



MICROFILMED



PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Albert Kermisch 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 R-10 to RE-A and (2) for the following reasons:

1. Error in original zoning
2. Genuine change in condition in neighborhood

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:

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: Albert Kermisch, Legal Owner
Address: 8517 Glenn Michael Lane, Randallstown, Maryland 21133

W. Lee Harrison, Esq.
Petitioner's Attorney

Address: 206 W. Joppa Road, Towson, Maryland 21204 823-1200

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of September, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of October, 1970 at 2:00 o'clock.

Edward D. Hendry
Zoning Commissioner of Baltimore County.

W. Lee Harrison, Esq.
206 W. Joppa Road
Towson, Maryland 21204
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Highways:

Chapman Road is an existing 16-foot wide macadam road proposed for improvement as a 40-foot closed roadway within a 60-foot right-of-way. Highway right-of-way widening and improvements would be required with any subsequent grading or building permit applications.

Wilbur Avenue may be terminated at the property line as indicated on the plat.

The status of the "20-foot road - Use 'n Common" extending into the site from Chapman Road must be clarified. Any access to Chapman Road must be approved by the Department of Traffic Engineering and the Office of Planning.

Storm Drainage:

No provisions for accommodating storm water or drainage have been indicated on the subject plan; however, storm drain facilities and easements will be required in connection with the proposed development of this property.

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 recording of any record plat or the issuance of any grading or building permits.

Water:

Public water supply is available to serve this property.

Re: Petition for Reclassification :
From R-10 Zone to B-R Zone
Property Beg. 554' S/W of
Int. of Liberty and Chapman
Roads, 2nd District
Petitioner :
Before :
Zoning Commissioner
of
Baltimore County
No. 71-137-R

Order of Dismissal

As the matter in the above captioned case is now moot the petition is hereby DISMISSED without prejudice.

Edward D. Hendry
Zoning Commissioner

Date: 6/24/71

ORDER RECEIVED FOR FILING
MAY 12 1971
BY John Harrison

ALBERT KERMISCH
Beg. 554' S/W of intersection of
Chapman and Liberty Roads, 2nd
District

RE: RECLASSIFICATION FROM :
R-10 to B-R, LIBERTY ROAD
NEAR CHAPMAN ROAD, 2ND
ELECTION DISTRICT
PETITIONER: ALBERT KERMISCH

BEFORE THE :
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

MEMORANDUM

Now comes Albert Kermisch, Legal Owner of the above captioned property, by W. Lee Harrison, his attorney, and in accordance with Bill 72, Section 22, 22(b) states that the reclassification requested should be granted and for reasons says:

1. Numerous reclassifications have taken place in the immediate neighborhood.
 - a. Case No. 64046 - SE/C Liberty Road and Green Lane. Special Exception for Office Building. Granted 2/17/64.
 - b. Case No. 66-217-R - SW/C of Liberty Road and Green Lane. Reclassification from R-A and R-6 to B-L. Granted 4/4/66.
 - c. Case No. 66-230-Y - SW/S Liberty Road, 870' NW of Chapman Road. Special Exception for Contractor's Equipment Storage Yard. Granted 8/11/66.
 - d. Case No. 68-37-A - Beg. 383' from SW/S of Liberty Road, 1780' NW of Chapman Road. Reclassification from R-A and R-10 to B-L. Granted 8/17/67.
 - e. Case No. 68-44-R - S/S Liberty Road, 60' SE of Chapman Road. Reclassification from R-6 and R-10 to B-R. Granted 8/22/67.
2. And for such other and further reasons as may be shown at the time of hearing herein.

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

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 11, 1970

COUNTY OFFICE BUILDING
100 W. Chesapeake Ave.
Towson, Maryland 21204

OLIVER L. MYERS
Chairman

MEMBERS

WILLIAM L. HARRISON, Esq.

DEPT. OF PUBLIC WORKS

STATE ROADS COMMISSION

BUREAU OF ENGINEERING

HEALTH DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

PLANNING DEPARTMENT

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

RE: Type of Hearings Reclassification from an R10 zone to an B-R zone. Locations: 554' SW of Int. Chapman and Liberty Roads. Petitioner: Albert Kermisch. Committee Meeting of April 14, 1970. 2nd District. Item 228

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 an unimproved tract of land, with the property to the north improved with dwellings, as well as the properties to the east and south. Liberty Road and Chapman Road are not improved as far as concrete curb and gutter are concerned at the present time.

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.

General:

Liberty Road is a State road; therefore, all street improvements, entrance locations, drainage requirements and utility construction within the State road right-of-way are under the jurisdiction of the Maryland State Roads Commission and will be subject to the standards, specifications and approval of that agency.

W. Lee Harrison, Esq.
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Towson, Maryland 21204
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ZONING ADMINISTRATION DIVISION: (Continued)

1. The top 540 as indicated near the proposed ejector station must be changed to indicate 580. The entrances as shown along Liberty Road do not meet State Roads Commission standards. (See comments by State Roads in the foregoing).
2. The dimensions of the front piece which is a portion of this petition must be indicated.

Very truly yours,

Oliver L. Myers
Chairman

OLM:JD

Enc.

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Sanitary Sewer:

Public sanitary sewer is not presently available in the Patapsco River drainage area, the natural drainage area in which this property lies. It will be possible to reach the Scotts Le Drainage Area by constructing a private sewage pumping station as indicated on the subject plan. The private pumping station must be constructed on site in accordance with Department of Health regulations and requirements, and will not be permitted to be constructed within any drainage utility easement or flood plain reservation.

PROJECT PLANNING DIVISION:

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

The property proposed for zoning is physically oriented to Chapman Road which is not equipped to handle commercial traffic.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change of 6.3 acres from R10 to BR.

This should increase the trip density from 220 trips to 4700 trips. This additional increase in trip density can be expected to create capacity problems, since Liberty Road presently exists as a 2 lane road and there is a great deal of commercial land along Liberty Road which is undeveloped.

BUILDING ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements for Baltimore County Building Code Rules and Regulations, when plans are submitted. See also Parking Section 409.10.

FIRE DEPARTMENT:

Owner shall be required to comply to all applicable requirements of the 104 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

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BOARD OF EDUCATION:

Would not increase student population.

HEALTH DEPARTMENT:

Public water and sewers available. Proposed ejector must be equipped with auxiliary pump and emergency power.

Food Service Comment: If a food service is planned complete plans and specifications must be submitted to the Division of Food Control, Baltimore County Department of Health for review and approval.

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.

STATE ROADS COMMISSION:

The lanes of monumental entrances must have a maximum width of 24'. The medians must have a minimum length of 120' from the proposed curb line.

There is poor sloping sight distance at the westerly entrance due to an over vertical curve (hill) to the east. To establish an entrance to a large traffic generator at this location would create a traffic hazard. A single monumental entrance as proposed at the east property line should be sufficient to serve the site, therefore, the westerly entrance should be eliminated.

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

ZONING ADMINISTRATION DIVISION:

The petitioner will be required to submit revised plans to this office prior to the hearing date using assigned indicating the following: