

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MARY E. O'MARA, 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an D.R.5.5 (R-9) zone to an D.R.16 (RA) zone; for the following reasons:

In classifying the property D.R.5.5 (R-6) the Council committed errors as set out on the attached exhibit, which is incorporated by reference herein (as to the R.A. alternative classification request, numerous changes have totally altered the character of this neighborhood since the property was last erroneously classified R-6 by the County Council or the County Commissioners).

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 office and professional office use.

Property is to be posted and advertised as prescribed 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.

MARY E. O'MARA
Contract purchaser
Address: 1424 Prince George's Rd.
Baltimore, Md. 21208

MARY E. O'MARA Legal Owner
Address: 103 Sudbrook Lane
Baltimore County, Md. 21208

JAMES D. NOLAN
Petitioner's Attorney
Address: 204 W. Pennsylvania Avenue
Towson, Maryland 21204
863-7800

Ordered By The Zoning Commissioner of Baltimore County, this 15th day of January, 1972, 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 20th day of March, 1972, at 10:00 o'clock.

James D. Nolan
Zoning Commissioner of Baltimore County.

(over)

POINTS OF ERROR COMMITTED BY THE COUNTY COUNCIL IN CLASSIFYING THE SUBJECT TRACT D.R. 5.5

The Petitioners state that the County Council committed at least the following errors in classifying the subject parcel D.R.5.5:

1. The parcel is presently improved by a large, old home which, because of changes in the area, is no longer suitable for use as a residence, and it was error for the Council to seek to continue the residential status of this property and nearby properties, since such residential use is not in character with the developing professional, office and commercial uses which have sprung up in the area in recent years.

2. The property cannot be economically or practically used for residential purposes any longer, and the Council ought to have considered this; and, at the very least, the Council should have placed this and other area parcels in a D.R.16 zone permitting as to the subject tract either garden apartments, or more appropriately, with a special exception as requested herein, permitting professional office use of this outmoded home.

3. That the area utilities are completely adequate for apartment use or for professional office use with the special exception as requested, and it was error for the Council to fail to recognize this fact.

4. That the subject tract and surrounding properties can only deteriorate, devalue and debase the neighborhood if rented as interim uses for residential purposes; whereas as D.R.16 with special exceptions for office and professional uses, the subject tract and area will both be upgraded, and it was and is error for the Council to have failed to so act to stabilize the area.

5. That the Council's error in placing this subject tract in a D.R.5.5 zone is readily understood when viewed against the background under which the Council labored during 1970-1971; including, but not only, a hostile press, an emotional and misinformed public, improper pressures, including even physical threats, from every quarter, not to mention the magnitude of the task versus the time and resources available to the Council.

6. That the Council, in addition to its other handicaps, did not have the benefit of an adequate, adopted Master Plan as required by Section 22.12 et. seq. of the Baltimore County Code (1968 Edition); and, thus, the Council was like a ship without a rudder trying to navigate in a typhoon.

7. That the Council hearing of March 24, 1971, was not a proper, legally conducted legislative hearing, and this subject property and many other properties were not adequately or properly considered at that meeting, constituting further error by the Council.

8. For such other and further reasons as may be disclosed upon minute study throughout this case, and further error by the Council is hereby assigned and will be noted when and as found.

Respectfully submitted,

James D. Nolan
James D. Nolan
Attorney for Property Owner

-2-



Lester Mair
John C. Chiles
Associates
Donald W. Brynes
George W. Buehler
Robert W. Crasner
Leonard M. Giese
Edmund F. Hale
Norman F. Harman
Paul Lee
A. Mario Lombardi
Fred F. Mirmann
William F. Quen
Paul S. Smeton

DESCRIPTION

0.325 AC. PARCEL, SOUTHEAST SIDE OF SUDBROOK LANE, 644 FEET
SOUTHWEST OF REISTERSTOWN ROAD.

This Description is for Special Exception for Office Use

Beginning for the same at a point on the southeast side of Sudbrook Lane, 60 feet wide, at the distance of 644 feet southwesterly from the southwest corner of Sudbrook Lane and Reisterstown Road, said point also being at the beginning of the land described in the deed from The Realty Company to William F. O'Mara and wife and recorded among the Land Records of Baltimore County in Liber R.J.S. 1367 page 98, running thence binding on the southeast side of said Sudbrook Lane, (1) S 61° 38' W 66 feet to the northeast outline of the land conveyed to Frank W. Plogman and wife as recorded among said Land Records in Liber R.R.G. 4106 page 594, thence binding on said northeast outline, (2) S 38° 10' E 14.94 feet to a point on the third line of said land conveyed to William F. O'Mara and wife, thence binding on a part of the third line and on the fourth line thereof, two courses: (3) N 61° 35' E 66 feet, more or less, and (4) N 28° 10' W 214.83 feet to the place of beginning.

