

RE: PETITION FOR SPECIAL EXCEPTION:
FOR WIRELESS TRANSMITTING AND
RECEIVING STRUCTURE - W. S.
Yameter Road, 150' N. Compass
Road, 15th District -
Milton W. Cohen, Petitioner

BEFORE
COUNTY BOARD OF APPEALS
No. 4187-X

OPINION

This petitioner has asked for a special exception to erect in a residential zone a radio transmitting tower for use in dispatching taxi-cabs in the general area.

While the appearance of the tower and the use of the transmitter might possibly qualify in some residential zones, in this closely developed housing area it will create special conditions which are detrimental to the general welfare of the community and which would not qualify for a special exception.

The Zoning Commissioner denied the special exception and this Board affirms this decision.

ORDER

For the reasons set forth in the foregoing opinion, it is this 26th day of September, 1957, by the County Board of Appeals ORDERED that the special exception is hereby denied.

COUNTY BOARD OF APPEALS

John N. Naguire
Milton W. Cohen
June 7, 1957

JOHN N. MAGUIRE
ALFRED C. BRENNAN
825 EASTERN AVENUE
ESSEX, MD. 21221
Tel. 7-3333

MAGUIRE AND BRENNAN
ATTORNEYS AT LAW

July 20, 1957

JOHN J. BRENNAN
DUNCAN BUILDING
TOWSON, MD. 21204
Tel. 2-8444

Mr. Wilsie H. Adams
Zoning Commissioner
Zoning Dept. of Baltimore Co.
County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland

RE: Petition for a Special
Exception for a Wireless
Transmitting & Receiving
Structure - W.S. Yameter
Road 150 Feet N. Compass
Road, 15th District -
Milton W. Cohen, Petitioner

Dear Mr. Adams:

Please docket an appeal to the Board of Appeals pertaining to the above entitled matter.

Very truly yours,

John N. Naguire

John N. Naguire

JNN:ljm

CC: E. Scott Moore, Esq.
Duncan Building
Towson 4, Maryland

July 24/57



ZONING DEPARTMENT
By *John N. Naguire*

PETITION FOR SPECIAL EXCEPTION

4187-

IN THE MATTER OF

MILTON W. COHEN

For a Special Exception

To The Zoning Commissioner of Baltimore County

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

Legal Owner
Contract Purchaser

herby petition for a Special Exception, under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 877 of the Acts of the General Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

A Special Exception to use the land (and improvements now or to be erected thereon) hereinafter described for *Wireless Transmitting & Receiving Structure*

126 Yameter Road, Baltimore Co., Md.

All that parcel of land in the Fifteenth District of Baltimore County on the West side of Yameter Road, beginning 150 feet North of Compass Road; thence North 82 degrees 34 minutes East 200.27 feet; thence South 7 degrees 25 minutes West 73.65 feet; thence North 83 degrees 27 minutes East 100 feet to the place of beginning.

Contract Purchaser

Legal Owner

7/1/57
J. MAGUIRE ESQ.
825 EASTERN AVE.
MD 212

7/19/57
2 PM

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

4187

District *15th* Date of Posting *6-26-57*
Post: for: *Special Exception for Wireless Transmitting & Receiving Station*
Petitioner: *Milton W. Cohen*
Location of property: *126 Yameter Road, 15th Dist. of Baltimore County, Md.*
Location of Signs: *Posted on property known as 126 Yameter Road.*

Remarks:
Posted by *George S. Hines* Date of return: *6-27-57*

ORDERED BY THE Zoning Commissioner of Baltimore County

County this 10th day of June 1957
that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 10th day of July, 1957, at 2 o'clock P. M.

Zoning Commissioner
of Baltimore County

Upon hearing on the above petition for a Special Exception to use the property described therein for a Wireless Transmitting and Receiving Structure and it appearing that by reason of location being in a residential zone and from the facts presented at the hearing, the Special Exception should be denied.

There were approximately 35 protestants at the hearing from the neighborhood, included in these were the adjoining neighbor and a neighbor directly across the street. It is felt that the granting of the Special Exception would be detrimental to the general welfare of the locality involved.

It is, therefore, this 12th day of July, 1957 by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid petition for a Special Exception be and the same is hereby denied.

John N. Naguire
Zoning Commissioner
of Baltimore County

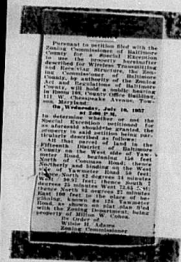
Req H-807 order # 46972

Certificate Of Publication

ESSEX, MD., JUNE 26th 1957

THIS IS TO CERTIFY That the annexed advertisement was published in THE EASTERN ENTERPRISE, a weekly newspaper published in Essex, Baltimore County, Md, once in each of 7 successive weeks before the 10th day of July, 1957, the first publication appearing on the 20th day of June 1957.

THE EASTERN ENTERPRISE, INC.
John G. Hines
Manager



June 18, 1957

\$35.00

RECEIVED of Maguire and Brennan, attorneys for petitioner, Milton W. Cohen, the sum of Thirty-five dollars (\$35.00) due to cover cost of advertising, petition and posting property situate on the West side of Yameter Road, beginning 150 Feet North of Compass Road, Fifteenth District of Baltimore County.

Thank you.

Zoning Commissioner
of Baltimore County

trd

01633-435.00

JUL 20 1957
COMPTROLLER'S OFFICE

July 24, 1957

\$30.00

RECEIVED of John N. Naguire, Attorney for Petitioner the sum of Thirty (\$30.00) Dollars, being cost of appeal to the County Board of Appeals from the decision of the Zoning Commissioner denying the petition for a special exception for Wireless Transmitting & Receiving structure, west side Yameter Road 150 feet north of Compass Road, 15th District.

Zoning Commissioner

01622-430.00

RECEIVED
JUL 19 1957
COMPTROLLER'S OFFICE
BY *JPH*

4187-X
MPP
15-B

PROPOSED RADIO
ANTENNA TOWER
NOT TO EXCEED
100.0' IN HEIGHT

UNIMPROVED
PROPERTY

UNIMPROVED
PROPERTY

ZONING REQUEST PLOT PLAN

PROPERTY LOCATED
126 YAWMETER ROAD
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

APPLICATION OF
M. WOODWARD COHEA AND
VICTORY VILLA CAB CO.

PREPARED FROM INFORMATION PROVIDED BY
THE APPLICANT AND TAKEN IN PART FROM
BALTIMORE COUNTY PLATS OF RECORD.
ACCURACY NOT CERTIFIED.
PREPARED BY

CONTRACTORS DRAFTING SERVICE
SIGNED *William C. Adams, A.I.A.*

57-02.01 22 MAY 1957

