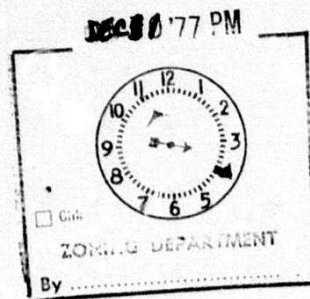


JP for Me

LAW OFFICES
WARTZMAN, ROMBRO, RUDD & OMANSKY, P. A.
25 SOUTH CALVERT STREET
BALTIMORE, MARYLAND 21202
685-0111

PAUL WARTZMAN
RICHARD T. ROMBRO
LEON J. RUDD
JOSEPH H. OMANSKY
LEE N. SACHS
STEVE G. GILDEN
MICHAEL E. KAMINKOW
MARTIN J. ALPERSTEIN
STUART R. ROMBRO

November 30, 1977



Honorable S. Eric Di Nenna
Zoning Commissioner
Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

RE: Request for Extension of Special Exception
NE/S of Reisterstown Road, 222' S of
Enchanted Hills Road - 4th Election
District
Lillian V. McCubbin, et al. - Petitioners
No. 72-268-X (Item No. 98)

Dear Mr. Di Nenna:

Your "Extension Order" dated July 15, 1977, provides for extension of the special exception 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 public.

The allocation schedule in question was received on April 26, 1977, but the schedule does not permit our clients to hook into the sewers until July, August, September and October, 1978. We assume that the 18-month extension begins as of July, 1978, the date when hook-up is first available, and not on April 26, 1977, when the allocation was made. To be sure there is no misunderstanding, later, we would appreciate your interpretation.

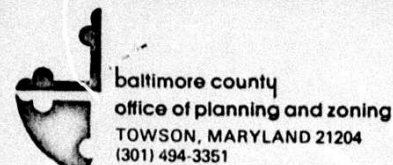
Thank you for your courtesy.

Very truly yours,

WARTZMAN, ROMBRO, RUDD & OMANSKY, P.A.

[Signature]
Lee N. Sachs

cc: Gary Talles



S. ERIC DINENNA
ZONING COMMISSIONER

December 28, 1977

Lee N. Sachs, Esquire
25 South Calvert Street
Baltimore, Maryland 21202

RE: Extension Order
NE/S of Reisterstown Road,
222' S of Enchanted Hills Road -
4th Election District
Lillian V. McCubbin, et al -
Petitioners
NO. 72-268-X (Item No. 98)

Dear Mr. Sachs:

Reference is made to your letter of November 30, 1977, requesting clarification as to the starting date for the 18 month extension.

You are correct in your assumption that the 18 month extension begins from the date that the sewer becomes adequate and available and not from the date when the allocation was made. Therefore, based upon your letter, it would appear that the date would begin as of July, 1978, which is the first available period for hookups.

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

Very truly yours,

[Signature]
S. ERIC DINENNA
Zoning Commissioner

SED/JED/scw

cc: Mr. George J. Martinak, Deputy Zoning Commissioner
Mr. James E. Dyer, Zoning Supervisor

RE: EXTENSION OF PETITION FOR : BEFORE THE
SPECIAL EXCEPTION
NE/S of Reisterstown Road, 222' : ZONING COMMISSIONER
S of Enchanted Hills Road - 4th
Election District : OF
Lillian V. McCubbin, et al -
Petitioners : BALTIMORE COUNTY
NO. 72-268-X (Item No. 98) :

::: ::: :::

::: ::: :::

EXTENSION ORDER

IT IS ORDERED by the Zoning Commissioner of Baltimore County,
this 17th day of June, 1974, that the Special Exception for offices and
office building be and the same is hereby extended, in accordance with Section
502.3 of the Baltimore County Zoning Regulations, for a period of three (3)
years, beginning December 7, 1974, and ending December 7, 1977.

[Signature]
Zoning Commissioner of
Baltimore County

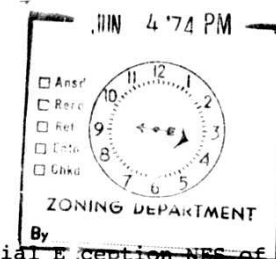
WARTZMAN, ROMBRO, RUDD & OMANSKY, P. A.
ATTORNEYS-AT-LAW
25 SOUTH CALVERT STREET
BALTIMORE, MARYLAND 21202
685-0111

June 3, 1974

FILE NO. 16401

PAUL WARTZMAN
RICHARD T. ROMBRO
LEON J. RUDD
JOSEPH H. OMANSKY
LEE N. SACHS
STEVE G. GILDEN
MICHAEL E. KAMINKOW
MARTIN J. ALPERSTEIN
LOUIS G. OMANSKY

