

GEORGE E. GAVRELIS
Director
Jefferson Building
Suite 301
Towson, Md. 21204
494-3211



73-4
S. ERIC DINENNA
Zoning Commissioner
County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204
494-3351

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

May 8, 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 13, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: H. Denton and Virginia S. Smith
Location: E/S York Road, 103' N of Ridgefield Road
Present Zoning: D.R.5.5
Proposed Zoning: Reclassification to D.R.16 and Variance to side yard setbacks.
District: 9
No. Acres: 0.77 acres

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

Very truly yours,

A handwritten signature in cursive script, appearing to read "Richard B. Williams".
Richard B. Williams
Planner II
Project Planning Division
Office of Planning and Zoning

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 8, 1972

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204S. M. Almond, Jr., Esquire
Jennifer Building
Towson, Maryland 21204Re: Reclassification Petition
3rd Zoning Cycle
Item 13
H. Denton Smith et al-Petitioners

Dear Mr. Almond:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an onsite field inspection of the property. The attached comments are a result of this review and inspection.

The subject property is located on the east side of York Road, 103 feet north of Ridgefield Road in the Ninth Election District of Baltimore County. The property is currently improved with a two-story dwelling on a nicely wooded lot. There is a storm drain reservation immediately to the south with residences beyond. Other residential properties exist to the north and east. The property is diagonally across from the new Beltway Office Building and approximately three hundred feet south of the new SECO office building.

The plan submitted appears to meet the requirements of the Zoning Commissioner and revised plans will not be required unless so indicated by other departments.

Very truly yours,

OLIVER L. MYERS, Chairman
JOHN J. DILLON, JR., Zoning Tech. II

OLM:JJD:bbr

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204Bureau of Engineering
ELLIWORTH H. DIVER, P. E., CHIEF

April 20, 1972

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
County Office Building
Towson, Maryland 21204Re: Item #13 (Cycle April - October 1972)
Property Owner: H. Denton & Virginia S. Smith
7/8 York Rd., 103' N. of Ridgefield Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Reclassification to D.R. 16 and
Variance to side yard setbacks
District: 9th No. Acres: 0.77 acres

Dear Mr. Myers:

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.

Highways:

Access to this site shall be from York Road which is a State Road; therefore, all improvements, intersections, entrances, storm drains and utilities as they affect this road will be subject to State Highway Administration requirements.

Storm Drains:

In accordance with the drainage roller for this type development, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall. The Petitioner's cost responsibilities include the acquiring of easements and rights-of-way - both onsite and offsite - including the design in fee to the County of the rights-of-way. Preparation of all construction, rights-of-way and easement drawings including engineering and surveys, and payment of all actual construction costs including the County overhead both within and outside the development, are also the responsibilities of the Petitioner.

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. Oliver L. Myers, Chairman
Zoning Advisory Committee
Page 2
April 20, 1972

Re: Item #13 (Cycle April - October 1972)

Storm Drains: (Cont'd)

The Petitioner shall provide a minimum 10-foot drainage and utility easement along all bordering property lines which are not adjacent to County rights-of-way or storm drain reservations, unless a further easement has previously been provided along the property lines of the adjacent subdivision. If an easement less than 10 feet in width has previously been provided along any bordering property line within an adjacent subdivision, an additional easement to provide for a minimum width of 10 feet shall be provided along that property line within this subdivision.

Sediment Control:

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

Water:

There is an existing 10-inch water main in York Road.

Sanitary Sewer:

There is an existing 21-inch sanitary sewer in York Road.

