

73-55-R PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, C. Maurice Weidemeyer, 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 an _____ D.R. 5-5 _____ zone to an _____ B.L. _____ zone; for the following reasons:

1. That the original zoning was in error.

See attached description

and copies of same, together with the said description and plat, are being submitted to the Baltimore County Zoning Commission for its consideration.

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 to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser: C. Maurice Weidemeyer, Executor of Estate of Monterey F. W. Weidemeyer, 236 Main Street, Annapolis, Maryland 21401.
Petitioner's Attorney: Thomas N. Evans, Jr., 414 Jefferson Bldg., Towson, Md. 21204.
Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ 17th _____ day of _____ 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 _____ 20th _____ day of _____ 1972, at _____ o'clock.

S. ERIC DI NENNA
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
CATION : ZONING COMMISSIONER
S/S of Milford Mill Road, 290' :
E of Scotts Hill Drive - 3rd :
District : OF
Estate of Monterey F. W. Weidemeyer - Petitioner :
BALTIMORE COUNTY
NO. 73-55-R (Item No. 28)

The Petitioner has withdrawn this Petition ten (10) business days prior to the hearing, therefore IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4th day of October, 1972, that the said Petition be and the same is hereby DISMISSED without prejudice.

S. ERIC DI NENNA
Zoning Commissioner of Baltimore County

October 4, 1972

Thomas N. Evans, Jr., Esquire
Jefferson Building
Towson, Maryland 21204

RE: Petition for Reclassification
S/S of Milford Mill Road, 290'
E of Scotts Hill Drive - 3rd
District
Estate of Monterey F. W. Weidemeyer - Petitioner
NO. 73-55-R (Item No. 28)

Dear Mr. Evans:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
S. ERIC DI NENNA
Zoning Commissioner

SEDmc
Enclosure

HARRISON ENGINEERING
25 DUTTON AVENUE
BALTIMORE, MARYLAND 21228

TELEPHONE: 747-4998

March 30, 1972

Description for Reclassification

Beginning on the south side of Milford Mill Road, 290' E of Scotts Hill Drive and thence running the four following courses and distances: (1) 577 degrees 34' E 312.25' (2) S 5 degrees 15' W 116.10' (3) 389 degrees W 264', and (4) N 14 degrees 15' W 231.20 to the place of the beginning.

Containing 1.25 acres of land more or less.

Subject to a 10' R/W as shown on Plat R/W 47 Folio 189 and a 10' R/W shown on R/W Plat #17 Folio 133.

LAW OFFICES
THOMAS N. EVANS, JR.
JEFFERSON BUILDING
TOWSON, MARYLAND 21204
823-8488

August 31, 1972

Mr. S. Eric Dinenna
Zoning Commissioner
Baltimore County Office of
Planning and Zoning
County Office Building
Towson, MD 21204

Re: Petition for Reclassification
S/S of Milford Mill Road, 290'
E of Scotts Hill Drive - 3rd District
Estate of Monterey F. W. Weidemeyer,
Petitioner No. 73-55-R (Item No. 28)

Dear Commissioner Dinenna:

On behalf of my client, C. Maurice Weidemeyer, personal representative of the Estate of Monterey F. W. Weidemeyer, petitioner in the above referenced matter, I respectfully request that the petition be withdrawn without prejudice.

Please acknowledge your receipt and acceptance of this request.

Yours truly,

Thomas N. Evans, Jr.

TNE:ch

September 5, 1972

Thomas N. Evans, Jr., Esquire
Jefferson Building
Towson, Maryland 21204

RE: Petition for Reclassification
S/S of Milford Mill Road, 290'
E of Scotts Hill Drive - 3rd
District
Estate of Monterey F. W. Weidemeyer - Petitioner
NO. 73-55-R (Item No. 28)

Dear Tom:

I am in receipt of your letter wherein you have requested that the above captioned Petition be withdrawn without prejudice.

I have established a policy that such requests must be submitted at least ten (10) business days prior to the hearing. As this requirement has been met, your request is granted.

However, an Order of Dismissal cannot be written until payment of all advertising and posting costs are made.