Hon. S. Eric DiNenna
Zoning Commissioner
111 W. Chesapeake Ave.
Baltimore, Maryland 21204



Re: Petition for Special Exception ~~NES~~ of
Reisterstown Rd, 222' S of Enchanted
Hills Rd., 4th Dist., Lillian Mc
Cubbin, et al, Petitioners
No. 72-268 - X (Item No. 98)

Dear Sir:

Your Order in the captioned matter was passed
on December 7, 1972. Since that time, our clients, the
Petitioners, have pursued engineering, drawings, public
works agreement, etc., and an architect has been em-
ployed. The houses that were on the property have been
razed. Applications for building permits have been
filed but we are advised that they cannot be processed
because of the moratorium on sewage connections imposed
by Secretary Solomon in his Order of May 14, 1974.

In view of these circumstances, we hereby re-
quest, on behalf of our clients, an extension of the time
for exercising the special exception for the maximum period
allowable by law which, we understand, is three additional
years. In the event the necessary permits and approvals
can be secured prior to that time, our clients are ready
to pursue same diligently.

Thank you for your courtesy.

Very truly yours,

[Signature]
Lee N. Sachs

LNS:P

cc:Mr. Philip Talles

ORIGINAL FILED FOR FILING

DATE

BY

[Handwritten notes and signatures in the left margin]

RE: EXTENSION OF SPECIAL EXCEP- :
TION :
NE/S of Reisterstown Road, 222' : ZONING COMMISSIONER
S of Enchanted Hills Road - 4th :
Election District : OF
Lillian V. McCubbin, et al - :
Petitioners : BALTIMORE COUNTY
NO. 72-268-X (Item No. 98) :

EXTENSION ORDER

It is hereby ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of July, 1977, that the Special Exception for an office building and offices 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 public.

[Signature]
Zoning Commissioner of
Baltimore County

LAW OFFICES
WARTZMAN, ROMBRO, RUDD & OMANSKY, P.A.
25 SOUTH CALVERT STREET
BALTIMORE, MARYLAND 21202
685-0111

July 8, 1977

#16401

Honorable E. Eric Di Nenna
Zoning Commissioner
Baltimore County Office of
Planning & Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204



RE: Request for Extension of Special Exception
NE/S of Reisterstown Road, 222' S of
Enchanted Hills Road - 4th Election District
Lillian V. McCubbin, et al - Petitioners
NO. 72-268-X (Item No. 98)

Dear Mr. Di Nenna:

By Order dated June 17, 1974, you extended the Special Exception for Offices and Office Building for a period of three (3) years, ending December 7, 1977.

Our clients, the owners, have finally been advised that the Sewer Allocation Schedule will permit them to utilize the connection system in July, August, September and October of 1978.

Accordingly, we request that you extend the period for utilization of the Special Exception for an additional period of 18 months, beginning December 7, 1977.

If there is any further information you require, or

WARTZMAN, ROMBRO, RUDD & OMANSKY, P.A.

Page Two

You would like me to prepare the Order, please advise.

Very truly yours,
WARTZMAN, ROMBRO, RUDD & OMANSKY, P.A.

[Signature]
Lee N. Sachs

LNS/br

cc: Mr. Gary Talles

June 17, 1974

Lee N. Sachs, Esquire
25 South Calvert Street
Baltimore, Maryland 21202

RE: Request for Extension of Special
Exception
NE/S of Reisterstown Road, 222'
S of Enchanted Hills Road - 4th
Election District
Lillian V. McCubbin, et al -
Petitioners
NO. 72-268-X (Item No. 98)

Dear Mr. Sachs:

I am in receipt of your letter of June 3, 1974, in which you request an extension of the period for utilization of the Special Exception granted in the above referenced case.

After review of the subject Petition and under the authority of Section 502.3 of the Baltimore County Zoning Regulations, I am extending the date for utilization for three (3) years until December 7, 1977.

It should be noted that an extension of eighteen (18) months, subsequent to the availability of public water and sewer facilities, may be granted. I point this out in light of the recent moratoriums imposed by the Maryland State Department of Health.

If further explanation or additional information is required, please feel free to contact this office.

Very truly yours,

[Signature]
S. ERIC DI NENNA
Zoning Commissioner

SED/srl

Lee N. Sachs, Esquire
Page 2
June 17, 1974

Attachment

cc: Mr. James E. Dyer
Deputy Zoning Commissioner

M. James B. Byrnes, III
Zoning Technician III

72-268-X PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, the 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 re-classified, pursuant to the Zoning Law of Baltimore County, from as DR-16 zone to an exception for offices DR-16 with the following reasons:

1. Need for professional offices in the area.
2. Effective utilization of the 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 offices, per plat attached hereto.

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.

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.

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.

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of April, 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 22nd day of May, 1972, at 2:00 o'clock.

Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR SPECIAL EXCEPTION
NE/S of Reisterstown Road,
222' S of Enchanted Hills
Road - 4th District
Lillian McCubbin, et al -
Petitioners
NO. 72-268-X (Item No. 98)

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioners request a Special Exception for an office building for a parcel of property located on the northeast side of Reisterstown Road, two hundred and twenty-two (222) feet south of Enchanted Hills Road, in the Fourth District of Baltimore County, containing 2.8 acres of land, more or less.

The Petitioners amended their request, as indicated on the plat attached thereto, at the beginning of the public hearing, stating that they were requesting a three (3) story office building with a maximum of forty-five thousand (45,000) square feet instead of the original five (5) story office building with approximately ninety thousand (90,000) square feet.

Evidence on behalf of the Petitioners indicated that they planned to construct an office building that would be used by doctors, dentists, engineers, etcetera. The contract purchaser anticipated using approximately three thousand (3,000) square feet for his own use.

The subject property is located on Reisterstown Road, directly across from the Oving's Mills Elementary School and is zoned D.R. 16 as per the Comprehensive Zoning Map, as adopted on March 24, 1971.

Mr. George E. Gavrelis, the then Director of Planning of Baltimore County, in his Memorandum to the Zoning Commissioner, dated May 22, 1972, pertaining to the subject Petition, stated:

"The D.R. 16 classification on this site was recommended by the Planning Board on the Comprehensive Zoning Maps adopted by the County Council in 1971, in anticipation that office use would be put on properties fronting on this segment of Reisterstown Road and would probably occur in the existing structure."

It is also obvious to the Zoning Commissioner that the intended use of the subject property was not that of a residential apartment use, but with the approval of a Special Exception, as offices.

There was much testimony pertaining to the traffic conditions now existing on Reisterstown Road. It was indicated that it is very heavy and possibly saturated at this point. The comments of the Zoning Advisory Committee from the Department of Traffic Engineering, indicated that the property should be used for apartments, as presently zoned, as it would generate approximately three hundred and thirty-six (336) trips per day. Should the property be developed as originally proposed, with a five (5) story office building, approximately thirteen hundred and fifty (1350) trips per day could be generated. It was stated that should it be developed as amended, approximately one-half (1/2) of that number of trips would be generated. This was indicated by Mr. Michael S. Flanagan, representing the Baltimore County Department of Traffic Engineering. He stated that there are severe problems with Reisterstown Road and that the widening of Reisterstown Road is not anticipated in the near future.

Residents of the area, in protest of the subject Petition, were apprehensive of the traffic that would be generated from this anticipated use. The residents cited their reasons for concern as: the elementary school directly across the street from the site, the adverse problems that they have encountered and could be anticipated, pertaining to the bus traffic taking the children to and from school, and its combination with the additional traffic.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the opinion of the Zoning Commissioner, the proposed use of an office building on the subject property would not be detrimental to the health, safety and general welfare of the community.

-2-

The Zoning Commissioner is very cognizant of the traffic along Reisterstown Road at this specific location and is also aware of the location of the elementary school directly across the street from the subject property. The placement of D.R. 16 zoning at the time of the adoption of the Comprehensive Zoning Map in March of 1971, indicates that the intended use, and as stated by the then Director of Planning, George E. Gavrelis, is for offices or an office building. The proposed use of the forty-five thousand (45,000) square foot three (3) story building is obviously not what was anticipated as per the Memorandum from Mr. Gavrelis. In this Memorandum, he stated that the existing structure could be used, but, in the judgment of the Zoning Commissioner, this would be confiscatory in nature in not allowing a reasonable use of the land with reference to its location, size and possible high purchase price, etcetera.

The Petitioners have also met the prerequisites of Section 502.1 of the Baltimore County Zoning Regulations.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of December, 1972, that the Special Exception for offices and office building should be and the same is hereby GRANTED for the herein described property or area from and after the date of this Order, subject to the following:

1. The light standards to be used in the parking area shall not exceed eight (8) feet in height.
2. Should a new building be constructed on the subject property, it is to be limited to exceed three (3) stories in height and thirty thousand (30,000) square feet total.
3. The restriction pertaining to size as indicated in Number 2 above, is a limitation to be imposed for a period of fifteen (15) years from the date of the buildings initial occupancy, at the end of said time, can be considered for expansion as a result of a Petition for a Special Hearing filed by the property owner as per the Baltimore County Zoning Regulations.

