RE- EXTENSION OF SPECIAL EXCEPTION

NW/corner of Arbutus Avenue and Frederick Road - 1st Flortion District

BEFORE THE ZONING COMMISSIONED Frederick F. Phillips at uv -

Petitioners BALTIMORE COUNTY NO 72-107-X (Item No. 18)

> \*\*\* \*\*\* \*\*\* ... ... ...

#### EXTENSION OF DER

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of September, 1976, that the Special Exception for an Office Building is hereby extended, in accordance with Section 502, 3 of the Baltimore County Zoning Regulations, to a date 18 months after certification is obtained from the Department of Public Works, indicating that the sewer moratorium has been lifted and that such facilities are now available and adequate to the

> Zoning Commissiones of Baltimore County

allimore countu office of planning and zoning TOWSON MARYLAND 21204 10WSON, MA

S FRIC DINENNA ZONING COMMISSIONER

September 29, 1976

Mrs. Frederick E. Phillips 10317 Wilde Lake Terrace Columbia, Maryland 21044

> RE: Special Exception Case No. 72-107-X NW/corner of Arbutus and Frederick Avenues - 1st -Election District

Dear Mrs. Phillips:

I am in receipt of your letter of August 24, 1976, in which you request an extension to the Special Exception currently existing on the above referenced property due to the unavailability of public sewer.

Please be advised that a review of the file indicates that this Special Exception was granted on November 16, 1971, and extended through November 16, 1976. Section 502, 3 of the Baltimore County Zoning Regulations states that, if there is an unavailability of public sewer or water facilities. a Special Exception can be further extended to a date 18 months after such facilities become adequate and available as evidenced by the ability to obtain a public works agreement.

Through conversation ith Mr. John Sommers, Department of Public Works, it was indicated that "temporary public sewer" would be provided to any prospective developer in this area within one month. provided construction begins within six months therefrom. It is my interpretation that this would not satisfy the requirement of the aforementioned Section.

Mrs Frederick F Phillips Page 2 September 29, 1976

In light of these facts and coupled with Section 502, 3, the Special Exception, currently existing on this property, is hereby extended to ? date 18 months after "normanent public sewer" is made available.

If you have any further questions concerning this matter, please feel free to contact this office.

> ERIC DI NENNA Zoning Commissioner

SED/NBC/com

cc: Mr. Thornton M. Mouring, Director Department of Public Works

> Mr. George J. Martinak Deputy Zoning Commissioner

Mr. James E. Dyer Zoning Supervisor

Mr. Nicholas B. Commodari Planning & Zoning Associate III

Case No. 72-107-X

Dear Mr. DI Negga:



10317 Wilde L to Terrace

Columbia ad 21044

August 24 1976

dr. 1. Frie Di Manna Zoning Commissiones Baltimore County Office of Planning and Zoning Towson, Maryland 21204

> Re: Request for extension of Zonina Na/corner of Arbutus Avenue and Frederick Soud 1st Election District Special Exception Case 72-107-x

With reference to my phone call of yesterday requesting the procedure for extension of zoning. I am writing to request that the Spacial Exception for the above property be extended. My husband passed away before he could realize the fruition of his plans to build a medical center on this property. recently learned that there has been a sewer mp storium and would like to extend the zoning for another three years or until the moratorium has been lifted. Thank you.

Meridie & Hillips

Hercegas J. Phillips (Mrs. Frederick E. Phillips)

cc: Ar. George J. Martinak Dep. Zoning Comm. Mr. James E. Dyer, Zoning Supervisor Mr. Nicholas S. Commodari, Zoning Assoc. 111

FOR FILING RECEIVED

# Frederick E. Phillips and I, or we. Nerceder J. Phillips legal owners of the property situate in Baltimore Mag I, or we. MSCEGGE. J. THILLY legal owner of the property made a part hereof. #// County and which is described in the description and plat attached hereto and made a part hereof. #// hereby petition (I) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an..... 5W-3-F \_\_\_\_zone; for the following reasons: REFER TO 66-87RX Time ran out on Special Exception for medical office building See attached description and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore as all County, to use the herein described property, for. Medical Office Building If or we, agree to pay expens a of advertised as presented by Zonling Regulations. If or we, agree to pay expens a of adver 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 regulations and restrictions of Baltimor Country adopted nursual to the 20operty is to oc posted and advertised as prescribed by Zoning Regulations. tickerik I Theler

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

TO THE ZONING COMMISSIONER OF BALTIMGRE COUNTY:

Ellest City, Med. 21043 Protestant's Attorney

Address 5084 Shippard Jane

Merculus J. Phillips

Day No. 18

72-167-4

"X" MAN. 24 56038

D. 16 2/19/21 TYPE W 21H

Uncests to Reads

Politioner's Attorney

Attorney Attorney

ATTORNEY ATTORNEY

FINANCES TO SEE THE SEE TO SEE THE SEE

- AM

Fraest Contract purchaser

Town MIZING

FOR FILING

RECEIVED

ORBER

FUNCTION 27043 ORDERED By The Zoning Commissioner of Baltimore County, this 9th

..... 197 \_1, 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 properly be posted, and that the public hearing be had before the Zoning ner of Baltimore County in Room 106, County Office Building in Towson, Baltimore 27ch day of October 197 1 at 11100<sub>0</sub>'clock

RIL

Zoning Commissioner of Baltimore County.

MICROFILMED

February 1, 1973

Nelson R. Kerr, Esquire 210 West Pennsylvania Avenue Towson, Maryland 21204

RE: Petition for Special Necessia NW/corner of Arbutus Avenue and Frederick Road - 1st District Prederick E. Phillips, et ux -Petitioners NO. 72-107-X (Item NO. 18)

Dear Mr. Kerry

As per your request of January 25, 1973, I have extended the Special Exception for an office Building for a period of three (3) years, beginning lowenber 15, 1973, and ending November 16, 1976. A copy of the Friedrand extension are attached.

Very truly yours,

R. EP.C DI NENNA Zoning Commissioner

Attachment

	a Special Exception for m Office Building should be granted.
	Ti IS ORDERED by the Zoning Commissioner of Baltimore County this.
	day of
	THE PROPERTY OF THE PROPERTY O
	Santed, from and after the date of this Order, subject to the approval of the site
DATE 1166/71- 10 Hornes (26	plan by the Statu Highway Admir- istration, the Bureau of Public Sar does and the Office of Plan-
3	ning Commissioner of 1 'timore County
1	Pursuant to the advertisement, posting of property and public hearing of the above retition
3	and a appearing that by reason of
-11	
1166	
N I	
0	<b>.</b>
ă	<b></b>

Fursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 302.1 of the Balti-

more County Zoning Regulations having been met,

ATTOR IEVE AT LAW 210 W. PEN ISYLVANIA AVENUE TOWSON, MARYLAND - 21204

ber 16, 1973, and ending November 16, 1976.

VAL. BY 3-3414 A 5415

January 25, 1973

S. Eric DiNenna, Esq. Zoning Commissioner for Baltimore County County Office Building Towson, Maryland 2120+



oning Commissioner Baltimore County

Re: Your File No. 72-107-X(Item No. 18)

Dear Commissioner:

I represent Mrs. Merceder J. Phillips, widow of Dr. Frederick E. Phillips.

Your Order dated November 16, 1971 granted a Special Exception for an Office Building.

It is my understanding that the aforemaid Order is valid for a period of two (2) years from its date. While it may seem premature to request an extension at this time, nevertheless my client has been very ill, her prognosis is uncertain and, in any event, it is anticipated that there will be a very lengthy convalescence. In addition, I have done a great deal of work in commencion with the title to the property and my client is not able to afford me the cooperation which is needed in an effort on make resolution of scan of the problems.

grant one or more extensions of the period of time authorized by your Order provided that the maximum time is not extended for a period of none than five (5) wers. I will appreciate it if you will be good enough to give this matter your consideration and, if you wish, I will call at your office to discuss it with you, personally.

Sincerely. Meleon R. Kerr

NRK:deh

November 14, 1973 to November 14, 1976

or we, agree to pay expenses of above re-clas upon filing of this petition, and further agree to and are to be bound by the zoning more County adopted pursuant to the Zoning Law for Baltim Frederik & Chillis Address 5084 Shippard Jane Ellest City, Med 21043 Towsn no 1 212-64

