCALE: 1"=50' HOR. 1"= 5' VERT.



SITE CROSS SECTION B-B

SCALE: 1"=50' HOR. 1"=10' VERT.

NO.	DATE	REVISIONS	REQ BY	DATE
		FINAL		
		PRELIMINARY ISSUE		

ENGINEER-SURVEYOR FIRM NAME: FISHER, COLLINS AND CARTER, INC.

ADDRESS-STREET, CITY, STATE, ZIP: 8388 COURT AVE., ELLICOTT CITY, MD. 21043

CONTACT-NAME: RONALD B. CARTER

TELEPHONE NO.: 1-301-461-2855

DATE: NOVEMBER 30, 1982

DRAWN BY: ALDO M. VITUCCI

STAMP P.E./SURVEYOR: R.B. CARTER, MD L.S. 10704

MCI COMMUNICATIONS CORPORATION
WASHINGTON, D.C.

DRAWING TITLE: ENLARGED PLAN VIEW

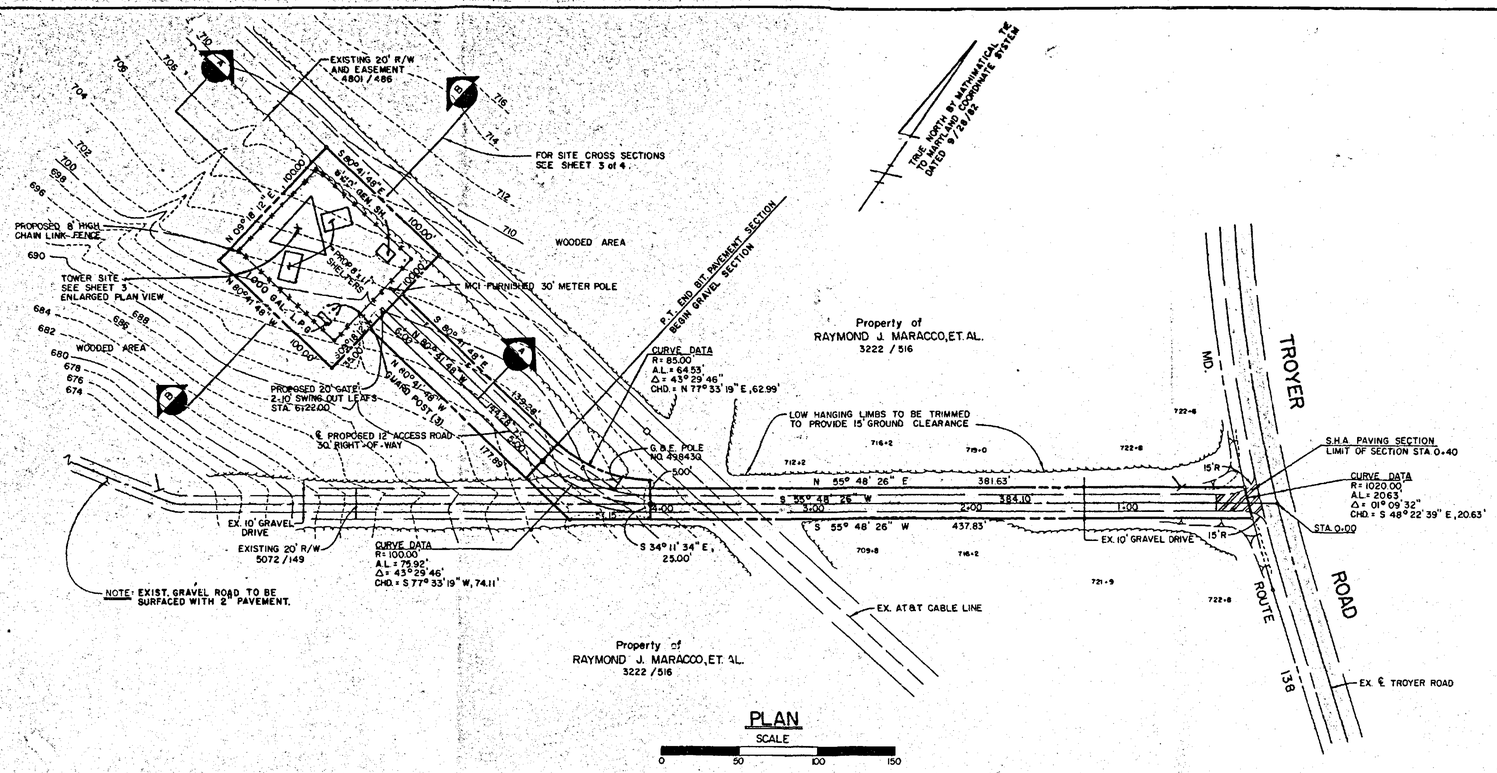
SITE NAME: TROYER, MARYLAND

SIZE: D

DRAWING NO. (MCI USE):

