

RICHARD D. PAYNE
ROBERT A. DICCO

LAW OFFICES
RICHARD D. PAYNE
THE LAW BUILDING
22 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204



FEBRUARY 9, 1971

Edward D. Hardesty, Esq.
Zoning Commissioner
Baltimore County Office Avenue
Towson, Maryland 21204

Re: Petition for Reclassification and Special Exception
Southeast Corner of Frederick Road and Holmhurst Avenue
1st District
Herschell C. Doss, et al, Petitioners
No. 71-126-RX (Item 281)

Gentlemen:

Please be advised that I represent Messrs. John G. Bauernschmidt, Clifford Crouch, Richard W. Wacker, Gordon R. Dickler, William C. Decker.

On their behalf and on my own, all of us feeling aggrieved by the decision of the Zoning Commissioner on January 20, 1971, in regard to the above entitled case, we respectfully request that the matter be appealed to the County Board of Appeals.

Very truly yours,

Richard D. Payne
Attorney for Appellants

MICROFILMED

/b
enc.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Zoning Commissioner
FROM: Mr. George F. Cavellis, Director of Planning
SUBJECT: Petition #71-126-RX. Southeast corner of Frederick Road and Holmhurst Avenue
Petition for Reclassification from R-6 to R.A. Zone.
Petition for Special Exception for Office Building
Herschell C. Doss - Petitioner

1st District

HEARING: Thursday, October 15, 1970 (11:00 a.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to R.A. zoning together with special exception for office building.

The Planning Board has recommended that R.A. zoning be established for that portion of the Frederick Road frontage which lies between commercially zoned land and the highway. The Planning Board made this recommendation because it felt that this frontage should not be used for active retail uses and also because it felt that transitional uses possible through R.A. zoning would be appropriate here. Since making that recommendation on September 10, the Planning Staff has been informed by a potential attorney that deed restrictions exist which may prevent the establishment of such uses here. As a result of issues raised at its hearing, the Planning Board will be in the process of reevaluating the facts and reconsidering its recommendation.

GEG:mhl

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Edward Hardesty, Zoning Commissioner
ATTN: Oliver L. Myers
FROM: Ellsworth N. Myers, P.E.
SUBJECT: Item 281 (1969-1970)
Property Owner: Herschell C. & Betty F. Doss
3/3 Frederick Road, Int. W/Holmhurst Ave.
District: 1st
Present Zoning: R-6
Proposed Zoning: Reclass. to RA with S.S. for office building
No. Acres: 0.28

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:

Frederick Road (MD. 144) is a State Road; therefore, all improvements, intersections, and entrances on this road will be subject to State Roads Commission requirements.

Holmhurst Avenue, an existing County road, will be improved in the future as a 30 foot closed section within a 50 foot right-of-way. Highway improvements including highway right-of-way widening would be required in connection with any subsequent grading or building permit applications.

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

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 permit.

Storm Drains:

The petitioner must provide necessary drains a facilities (temporary or permanent) to prevent creating any nuisance 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.

Frederick Road (MD. 144) is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

J. Temple Smith, Esquire
June 11, 1970
Item 281

STATE ROADS COMMISSION:

The curbing at the corner of the subject site must be reconstructed on a 30' radius.

The proposed entrance must be of a depressed curb type and have a minimum width of 25 feet.

The plan must be revised prior to a hearing date being assigned.

Access to Frederick Road will be subject to State Roads Commission approval and permit.

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 Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change from R-6 to RA with Special Exception for office building. Since the property is only .28 acres, there should be no major change in traffic volume. However, should this become an area of office buildings, increasing the trip density, then some traffic problems may be created.

It is recommended that the petitioner provide access to Holmhurst Avenue instead of Frederick Road.

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.

BOARD OF EDUCATION:

No effect on student population.