-3-

JOSEPH D. THOMPSON, P.E., C.E.
CIVIL ENGINEERS & LAND SURVEYORS
101 SHELL BUILDING - 200 EAST JOPPA ROAD
TOWSON, MARYLAND 21204 - Valley 3-8830

DESCRIPTION FOR A SPECIAL EXCEPTION TO ZONING, NORTHEAST SIDE OF REISTERSTOWN ROAD, SOUTHWEST OF ENCHANTED HILLS ROAD, 4TH DISTRICT, BALTIMORE COUNTY, MD.

Beginning for the same at a point on the Northeast side of Reisterstown Road 66 feet wide, said point being at the distance of 222 feet, more or less, measured Southeasterly along said Northeast side of Reisterstown Road from its intersection with the centerline of Enchanted Hills Road and running thence and binding on the Northeast side of Reisterstown Road South 37 Degrees 45 Minutes East 255.00 feet, thence leaving the Northeast side of Reisterstown Road and running North 55 Degrees 45 Minutes East 475.00 feet, North 37 Degrees 45 Minutes West 255.00 feet and South 55 Degrees 45 Minutes West 475.00 feet to the place of beginning.

Containing 2.8 acres of land, more or less.



WELLS DURKEE & ALBERT
ATTORNEYS AT LAW
PIKEVILLE PROFESSIONAL BUILDING
7 CHURCH LANE
PIKEVILLE, MARYLAND 21208

July 5, 1972

Hon. Eric S. DiNenna
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Your File No. 72-268-X

Dear Mr. DiNenna:

I have just received a copy of the letter sent by H. David Gann dated June 26, 1972 with reference to the hearing on the above case. I am also in receipt of a copy of Mr. Gann's letter of June 27, 1972 in reply thereto. For the record, I must say I am puzzled and perplexed at the statements made by Mr. Gann that the Petitioners nor their counsel ever made offers with the Protestants or their counsel prior to the hearing. I must conclude, therefore, that either Mr. Gann is not their counsel or his recollection of the facts immediately preceding the hearing is so poor as to be completely inaccurate. I myself stood outside the hearing room in the presence of Mr. Gann and discussed with Mr. Gann the reasons for the Protestants' objections to the Petition which was filed. Mr. Gann pointed to his expert traffic witness whom he intended to use in the hearing and explained that the Petition as filed would generate certain traffic loads at this location which they felt was unsafe for existing conditions. I, myself, heard Mr. Gann ask Mr. Gann whether the Protestants would be more agreeable to the Petition if the size of the proposed building was substantially reduced. Discussion between Mr. Gann, Mr. Sachs and myself indicated that the proposal at the conclusion of which Mr. Gann said that any such restriction upon the size of the building to be constructed would be inserted by restriction running with the land. I pointed out to him that I did not feel such stringent and confining restrictions should be permanently imposed upon the title to the property but that the Petitioners were willing to amend the Petition to cut the size of the proposed building to 45,000 square feet and the height of the building to three stories. I further pointed out that the Zoning Commissioner had the authority to incorporate such restriction in his order and that the restriction so imposed would have to be binding on the user of the property. Mr. Gann rejected this offer and again reiterated his demand that the same be imposed by restriction in the deed running with the land as a condition precedent to considering the same.

Hon. Eric S. DiNenna
July 5, 1972
Page 2

At the hearing, in an effort to unequivocally demonstrate the willingness of the Petitioner to cooperate in making the proposed development a safe one for the community, Mr. Talles started his testimony by amending the Petitioner's request from 90,000 to 45,000 square feet of offices of three stories in height. Throughout the remainder of the hearing this point was clearly understood and recognized by all counsel, by the Petitioner and, I believe, by all Protestants. To make certain of this fact, just before the hearing was concluded, you may recall that I specifically asked if the Commissioner was considering the Petition on the reduced amended plan containing 45,000 square feet to which you replied that you were and even commented that you doubted you would have given favorable consideration to the 90,000 square foot proposal as originally filed. All of the above information and statements were made in the presence and within hearing of Mr. Gann and in reading his letter of June 26th, I can only conclude that his poor recollection of these facts represents an attempt to further renegotiate what has already been negotiated. I would submit that the 50% reduction in usable area is an enormously significant concession and would point out that if there is a failure to negotiate between the Protestants and the Petitioner, I invite the Protestants to show any equally bona fide effort on their part to arrive at an amicable compromise as requested by the Commissioner.

I trust this letter will partially corroborate the factual information set forth in Mr. Sachs' reply of June 27th to Mr. Gann's letter.