SCALE: as shown

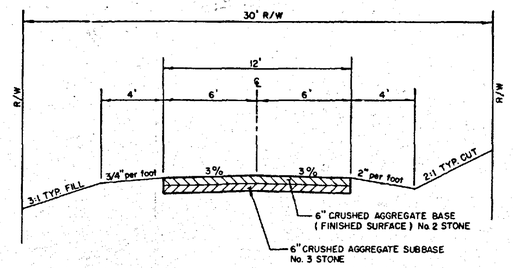
SHEET 3 of 4



PLAN

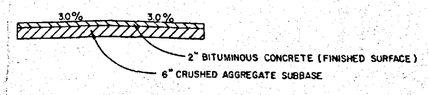
SCALE

0 50 100 150



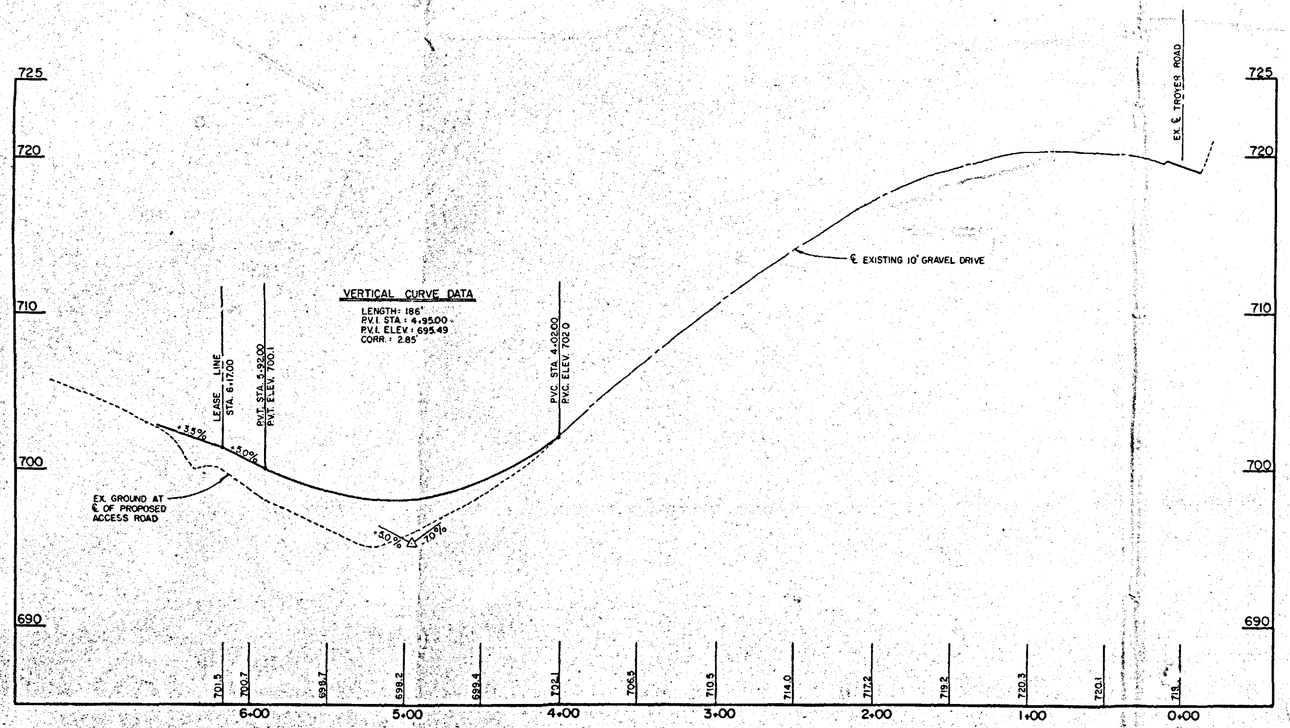
TYPICAL CROSS-SECTION OF ACCESS ROAD

NOT TO SCALE



S.H.A. PAVING SECTION

NOT TO SCALE



PROFILE

SCALE: 1" = 50' HORIZ.
1" = 5' VERT.

NO.	DATE	REVISIONS	REQ BY	DATE
		FINAL		
		PRELIMINARY ISSUE		

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CONTACT-NAME: RONALD B. CARTER

TELEPHONE NO.: 1-301-461-2855

DATE: NOVEMBER 30, 1982

DRAWN BY: ALDO M. VITUCCI

STAMP P.E./SURVEYOR: R.B. CARTER, MD. L.S. 10704

MCI COMMUNICATIONS CORPORATION
WASHINGTON, D.C.

DRAWING TITLE: PLAN AND PROFILE

SITE NAME: TROYER, MARYLAND

SIZE: D

DRAWING NO. (MCI USE):

SCALE: as shown

SHEET 4 of 4