

# 70-219 RA PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION HEARING AND VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:  
Charles E. Loveman, and Leonard H. Golombek  
I, or we, Melvyn F. Pugatch, legal owner(s) of the property situate in Baltimore County and as 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 from R-6 to B-1, and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for the following reasons:

1. Error in original zoning and See attached description Genuine
2. /Change in conditions

And a variance from Section 208.3 and 211.3 of the Baltimore County Zoning Regulations to permit a side yard variance of 8.5 feet rather than the required 20 feet; and  
A special hearing to eliminate that portion of the Special Exception No. 5662-XA herein requested to be reclassified from R-6 to B-1.

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

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.

Melvyn F. Pugatch  
Charles E. Loveman  
Leonard H. Golombek  
Legal Owner

Contract purchaser  
Address: West Road  
Towson, Maryland 21204

W. Lee Harrison  
Petitioner's Attorney  
Address: 306 W. Joppa Road  
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of March, 1970, 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 held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of May, 1970, at 11:00 o'clock.

Edward D. Hardisty  
Zoning Commissioner of Baltimore County

FROM THE OFFICE OF  
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.  
ENGINEERS  
P.O. BOX 6828, TOWSON, MD. 21204

Description to Accompany Zoning Petition  
of Parcel of land to be Re-classified from  
R-6 to B-1, and to be removed from  
Special Exception Case #5662-XA

January 30, 1970

Beginning for the same at a point on the south side of West Road, 70 feet wide, said point being distant 1183.8 feet southwesterly from the west side of York Road, running thence binding on the south side of West Road the two following courses, viz: (1) South 56° 22' 48" West 10.47 feet, and (2) along a curve to the left having a radius of 565.07 feet for a distance of 177.02 feet, said curve being subtended by a chord bearing South 47° 24' 44" West 176.29 feet, thence on the outlines of the Dulany Towson Nursing Home the two following courses, viz: (3) South 49° 14' 35" East 225.94 feet, and (4) North 56° 31' 00" East 207.00 feet, thence for lines of division the three following courses, viz: (5) North 33° 29' 00" West 122.00 feet, (6) South 56° 31' 00" West 83.83 feet, and (7) North 33° 29' 00" West 123.37 feet to the place of beginning.

Containing 1.084 Acres of land more or less.



## BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 11, 1970

COUNTY OFFICE BLDG.  
111 N. Charles Street  
Towson, Maryland 21204

OLIVER L. MYERS  
Chairman

MEMBERS  
BUREAU OF ENGINEERING  
DEPARTMENT OF TRAFFIC ENGINEERING  
STATE ROADS COMMISSION  
BUREAU OF FIRE PREVENTION  
HEALTH DEPARTMENT  
PROJECT PLANNING  
BUILDING DEPARTMENT  
BOARD OF EDUCATION  
ZONING ADMINISTRATION  
INDUSTRIAL DEVELOPMENT

W. Lee Harrison, Esq.,  
306 W. Joppa Road  
Towson, Maryland 21204

RE: Type of Hearing: Reclassification  
from an R-6 zone to an B-1 zone,  
and Special Exception for a convalescent  
home  
Location: S/2 West Rd., 1183.8 SW of  
York Road  
Committee Meeting of March 3, 1970  
9th District  
Item 168 Petitioners Melvyn F. Pugatch

Dear Sirs:

The Zoning 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.

The subject property is presently a part of an existing convalescent home which immediately adjoins the site on the eastern side. The property to the north is improved with office buildings. The property to the west with a supply warehouse and offices; the property to the south part of the Towson Junior High School athletic field. West Road in this location is improved with concrete curb and gutter.

### PROJECT PLANNING DIVISION:

This plan must be revised to show the recently approved addition to the convalescent home, along with the proposed means of access to the rear of the home for emergency vehicles.

### DEPARTMENT OF TRAFFIC ENGINEERING:

The plan as shown does not indicate improvements shown under previous zoning case. If the westernmost entrance is to be for two way or shown, the entrance should be widened to at least 24 feet.

