





Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of \_\_\_\_\_

the above Reclassification should be had; and it further appearing that by reason of \_\_\_\_\_

A Special Exception for a \_\_\_\_\_ should be granted.  
IT IS ORDERED by the Zoning Commissioner of Baltimore County this \_\_\_\_\_ day of \_\_\_\_\_, 1975, that the herein described property or area should be and the same is hereby reclassified; from a \_\_\_\_\_ zone to a \_\_\_\_\_ zone, and/or a Special Exception for a \_\_\_\_\_ should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above Petition and it appearing that by reason of failure to meet the requirements of Section 502.1. of the Baltimore County Zoning Regulations \_\_\_\_\_

the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of August, 1975, that the Special Exception for a Transmitting Antenna and Tower Structure approximately 460 feet be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

August 7, 1975

R. Samuel Jett, Esquire  
Suite 700, Title Building  
Baltimore, Maryland 21202

RE: Petition for Special Exception  
Beginning 826.45' NE of Miller  
Road, 316' S of Pepper Hill Road -  
11th Election District  
Anna Taylor Miller - Petitioner  
NO. 76-35-X (Item No. 7)

Dear Mr. Jett:

I have this date passed my Order in the above referenced matter.  
Copy of said Order is attached.

Very truly yours,

S. ERIC DI NENNA  
Zoning Commissioner

JED/scw

Attachments

cc: William E. Seekford, Esquire  
Suite 507  
102 West Pennsylvania Avenue  
Towson, Maryland 21204

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

Gordon L. Peltz, Esquire  
Suite 200, Everett Building  
660 Kenilworth Drive  
Towson, Maryland 21204

HOWARD D. TUSTIN, JR. REGISTERED  
RICHARD P. TUSTIN

ROBERT S. BUTTON



ESTABLISHED 1849  
S. J. MARTENET & CO.  
LAND SURVEYORS  
9 E. LEXINGTON STREET  
BALTIMORE, MD. 21202  
PHONE: 536-4263

STEVEN J. MARTENET 1848-1854  
HARRY G. JAYNES 1877-1884  
EUGENE P. TUSTIN 1878-1881  
J. HOWARD BUTTON 1884-1889  
WILLIAM G. ATWOOD 1887-1891  
SAMUEL A. THOMPSON 1890-1894  
GEORGE E. WINNER 1897-1899  
HOWARD D. TUSTIN 1897-1899  
HOWARD G. BUTTON 1894-1899

DESCRIPTION OF A PARCEL OF LAND

TO BE CONVEYED TO  
WITH INCORPORATED

All that parcel of land situate, lying and being in the Eleventh Election District of Baltimore County, State of Maryland, bounded and described as follows; that is to say:

Beginning for the same at a pointed stone, heretofore planted, on the Southwest side of Miller Road at the distance of 316 feet, more or less, measured Southeastly along the Southwest side of Miller Road from the centerline of Pepper Hill Road, said stone being at the end of the fourth line of all that parcel of land described in a deed dated February 14, 1948 from E. June Shock to Sebastian J. Miller and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1642 folio 573, etc. and running thence binding reversely on said fourth line, as now surveyed, North 60 degrees, 48 minutes and 15 seconds East 1426.45 feet to a pointed stone, heretofore set, at the end of the first line of a parcel of land described in a deed dated June 7, 1971/Robert W. Furnkas and wife to State of Maryland, for the use of the Department of Forests and Parks and recorded among the aforesaid Land Records in Liber C.T.G. No. 5192, folio 17, etc.; running thence binding reversely on the third line of the land described in the deed first hereinabove referred to and running with and binding on the second line of the land described in the deed to State of Maryland South 28 degrees, 59 minutes and 40 seconds East to a tall stump of a white oak tree there standing; running thence binding reversely on a part of the second line of the land described in the deed first hereinabove referred to, to and binding on the Northwest Outline of "Gunpowder Valley Estates" as shown on Plat of "Gunpowder Valley Estates" and

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: July 25, 1975  
FROM: William R. Fromm, Director of Planning  
SUBJECT: Petition #76-35-X. Petition for Special Exception for Transmitting Antenna and Tower structure approximately 460 feet. Beginning 826.45 feet Northeast of Miller Road 316 feet South of Pepper Hill Road. Petitioner - Anna Taylor Miller

11th District

HEARING: Wednesday, August 6, 1975 at 11:00 A.M.

The staff of the Office of Planning has reviewed this petition and has the following comment to offer.

The location of the tower should be adjusted so that in the event the tower should fall it will not hit any existing or take built housing in the area.

