

EVA J. BENEDICT
N/S Liberty Road 125' W. of Washington Ave.
Reclassification from R-6 to R-A
SE - Offices and Office Building

NO. 67-160-RX
0.316 of an acre
#67-160-R

March 7, 1967 Petition Filed
Apr. 18 Reclassification and SE GRANTED by Z.C. subject
to site plan approval
May 17 Order of Appeal to C. B. of A.
Dec. 6 Order of Dismissal passed by the Board

GRANTED

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Eva J. Benedict, legal owner, 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 (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an R-A zone, for the following reasons:

Because there was an error in the original zoning

Because the character and nature of the neighborhood has changed.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for offices, building

Property is to be posted and advertised as prescribed by Zoning Regulations
I, or we, agree to pay expenses of above reclassification and/or Special Exception 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.

Contract purchaser: Albert J. Benedict
Address: 3514 Ellen Road, Baltimore, Maryland 21207
Petitioner's Attorney: Carl A. Dufkne
Address: 7 Church Lane, Pikesville, Md.
Legal Owner: Eva J. Benedict
Address: 2960 Liberty Road, Baltimore, Maryland 21207
Protestant's Attorney: Robert M. Hays

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of March, 1967, 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 14th day of April, 1967, at 11:00 o'clock P.M.

Zoning Commissioner of Baltimore County.

RE: PETITION FOR RECLASSIFICATION : BEFORE
from an R-6 zone to an R-A zone, and SPECIAL EXCEPTION for Offices : COUNTY BOARD OF APPEALS
and Office Building : OF
N/S Liberty Road 125' west of : BALTIMORE COUNTY
Washington Avenue, :
2nd District :
Eva J. Benedict, Petitioner :
Albert J. Creamer, :
Contract Purchaser :
No. 67-160-4X

ORDER OF DISMISSAL

Petition of Eva J. Benedict for reclassification from an R-6 zone to an R-A zone and a special exception for Offices and Office Building on property located on the north side of Liberty 125 feet west of Washington Avenue in the Second District of Baltimore County.

WHEREAS, in open hearing before the Board of Appeals on November 29, 1967 counsel representing the petitioner and counsel representing the protestants advised the Board that their respective clients had reached an agreement on the above entitled matter, and

WHEREAS, the attorney for the protestants-appellants dismissed the appeal taken on behalf of the said protestants-appellants.

It is hereby ORDERED this 6th day of December, 1967 that said appeal be and same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

Walter A. Reiter, Jr.

John A. Miller

RE: PETITION FOR RECLASSIFICATION
N/S Liberty Road 125' W. of Washington Ave., 2nd District -
Eva J. Benedict, Petitioner
Albert J. Creamer,
Contract Purchaser
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 67-160

Eva J. Benedict, legal owner, and Albert J. Creamer, contract purchaser, petitioned the Zoning Commissioner for a hearing on the subject property to reclassify it from R-6 Zone to a B-L Zone, and this hearing was held on February 15, 1967. After appearing at the hearing the contract purchaser decided to request a reclassification from R-6 Zone to R-A Zone with a special exception for an office building and a hearing was held on this petition on April 13, 1967.

The property is on the north side of Liberty Road, as relocated and widened and laid out on State Roads Commission's plat No. 25136 and then runs 125 feet, more or less, measured North 64 degrees 50 minutes 03.5 seconds west from the center line of Washington Avenue. The width of the lot is 100 feet, more or less. The lot is located in an area of land running approximately 450 feet, binding on Washington Avenue and about 350 feet in width, binding on Liberty Road zoned R-6.

The property next to the property being petitioned belongs to a church and this property is zoned R-6, and then 25' at 250 ft. west of the subject property the land is zoned R-A to a depth of approximately 500 feet. A very small portion of this large area zoned R-A extends over to Washington Avenue. However, on this small portion zoned R-A an apartment project is now under construction. Directly to the east of the subject property and across the street is one lot which is zoned R-A with a special exception for offices.

The Health Department raised no question concerning the zoning nor has anything been received from the Bureau of Fire Prevention. Since there is no access to Liberty Road the State Roads Commission has no comment. The Bureau of Engineering reports a 12" water main and an 8" sewer line in both Liberty Road and Washington Avenue.

HARRY S. SWARTZWELDER JR.
ATTORNEY AT LAW

1708 NIMROD BUILDING
BALTIMORE, MD. 21202
747-0525

May 15, 1967

Office of the Zoning Commissioner
of Baltimore County
County Office Building
Towson, Maryland - 21204

Attention: Mrs. Harris

Re. Benedict Property
Case No. 67-160-R

Dear Mrs. Harris:

I am enclosing herewith Appeal in the Benedict Case No. 67-160-R, along with my check in the amount of \$75.00 to cover costs thereof, on behalf of Mrs. Philip Wagner, Mrs. J.L. Fioracci, Mrs. Benjamin Berdman, and Mrs. Rebecca Dvorine, four of the Protestants.

