



baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3353

S. ERIC DINENNA
ZONING COMMISSIONER

April 20, 1979

Mr. Robert E. Kelly
8743 Lackawanna Avenue
Baltimore, Maryland 21234

RE: Proposed New Building
NE/corner of Joppa Road
and Lackawanna Avenue -
9th Election District

Dear Mr. Kelly:

Reference is made to your letter of March 24, 1979, in which you request information concerning the above. Hopefully, the following will satisfactorily answer the questions you raise.

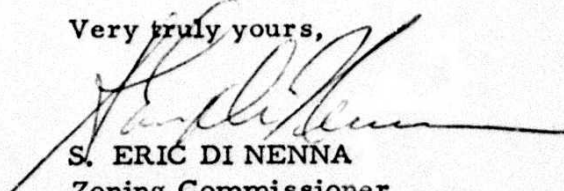
On January 19, 1979, a building permit was issued to construct a new building at 1726 East Joppa Road. Enclosed please find a copy of Building Permit No. 09853 with all required signatures for approval.

Case No. 72-281-ASPH, which was for a Variance and Special Hearing, was filed and subsequently granted by the Zoning Commissioner. Certificates of Posting and Publication are contained in the zoning file, and I have enclosed copies of same for your perusal. No additional requests were necessary beyond those granted in the aforementioned Case.

The present zoning, Business, Roadside (B.R.), with a Commercial, Strip (C.S-2) District superimposed thereon, extends 155 feet northerly from the centerline of East Joppa Road.

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

Very truly yours,


S. ERIC DI NENNA
Zoning Commissioner

SED/GCF/sf
Enclosures

cc: Mr. James E. Dyer, Zoning Supervisor
Mr. Gary C. Freund, Zoning Inspector II
Case No. 72-281-ASPH

PETITION FOR ZONING VARIANCE - SPECIAL HEARING FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Rodney L. Oriel, Emily Oriel, his wife & Peter Paul Katsafanas, Jr., 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 for a Variance from Section 238.2 to permit sideyard of 0 ft. on East side and 5 ft. on west side instead of required 30 ft.; and from Section 238.1 to permit frontyard of 5 ft. instead of required 25 ft.

SPECIAL HEARING FOR PETITIONER: 72-281-ASPH #178

PLANNING DEPARTMENT: The total property of the Petitioners in the area is the subject lot and without the variances requested it will be impossible to erect a building of any type on the lot thus rendering it impossible to use.

see attached description.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance 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.

By: Rodney L. Oriel, Peter Paul Katsafanas, Jr., Legal Owner, Address: 2201 East Lake Avenue, Baltimore, Maryland 21213

By: J. Donald Connor, Petitioner's Attorney, Address: 202 Courtland Avenue, Towson, Maryland 21204

ORDERED BY The Zoning Commissioner of Baltimore County, this 1st day of May, 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 14th day of June, 1972, at 10:30 o'clock.

Attest: J. Donald Connor, Petitioner's Attorney, Address: 202 Courtland Avenue, Towson, Maryland 21204

Attest: J. Donald Connor, Petitioner's Attorney, Address: 202 Courtland Avenue, Towson, Maryland 21204

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Rodney L. Oriel, Emily Oriel, his wife & Peter Paul Katsafanas, Jr., 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 for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve off street parking in a residential zone.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing 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.

By: Rodney L. Oriel, Peter Paul Katsafanas, Jr., Legal Owner, Address: 2201 East Lake Avenue, Baltimore, Maryland 21213

By: J. Donald Connor, Petitioner's Attorney, Address: 202 Courtland Avenue, Towson, Maryland 21204

ORDERED BY The Zoning Commissioner of Baltimore County, this 1st day of May, 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 14th day of June, 1972, at 10:30 o'clock.

Attest: J. Donald Connor, Petitioner's Attorney, Address: 202 Courtland Avenue, Towson, Maryland 21204

RE: PETITION FOR VARIANCE AND SPECIAL HEARING
E/S of Lackawanna Avenue, 60' N of Joppa Road - 9th District
Peter P. Katsafanas, Jr., et al - Petitioners
NO. 72-281-ASPH (Item No. 178)

AMENDED ORDER

It is hereby ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of December, 1972, that the Opinion and Order, dated November 14, 1972, passed in this matter, should be and the same is hereby Amended by deleting "twenty (20) feet on the west side" of the Petition for Zoning Variance from Area and Height Regulations and substituting therefore "fifteen (15) feet on the west side."