ZONING ADMINISTRATION DIVISION:

This office is withholding a hearing date until such time as revised plans are submitted to this office showing the following:

1. The proposed right-of-way and cross section width of Holmhurst Avenue.

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Zoning Comments
Property Owner: Herschell C. & Betty F. Doss
Page 2
May 11, 1970

Water and Sanitary Sewers:

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

Ellsworth N. Myers
Chairman, Board of Engineers

ENR:SAI/Peter

- 1st. By Spot
2nd. 21 Position Spot
S.S. 1 F Tapo
101 - Tax

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 11, 1970

COUNTY OFFICE BLDG
1117 E. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

aka

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

J. Temple Smith, Esquire
101 Jefferson Building
Towson, Maryland 21204

RE: Type of Hearing: Reclassification and Special Exception
Location: S/S Frederick Road, Int. W/Holmhurst Avenue
Petitioner: Herschell C. and Betty F. Doss
Committee Meeting of April 28, 1970
1st District
Item 281

Dear Mr. Smith:

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 two and one-half story masonry building with the property to the east and south being improved with a residence. These residences range from ten to forty years of age in excellent repair. The property to the west is a commercial use as well as property to the north. Holmhurst Avenue and Frederick Road are improved with concrete curb and gutter.

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:

Frederick Road (MD. 144) is a State Road; therefore, all improvements, intersections, and entrances on this road will be subject to State Roads Commission requirements.

Holmhurst Avenue, an existing County road, will be improved in the future as a 30 foot closed section within a 50 foot right-of-way. Highway improvements including highway right-of-way widening would be required in connection with any subsequent grading or building permit applications.

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

- 2 -

J. Temple Smith, Esquire
June 11, 1970
Item 281

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 permit.

Storm Drains:

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.

Frederick Road (MD. 144) is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

Water and Sanitary Sewers:

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

PROJECT PLANNING DIVISION:

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

Screening must be provided as per Section 409 of the Baltimore County Zoning Regulations.

BUILDING ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations on conversion of residence to office building.

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- 3 -

J. Temple Smith, Esquire
June 11, 1970
Item 281

STATE ROADS COMMISSION:

The curbing at the corner of the subject site must be reconstructed on a 30' radius.

The proposed entrance must be of a depressed curb type and have a minimum width of 25 feet.

The plan must be revised prior to a hearing date being assigned.

Access to Frederick Road will be subject to State Roads Commission approval and permit.

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 Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change from R-6 to RA with Special Exception for office building. Since the property is only .28 acres, there should be no major change in traffic volume. However, should this become an area of office buildings, increasing the trip density, then some traffic problems may be created.

It is recommended that the petitioner provide access to Holmhurst Avenue instead of Frederick Road.

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.

BOARD OF EDUCATION:

No effect on student population.

ZONING ADMINISTRATION DIVISION:

This office is withholding a hearing date until such time as revised plans are submitted to this office showing the following:

1. The proposed right-of-way and cross section width of Holmhurst Avenue.

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- 4 -

J. Temple Smith, Esquire
June 11, 1970
Item 281

2. Some thought should be given by the petitioner to providing his plan, providing for parking off of Holmhurst Avenue in lieu of the proposed entrance and parking from Frederick Road. This would alleviate any further construction to Frederick Road by the petitioner. The parking area, which ever parking area the petitioner decides on, must be screened with four (4) foot high concrete fence or wall.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS
Chairman

OLM:m

Enclosures

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BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING
JEFFERSON BUILDING
TOWSON, MARYLAND 21204
INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty
Attn: Oliver L. Myers
FROM: C. Richard Moore
Date: May 5, 1970
SUBJECT: Item 281 - ZAC - April 28, 1970
Property Owner: Herschell C. & Betty T. Doss
Frederick Road W/ Holmehurst Avenue
Reclass. to RA with S.E. for office building

The subject petition is requesting a change from R6 to RA with special exception for office building. Since the property is only .28 acres, there should be no major change in traffic volume. However, should this become an area of office buildings, increasing the trip density, then some traffic problems may be created.

It is recommended that the petitioner provide access to Holmehurst Avenue instead of Frederick Road.