Very truly yours,

William D. Wells

WDW/cal

cc: Azaael and Gann
Lee N. Sachs, Esquire



JAN 31 1973

June 26, 1972

Hon. S. Eric DiNenna
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Your File No. 72-268-X

Dear Mr. DiNenna:

I am in receipt of a copy of a letter dated June 20, 1972 from Lee N. Sachs to you in connection with the above-captioned matter. I am somewhat surprised at the contents of that letter, since my evaluation of the discussions, both prior and subsequent to the hearing which was held before you on May 22, 1972 differs greatly from that of Mr. Sachs. Prior to the hearing, there were no negotiations between the Petitioners and the Protestants, although I communicated to Mr. Sachs an offer to discuss the matter. Neither the Petitioners nor their counsel ever made any offers with the Protestants or their counsel prior to the hearing, their position being that they wanted a 90,000 square foot, 3-story office building.

You will remember that at the hearing, Mr. Sachs voluntarily and verbally amended the Petition to reduce the building from a 90,000 square foot building to a 45,000 square foot building, and to reduce the height from 3 stories to 2 stories. At the end of the hearing, you announced that you would hold the matter *sub curia* for a period of 60 days, and recommended that the parties discuss the matter. Immediately thereafter, Mr. Sachs and I had one conversation, and since that time I have never heard from him again concerning this matter; it being quite obvious that the Petitioners are unwilling to reduce their request any further, and are standing on their Petition, as amended.

Hon. S. Eric DiNenna

- 2 -

June 26, 1972

for a 45,000 square foot, 3-story building. The point is that I fail to see where there has been any negotiation in good faith by the Petitioners, since the amount of square footage and height which they request is exactly the same as their Petition now stands, and they have not, since the hearing, been willing to reduce their Petition in any respect. I do not see how my clients can be expected to consent to the Petitioners' request since, under the amended Petition, the maximum amount requested by the Petitioners has remained unchanged to this date, and there appears to be nothing left to negotiate.

Personally, I feel that the Protestants would be willing to consent if the Petitioners were willing to reduce somewhat further the amount of square footage and height of their proposed building, and if the Petitioners were willing to enter into an Agreement to maintain the building at that size for "X years". The point is that the Owings Mills P.T.A. is not in a position to fight zoning cases again and again, and we don't think it would be fair for them to consent at this time to one building, and then have the Petitioners come back in the next year or two and petition for an increase in size.

Therefore, if the Petitioners have decided to stand or fall on their 45,000 square foot, 3-story building, that is for them to decide; but if they are willing to sit down and negotiate the matter in good faith, we will be happy to meet with them or with Mr. Sachs.

Thank you for your courtesy and kind attention in this matter.

Very truly yours,

AZRAEL AND GANN

Lee N. Sachs, Esq.

HDC:mis
cc: Lee N. Sachs, Esq.

June 27, 1972

Hon. S. Eric DiNenna
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Your File No. 72-268-X

Dear Mr. DiNenna:

Mr. Gann's letter of June 26th, regarding the captioned matter, requires my response for purposes of amplification.

Shortly prior to the hearing in question, Mr. Gann, Mr. Wells, Mr. Talles and I conferred in the corridor. When Mr. Gann indicated the protest of his clients, and cited certain statistics with reference to traffic which would be generated by the original proposal, Mr. Talles agreed, right in the midst of our conference, to compromise the situation by amending his petition to request 45,000 square feet and 3 stories. Mr. Gann indicated that his clients would probably require a covenant running with the land before agreeing to withdraw their protest. The applicant felt that a device of this kind would be unreasonable in view of the fact that the use of the property would thereby be permanently encumbered.

In good faith, and in an attempt to suggest a compromise to the Zoning Commissioner, the applicant, in the hearing, did then propose to limit his use of the property, to be restricted by order of the Zoning Commissioner, to limits of 45,000 square feet and 3 stories in height.

WARTZMAN, ROMERO, RUDD & OMANSKY, P.A.

Hon. S. Eric DiNenna -2- June 27, 1972

In my discussion with Mr. Gann immediately after the hearing, I was advised that his clients felt that additional concessions would have to be made before any agreement could be considered.

The point is that the applicant agreed to the limitations set out above in an effort to satisfy the complaints of the protestants, even though no agreement had been reached. It was for that purpose that the suggested limitations were made by the applicant during the course of the hearing.

The protestants apparently take the position, once again, that additional concessions must be made, without giving recognition to the fact that a substantial concession was made by the applicant, and in response to the position announced by the protestants, through their counsel, at the conference prior to the hearing.

The protestants want to begin negotiations at the point of amended application, and the applicant feels that the amended application is a substantial concession made in good faith to attempt to compromise the situation as it existed based on the original application.

We hope this letter clarifies the entire matter and remain at your service if additional information is requested.