By: J. Donald Connor, Petitioner's Attorney, Address: 202 Courtland Avenue, Towson, Maryland 21204

CONNOR AND REY
ATTORNEYS AT LAW
202 Courtland Ave.
Towson, Maryland 21204
Area Code 701 828-8282

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
111 West Chapek Avenue
Towson, Maryland 21204

Dear Mr. DiNenna:

In regard to the captioned matter the petitioners were requesting a side line variance of five feet on Lackawanna Avenue to enable a fifty foot building to be erected on the lot. At the hearing there was objection from neighbors who were represented by John D. Kroening, Esquire.

The petitioners and Mr. Kroening are now agreeable to decreasing the variance to fifteen feet so that a forty foot building could be erected. (Actually this would give a setback of 20' from Lackawanna Avenue since the 15' is measured from the "cut off").

The request for a five foot front setback and zero feet on the east shall remain.

I trust that upon review of this matter and since there is now no objection from the neighbors, you will now be able to grant the revised requests.

I have asked our engineers to comply with your request of August 21, 1972.

Thanking you for your consideration, I remain,
Very truly yours,
J. Donald Connor

JDC:cnk
CC: John D. Kroening, Esquire
Mr. Paul Katsafanas, Jr.

FROM THE OFFICE OF
GEORGE WILLIAMS STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX #6628, TOWSON, MD. 21204

Description to Accompany Zoning Petition
Commercial Parking in D.R.S.3 Zone
Joppa Road and Lackawanna Avenue.

April 11, 1972

Beginning at a point on the northeast side of Lackawanna Avenue, said point being distant 155 feet measured northwesterly from the center line of Joppa Road, said point of beginning being also at the intersection formed by the northeast side of Lackawanna Avenue and the division line between the existing zoning areas D.R.S.3 and D.R.S.-C.S.-2, and running thence binding on the northeast side of Lackawanna Avenue (1) North 20° 55' 45" West 62 feet, thence leaving Lackawanna Avenue and running the two following courses, (2) North 69° 04' 15" East 60.00 feet, and (3) South 20° 35' 45" East 62 feet to intersect the above mentioned zoning line, thence southwesterly binding on said zoning line 60.00 feet to the place of beginning.

FROM THE OFFICE OF
GEORGE WILLIAMS STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX #6628, TOWSON, MD. 21204

Description to Accompany Zoning Petition
S.E. Corner Joppa Road & Lackawanna Ave.

June 4, 1971

Beginning for the same on the east side of Lackawanna Avenue, 40 feet wide, at a point distant 60 feet northerly from the centerline of Joppa Road, 70 feet wide, and running thence binding on the east side of said Lackawanna Avenue North 20° 55' 45" West 157.44 feet, thence North 69° 04' 15" East 60.00 feet, thence parallel with Lackawanna Avenue South 20° 55' 45" East 181.84 feet to the north side of said Joppa Road, thence along said north side of Joppa Road South 68° 30' 20" West 35.00 feet, thence along the cutoff line leading to the east side of said Lackawanna Avenue North 64° 12' 43" West 35.18 feet to the place of beginning.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: June 8, 1972

FROM: George E. Gervell, Director of Planning

SUBJECT: Petition 72-281-ASPH. Variance for Front and Side Yards. Off-street parking. East side of Lackawanna Avenue 60 feet North of Joppa Road Peter Paul Katsafanas, Jr., Petitioner

9th District

HEARING: Wednesday, June 14, 1972 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for variances together with a use permit for parking and has the following comment to make:

In light of the narrow width of the subject property, the widening of Joppa Road, and the established character of commercial structures nearby, the Planning staff voices no objection to the variances. We agree with the use permit for parking.

CEG:jms

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 31, 1972

STAFF OFFICE BUILDING
111 West Chapek Avenue
Towson, Maryland 21204

Mr. J. Donald Connor, Esq.,
202 Courtland Avenue
Towson, Maryland 21204

RE: Special Hearing Petition
Item 178
Rodney L. Oriel, et al - Petitioner

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 attached comments are a result of this review and inspection.

