

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, John E. Markel, 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an NE-BA zone, for the following reasons:

There was a mistake in the original zoning and/or the character of the neighborhood has changed to such an extent that the reclassification requested is proper.

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.

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.

Contract purchaser John E. Markel Legal Owner

Address Address 7403 York Road Towson, Md. 21204

James D. Nolan Nolan, Plumhoff and Williams Protestant's Attorney

Address 204 W. Penna. Ave., Towson, Md. 823-7800 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of June, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 3rd day of August, 1970, at 1:30 o'clock.

Edward P. Hardisty
Zoning Commissioner of Baltimore County.

(over)

Richard L. Jarvis, P. E.
2404 Stonyaside Drive
Fallston, Maryland 21047, Tel. No. (410) 879-9324

DESCRIPTION

0.45 ACRE PARCEL, MORE OR LESS, LOTS 140 AND 141 IN SECTION ONE OF WILTONDALE, EAST SIDE OF YORK ROAD, NORTH SIDE OF SUSSEX ROAD, NINTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for RA Zoning with Special Exception for Offices

Beginning at a pipe marking the intersection of the north side of Sussex Road, and the east side of York Road, being the southwest corner of Lot 141, hereinafter referred to; running thence binding on said York Road five courses: (1) North 19° 47' East along the western boundary line of Lots 141 and 140, one hundred-forty eight and 2/100 (148.02) feet; (2) thence at right angles South 70° 13' East, one hundred-fifty (150) feet; (3) thence South 19° 47' West, one hundred-seventy and 2/100 (107.02) feet to the northern side of Sussex Road; (4) thence North 88° 20' West one hundred thirty-one and 89/100 (131.89) feet; (5) thence North 70° 13' West, twenty-four and 45/100 (24.45) feet, to the point of beginning.

Being the entirety of Lots 140 and 141 in Section One of Wiltondale, being a resubdivision of part of Plat #1 - Wiltondale, recorded among the land records of Baltimore County in Plat # 8 W.P.C. No. 8, Folio 57.



March 16, 1970

RE: PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION
NE/corner of York Road and Sussex Road - 9th District
John E. Markel, et ux - Petitioners
NO. 70-29-RX (Item No. 225)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioners have withdrawn their Petition and it is, therefore, ORDERED by the Deputy Zoning Commissioner of Baltimore County this 30th day of July, 1970, that the said Petition be and the same is hereby DISMISSED without prejudice.

John E. Markel
Deputy Zoning Commissioner of Baltimore County

EX PARTE
IN THE MATTER OF
PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION
FOR
JOHN E. MARKEL, D.D.S.
#71-29-RX

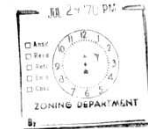
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

ORDER OF DISMISSAL

Mr. Commissioner:

Please dismiss the above entitled matter without prejudice.

John E. Markel
John E. Markel
Elva M. Markel
Elva M. Markel



LAW OFFICE
NOLAN, PLUMHOFF
& WILLIAMS
TOWSON, MD.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 11, 1970

James D. Nolan, Esq.,
204 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Type of Hearing: Reclassification from an R-6 zone to an RA zone, and for Special Exception for offices. Location: NS Cor. 1st, York and Sussex Rd. Petitioner: John E. Markel Committee Meeting of April 14, 1970 Item 225

Dear Sir:

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 dwelling on Lot 140 and a vacant lot on Lot 141. The property to the north is improved with doctors' offices and residences. The property to the east is improved with dwellings, 10 to 15 years of age, in excellent repair. The property to the south is improved with an office building as well as the property to the west. A portion of the property to the west, however, is also improved with a church. York Road and Sussex Road in this location are improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:

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.

Highways:

York Road is a State road; therefore, all improvements, intersections, and entrances on this road will be subject to State Roads Commission requirements.

James D. Nolan, Esq.,
204 W. Pennsylvania Avenue
Towson, Maryland 21204
Item 225

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May 11, 1970

Highways: (Continued)

Sussex Road is an existing 24-foot curbed street on a 40-foot right-of-way and is not scheduled for additional improvements at this time. However, a 5-foot widening strip will be required on Sussex Road for the frontage of the site.

Baltimore County maintains the existing alley to the rear of the site. Since the existing alley is inadequate to serve proper access for the parking facilities, it is proposed that the existing alley ultimately be widened to permit construction of a 20-foot wide roadway. No alley improvements are required at this time; however, the widening must be established along the rear of this property in connection with any subsequent grading or building permit applications.