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM:mr

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver Myers
Attn: Mr. Myers
FROM: Ian J. Forrest
Date: May 5, 1970
SUBJECT: Item 281 - Zoning Advisory Committee Meeting, April 28, 1970

281. Property Owner: Herschell C. & Betty T. Doss
Location: S/S Frederick Rd., Int. W/Holmehurst Ave.
Present Zoning: R6
Proposed Zoning: Reclass. to RA with S.E. for office building
District: 1st
No. Acres: 0.28

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 Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

I. J. Forrest
Chief
Water and Sewer Section
BUREAU OF ENVIRONMENTAL HEALTH

IJF/ca

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Zoning Commissioner
Attn: Mr. Myers
FROM: Inspector Thomas E. Kelly
Date: May 1, 1970
SUBJECT: Property Owner: Herschell C. and Betty T. Doss

Location: S/S Frederick Rd, Int. W/Holmehurst Avenue
Item #281 Zoning Agenda April 28, 1970

Owner shall be required to comply with all applicable requirements of the 201 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

Inspector T. E. Kelly

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STATE OF MARYLAND
STATE ROADS COMMISSION
300 WEST PRESTON STREET
BALTIMORE, MD. 21201
April 29, 1970

Mr. Edward D. Hardesty
Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204

ITEM 281
Re: Zoning Advisory Committee
Meeting April 28, 1970
Property Owner: Herschell C. & Betty T. Doss
Location: S/S Frederick Road (Route 144)
Int. W/Holmehurst Ave.
Present Zoning: R6
Proposed Zoning: Reclass. to RA with S.E. for office bldg.
1st District
No. Acres: 0.28

Dear Mr. Hardesty:

The curbing at the corner of the subject site must be reconstructed on a 30' radius.

The proposed entrance must be of a depressed curb type and have a minimum width of 25 ft.

The plan must be revised prior to a hearing date being assigned. Access to Frederick Road will be subject to State Roads Commission approval and permit.

Very truly yours,
Charles Lee, Chief
Development Engineering Section
by DONA E. JEFFERS
Asst. Development Engineer

CLJEM:bk

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning
Date: April 29, 1970
FROM: Everett B. Reed, Zoning Review
SUBJECT: #281 Herschell C. & Betty T. Doss
S/S Frederick Road Int. W. Holmehurst Ave.
District 1

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations on conversion of residence to office Bldg.

Everett B. Reed
Everett B. Reed, Zoning Review

ER:moh

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BALTIMORE COUNTY BOARD OF EDUCATION

ZONING ADVISORY COMMITTEE MEETING
OF April 28, 1970

Petitioner: Doss
Location: Frederick Rd
District: 1
Present Zoning: R6
Proposed Zoning: RA WITH S.E. FOR OFFICE BLDG.
No. of Acres: 0.28

Comments: NO EFFECT ON STUDENT POPULATION

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Edward D. Hardesty
TO: Zoning Commissioner
Date: May 21, 1970
FROM: Richard B. Williams
Project Planning Division
SUBJECT: Zoning Advisory Agenda Item #281

April 28, 1970
Herschell C. & Betty T. Doss
S/S Frederick Rd., Int.
W/Holmehurst Avenue

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

Screening must be provided as per Section 409 of the Baltimore County Zoning Regulations

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15
Posted for: ATTEAL
Petitioner: HERSCHELL C. DOSS
Location of property: S.E. CORNER OF FREEDERICK RD. & HOLMEHURST AVE.
Location of Sign: S. OF FREEDERICK RD. 35 FT. E. OF HOLMEHURST AVE.
Remarks: 2x6x6 Sign. For Two Signs
Posted by: Charles M. Reed
Date of return: MARCH 5, 1971

TELEPHONE 405-5415		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Revenue Division COURT HOUSE TOWSON, MARYLAND 21204		NR 78843 DATE 2/11/71 FILED BY:	
TO: Richard D. Payne, Esq., The Law Building 26 W. Pennsylvania Ave., Towson, Maryland 21204				Towing Office, 119 County Office Bldg., Towson, Md. 21204	
REPORT TO ACCOUNT NO. 01-622 QUANTITY		RETURN THIS PORTION WITH YOUR REMITTANCE DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS		TOTAL AMOUNT \$79.00 COST	
Cost of appeal - property of Heracell C. Doss, et al No. 71-126-IX		MICROFILMED		\$79.00	
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO OFFICE OF FINANCE, REVENUE DIVISION FOURTH FLOOR TOWSON, MARYLAND 21204					