This Petition has already been submitted to the newspapers for advertising and cannot be rescinded. Upon payment of these costs, which will be referred to you after receipt by this office, said Order of Dismissal will be written.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/erl

August 24, 1972

Thomas N. Evans, Jr., Esquire
Jefferson Building
Towson, Maryland 21204

RE: Petition for Reclassification
S/S of Milford Mill Road, 290'
E of Scotts Hill Drive - 3rd
District
Estate of Monterey F. W. Weidemeyer - Petitioner
NO. 73-55-R (Item No. 28)

Dear Mr. Evans:

I am in receipt of your letter, dated August 9, 1972, requesting a postponement of the above captioned matter, which is scheduled for September 20, 1972, at 11:00 A. M.

Under the law, those Reclassification hearings must be commenced within the six (6) week period of September 1st until October 15th, therefore, your request must be denied.

If you have any further questions, please contact me.

Very truly yours,
S. ERIC DI NENNA
Zoning Commissioner

SED/erl

LAW OFFICES
THOMAS N. EVANS, JR.
JEFFERSON BUILDING
TOWSON, MARYLAND 21204
823-8488

August 11, 1972

Mr. S. Eric Di Nenna
Zoning Commissioner of Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Petition for Reclassification for the Estate of Monterey F. W. Weidemeyer, Executor
#73-55-R Item #28

Dear Commissioner Di Nenna:

In light of the Petition and Site Plan Evaluation Comments and the report of the Baltimore County Planning Board, re: the above referenced matter, considerable work must yet be done in order to adequately prepare for the hearing thereon. Therefore, I respectfully request the hearing be postponed until our preparations are complete and a new hearing date can be mutually agreed upon by and between your office and the Petitioner.

Thanking you for your kind consideration to this request,

Yours truly,

Thomas N. Evans, Jr.

TNE:ch
cc: C. Maurice Weidemeyer
Harrison Associates, Inc.

March 30, 1972

FILE NO. 71-319

Mr. S. Eric DiMenna
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

RE: Milford Hill Road property
Estate of Monterey F. W. Weidemeyer

Dear Mr. DiMenna:

Please be advised that I represent C. Maurice Weidemeyer and am filing herewith a petition to re-zone the subject property from DR 5.5 to BL. As a basis for this reclassification, I wish to cite the following reasons:

1. The proposed widening of Milford Hill Road renders the subject property virtually valueless as a residential property.
2. The topography and terrain of the subject property renders it suitable only for use such as the one proposed by your petitioners.
3. The influx of inhabitants into the area, especially apartment dwellers, creates a need for the type of service the petitioner proposes to offer.
4. The petitioner is in a position and proposes to put into practice logical and accepted planning factors in the development of the subject property as a convenience grocery and dairy products store.
5. And for other and further sufficient reasons to be shown at the hearing on this petition.

Respectfully submitted,

Thomas N. Evans, Jr.
THOMAS N. EVANS, JR.

TNEJ:bw

Enclosure

PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 8, 1972

COUNTY OFFICE BLDG.
111 S. CHARLES ST.
TOWSON, MARYLAND 21204

JOHN L. MYERS
Chairman

MEMBERS

BUREAU OF
ENGINEERING

DEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROADS COMMISSION

DEPARTMENT OF
PUBLIC UTILITIES

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

EDUCATIONAL
DEVELOPMENT

Thomas N. Evans, Esq.,
111 Jefferson Building
Towson, Maryland 21204

Re: Reclassification Petition
3rd Zoning Cycle
Item # 28
C. Maurice Weidemeyer - 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 South side of Milford Hill Road, 290 feet East of Scotts Hill Drive in the 3rd Election District of Baltimore County. The property is undeveloped and is bounded on the West side by the Ogden Falls and on the East side by the old Eastern Bay Corporation. The property to the North is undeveloped woodland. There is no curb and gutter existing along Milford Hill Road at this location.

The subject Petition is accepted for filing, however revised plans must be submitted prior to the Hearing that indicate the beginning point from Scotts Hill Drive, the Election District and a 20 foot rear yard setback from the property line. Also, the plan must be revised to reflect the comments of the Project Planning Division, and the Bureau of Engineering.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

John J. Dillman, Jr.
JOHN J. DILLMAN, JR., Zoning Tech. II

CLM:JDD:LM

cc: State Office Building
Annapolis, Maryland 21401
Attention: Department of Water Resources

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
P.O.
April 13, 1972

Re: Item #28 (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 similar 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 sediment pollution problem, endanger 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 12-inch water in Milford Hill Road.

Sanitary Sewer:

Ogden Falls Interceptor runs adjacent to the east property line of this site.

