

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MAR-BEN, INC., 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-10 zone to an RA zone, with several exceptions, for the following reasons:

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 and office building.

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

I, or we, agree to pay expenses of above re-classification 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.

Robert B. Balter,
Robert B. Balter
Barbara G. Balter, Contract purchaser

Address: 3505 Bancroft Road,
Baltimore, Maryland 21215

Reuben Shilling, Esq.,
Reuben Shilling, Petitioner's Attorney

Address: 1100 One Charles Center,
Baltimore, Maryland 21201

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of July, 1969, 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 24th day of September, 1969, at 11:00 o'clock.

Reuben Shilling, Esq.
Zoning Commissioner of Baltimore County

(over)

FRANK, HAGAN & HOLDEFER, INC.

SURVEYORS AND CIVIL ENGINEERS

4200 ELANOR AVENUE / BALTIMORE, MD 21214 (301) 426-2144
1000 W. CHESAPEAKE AVE. / BALTIMORE, MD 21201 (301) 227-3330
115 S. MAIN STREET / WESTMINSTER, MD 21157 (301) 848-1700
237 WINDMILL RD. / ELLICOTT CITY, MD 21030 (301) 462-7000

April 7 1969.

Description of 1.562 Acres, More or Less, Parcel on Reisterstown Road for Zoning Reclassification from R-10 to RA Zone with Special Exception for Offices.

BEGINNING for the same on the east side of Reisterstown Road at a point distant 410 feet, more or less, measured northerly along said east side of Reisterstown Road from its intersection with the northwest side of Straw Hat Road, thence leaving said place of beginning and running along the east side of Reisterstown Road North 35 degrees 35 minutes West 95.8 feet to a pipe, thence leaving Reisterstown Road North 70 degrees 21 minutes East 282.5 feet to a pipe, thence North 84 degrees 45 minutes East 12.2 feet to a railroad spike, thence continuing the same course North 84 degrees 45 minutes East 97.6 feet to a pipe and South 83 degrees 3 minutes East 210.7 feet to a pipe, thence South 11 degrees 4 minutes West 115.75 feet to a pipe, thence North 89 degrees 41 minutes West 296 feet to an old boundary stone and South 78 degrees 10 minutes West 227 feet to the place of beginning. Containing 1.562 acres of land, more or less.

Also a right of way for use in common, 14 feet wide, the center line of which is described as follows: Beginning at the railroad spike mentioned in the above description at the end of the North 84 degrees 45 minutes East 23.2 foot line and running thence for the center line thereof North 47 degrees 40 minutes West 177.4 feet to a stake and North 68 degrees 20 minutes West 65 feet to the northwesternmost property line of the whole described parcel in the above-mentioned deed and to a road 30 feet wide leading out to the Reisterstown Road, thence following that road to the Reisterstown Road.

Note: The above description has been prepared for zoning purposes only and is not intended to be used for conveyance.



J. Carroll Hagan
J. Carroll Hagan

1 ALLEN ELLIS, JR., L.S.
2 CAROL H. HOLLIS, L.S.
3 GEORGE F. HOLDEFER, P.E.
ASSOCIATES AND PARTNERS
STATE OF MARYLAND
DEPT. OF THE GENERAL LAND OFFICE

Re: Petition for Reclassification from R-10 Zone to R-A Zone Special Exception for Offices and Office Building - E/S Reisterstown Road 410' N. Straw Hat Road, 4th Dist. Mar-Ben, Inc., Petitioner No. 70-63-RX

ORDER OF DISMISSAL

The petitioner in the foregoing case has withdrawn his petition and the matter is DISMISSED without prejudice.

Reuben Shilling, Esq.
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

May 14, 1969

Reuben Shilling, Esq.,
1100 One Charles Center
Baltimore, Maryland 21201

GRACE E. GAYNE
JAMES G. JONES
PLANNING COMMISSIONERS

RE: Type of Hearing: Reclassification from an R-10 zone to an RA zone with Special Exception for offices and office building. Location: E/S Reisterstown Rd., 410' N. of Straw Hat Rd., 4th District. Petitioner: Mar-Ben, Inc. Committee Meeting of May 6, 1969 Item 262

Dear Sirs:

The enclosed departmental comments have been compiled at the direction of the County Administrative Officer. Their purpose is to make the Zoning Commissioner aware of any development problems or conflicts resulting from the petitioner's proposed development plan.

These comments represent facts and data assembled by qualified County employees and subsequently approved by their department heads. These are materials for consideration by the Zoning Commissioner and can be expected to have a great bearing on his decisions.