Storm Drainage:

The petitioner must provide necessary drainage facilities (temporary or permanent) 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 improper installation of drainage facilities, would be the full responsibility of the petitioner.

Sediment Control:

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

Water and Sewer:

Public water supply and sanitary sewerage are available to serve this property.

PROJECT PLANNING DIVISION: This office has reviewed the subject site and offers the following comments:

The plan must be revised to show channelization of the parking with a minimum of 20' alley and 40' for the parking. The paving and curb return must be shown as Sussex Road.

James D. Nolan, Esq.,
204 W. Pennsylvania Avenue
Towson, Maryland 21204
Item 225

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May 11, 1970

DEPT. OF TRAFFIC ENGINEERING:

The subject petition indicates parking with access only to a 15 foot paved alley. A parcel this small should create no major change in trip density. However, should additional land be developed for offices, problems can be anticipated with the 15 foot alley.

BOARD OF EDUCATION:

Would not increase student population if the Special Exception for an office building is granted.

FIRE DEPARTMENT:

Owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

STATE ROADS COMMISSION:

The subject plan in rates no access to the State Highway; therefore, there will be no requirements from the State Roads Commission.

HEALTH DEPARTMENT:

This plan is not complete, therefore, this office cannot make proper comments.

BUILDING ENGINEER'S OFFICE:

Petitioner to meet requirements of the Baltimore County Building Code, Rules and Regulations.

ZONING ADMINISTRATION DIVISION:

This office is withholding a hearing date until such time as the following are shown on revised plans:

1. A revised parking area. It is suggested that the petitioner contact this writer in regard to revising the parking layout.

James D. Nolan, Esq.,
204 W. Pennsylvania Avenue
Towson, Maryland 21204
Item 225

- 4 - May 11, 1970

ZONING ADMINISTRATION DIVISION: (Continued)

- The means for providing sewer and water disposal to the subject site.
- The existing and proposed highway right-of-way and paving width of York Road and Sussex Road.
- The 4' high wall fence that is indicated on the petitioner's site plan does not exist. However, a dwelling does exist on the adjoining properties, both to the north and to the east. These dwellings must be indicated on the revised plans.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

CLM:JD

Enc.

11-16-70

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 re-classification 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

be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Zoning Commissioner Date: July 31, 1970

FROM: Mr. George E. Gavelis, Director of Planning

SUBJECT: Petition #71-29-RX. Northeast corner of York and Sussex Roads.
Petition for Reclassification from R-6 to R.A.
Petition for Special Exception for Offices.
John E. Markel - Petitioner

9th District

HEARING: Monday, August 3, 1970 (1:30 p.m.)

It is our understanding that this petition has been withdrawn and that comment is not required.

GEG:msh

PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION

LOCATION: From R-6 to R.A. Zone.
Petition for Special Exception for Offices.
DATE & TIME: Monday, August 3, 1970 at 1:30 P.M.
COUNTY OFFICE BUILDING, 113 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND.

The Zoning Commissioner of Baltimore County, by authority of the Board of Commissioners of Baltimore County, will hold a public hearing on the above petition for Special Exception for Offices.

Present Zoning: R-6.
Proposed Zoning: R.A.
Petition for Special Exception for Offices.
All that parcel of land in the Ninth District of Baltimore County, Maryland, containing a piece of property situated on the north side of York Road, and the east side of Sussex Road, and the southeast corner of Lot 141, hereinafter referred to as "the property," containing an area of approximately 1.5 acres, more or less, and being the same as the property described in the petition filed with the Zoning Commissioner of Baltimore County on July 16, 1970.

Being the property of John E. Markel and Mrs. Mary Markel, as tenants in common, and being the same as the property described in the petition filed with the Zoning Commissioner of Baltimore County on July 16, 1970.

July 16, 1970

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 16, 1970

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 the following days before the 3rd day of August, 1970, the first publication appearing on the 16th day of July, 1970.

THE JEFFERSONIAN

Manager

Cost of advertisement, \$

THE TOWSON TIMES

724 YORK ROAD
TOWSON, MD. 21204

July 20, 1970

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

was inserted in THE DUNDALK TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for One week before the 20th day of July, 1970, that is to say, the same was inserted in the issue of July 16, 1970.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

James P. Nolan, Esquire
208 W. Pennsylvania Avenue
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
113 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 31st day of July, 1970.