Very truly yours,

Donald S. Diver
DONALD S. DIVER, P.E.
Chief, Bureau of Engineering

END:EAH:ROP:iss

NW 49-J Topo Sheets
P-52 Key Sheet
23 NW 25 Position Sheet

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.

DIRECTOR

WM. T. MELSER

DEPUTY TRAFFIC ENGINEER

April 28, 1972

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

Re: Cycle Zoning III
Item 28 - ZAC - 4-4-72
Property Owner: C. Maurice Weidemeyer
Milford Hill Road E. of Scotts Hill Drive
Reclassification to BL - District 3

Dear Mr. Myers:

The subject petition is requesting a change from DR 5.5 to BL of 1.25 acres. This could increase the trip density from 75 to 700 trips per day.

There may be some difficulty in gaining access to this parcel, due to the slope easement created by Milford Hill Road relocated.

Very truly yours,

C. Richard Moore
C. RICHARD MOORE
Assistant Traffic Engineer

CRH:mr

Baltimore County Fire Department

J. Austin Dultz
Chief

Towson, Maryland 21204

822-7310

April 17, 1972

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

RE: Property Owner: C. Maurice Weidemeyer

Location: S/S Milford Hill Road, 290' E of Scotts Hill Drive

Item No. 28 Zoning Agenda April 4, 1972

Gentlemen:

Pursuant to your request, the referenced property have 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 approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *Paul H. Diver*
Paul H. Diver, Deputy Chief
Special Inspection Division Fire Prevention Bureau

mb 4/17/72

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

April 13, 1972

Bureau of Engineering
ELLSWORTH H. OLIVER, P. E. Chief

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

Re: Item #28 (Cycle April - October 1972)
Property Owner: C. Maurice Weidemeyer
S/S Milford Hill Rd., 290' E. of Scotts Hill Dr.
Present Zoning: D.R. 5.5
Proposed Zoning: Reclassification to B.L.
Districts 3rd No. Acres: 1.25 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:

Milford Hill Road shall ultimately be improved as a 14-foot curb and gutter street on a 60-foot right-of-way in this area. The alignment of Milford Hill Road will take approximately one-half the acreage of this site and will raise the road grade an approximate average of 5 feet along the frontage of this site.

Storm Drains:

In accordance with the drainage policy 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 drainage facilities to a suitable outfall. The Petitioner's cost responsibilities include the acquisition of easements and rights-of-way, both on-site and off-site - including the dealing in fee to the County of the rights-of-way. Preparation of all 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 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.

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 18, 1972

DONALD J. BOOD, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

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 28, Zoning Advisory Committee Meeting, April 11, 1972, are as follows:

Property Owner: C. Maurice Weidemeyer
Location: S/S Milford Hill Road, 290' E of Scotts Hill Drive
Present Zoning: D.R. 5.5
Proposed Zoning: Reclassification to B.L.
District: 3
No. Acres: 1.25

Metropolitan water and sewer are available to the site.

Food Service Comments: Prior to construction, renovation and/or installation of equipment for this food service facility, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

Very truly yours,

J. Stravhorn
J. STRAVHORN
Sanitarian II
Division of Sanitary Engineering
BUREAU OF ENVIRONMENTAL SERVICES

JS:mm



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

May 1, 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 28, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: C. Maurice Weidemeyer
Location: S/5 Milford Mill Road 290' E of Scotts Hill Drive
Present Zoning: D.R.5.5
Proposed Zoning: Reclassification to B.L.
District: 3
No. Acres: 1.25 acres

The parking as shown does not appear to be workable and should be redesigned.

The site plan must be ultimately revised to clearly indicate the entire area to be paved for parking; along with the required curbing, 4' high compact screening and the type of paving. The driveways must be clearly shown along with the proposed right of way width and the proposed curb and gutter.

Very truly yours,

John L. Wimbley

John L. Wimbley
Planning Specialist II
Project Planning Division
Office of Planning and Zoning