Sincerely yours,

James G. Jones
JAMES G. JONES
Zoning Supervisor

JED:JD
Enc.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 14, 1969

Oliver L. Myers
CHAIRMAN

REUBEN SHILLING, ESQ.
MEMBER

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MEMBER

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1100 One Charles Center
Baltimore, Maryland 21201
Item 262

May 14, 1969

Storm Drains

No provisions for accommodating storm water or drainage have been indicated on the subject plan; however, a drainage study and a storm drainage reservation and/or easements are required.

Since this property was included as a portion of the overall plan of development for "Morningside Heights Apartments", for which certain storm drainage studies were required, and since the petitioner's Engineer is the same as engaged by the Developer of "Morningside Heights Apartments", sufficient data should be available to establish the necessary drainage reservation and/or easements. Therefore, it is deemed advisable to require the dedication and grant of all required drainage and utility reservations and easements as a condition of granting the requested zoning reclassification and special exception.

The Applicant shall provide a minimum ten foot drainage and utility easement along all bordering property lines which are not adjacent to County rights-of-way or storm drain reservations, unless a similar easement has previously been provided along the property lines of the adjacent subdivision. If an easement less than ten feet in width has previously been provided along any bordering property line within an adjacent subdivision, an additional easement as required for a minimum width of ten feet shall be provided along that property line within this subdivision.

The Applicant must provide necessary drainage facilities (temporary or otherwise) 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 other drainage facilities, would be the full responsibility of the Applicant.

Sediment Controls

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

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Sanitary Sewers

Public sanitary sewerage is not available to serve this property at this time; however, public sanitary sewerage will be available to serve this

Reuben Shilling, Esq.,
1100 One Charles Center
Baltimore, Maryland 21201
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Sanitary Sewers (Continued)

property when the proposed sewerage system for the remaining portions of Morningside Heights Apartments is extended from the existing 10-inch sanitary sewer at Reisterstown Road and Straw Hat Road (as shown on Baltimore County Bureau of Engineering Drawing #65-074, A-1), Public sanitary sewerage can also be made available to serve this property at this time by constructing an extension of the aforementioned existing 10-inch sanitary sewer.

If the use of a private sewer disposal system to serve this property is permitted by the Department of Health, this office recommends that a 10-foot easement for the future construction of the public sanitary sewer to be a further condition of granting the zoning reclassification and special exception.

Water

Public water supply is available to serve this property.

PROJECT PLANNING DIVISION

The access to this property is inadequate and will remain so until Pleasant Ridge Road is constructed.

BOARD OF EDUCATION

A change to an office building would not increase the student population.

BUILDING ENGINEER'S OFFICE

Must meet all requirements of Baltimore County Building Code.

BUREAU OF TRAFFIC ENGINEERING

Review of the subject petition indicates all access to the subject property will be via a 14 foot right of way with use in common.

This type of access is totally inadequate for offices and office buildings.

HEALTH DEPARTMENT

Public water and sewers are available to the site.

Air Pollution Comments: The building or buildings on this site may

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1100 One Charles Center
Baltimore, Maryland 21201
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HEALTH DEPARTMENT (Air Pollution Comments - Continued)

be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

STATE ROADS COMMISSION

The existing access to the site is unacceptable for commercial use. The entrance at Reisterstown Road is 17' wide rather than 30' wide as indicated on the plan. The minimum width for a commercial entrance is 25' plus radius returns of 5' radius minimum. A 15' radius is more desirable. The entrance must be curbed with concrete and paved in accordance with State Roads Commission standards under permit from the Commission. The roadside curb is to be 31' from and parallel to the center line of Reisterstown Road.

The entrance must be contained entirely within the developer's right of way or property frontage on Reisterstown Road. It appears that there is insufficient right of way for the entrance, therefore, additional property would have to be acquired or the entrance would have to be located within the frontage proper.

There is inadequate stopping sight distance at the entrance due to shrubbery on the adjacent property to the northwest. Permission must be obtained from the property owner to remove the shrubs.

The 6' is an 80' right of way proposed for Reisterstown Road that must be indicated on the plan.

The matter of the entrance must be resolved and the plan revised accordingly prior to a hearing date being assigned.

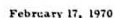
ZONING ADMINISTRATION DIVISION

In view of the comments by the State Roads Commission, this office is withholding a hearing date until such time as revised plans are received in conformance with those comments and, also, the parking area must be screened with 4' high compact screening, lam screening or fencing.

Very truly yours,

Oliver L. Myers
Oliver L. Myers, Chairman

JED:JD
Enc.



