

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 above 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an R-8 or DR-5.5 zone to an R-A or DR-16 zone; for the following reasons:

Error in original zoning.

The 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 used and advertised as provided by Zoning Regulations.

I, or we, agree to pay expenses of above reclassification 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 Glen Michael Lane
Randalltown, Maryland

W. Lee Harrison, Petitioner's Attorney
Address: 308 W. Joppa Road
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of August, 1971, 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 held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 23rd day of September, 1971, at 10:00 o'clock.

W. Lee Harrison
Zoning Commissioner of Baltimore County.

(over)

Re: Petition for Reclassification : BEFORE THE ZONING
R-6 or DR-5.5 to R-A or DR-16 COMMISSIONER OF BALTIMORE
Old Court Road, Albert Kermisch, COUNTY
Petitioner
(Also Special Exception for Offices)

MEMORANDUM

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

The Zoning Commissioner must take into consideration the fact that the County Council erred in not zoning this property DR-16. They did not realize that in fact the subject parcel is now and has always been used as access to the apartment complex immediately to the north of the site. The County destroyed the parcel with easements and a large drainage reservation cuts the property in two. Therefore, the only possible use for the land is DR-16 with a special exception for offices. We request that you correct the error committed by the County Council and reclassify the subject parcel to its proper zoning of DR-16 with a special exception for offices.

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

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6828, TOWSON, MD. 21204

Description to Accompany Zoning Petition
Reclassification from DR 5.5 (R-8) to DR 16 (R-A) with
Special Exception for Offices
Old Court Road, Opposite South Green Road
April 13, 1971.

Beginning for the same on the north side of Old Court Road at a point distant 126 feet more or less measured easterly from the intersection formed by the centerline of said Old Court Road and the centerline of South Green Road and running thence binding on the north side of said Old Court Road and binding on the third and fourth lines of a parcel of land described in a deed dated April 10, 1964 from Joseph B. Masei et al to Albert Kermisch at the two following courses viz: (1) North 83° 28' 40" West 293.40 feet and (2) North 54° 52' 40" West 69.04 feet, thence leaving said Old Court Road and binding on part of the fifth line in said deed (3) North 23° 43' 12" East 473.56 feet to intersect the existing zoning line between DR 5.5 and DR 16 Areas, thence binding on part of said zoning line (4) South 59° 31' 39" East 363.69 feet to intersect the first line of said deed, thence binding on part of said first line (5) South 23° 43' 12" West 334.65 feet to the north side of said Old Court Road thence binding on the north side of said Old Court Road (6) South 61° 35' 20" West 31.09 feet to the place of beginning.

Containing 3.5 acres of land more or less.

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

TO: Edward D. Hardesty
Attn: Oliver L. Myers
FROM: C. Richard Moore
SUBJECT: Item 45 - Cycle Zoning
Property Owner: Albert Kermisch
Old Court Road opp. Southgreen Road
Reclassification to DR 16 and S.E. for offices

Date: May 14, 1971

The subject petition is requesting a change from DR 5.5 to DR 16 with special exception for offices of 3.5 acres.

As presently zoned, the site will generate 175 trips per day, while as offices, 980 trips per day. This small volume should not have any major effect on the volume on Old Court Road, which is presently 9,000 vehicles a day. However, should additional land be converted to offices, traffic problems may exist.

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRH:mr

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 18, 1971

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

OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROAD COMMISSIONER
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
DISTRICT DEVELOPMENT

Mr. George E. Gavellis
Director
Office of Planning and Zoning
301 Jefferson Building
Towson, Maryland 21204

RE: Item #45 (April - October Cycle 1971)
Property Owner: Albert Kermisch
Location: N/S Old Court Road, opp. Southgreen Road
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass. to R.A. 16 and S.E. for offices
District: 2C2 Sector Northwestern
No. Acres: 3.5

Dear Mr. Gavellis:

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 a vacant tract of land and abuts an additional tract owned by the Petitioner to the north and is developed with apartments. The property to the east and west are unimproved tracts of land zoned D.R. 5.5. The properties to the south are improved with dwellings 5 to 10 years of age in excellent repair. Old Court Road in this location is not improved as far as concrete curb and gutter are concerned. However, an existing 30 foot private road is improved macadamized and curbed and guttered.

