

72-229-RX PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Lawrence H. Kahl and
1 or we, Marie J. Kahl, wife, 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,
herby petition (1) that the zoning status of the herein described property be re-classified, pursuant
to the Zoning Law of Baltimore County, from an DR 3.5 zone to an
DR 16 zone, for the following reasons: Error in classification;
Property is unusable in 3.5 classification and 3.5 classification is
confiscatory error because commercial use is made of property in the
area and DR 3.5 is thus not within reasonable use of property; error
because DR 16 with the requested special exception allows a reasonable
use of the said property.

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

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.

Address: 9406 Belair Road
Contract purchaser: Marie J. Kahl
Legal Owner: Marie J. Kahl
Address: 9406 Belair Road
Protestant's Attorney: Harry E. Rappold, et al
Protestant's Address: 204 N. E. 1st St.
Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day
of February, 1973, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out 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 2nd day of April, 1973, at 10:00 o'clock

Shirley R. Hesse
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR RECLASSIFICATION

from D.R. 3.5 to D.R. 16 zone; and
SPECIAL EXCEPTION for Offices
NW/4 of Belair Road 225' South of
Pinedale Drive
11th District

Lawrence H. Kahl, et ux
Petitioners

Zoning File No. 72-229-RX

Harry E. Rappold, et al
Protestants-Appellants

IN THE

CIRCUIT COURT

FOR

BALTIMORE COUNTY

AT LAW

Misc. Docket No. 9

Folio No. 309

File No. 5054

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come John A. Slowik, Walter A. Reiter, Jr. and John A.
Miller, constituting the County Board of Appeals of Baltimore County, and in answer to
the Order for Appeal directed against them in this case, herewith return the record of
proceedings had in the above entitled matter, consisting of the following certified copies
or original papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER OF BALTIMORE COUNTY

No. 72-229-RX
Feb. 29, 1972 Petition of Lawrence H. Kahl, et ux, for reclassification from D.R.
3.5 to D.R. 16, and special exception for offices, on property
located on the northwest side of Belair Road 225' S. of Pinedale
Drive, 11th District - filed
Order of Zoning Commissioner directing advertisement and posting
of property - date of hearing set for April 3, 1973 at 2:00 p.m.
Mar. 16 Certificate of Publication of property - filed
Posting - filed
Baltimore County Zoning Advisory Committee comments - filed
Planning Board comments and map - filed
Apr. 3 At 2 p.m. hearing held on petition by Deputy Zoning Commissioner -
case held in abeyance
Aug. 30 Order of Deputy Zoning Commissioner granting reclassification and
special exception, subject to restrictions
Sept. 22 Order of Appeal to County Board of Appeals from Order of Deputy
Zoning Commissioner

cc: James D. Nolan, Esquire
Gerard V. Caldwell, Esquire
Paul J. Feeley, Esquire

Dismissal filed in wrong Court,
forwarded and filed Circuit Court,
10/30/73 (copy)

CIRCUIT COURT FOR BALTIMORE COUNTY

We are returning the enclosed
papers due to:

1. Court cost needed
2. Filed in wrong Court
3. File in District Court
4. Incomplete address
5. Signature needed
6. Send us original note
7. Non-Military Service Affidavit Required
8.
9.
10.

Elmer H. Kahline, Jr., Clerk

Deputy Clerk

DISMISSAL OF APPEAL

MR. CLERK:

Please dismiss the appeal to the Court of Special Appeals
which we have filed in proper person in the above entitled matter,
the said appeal having been taken from the Order of the Circuit
Court for Baltimore County dated September 13, 1973, in the
above entitled matter.

Lawrence H. Kahl
Lawrence H. Kahl

Marie J. Kahl
Marie J. Kahl

I HEREBY CERTIFY that on this 23rd day of October, 1973,
a copy of the foregoing Dismissal of Appeal was mailed to Gerard V.
Caldwell, Esquire, 7701 Belair Road, Baltimore, Maryland 21236,
and County Board of Appeals of Baltimore County, County Office
Building, Towson, Maryland 21204.

Lawrence H. Kahl
Lawrence H. Kahl

FILED
OCT 31 1973
CLERK OF DISTRICT COURT

cc: J.D. Nolan, Esq.
G.V. Caldwell, Esq.
P.J. Feeley, Esq.
Zoning & Anderson

RE: PETITION FOR RECLASSIFICATION

from D.R. 3.5 to D.R. 16 zone; and
SPECIAL EXCEPTION for Offices
NW/4 of Belair Road 225' South of
Pinedale Drive
11th District

Lawrence H. Kahl, et ux
Petitioners

Zoning File No. 72-229-RX

Harry E. Rappold, et al
Protestants-Appellants

IN THE

CIRCUIT COURT

FOR

BALTIMORE COUNTY

AT LAW

Misc. Docket No. 9

Folio No. 309

File No. 5054

ANSWER TO ORDER OF APPEAL TO CIRCUIT

COURT FOR BALTIMORE COUNTY, AND

CERTIFIED COPIES OF PROCEEDINGS BEFORE

THE ZONING COMMISSIONER AND BOARD

OF APPEALS OF BALTIMORE COUNTY

Mr. Clerk:

Please file, &c.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

RE: PETITION FOR RECLASSIFICATION
from D.R. 3.5 to D.R. 16 zone;
and SPECIAL EXCEPTION for Offices
NW/4 of Belair Road 225' South of
Pinedale Drive
11th District
Lawrence H. Kahl, et ux
Petitioners

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 9
Folio 309
File No. 5054

PETITION FOR EXTENDING TIME FOR FILING TRANSCRIPT

Harry E. Rappold, et al, Protestants-Appellants, by
their attorney, Gerard V. Caldwell, respectfully represents
unto your Honor:

1. That an Appeal was filed in the above-entitled
case on June 20th, 1973.
2. That the Petitioners' attorney had been advised
by G. L. Perkins, Court Reporter, that he would be unable to
have the transcript ready within the thirty (30) days from the
date of Appeal.

WHEREFORE your Petitioner prays that:

- (a) That he be allowed an additional thirty (30)
days in which to file the transcript of the above-entitled
case with the Clerk of the Circuit Court for Baltimore County.
- (b) That he have such further and other relief as
the nature of his cause may require.