Re: Petition for Reclassification
and Special Exception for
Mar-Ben, Inc. - #70-63-RX

REUBEN SHILING

RS/bfp

INTER-OFFICE CORRESPONDENCE

HEARING: Wednesday, September 24, 1969 (11:00 A.M.)

The request for R.A. zoning here is in accordance with proposals by the Planning staff for the new zoning map for this area. If the reclassification and Special Exception are granted, the granting should be conditioned upon compliance with a plan to be approved by the appropriate State and County agencies.

GEG:bmi

INTER-OFFICE CORRESPONDENCE

SUBJECT Item 262
Property Owner: Mar-Ben, Inc.
N/ES Reisterstown Road, 4101 N/w
of Straw Hat Road
District 4

The entrance to this site from Reisterstown Road must be widened as suggested by the State Roads Commission. Baltimore County owns a 30-foot right-of-way at this location and we approve of the layout proposed by the Applicant to comply with State Roads Commission requirements. The grade of the entrance must be established to provide for future extension of this roadway in the future.

ALBERT B. KALTENBACH, P.E.
Director of Public Works

ABX:END:EAM:CLS:00



SEP 1 1969

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 24th day of September 19 62, the first publication appearing on the 4th day of September

THE JEFFERSONIAN.

Cost of Advertisement, \$.....

[illegible]

ORIGINAL

OFFICE OF

 THE COMMUNITY **TIMES**

RANDALLSTOWN, MD. 21133 Sept. 8, 1969

THIS IS TO CERTIFY, that the annexed advertisement of
John G. Rose
Erving Commissioner of Baltimore County
 was inserted in THE COMMUNITY TIMES, a weekly newspaper published
 in Baltimore County, Maryland, once a week for one ~~several~~
 week before the 8th day of Sept. 1969, that is to say, the same
 was inserted in the issue of Sept. 4, 1969.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan[illegible]

251825 70-63-R

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4 Date of Posting: SEPT. 6-68
Posted for: RECALIFICATION, R-10 TO R-1 SPECIAL RECALCULATION FOR
OFFICE OF OFFICER BUILDING
Petitioner: MAR. BEN. JACO
Location of property: RIS. O.E. RIVERVIEW TOWN RD. 410 S.E.E. STADAM
HAT ROAD
Location of Sign: E.L. O.E. RIVERVIEW TOWN RD. 350 ft. - O.E. STADAM
HAT ROAD
Remarks: _____
Posted by: William M. Neal Date of return: SEPT. 10-68
Signature