W. Lee Harrison, Esq.

March 11, 1970

### HEALTH DEPARTMENT:

Public water and sewers are available to the site.

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

### FIRE DEPARTMENT:

Owner shall be required to maintain the rear entrance to convalescent home for Fire Department use. Driveway serving this purpose should be a minimum of 30' to prevent possible obstruction by parked cars.

Proposed office building shall comply to all applicable requirements of the 101 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

### BUILDING ENGINEER'S OFFICE:

Petitioner to comply with Baltimore County Building Code, Rules and Regulations when plans are submitted (See Section 409.10H).

### BOARD OF EDUCATION:

No bearing on student population.

### ZONING ADMINISTRATION DIVISION:

The site plan submitted with the petition does not show the true picture as it exists in the field. The convalescent home has an addition to the easternmost side which prevents circulation around the entire perimeter of the property. Revised plans must be submitted to this office prior to the hearing date being assigned showing the following:

1. The addition to the convalescent home.
2. A 30 ft. roadway which will provide access from West Road to the rear of the existing convalescent home.

Very truly yours,

Oliver L. Myers, Chairman

OLM:SD  
Encs.

RE: RECLASSIFICATION  
FROM R-6 ZONE TO A  
B-1 ZONE; SPECIAL  
EXCEPTION FOR A CONVALESCENT  
HOME; VARIANCE; AND  
SPECIAL HEARING  
LOCATION: WEST ROAD,  
TOWSON  
PETITIONER: MELVYN F.  
PUGATCH, CHARLES E. LOVEMAN  
AND LEONARD H. GOLOMBEK

BEFORE THE ZONING  
COMMISSIONER OF  
BALTIMORE COUNTY

### MEMORANDUM

Now comes Melvyn F. Pugatch, Charles E. Loveman and Leonard H. Golombek, Legal Owners of the above captioned property, by W. Lee Harrison, their attorney and in accordance with Eila 72, Section 22, 22 (b) states that the reclassification requested should be granted and for reasons say:

1. Numerous reclassifications have taken place in the immediate neighborhood:

- a). Case No. 3739--SW/A York Road with the S. E. /S. of Baltimore Beltway Reclassification from ML to BRH Granted 2/27/56
- b). Case No. 4919--N/S Kenilworth Drive 320 feet W/S West Road Reclassification from R-6 to MR Granted 4/5/69
- c). Case No. 5662-XA --E/S West Road 788 feet West of York Road; Special Exception--Convalescent Home; Granted 10/10/62
- d). Case No. 63-3--N/S Joppa Road opposite Piccadilly Road S/S Kenilworth Drive 719 feet West of West Road; Reclassification from R-10 and R-6 to RA; Granted 7/9/63
- e). Case No. 65-166-R--N/S Joppa Road opposite Chestnut Avenue; Reclassification from R-6, R-10 and R-29 to RA Granted 1/11/64
- f). Case No. 68-194-R--NW/Corner Kenilworth Drive and West Road; Reclassification from BRH to RM Granted 6/26/69

g). S/S Kenilworth Drive 609 feet SE of West Road; Reclassification from R-6 and R-10 to RA; Granted 5/7/69

2. That the immediate neighborhood has changed from a residential character to that of a commercial-industrial character.
3. And for such other and further reasons as may be shown at the hearing hereon.

W. Lee Harrison  
306 W. Joppa Road  
Towson, Maryland 21204-823-1200  
Attorney for Petitioner

Petition for Reclassification  
From R-6 to B-1 Zone;  
Variance to Sec. 208.3 and  
211.3 of Zoning Regulations;  
Petition for Special Hearing  
S/2 West Road 1183.8' S/W  
York Road, 9th District -  
Melvyn F. Pugatch, Chas. E.  
Loveman and Leonard Golombek  
Petitioners - No. 70-219-RA-  
SPH

The petitioners requested reclassification of the subject property from R-6 Zone to B-1 Zone; a variance to Section 208.3 and 211.3 of the Baltimore County Zoning Regulations to permit a side yard setback of 8.5' instead of the required 20' and a Special Hearing to eliminate that portion of the special exception No. 5662-XA herein requested to be reclassified from R-6 Zone to B-1 Zone.