Containing 0.325 of an acre of land.

Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Development ■ Reports

RWB:mp

J.O. #71143

October 4, 1971



BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Mr. Eric Dikenna Date: October 25, 1971
FROM: Oliver L. Myers
SUBJECT: Item 43 - Cycle Zoning II

Locations: 5/16 Sudbrook Lane, 644' S/W of Reisterstown Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass. to D.R. 16 and Spec. Ex. for offices
District: 3rd Sector: Northwestern
No. Acres: 0.325
Item No. 43

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:

Sudbrook Lane, an existing County road, is proposed to be improved as a 50-foot closed-type roadway cross-section within a 70-foot right-of-way. Highway improvements, including any necessary highway right-of-way widening and reversible alone elements will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering and shall be constructed in accordance with Baltimore County Standards.

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.

Storm Drainage:

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 erosion any nuisance or damage 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.

Item 43 (Cycle Zoning II) - April 1972
Property Owner: Mary E. O'Mara
Page 2
October 25, 1971

Notes and Sanitary Sewer:

Both public water supply and sanitary sewerage are available and serving this property.

Eric Dikenna
ERIC DIKENNA, P.E.
Chief, Bureau of Engineering

ENCLOSURES:

P-55 Key Sheet
28 W 21 Position Sheet
24 7 7 Page
78 Tax Map

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE November 8, 1971

COUNTY OFFICE BLDG.
111 W. Greenview Ave.
Towson, Maryland 21204

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 ADMINISTRATOR
INDUSTRIAL DEVELOPMENT

Mr. George E. Gavrillis, Director
Office of Planning & Zoning
Room 301, Jefferson Building
Towson, Maryland 21204

RE: Property Owner: Mary E. O'Mara
Location: 5/16 Sudbrook Lane, 644' S/W of Reisterstown Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass. to D.R. 16 and Spec. Ex. for offices
3rd District Sector: Northwestern
No. Acres: 0.325
Item No. 43

The following comments were compiled after a field investigation and an in-office review which will provide the Planning Board and/or the petitioner with pertinent information of possible development problems.

The subject site is located on the south side of Sudbrook Lane, just west of Reisterstown Road. It is currently improved with a two-story frame dwelling and lies adjacent to similar type dwellings on either side. The property to the north is improved with an elementary school.

The plat as submitted does not indicate all adjacent buildings on either side of the subject site. In all other respects it does appear to meet the Zoning Commissioner's rules of procedure.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

JJDjr:mah

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

TO: S. Eric Dikenna Date: November 4, 1971
ATTN: Oliver L. Myers
FROM: C. Richard Moore
SUBJECT: Item 43 - Cycle Zoning II
Property Owner: Mary E. O'Mara
Sudbrook Lane SW of Reisterstown Road
Reclass. to DR 16 & spec. exception for offices

Due to the size of the subject site, no major increase in trip density is expected.

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM:mr

HYB/k1r

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 15, 1972

James D. Nolan, Esq.
204 West Pennsylvania Avenue
Towson, Maryland 21204

Re: Type of Hearings: Reclus, to D.R. 16
and Sp. Ev. for offices
Location: S/E/2 Sudbrook Lane, 644'
S/W of Reisterstown Rd.
Petitioner: Mary E. O'Mara
3rd District
Item 43

Dear Sir:

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 site is located on the south side of Sudbrook Lane, just west of Reisterstown Road. It is currently improved with a two-story frame dwelling and lies adjacent to similar type dwellings on either side. The property to the north is improved with an elementary school.

BUREAU OF ENGINEERING:

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

Highways:

Sudbrook Lane, an existing County road, is proposed to be improved as a 10-foot closed-type roadway cross-section within a 70-foot right-of-way. Highway improvements, including any necessary highway right-of-way widening and reversible slope easements will be required in connection with any grading or building permit application.