The subject property is located on the northeast corner of Joppa Road and Lackawanna Avenue, in the 9th District of Baltimore County. This property is improved with a two-story frame dwelling, a detached garage, and a small storage shed. This same property was the subject of an earlier petition (Item 28) which was apparently withdrawn. There is a new office building being constructed on the east side of this site, and there is an existing day nursery on the northeast corner of Joppa Road and Lackawanna Avenue. Lackawanna Avenue is improved with similar single family dwellings. There is no curb and gutter existing along Lackawanna Avenue at this location.

This petition is accepted for filing, however, revised plans must be submitted that indicate the existing shed at the rear of the property and all structures with their respective driveway within 200 feet of this property. These must be filed prior to the hearing.

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 30 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,
Oliver L. Myers, Chairman
John J. Gillson, Jr., Zoning Technician II

Enclosure

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner

the above Variance should be had; and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, Variances to permit a side yard of zero (0) feet on the East side and twenty (20) feet on the West side instead of the required thirty (30) feet; and to permit a front yard of five (5) feet instead of the required twenty-five (25) feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of November, 1972, that the herein Petition for a Variance should be granted, and the same is granted, from and after the date of this Order, to permit a side yard of zero (0) feet on the East side and twenty (20) feet on the West side instead of the required thirty (30) feet; and to permit a front yard of five (5) feet instead of the required twenty-five (25) feet, subject to the approval of a site plan by the Bureau of Public Services and the Office of Planning and Zoning.

and it appearing that by reason of

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of November, 1972, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that the Petitioner's plans meet the conditions set forth in Section 402.4 and that the health, safety, and general welfare of the locality involved not being adversely affected.

the above Special Hearing for Off-street Parking in a Residential Zone in accordance with the plat dated June 4, 1971; revised April 6, 1972, and April 10, 1972, by George H. Dyer, Acting Section Chief of Project Planning, said plan having been filed as Exhibit "A" in this proceeding, which is incorporated by reference hereto as a part of this Order, should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of November, 1972, that the herein Petition for Special Hearing should be and the same is granted, from and after the date of this order, to permit Off-street parking in a Residential Zone, subject to the approval of a site plan by the Bureau of Public Services and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of November, 1972, that the above Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dillman
ATTN: Oliver L. Myers
FROM: Ellsworth H. Dyer, P.E.
DATE: May 9, 1972
SUBJECT: Item 178 (1971-1972)
Property Owner: Rodney L. Ortel, et al
N/E cor. of Joppa Rd. and Lackawanna Ave.
Present Zoning: R.R. and D.R. 5.5
Proposed Zoning: Variances from Section 238.2 side yard and 238.1 front yard; Special Hearing for off-street parking in a residential zone
District: 9th
No. Acres: 60' x 180'

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.

General:
The comments supplied by this office, dated August 13, 1971, in connection with Item 178 (1971-1972), remain valid and applicable to this Item 178 (1971-1972). A copy of those comments is attached for your consideration.

ENCLOSURES:
N-NE Key Sheet
37 NE 11 Position Sheet
NE 20 C Topo
70 Tax Map
Attachment

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dillman
ATTN: Oliver L. Myers
FROM: Ellsworth H. Dyer, P.E.
DATE: August 13, 1971
SUBJECT: Item 23 (1971-1972)
Property Owner: Rodney L. Ortel, et al
N/E corner of Joppa Road and Lackawanna Avenue
Present Zoning: R.R. and D.R. 5.5
Proposed Zoning: Variances from 238.1 - front yard; 238.2 side yard; Special Hearing - off street parking
District: 9th
No. Acres: 60' x 180'

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:
Joppa Road, an existing County road, is currently being improved in this vicinity, as a 4-lane divided highway cross-section on a 10-foot right-of-way, as a federal Aid project under the Order 5-77-2 (see Bureau 10-2001, File 5). No further highway improvements are required. However, construction or reconstruction of any sidewalks, curbs and gutters, drainage, etc., required in connection with the proposed improvement of this site would be the full financial responsibility of the Petitioner.

Lackawanna Avenue, an existing residential County road, is proposed to be improved in the future as a 4-lane divided highway cross-section on a 50-foot right-of-way. Highway improvements, including highway right-of-way widening and resurfacing, will be required in connection with any widening or building permit application. It is recommended that the Petitioner contact the Chief of the Street, Road and Bridge Design Group of the Baltimore County Bureau of Engineering in regard to the required highway improvements for Lackawanna Avenue.

It is suggested that by recontouring the proposed building, a driveway entrance from Joppa Road, in conformance with the "Hoover Company" to the east, might be considered advantageous.