Very truly yours,

ELLIWORTH H. DIVER, P.E.
Chief, Bureau of Engineering

END:RAN:CM:iss

R-CW Key Sheet
NE 11 A Top Sheet
ME 13 1 Position Sheet

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTORWm. T. MILLER
DEPUTY TRAFFIC ENGINEER

April 28, 1972

Mr. Oliver L. Myers
Chairman
Zoning Advisory Committee
County Office Building
Towson, Maryland 21204Re: Cycle Zoning III
Item 13 - ZAC - 4-4-72
Property Owner: H. Denton & Virginia S. Smith
York Road N. of Ridgefield Road
Reclass. to DR 16 & variance to side yard setbacks
District 9

Dear Mr. Myers:

The subject property is not of sufficient size to increase the number of trips to York Road greatly.

Very truly yours,

C. Richard Moore
Assistant Traffic Engineer

CRM:mr

STATE HIGHWAY ADMINISTRATION
300 WEST PRESTON STREET
BALTIMORE, MD. 21201

April 11, 1972

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

ATTN: Mr. O. L. Myers

ITEM 13:

Re: ZAC Meeting 4/4/72
Reclassification
Property Owners: H. Denton & Virginia S. Smith
Location: E/S York Road
(Route 45) 103' N. of
Ridgefield Road
Proposed Zoning: Reclass. to
D. R. 16 and variance to
side yard setbacks.
Present Zoning: D.R. 5.5
District: 9
No. Acres: 0.77 acres

Dear Mr. DiNenna:

The subject plan indicates a proposed entrance of 24 ft. in width. The standard minimum width is 25 ft. The entrance must be a depressed curb type with 30° transitions rather than a radius return-type as indicated. There must be a minimum of 5 ft. from the property line to the beginning of the depression transition. The entrance must be aligned as close to 90° to the highway as possible.

The plan must ultimately be revised.

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

Very truly yours,

Charles Lee, Chief
Development Engineering
Section

John E. Myers
Asst. Development Engineer

CLJ:JTB:bbr

Baltimore County Fire Department



Towson, Maryland 21204

822-7210

April 26, 1972

J. Austin Deitz
ChiefOffice of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
ATTN: Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee

RE: Property Owners: H. Denton and Virginia S. Smith
Location: E/S York Road, 103' N of Ridgefield Road
Item No. 13 Zoning Agenda 4/4/72

Gentlemen:

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

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 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.
- () 3. The vehicle dead-end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 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 unapproved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *John E. Myers* Special Inspection Division
Planning Group
Special Inspection Division
Fire Prevention Bureau
Date: 4/17/72

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTHJEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 17, 1972

DONALD J. RHOOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICERMr. Oliver L. Myers, Chairman
Zoning Advisory Committee
Office of Planning & Zoning
Baltimore County Office Bldg.
Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item 13, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: H. Denton and Virginia S. Smith
Location: E/S York Road, 103' N. of Ridgefield Road
Present Zoning: D.R. 5.5
Proposed Zoning: Reclassification to D.R. 16 and Variance to side yard setbacks.
District: 9
No. Acres: 0.77

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,

J. Strathorn
Sanitarian II
Water and Sewer Section
Division of Sanitary Engineering
BUREAU OF ENVIRONMENTAL SERVICES

J5:sm

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Property Owner: H. Denton & Virginia S. Smith

District: 9

Present Zoning: DR 5.5

Proposed Zoning: DR 16 + VAR.

No. Acres: 0.77

No effect on student population

N. THOMAS PARK, PRESIDENT
EUGENE C. WILCOX, VICE-PRESIDENT
MRS. ROBERT L. BERTNEY

MRS. JOHN H. CRICKER
JOSEPH N. FLEISHER
ALVIN LUTERAN
JOSHUA E. WATKINS, HON. CLERK

Z. BAYARD WILLIAMS, JR.
RICHARD W. TRACY, V.M.C.
MRS. RICHARD A. PIERCE

73-4-2A PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, H. Denton Smith and Virginia S. Smith, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an DR-5.5 zone to an DR-16 zone; for the following reasons:

There was an error in the original zoning in not extending the DR-16 zoning to the southernmost line of the petitioners' 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 building in a DR-16 zone and variance to permit 15 foot side yard instead of 75 feet, required by Section 502.1 of the Zoning Regulations of Baltimore County.