ORDER

It is Ordered this 16th day of July, 1973,
by the Circuit Court for Baltimore County that the Petitioners,
Harry E. Rappold et al, be allowed an additional thirty (30) days
through August 20th, 1973, to file the transcript of the above-
entitled case with the Clerk of the Circuit Court for Baltimore
County.

PETITION FOR RECLASSIFICATION

from D.R. 3.5 to D.R. 16 zone
and SPECIAL EXCEPTION FOR OFFICES
NW/4 of Belair Road
225' South of Pinedale Drive
Eleventh District

Lawrence H. Kahl, et ux
Petitioners-Appellants

Zoning File No. 72-229-RX

Harry E. Rappold, et al
Protestants-Appellants

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY

AT LAW

Misc. Case No. 5064

Misc. Docket 9

Folio 309

ORDER FOR APPEAL BY

LAWRENCE H. KAHL AND MARIE J. KAHL,

PETITIONERS

Mr. Clerk:

Please enter an appeal in proper person on behalf of
Lawrence H. Kahl and Marie J. Kahl, Petitioners and Appellants, to
the Court of Special Appeals from the Decision and Order entered
in this action, dated September 13, 1973, by the Circuit Court for
Baltimore County, which Decision and Order reversed the Order of
the County Board of Appeals dated May 23, 1973.

Lawrence H. Kahl
Lawrence H. Kahl

Marie J. Kahl
Marie J. Kahl

Appellants

I HEREBY CERTIFY that on this 16th day of July, 1973,
a copy of the foregoing Order for Appeal was mailed to
Gerard V. Caldwell, Esquire, 7701 Belair Road, Baltimore, Maryland
21236, and County Board of Appeals of Baltimore County, County
Office Building, Towson, Maryland 21204.

Lawrence H. Kahl
Lawrence H. Kahl

LAW OFFICE
NOLAN, PLANNING
& WILLIAMS
TOWSON, MD.

HARRY E. RAPPOLO, et al
vs.
JOHN A. SLOWIK
WALTER A. REITER, JR., and
JOHN A. MILLER, constituting
the COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW
MISC. CASE NO. 5064
DOCKET
FOLIO 309

OPINION

The property involved in the application for rezoning filed in this case is a lot with a frontage of 75 feet on Belair Road and a depth of 150 feet. It is improved by a one and a half story cottage with an attached garage. It is presently zoned D.R. 3.5, as is a fairly substantial surrounding area including both sides of Belair Road. Several hundred feet to the northeast and to the southwest from the subject property, the zoning is D.R. 16.

Petitioners acquired this property as their home in October, 1970. The only contention made by Petitioners before the Deputy Zoning Commissioner and the County Board of Appeals was that the County Council, in adopting the new comprehensive zoning map for the area on March 24, 1971, committed error. Petitioners, prior to the adoption of such map, had asked the Planning Board to recommend a change in zoning from D.R. 3.5 to D.R. 16 which request had been refused.

The requested rezoning and special exception for the construction of an office building were granted by the Deputy Zoning Commissioner on August 30, 1972. On appeal to the County Board of Appeals, the order of the Zoning Commissioner was affirmed on May 23, 1973. However, the Board did not impose conditions on

the grant of the special exception, although the Deputy Zoning Commissioner had attempted to impose several conditions to such grant.

The general rule is that a duly adopted comprehensive zoning map is presumptively valid, and the burden upon one seeking a change in the zoning provided by such a map of demonstrating that there was error in the adoption of the map is a heavy one.

Mewitt v. Baltimore County, Maryland, 220 Md. 48, 57; Miller v. Abraham, 239 Md. 263, 272. (No claim was made in this case that there were changes in the area of any substance since the adoption of the map on March 24, 1971.) The basis on which the County Board of Appeals found error was that, "The subject location is not suitable for residential purposes, and to deprive the owner of any alternative reasonable use of a property certainly constitutes error in comprehensive rezoning."

The Court of Appeals has held that spot zoning can be valid or invalid. In Mewitt v. Baltimore County, Maryland (supra 57-58), the Court of Appeals said:

"This Court has had occasion in a number of cases to consider the validity of a zoning classification of a relatively small tract which differs from that of a much larger tract of adjacent land. The problem is commonly discussed as one of 'spot zoning'. That term has probably acquired some popular connotation of invalidity. If, however, the term is used in a descriptive sense, 'spot zoning' may be valid or invalid, depending upon the circumstances of each particular case. Ruff v. Board of Zoning Appeals, supra; Baylis v. City of Baltimore, 219 Md. 164, 168 A.2d 429. As we said in the Ruff case: 'When a zoning ordinance or an amendment puts a small area in a zone different from that of the surrounding area, we have what may be called 'spot zoning', using the term in a descriptive sense. Such zoning may be invalid or valid. If it is an arbitrary and unreasonable deviation of the small area to a use inconsistent with the uses to which the rest of the district is restricted and made for the sole benefit of the private interests of the owner, it is invalid.

-2-

Protestants' evidence disclosed that such a change would be:

- (1) Detrimental to the health, safety, or general welfare of the locality involved;
- (2) Tend to create congestion in roads, streets or alleys therein;
- (3) Create a potential hazard from fire, panic or other dangers;
- (4) Tend to overcrowd land and cause undue concentration of population;
- (5) Interfere with adequate provisions for schools, parks, water sewerage, transportation or other public requirements, conveniences, or improvements;
- (6) Interfere with adequate light and air.

WHEREFORE the Petitioner respectfully requests that the aforesaid Order of the County Board of Appeals for Baltimore County be set aside, annulled and reversed.

Gerard V. Caldwell
Attorney for Protestants
7701 Belair Road
Baltimore, Maryland 21236
668-7742

I HEREBY CERTIFY that on this _____ day of _____, 1973, a copy was mailed to the County Board of Appeals for Baltimore County, County Office Building, Towson, Maryland 21204 and James D. Nolan, Esquire, 204 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Applicants.

