PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION #69-259 R

TO THE CONING COMMISSIONER OF BALTIMORE COUNTY:

L or we. Jacob France, Jr. legal owner, of the property situate in Baltimore to the Zoning Law of Baltimore County, from an ... R-4Q

Ballazone; for the following reasons:

Error in original Zoning Han ter attached description

+28 Ava Morrestorn NW Z-I

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

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

L or we, agree to pay expenses of above re-classification and/or Special Exception advertising. L. or we, agree to pay expenses of above re-classification and/or Special Exception advertising, etc., upon filing of this p-tition, and further agree to and are to be bound by the rosing regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

Jacob France, L. Le, I Owner Address Po Bex 113 Danil Tol Protestant's Attorney notional Bul Bles The Zoning Commissioner of Baltimore County, this 11th day

196.2. 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 hall before the Zoning Commissioner of Baltimore County in Room 166, County Office Building in Towson, Baltimore 26th day of May 7 196 9 at 1:00 o'clock _ MA 98' 11 SQL

ining - V Goe Zoning Commissioner of Baltimore C unty.

1.00P 5/26/69

69-259- R

CERTIFICATE OF POSTING

Date of Posting 5-8-69 Reclassification Allower I FLANCE FI. Alberton Rd - 257 5W of Degreed Rd exition of Signer 295" Stuley Dogwood Rd on 3/5 of Alberton Rd Tate of return: 5 -15-69

Pursuant to the advertisement, posting of preperty, and public hearing on the above petition and it appearing that by reason of error in the original soning map day of June 1969 that the herein described property or area should be and I the same is hereby reclassified; from a R-40 zone to a RM rom and after the date of this order, subject to approval of the site plan by the of Public Services and the Planning and Zoning. DEPUTY Zoning Commiss nt to the advertisement, posting of property and public hearing on the above retition Y the above re-electification should NOT BE UAD and/or the Special Examples should NOT BE CRANTED IT IS ORDERED by the Zoning Commissioner of Baltimore County, this.......day 196 that the above re-classification he and the same is hereby DENIED and that the above described property or area be and the came is hereby continued as and zone; and/or the Special Exception for be and the same is hereby DENIED

> O COMMUNITE IMES RANDALLSTOWN, MD. 21133 may 14, THIS IS TO CERTIFY, that the annexed advertisement of John G.Rose, Zoning Commissionr of Baltimore County was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for One weeks before the 14th day of May, 1969, that is to say, the same was inserted in the issues of May 8, 1969.

> > STROMBERG PUBLICATIONS, inc

ORIGINAL

By Reth Morgan

Zoning Commissioner of Baltimore Courts

CHARLES A. LOGAN

REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR

617 FAST SATH STREET . BALTIMORE MARYLAND 21719

DESCRIPTION HOR THE INCOR SPANCE IN PROPERTY LOCATED ON THE SOUTH SIDE OF ALBERTON ROAD 2871 SOUTH WEST OF COCKOON BOAD IN THE RECOND DISTRICT OF BALTIMORE COUNTY.

a south- BM Westerly direction from the center line of Dogwood Boad and your ly direction \$ 48° 4'% 250' to a point along the banks of the vesterly direction N 45° 14' Addiw 26; 07' to a point on the part wide of a 16.5' right of way (A T bf) and though supplied in a to a point in the center line of Alberton Hon, and thomes running along said center line in a northeasterly direction N 76°23'35' E 56.50' to a point and thence running in a southeasterly direction S 68' 10'4 "'E 61.72' to a point and thence running in a portheasters

ly direction N 84°44' E 01.00' to the place of beginning.

Containing 1 787 acres

Charles a. Logan

#69-259R

MAP

2-B

Western

AREA

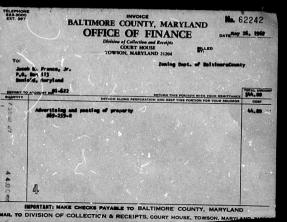
BACTIMORE COUNTY, MARY NO

Petition 169-299-R. Reclassification from R-40 to B.M. Zons South side of Alberton Rood 287 feet southwest of Dogwood Roo Jacob France, Jr., Petitioner.