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

Setback Controls
Development of this property through stripping, grading and stabilization could result in a significant pollution problem, as water provides and washes building materials on the property. A grassy buffer strip, 10 feet wide, necessary for all grading, including the stripping of top soil.

Item 23 (1971-1972)
Property Owner: Rodney L. Ortel, et al
Page 2
August 13, 1971

Storm Drains

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan. Storm drain improvements will be required in conjunction with the improvement of Lackawanna Avenue.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewers

Public water supply and sanitary sewerage are available and serving this property.

Ellsworth H. Dyer, P.E.
Chief, Bureau of Engineering

ENCLOSURES:
N-NE Key Sheet
37 NE 11 Position Sheet
NE 20 C Topo
70 Tax Map

cc: John J. Tremmer

BALTIMORE COUNTY, MARYLAND

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

TO: S. Eric Dillman
ATTN: Oliver L. Myers
FROM: Michael S. Flanigan
SUBJECT: Item 178 - ZAC - April 25, 1972
Property Owner: Rodney L. Ortel, et al
NE Corner Joppa Road & Lackawanna Avenue
Variances from Section 238.2 side yard and 238.1 front yard; Special hearing for off street parking in a residential zone - District 9

The requested variances are not expected to create any traffic problems.

Michael S. Flanigan
Traffic Engineer Associate

Baltimore County Fire Department

J. Austin Dietz
Chief
Towson, Maryland 21204
875-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee

Re: Property Owner: Rodney L. Ortel, et al
Location: N/E corner of Joppa Road & Lackawanna Avenue

Item No. 178
Zoning Agenda 4/25/72

Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site. The vehicle dead-end condition shown at _____
- (x) 4. EXCLUDE the maximum allowed by the Fire Department. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *4/22/72 Kelly* Noted and Approved: *4/22/72 Dietz*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

ELB
4/25/72

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 25, 1972

RONALD J. KOOP, M.D., M.P.H.
TOWSON, MARYLAND 21204

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
Office of Planning & Zoning
Baltimore County Office Bldg.
Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item 178, Zoning Advisory Committee Meeting, April 25, 1972, are as follows:

Property Owner: Rodney L. Ortel, et al
Location: N/E corner Joppa Road and Lackawanna Avenue
Present Zoning: R.R. and D.R. 5.5
Proposed Zoning: Variances from Section 231.2 side yard and 238.1 front yard; Special hearing for off-street parking in a residential zone.

District: 9
No. Acres: 60' x 180'

Metropolitan water and sewer are available to the site.

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and all fuel burning and processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

Very truly yours,

Thomas W. Devita
Thomas W. Devita, Director
BUREAU OF ENVIRONMENTAL SERVICES

WNC:jmc

GEORGE E. GAVRILIS
Director
Baltimore County
Suite 201
Towson, Md. 21204
484-2131



S. ERIC DINENNA
Zoning Commissioner
County Office Building
111 West Chesapeake Ave.
Towson, Md. 21204
484-2131

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

May 22, 1972

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item 178, Zoning Advisory Committee Meeting, April 25, 1972, are as follows:

Property Owner: Rodney L. Ortel, et al
Location: N/E corner of Joppa Road and Lackawanna Avenue
Present Zoning: B.R. and D.R. 5.5
Proposed Zoning: Variances from Section 238.2 side yard and 238.1 front yard; special hearing for off-street parking in a residential zone.
District: 9
No. Acres: 60' x 180'

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

Very truly yours,

Richard S. Williams
Planner II
Project Planning Division
Office of Planning and Zoning

BOARD OF EDUCATION OF BALTIMORE COUNTY

ITEM # 178
April 25, 1972

TOWSON, MARYLAND - 21204

Property Owner: Ortel, et al
District: 9
Present Zoning: B.R. and D.R. 5.5
Proposed Zoning: var
No. Acres: 60' x 180'

RE: VARIANCE TO ZONING REGULATION

H. ERIC DINENNA
S. ERIC DINENNA
MRS. J. DONALD CONNER

MRS. J. DONALD CONNER
J. DONALD CONNER
MRS. J. DONALD CONNER

J. DONALD CONNER
MRS. J. DONALD CONNER
MRS. J. DONALD CONNER

CONNOR AND EBY

ATTORNEYS AT LAW
202 COURTLAND AVE.
TOWSON, MARYLAND 21204

ANAL CODE 301 832 8322

April 7, 1972

C. ARTHUR EBY, JR.

Mr. Eric Dinenna
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Variance and
Special Hearing
N.E. Corner Joppa Road and
Lackawanna Avenue

Dear Sir:

Attached is Petition on captioned property which is being resubmitted.

