

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION AND VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Henry Goldsmith, et al., legal owner(s) 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 NR-2-C zone to an NW-B-F zone; for the following reasons:

And a variance to section 205.2 of the Zoning Code of Baltimore County to permit a front yard of 30' instead of the required 60'.

Strict compliance with the Baltimore County Code would result in undue hardship on the contract purchaser.

We 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, a FUNERAL HOME.

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 of Baltimore County.

Henry Goldsmith, et al. Legal Owner

Stuart Tilton Legal Owner

Address 8201 Nina Cr. Baltimore, Maryland

Stuart Tilton Protestant's Attorney

Address 202 Loyola Federal Bldg. Towson, Md

Phone: 828-5688

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day

of August, 1979, 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, 1979, at 10:30 o'clock

Edward D. Hardesty Zoning Commissioner of Baltimore County

(over)

10:30P
9/19/79
400

71-85-XA

RE: PETITION FOR SPECIAL EXCEP- : BEFORE THE
TION AND VARIANCE : DEPUTY ZONING
N/S of Old Court Road and the E/S : COMMISSIONER
of Naylor's Lane - 3rd District :
Henry Goldsmith, et al. - Petitioners :
NO. 71-85-XA (Item No. 366) :
OF
BALTIMORE COUNTY

The Petitioners have withdrawn their Petition and it is, therefore, ORDERED by the Deputy Zoning Commissioner of Baltimore County this 17c day of September, 1970, that the said Petition be and the same is hereby DISMISSED without prejudice.

Ed. D. Hardesty
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE 9/17/79

BY Ed. D. Hardesty

71-85-XA

71-85-XA

MCA
MATE, CHILDS & ASSOCIATES, INC.
CONSULTING
ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-923-0900

Lester Matz, P.E., L.S.
John C. Childs, P.E., L.S.
Associates
Ronald W. Myers, L.S.
George W. Shubert, L.S.
Robert W. Craban, P.E.
Leonard M. Goss, P.E.
Norman F. Harman, L.S.
Paul Lee, P.E.
Paul S. Swanson

DESCRIPTION

3.56 ACRE PARCEL, NORTH SIDE OF OLD COURT ROAD,

EAST AND SOUTHEAST SIDE OF NAYLOR'S LANE.

THIRD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

This Description is for Special Exception for a Funeral Home in an R-20 Zone.

Beginning for the same at the southeast end of the gusset line connecting the north side of Old Court Road, seventy feet wide, with the east side of Naylor's Lane, sixty feet wide, as shown on Baltimore County Bureau of Land Acquisition Plan RW 64-284-12, running thence binding on said gusset line, (1) N. 40° 17' 00" W. 41.96 feet, thence binding on the east and southeast side of Naylor's Lane, as shown on said plan and on Plan RW 64-284-11, three courses: (2) N. 07° 01' 20" E. 36.54 feet, (3) north-easterly, by a curve to the right with the radius of 170.00 feet, the distance of 128.44 feet, and (4) N. 50° 18' 30" E. 385 feet, more or less, thence along a part of the fourth line of the land conveyed to Howard M. Kern and wife by deed recorded among the Land Records of Baltimore County in Liber C.L.B. 2305, page 278, and along a part of the fifth line thereof two courses: (5) southeasterly 395 feet, more or less, and (6) S. 48° 43' 20" W. 82 feet, more or less, thence binding on the aforementioned north side of Old Court Road as shown on the plan first herein mentioned and on Plan RW 64-284-13.

Water Supply • Sewerage • Drainage • Highways • Structures • Developments • Planning • Reports

MCA
MATE, CHILDS & ASSOCIATES, INC.

71-85-XA

three courses: (7) S. 73° 01' 40" W. 135 feet, more or less, (8) westerly, by a curve to the right with the radius of 865.00 feet, the distance of 362.25 feet, and (9) N. 82° 58' 40" W. 36.29 feet to the place of beginning.

Containing 3.56 acres of land, more or less.

J.O. 70055
hgw:deg
5/21/70



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

July 29, 1970

Fred E. Waldrop, Esq.
202 Loyola Federal Building
Towson, Maryland 21204

RE: Type of Hearing: Reclassification
for a Special Exception for a funeral home
Location: SE/2 Naylor's Lane, 950' SW
of Belisterstown Road
Petitioners: Henry Goldsmith, et al
Committee Meeting of June 23, 1970
3rd District
Item 366

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 improved with two dwellings and a large garage and shed between the two existing dwellings. The largest dwelling which faces Naylor's Lane is frame construction. The dwelling facing Old Court Road, which will be the main building for the funeral home, is masonry. The property is surrounded by dwellings and residential uses on all sides. A portion of Naylor's Lane is not improved as far as concrete curb and gutter are concerned; however, Old Court Road is improved.