The entrance location is subject to approval by the Department of Traffic Engineering and shall be constructed in accordance with Baltimore County Standards.

Settlement Controls:

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 the lot.

James D. Nolan, Esq.
Item 43
Page 2
February 15, 1972

Storm Drainage:

Provision for accommodating storm water or drainage have not been indicated on the submitted plans.

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.

Water and Sanitary Sewers:

Both public water supply and sanitary sewerage are available and serving this property.

DEPT. OF TRAFFIC ENGINEERING:

Due to the size of the subject site, no major increase in trip density is expected.

FIRE PREVENTION BUREAU:

The Fire Department has no comment on the proposed site.

HEALTH DEPARTMENT:

Metropolitan water and sewer are available to the site.

Air Pollution Comments: Two building or buildings on this site may be subject to regulation 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.

BOARD OF EDUCATION:

Acreage too small to have an effect on student population.

ZONING ADMINISTRATION DIVISION:

The plot as submitted does not indicate all adjacent buildings on either side of the subject site to all other respects it does appear to meet the Zoning Commission's rules of procedure.

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.

James D. Nolan, Esq.
Item 43
Page 3
February 15, 1972

Very truly yours,

OLIVER L. MYERS, Chairman

JJD:mh

Enc.

ORIGINAL
OFFICE OF
THE COMMUNITY TIMES
RANDALLSTOWN, MD. 21133 March 6 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric Dismas
Zoning Commissioner of Baltimore County
was inserted in THE COMMUNITY TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for one week
before the 6 day of March 1972, that is to say, the same
was inserted in the issue of March 2, 1972.

STROMBERG PUBLICATIONS, Inc.

By *Ruth Morgan*

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 2, 1972.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on March 2, 1972, at one time, before the 20th day of March, 1972, the first publication appearing on the 2nd day of March, 1972.

THE JEFFERSONIAN

L. L. L. L.

Manager

Cost of Advertisement, \$

2-51603 72-213-RX
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *7 R* Date of Posting: *MARCH 4, 1972*
Posted for: *RECLASSIFICATION OF SPECIAL EXEMPTION*
Petitioner: *MARY E. O'MARA*
Location of property: *S.E. 1/4 of SUDBROOK LANE, 644' S.W. of REISTERSTOWN ROAD*
Location of Sign: *On S.E. 1/4 of SUDBROOK LANE, 644' S.W. of REISTERSTOWN ROAD*
Remarks: *Charles H. Morgan* Date of return: *MARCH 6, 1972*
Posted by: *Charles H. Morgan* Signature

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		500 Sheet	
	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										
Reviewed by: <i>JB</i>										
Previous case:										
Revised Plans: Change in outline or description										

Mary E. O'Mara, Esq. - Attorney
204 W. Pennsylvania Ave., Towson 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing

this 15th day of February 1972

Oliver L. Myers
Chairman of
Zoning Commission

Petitioner: *Mary E. O'Mara*Petitioner's Attorney: *James D. Nolan*

Reviewed by: *Oliver L. Myers*
Chairman of
Advisory Committee

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
1306
DATE: Nov. 19, 1972 ACCOUNT: 01-662
AMOUNT: \$50.00
DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
James D. Nolan, Esq.
204 W. Penna. Ave.
Towson, Md. 21204
Petition for Reclassification for Mary E. O'Mara

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 1595
DATE: March 20, 1972 ACCOUNT: 01-662
AMOUNT: \$127.00
DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
James D. Nolan, Esq.
204 W. Penna. Ave.
Towson, Md. 21204
Advertising and posting of property for Mary E. O'Mara
#72-213-RX 127.00 MC

SUDBROOK

LANE

Prop. CURB & GUTTER

Ex. 8" S.W. - See DWG. 26-602 A-10 2

EXIST. PAVING

Ex. 4" 2

Ex. 12" WATER S.W. DWG. 26-602 A-12

Prop. CURB & GUTTER

BEGINNING OF ROAD TO REINTER

EXISTING ZONING "DR1G" RESIDENTIAL USE

EXISTING "DR1G" ZONING LINE

EXISTING ZONING "DR2B" RESIDENTIAL USE

EXISTING "DR2B" ZONING LINE

N 01° 55' E 66.00'