The original comments of the Bureau of Engineering suggest a 30 foot road on a 50 foot right-of-way. Upon reconsideration of this matter Mr. George A. Reier, Chief Bureau of Public Services has determined that a 40 foot right-of-way is satisfactory. A copy of Mr. Reier's letter of March 29, 1972 is attached.

Thank you for your consideration of this matter.

Very truly yours,

J. Donald Connor
J. Donald Connor

JDC:mk
Enc.

Baltimore County Department of Public Works

COUNTY OFFICE BUILDING

TOWSON, MARYLAND 21204

March 29, 1972

George A. Reier, P.E.
Chief

J. Donald Connor, Esq.
102 Courtland Avenue
Towson, Maryland 21204

Variance-Special Hearing
N.E. Joppa Rd. and Lackawanna Ave.
Rodney L. Ortel et al

Dear Sir:

Within comments dated September 3, 1971, further consideration has been given regarding the right of way proposed of Lackawanna Avenue.

Within the comments it has been indicated that a 30-foot closed type roadway cross-section on a 50-foot right of way would be required.

The Writer has visited the site and Lackawanna Avenue is a 40-foot road serving individual homes within a residential area and is at peak density. The number of homes existing on Lackawanna in this area is approximately twenty-five.

It is the opinion of the Writer that a 40-foot right of way within the area of the petitioner's interests can be applied and that it will not create any objectionable condition regarding a 30-foot closed section. Also, it will provide for a walkway on the side of the petitioner's interests.

This consideration is further being allowed due to the very limited dimensions of the lot and in this instance, a 4-foot taking would indeed keep the development anticipated.

Your review and acceptance of this proposal will be appreciated.

Very truly yours,

George A. Reier
George A. Reier, Chief
BUREAU OF PUBLIC SERVICES

GAR:rb

cc: Mr. Eric Dinenna
Mr. Oliver Myers

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 31, 1972

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

OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF
FIRE PROTECTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

J. Donald Connor, Esq.,
102 Courtland Avenue
Towson, Maryland 21204

RE: Special Hearing Petition
Item 178
Rodney L. Ortel, et al - Petitioner

Dear Sirs:

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 attached comments are a result of this review and inspection.

The subject property is located on the northeast corner of Joppa Road and Lackawanna Avenue, in the 9th District of Baltimore County. This property is improved with a two-story frame dwelling, a detached garage, and a small storage shed. This same property was the subject of an earlier petition (Item 28) which was currently withdrawn. There is a new office building being constructed on the east side of this site, and there is an existing day nursery on the northwest corner of Joppa Road and Lackawanna Avenue. Lackawanna Avenue is improved with similar single family dwellings. There is no curb and gutter existing along Lackawanna Avenue at this location.

This petition is accepted for filing, however, revised plans must be submitted that indicate the existing shed at the rear of the property and all structures with their respective dimensions within 100 feet of this property. These must be filed prior to the hearing.

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, Chairman

John J. Dillon, Jr., Zoning Technician II

OLM:JJB:BB
Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna
FROM: Oliver L. Myers
FROM: Ellsworth N. Diver, P.E.

Date: May 8, 1972

SUBJECT: Item 178 (1971-1972)
Property Owner: Rodney L. Ortel, et al
N/E cor. of Joppa Rd. and Lackawanna Ave.
Present Zoning: B.R. and D.R. 5.5
Proposed Zoning: Variances from Section 238.2 side yard and 238.1 front yard; Special Hearing for off-street parking in a residential zone
District: 9th
No. Acres: 60' x 180'

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.

General:

The comments supplied by this office, dated August 13, 1971, in connection with Item #28 (1971-1972), remain valid and applicable to this Item #178 (1971-1972). A copy of those comments is attached for your consideration.

Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END/ENR:PH:iss

N-WE Key Sheet
37 NS 11 Position Sheet
NE 30 C Topo
70 Tax Map

Attachment

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna
ATTN: Oliver L. Myers
FROM: Ellsworth N. Diver, P.E.