William R. Fromm  
Director of Planning

WDF:NEG:nb

recorded among the aforesaid Land Records in Plat Book W.J.R. No. 27, folio 127 South 59 degrees and 52 minutes West 600.00 feet; running thence, for lines of division now made, the three following courses and distances, to wit:  
1 - North 29 degrees, 00 minutes and 15 seconds West 712.33 feet to the Southeast side of a strip 25 feet wide for Ingress and Egress; 2 - running thence parallel with and 25 feet measured Southeastly at right angles from the first line of the land hereinabove described South 60 degrees, 48 minutes and 15 seconds West 826.45 feet to the Southwest side of Miller Road hereinabove referred to and 3 - binding on the Southwest side of Miller Road North 29 degrees and 22 minutes West 25.00 feet to the place of beginning.

CONTAINING 10.5617 ACRES OF LAND, MORE OR LESS

The courses in the above description are referred to the True Meridian as established by the Baltimore County Metropolitan District.

Being a part of all that parcel of land described in a deed dated February 14, 1948 from E. June Shock to Sebastian J. Miller and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1642, folio 573, etc.

June 18, 1975



Richard P. Tustin  
Reg #3460

RE: PETITION FOR SPECIAL EXCEPTION  
for Transmitting Antenna and Tower  
Structure Approximately 460 feet.  
Beginning 826.45 feet Northeast of  
Miller Road 316 feet South of Pepper  
Hill Road - 11th District.  
ANNA T. MILLER  
\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF  
\* BALTIMORE COUNTY  
\* Case No. 76-35-X Item # 7

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

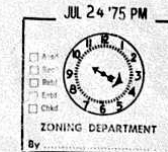
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, we hereby enter our appearance in this proceeding. You are requested to notify us of any date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

John W. Hession, III  
People's Counsel

Charles E. Kountz, Jr.  
Deputy People's Counsel  
County Office Building  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 24th day of July, 1975 to Samuel Jett, Esquire, Suite 700, Title Building, Baltimore, Maryland 21202, Attorney for Petitioner.

John W. Hession, III



I will not attend. JWH.

RE: PETITION FOR SPECIAL EXCEPTION  
FOR TRANSMITTING ANTENNA AND  
TOWER 826.42 FT. N.E. OF  
MILLER RD. 316 FT. S. OF  
PEPPER HILL RD.  
11th DISTRICT BALTO. CO.  
\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF  
\* BALTO. CO.  
\* CASE NO. - 76-35-X,  
\* ITEM NO. - 7

ENTRY OF APPEARANCE

Please enter the appearance of WILLIAM E. SEEKFORD, ESQUIRE, as attorney for several of the Protestants, in opposition to the special exception requested in the above entitled matter.

Respectfully Submitted,

William E. Seekford  
WILLIAM E. SEEKFORD  
SUITE 507  
102 W. PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on the 5th day of August, 1975, a copy of the foregoing entry of appearance was mailed to SAMUEL JETT, attorney for Petitioner by depositing a copy of same in the United States mail, first class postage, prepaid address to him at Suite 700, Title Building, Baltimore, Maryland, 21202.

William E. Seekford  
WILLIAM E. SEEKFORD

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

AUG 23 1976



**Item 7**  
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 day of July 1977.

*S. Eric DiNenna*  
S. Eric DiNenna,  
Zoning Commissioner

Petitioner: Anne Taylor Miller  
Reviewed by: Franklin T. Hogans, Jr.,  
Chairman,  
Zoning Plans  
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 16, 1975

R. Samuel Jett, Jr., Esq.  
Suite 700, Title Building  
Baltimore, Maryland 21202

RE: Special Exception Petition  
Item 7  
Anne Taylor Miller - Petitioner

Dear Mr. Jett:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These 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 appropriateness of the requested zoning.

The subject property, currently zoned D.R. 2, is located on the east side of Miller Road, approximately 316 feet southeast of the center line of Pepper Hill Road, in the 11th Election District of Baltimore County, and contains approximately 10.56 acres of unimproved farm land. The Gunpowder State Park abuts the subject property to the north and east, with single family dwellings existing to the south.

The petitioner is requesting a Special Exception to construct a transmitting antenna and tower approximately 460 feet in height. A one-story block building, approximately 25'x25', to house the transmitting and electrical equipment is also proposed.

R. Samuel Jett, Jr., Esq.  
Re: Item 7  
July 16, 1975  
Page 2

In light of the fact that Construction Plans Review, Department of Permits and Licenses, is not represented on the Zoning Advisory Committee, it is advised that the petitioner contact this office for their review and comments on the proposed structure.