Edward D. Hardesty
Zoning Commissioner

Petitioner: John E. Markel

Petitioner's Attorney James P. Nolan, Esquire Reviewed by Edward D. Hardesty, Zoning Commissioner

PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION

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July 16, 1970

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#71-29-RX

District: 9th Date of Posting: July 16, 1970

Posted for: Hearing Monday, Aug. 3rd, 1970, at 1:30 P.M.

Petitioner: John E. Markel

Location of property: N.E. corner of York Rd. & Sussex Rd.

Location of Signs: 2 Posted on York Rd. 2 Posted on Sussex Rd.

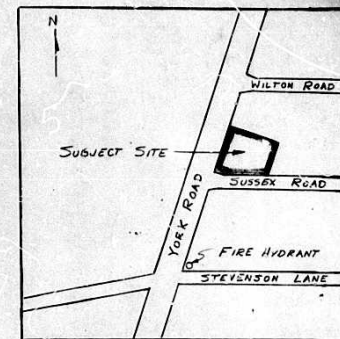
Remarks: None

Posted by: [Signature] Date of return: July 23, 1970

TELEPHONE 484-2419 INVOICE No. 73725
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204
DATE July 20, 1970
TO: Messrs. John E. Markel and William J. Markel, Petitioners
208 W. Pennsylvania Ave.
Towson, Md. 21204
Zoning Dept. of Baltimore County
RECEIVED TO ACCOUNT NO. 01-002
TOTAL AMOUNT \$5.00
ADVERTISING AND POSTING OF PROPERTY FOR JOHN E. MARKEL
\$5.00
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO OFFICE OF FINANCE, REVENUE DIVISION
COURTHOUSE, TOWSON, MARYLAND 21204

TELEPHONE 484-2419 INVOICE No. 71323
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE July 16, 1970
TO: James P. Nolan, Esquire
208 W. Pennsylvania Ave.
Towson, Md. 21204
Zoning Dept. of Baltimore County
RECEIVED TO ACCOUNT NO. 01-002
TOTAL AMOUNT \$5.00
ADVERTISING FOR RECLASSIFICATION
\$5.00
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

James P. Nolan, Esquire
208 W. Pennsylvania Avenue
Towson, Maryland 21204
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
113 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received and accepted for filing this 31st day of July, 1970.
Edward D. Hardesty
Zoning Commissioner
Petitioner: John E. Markel
Petitioner's Attorney James P. Nolan, Esquire Reviewed by Edward D. Hardesty, Zoning Commissioner



LOCATION PLAN
SCALE: 1" = 200'

#71-29RX

OFFICE
COPY

MAP
#3
SEC. 3-C
NE-8-A
RA-X

#225
MARCEL



REVISED PLANS

PLAT TO ACCOMPANY PETITION
FOR
RECLASSIFICATION & SPECIAL EXCEPTION
OF PROPERTY
VICINITY

YORK ROAD & SUSSEX ROAD

ELECTION DISTRICT-9 BALTIMORE CO., MD

SCALE: 1" = 20' MARCH 16, 1970

REVISED JUNE 24, 1970

PARKING LOT

OFFICE BUILDING

CHURCH PROPERTY

YORK ROAD

RESIDENCE

EXISTING R6 ZONING
RESIDENTIAL USE

RESIDENCE

RESIDENCE
DR. J.E. MARCEL
7413 YORK RD.

LOT 140

LOT 141

OFFICES
1050 SQ. FT.

25' SET BACK LINE

SIDE WALK

8" SEWER LINE

6" WATER LINE

EXISTING RIGHT-OF-WAY

PROPOSED RIGHT-OF-WAY

EXISTING PAVING

40' RIGHT-OF-WAY

EXISTING RA ZONING
WITH SPECIAL EXCEPTION FOR OFFICES

EXISTING R6 ZONING

GENERAL NOTES

1. TOTAL AREA OF TRACT EQUALS - 19629 SQ. FT.
 - A. AREA OF LOT 140 EQUALS - 8625 SQ. FT.
 - B. AREA OF LOT 141 EQUALS - 11004 SQ. FT.
2. EXISTING ZONING OF TRACT IS R6 - RESIDENTIAL USE
3. PROPOSED ZONING OF TRACT IS RA WITH SPECIAL EXCEPTION FOR OFFICES
4. TOTAL FLOOR AREA OF OFFICES EQUALS - 3150 SQ. FT.
5. REQUIRED PARKING EQUALS 11 UNITS
6. PROPOSED PARKING EQUALS 11 UNITS
7. FIRE HYDRANT IS LOCATED WITHIN 400 FEET OF PROPERTY