Gerard V. Caldwell

RE: PETITION FOR RECLASSIFICATION
from D.R. 3.5 to D.R. 16 zone;
SPECIAL EXCEPTION for Office
NW/5 of Belair Road 225' South of
Pinedale Drive
11th District

Lawrence H. Kohl, et al
Petitioners

Zoning File No. 72-229-RX

Harry E. Rappold, et al
Protestants-Appellants

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

Misc. Docket No. 9

Folio No. 309

File No. 5054

CERTIFICATE OF NOTICE

Mr. Clerk

Pursuant to the provisions of Rule 1101-84(d) of the Maryland Rules of Procedure, John A. Slowik, Walter A. Reiter, Jr., and John A. Miller, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, James D. Nolan, Esq., 204 W. Pennsylvania Avenue, Towson, Maryland, 21204, attorney for the Petitioners, and Gerard V. Caldwell, Esq., 7701 Belair Road, Baltimore, Maryland, 21236, and Paul J. Feeley, Esq., 209 Courtland Avenue, Towson, Maryland, 21204, attorneys for the Protestants, a copy of which Notice is attached hereto and by which it may be made a part thereof.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County
County Office Building, Towson, Md. 21204
Telephone - 494-3180

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to James D. Nolan, Esq., 204 W. Pennsylvania Avenue, Towson, Md. 21204, attorney for the Petitioners, and Gerard V. Caldwell, Esq., 7701 Belair Road, Baltimore, Md. 21236, and Paul J. Feeley, Esq., 209 Courtland Avenue, Towson, Md. 21204, attorneys for the Protestants, on this 21st day of June, 1973.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

cc: Nolan, Esq.
Caldwell, Esq.
Feeley, Esq.
Zoning-Anderson
Planning-Wernick

Casal v. City of Baltimore, 195 Md. 348, 355. On the other hand, if the zoning of the small parcel is in accord and in harmony with the comprehensive zoning plan and is done for the public good - that is, to serve one or more of the purposes of the enabling statute, and so bears a substantial relationship to the public health, safety, morals and general welfare, it is valid. Offutt v. Board of Zoning Appeals, 204 Md. 551, 561; Tamash v. Board of Zoning Appeals, 205 Md. 489, 495; Elliot v. City of Baltimore, 180 Md. 176, 183; Casal v. City of Baltimore, supra. The tax writers and the Courts of many jurisdictions state the rule as the Maryland cases have stated it."

See also Minor v. Shifflett, 252 Md. 158, 165-6.

It is my judgment that the rezoning of a parcel of land containing less than a quarter acre of land approximately in the middle of a fairly substantial area zoned in the same classification as the subject property is invalid.

"The Courts may not substitute their judgment for that of the Board when the Board's decision is supported by substantial evidence and the issue before the Board was fairly debatable."

Minor v. Shifflett (supra 165). However, where this is not so or where the Board has acted illegally, the Court will declare the administrative action invalid. Minor v. Shifflett (supra 165).

In this case, the decision of the Board was not only unlawful, but also, considering the facts and circumstances, arbitrary and capricious.

The Court will sign an Order reversing the Order of the Board.

15/ Proctor
JUDGE

September 28, 1973.

Re: PETITION FOR RECLASSIFICATION
from D.R. 3.5 to D.R. 16 zone
SPECIAL EXCEPTION for Office
NW/5 Belair Rd. 225' S. of Pinedale Drive
11th District

HARRY E. RAPPOLO, et al
vs.
JOHN A. SLOWIK
WALTER A. REITER, JR.
JOHN A. MILLER
Constituting the County
Board of Appeals of
Baltimore County

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
No. 72-229-RX

ORDER FOR APPEAL

Please note Appeal from the Order of the County Board of Appeals dated May 23, 1973, granting the reclassification from D.R. 3.5 to D.R. 16 Zone and the Special Exception for office use for property on the northwest side of Belair Road 225 feet south of Pinedale Drive in the 11th Election District of Baltimore County, Case No. 72-229-RX.

Gerard V. Caldwell
Attorney for Protestants
7701 Belair Road
Baltimore, Maryland 21236
668-7742

Service of copy admitted on this _____ day of _____, 1973, by the County Board of Appeals of Baltimore County.

Secretary

HARRY E. RAPPOLO, et al
vs.
LAWRENCE H. KOHL, et al
IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

PETITION OF APPEAL

The Petition of Harry E. Rappold, et al, by their attorney, Gerard V. Caldwell, pursuant to the Rules of Maryland Procedure, respectfully represents:

1. That on January 16, 1973, a hearing was held before the County Board of Appeals for Baltimore County and the Petitioner herein appeared with counsel.

2. That as a result of said hearing an Order was passed on the 23rd of May, 1973, by the County Board of Appeals granting Applicants a reclassification from D.R. 3.5 zone to D.R. 16 zone and a Special Exception for office use on the property located on the northwest side of Belair Road 225 feet south of Pinedale Drive in the 11th Election District of Baltimore County, Maryland.

3. That the Order of the County Board of Appeals for Baltimore County of May 23, 1973, was improper, and an abuse of administrative discretion, was illegal, arbitrary, capricious and contrary to the law for the following reasons:

(a) That the decision of the County Board of Appeals for Baltimore County was against the weight of the evidence as disclosed in the record.

(b) That the Applicants failed to show a change in the neighborhood or a mistake on the recent Land Use Map.

(c) That the Order of the County Board of Appeals of Baltimore County granting a reclassification from D.R. 3.5 zone to D.R. 16 zone of the Applicants' property is spot zoning of the worse kind.

(d) That the Order of the County Board of Appeals for Baltimore County granting a Special Exception to the Applicants' property was against the weight of the evidence, since the

GERARD V. CALDWELL
ATTORNEY-AT-LAW
NO. 67742

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 8, 1973

COUNTY OFFICE BUILDING
1000 JEFFERSON BUILDING
TOWSON, MARYLAND 21204

OLIVER L. MYERS
Chairman

MEMBERS

BALTIMORE COUNTY

DEPARTMENT OF

INTERIOR AFFAIRS

PLANNING DEPARTMENT

HEALTH DEPARTMENT

PROJECT PLANNING

RECORDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

CULTURAL

DEVELOPMENT

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

RE: Property Owners: Lawrence H. Kohl, et al
Locations: NW/5 Belair Rd., 225' SW of Pinedale Dr.
Present Zoning: D.R. 3.5
Proposed Zoning: Reclass. to D.R. 16, Spec. Ex.
for offices
11th District Sector: Northeastern
No. Acres: 0.258 Item 14

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 projects.