The petitioners proved sufficient change in the character of the neighborhood to warrant the reclassification.

As strict compliance with the Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioners, a variance to permit a side yard setback of 8.5' instead of the required 20' should be granted.

The petition for a special hearing to eliminate that portion of the special exception granted under No. 5662-XA is requested to reclassify the property in No. 5662-XA from R-6 Zone to B-1 Zone.

It is this 5th day of June, 1970, ORDERED by the Deputy Zoning Commissioner of Baltimore County, that the herein described property or area is hereby reclassified from an R-6 Zone to B-1 Zone; a variance to permit a side yard setback of 8.5' instead of the required 20' should be granted.

It is further ORDERED that the special hearing to relinquish that portion of the special exception granted under No. 5662-XA, should be and the same is reclassified from R-6 Zone to B-1 Zone.

The site plan is subject to approval of the Bureau of Public Services and the Office of Planning and Zoning.

ORDER RECEIVED FOR FILING

DATE 6/10/70

BY

ADMINISTRATIVE ASSISTANT

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardisty, Zoning Commissioner Date: May 22, 1970

FROM: George E. Gavett, Director of Planning

SUBJECT: Petition #70-219-RASP: South side of West Road 1183.8 feet Southwest of York Road.  
Petition for Reclassification from R-6 to B-1.  
Petition for Variance to permit a side yard of 8.5 feet instead of the required 20 feet.  
Petition for Special Hearing to eliminate that portion of the Special Exception No. 5662-XA herein requested to be reclassified from R-6 to B-1.  
Melvyn F. Pugatch, et al - Petitioners

9th District

HEARING: Wednesday, May 27, 1970 (11:00 A.M.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition and voices no objection to the requested reclassification.

It notes that our current comprehensive zoning recommendations indicate M.L.R. zoning for the subject property. We do see commercial zoning here as an appropriate alternative, especially since the proposed office use appears to be a component part of the adjacent convalescent home. Granting of the special exception should be conditioned upon strict compliance with approved plans.

GEC:mh

11-10-70

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... 196... 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...

the above reclassification should NOT BE HAD, and or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this... day of... 196... that the above reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a... zone, and or the Special Exception for a... be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MICROFILMED

BUREAU OF ENGINEERING  
Zoning Plan - Comments  
March 11, 1970

168. Property Owner: Melvin F. Pugatch  
(1969-1970)  
Location: 3/2 West Road, 1181.8 SW of York Road  
District: 24.  
Present Zoning: S-6 with S.E. - Conv. Home  
Proposed Zoning: S-6 to R.L.

Since all public improvements required in connection with this site have been covered by Public Works Agreement #9306, this Office has no further comment.  
Filing  
Key - S-6, S.V.  
Pds - 41 and 42 WE 10 and 11  
Tops - WE 11 A  
Tax - 70

# BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 11, 1970

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204  
OLIVER L. MYERS  
Chairman  
MEMBERS  
BUREAU OF ENGINEERING  
DEPARTMENT OF  
TRAFFIC ENGINEERING  
STATE ROADS COMMISSION  
BUREAU OF  
FIRE PREVENTION  
HEALTH DEPARTMENT  
PROJECT PLANNING  
BUILDING DEPARTMENT  
BOARD OF EDUCATION  
ZONING ADMINISTRATION  
INDUSTRIAL  
DEVELOPMENT

W. Lee Harrison, Esq.,  
306 W. Joppa Road  
Towson, Maryland 21204

RE: Type of Hearing: Reclassification  
from an S-6 zone to an R.L. zone,  
and Special Exception for a convalescent  
home  
Location: 3/2 West Rd., 1181.8 SW of  
York Road  
Committee Meeting of March 3, 1970  
9th District  
Item 166 Petitioner: Melvin F. Pugatch

Dear Sirs:

The Zoning 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.