EXISTING ZONING "DR2B" RESIDENTIAL USE

MATZ, CHILDS & ASSOCIATES			
1020 CROWWELL BRIDGE ROAD			
BALTIMORE, MARYLAND 21204			
JOB NO.	DRAWN BY	TRACED BY	CHECKED BY
71143	RLS		PL

MAP	NO. 26
ELECTION	DISTRICT 8
D. T. E.	10/7/71
TYPE	RE
REMARKS	BY 10/7/71
BY	
APPROVAL	

SUBJECT SITE

LOCATION PLAN
Scale: 1" = 500'

GENERAL NOTES

PROPERTY EQUALS 0.325 ACRES
ZONING OF PROPERTY "DR2B"
USE OF PROPERTY "RESIDENTIAL"
ZONING OF PROPERTY "DR1G WITH SPECIAL EXCEPTION"
USE OF PROPERTY "DENTIST OFFICES"
PARKING DATA:
AREA EQUALS 305 SQ. FT. PER FLOOR, TOTAL = 1810 SQ. FT.
PARKING EQUALS 7 SPACES
PAVED PARKING EQUALS 7 SPACES
PLAN FOR FIRE HYDRANTS

PLAN TO ACCOMPANY PETITION
FOR
RECLASSIFICATION OF PROPERTY
WITH
SPECIAL EXCEPTION
AT
N 103 SUDBROOK LANE
ELECTION DISTRICT 8 BALTIMORE COUNTY, MD
Scale: 1" = 50'
OCT. 7, 1971