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:
Old Court Road, an existing County road, was relocated and improved as a 40-foot closed section within a 70-foot right-of-way. No further highway improvements are required for this section of Old Court Road.

Naylor's Lane, an existing public road is presently improved as a 40-foot closed section within a 60-foot right-of-way for a portion of its length northeast of the relocated Old Court Road. Naylor's Lane will be further improved, as a 40-foot closed section within a 60-foot right-of-way, in the future.

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Highways: (Continued)

Highway Improvements, including any Highway right-of-way widening and slope easements necessary, will be required in connection with any subsequent grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

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 striping, 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 striping 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:

Public water is available to serve this property.

Sanitary Sewers:

Public sanitary sewerage can be provided to serve this property by construction of a public sanitary sewer extension, approximately 600 feet in length, from the existing 10-inch Old Court Road collecting sewer (Drawing 62-0553, File 1); or, an extension approximately 1500 feet in length, from the existing Beltsch sanitary sewer in Old Court Road at Manhole 33951 (Drawing 62-0554, File 1). It appears that off site rights-of-way would be required for either of these extensions.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a special exception for a Funeral Home. The sight distance on Naylor's Lane is substandard, but

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could be improved by grading along Naylor's Lane.

Some increase in trip density can be expected, but it should not have any major effect on the total volume of Old Court Road.

BOARD OF EDUCATION:

No bearing on student population.

BUILDING ENGINEER'S OFFICE:

Petitioner to meet design loads and comply with all applicable requirements of Baltimore County Building Code and Regulations when plans are submitted.

FIRE DEPARTMENT:

The owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1957 edition, and the Fire Prevention Code when construction plans are submitted for approval.

DEPARTMENT OF HEALTH:

Public water is available. A revised plan must be submitted showing how property is to be served by sewer.

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.

ZONING ADMINISTRATION DIVISION:

The petitioner must give some thought as to the proposed site distance for the entrance onto Naylor's Lane. Cutting of shrubs and bushes or grading will be necessary to improve this site distance. The means for providing proper sewage disposal to the property must be indicated on revised plans prior to the hearing.

This petition 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.

Very truly yours,

Oliver L. Myers
Oliver L. Myers, Chairman

OLM:JD
Enc.

JESTER S. BLADES, 1944-1947
JOHN W. ROSENFELD, 1947-1948
JAMES H. ROSENFELD, 1948-1949
PAUL C. ROSENFELD, JR., 1949-1950
CUREN W. SCHROEDER, 1950-1951
THEODORE E. MITCHELL, 1951-1952
JAMES H. ROSENFELD, 1952-1953
MARK D. DOPPIN, 1953-1954

AREA CODE 301
TELEPHONE 828-7884

LAW OFFICES OF
BLADES & ROSENFELD, P.A.
A PROFESSIONAL CORPORATION
615 "IDEALITY" BUILDING
BALTIMORE, MD. 21201

August 21, 1970

Edward D. Hardesty, Esq.
Zoning Commissioner of
Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 71-85
Henry Goldsmith et al., Petitioners

Dear Mr. Hardesty:

Please enter my appearance as one of the attorneys for protestants in the above-referred to case. I would appreciate your sending me a copy of the Petition which has been filed in this matter.