The subject property is located on the west side of Belair Road just south of Pinedale Avenue. It is currently improved with a 1½ story brick dwelling with attached garage, and is located in a development of similar type dwellings, all of which are in excellent repair. There is curb and gutter existing at this location.

There is a good deal of land zoned D.R. 16 approximately 300' to the north of this site which has not been developed and does not create a spot zoning situation.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

JJJJ:JJD

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 3.5 to D.R. 16 zone : COUNTY BOARD OF APPEALS
SPECIAL EXCEPTION FOR OFFICES :
NW/4 of Belair Road 225' S. of : FOR
Pinedale Drive : BALTIMORE COUNTY
11th District :
Lawrence H. Kahl, et ux : No. 72-229-RX
Petitioners :

OPINION

This case comes before the Board on an appeal by the Protestants from an Order of the Deputy Zoning Commissioner dated August 30, 1972 granting the requested petition. The Petitioner seeks a reclassification from a D.R. 3.5 zone (Density Residential, 3.5 dwelling units per acre) to D.R. 16 zone (Density Residential, 16 dwelling units per acre), and a Special Exception to permit office use. The street address of the subject property is 9406 Belair Road (U.S. Route #1). It is located on the northwest side of Belair Road 225 feet south of Pinedale Drive, in the community of Perry Hall, 11th Election District, Baltimore County, Maryland. The property consists of one lot fronting 75 feet on Belair Road and running 150 feet in depth. (See plat, Petitioner's Exhibit No. 2). It is improved by a modern one and one-half story one-family brick cottage, with a single car garage attached to the house by an enclosed breezeway. (See photo, Petitioner's Exhibit No. 3-A).

If successful in his petition, the Petitioner plans to raise the existing garage, convert the dwelling for professional office uses, and provide six on-site paved automobile parking spaces on the rear portion of the lot.

It is the Petitioner's contention that the County Council erred in placing the subject property in a D.R. 3.5 zoning category when it adopted Comprehensive Zoning Map 4-C on March 24, 1971. (See zoning map, Petitioner's Exhibit No. 1). He further contends that the requested Special Exception for office use should be granted, as such use will satisfy the prerequisite requirements of Section 502.1 of the Zoning Regulations. Section 502.1 of the Zoning Regulations states:

Lawrence H. Kahl, et ux - No. 72-229-RX

2.

"Before any Special Exception shall be granted, it must appear that the use for which the Special Exception is requested will not:

- a. Be detrimental to the health, safety, or general welfare of the locality involved;
- b. Tend to create congestion in roads, streets or alleys therein;
- c. Create a potential hazard from fire, panic or other dangers;
- d. Tend to overcrowd land and cause undue concentration of population;
- e. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences, or improvements;
- f. Interfere with adequate light and air."

To support the claim of "error", Petitioner put on testimony and evidence showing that the County Council adopted D.R. 16 and commercial zoning for large areas along both sides of Belair Road to the northeast and to the southwest of the subject. From an examination of the zoning map, and from testimony presented, it is clear that for a two and one-half to three mile stretch along this portion of Belair Road, extending from the vicinity of Slater Avenue on the southwest (about the 8600 block), to the vicinity of Perry Hill Road on the northeast (about the 9700 block), that the 9300 and 9400 blocks of Belair Road are the only sections that are not zoned for intensive use, such as D.R. 16, commercial or public use. The subject property, as stated before, is 9406 Belair Road.

In the 9300 and 9400 blocks there are eight residences on the northwesterly side of Belair Road and seven residences on the southeasterly side. The owners of six of these properties, plus other Belair Road property owners, testified in favor of the petition. None of the fifteen owners above referred to testified in protest.

Testimony in opposition to granting the petition came from residents whose homes are on Pinedale Circle and Pinedale Drive, located more or less contiguous to the rear of the subject property, and which are removed at least one lot depth from Belair Road. The thrust of their opposition was that the County Council did not err; that granting the petition would lead to further commercialization of Belair Road; and that their property values would be adversely affected. However, a realtor testifying as an expert witness

Mr. Frederick P. Klaus, a real estate expert, consultant and developer gave the following testimony in behalf of the subject Reclassification:

A request for D.R. 16 zoning and a Special Exception for Office Use represents the correct zoning and/or use of the subject property, which is presently improved with a one and one-half story brick home. The Special Exception could be restricted insofar as parking, exterior appearances, or further additions are concerned.

He felt that the Baltimore County Planning Board and the Baltimore County Council erred in placing D.R. 3.5 zoning on the subject property, and, by doing so, they had established a spot zone. He further stated that the frontages of the properties just north of the subject property are zoned D.R. 16 for a distance of approximately four thousand (4,000) feet, and to leave out the six (6) or seven (7) houses in the subject area would constitute a spot zone.

Insofar as the Special Exception is concerned, Mr. Klaus felt that the hours of operation, from 9:00 A. M. to 5:00 P. M., would not create or conflict with the traffic problems that exist on Belair Road during the peak hours. He also felt that the proposed use and improvements would comply in all respects with Section 502.1 of the Baltimore County Zoning Regulations.

Several area residents, whose properties front on Belair Road in this immediate section, also testified in behalf of the subject Reclassification and Special Exception. The reasons given in support of the Reclassification were basically the same as those given by the two (2) previous witnesses.

There were also many area residents who attended the hearing, gave testimony and presented a petition in protest of the subject Reclassification. The petition and the testimony by these residents can be summarized up as follows:

The ninety-three hundred (9300) and ninety-four hundred (9400) blocks of Belair Road is strictly residential in character, and unlike most other areas of Belair Road, has remained unchanged.

The amount of traffic carried by Belair Road has increased from fifteen thousand (15,000) vehicles per day in 1959 to twenty-three thousand (23,000) vehicles per day in 1972. No improvements, such as sidewalks or road widening, has accompanied the increased traffic. Therefore, any land use changes to a higher use will add to the traffic congestion and/or hazards that presently exist on Belair Road. (See Zoning Advisory Committee Comments by the Department of Traffic Engineering).