BUREAU OF ENGINEERING:

The subject property is essentially the same property previously reviewed by the Zoning Advisory Committee and known as Item No. 274 (1969-1970). The comments furnished by this office in connection with Item No. 274 remain valid and in effect. We are enclosing herewith a Xerox copy of those comments which are applicable to the current zoning petition.

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:

Access to the subject site is proposed via the existing private road from Old Court Road which now serves the Court Garden Apartment. This method of access is subject to the approval and requirements of the Office of Planning and Zoning, Department of Traffic Engineering and Fire Bureau.

Old Court Road is an existing macadam road proposed for improvement under the Baltimore County Capital Improvement Program. The improvement will consist of a 48-foot closed roadway within a 70-foot right-of-way. Highway improvements along the frontage of this property are secured by Public Works Agreement #26307 executed in conjunction with the development of Court Garden Apartments. Highway right-of-way widening would be required in connection with any subsequent development of this property.

The proposed entrance to the office building from Old Court Road is subject to the approval of the Office of Planning and Zoning and the Department of Traffic Engineering.

Storm Drains:

No detailed provisions for accommodating storm water or drainage have been indicated on the subject plat; however, a storm drainage study and drainage facilities and easements will be required in connection with the proposed development of this property. The drainage design in connection with any subsequent development of this property.

The Drainage and Utility Easement along the east property line was established in connection with the development of Court Garden Apartments; however, the easement has not been granted to the County as of this date.

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.

Sanitary Sewer and Water:

Public sanitary sewerage and public water supply are available to serve this property. Some relocation of existing utilities will be required in connection with the proposed improvements to Old Court Road. Utility easements to accommodate the relocated utilities will be required in connection with any subsequent development of this property.

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DEPARTMENT OF HEALTH:

Public water and sewers are available to the site.

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.

FIRE PREVENTION BUREAU:

Fire hydrants for the proposed site are required and shall be in accordance with Baltimore County Standards. The hydrants shall be located at intervals of 500 feet along an approved road for apartment complexes and at intervals of 300 feet along an approved road for offices.

A second means of access is required for the site.

Minimum width to the roads through site shall be 30 feet to assure passage of Fire Department equipment.

A. When pull-in parking is designed for both sides of a roadway, the minimum distance from curb to curb of the parking area shall be 64 feet.

B. Pull-in parking on one side only, the distance from curb to curb shall be 44 feet.

The 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.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change from DR 5.5 to DR 16 with special exception for offices of 3.5 acres.

As presently zoned, the site will generate 175 trips per day, while as offices, 980 trips per day. This small volume should not have any major effect on the volume on Old Court Road, which is presently 9,000 vehicles a day. However, should additional land be converted to offices, traffic problems may exist.

BOARD OF EDUCATION:

Existing zoning would yield approximately 8 elementary pupils while the proposed S.E. for offices would yield no pupils. Approximately 12 elementary pupils would come from residential apartments if this came about. The possibility would not be significant.

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ZONING ADMINISTRATION DIVISION:

The existing 30 foot private road is the only means of access to the existing apartment project to the north of the proposed office building site. This is the only means of access and any additional traffic at the intersection of Old Court Road and Southgreen Road might prevent emergency vehicles and fire equipment getting to the apartments in case of an emergency. Therefore the Petitioner will have to provide a second means of access to the site.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS
Chairman

OLM:em

cc: Mr. Edward D. Hardesty
Zoning Commissioner

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

MAR 03 1972

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day
of _____, 197____, that the above re-classification 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.

District 2nd Date or Posting SEP 7 1941
 Posted for ROBERT M. FOSTER
 Postmaster ROBERT M. FOSTER
 Location of property 112 S. 11th Street, St. Clair, South Dakota
 Location of Sign 112 S. 11th Street, St. Clair, South Dakota
112 S. 11th Street, St. Clair, South Dakota
 Remarks:
 Issued by Charles B. Miller Date of return SEP 7 1941

Petitioner: Albert Kordisch
 Petitioner's Attorney: W. Lee Harrison Reviewed by: Walter T. Myers
 Chairman of
 Advisory Committee

Cost of Advertisement, \$.....