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.

H. Denton Smith
Contract purchaser
Virginia S. Smith Legal Owner
Address: 4025 R. 43rd Street
Tulsa, Oklahoma 74135

S. M. Almond, Jr.
Petitioner's Attorney
Address: Jennifer Ridge, 21204
823-2300

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of June, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 6th day of July, 1972, at 10:00 o'clock.

Herbert E. Hohenberger
Zoning Commissioner of Baltimore County.

(over)

BE: PETITION FOR RECLASSIFICATION, SPECIAL EXCEPTION, AND VARIANCE : BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The Petitioner requests a Reclassification from a D.R. 5.5 Zone to a D.R. 16 Zone, further requests a Special Exception for an office building in a D.R. 16 Zone, and a Variance to permit fifteen (15) foot side yard setback instead of the required seventy-five (75) foot side yard setback, as set forth in Section 1B02.2C of the Baltimore County Zoning Regulations, said property being located on the east side of York Road, one hundred and three (163) feet north of Ridgefield Road in the 9th District of Baltimore County, and containing 0.77 acres of land, more or less.

Without reviewing the evidence further in detail, but based on all of the evidence presented at the hearing, in the judgment of the Zoning Commissioner for Baltimore County, the comprehensive zoning map, as adopted on March 24, 1971, was in error in classifying the subject property as D.R. 5.5. Secondly, the Petitioner has proved that it would be a practical difficulty or an unreasonable hardship upon him to develop this land without the Variance requested, granted. Furthermore, the prerequisite to Section 502.1 having been met, a Special Exception for the office building should be granted. Therefore, IT IS ORDERED this 29th day of September, 1972, that the requested Reclassification be GRANTED and that the prerequisites of Section 502.1 having been met, a Special Exception for an office building be GRANTED and furthermore, unreasonable hardship

and practical difficulty having been shown, a Variance is hereby GRANTED to permit a fifteen (15) foot side yard setback instead of the required seventy-five (75) feet subject to:

- 1) The size of the subject office building not exceeding forty (40) feet by one hundred (100) feet and no more than two (2) stories high.
- 2) Proper screening as approved by the Office of Planning for Baltimore County be erected.
- 3) The height limitation for lighting of the parking lot, etc., being limited to eight (8) feet.
- 4) Proper drainage facilities be installed so that run-off drains to the flood control strip adjoining said property meet the requirements of the Baltimore County Department of Public Works.
- 5) The approval of a site plan by the State Highway Administration, the Bureau of Public Services and the Office of Planning and Zoning.

H. M. Thomas
Zoning Commissioner of Baltimore County

-2-

BRIEF OF PETITIONER

March 28, 1972

Re: Petition for Zoning Reclassification from DR-5.5 to DR-16 and Special Exception for 15 foot wide side yard set back, instead of 75 foot set back.

The Brief of H. Denton Smith and Virginia S. Smith, his wife, owners of property known as 1203 York Road, in the Ninth Assessment District of Baltimore County, State of Maryland, respectfully represents:

FIRST: That at the time of the adoption of the new land use plats by the Baltimore County Council in the spring of 1971, the property of the petitioners was thought to be included in the land proposed and recommended as a DR-16 zone by the Planning Commission of Baltimore County; but, in the words of the Director of Planning and Zoning, George Gavrelis, through a "technical error" or "minor error in drafting" slightly more than one-half of the property of the petitioners was placed on the new map as DR-5.5.

SECOND: That the property of the petitioners is a portion of the development of land known as the plat of "Green Ridge, Section A", which plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 5 folio 85, which plat was laid out on February 6, 1923; and that all the remaining lots fronting on the East side of York Road known as Lots Nos. 2 through 6, inclusive, are now zoned DR-16 and have been the subject matter, together with Lot No. 1, which is the property of the Petitioners, of a zoning petition in the early 1960's which went through the Zoning Commissioner, the County Board of Appeals and the Circuit Court, with the requested

zoning finally denied.