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

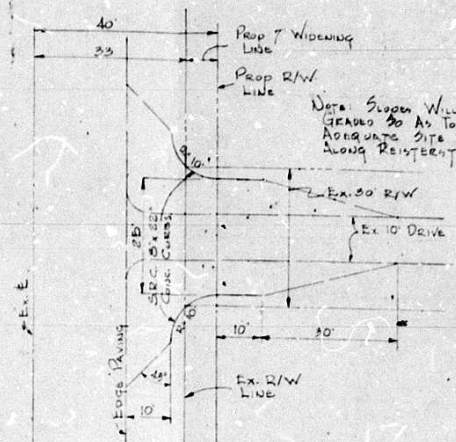
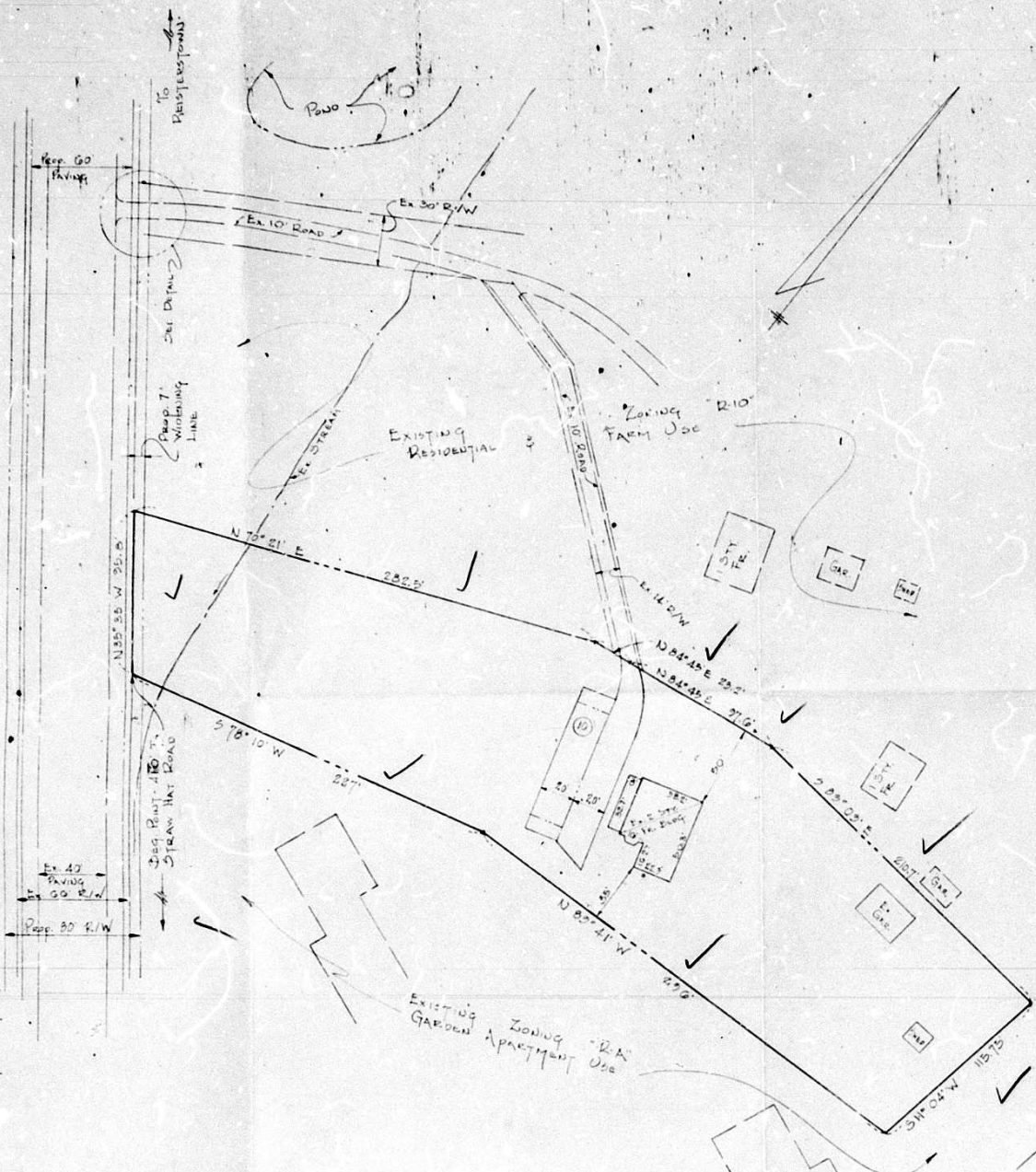
Your Petition has been received and accepted for filing this
_____ day of July, 1968.

Petitioner: Ben. Jaco
Petitioner's Attorney: William M. Neal Reviewed by: James J. Myers
Chairman of
Advisory Board
Zoning Commission

ROAD

REISTERSTOWN

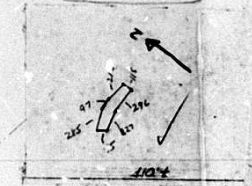
TO DART & DART DRIVEWAY



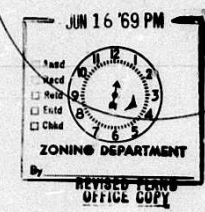
ENTRANCE DETAIL TO SITE
SCALE: 1"=50'

- GENERAL NOTES**
1. AREA OF PROPERTY = 1.002 AC.
 2. EXISTING ZONING OF PROPERTY "R-10"
 3. EXISTING USE OF PROPERTY "RESIDENTIAL"
 4. PROPOSED ZONING OF PROPERTY "RA WITH SPECIAL EXCEPTION"
 5. PROPOSED USE OF PROPERTY "OFFICE"
 6. OFF-STREET PARKING:
 - A. TOTAL AREA IN FLOOR = 1,500 SQ. FT.; TOTAL = 3,350 SQ. FT.
 - B. PARKING REQUIRED: NONE (LESS THAN 3000 SQ. FT. TOTAL FLOOR AREA)
 - C. PARKING PROPOSED: 10 SPACES
 7. ALL EXISTING STRUCTURES ON SITE TO REMAIN

OFFICE COPY



MAP #4
SEC. 2-C
NW-12-H
NW-12-I
RA-X



#262

MAP-BEN INC.

PLAT TO ACCOMPANY PETITIONS
FOR
RECLASSIFICATION & SPECIAL EXCEPTION TO PROPERTY
VICINITY
REISTERSTOWN ROAD & STRAW HAT RD.
ELECT. DIST. 4 BALTIMORE CO., MD.
JUNE 13, 1969
SCALE: 1"=50'