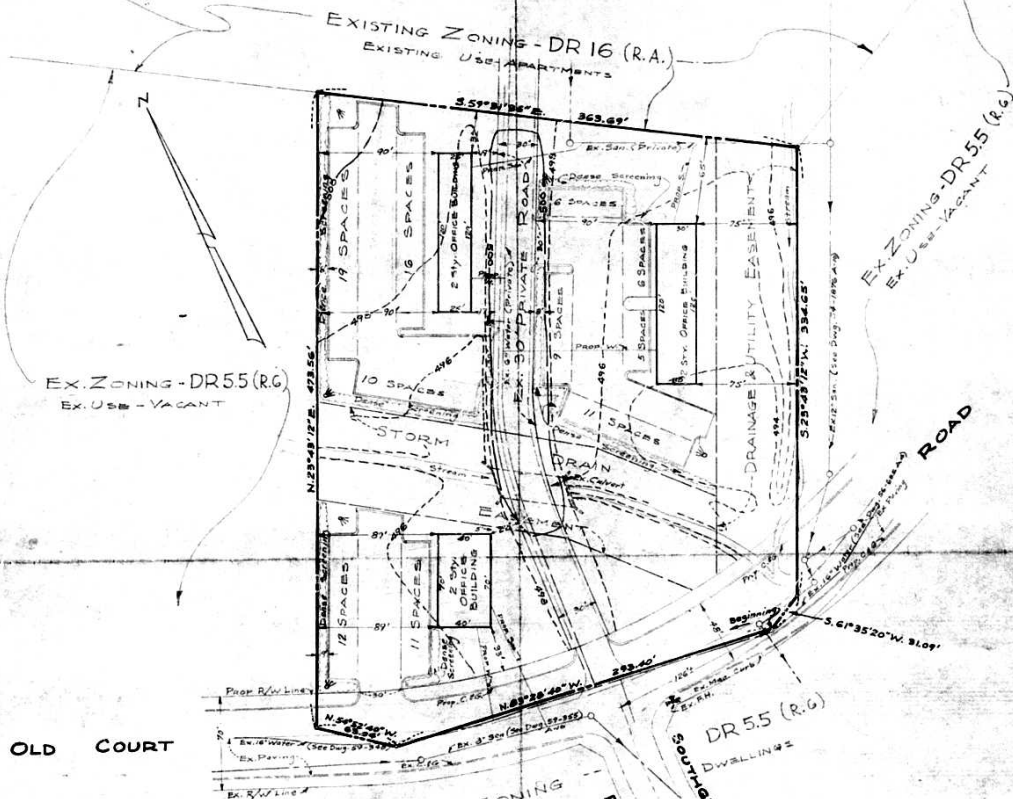
[illegible]

Cost of Advertisement, \$ 26. 95

MAIL TO OFFICE OF FINANCE, REVENUE DIVISION
COURTHOUSE, TOWSON, MARYLAND 21204

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

[illegible]



EXISTING ZONING DR 55 (R.G.)
PROPOSED ZONING DR 16 (R.A.) WITH SPEC. EXC.
GROSS AREA 3.5 AC.
NET AREA 3.1 AC.

OFF STREET PARKING
NUMBER SPACES REQUIRED 51
NUMBER SPACES PROVIDED 105

FIRST FLOOR
USE OFFICES
TOTAL AREA 9400 SQ. FT.
NUMBER SPACES REQUIRED (400:300) = 32
NUMBER SPACES PROVIDED = 65

SECOND FLOOR
USE OFFICES
TOTAL AREA 9400 SQ. FT.
NUMBER SPACES REQUIRED (400:150) = 19
NUMBER SPACES PROVIDED = 40

PARKING SPACES (SIZE) 9'x20'

PAVING - BITUMINOUS CONCRETE WITH SUFFICIENT CRUSHED STONE BASE, PROPERLY DRAINED

LIGHTING - SHOWN THIS BE SHALL BE DIRECTED AWAY FROM RESIDENTIAL AREAS AND 10' HIGH

CURBS - SHOWN AS DOUBLE LINES AROUND EACH PARKING AREA SHALL BE OF CONCRETE OR BITUMINOUS CONCRETE 8" WIDE & HIGH

PLAT TO ACCOMPANY ZONING PETITION
RECLASSIFICATION FROM DR. 55 (R.G.) TO DR. 16 (R.A.)
WITH SPECIAL EXCEPTION FOR OFFICES
SECOND DISTRICT BALTIMORE COUNTY, MARYLAND
SCALE 1" = 50'
APRIL 10, 1970
REVISED APRIL 13, 1971

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON 4, MARYLAND



REVISED SEPT. 24, 1971 to comply with BILL 100.