HEARING: Monday, May 26, 1969 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-40 to B.M. zoning and has the following advisory comments to make with respect to pertinent planning factors:

- As noted in the comment by mos, of the members of the Zoning Advisory Committee, the worehouse use was created on the subject property as an enfermed of a permit for a bern in August of 1988. No outhority as on its under the current zoning of the tract for such worehousing use. In fact, the worehousing use is illegal.
- The Planning staff balieves inat the present R-40 zoning absolutely is correct and hist no changes in the character of quality of the neighborhow accoursed as as to justify barriers Major, soning on the subject hact. Creation of commercial zoning here would constitute spot zoning.
- Special attention is called to the comments of the Bureau of Engineering noting that the exitting improvements appear to be in flood plain of the Palapsec River and are in conflict with certain provisions of the Baltimore



MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARY

TELEPHONE 083-5000 EXT. 387	BALLMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Recipts COURT INFORM TOWNON, MARYLAND 21284 SPACE BALL MORE COUNTY, MARYLAND BALL MORE COUNTY, M	
To:	Sealing Stage, of College, of	
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NON FOR BACLASED

CERTIFICATE OF PUBLICATION

TOWSON, MD. MAY 8 1969 19 THIS IS TO CERTIFY, that the annexed advertisement was nublished in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each 19.69... the amt publication day of ... Hay appearing on the 8th day of May

THE JEFFERSONIAN.

19.60

her 19. 1968

It has been brough, to my attention that the structure built under Permit Ember 0980 is not being used for purposes the permit calls for. To use this building for purposes other than that it was built calls for a Change of Occupancy Permit.

Therefore, it is my order you secure this Change of Gempanary Parmit by December 27, 1965. Failure to comply will necessitate action by the Housing Geurt of Baltimore County for enforcement

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CONTRACTOR	OWNER			- 10
Intersee*				100 to
If there converts				
SUALITIES SUPERVISOR	ALLEN SHAIN 5271 W. NORTH A	VE.		- 100
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SALTIMORE COUNTY MARYLAND OFFICE OF THE SALESHOE GRANDES COUNTY OFFICE BYLDING TOWNER, MARYLAND TOLK ---Francisco Inches in ACOB FRANCE. JR. BUX 113 DANIELS, MD. 21033 81 7-0307 122:07.00 PRI 21207 448-1650 CONC. BLK. BLK. BUILT U JCT ONE STORY BLOCK BARN NITH to constru Latinet Dans Born w (NO PLUMBING 0.0 CONTROL OF THE PROPERTY OF T 80' Joers France 1/1/15 derni Dail 'so # 1/15. R17-0-17 Den D DO NOT WRITE BELOW THIS AREA LISED FOR JEE - E INFORMATE 81.460 OGWOOD NO. AT 1.1. DEADLEDTON BUL 11.11 \$15.000. \$60.00 72958 8-1-63 ---J. Mysey Zer al 15 LITS HOUSE GARAGE SHOKE HOUSE FIRELTA Elieni 3620 7272 J Course Take Balling St.

BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORPORATION

то	Mr. John Rose Attention: Mr. C. S. Myers	n. January 30, 1969	1060
10		Date. January 30, 1969	

FROM. John France SUBJECT 173 - Jacob France, Jr.

On 8-1-68, a permit was applied for to construct a burn on this property. This permit was issued on 8-12-68. This building was completed and our impector discovered that this building was being used for a warshouse. On 12-13-68, a letter was sent to Nr. Prance requesting a change of occupancy has cannot be done until this orporty is record. Attended is a copy or building and electrical permits which do not correspond

On 9-17-63, our inspector received information that this building was to be used as a worknown. I stop work notice was posted, and fr. Pract assured our deportment tent this building was to be used as a barn. At this time, the stop work order was released and the building was capabled on 12-17-65.

#69-259 R BALTIMORE COUNTY ZONING APVISORY COMMITTEE

Location: 575 Alberton Rd., 287'
5.N. of Degwood Rd.
District: 2nd
Petitioner: Jecob France, Jr.
Committee Keeting of January 28, 1559
Item 173

RE: Type of Hearing: Reclassification from an R-40 to a BM zone Location: S/S Alberton Rd., 287*

The subject property is presently improved with a one-story surchoose with a built up roof. It has two entrances into side of the built in a roof of the state of the state of the state of the building. It is surrounded by watern land except for one exception, the dualting on the site is directly to the east of the existing wathouse. It expers that the waterboards is presently being used as a beer cliently such as the property of the state of t

Highways: Alberton Road - Existing paved read requiring improvement to a 40° section on a 60° right-of-way.

Storm Oreins: Construction exists in the flood plain of the Patrices River. Periodic flooding at less than 30 year intervals is an inticipated. Previous financial results and the storm of this site would rapper to conflict with Section 300.3 of the Baltimore County building Code.

Mater: Public facilities do not exist. Private well required.

Design Population - 24, Sec. 405.1 b Building Code

Mr. Jacob France, Jr., P. O. Box 113 Oliver L. Myers Daniels, Maryland 21053

XXXXXXXXXXXXXXX

BUSINESS. BAREAU OF TRAFFIC ENGLISHED STATE FOADS COM

ACRESCO: MEETZ-VENTON PROFEST STATES BUILDING TO PARTIE

Deer Sir: The Zoning Advisory Committee has reviewed the plans subsitted 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.