Lawrence H. Kahl, et ux - No. 72-229-RX

3.

for the Protestants acknowledged, under cross-examination, that he knew of no houses having been built along this stretch of Belair Road for residential purposes in the last ten years, but that offices and commercial buildings had been constructed and that the trend along Belair Road is toward commercial uses.

Several Protestants, when questioned, admitted to the credibility of Petitioner's testimony that the subject location is not suitable for residential living and that they would not want to live in a house located along Belair Road because of traffic noise, health hazards and other nuisances. Also, five questions raised by some Protestants regarding drainage problems affecting their properties were largely answered by other Protestants, who testified that there has been no change in the natural drainage flow since the time that the homes were built, and that water drainage onto one Protestant's property is apparently caused by storm water runoff from a concrete patio slab constructed by another Protestant.

The burden of proof in overcoming the presumption of correctness in comprehensive zoning, of showing that the County Council erred in such rezoning, and that in granting the Special Exception the prerequisite requirements of Section 502.2 would be satisfied, is on the Petitioner. The Board believes the Petitioner has, in fact, overcome this burden. It is clear from the testimony presented by both sides in this case that the subject location is not suitable for residential purposes, and to deprive the owner of any alternative reasonable use of his property certainly constitutes error in comprehensive rezoning. The Board is convinced that the Special Exception use for offices will stabilize the neighborhood and that such use will not be detrimental to the welfare of the neighborhood. In fact, the Board believes such use will be a perfect buffer between Belair Road nuisances and the residential houses in the rear of the subject, and will be compatible with said houses and in harmony with the surrounding zoning. The Board believes the requirements of Section 502.1 are satisfied.

For these reasons, and from all of the testimony and evidence presented, the Board hereby affirms the Order of the Deputy Zoning Commissioner dated August 30,

Professional office needs are being met by offices located on other sections of Belair Road, and a need for office use or zoning does not exist in this immediate section of Belair Road.

OPINION

After reviewing the above testimony, and a personal inspection of the Belair Road area between the Baltimore Beltway and a point approximately two (2) miles northeast of the subject site, it is the opinion of the Deputy Zoning Commissioner that the Petitioners have proven error. The majority of the land uses and zoning along the frontages of Belair Road are not out of character with the use and/or zoning requested by the Petitioners.

The Protestants, most of whom live within interior streets off Belair Road, all agreed that Belair Road carries an unusually heavy amount of traffic. The Department of Traffic Engineering's comments stated that although the trip density increase is low for the proposed use to the subject site, any left turns from Belair Road can be expected to create traffic problems. If any left turns into the subject site can be expected to create traffic problems, then it must follow that the properties along this section are no longer reasonably suited, or for that matter, safe for residential premises. Under these conditions, this two (2) or three (3) block area cannot and should not be expected to retain its present residential uses.

It also follows that the property is not suited for commercial zoning that would attract retail type traffic generators. The most suitable use for the subject property is, in fact, D.R. 16 zoning with an office use that can be restricted through the Special Exception procedures.

The proposed office will contain seventeen hundred and sixteen (1716) square feet. Section 409.2 of the Baltimore County Zoning Regulations does not require parking for a building having less than five thousand (5,000) square feet of floor area. However, under the Special Exception procedures, and considering the traffic conditions on Belair Road, the parking area and maneuvering space for six (6) vehicles provided at the rear of the proposed use

Lawrence H. Kahl, et ux - No. 72-229-RX

4.

1972, without restrictions, to reclassify the subject property from D.R. 3.5 to D.R. 16, and grants a Special Exception for office use.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 23rd day of May, 1972, by the County Board of Appeals ORDERED, that the reclassification from D.R. 3.5 to D.R. 16 zone, and the Special Exception for office use petitioned for, be and the same are hereby GRANTED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slawik, Chairman

Walter A. Keller, Jr.

John A. Miller

should be required. A new building constructed in a D.R. 16 Zone requires twenty-five (25) feet for each side yard setback. With the removal of the garage, which will provide access to the rear parking area, the Petitioner will have a twenty-five (25) foot setback on the north and a five (5) foot setback on the south side. A five (5) foot side yard should remain as a non-conforming use, i.e., Variances should not be granted that would enable the property owner to raise the existing structure, and replace it with a larger structure.

The requirements of Section 502.1 have been satisfactorily met.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 30th day of August, 1972, that the herein described property or area should be and the same is hereby Reclassified from a D.R. 3.5 to a D.R. 16 Zone, and a Special Exception for Office Use should be GRANTED from and after the date of this Order subject to the following restrictions:

1. That there be no outward changes to such dwelling other than the removal of the garage and the normal painting and maintenance.
2. That a four (4) foot high screen fence be erected around the perimeter of the lot in lieu of the screen planting. Said fence is not to extend past the front of the dwelling.
3. That any drainage or surface water resulting from the paving of the parking area be carried to a suitable out-fall and that acceptable engineering practices be used in doing so.
4. That the normal hours of operation be restricted to 9:00 A. M. to 5:00 P. M.
5. That the Petitioner's plan as submitted with this Petition, with the exception of the required screen fence, be strictly complied with. Said plan to be approved by the State Highway Administration, Department of Public Works and the Office of Planning and Zoning.

James S. D.
Deputy Zoning Commissioner of
Baltimore County

RE: PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION : BEFORE THE
NW/4 of Belair Road, 225' S of : DEPUTY ZONING
Pinedale Drive - 11th District : COMMISSIONER
Lawrence H. Kahl - Petitioner : OF
NO. 72-229-RX (Item No. 14) : BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a D.R. 3.5 Zone to a D.R. 16 Zone, and a Special Exception for Office Use.

The property is located on the north side of Belair Road, two hundred and twenty-five (225) feet south of Pinedale Drive, and consists of twenty-six hundredths (.26) of an acre, more or less.

Mrs. Marie J. Kahl, owner of the subject property, testified in her own behalf. She and her husband are joint property owners and have lived in this house for approximately one and one-half years. They felt that since the road frontage in the general area is a mixture of residential and commercial the proper use of their property would be offices, i.e., attorneys, certified public accountants, and/or doctors. She indicated that she planned to stay in the area and would retain ownership of the subject property as an investment. The proposed use and improvements are that the hours of operation would be from 9:00 A. M. to 5:00 P. M., that there would be parking provided for six (6) to eight (8) cars, and that there would be no lighting changes. City water and sewer are available.