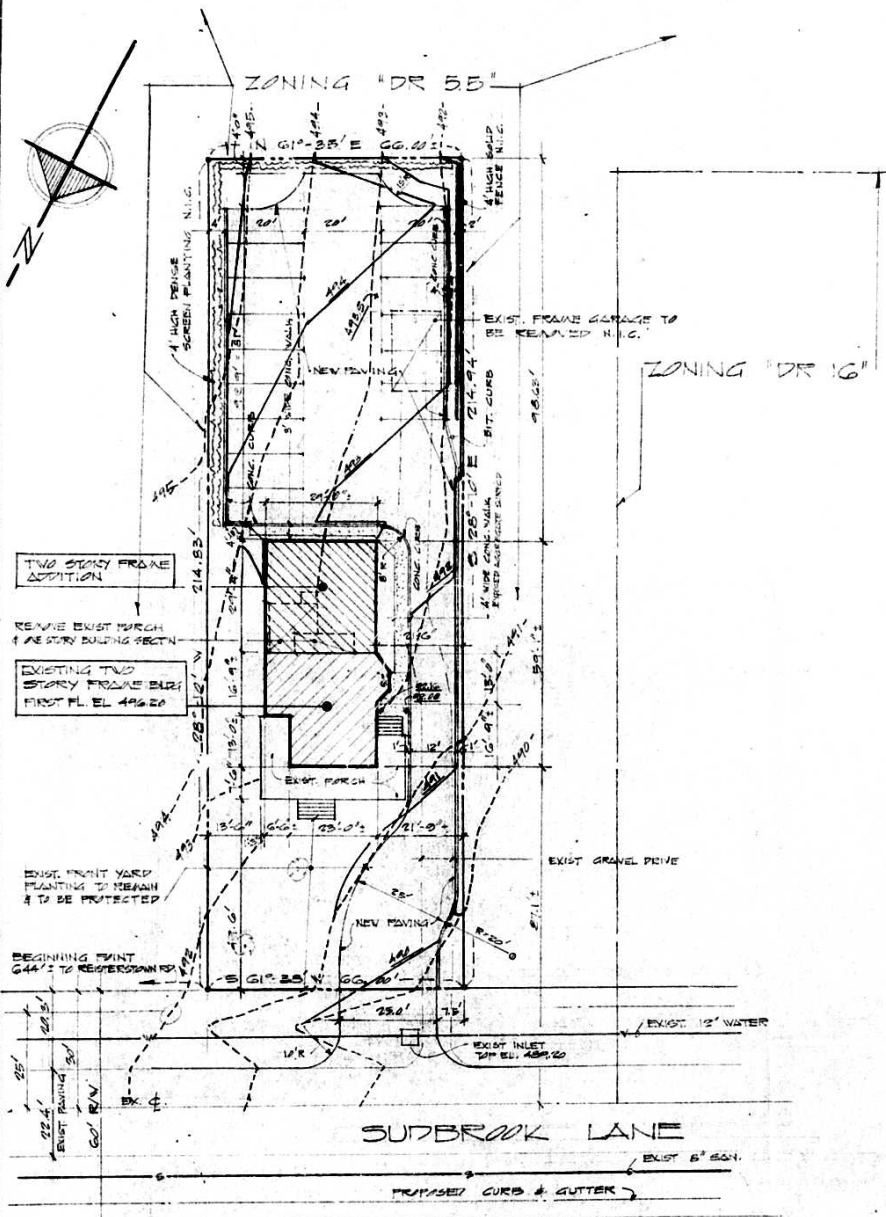


WALK & GRADE



TYPICAL CONC CURB

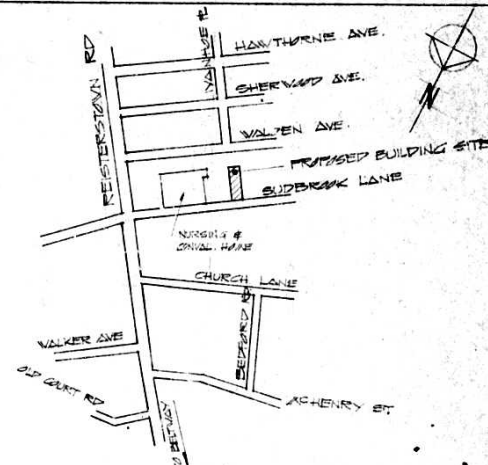
SCALE 1/2" = 1'-0"



SITE & GRADING PLAN

1" = 20'-0"

FOR AN SITE UTILITIES SEE DWG. A-1



VICINITY MAP

SCALE 1/4" = 200'

NOTES

BUILDING LOCATION & PROPERTY OUTLINE TAKEN FROM PLAT BY MATZ, CHILDS & ASSOC., 1920 CRAWFELL BRIDGE RD, BALTIMORE, MD 21204, DATED OCT. 7, 1971. GRADING INFORMATION BY OWNER.

ELECTION DISTRICT 4, BALTIMORE COUNTY, MD. ZONING: DR-1G WITH SPECIAL EXCEPTION

PROPOSED USE OF PROPERTY: DENTAL OFFICES ON FIRST FLOOR, OFFICES ON SECOND FLOOR.

AREA OF PROPERTY: 0.325 ACRES

PARKING DATA:

BUILDING AREA: 1670 SQ. FT.

PARKING SPACES: 4' x 20'

FIRST FLOOR: 1 CAR SPACE FOR 200 SQ. FT.

$1677/200 = 8.4 \dots 6$ CAR SPACES

SECOND FLOOR: 1 CAR SPACE FOR 500 SQ. FT.

$1687/500 = 3.4 \dots 4$ CAR SPACES

TOTAL NUMBER OF PARKING SPACES REQUIRED: 10

TOTAL NUMBER OF PARKING SPACES PROVIDED: 10

PAVING TO BE HOT-BOX BITUMINOUS PAVING, CONFORMING TO MARYLAND STATE ROAD CONSTRUCTION SPECIFICATIONS FOR BIT. CONC. (SPEC. 'B'), 6" CRUSHED STONE BASE COURSE AND 2" BIT CONC. SURFACE COURSE.

CONC. WALKS ARE TO BE 4" CONC. SLAB W/ 6" x 6" WALK V.I.A. ON 4" GRAVEL BED. EXPANSION JOINTS AT MAX 30' O.C.

LEGEND

- 20' - EXISTING GRADE
- 10' - FINISH GRADE
- + 10' - FINISH 2ND GRADE ELEV.

PLANS APPROVED

OFFICE OF PLANNING & ZONING

BY: *[Signature]*

DATE: 6/1/73

72-213-R

THIS PROPOSED BUILDING IS DESIGNED IN ACCORDANCE WITH THE BALTIMORE COUNTY BUILDING CODE

[Signature]

OFFICE BUILDING FOR
BARRY S. LEVER ET AL.
TRUSTEES
ADDRESS: 1425 PRINCE GEORGES RD., PINEVILLE
TO BE LOCATED AT 103 SUPERBROOK LANE
PINEVILLE, BALTO. CO., MARYLAND

GEORGE KABINEK
AIA
ARCHITECT



DATE: 5/25/73
DRAWN: *[Signature]*