That the physical layout of the property of the petitioners is such that it is naturally a part of the land to the North, all zoned DR-16 and the said property of the petitioners is separated from a development to the South known as "Ridge Field" by a 50 ft. flood control strip, which carries a large stream and lies in a gully 10-15 ft. deep.

THIRD: That the Director of Planning, G. Walter Tyrise, Jr. and Francis C. Barrett, Baltimore County Councilmen and R. Bruce Alderman, the County Solicitor, have agreed with the attorney for the petitioners that an error was made in drawing up the map and recommended to the Zoning Commissioner that this technical error should be corrected.

FOURTH: That the petitioners' property is 87.42 feet wide, with a depth of slightly less than 400 ft. and to grant the reclassification without a special exception for a side yard set back on the South of 15 ft., rather than 75 ft. would deny the petitioner the proper use of his land; particularly since there is a 50 ft. front control strip which acts as a barrier between the petitioners' property and the adjacent residential property situate to the South.

Respectfully submitted,

Saunders M. Almond, Jr.
Attorney for the Petitioners.

DESCRIPTION OF PROPERTY
H. DENTON SMITH
YORK ROAD, NINTH ASSESSMENT DISTRICT
BALTIMORE COUNTY, MARYLAND

BEING a part of that land which by Deed dated June 27, 1950 and recorded among the Land Records of Baltimore County in Liber T.H.S. No. 1852 Page 253 was conveyed by Herbert L. Wynne and wife to Denton Smith and wife. Being also a part of Lot No. 1, said lot being shown on the Plat of Green Ridge recorded among said records in Plat Book No. 5, folio 85.

BEINGIN at a point 103 feet north of the centerline of Ridgefield Rd. in the east right-of-way line of York Road as widened and shown on Maryland State Roads Commission Plat 10580 where said line is intersected by last line aforementioned feed; thence leaving said point and binding on said east right-of-way line, as now surveyed.

- (1) North 31°-41'-00" West - 87.42 feet; thence leaving said right-of-way line and binding on the northernmost outline of lot No. 1.
- (2) North 48°-19'-00" East - 38.83 feet; thence binding on the easternmost outline of lot No. 1.
- (3) South 21°-42'-10" East - 90.33 feet; thence binding on the southernmost outline of lot No. 1.
- (4) South 58°-57'-29" West - 374.30 feet to the point of beginning.

CONTAINING 0.77 Acres of land, more or less.

This description is for online purposes only and is not intended to be used for conveyancing of land.

3.21.72 The following described parcel is already zoned DR-16 and is therefore saved and excepted from the proposed reclassification of the parcel described hereinabove: BEGINNING at a point in the East right-of-way line of York Road as shown on aforementioned State Roads Commission plat where said line is intersected by the line limiting the existing DR-16 zoning; thence binding on said right-of-way line North 31 degrees 57 minutes 00 seconds West - 43.23 feet; thence North 68 degrees 17 minutes 53 seconds East - 243.00 feet; thence binding on the line limiting the existing DR-16 zone South 58 degrees 02 minutes 51 seconds West - 239.20 feet to the point of beginning.



County Council of Baltimore County
County Office Building, Towson, Maryland 21204

June 7, 1972

COUNCILMEN

First District
FRANCIS C. BARRETT
Second District
GARY HENDERSON
Third District
G. WALTER TYRIS, JR.
Fourth District
HERBERT C. DOVE
Fifth District
HARRY J. BENTENFELDER
Sixth District
FRANCIS C. BARRETT
Seventh District
WALLACE A. WILLIAMS

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

Dear Sir:

Attached are copies of the Planning Board Resolutions which were approved by the County Council at their meeting on June 5, 1972.

Very truly yours,

Herbert E. Hohenberger
Secretary

HEH:dw

cc: Mr. George L. Gavrelis