Very truly yours,

Harry S. Swartzwelder, Jr.
Harry S. Swartzwelder, Jr.

HSS/mmm

enc.

Inspection of the site indicates that there is already an improved Washington Avenue, approximately 36 feet wide with a sidewalk existing on both sides of Washington Avenue. The sidewalk on the east side of Washington Avenue is being completed.

The Bureau of Traffic Engineering reports that the proposed use would generate 75 trips per day and that the capacity of Washington Avenue is 3,000 to 6,000 vehicles per day as established by the American Association of State Highway Officials. Washington Avenue has an average daily traffic of 3,500.

It would appear that the only reason this frontage along Liberty Road was not zoned R-A is because the church property separates it from other R-A property to the west. There is more reason to zone this property R-A than there is to change any of the zoning east of Washington Avenue, since traffic problems increase the closer the property is to the highway cloverleaf. Therefore, the map would indicate and the actual physical layout of Washington Avenue would indicate that the subject property should be zoned R-A. This constitutes an error on the zoning map. The attorney for the petitioner cited the change on the corner to the east is sufficient to warrant the granting of a reclassification. However, the stronger of the two points is that the map is in error.

The petitioner also asked for a special exception for a an office building. In order to preserve the residential character of the neighborhood, the present building shall remain exactly as it is and there will be no exterior changes or additions to the building. Only interior alterations may be made. The parking and the driveway entrance and all other details must be on a site plan submitted to the Office of Planning and Zoning for its approval.

Any sign proposed to be erected must be approved by the Zoning Commissioner before it can be erected. Only three offices are permitted in this building. In order to prevent over-crowding of this property each office shall be one business or profession only and subletting to tenants will be permitted only if the original occupier of the office moves out and one new one moves in. No use shall be made of this property and no tenants shall move into the property until all the above mentioned requirements have been met.

For the above reasons the reclassification from an R-6 Zone to an R-A Zone and special exception for office building should be granted.

It is this 14th day of April, 1967, by the Zoning Commissioner of Baltimore County, ORDERED that the herein described property should be and the same is hereby reclassified, from an R-6 Zone to an R-A Zone, and a special exception for Office Building should be and the same is granted, from and after the date of this Order, subject to approval of the site plan by the State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning.

Harry S. Swartzwelder, Jr.
Zoning Commissioner of
Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Eva J. Benedict, legal owner, 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 (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an R-A zone, for the following reasons:

1. Because the original zoning classification was in error.

2. Because there has been a change in the character of the neighborhood.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for offices, building

Property is to be posted and advertised as prescribed by Zoning Regulations
I, or we, agree to pay expenses of above reclassification and/or Special Exception 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.

Contract purchaser: Albert J. Benedict
Address: 3514 Ellen Road, Baltimore, Md. 21207
Petitioner's Attorney: Carl A. Dufkne
Address: 7 Church Lane, Pikesville, Md.
Legal Owner: Eva J. Benedict
Address: 2960 Liberty Road, Baltimore, Md. 21207
Protestant's Attorney: Robert M. Hays

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of January, 1967, 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 15th day of February, 1967, at 11:00 o'clock P.M.

Harry S. Swartzwelder, Jr.
Zoning Commissioner of Baltimore County

Registration No. 1972



William M. Magnadier
County Surveyor
Professional Engineer and Land Surveyor
Court House
Towson, Md. 21204

FOR PURPOSE OF ZONING ONLY - Reclassification from R-6 to B-L

All that piece or parcel of land situate in Second Election District of Baltimore County,

State of Maryland and described as follows:

Beginning for the same on the northerly side of Liberty Road as relocated and widened and laid out on State Roads Commission of Maryland Plat No. 25136 and where said side of said road is intersected by the division line between lots numbered 233 and 234 laid out on a plat of Richland and recorded among the plat records of Baltimore County in Plat Book W.P.C. No. 7 folio 59 etc. said beginning point also being distant 125.00 feet more or less measured north 64 degrees 50 minutes 03.5 seconds west from the centerline of Washington Avenue running thence and binding on said northerly side of Liberty Road the following two courses and distances viz: south 64 degrees 50 minutes 03.5 seconds east 75.00 feet and north 84 degrees 08 minutes 30 seconds east 29.10 feet to the northwest side of Washington Avenue (fifty feet wide) thence binding on the northwest side of Washington Avenue north 24 degrees 55 minutes 10 seconds east 125.43 feet to the end of the first line of the land conveyed by Lewis J. Benedict and wife to Edward L. Tennant and wife by a deed dated October 19th 1950 and recorded among the land records of Baltimore County in Liber T.B.S. No. 1896 folio 302 etc. thence leaving the Avenue and binding on second line in said deed north 65 degrees 04 minutes 50 seconds west 100.00 feet to the aforesaid division line between lots numbered 233 and 234 thence binding on said division line south 24 degrees 55 minutes 10 seconds west 140.00 feet to the place of beginning.

