

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Bernard & Frieda Potts, legal owners 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 an D.R. 16 zone to an BL zone, for the following reasons:

See attached description
see attached brief

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.

Address: 3300 N. Green Spring Rd., Towson, Md. 21204

Suite 411 Jefferson Bldg.
Address: Towson, Maryland - 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day

February, 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 23rd day of March, 1972, at 10:00 o'clock.

Oliver L. Myers
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 8, 1971

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

RE: Property, Owner: Bernard and Frieda Potts
Location: N/E/S Reisterstown Rd., 755'
N/W of Greenspring Valley Rd.
Present Zoning: D.R. 16
Proposed Zoning: Reclass. to B.L.
3rd District Sector: Northwestern
No. Acres: 1.42
Item No. 40

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 east side of Reisterstown Road, approximately 755 feet south of Greenspring Valley Road. It is a large, undeveloped tract of land with a slight bank to the existing grade above Reisterstown Road. The property to the north is residential in character and improved with one-family dwellings. The property to the southeast is undeveloped property that is proposed to be developed as apartments. The property on the southwest side of Reisterstown Road is undeveloped residential land.

The plat as submitted does not clearly indicate in which direction from Greenspring Valley Road this site is located. This should be revised. It does not indicate the size of the driveways or type of surface to be on the parking area. The entrance widths are in excess of Baltimore County Standards, and no setbacks were shown on the northernmost side of the property from the property to the building line.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

JDJR:msh

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 15, 1972

Mr. Frank E. Ciccone
411 Jefferson Bldg.
Towson, Md. 21204

RE: Type of Hearing: Reclass. to B.L.
Location: N/E/S Reisterstown Rd., 755'
N/W of Greenspring Valley Rd.
Petitioner: Bernard and Frieda Potts
3rd District
Item No. 40

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 east side of Reisterstown Road, approximately 755 feet south of Greenspring Valley Road. It is a large, undeveloped tract of land with a slight bank to the existing grade above Reisterstown Road. The property to the north is residential in character and improved with one-family dwellings. The property to the southeast is undeveloped property that is proposed to be developed as apartments. The property on the southwest side of Reisterstown Road is undeveloped residential land.

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:

Reisterstown Road (Md. 140) is a State Road; therefore, this site will be subject to State Highway Administration review and all street improvements and entrance locations on this road will be subject to State Highway Administration requirements.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public facilities downstream of the property. A sediment plan is, therefore, necessary for all grading, including the stripping of the soil.

Frank E. Ciccone
Item No. 40
Page 2

Drainage studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Storm Drains

Reisterstown Road (Md. 140) is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

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:

Public water is available to serve this property.

Sanitary Sewer:

Public sanitary sewerage can be made available to serve this property by constructing a public sanitary sewer extension, approximately 1,600 feet in length, from the existing 10-inch Garrison Sanitary Sub-Interceptor Sewer in Reisterstown Road, shown on Drawing 559-1260 - A-10. The portion of this required extension from the sub-interceptor to Greenspring Valley Road, a distance of approximately 825 feet, has been designed and bids have been taken for construction. This proposed 10-inch sanitary sewer is shown on Drawing 668-0852 (1).

Reisterstown Road (Md. 140) is a State Road; the fore, any construction within the State Roads right-of-way will be subject to standards, specifications and approval of the Maryland State Highway Administration, in addition to those of Baltimore County.

DEPT. OF TRAFFIC ENGINEERING:

Review of the subject site indicates severe grading and sight distance problems, should the site be developed as shown. The trip density should increase from 180 to 200 trips per day. This increase is undesirable due to present capacity restraints along Reisterstown Road.

BOARD OF EDUCATION:

Acres too small to have an effect on student population.

FIRE DEPARTMENT:

Fire hydrants for the proposed site (are required and) shall be in accordance with Baltimore County Standards.