BUREAU OF ENGINEERING:

Demend - 22 com

POATE OF EDUCATION 205755 ADDITIONAL DEVELOPMENT

February 7, 1969

Hr. Jacob France, Jr., P.O. Box 113 Daniels, Haryland 21053 Item 1/3

February 7, 1959

BUREAU OF ENGINEERING: (Continued)

Sanitary Sewer: Public facilities do not exist. Private disposal system required.

- Page 2 -

Design Population - 24, Sec. 405.1 b Building Code

Anticipated waste - 600 gpd

Building Permit 0980 processed for barn 8-12-68 Misrepresents existing construction and land use. Site inspected 1-24-69 by Oscar N. Keys, P.E. -Developers Design Approval Section

PROJECT PARAMENT DIVISION: A permit two generation accounts 12, 1968 to construct a barn on this property, field importion indiscuss that the "barn" was constructed of concrete blocks and has a filst roaf, two modeling doors, an enfice door, no windows, Budweiser truck perfect in the rear, and is currently being used as a warehouse for the storage of bear.

From a site-planning vicepoint, this is too intense a use for this property with the access provided by Dogwood and Alberton Road.

BULIONG EMPIRER'S OFFICE:

68-81-865, a permit two subjected for to construct a bern on this property.

This permit was issued on 8-12-68. This building was completed and our inspector discovered that this building was being used for a warehouse.

on 12-19-69, a letter was sent to fir. Fence requesting a chinge of excepting. This cannot be done until this property is reasoned. Attached is a copy of building and electrical permits which do not correspond.

On 9-17-69, our inspector received information that this building was to be used as a warehouse. A stop work notice was posted, and Mr. France assured our department that this building was to be used as a born. At this time, the stop work order was released and the building was completed on 12-12-60,

BURGAU OF TRAFFIC ENGINEERING:
The existing werehouse on Albertan Road, at the present time, is not creeting any treffic problems. However, if some other MI use was to go in on the subject tract or the existing unrehouse was converted, treffic problems could be created.

FIRE DEPARTMENT:
Owner shall be required to meet all Fire Department regulations.

MEATER DEPARTMENT.

It should be noticed that on August 12, 1968, a hullding nermit was issued to construct a one story block bern with built up coof to be lected on the subject property. This application, a copy of which is at tacked, indicated that there were existing water well and septic tank systems on the property, res well es a borne, gerger and anoch nouse.

Kr. Jacob Frence, Jr., P.O. Box 113 Daniels, Heryland 21053 Item 173

February 7, 1969

*INDUSTRIAL DEVELOPMENT: (See bolow)

HEALTH DEPARTMENT: (Continued)

Upon inspection with the Zoning Advisory Committee on January 28, 1969, it appeared that the concrete block building was built specifically for a worknown and that it was in operation. There was no evidence of an existing well, sopic tank system or other buildings as indicated on the building splication.

According to Article 43, Annotated Code of Haryland, 1957 Edition, this type of constraint building must be provided with tellat facilities, as well as a pathie water supply. Since public utilities are not exvisite to this site, it will be necessary to conduct sell tests to determine the suitability of the sell for underground sexuega disposit

Therefore, it is recommended that the assignment of a hearing date be withheld until such time that the owner meet all the requirements of the Battimore County Department of Health.

BOARD OF EDUCATION:

ZONING ADMINISTRATION DIVISION:

This office is returning to the petitioner, the petition, plot plans check and descriptions until such time as the petitioner can comply with all comments as set forth above.

Very truly yours.

OLIVER L. HYERS, Chairman

EMBUSERIAL REVILOPMENT:
This appears to be a new compercial building in a residential zone being used in violation of the existing zoning.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. John Bose	Date	January 29, 1969

FROM William M. Greenwalt

SUBJECT Item 173 - Zoning Advisory Committee Meeting, January 28, 1969

Health Department Comments:

1"3. Property Owner: Jacob France, Jr.

Location: S/S Alberton Rd., 287' S.W. of Dogwood Rd.
District: 2nd Present Zoning: R-40 Proposed Zoning: BM No. Acres: 1.787 ±

It should be noted that on August 12, 1968, a building permit was issued to construct a one story block barn with full tup roof to be located on the subject property. This application, a copy or which is attached, indicated that there were existing water well and septic tank systems on the property, as well as a house, gazage and socke house.

Upon inspection with the Zoning Advisory Committee on January 28, 1069, it appeared that the concrete block building was built specifically for a warehouse and that it was in operation. There was no evidence of an existing well, septic tank system or other buildings as indicated on the building application.