Containing 0.316 of an acre of land more or less.

William M. Magnadier
County Surveyor

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Carl A. Durkin, Esquire
7 Church Lane
Baltimore, Maryland 8

SUBJECT: Reclassification from R-6 to B-1
For Eva J. Benedict. Located N/2
of Liberty Rd. and N/4 of
Washington Ave.
2nd District
(Item 3 - January 17, 1967)

Dear Sir:

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:

HEALTH DEPARTMENT:
Since Metropolitan water and sewer are available this office has no comments.

BUREAU OF FIRE PREVENTION:
This office will review and make any necessary comments at a later date.

STATEMENTS COMMISSIONER:
Since there is no access to Liberty Road indicated on the plan, this office has no comments.

BUREAU OF ENGINEERING:
Water - Existing 12" water in both Liberty Road and Washington Avenue.
Sewer - Existing 12" sewer in both Liberty Road, and Washington Avenue.
Location of existing utilities to be determined by developer or his engineer.
Road - Washington Avenue is to be improved as a minimum 36' road on a 60' right-of-way.

BUREAU OF THE PUBLIC ENGINEERING:
If the property is to be completely developed per Baltimore County Zoning Regulations, it could generate 75 trips per day. If developed as proposed, it would generate 75 trips per day. The capacity of the Washington Avenue is 3000 to 6000 vehicles per day, as established by the American Association of the State Highway Officials. Washington Avenue in 1960 had an average daily traffic of 3000.

ZONING ADMINISTRATION DIVISION:
It appears to the writer that R-6 zoning, with a Special Exception, for offices would be more in keeping with the surrounding residential area.

The above 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 as they may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:

Project Planning
Very truly yours,

John G. Rose, Jr., Principal
Zoning Technician

cc: William Greenwalt - Health Department
Lt. Charles Morris - Bureau of Fire Prevention
John Meyers - State Roads Commission
Carlyle Brown - Bureau of Engineering
G. Richard Moore - Bureau of Traffic Engineering

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: February 3, 1967
FROM: George E. Gervais, Director

SUBJECT: Petition 67-160-R. Reclassification from R-6 to B-1. North side of Liberty Road 125 feet West of Washington Avenue. Being the property of Eva J. Benedict.
2nd District

HEARING: Wednesday, February 15, 1967 (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to B-1 zoning and has the following advisory comments to make with respect to pertinent planning factors:

1. Changes have occurred in the zoning potentials for properties alongside Liberty Road in the area vicinity to the subject property. These changes, however, have been limited to reclassification to R.A. zoning with or without Special Exception for offices. Creation of commercial zoning here would create zoning potentials for the subject property which are not compatible with those of adjoining properties and would constitute, from a planning viewpoint, spot zoning.

GEG:ms

OFFICE OF THE BALTIMORE COUNTEAN

THE COMMUNITY NEWS
Ridderdown, Md

THE HERALD - ARGUS
Catonville, Md.

No. 1 Newburg Avenue CATONVILLE, MD.

March 27, 1967.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County, was inserted in THE BALTIMORE COUNTEAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for the 27th day of March, 1967, that is to say the same was inserted in the issues of

THE BALTIMORE COUNTEAN

By Paul J. Morgan
Editor and Manager

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 31, 1967
FROM: Leslie H. Grose, Deputy Director

SUBJECT: Petition 67-160-R. Reclassification from R-6 to R.A. Special Exception for Offices and Office Building. North side of Liberty Road 125 feet West of Washington Avenue. Being the property of Eva J. Benedict.
2nd District

HEARING: Thursday, April 13, 1967 (1:00 P.M.)

The planning staff of the Office of Planning and Zoning will offer no objection to the subject petition, as now amended.

PETITION FOR RECLASSIFICATION
FROM R-6 TO R.A. SPECIAL EXCEPTION FOR OFFICES AND OFFICE BUILDING
LOCATION: North side of Liberty Road 125 feet West of Washington Avenue.
DATE & TIME: Thursday, February 15, 1967 at 11:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 27, 1967.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 27th day of March, 1967, the 27th day of March, 1967, the 27th day of March, 1967, appearing on the 27th day of March, 1967.