In summation, Mrs. Kahl felt that the growth of the area over the past ten (10) years has brought about a need for professional services. She also pointed out that new residences have not been constructed along this section of Belair Road in the last few years. For these reasons, she felt that a D.R. 3.5 classification of her property was in error.

ORDER RECEIVED FOR FILING

DATE August 30, 1972

BY John A. Slawik, Chairman

ORDER RECEIVED FOR FILING

DATE August 30, 1972

BY John A. Slawik, Chairman

ORDER RECEIVED FOR FILING

DATE August 30, 1972

BY John A. Slawik, Chairman

MEMORANDUM

The requested zoning should be granted because:

Error in classification; Property is unusable in 3.5 classification and 3.5 classification is confiscatory error because commercial use is made of property in the area and DR 3.5 is thus not within reasonable use of property; error because DR 16 with the requested special exception allows a reasonable use of the said property. Error in zoning maps.

103 ALLEGHENY AVENUE
P. O. BOX 6828
TOWSON, MD. 21204
VALLEY 8-81-2

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS

January 9, 1973

GEORGE WILLIAM STEPHENS, JR. P.E. & P.L.S.
P. O. BOX 6828
TOWSON, MD. 21204
JAMES O. ARACOST, JR. P.L.S.
JOHN ROUSSEAU, JR. P.E. & P.L.S.
W. HARRY JORDAN, JR. P.L.S.

EQUITABLE BLDG.
220 S. MAIN ST.
BALTIMORE, MD. 21204
879-1800
928-3800

CHARLES E. FICK, P.E.
LEE B. JOHNSON, JR.
WILLIAM R. BUCKLE, P.L.S.
FRANCIS W. ZIGLER, JR. P.L.S.
DOMINICK J. ALI
NORMAN G. SACHS

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

Attn: Mrs. Edith F. Eisenhart
Asst. Secretary

Dear Mrs. Eisenhart:

Re: Petition for Reclassification
and Special Exception
for, and Mrs. Lawrence H. Kahl
9406 Belair Road

In connection with the above case, I am submitting my qualifications:
I graduated from Baltimore Polytechnic June 1939.

After approximately two years each at Glen L. Martin and the Gas and Electric Company, I worked for the following engineering companies:

(1) Whitman, Reardon & Associates, 1943 - 1945.

Worked in a field party on a water tunnel project from Hollisfield to Montebello.

(2) The Roland Park Co. 1945 - 1950.

Worked both in the field as a party chief on subdivision stakeout and outline work, and in the office on various phases of subdivision work.

(3) George William Stephens, Jr. & Associates, Inc. since 1950.

I have been connected with most all phases of outline and subdivision work and since 1965 have headed up a section handling outlines, topography, preliminary layouts, earth quantities, grading studies, zoning plats and descriptions, record plats, utility plans and profiles, etc.

Rec'd 1-11-73
3:15 PM

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
ENGINEERS

County Board of Appeals
Attn: Mrs. Eisenhart

January 9, 1973
Page Two

I have testified before the Zoning Commission on numerous occasions on both residential and commercial reclassification cases.

Very truly yours,

GEORGE WILLIAM STEPHENS, JR.,
AND ASSOCIATES, INC.

Lee B. Johnson, Jr.
Lee B. Johnson, Jr.

LBJ:js

CC: Mr. James D. Nolan

TO: S. Eric DiNenna, Zoning Commissioner
Attention: Mr. Myers

DATE: October 26, 1971

FROM: Fire Prevention Bureau
Fire Department

SUBJECT: Property Owner: Lawrence H. Kahl, et al

LOCATION: N/A/S Belair Road, 225' S/W. Pinedale Drive

ITEM #14 zoning Agenda: Cycle for October '71

- (1) 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 300 feet along an approved road.
- (2) A second means of access is required for the site.
- (3) The dead-end condition shown at _____ exceeds the maximum allowed by the Fire Department.
- (4) The site shall be made to 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 prior to occupancy or commencement of operations.
- (5) 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.
- (6) The Fire Department has no comment on the proposed site.

Lee B. Johnson, Jr.
Planning Division
Fire Prevention Bureau

Note: Above comments indicated with a check apply.

mb

Gerard V. Caldwell
ATTORNEY AT LAW
7701 BELAIR ROAD
BALTIMORE, MD. 21236

September 19, 1972

Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Petition for Reclassification and
Special Exception
N/A/S of Belair Road, 225' S of
Pinedale Drive - 11th District
Lawrence H. Kahl - Petitioner
No. 72-229-IX (Item No. 14)

Dear Sir:

Enclosed find check in the amount of \$70.00 made payable to Baltimore County, Maryland to cover costs of appealing the above-captioned case. This appeal is made on behalf of the following:

Harry E. Rappold
9410 Pinedale Circle
Baltimore, Maryland 21236

William Youngmans
9408 Pinedale Circle
Baltimore, Maryland 21236

Robert W. Grubbs, Sr.
9406 Pinedale Circle
Baltimore, Maryland 21236

Richard N. Andrews
9404 Pinedale Circle
Baltimore, Maryland 21236

Mr. & Mrs. James Myers
4111 Pinedale Drive
Baltimore, Maryland 21236



Page - 2 -

September 19, 1972

Thank you for your attention to this matter.

Very truly yours,

Gerard V. Caldwell

Gerard V. Caldwell

GVC:t-m
Enc.

BALTIMORE COUNTY, MARYLAND

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

TO: S. Eric DiNenna
Attn: Oliver L. Myers

Date: November 2, 1971

FROM: C. Richard Moore
SUBJECT: Item 14 - Cycle Zoning II
Property Owner: Lawrence H. Kahl, et al
Belair Road SW of Pinedale Drive
Reclass. to D.R. 15, spec. ex. for offices

Although the trip density increase is low to the subject site, any left turns from Belair Road into the site can be expected to create problems.