The petitioner should pay particular attention to the comments of the Health Department.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

*Franklin T. Hogans, Jr.*  
FRANKLIN T. HOGANS, JR.  
Chairman,  
Zoning Plans Advisory Committee

*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI,  
Zoning Technician II

FTH:NBC:JD

Enclosure

cc: S. J. Martenet & Co.  
9 E. Lexington Street  
Baltimore, Md. 21202

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF HEALTH

Jefferson Building  
Towson, Maryland 21204

July 10, 1975

DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #7, Zoning Advisory Committee Meeting, July 8, 1975, are as follows

Property Owner: Anne Taylor Miller  
Location: Beg. 826' E. of Miller Rd. 316' S. of Pepper Hill Rd.  
Existing Zoning: D.R. 2  
Proposed Zoning: Special Exception for transmitting antenna & tower structure approximately 460'.  
No. of Acres: 10.5617  
District: 11th

Before the building permit is issued, complete soil evaluation tests and an approved drilled water well must be provided.

Very truly yours,

*Thomas H. Devlin*  
Thomas H. Devlin, Director  
BUREAU OF ENVIRONMENTAL SERVICES

CHVB:mah

## BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 9, 1975

Mr. S. Eric DiNenna  
Zoning Commissioner  
Baltimore County Office Building  
Towson, Maryland 21204

Z.A.C. Meeting of: July 8, 1975

Re: Item 7

Property Owner: Anne Taylor Miller

Location: Beg. 826' E. of Miller Road; 316' S. of Pepper Hill Road.

Present Zoning: D.R. 2

Proposed Zoning: Special Exception for transmitting antenna & tower structure approximately 460'.

District: 11th

No. Acres: 10.5617

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours,

*W. Nick Petrovich*  
W. Nick Petrovich,  
Field Representative.

WNP/ml

H. EMBLE PARKS, PRESIDENT  
EUGENE C. HESS, VICE-PRESIDENT  
MR. ROBERT L. BERNY

MARCUS M. BOTSARIS  
JOSEPH N. MCGOWAN  
ALVIN LOWEY

T. BAYARD WILLIAMS, JR.  
RICHARD W. TRADY, V.M.D.  
MR. RICHARD K. PETERSON

BALTIMORE COUNTY, MARYLAND  
JEFFERSON BUILDING TOWSON, MARYLAND 21204

## DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.  
DIRECTOR

WM. T. MILLER  
DEPUTY TRAFFIC ENGINEER

July 22, 1975

Mr. S. Eric DiNenna  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item 7 - ZAC - July 8, 1975

Property Owner: Anne Taylor Miller  
Location: Beg. 826' E. of Miller Rd. 316' S. of Pepper Hill Rd.  
Existing Zoning: D. R. 2  
Proposed Zoning: Special Exception for transmitting antenna & tower structure approximately 460'.  
No. of Acres: 10.5617  
District: 11th

Dear Mr. DiNenna:

The requested special exception for a transmitting antenna is not expected to cause any traffic problems.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineering Associate

MSF/bza

## Baltimore County, Maryland Department of Public Works

COUNTY OFFICE BUILDING  
TOWSON, MARYLAND 21204

Bureau of Engineering  
ELLSWORTH N. DIVER, P. E., CHIEF

July 24, 1975

Mr. S. Eric DiNenna  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #7 (1975-1976)

Property Owner: Anne Taylor Miller  
Beg. 826' E. of Miller Rd., 316' S. of Pepper Hill Rd.  
Existing Zoning: D.R. 2  
Proposed Zoning: Special Exception for transmitting antenna and tower structure approximately 460'.  
No. of Acres: 10.5617 District: 11th

Dear Mr. DiNenna:

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 area of the indicated "Limit of Guy Lines for Tower", as defined by the radius of 322 feet, extends beyond the outlines of the specific site for a proposed transmission antenna and tower structure, approximately 460 feet in height. Subdivision regulations may be applicable in connection with this subdivision of property.

### Highways:

Miller Road, an existing inadequate road, is proposed to be improved in the future on a 60-foot right-of-way. Highway improvements, including highway right-of-way widening and any necessary reversible easements for slopes will be required along the entire frontage of the property of which this site is a part.

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

### Sediment Control:

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.

Item #7 (1975-1976)  
Property Owner: Anne Taylor Miller  
Page 2  
July 24, 1975

### Sediment Control: (Cont'd)

Drainage studies, storm water management drawings and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

### Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Drainage and utility easements and/or reservations will be required within this property.

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

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 improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

### Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property. The Baltimore County Comprehensive Water and Sewerage Plan, amended August 1974, indicates "Planned Service" in the area in 5 to 10 years.

Very truly yours,

*Ellsworth N. Diver*  
ELLSWORTH N. DIVER, P.E.  
Chief, Bureau of Engineering

END:EAM:FW:iss

Q-CE Key Sheet  
48 & 49 NF 31 & 32 Pos. Sheets  
NS 12 & 13 H Topo  
63 Tax Map

AUG 23 1976



\* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.