Very truly yours,

WARTZMAN, ROMERO, RUDD & OMANSKY

Lee N. Sachs

LNS:ides
cc: H. David Gann, Esquire
Mr. Philip Talles
William D. Wells, Esquire



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: May 22, 1972

FROM: Mr. George E. Gavrellis, Director of Planning

SUBJECT: Petition 72-268-X, Northeast side of Reisterstown Road 222 feet, more or less, South of Enchanted Hills Road.
Petition for Special Exception for Offices and Office Building.
Lillian V. McCubbin and Blanche McCubbin - Petitioners

4th District

HEARING: Monday, May 22, 1972 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments:

The D.R. 16 classification on this site was recommended by the Planning Board on the Comprehensive Zoning Map adopted by the County Council in 1971, in anticipation that office use would be put on properties fronting on this segment of Reisterstown Road and would probably occur in the existing structures.

This proposal however seems to be excessive in height and size of floor space at least until such time as Reisterstown Road is improved. We note there are no improvements to Reisterstown Road in the current 5-Year Construction Program of the State Highways Administration. We would suggest that something more in keeping with the surrounding area would be appropriate at this time.

We note that the site plan does not indicate location and size of lighting standards for the parking and driveway areas. We suggest the light standards be limited to eight feet in height.

If it is determined that the proofs of Sec. 502.1 have been met the development should be conditioned to conform to a site plan which has been approved by the appropriate County and State agencies.

GEG:NEG:cm



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

December 28, 1971

Lee N. Sachs, Esq.,
25 S. Calvert St.,
Baltimore, Maryland 21202

RE: Type of Hearing: Special Exception
for offices
Locations: NE 1/2 Reisterstown Road, 222'
SE of Enchanted Hills Road
Petitioners: Lillian McCubbin, et al
4th District Committee Meeting of Dec. 14, 1971
Item 9B

Dear Sirs:

The Zoning Advisory Committee has reviewed the plan submitted with the above referenced petition and has such on an site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is located on the northeast side of Reisterstown Road, 222 feet southeast of Enchanted Hills Road. The southeast corner of the site is improved with a two story frame dwelling and two story garage, both of which are not indicated on the site plans. Adjacent to this property on the east is part of the Enchanted Hills Apartments. Directly adjacent to the north and south boundaries of the property are smaller two-story frame dwellings. To the west side of the property and across Reisterstown Road is the Talgate Junior High School site.

There is existing public water facilities in the bed of Reisterstown Road. Provision has been made for sewage to be pumped through a 10 foot drainage and utility easement to an existing 8 inch sanitary sewer in the Enchanted Hills complex.

BUREAU OF ENGINEERING

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

General:

The comments supplied by this office, dated May 6, 1970, in connection with Item 267 (11-2-1970) of which this property is a part, remain valid and applicable to this item 9B (12-1-1971). A copy of those comments is attached for your consideration.

Lee N. Sachs, Esq.,
Item 9B
Page 2

PROJECT PLANNING DIVISION:

This plan has been reviewed and there are no site planning factors requiring comment.

HEALTH DEPARTMENT:

Metropolitan water is available to the site. Metropolitan sewer must be extended to build a site and pumping equipment approved prior to approval of building permit.

Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

FIRE DEPARTMENT:

Fire hydrants for the proposed site (are required and) shall be in accordance with Baltimore County Standards. To be located in front of proposed building on same side.

DEPT. OF TRAFFIC ENGINEERING:

As presently zoned, this site can be expected to generate about 335 trips per day. As proposed, this site would generate about 1350 trips per day. Any increase in trip generation along Reisterstown Road is not desirable.

STATE HIGHWAY ADMINISTRATION:

The entire frontage must have concrete curb and gutter placed 28' from and parallel to the existing center line of Reisterstown Road.

It is suggested that the plan be revised prior to a hearing date being assigned.

Access onto Reisterstown Road will be subject to State Highway Administration approval and permit.

ZONING ADMINISTRATION DIVISION:

Approval of the subject petition is being withheld until revised plans indicating curb and gutter requirements of the State Highway Administration are submitted to this office. In addition, it is suggested that plans for providing public sanitary sewerage other than the proposal to pump the

Lee N. Sachs, Esq.,
Item 9B
Page 3

sewerage from the site into the existing sewer in Enchanted Hills be indicated on the revised plans.

Very truly yours,

OLIVER L. MYERS, Chairman

JBB:JD
Enc.

INTER-OFFICE CORRESPONDENCE

Date May 6, 1970

Property Owner: Laura A. Redifer
E/S Reisterstown Road
S/S Enchanted Mills
District: 4th
Present Zoning: S-10
Proposed Zoning: Reclass. to RR
No. Acres: 1.4

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 site.