Date: August 13, 1971

SUBJECT: Item 28 (1971-1972)
Property Owner: Rodney L. Ortel, et al
N/E corner of Joppa Road and Lackawanna Avenue
Present Zoning: B.R.
Proposed Zoning: Variances from 238.1 - Front yard; 238.2 side yard; Special Hearing - Off street parking
District: 9th
No. Acres: 60 x 150

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

Joppa Road, an existing County road, is currently being improved in this vicinity, as a 40-foot closed-type roadway cross-section on a 50-foot right-of-way, as a Federal Aid Project under Section 507(f) (see Item #28-1001, Vils 51). To further highway improvements are required. However, construction or reconstruction of any sidewalk, curb and gutter, drainage, apron, etc. required in connection with the further improvement of this site would be the full financial responsibility of the petitioner.

Lackawanna Avenue, an existing residential County road, is proposed to be improved in the future as a 40-foot closed-type roadway cross-section on a 50-foot right-of-way. Highway improvements, including highway right-of-way widening and reversible slope easements, will be required in connection with any drainage or sidewalk permit application. It is recommended that the petitioner contact the Chief of the Street, Road and Bridge Design Group of the Baltimore County Bureau of Engineering in regard to the required highway improvements for Lackawanna Avenue.

It is suggested that by petitioners the proposed building, a driveway entrance from Joppa Road, in connection with the Hoover Company to the east, might be considered as a separate item.

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

Setback Controls

Development of this property through striping, grading and stabilization could result in a permanent parking lot, driveway and private and public holding easements of the property. A special survey is, therefore, necessary for all grading, including the striping of the lot.

Item 28 (1971-1972)
Property Owner: Rodney L. Ortel, et al
Page 2
August 13, 1971

Storm Drains

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan. Storm drain improvements will be required in conjunction with the improvement of Lackawanna Avenue.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewers

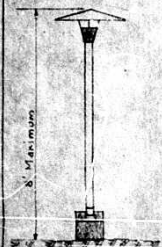
Public water supply and sanitary sewerage are available and serving this property.

Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

EXHIBITS

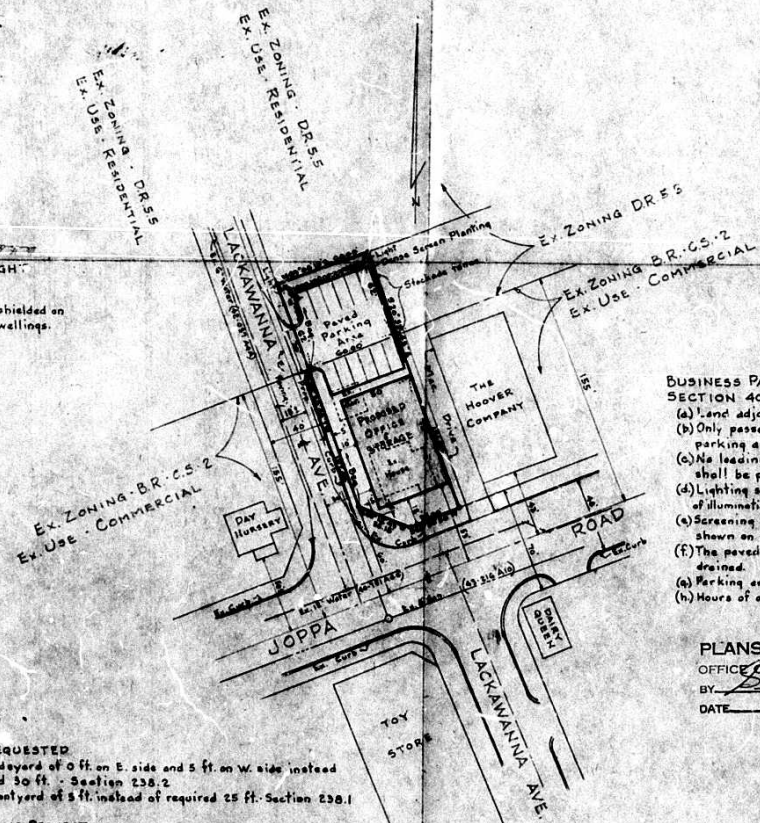
N-WE Key Sheet
37 NS 11 Position Sheet
NE 30 C Topo
70 Tax Map

cc: John J. Tremmer



TYPICAL LIGHT
No Scale

Note:
Lights to be shielded on
sides adjacent to dwellings.