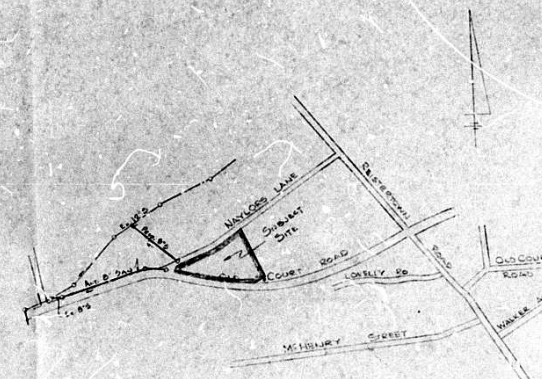
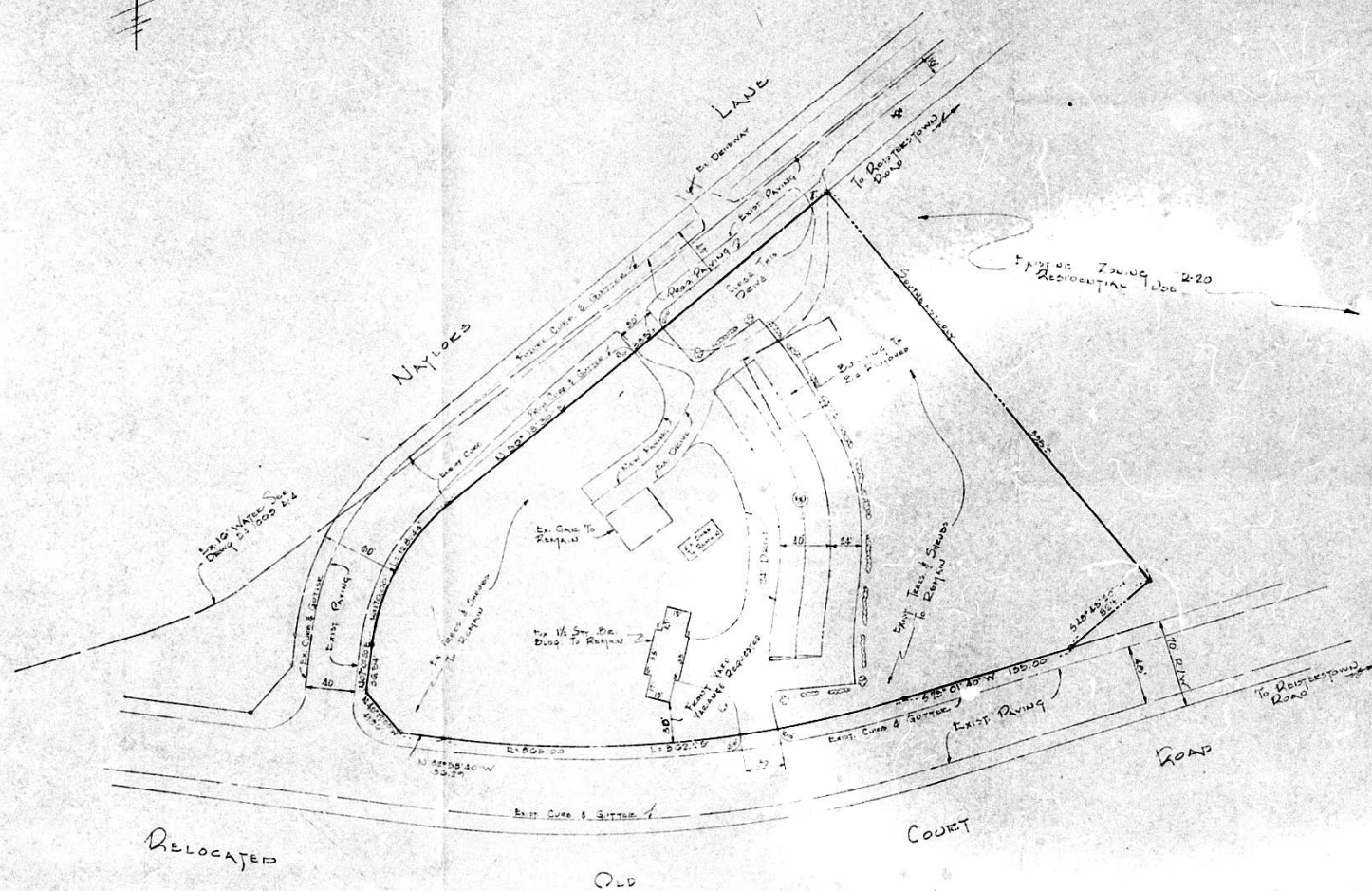
Very truly yours,

John B. Zull
John B. Zull

JRW:em



11-19-70



LOCATION PLAN SCALE 1:500

GENERAL NOTES

1. AREA OF PROPERTY EQUALS 3.55 ACRES
2. EXISTING ZONING OF PROPERTY "R-20"
3. EXISTING USE OF PROPERTY "RESIDENTIAL"
4. PROPOSED ZONING OF PROPERTY "R-20 WITH SPECIAL EXCEPTION"
5. PROPOSED USE "FEDERAL HOME"
6. EXISTING BUILDING ON SITE WILL BE REMOVED INTO EXISTING HOME
7. OFF-STREET PARKING:
 - A. TOTAL FLOOR AREA = 1920 SQ. FT.
 - B. REQUIRED UNITS = 6
 - C. PROVIDED PARKING = 50 UNITS
8. PETITIONER IS REQUESTING A VARIANCE TO SECTION 208.2 OF THE ZONING CODE TO PERMIT A FRONT YARD OF 50' INSTEAD OF THE REQUIRED 60'
9. SEE LOCATION PLAN FOR EXTENSION OF SANITARY SEWER TO SITE

GOLDSMITH, ET AL
#300

REVISED PLANS

MAY 13 1970 AM



MAP
#3
SEC. 2-C
NW-8-F
XA

PLAT TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION & FRONT YARD VARIANCE
VICINITY
NAYLOES LA. & RELOCATED OLD COURT RD.
ELECTION DISTRICT 3 BALTIMORE CO. MD.
SCALE 1:50 MAY 20, 1970
REVISED: AUG. 11, 1970



MATZ, CHILDS & ASSOCIATES
1000 OHIO AVE. N.W.
WASHINGTON, D.C. 20004
70000 M.C. 10000



11-19-70