Highways:

Reisterstown Road is a State Road; therefore, all improvements, intersections, and entrances on this road will be subject to State Roads Commission requirements.

Store Drivers:

Storm drain facilities and easements will be required in connection with the proposed improvements to this property.

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.

Reisterstown Road is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

Sediment Control:

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

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

Water:

Public water supply is available to serve this property.

Zoning Comments
Item 269 (1969-1970)
Laura A. Redifer
Page 2

Sanitary Sewer:

The existing sewerage facilities in Enchanted Hills Apartments were designed to serve only that apartment site and do not allow any additional capacity for sewerage from offsite properties. Therefore, the proposal to pump the sewage from this site into the existing sewer in Enchanted Hills cannot be approved.

Public sanitary sewerage can be made available to serve this property by construction of a gravity sewer extension, including acquisition of offsite easements, from existing public sewers in this area. The petitioner's engineer should investigate the economics of making an extension of approximately 1400 feet from the existing sewer southwest of Reisterstown Road serving the Owens Mills Elementary School, or an extension of approximately 1700 feet along the northeast side of Reisterstown Road from the existing sewer at Straw Hat Road.

ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END: EAM: SEC: 187

WT - S.W. Key Sheet
L8 N.W. 33 Position Sheet
N.W. 12 I Topo

Joe N. Sachs, Esq.,
25 S. Calvert St.,
Baltimore, Maryland 21202

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Item 92

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

Your Petition has been received and accepted for filing.

this 13th day of April 1972

S. ERIC BYRNES,
Zoning Commissioner

Petitioner: William McFadden, et al.

Petitioner's Attorney: M. Socha

Reviewed by Mark F. Meyer
Chairman,
Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 1414
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Nov. 24, 1971 ACCOUNT 01-662

AMOUNT \$50.00

WHITE - CASHIER
Cash
Petition for Special Exception for Lillian V. McCubb
(Lee H. Sachs, Esq.)

Refund 1871 62 Nov 24 50.00
685-0111

BALTIMORE COUNTY, MARYLAND No. 3653
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE May 24, 1972 ACCOUNT 01-662

SALE PRICE \$49.00

WHITE - CASHIER DISTRIBUTION YELLOW - CUSTOMER
PINK - AGENCY

Messrs. Wartman, Rombro, Rudd and O'annaky
25 South Clavert St.
Baltimore, Md. 21202
Advertising and posting of property for Edlie
V. McCubbin, et al.

MAY 24 1960

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

Date of Posting: 11/7 E 1972

District: 475

Posted for: SPECIAL EXERCISE

Petitioner: LILLIAN V. MEEUBBIN

Location of property: NE 1/4 OF REISTERSTOWN RD. 332 FT. S. OF
EXHUMATED HILLS Rd.

Location of Signs: G 08.19 REISTERSTOWN Rd. + (B) 168.23
REISTERSTOWN Rd.

Remarks:

Posted by: Charles T. Reed

Date of return: 11/25-72

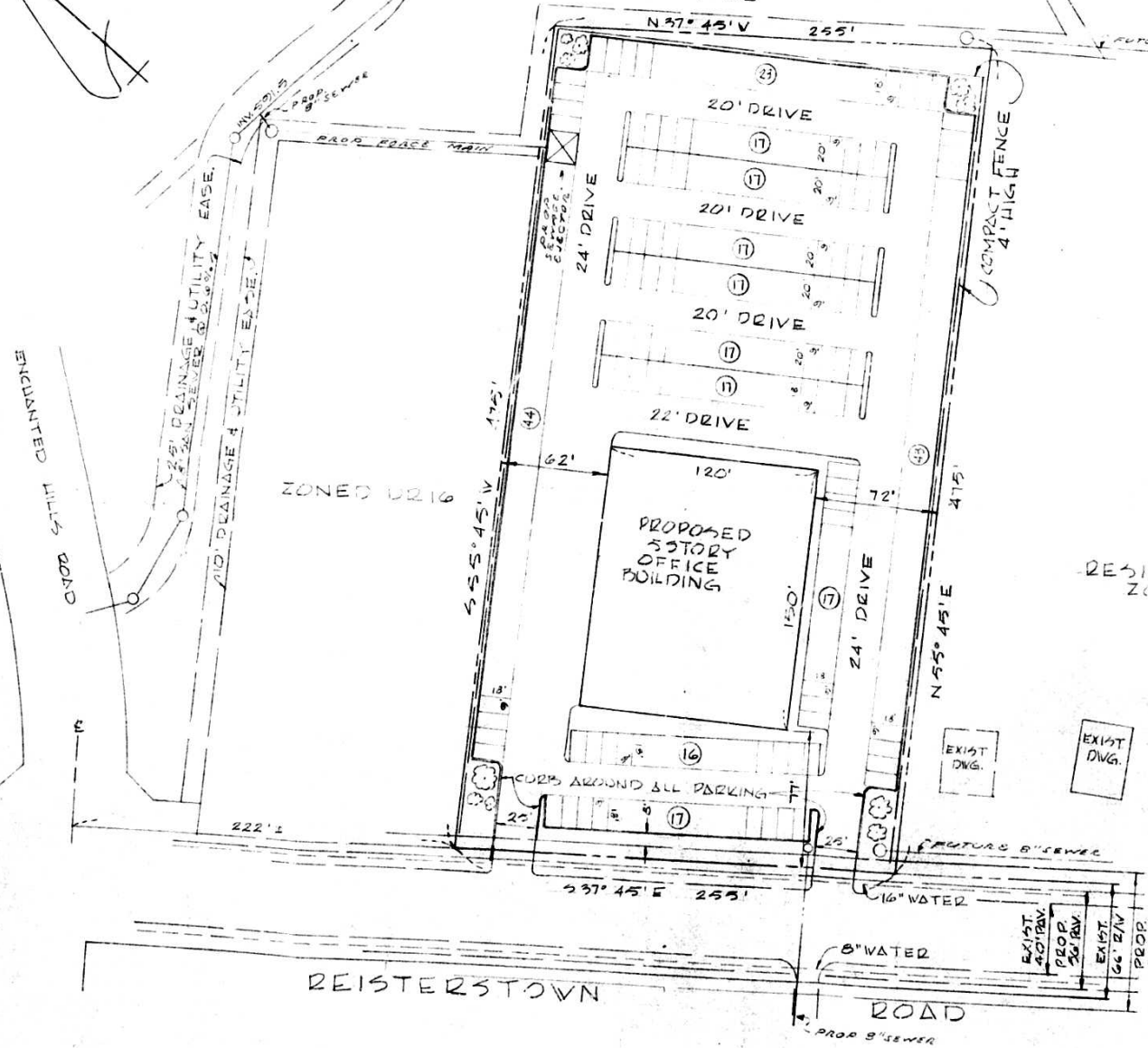
(mcublin)

REVISED PLANS

DR 16724W



ENCHANTED HILLS APTS.
SECTION ONE
ZONED DR 16
R 22 29-122



AREA OF TRACT 2.8 AC. ±
EXISTING ZONING DR-16
PROPOSED ZONING DR-16 WITH SPECIAL
EXCEPTION FOR OFFICES
AREA OF PROPOSED BUILDING 13,000 SQ. FT.
PARKING REQ'D 1st FLOOR 13,000 SQ. FT.
@ 14/300 SQ. FT. 60
2nd to 5th FLOORS 72,000 SQ. FT.
@ 14/500 SQ. FT. 144
TOTAL PARKING REQ'D. 204
PARKING SHOWN 260

RESIDENTIAL USE
ZONED DR 16

GENERAL NOTE:
THE TWO SEWER PROPOSALS INDICATED A FUTURE
8" SEWER AND SHOWN AT THE SOUTHERN PROPERTY
LINE OF THE SUBJECT SITE ARE SEWERS THAT ARE
BEING STUDIED AT THE PRESENT TIME IN CON-
JUNCTION WITH OTHER PROPOSALS IN THIS GENERAL
VICINITY. THE TWO SEWER PROPOSALS, NAMELY THE
PROPOSED SEWAGE SECTOR AND THE PROPOSED
8" SEWER UNDER REISTERSTOWN ROAD ARE PROPOSALS
BEING CONSIDERED IN CONJUNCTION WITH THE SUB-
JECT PROJECT ONLY. ALL FOUR SEWER ALTERN-
ATIVES REPRESENT POSSIBLE MEANS OF SERVING
THE SUBJECT PROPERTY.

PLAT FOR SPECIAL EXCEPTION
FOR 5 STY. OFFICE BUILDING
NORTHEAST SIDE OF REISTERSTOWN ROAD
SOUTHEAST OF ENCHANTED HILLS ROAD
4th ELEC. DIST. BALTIMORE CO., MD.

DEVELOPER:
TALLEY CONSTRUCTION CO., INC.
4123 REISTERSTOWN ROAD
BALTIMORE, MD. 21215



REVISED: MARCH 1972
JOSEPH D. THOMPSON
ENGINEER & LAND SURVEYOR
101 SHELL BLDG.
200 E. JOPPA RD. TOWSON, MD.
NOV. 10, 1971 SCALE: 1"=50' ±

3434