FRANK E. CICCONI
Attorney At Law
FIRST NATIONAL BANK BLDG.
TOWSON, MARYLAND 21204
October 15, 1971

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Property of Bernard and Frieda Potts

Dear Mr. DiNenna:

I am filing a petition in the above-subject case and wish to cite as a basis the following reasons which constitute error in the zoning maps signed March 24, 1971.

1. Error was committed in the 1971 zoning maps because the property is too small and cannot be economically developed for a residential use.
2. The 1971 maps failed to take into consideration the size, shape and topography of the subject-property.
3. The ownership property lines were disregarded in the adoption of the 1971 maps.
4. And for other and further sufficient reasons to be shown at the hearing hereof, which will show the glaring error in the adoption of the maps.

Very truly yours,

Frank E. Ciccone
Frank E. Ciccone

FEC:km

E. F. RAPHAEL & ASSOCIATES
Registered Professional Land Surveyors
801 COURTLAND AVENUE
TOWSON, MARYLAND 21204

October 14, 1971

DESCRIPTION TO ACCOMPANY RECLASSIFICATION
PETITION OF 1.42 ACRE PARCEL OF LAND
3RD ELECTION DISTRICT BALTIMORE COUNTY

BEGINNING for the same at a point on the northeast side of Reisterstown Road at a distance of 755' ± south easterly from the intersection of Valley Road said point being also at the beginning of the land which by deed dated February 23, 1961 and recorded among the Land Records of Baltimore County in Liber 3813 folio 568 was conveyed by Pearl A. Hodensick (widow) to Bernard Potts and wife running thence and binding on the northeast side of Reisterstown Road and reversely on the fifth or last line in a closed deed 10°59'21"W 420.00' thence leaving the northeast side of Reisterstown Road and binding reversely on the fourth to the first line inclusive in the aforesaid deed the four following courses and distances: 1)N50°01'E 106.00' 2)S82°59'E 43.51' 3)S39°21'E 372.82' 4)S50°01'W 150.00' to the place of beginning.

CONTAINING 1.42 Acre of land more or less.

BEING all of the land which by deed dated February 23, 1961 and recorded among the Land Records of Baltimore County in Liber 3813, folio 568 was conveyed by Pearl A. Hodensick (widow) to Bernard Potts and wife.



E. F. Raphael
Eugene F. Raphael 1946
Reg. Prof. Land Surveyor

Frank E. Ciccone
Item No. 40
Page 3

The owner shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "The Life Safety Code", 1967 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

STATE HIGHWAY ADMINISTRATION:

There is poor stopping sight distance along the frontage of the subject site due to an over-vertical curve (hill) to the southeast. The problem is augmented by the steep grade on Reisterstown Road. The portion of the frontage that is least objectionable for access is at the northwest property line. Considering the foregoing, only one point of access will be permitted, which shall be located as close to the northwest property line as possible (5' from the property line to the P.C. of the radius return into the entrance).

An entrance 30' in width would be sufficient to serve the type of business proposed.

The roadside curb is to be 26' from and parallel to the centerline of Reisterstown Road.

The plan must be revised in accordance with the foregoing comments prior to a hearing being assigned.

The entrance will be subject to State Roads Commission approval and permit. The above comments were made by letter to the Zoning Commissioner dated January 21, 1970, when a petition was previously made.

HEALTH DEPARTMENT:

Metropolitan water available to this site. Soil evaluation tests must be made and approved or metropolitan sewers extended before building permit will be issued.

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.

ZONING ADMINISTRATION DIVISION:

The plat as submitted does not clearly indicate in which direction from Greenspring Valley Road this site is located. This should be revised. It does not indicate the size of the driveways or type of surface to be on the parking area. The entrance widths are in excess of Baltimore County Standards, and no setbacks were shown on the northernmost side of the property from the property to the building line.

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.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

JDJR, Jrine
Enc:

AUG 29 1972

122.75 HSC