The subject property is presently a part of an existing convalescent home which immediately adjoins the site on the eastern side. The property to the north is improved with office buildings. The property to the west with a supply warehouse and offices; the property to the south part of the Towson Junior High School athletic field. West Road in this location is improved with concrete curb and gutter.

## PROJECT PLANNING DIVISION:

This plan must be revised to show the recently approved addition to the convalescent home, along with the proposed means of access to the rear of the home for emergency vehicles.

## DEPARTMENT OF TRAFFIC ENGINEERING:

The plan as shown does not indicate improvements shown under previous zoning case. If the westernmost entrance is to be for two way as shown, the entrance should be widened to at least 24 feet.

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9TH Date of Posting: MAY 9 - 1970  
Posted for: SEE OTHER SIDE  
Petitioner: MELVIN F. PUGATCH  
Location of property: 3/2 OF WEST RD. 1181.8 SW OF YORK RD.  
Location of Signs: 711 WEST RD.  
Remarks: [Signature]  
Posted by: [Signature] Date of return: MAY 15 - 1970  
70-219-RASP

W. Lee Harrison, Esq. - 2 - March 11, 1970

## HEALTH DEPARTMENT:

Public water and sewers are available to the site.  
Air Pollution Comments: The building or buildings on this site may 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.

## FIRE DEPARTMENT:

Owner shall be required to maintain the rear entrance to convalescent home for Fire Department use. Driveway serving this purpose should be a minimum of 30' to prevent possible obstruction by parked cars.

Proposed office building shall comply to all applicable requirements of the 101 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

## BUILDING ENGINEER'S OFFICE:

Petitioner to comply with Baltimore County Building Code, Rules and Regulations when plans are submitted (See Section 409.10H).

## BOARD OF EDUCATION:

No bearing on student population.

## ZONING ADMINISTRATION DIVISION:

The site plan submitted with the petition does not show the true picture as it exists in the field. The convalescent home has an addition to the easternmost side which prevents circulation around the entire perimeter of the property. Revised plans must be submitted to this office prior to the hearing date being assigned showing the following:

1. The addition to the convalescent home.
2. A 30 ft. roadway which will provide access from West Road to the rear of the existing convalescent home.

Very truly yours,

[Signature]  
OLIVER L. MYERS, Chairman

OLR:JD  
Encs.

## THE TOWSON TIMES

TOWSON, MD. 21204 May 11 - 1970

THIS IS TO CERTIFY, that the annexed advertisement of Edward D. Hardesty, Zoning Commissioner of Baltimore County was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for ONE week before the 11th day of May 1970, that is to say, the same was inserted in the issue of May 7, 1970.

STROMBERG PUBLICATIONS, Inc.

[Signature]

TELEPHONE 812-3000 EXT. 367  
INVOICE  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE  
Division of Collection & Receipts  
COURT HOUSE  
TOWSON, MARYLAND 21204  
No. 71258  
DATE May 4, 1970  
BILLED  
To: Melvin F. Pugatch & Associates, Inc.  
111 West Road  
Towson, Md. 21204  
Billing Dept. of Baltimore County  
REPORT TO ACCOUNT NO. 00-622  
QUANTITY  
DETAILS ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORD  
RETURN THIS PORTION WITH YOUR REMITTANCE  
TOTAL AMOUNT \$50.00  
COST  
Advertising and posting of property for Melvin F. Pugatch, et al  
\$50.00  
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND  
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

## CERTIFICATE OF PUBLICATION

TOWSON, MD. May 7, 1970  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, N. a weekly newspaper printed and published in Towson, Baltimore County, Md. once in each of... day of... 1970, that is to say, the same was inserted in the issue of May 7, 1970, that is to say, the same was inserted in the issue of May 7, 1970.

THE JEFFERSONIAN, Manager.

Cost of Advertisement, \$...

