### PETITION FOR ZONING RE-CLASSIFICATION NE 90 71-2-X AND/OR SPECIAL EXCEPTION

SIONER OF BALTIMORE COUNTY

or we, Strutt & Poole, Inc. . . . . legal owners, of the property situate in Paltim County and which is described in the description and plat attached hereto and made a part hereof, EASTER hereby petition. (1) that the zoning status of the her/in described property be re-class to anSEC.3-C to the Zoning Law of Baltimore County, from are. NE-3-D

... zone: for the following reasons

"X"

STRUTT AND POOLE, A/S Putty Hill Rd. Harford Rd.

INC. 261.3

10.7

9th

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See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimor County, to use the herein described property, fo .... 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 mains regulations and restrictions of Baltimore County adopted pursuant to the Zor og Law for Baltimore

200 Padonia Road, East Cockeysville, Md, 21030

ORDERED By The Zoning Commissioner of Faltimore County, this.

19879, that the subject matter of this petition be advertised, as ired by the Zoning Law of Baltimore County, in two newspapers of general circulation through taltimore County, that property be posted, and that the public bearing be had before the Zoning

Address ... 321 Pressway Road ...

Timonium, Maryland 21093

Protestant's Attorney

RE: PETITION FOR SPECIAL FXCEP-

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N/S of Putty Hill Road, 261. 3' W : of Old Harford Road - 9th District Strutt and Poole, Incorporated -NO. 71-2-X (item No. 487)

BEFORE THE DEPUTY ZONING

COMMISSIONER

BALTIMORE COUNTY ::: ::: :::

ORDER OF APPEAL

MR, CLERK:

Please note an appeal on behalf of Strutt and Poole. Inc. Petitioner in the abo'e capt' ned case; to the Baltimore County Board of Appeals.

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RE: PETITION FOR SPECIAL EXCEPTION for Offices and Office Building N/S Putty Hill Road, 261.3' W. of Old Horford Road, 9th District Strutt & Poole, Inc.,

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RCFORE COUNTY BOARD OF APPEALS 0 BALTIMORE COUNT

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No. 71-2-X 

OFINION

This case comes before the Board on an appeal by the Patitioner from a ecision of the Deputy Zoning Commissioner, dated July 27, 1970, denying the requested The Petitioner seeks a Special Exception to permit an Office Building in an

The subject property is known as 2314 Putty Hill Road. It is on the north side of the street 261 feet west of Old Harford Road, in the Ninth Election District of Baltimore County. The property consists of a rectangular lat, 100 feet wide by 216 feet ved by an oid frame cottage that would be razed if the petition were granted.

The subject property at the time of the appeal was zoned R-A (Residential coording to the Baltimore County Zoning Map 3-C, adopted by the County Council on August 1, 1966. A comparable zoning, titled D.R. 16 (Density Residential 16 density units per acre) has since been assigned the property on the new zoning map, adopted March 24, 1971. An office building was a permitted use by Special Exceptio in the old R-A zone, and is now permitted by Special Exception in the new D.R. 16 zone.

Beginning at the street corner on the west side of Old Harford Road and the north side of Putty Hill Road, there is a service station and a residential cottage in a B.L. Progressing westwardly, along the north side of Putty Hill Road, there is another cottage, then the subject property, followed by four or five more residential cottages, all in an opartment zone. Next is a small public playground, followed by an R-A zone extending to Perring Parkway. On the south side of Putty Hill Road, at the corner on the west side of Old Harford Road, is a Fire and Police Station, and west of this, ross the street from the subject property, is an American Legion Hall. Fanning out in a peripheral area from the above described properties are several group house

BEFORE THE RE: PETITION FOR SPECIAL EXCEP- : TION
N/S of Putty Hill Roac, 261.3' W
of Old Harford Road - 9th District
Strutt and Poole, Incorporated -Petitioner NO. 71-2-X (Item No. 287) OF PALTIMORE COUNTY

> ... ... ... 111 111 111

The Petitioner seeks a Special Exception to permit an office building and offices in an RA zone, the property being located on the north side of Futty Hill Road, 261.3 feet west of Old Harford Road and known as 2314 Putty Hill Road, the property in question consisting of 0.497 of an acre,

Testimon, 'ndicated that the Petitioner proposes a two story office building with occupancy by professional men such as doctors, .awyers, etc., but has no definite prospective tenants and is not definite in this propos-