NG

CLIVED FOR FIL

OPOER RE

..., 197 .1, 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 Baltimore County in Room 196, County Office Building in Towson, Baltimore ..., 197 1., at 11:00 'clock 27th

of Battimore County

MCA □○▷

## DESCRIPTION

#### 0. 51 ACRE PARCEL

# NORTHWEST CORNER FREDERICK ROAD & ARBUTUS AVENUE

### FIRST ELECTION DISTRICT

### BALTIMORE COUNTY, MARYLAND

#### This Description is for Special Exception for Office Use

Beginning for the same at the corner formed by the intersection of the north side of Frederick Road and the west side of Arbutus Avenue, running thence and binding on the north side of Frederick Road as laid out 66 feet wide, S 81° 00' W 148.08 feet, more or less, thence N 12° 13' 00" W 147 feet, more or less, to intersect the existing R-A (DR-16) Zoning Line, thence binding on said line, parallel to and 180 feet north of the center line of Frederick Road N 81° 00' E 156.1 feet, more ersect the west side of Arbutus Avenue, thence running and binding on the west side of Arbutus Avenue as laid out 40 feet wide, S 09° 00' E 147 feet more or less to the place of beginning.

Containing 0.51 acres of land, more or less.

J.O. #71032



# 0 BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

ATTH: Oliver L. Myers Date Santopher 1. 1970. FROM Ellaworth K. Diver, P.F.

SUBJECT. Res. 23 (1970-1971).
Property Gener: Friderick E. & Exceedes J. Hillips
M/d or, int. of Frederick and Arbatus Avenues
Present Zoning: R-O
Propored Zoning: R-IO end RA with Speci/l Emoption
Dickrict: Jot
No. Across 0.7904

The following community are furnished in regard to the plat submitted to this office for routes by the Zening Advicory Countities in commencion with the subject item.

Productic Road (Md. Mh) is a State Road; therefore, all improvements, aresotions and entreness on this read will be subject to State Roads mission requirements.

Arbutus Avenus, an existing public road, in proposed to be improved at a 30-feet closed soution within a 50-feet right-of-way. Highway improvements, in Luding highway right-of-way wifoning will be required in connection with any subsequent proline or building porad application. The right-of-way, required along the cast side of this property, will vary of the right of the report of the property will vary of the content country of the city, including a filled great the first factor of the feet of the property will vary of the city, including a filled great at the intervention with Peckerick Road.

The entrence locations are subject to approval by the department of Traffic Engineering.

Perologism of this property through stripping, grading and stabilization could yould in a cadimut pollution problem, danging private and public holdings demantered of the property. A grading period in, therefore, measure for all grading, including the stripping of top soil.

Grading studies and sediment central drawings will be secondary to be reviewed and approved prior to the issuance of any grading or building paratis.

Provisions for accommodating storm unter or drainage have not been undicated on the submitted plan.

Ren 28 (1970-1971) Proporty Oxmer: Producink E. & Mercades J. Faillips Page 2 September 1, 1970

# Storm Drainer (Cont'd)

Prederick Road (Md. Mh) is a State Road. Therefore, Crainage requirements as they affect the road cose under the jurisdiction of the Maryland State Roads Consistion.

The petitioner unot provide necessary drainess facilities (temporary or persuannel) to prevent creating any missances or drages to adjacent properties, especially by the concentration of margine tuners. Correction of any problem which may result, due to improve granting or improve installation or drainings facilities, usual to the full responsibility of

Construction drawings are required for offsite drawings facilities and my consist scalities sorting offsite cream. The plane are to be charged in a construct with Baltierso Generaly Standards and Specifications, and the drawings assisted for review and approval by the Baltimare County Barneson of Baltimare of Baltim

Public water supply is available to serve this property.

## Sanitary Sovers

Public sanitary sources is available to a rve this property.

Les Totor Diver ELISMONIN N. DIVER, P.B. Chief, Bureau of Engineering

#### MID:BAH: MR: CS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

0

August 9, 1971

Ernnst C. Trimble, Esq., 404 Jefferson Building Towson, Maryland 21204

0

RE: Type of Hearing: Special Exception for Madical Office Building Location: MM/Or, of Frederick Road & Arbutus Avenue Pettioners Frederick E. & "ercedes J. Phillips Committee Neeting of July 20, 1971 lat District

OLIVER L. MYERS

MEMBERS

BUREAU OF ENVINEERING

DEPARTMENT OF TRAFFIC ENGINEER NO STATE ROADS COLOR

MEASTH DEPARTED

PROTECT PLANTS

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an or 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 rear of the north improved with stone and freme desilings. The property to the west is improved with a dualling. The property to the west is improved by the Beltiarca Pelthoy ramp. The property to the south is improved with a fumeral home. Frederick Road in this location is improved with a fumeral home. Frederick Road in this location is improved with partial concrete cuth and guittery inheuery, Arbutua Aroma is not.