According to Article 43, Annotated Code of Paryland, 1957 Edition, this type of connectal building must be provided with toilet facilities, as well as a potable water supply. Since public utilities are not available to this site, it will be necessary to conduct soil tests to determine the suitability of the soil for underground scuage

Therefore, it is recommended that the assignment of a hearing date be withheld until such time that the owner meet all the requirements of the Battimore County Department of Health.

Water and Sewer Section BUREAU OF ENVIRONMENTAL HEALTH

WMG/ca

Attachment

William M. Humalt

Zoning Plat - Comment

173. Property Owner: Jacob France, Jr.
Location: S/S Alberton Rd., 2871 S.W. of
Dogwood Road

District: 2nd Present Zoning: R-40 Proposed Zoning: BM No. Acres: 1.787 +

Highways:

Alberton Road - Existing paved road requiring improvement to a

Storm Drains:

Construction exists in the flood plain of the Patapaco River. Construction exists in the flood plain of the Patapaco River, Periodic flooding at less than 50 year intervals is anticipated. Previous floods believed to exceed this alevation occurred in 1931 and 1956. The later subsequent to the constructive of liberty Dam. Development of this site would appear to conflict ith Section 306,3 of the Baltimore County pullding Code.

Water:

Public facilities do not exist. Private well required.

Design Population - 24, Sec. 406.1 b Building Code

Demand - 22 gpm

Samitary Sewer:

Public facilities do not exist. Private disposal system required.

Design Population - 2h, Sec. 406.1 b Building Code

Anticipated waste - 500 gpd

Building Permit 0980 processed for barn 8-12-68 Misrepresents existing construction and land use. Site inspected 1-24-69 by Oscar M. Keys, F.E. - Developers Design Approval Section

OMK:sw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John C. Rose, Zoning Commissioner Date January 28, 1969

FROM Captain Charles F. Morris, Sr.

Fare impartments

SURBETT Property Owners Jacob France, Jr.

SURBETT Tem P773 - Joning Agenda - Tuesday, January 26, 1969
Locations 878 Alberton Soad, 2674 5.M. of Dogssod Soad
Districts 2na

Owner shall be required to meet all Fire Department regulations.

4006

BALLMORE COUNTY ELECTRICAL PERMIT CCUPIED AS LOT NO. ADDRESS - STAY LT OR BURAL DIRECTION 8612 Downeydale Drive -Randallstown 21133 DING HEW DOLD DORK-NEW DADD! 22, 1968 WIL NOTIFY FRISTING METER NO. ROUGH WIRING OUTLETS EQUIPMENT AND WIRING ******** 12 RECEPTACLE A.P. GARBAGE DISPOSAL UNIT INTERCOM K.W. SURFACE UNIT K.W. DHYER
K.W. ELECTRIC HEATER H.P. AIR CONDITIONER M-1.0 final OCT 23 1968 FROGRESS DATES DEFECTIVE DATES FEE CORRECTION DATE OF APPROVALS 10-29-68 10-22-68 TU CORRECT PER CERTIFICATE /30-69 AMOUNT REFUNDED

INTER-OFFICE CORRESPONDENCE BUREAU OF TRAFFIC ENGINEERING Baltimore County. Bargland

Towson, Maryland 21204 Date January 30, 1969

Mr. John G. Rose Attn: Oliver L. Myers

FROM: C. Richard Moore

.UBJECT: Item 173 - ZAC - January 28, 1969 Property Owner: Jacob France, Jr. Alberton Rd., S.W. of Dogwood Rd. R-40 to RM

The existing warehouse on Alberton Road, at the present time, is not creating any traffic problems. However, if some other BH use was to go in on the subject tract or the existing warehouse was converted, traffic problems could be created.

C. Richard Moore

CRM: nr

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Date February 4, 1969

FROM PROJECT PLANNING DIVISION

SUBJECT. Zoning Advisory Agenda Item #173

January 28, 1969 Jacob France, Jr. S/S Alberton Rd., 287' S/W of Dogwood Rd.

A permit was granted on August 12, 1968 to construct a barn on this property. Field inspection indicated that the "barn" was constructed of concrete blocks and has a flat roof, two loading doors, an office door, no windows, a Budweiser truck parked in the rear, and is currently being used as a warehouse for the storage of beer.

Prom a site-planning viewpoint, this is too intense a use for this property with the access provided by Dogwood and Alberton

RICHARD B. WILLIAMS

BALTIMORE COUNTY BO OF EDUCATION

173

ZONING ADVISORY COMMITTEE MEETING OF JAN 28, 1969

Petitioner: Jacob FRANCE, JR.

Location: 5/s ALBERTON Ro 287' SIW OF DOGWOOD Ro.

District: 2

Present Zoning: 240

Proposed Zoning: Bm

No. of Acres: 1.787 -

Correcte: NO APPRECIABLE EFFECT ON SCHOOL PURPLATION