Cost of Advertisement: \$

[illegible]By Ruth Morgan

TELEPHONE 434-2413

INVOICE

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

No. 73870
DATE Sept. 21, 1970

MAILED
7

Zoning Dept. of Baltimore County

TO:
Messrs. Smith, Sutton and Smith
104 Jefferson Building
Towson, Md. 21204

01-422

RETURN THIS PORTION WITH YOUR REMITTANCE

DEBIT TO ACCOUNT NO. QUANTITY

DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORD

TOTAL AMOUNT
\$50.00

COST

50.00

Payment for declassification and Special Exception for Marshall C. Doss
#71-126-X

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4

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MAIL TO COURTHOUSE, TOWSON, MARYLAND 21204

BALTIMORE COUNTY, MAR LAND		DATE 2/24/71	
OFFICE OF FINANCE			
Revenue Division COURT HOUSE TOWSON, MARYLAND 21204		BILLED Zoning Office, 119 County Office Bldg., Towson, Md. 21204	
TO: Richard D. Payne, Esq., Law Building 26 W. Pennsylvania Ave., Towson, Md. 21204			
DEBIT TO ACCOUNT NO. 01-622		RETURN THIS PORTION WITH YOUR REMITTANCE	
QUANTITY		DETAILS, ALONG PERFORATION AND KEEP THIS PORTION FOR 1 - ON RECORD	
1		COST	
Cost of posting property of Herschel C. Doss for appeal hearing 3 signs		\$15.00	
No. 71-126-RX			
↓		MICROFILMED	
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND			
MAIL TO OFFICE OF FINANCE, REVENUE DIVISION COURTHOUSE, TOWSON, MARYLAND 21204			

TELEPHONE 496-2413		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE <i>Revenue Division</i> COURT HOUSE TOWSON, MARYLAND 21204		No. 75321 DATE <u>Feb. 13, 1979</u>	
TO: Messrs. Smith, Bottom and Smith 104 Jefferson Building Towson, Md. 21204		Zoning Dept. of Baltimore County		BILLED BY:	
REPORT TO ACCOUNT NO. <u>01-622</u>		RETURN THIS PORTION WITH YOUR RECEIPTS		TOTAL AMOUNT \$70.25	
QUANTITY		DETAIL ALONG PERIFICATION AND KEEP THIS PORTION FOR YOUR RECORDS		COST	
1		Advertising and posting of property for Herschell C. Doss 7/1-7/6-82		70.25	
7 2 5 6		MICROFILMED		70.25	
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE, REVENUE DIVISION COURTHOUSE, TOWSON, MARYLAND 21204					

Petitioner Marshall C. and Betty T. Doss
 Petitioner's Attorney Temple Smith, Esq. Reviewed by Oliver L. Myers
 Chairman of the
 Advisory Committee



1. E. L. JONES HOME ON HOLMSTREET & FREDERICK AVE. LOOKING SOUTH INTO HOLMSTREET AVE.



2. VIEW OF CORNER PROPERTY SHOWING INTERSECTION HOLMSTREET & FREDERICK AVE.



3. VIEW OF CORNER PROPERTY LOOKING SOUTH SHOWING ADJOINING RESIDENCE ON FREDERICK AVE.



4. STREET VIEW AS NO. 3



5. C. OLIVER HOME ON FREDERICK AVE. ADJACENT TO CORNER PROPERTY.



6. REAR VIEW OF CORNER PROPERTY SHOWING PROPOSED PARKING LOT.



7. JENNINGS HOME ON HOLMSTREET AVE. ADJOINING CORNER PROPERTY.



8. NORTH-EAST CORNER HOLMSTREET & FREDERICK AVE.



9. NORTH-EAST CORNER HOLMSTREET & FREDERICK AVE.



10. NORTH-EAST CORNER HOLMSTREET & FREDERICK AVE.



11. TYPICAL HOME ON HOLMSTREET AVE. ADJOINING CORNER PROPERTY.



12. N. 1/2 HOLMSTREET AVE. FROM A LOT SOUTH OF HOLMSTREET & FREDERICK AVE.