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM:mr



STATE HIGHWAY ADMINISTRATION

300 WEST PAVEN STREET
BALTIMORE, MD. 21201

October 28, 1971

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland
Attn: Mr. D. L. Myers

Baltimore County Reclassification cycle for the period of Oct. '71 to April '72
ITEM 14
Property Owner: LAWRENCE H. KAHL, et al
Locations: NWS Belair Road (Route 1)
225' SW of Pinedale Drive
Present Zoning: D.R. 3.5
Proposed Zoning: Reclass. to D.R. 15,
Spec. Ex. for offices
District: 11th Section: Northeastern
No. Access 0,298

Dear Mr. DiNenna:

The minimum width for a two-way commercial entrance is 25' rather than 24' as indicated on the subject plan.

There is poor stopping sight distance at the frontage on Belair Road, due to trees and utility poles along the road to the north.

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

Very truly yours,
Charles Lee, Chief
Development Engineering
Section
John E. Myers
By: John E. Myers
Asst. Development Engineer

CLJ:ENB

Petitioners: LAWRENCE H. KAHL, ET AL

Location: 225' S. of Pinedale Dr.

District: 11

Present Zoning: DR 16

Proposed Zoning: DR 16 with S.E. FOR OFFICES

No. of Acres: 0.258

Comments: ACREAGE TOO SMALL TO HAVE AN EFFECT ON

STUDENT POPULATION

TO: Mr. S. Eric DiNenna

FROM: Richard B. Williams

SUBJECT: Zoning Advisory Agenda Item #14

Date: January 2, 1971

Baltimore County Reclassification Cycle
for the period of October '71 to April '72
Lawrence H. Kahl, et al
N/W/S Belair Road
225' S/W of Pinedale Drive

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

This property is too small to conform to the DR-16 zoning requirements.

TO: Mr. Oliver Myers

FROM: Hoyt V. Bonner

SUBJECT: Item 14 - Zoning Advisory Committee Meeting, October 20, 1971

Date: October 21, 1971

14. Property Owner: Lawrence H. Kahl, et al
Location: N/W/S Belair Rd., 225' S/W
of Pinedale Dr.
Present Zoning: D.R. 3.5
Proposed Zoning: Reclass. to D.R. 16,
Spec. Ex. for offices
District: 11
Sector: Northeastern
No. Acres: 0.258

Metropolitan water and sewer 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.

Hoyt V. Bonner
Sanitarian II
Water and Sewer Section
BUREAU OF ENVIRONMENTAL HEALTH

HVS/kir

TO: Mr. S. Eric DiNenna

FROM: Oliver L. Myers

SUBJECT: Item 14 - Zoning Advisory Committee Meeting, October 20, 1971

Date: October 22, 1971

14. Property Owner: Lawrence H. Kahl, et al
Location: N/W/S Belair Rd., 225' S/W of Pinedale Dr.
Present Zoning: D.R. 3.5
Proposed Zoning: Reclass. to D.R. 16, Spec. Ex. for offices
District: 11th Sector: Northeastern
No. Acres: 0.258

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:

Belair Road (U.S. 1) is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to the State Highway Administration requirements.

Storm Drains:

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating 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.

As stated before, Belair Road (U.S. 1) is a State Road. Therefore, drainage requirements as they affect the road now under the jurisdiction of the State Highway Administration.

Sediment Control:

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 top soil.

Water and Sanitary Sewer:

Public water and sanitary sewerage are available to serve this site from the existing facilities in Belair Road.

Edmund J. Diver
Chief, Bureau of Engineering

END:BAW/MAY:ms

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Mr. Lawrence H. Kahl
9406 Belair Road
Baltimore, Maryland 21236

RE: Type of Hearing: Reclass. to D.R. 16, Spec. Ex.

Location: N/W/S Belair Rd., 225' S/W of Pinedale Dr.
Petitioners: Lawrence H. Kahl, et al
11th District
Item 14

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 property is located on the west side of Belair Road just south of Pinedale Avenue. It is currently improved with a 1 1/2 story brick dwelling with attached garage, and is located in a development of similar type dwellings, all of which are in excellent repair. There is curb and gutter existing at this location.

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:

Belair Road (U.S. 1) is a State road; therefore, all improvements, intersections and entrances on this road will be subject to the State Highway Administration requirements.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating 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.

Mr. Lawrence H. Kahl
Page 2
Item 14

As stated before, Belair Road (U.S. 1) is a State road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

Sediment Control:

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 top soil.

Water and Sanitary Sewer:

Public water and sanitary sewerage are available to serve this site from the existing facilities in Belair Road.

PROJECT PLANNING DIVISION:

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

This property is too small to conform to the DR-16 zoning requirements.

BOARD OF EDUCATION:

Acreage too small to have an effect on student population.

FIRE DEPARTMENT:

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

The hydrants shall be located at intervals of 300 feet along an approved road.

The owner shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "The Life Safety Code", 1959 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

DEPT. OF TRAFFIC ENGINEERING:

Although the trip density increase is low to the subject site, any left turns from Belair Road into the site can be expected to create problems.

Mr. Lawrence H. Kahl
Page 3
Item 14

STATE HIGHWAY ADMINISTRATION:

The minimum width for a two-way commercial entrance is 25' rather than 24' as indicated on the subject plan.

There is poor stopping sight distance at the frontage on Belair Road, due to trees and utility poles along the road to the north.

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

HEALTH DEPARTMENT:

Metropolitan water and sewer 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.

ZONING ADMINISTRATION DIVISION:

There is a good deal of land zoned D.R. 16 approximately 300' to the north of this site which has not been developed and does not create a spot zoning situation.

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, Engineer

JJD:JD

Enc.

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6828, TOWSON, MD. 21204Description to Accompany Zoning Application
for Reclassification from DR 3.5 Zone to DR 16
Zone with Special Exception for Offices

August 16, 1971

Beginning for the same at a point on the northwesterly Right-of-Way Line of Belair Road 60 feet wide, said point being distant 225.00 feet as measured southwesterly along said Right-of-Way Line from the south side of Pinedale Drive 50 feet wide, and running thence binding along the said northwesterly Right-of-Way Line of Belair Road South 42° 25' 10" West 75.00 feet thence leaving said Right-of-Way Line running for the three following courses viz: first North 47° 34' 50" East 150.00 feet to the place of beginning.