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

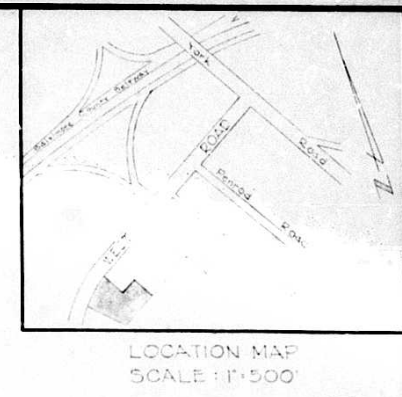
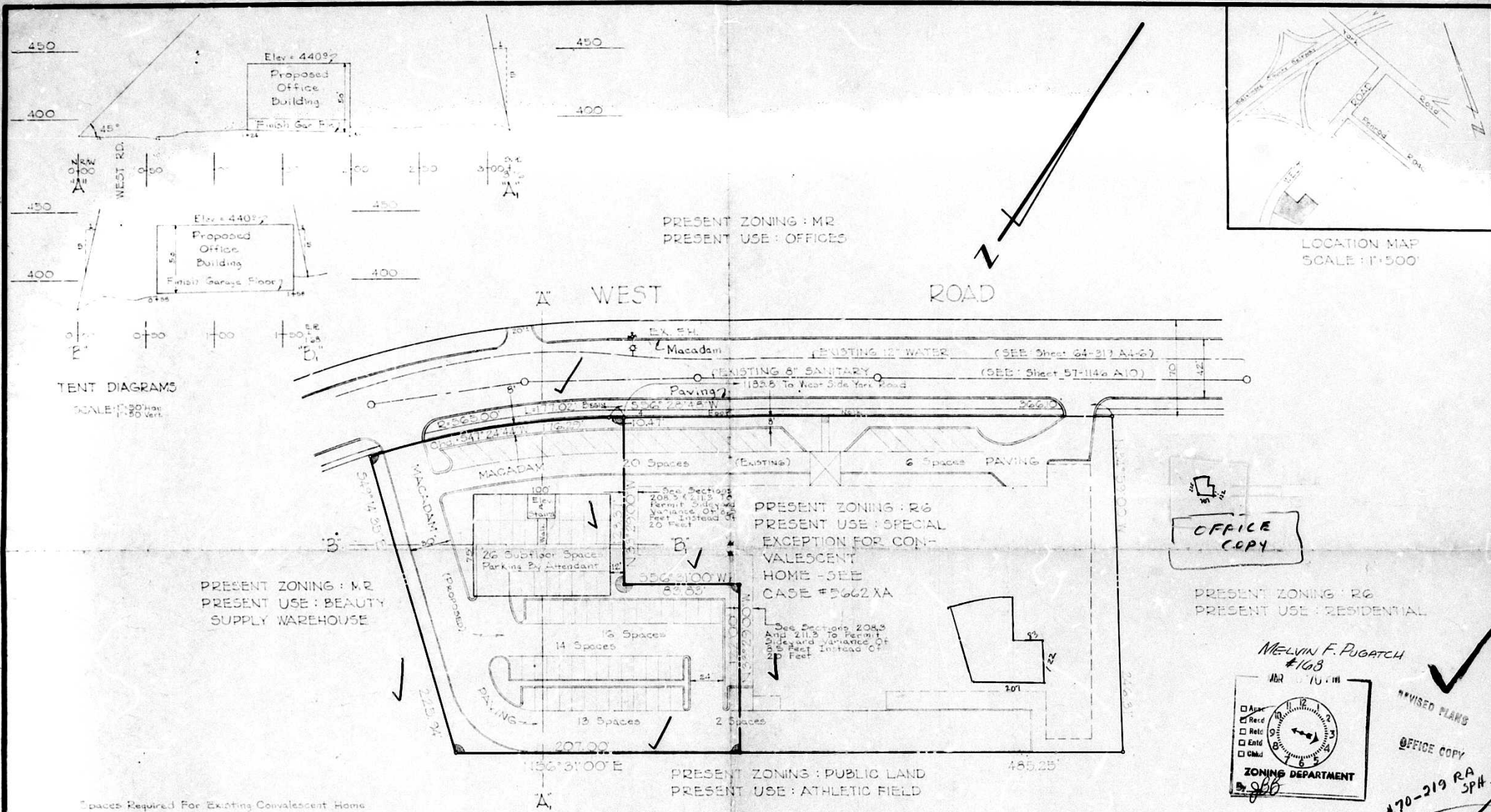
Your Petition has been received and accepted for filing this... day of... 1970