- BUSINESS PARKING IN RESIDENTIAL ZONE SECTION 409**
- (a) Land adjoins business involved
 - (b) Only passenger vehicles, excluding busses, may use parking area in DR.5.5 Zone
 - (c) No loading, service, or any use other than parking shall be permitted
 - (d) Lighting shall be regulated as to location, direction, hours of illumination, glare, & intensity, as required (See Typical)
 - (e) Screening shall be done by fence or planting as shown on plan.
 - (f) The paved parking surface shall be properly drained.
 - (g) Parking and access shall be as shown.
 - (h) Hours of operation to be from 8AM to 8PM.

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY *[Signature]*
DATE *10/16/72*



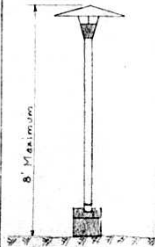
PLAT TO ACCOMPANY ZONING PETITION
N.E. CORNER JOPPA ROAD & LACKAWANNA AVENUE
Baltimore, Co. Md. Elect. Dist. No. 9
Scale: 1" = 50'
June 4, 1971.
Rev. April 6, 1972.
Rev. April 10, 1972.
GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON 4, MARYLAND

- VARIANCES REQUESTED**
- (1) To permit Sideyard of 0 ft. on E. side and 5 ft. on W. side instead of required 30 ft. - Section 238.2
 - (2) To permit Frontyard of 5 ft. instead of required 25 ft. - Section 238.1

SPECIAL HEARING REQUESTED
To permit Business Parking in a Residential Zone

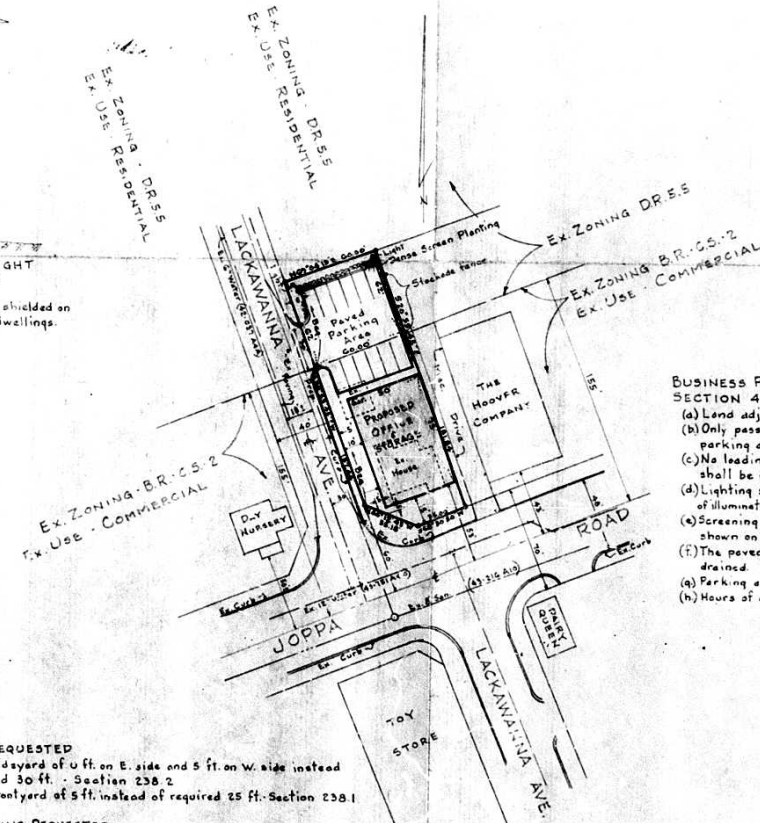
NOTES:

Existing zoning	BR. C.S. 2 & DR.5.5
Proposed zoning	Same with Special Hearing to park in Residential Zone
Existing use	Day Storage
Proposed use	Business office & storage
Area of proposed building	5550 Sq. ft.
Parking required @ 1/500 sq. ft.	12
Parking provided (8 1/2 x 20)	12



TYPICAL LIGHT
No Scale

Note:
Lights to be shielded on
sides adjacent to dwellings.



- BUSINESS PARKING IN RESIDENTIAL ZONE SECTION 409.4**
- (a) Land adjoins business involved
 - (b) Only passenger vehicles, excluding busses, may use parking area in DR.5.5 Zone
 - (c) No loading, service, or any use other than parking shall be permitted
 - (d) Lighting shall be regulated as to location, direction, hours of illumination, glare, & intensity, as required (See Typical)
 - (e) Screening shall be done by fence or planting as shown on plan.
 - (f) The paved parking surface shall be properly drained.
 - (g) Parking and access shall be as shown.
 - (h) Hours of operation to be from 8AM to 8PM.