THE JEFFERSONIAN,

By Paul J. Morgan
Manager

Cost of Advertisement, \$.....

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 23, 1967.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 23rd day of March, 1967, the 23rd day of March, 1967, appearing on the 23rd day of March, 1967.

THE JEFFERSONIAN,

By Paul J. Morgan
Manager

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2ND Date of Posting: March 25, 1967
Posted for: Reclassification from R-6 to R.A. Special Exception
Petitioner: Eva J. Benedict
Location of property: N/2 of Liberty Rd. 125' W. of Washington Ave.
Location of Signs: N/2 of Liberty Rd. and Washington Ave.

Remarks: J. Grose
Posted by: J. Grose
Date of return: March 30, 1967

Carl A. Durkin, Esq.,
7 Church Lane
Baltimore, Maryland

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

BY ORDER OF
JOHN G. ROSE,
ZONING COMMISSIONER
OF BALTIMORE COUNTY
March 23, 1967

Your petition has been received and accepted for filing this

17 day of Jan, 1967.

JOHN G. ROSE
Zoning Commissioner

Petitioner: Eva J. Benedict
Petitioner's Attorney: Carl A. Durkin

Reviewed by: Paul J. Morgan
Chairman of Advisory Committee

OFFICE OF THE BALTIMORE COUNTEAN

THE COMMUNITY NEWS
Ridderdown, Md

THE HERALD - ARGUS
Catonville, Md.

No. 1 Newburg Avenue

CATONVILLE, MD.

January 29, 1967.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County, was inserted in THE BALTIMORE COUNTEAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for the 29th day of January, 1967, that is to say the same was inserted in the issues of

January 29, 1967.

THE BALTIMORE COUNTEAN

By Paul J. Morgan
Editor and Manager

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

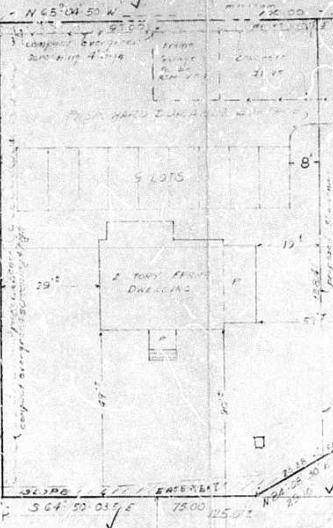
District: 2ND Date of Posting: May 27, 1967
Posted for: Reclassification from R-6 to R.A. Special Exception
Petitioner: Eva J. Benedict
Location of property: N/2 of Liberty Rd. 125' W. of Washington Ave.
Location of Signs: N/2 of Liberty Rd. and Washington Ave.
Remarks: J. Grose
Posted by: J. Grose
Date of return: June 1, 1967

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2ND Date of Posting: Jan. 28, 1967
Posted for: Reclassification from R-6 to R.A. Special Exception
Petitioner: Eva J. Benedict
Location of property: N/2 of Liberty Rd. 125' W. of Washington Ave.
Location of Signs: N/2 of Liberty Rd. and Washington Ave.
Remarks: J. Grose
Posted by: J. Grose
Date of return: Feb. 2, 1967

ST PAULS LUTHERAN
CHURCH
STONE BUILDING

1 STORY BRICK
STONE BUILDING



1 STORY BRICK
STONE BUILDING

1 STORY BRICK
STONE BUILDING

#67-160 RX

OFFICE
COPY

MAP 2-B
WESTERN AREA
NW-5-G

RA-X

FOR THE PURPOSE OF ZONING ONLY
PROPERTY KNOWN AS N 7701 LIBERTY ROAD
SECOND CHARTER DISTRICT OF BALTIMORE COUNTY, MD
BEING A PART OF LOT N 231
PLAT N RICHLAND PARK N 1-5

#67-160R

MAP

2-B

WESTERN

AREA

NW-5-G

RA-X

AREA OF LOT: 0.416 AC. (35,800 SQ. FT.)
AREA OF SITE: 0.416 AC.
AREA OF OFFICE: 0.012 AC. (1,040 SQ. FT.)
AREA OF OFFICES: 0.012 AC. (1,040 SQ. FT.)
PRESENT ZONING: R-6
PROPOSED ZONING: B-1

PARKING SPACES: 151 (10' x 20' for 100, 10' x 15' for 51)
TOTAL PARKING SPACES REQUIRED: 9
PARKING SPACES SHOWN: 151

WILLIAM M. FRYNDEN
COUNTY SURVEYOR
BY: ENGINEER LAND SURVEYOR
COUNT HOUSE
SCALE 1" = 20'