Residents of the area, in protest of the granting of this Petition, testified that the traffic along this portion of Putty Hill Road is extremely heavy and congested. Testimony further revealed that all adjacent properties in that block, except at the corner of Putty Hill Road and Old Harford Road, are zoned RA but occupied by individual residences; that one block to the west of the subject property is a playground and park. Located on the south side of Putty Hill Road is the Parkville American Legion Hall, the Parkville Police Station, and the Parkville Fire Station,

Without reviewing the evidence turther in detail but based on lence presented at the hearing, it is the Deputy Zoning Commiss that the granting of this Special Exception would tend to create an in traffic congestion on Putty Hill Road This increased congestion would be detrime, take to the health, safety and general welfare of the locality involved, and more particularly, a hazard to the children and visitors to the playeround

Strutt & Poole, Inc. - #71-2-X

The proposed affice building would be a modern two story mosonry building. base size 50 by 60 feet for a total of 6,000 square feet of floor space. Eighteen parking

spaces would be provided on site. No definite tenants have been secured or propo

"Before any Special Exception shall be granted, it must appear that the use for which the Special Exception is requested will not

- Be detrimental to the health, safety, or general velfare of the locality involved;

  Tend to create congestion in roads, streets or alleys therein, create a potential bazard from fire, ponir or other dangers;

  Tend to overcrowd land and cause under concentration of

- population; Interfere with adequate provisions for schools, parks, water, sewarage, transportation or other public requirements, convenience, or improvements; Interfere with adequate light and air."

In this respect, the Petitioner's traffic expert witness testified that Putty Hill Road is paved 44 feet wide on a 70 foot wide right-of-way; that there is good sight distance along the street from the subject, and that the streets could adequately handle an erated by the proposal. There was further expert testimony that the sewer and utilities are adequate to service the proposal. However, the Protestants from homes testified that the prevailing traffic conditions on Putty Hill were to the safety of their children, particularly when they cross the street to visit They were fearful that this condition would be aggravated by granting the petition, and that the office building would change the character of their neighborhood They further complained that granting the petition would open the door to granting further Special Exceptions along the short stretch of Putty Hill Road from Old Harford Road to

The members of the Board have visited the site and are impressed with the mony of the Protestants. Furthermore, from the testimony presented, the Petitioner in the Board's opinion, has failed to specifically overcome the burden of sat'sfying the requirements of Section 502.1 (a) of the Zuning Regulations, cited above. Therefore, the decision of the Deputy Zoning Commissioner will and hereby is affirmed, and the ested Special Exception to permit an office building is denied

For the aforegoing reasons and the prerequisites of Section

502. 1 of the Baltimore County Zoning Regulations not having been met IT IS

OFDERED by the Deputy Zoning Commissioner of Baltimore County this 27 5 day of July, 1970, that the Special Exception for an office building

and offices by and the same is hereby DENIED

ORDER RECEIVED FOR FILING

DATE

Strutt & Poole, Inc. - #71-2-X

ORDER

For the reasons set forth in the aforegoing Opinion, it is this\_5th of August, 1971, by the County Board of Appeals, ORDERED that the special exception petitioned for be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

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MEMORANDUM TO ACCOMPANY PETITION

Applicant requests no zoning change, recognizing the ateness of current categories as shown on Land Use Map.

Special Exception is requested for the following reasons, all consistent with provisions of Sections 215.5, 409.2 and 502.1 of the Zoning Regulations for Baltimore County (See accompanying

Applicant further calls attention to existing usages i neighborhood, widening of Putty Hill Road (44° of paving on 70° R/W) and need for proposed facility in the area. Proposed tenants of the building will be day-time occupants, five days a week, clerical type, non sales organizations

10-20-71

April 13, 1970

eing distant 31.3 feet more or less measured south-



# BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. Edward D. Hardesty, Zoning Commissioner Date June 30, 1970

FROM Mr. George E. Gavrelis, Director of Planning

SUBJECT Pattion 171-2-X. North side of Putry Hill Road 261.3 feet West of Old Harford Rd. Seruit and Poole, Inc. - Petitioners

9th District

HEARING: Monday, July 6, 1977 (10:30 a.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for special exception for offices and office building.



(0) CERTIFICATE OF PUBLICATION

TOWSON, MD.,...June 18,

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THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed appearing on the \_\_\_\_ 18th \_\_\_\_ day of \_\_\_\_ Juna

THE JEFFERSONIAN,

S. Leach South Cost of Advertisement, 8\_

MONDAY, JULY

TOWSON LIME

June 29, 1970

THIS IS TO CERTIFY, that the annexed adventisement of Edward D. Hardesty, Woning Commissioner of Baltimore County

was inserted in TriE TOWS ON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for One XXXXXXXX weeks before the 29th day of Juns, 1970, that is to say, the same was inserted in the issues of June 18, 1970.