JLW:rh

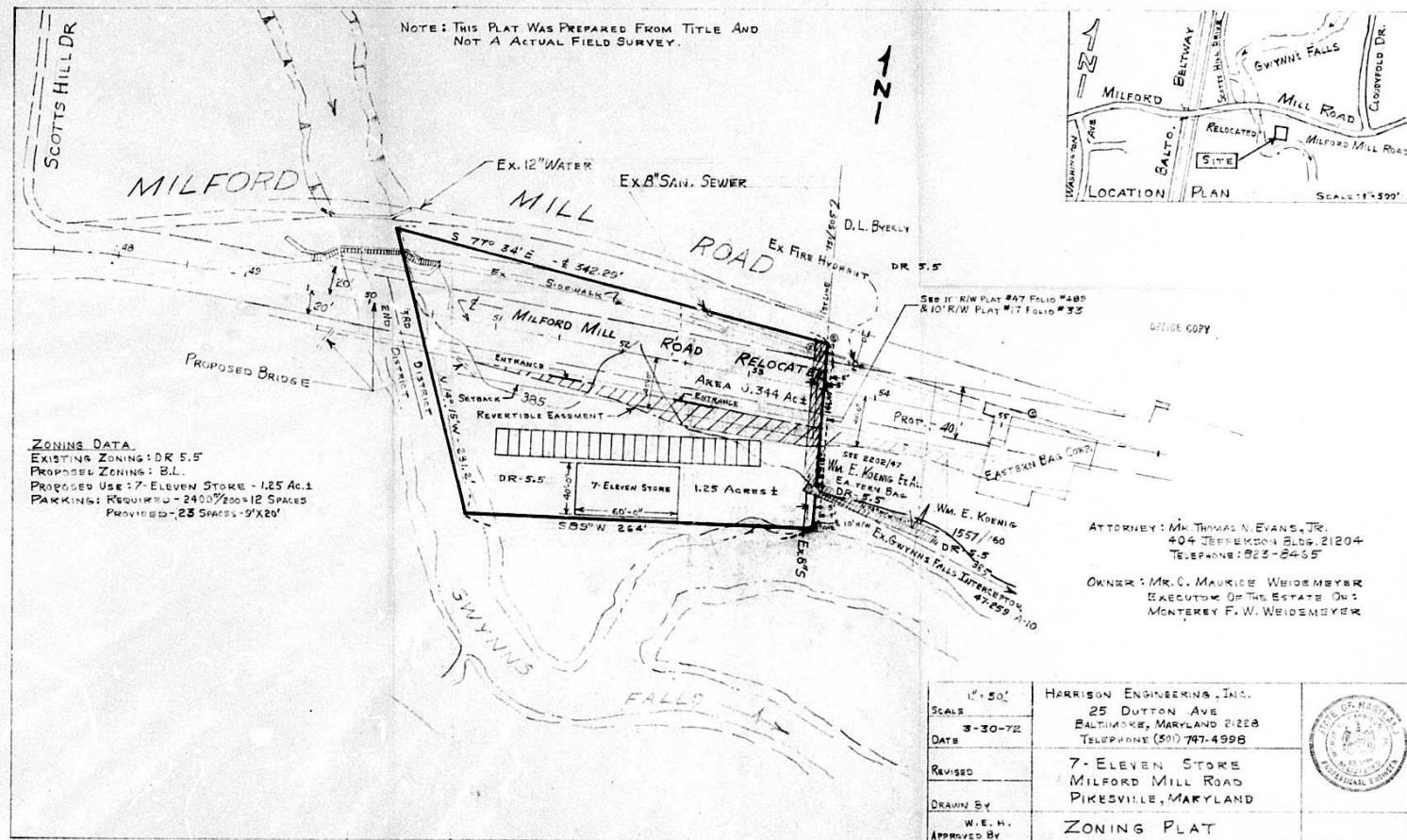
BOARD OF EDUCATION OF BALTIMORE COUNTY

ITEM #28

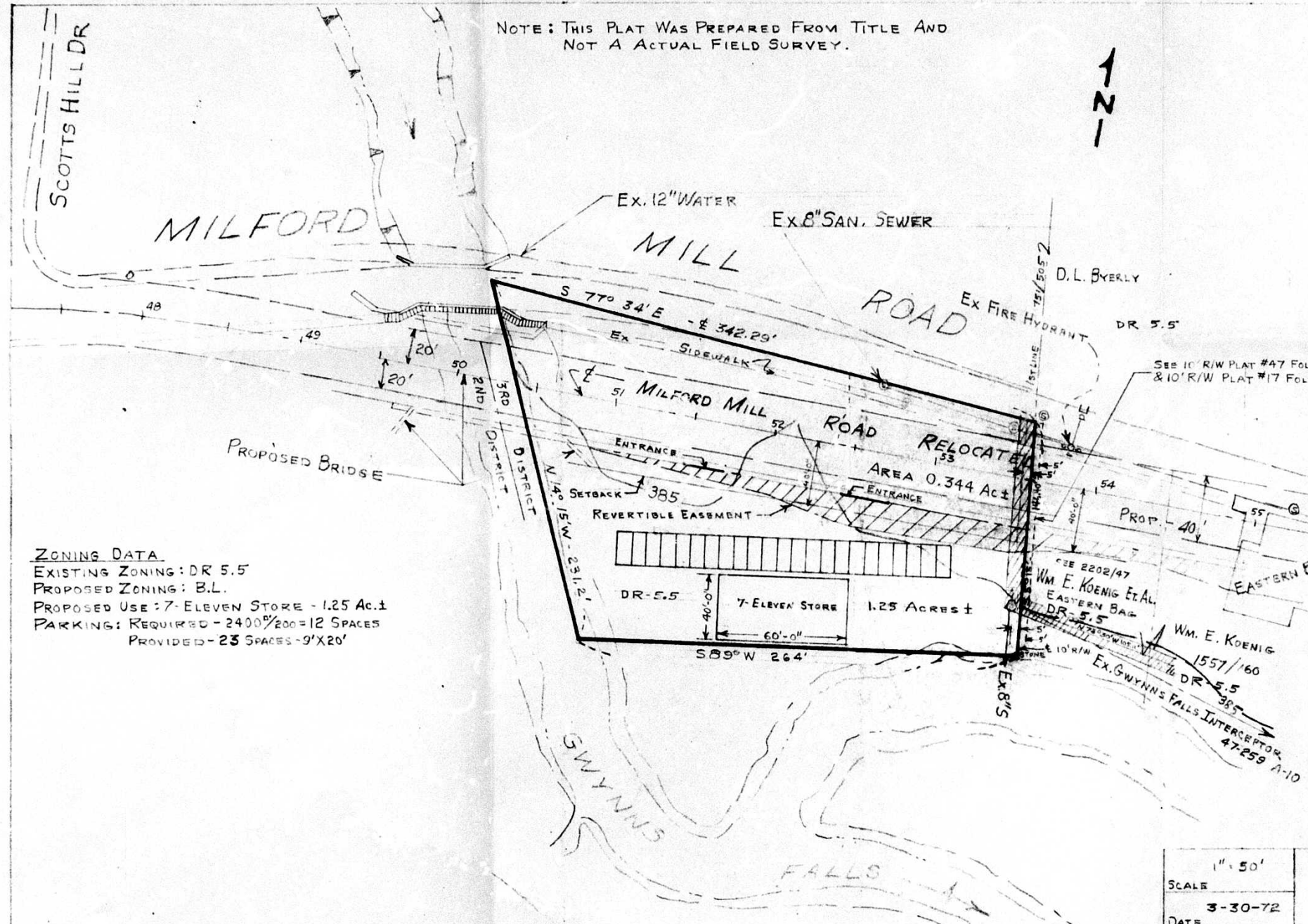
TOWSON, MARYLAND - 21204

Property Owner: C. Maurice Weidemeyer
District: 3
Present Zoning: DR 5.5
Proposed Zoning: BL
No. Acres: 1.25

No adverse effect on student population



NOTE: THIS PLAT WAS PREPARED FROM TITLE AND NOT A ACTUAL FIELD SURVEY.



ZONING DATA

EXISTING ZONING: DR 5.5
 PROPOSED ZONING: B.L.
 PROPOSED USE: 7-ELEVEN STORE - 1.25 AC. ±
 PARKING: REQUIRED - $2400' / 200' = 12$ SPACES
 PROVIDED - 23 SPACES - 9' X 20'

MAN 20
 NW 6-6
 SHEET 3
 DIST. 3
 D.T. 4-5-R
 TPL
 BY 2/1/72
 FINAL
 BY

ATTORNEY: MR. THOMAS N. EVANS, JR.
 404 JEFFERSON BLDG. 21204
 TELEPHONE: 823-8465

OWNER: MR. C. MAURICE WEIDEMEYER
 EXECUTOR OF THE ESTATE OF
 MONTEREY F. W. WEIDEMEYER

SCALE 1" = 50'	HARRISON ENGINEERING, INC. 25 DUTTON AVE BALTIMORE, MARYLAND 21228 TELEPHONE (301) 747-4998	
DATE 3-30-72		
REVISED	7-ELEVEN STORE MILFORD MILL ROAD PIKESVILLE, MARYLAND	
DRAWN BY W. E. H.	ZONING PLAT	