[Signature]  
EDWARD D. HARDESTY  
TOWSON, D. HARDESTY,  
Zoning Commissioner

Petitioner: Melvin F. Pugatch  
Petitioner's Attorney: [Signature]  
Reviewed by: [Signature]  
Chairman of  
Advisory Committee

TELEPHONE 812-3000 EXT. 367  
INVOICE  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE  
Division of Collection & Receipts  
COURT HOUSE  
TOWSON, MARYLAND 21204  
No. 71206  
DATE May 4, 1970  
BILLED  
To: W. Lee Harrison, Esq.  
306 W. Joppa Road  
Towson, Md. 21204  
Billing Dept. of Baltimore County  
REPORT TO ACCOUNT NO. 00-622  
QUANTITY  
DETAILS ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORD  
RETURN THIS PORTION WITH YOUR REMITTANCE  
TOTAL AMOUNT \$50.00  
COST  
Petition for Reclassification, Variance for Melvin F. Pugatch, et al  
\$50.00  
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND  
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

11-10-70



**TENT DIAGRAMS**  
SCALE: 1"=50' Hor.  
1"=20' Vert.

**OFFICE COPY**

**MELVIN F. PUGATCH**  
#108  
JBR 10-111

**REVISOR PLANS**  
**OFFICE COPY**  
#70-219 RA SP#

**MAP #9**  
**SEC. 3-C**  
**NE-11-A**  
**BL-A**

Spaces Required For Existing Convalescent Home

|                                                    |                  |                            |
|----------------------------------------------------|------------------|----------------------------|
| 1 Space Per 10 Beds                                | 15 Spaces        | 17 Spaces Available        |
| 1 Space Per 300 Sq. Ft. Floor Area (1st Floor)     | 25 Spaces        | 25 Spaces Available        |
| 1 Space Per 300 Sq. Ft. Floor Area (2nd Floor)     | 25 Spaces        | 25 Spaces Available        |
| 1 Space Per 300 Sq. Ft. Floor Area (3rd Floor)     | 45 Spaces        | 35 Spaces Available        |
| <b>Total Spaces Required For Office Building</b>   | <b>70 Spaces</b> | <b>80 Spaces Available</b> |
| <b>Total Spaces Required For Convalescent Home</b> | <b>85 Spaces</b> | <b>97 Spaces Available</b> |

**PARKING TO BE SHARED BY BOTH FACILITIES**

**NOTE:**  
AREA ENCLOSED BY D = 1.084 ACRES



**GEORGE WILLIAM STEPHENS, JR.**  
**AND ASSOCIATES, INC.**  
ENGINEERS  
303 ALLEGHENY AVE.  
TOWSON 4, MARYLAND

**NOTE:**  
Sideyard Variances Requested From 20 Feet To 8.5 Feet Along The West Side Of The Existing Convalescent Home (See Sideyard Sections 208.3 & 211.3 Of Balt. Co. Zoning Regulations.)

**PLAT TO ACCOMPANY ZONING PETITION**  
**RECLASSIFICATION FROM R6 TO BL WITH SIDEYARD**  
**VARIANCES, AND SPECIAL HEARING TO REMOVE**  
**A PORTION OF SPECIAL EXCEPTION**  
**FROM CASE # 5662 XA**  
**WEST ROAD - TOWSON, MARYLAND**

**BALTIMORE COUNTY, MARYLAND**  
**SCALE: 1"=50'**  
**ELECTION DISTRICT # NINE**  
**DECEMBER 2, 1969**  
**REVISION: PROPOSED BUILDING CHANGED TO 4 STORY JANUARY 19, 1970**  
Revised January 20, 1970  
Revised March 21, 1970