STROMBERG PUBLICATIONS. Inc.

B, Buth Morgan

# BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

OLIVER L. MYERS NEMBERS

BUBEAU OF DEPARTMENT OF TRAFFIC LAGINEERICS

STATE ROADS CONST BUREAU OF FIRE PREVENTION HEALTH DEPARTMENT PROFECT PLANNING

BUILDING DEPARTMEN MONING ADMINISTRATI DESCRIPTION OF THE PROPERTY OF

June 11, 1970

John W. Armiger, Esq. 200 Padonia Road, East Cockeys ille, Maryland 21030

REt Type of Mearing: Special Exception for Offices and Office Building Location: N/S Putty Hill Ave., 261 3'± W. of Old Marford Rd. Petitioner: Strutt 6 Poole, Inc. Committee Meeting of May 5, 1970 9th District Item 287

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 improved with a frame dwelling. The properties to the northeast and west improved with dwellings, 10 to 20 years of age, in excelling the control of the

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.

Putty Hill Road is an existing 44-foot curbed roadway on a 70-foot right-of-way. No additional improvements are required.

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or

John W. Armiger, Esq. 200 Padonia Road, East Cockeysville, Maryland 21030 Item 287

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- 2 -June 11, 1970

# Storm Drains: (Continued)

damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to impreser grading or improper instellation of drainage facolities, would be the full responsibility of the petitioner.

Development of this property through stripping, greding and stabilization could result in a sediment pollution problem, damaging private and public notlings domnstream 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.

# Water and Sanitary Sewerage:

Public water and sanitary sewer are available to serve this site.

This office has reviewed the subject site plan and offers the following

This plan must be revised prior to a hearing showing minimum 18' d. iveways.

# DEPARTMENT OF TRAFFIC ENGINEERING:

The subject wetition is requesting a Special Exception for offices. Since the site is so small, no major trip increase is expected. Should this entire area be converted however to offices, some oroblems can be exceeded at the intersection of virty HIII Road and Old Harford Road, Access to the 6 spaces in frort of the building is questionable.

### FIRE DEPARTMENT:

Owner shall be required to 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 all applicable requirements of Baltimore County Building Code and Regulations when plans are submitted.

John W. Armiger, Esq. 200 Padonia Road, Eas: Cockeysville, Maryland 21030 Item 287

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June 11, 1970

# BOARD OF EDUCATION:

Would not affect student population.

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19. 70.

# HEALTH DEPARTMENT:

Public water and sewers are available.

Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Paryland State Marith Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Desertment of Health.

- 3 -

## ZONING ADMINISTRATION DIVISION:

Revised plans must be submitted to this office prior to the hearing indicating the following:

1. 18 ft. driveways instead of 15 ft. as

Revision must be made to the entrance to provide for better parking circulation in the front.

This patition 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.

Mluw L. Myers OLIVER L. MYERS, Chairman

OLM: JO Enc.

1 Sign	CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY	1/5
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/ Sign 2	CERTIFICATE OF POSTING	ry V
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and	-	11-2-1
District. 9/16	Date of D	sting Syl 10 - 19
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Petitioner Statt	I Poul me	
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Location of property: N/S	+ Park man. Pully Hill Rd 261.3	'W. Z ald Hory
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Location of Signs: Lecy	Bully Hill Rd 261.3 in Robbs in Danly	'W. Jaled Hey Your No 2319

	CALTIMORE COUNTY OFFICE OF PLANNING & ZONING
Samuel of the same	County Office Building 111 M. Chesapteke Avenue Towson, Maryland 21204
$\sim$ $\sim$ $\sim$ $\sim$	Your Petition has been received and accepted for filing
Z this,	day of 1970
	Easel D Hards to
Petitioner: Brutt & Pe	- Sammasa oner
Petitioner's Attorney	tin th. And garages, Sentence M. J.
	Reviewed by Sure Myss Charman of Advisory Committee
	The state of the s

494-2413	BALTIMO	ORE COUNTY, MAR	ILAND	73820
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24500000			× -

TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

# CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in TriE JEFFERSONIA'N, a weekly newspaper printed appearing on the \_\_\_loth \_\_day of \_\_\_\_\_lune \_\_\_

L. Leank Sharps

Cost of Advertisement, \$ ....