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY *[Signature]*
DATE *10/16/72*



- VARIANCES REQUESTED**
- (1) To permit Sideyard of 0 ft. on E. side and 5 ft. on W. side instead of required 30 ft. - Section 238.2
 - (2) To permit Frontyard of 5 ft. instead of required 25 ft. - Section 238.1

SPECIAL HEARING REQUESTED
To permit Business Parking in a Residential Zone

NOTES:

Existing zoning	BR. C.S. 2 & DR.5.5
Proposed zoning	Same with Special Hearing to park in Residential Zone
Existing use	Day Storage
Proposed use	Business office & storage
Area of proposed building	5550 Sq. ft.
Parking required @ 1/500 sq. ft.	12
Parking provided (8 1/2 x 20)	12

PLAT TO ACCOMPANY ZONING PETITION
N.E. CORNER JOPPA ROAD & LACKAWANNA AVENUE
Baltimore, Co. Md. Elect. Dist. No. 9
Scale: 1" = 50'
June 4, 1971.
Rev. April 6, 1972.
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GEORGE WILLIAM STEPHENS, JR.
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TOWSON 4, MARYLAND



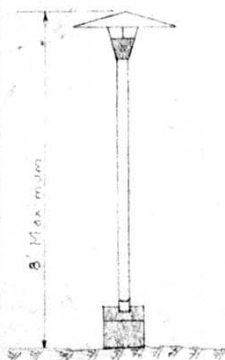
PLANS APPROVED

OFFICE OF PLANNING & ZONING

BY John W. White

DATE 11-29-78

C-1333-78



TYPICAL LIGHT
No Scale

Note:
Lights to be shielded on
sides adjacent to dwellings.

EX. ZONING - BR.-C.S. 2
EX. USE - COMMERCIAL

NOTE: REFER TO ZONING CASE NO 72-281 ASPH
(ITEM NO 178) WHEREBY THE BELOW REQUESTS
WHERE G. 1 ED.

VARIANCES REQUESTED

- (1) To permit Sidyard of 0 ft. on E. side and 5 ft. on W. side instead of required 30 ft. - Section 238.2
- (2) To permit Frontyard of 5 ft. instead of required 25 ft. - Section 238.1

SPECIAL HEARING REQUESTED

To permit Business Parking in a Residential Zone

NOTES:

Existing zoning	BR.-C.S. 2 & DR.5.5
Proposed zoning	Same with Special Hearing to park in Residential Zone
Existing use	Dog Boarding
Proposed use	Service Garage
Area of proposed building	3000 Sq. ft.
Parking required @ 1/300 sq. ft.	10
Parking provided (8 1/2 x 18)	13 (Includes Space for Handicapped 12' x 18')
Existing house and garage to be removed.	

OWNER & DEVELOPER
JOPPA JOINT VENTURE
9403 HARFORD ROAD
BALTO. MD. 21234

EX. ZONING DR.5.5

EX. ZONING BR.-C.S. 2
EX. USE - COMMERCIAL

BUSINESS PARKING IN RESIDENTIAL ZONE SECTION 409.4

- (a) Land adjoins business involved
- (b) Only passenger vehicles, excluding busses, may use parking area in DR. 5.5 Zone
- (c) No loading, service, or any use other than parking shall be permitted
- (d) Lighting shall be regulated as to location, direction, hours of illumination, glare, & intensity, as required (See typical)
- (e) Screening shall be done by fence or planting as shown on plan.
- (f) The paved parking surface shall be properly drained.
- (g) Parking and access shall be as shown.
- (h) Hours of operation to be from 8 AM. to 8 PM.
Parking in this area shall be during these hours only.
(No overnight parking).

LANDSCAPING SHALL CONSIST OF TWO ORNAMENTAL TREES AS SHOWN HEREON; SCREEN PLANTING TO BE DENSE ARBORYTAE MIN. HEIGHT 4 FEET.



PLOT PLAN

N.E. CORNER JOPPA ROAD & LACKAWANNA AVENUE

Balto. Co. Md.

Scale: 1" = 50'

Elect. Dist. No. 9

October 5, 1978

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

PN 2343