# BUREAU OF ENGINEERING:

The following comments are furnished in regard to the plat submitted to this office for raview by the Zoning Advisory Committee in connection with the subject item.

## General:

The subject plon is essentially the same as the plan reviewed in connection with Zening item 20 (1970-1971). The convents furnished your office in regard to that ferm, easy stateded, renois waited applicable to this Patition, Item 10 (1971-1972), except that the highest right of any addeding resulted along the east olde of this property will be five (5) feat in which, and include a fillet area of the high center of Arbeits Sense. Function 20 and intermention.

Ernest C. Trimble, Esq. Item (B August 9, 1971

# STATE HIGHWAY ADMINISTRATION:

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A concrete curb must be constructed along either the Right of Way line or along the parking setback line at the west side of the proposed entrance to the subject site.

The plan must ultimately be revised.

The entrance will be subject to State Highway Administration approval and permit.

# DEPT. OF TRAFFIC ENGINEERING:

Due to the size of the site, no major traffic problems are anticipated, other than the ones presently existing on Frederick Road, due to the close proximity of the Beltway interchange.

# BOARD OF EDUCATION:

No bearing on student population.

## BUILDINGS ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of Baltimore County Building Code and reculations when plans are submitted.

## ZONING ADMINISTRATION DIVISION:

This patition is accepted for filing on the date of the enclosed filing certificate. Notice of the bearing 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.

0

OLN: JD Enc.

DLIVER L. MYERS, Challenin

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO Mr. Oliver Myers Date\_\_\_August 10, 1971

FROM Ian J. Porrest

SUBJECT Item 18 - Zoning Advisory Committee Meeting, July 20, 1971

Prederick E. & Mercedes J. Phillips Location: NW/c of Frederick Rd. & Arbutus Avenue Present Zoning: D.R. 16 Proposed Zoning: Special Exception for office building District: 1 No.Acres: 0.51

Public water and sewer is available to the site.

Air Follution Comment: he building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Follution Control Regulations. Additional information may be obtained from the Division of Afr Follution, Saltimore County Department of Health.

Chief
Water and Sewer Section
SUREAU OF ENVIRONMENTAL HEALTH

IJF/sam

- and 17'71 1 -

BAL MORE COUNTY, MAR LAND OFFICE OF FINANCE HE TO BALTIN MAIL TO OFFICE OF FINANCE, REVENUE DIVIS

JAN 7 1972

Office Building IT IS ORDERED by the Zoning Commissioner of Bultimore County this .... 16. Special Exception for an Office Building and to the advertisement, posting of property and public hearing on the above cetition DATE 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 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

FOR

RECE OP.DER F ng that by reason of the requirements of Section 502.1 of the Balti-

MICROFILMED

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

Oct. 27, 1971

Frederick E. Phillips

Rt. 2 Sheppard Lane Ellicott City, Nd. 21043 Advertising and posting of

Me. 253

01-662 \$47.50

property - #72-107-X

ORT CITAL OF CE OF

# CATONSVILLE TIMES

October 11 - 1971 CATONSVILLE, MD. 21228

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dimenna Zoning Commissioner of Baltimore County

was inserted in THE CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one

presenting weeks before the 11 day of Oct. 1971, that is to say, the same was inserted in the issue of October 7, 1971.

STROMBERG PUBLICATIONS, Inc.

in Ruch morgan

# CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was

nublished in THE IEFFERSONIAN a weekly newspaper printed

10 72

251605

72-117-x

# CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY

1 22.	Date of Posting 097. 9- 1971
District. 1 52	Date of Fosting.
Posted for SPECIAL EXCEPTION	
Petitioner FREDERICK F. PHILLIP	E WIUS ANG & FREDERICK Rda
Pedidoner July OF APR	VITUS AVE & FREDERICK Rde
Location of property: N.W. EOR L. E.	K23.4 2 Kes 2.2
Location of Signs: O. W/S. OF ARBUTO R N/S OF FREEDINGS AND - 25 t - W	OF AR DUTIES AUF.
Posted by Charles 21 Mes Signature	Date of return. 007. 15-1971

PETITION	MAPPING		<b>PROGRESS</b>			SHEET				
	Well Map		Orig	pinal	Duplicate		Tracing		200 Sheet	
FUNCTION	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										

Map 1 1-2A

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapaske Avenua Touson, Maryland 21204

Patitioners Fraderick E. S Harandon J. Phillips Petitioner's Attorney Granest C, Trimble Reviewed