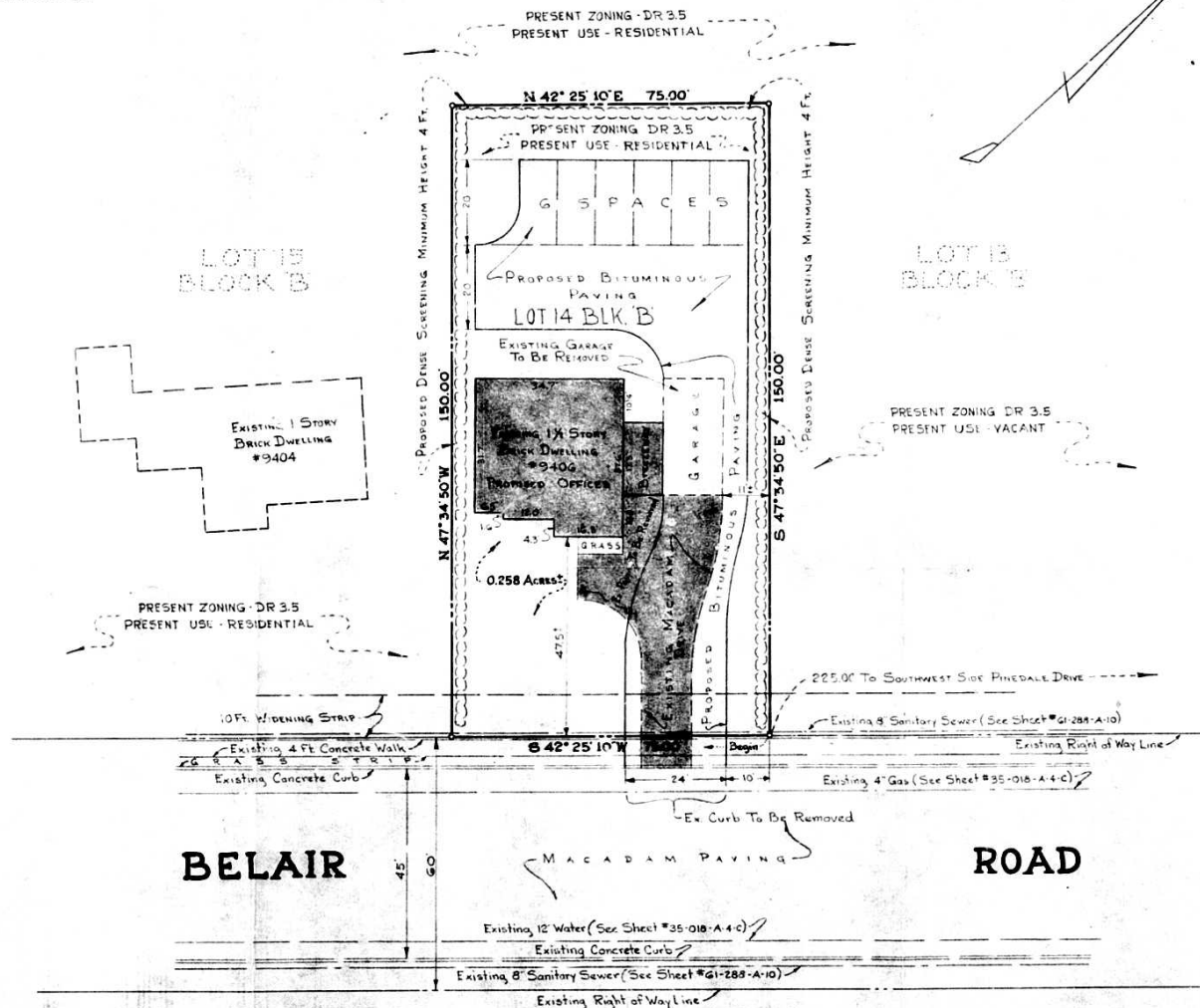
Containing 0.258 acres of land more or less.

Being known and designated as Lot #14 Block "B" on a plat entitled "Plat of Section 'A' Pinedale" dated November 28, 1952 and being recorded among the Plat Records of Baltimore County in Liber G.L.D. 18, folio 82.

Subject to a 10 foot widening strip along the frontage of the herein described lot as shown on the above mentioned plat.



REFERENCE: METES & BOUNDS & OTHER PERTINENT DATA
BASED ON PLAT ENTITLED "PLAT OF SECTION A"
PINEDALE DATED NOVEMBER 28, 1952 AND BEING
RECORDED AMONG THE PLAT RECORDS OF BALTO. CO.
IN LIBER G.L.B. 18 FOLIO 82.



PARKING TABULATION:

PARKING REQUIRED FIRST FLOOR @ 1 SPACE PER 300 Sq. Ft. (1216 Sq. Ft.) = 4 SPACES
PARKING REQUIRED SECOND FLOOR @ 1 SPACE PER 500 Sq. Ft. (500 Sq. Ft. Max) = 1 SPACE
TOTAL PARKING REQUIRED = 5 SPACES
TOTAL PROPOSED PARKING = 6 SPACES

NOTE: ABOVE REQUIREMENTS BASED ON SECTION 409.2 OF THE BALTIMORE COUNTY
ZONING REGULATIONS.

GENERAL NOTES:

- PROPOSED HOURS OF OPERATION - 8 A.M. TO 8 P.M.
- ANY LIGHTING TO BE DIRECTED AWAY FROM RESIDENTIAL BUILDINGS IF AND WHEN CONSTRUCTED.
- PROPOSED PARKING FACILITIES FOR USE ONLY BY PASSENGER VEHICLES, EXCLUDING BUSES.
- NO LOADING SERVICE, OR ANY USE OTHER THAN PARKING SHALL BE PERMITTED.

THE ABOVE REQUIREMENTS ARE BASED ON SECTION 409.4
OF THE BALTIMORE COUNTY ZONING REGULATIONS.

MAP	11-10-6
ELECTION	
DISTRICT	11
DATE	11/10/6
TYPE	11
HEARING	11
BY	11
FINAL	11
BY	11

PLAT TO ACCOMPANY ZONING APPLICATION
FOR
RECLASSIFICATION FROM DR 3.5 ZONE TO DR 16 ZONE
WITH
SPECIAL EXCEPTION FOR OFFICES
#9406 BELAIR ROAD

BALTO. CO., MD
SCALE: 1" = 20'

ELECT. DIST. NO. 11
AUGUST 16, 1971



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

