

23496 (20-46-10) **PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **DANIEL S. BARBARA A. WODARCZYK**, 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 **BL & DR 16** to **BL & DR 16** and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for **see attached brief.**

See attached description:

and (3) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for **see attached brief.**

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.

Contract purchaser: **Daniel S. Wodarczyk**
Barbara A. Wodarczyk
Laps 099

Address: Box 114, Chase, Maryland 21027

Petitioner's Attorney: **John P. Hays**
President's Attorney: **John P. Hays**

Address: **John P. Hays**

BY ORDERED BY The Zoning Commissioner of Baltimore County, this **31st** day of **July**, 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 held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the **10th** day of **October**, 1972, at **11:00** o'clock.

John P. Hays
Zoning Commissioner of Baltimore County.

RE: PETITION FOR RECLASSIFICATION
NW/S of Eastern Avenue, 668.63' S of Ebenezer Road - 15th District
Daniel S. Wodarczyk - Petitioner
NO. 73-47-R (Item No. 19)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a B. L. Zone and D. R. 16 Zone to a B. M. Zone. The subject property consists of three (3) acres, more or less, and is located on the northwest side of Eastern Avenue, 668.63 feet south of Ebenezer Road in the Fifteenth District of Baltimore County.

Testimony indicated that the subject property is bordered on the rear or north by the Philadelphia Baltimore and Washington Railroad, on the west by L. R. 16 zoned land improved with the Chesapeake and Potomac Telephone Office Building, on the front half of the property to the east along the frontage of Eastern Avenue by D. R. 16 zoned property, and on the rear half of the property to the east that borders the above mentioned railroad, by B. R. and C. N. S. zoned property.

The property is proposed to be improved with an eight thousand (8000) square foot warehouse with a receiving or siding dock at the rear to be utilized in connection with a spur line of the existing railroad tract that borders the rear of the site, and a truck garage of twelve hundred and eighty (1280) square feet. Existing improvements on the site consists of a one (1) story frame storage building located on the B. L. zoned portion, a garage and shed, and an existing two (2) story frame dwelling that is proposed to be converted to an office use.

Testimony also indicated that while the primary use of the proposed warehouse would be for that purpose, a portion of the building would be

utilized as a workshop for the handicapped. This activity was described as follows:

"(a) For the purpose of this activity a workshop is considered to mean a place where any manufacture or handiwork is carried on, and which is operated for the primary purpose of providing remunerative employment to severely handicapped individuals (1) as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or (2) during such time as employment opportunities for them in the competitive labor market do not exist, and which is operated by a public agency or other nonprofit agency."

After reviewing the above testimony, the Zoning Advisory Committee comments, and the Planning Board Recommendation, it is the opinion of the Deputy Zoning Commissioner, that the designation of B. L. and D. R. 16 zoning on the subject property was in error.

The rear portion of the property bordering the Philadelphia Baltimore and Washington Railroad, to a depth equal to the depth of the B. R. zoned property that adjoins and binds on the east or South 54 degree 49 minute 53 second East property line should be reclassified to a B. M. Zone. The remainder of the Petitioner's property is to remain in its present zoning classification of B. L. and D. R. 16. That portion of the property fronting Eastern Avenue and lying east of the B. L. zoned portion of the Petitioner's property and south of the above described parcel is to be granted a Special Exception for the purpose of converting the existing two (2) story frame dwelling to office use.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this **31** day of October, 1972, that the above described parcels, (designated as Parcel 1 and Parcel 2 on the Petitioner's site plan marked Exhibit No. 1). Parcel 1 being located adjacent to and binding on the Philadelphia Baltimore and Washington Railroad be Reclassified from a D. R. 16 Zone and a B. L. Zone to a B. M. Zone, and Parcel 2, fronting on Eastern

Avenue as described above, remain in a D. R. 16 zoning classification.

Further, since the Petitioner has met the requirements of Section 502.1 of the Baltimore County Zoning Regulations, and since an office use at this location would not be detrimental to the health, safety and general welfare of the community, a Special Exception is hereby Granted for Office Use on Parcel 2.

James E. Hays
Deputy Zoning Commissioner of Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION

PETITIONERS:
DANIEL S. BARBARA A. WODARCZYK
BOX 114, CHASE, MARYLAND 21027

Map in error due to surrounding zoning centered around property to be re-classified. Reasons as follow:

- (1a) To the south the existing BL zoning contains Beauty Salon, Barber Shop, and General Store also Social Club.
- (b) Railroad spur has DR 16 zoning area, used by the railroad to unload heavy equipment for Gas and Electric Co. Stores own equipment. Brings work trains on many occasions, and other heavy machinery necessary to repair and maintain tracks.
- (c) Box cars and other track units remain standing in the area when breakdowns occur to the operational trains.
- (d) The telephone union holds meetings and other events in their building in the DR 16 zoning area.
- (e) Grocery Store and Post Office in BL zone.
- (2.) To the West are railroad tracks and siding with HLR-IN zoning.
- (3.) To the North are BR-CHS zoning. The property is used by an Oil Company. It contains:
 - (a.) Oil storage tanks under ground. Also pumps, piping, and other associated items.
 - (b.) Oil trucks and other vehicles.
 - (c.) Warehouse and repair shop.
 - (d.) Office and other facilities.
- (4.) To the East is BL-CHS and BL zoning. These properties contain a Lawn Mower Repair Shop, Warehouse, Office and other facilities. Other properties have not been put into their potential.
- (5.) The property to be re-classified is unsuitable for apartments because of the high-speed railroad and nuisances accompanying train operations.

Subject to confirmation of the BR zoning, the property would be leased to Tinsy and Danny's Handicapped Consultants, Inc. (a charitable and educational organization) to be used for the following purposes:

- (1.) Rehabilitation and training of handicaps.
- (2.) Warehousing those items used for the above, as well as storage of items to be used for its charitable fund raising projects.
- (3.) Special buses would be garaged here as well as trucks and cars for the above projects.

JOHN & HOLDEFER, INC.
SURVEYORS AND CIVIL ENGINEERS
2002 SOUTH STREET / CAMBRIDGE, MD. 21031 (301) 226-1801
330 POPULAR STREET / WESTMINSTER, MD. 21157 (301) 226-1790
13 S. WASHINGTON STREET / EASTON, MD. 21821 (301) 302-1433

March 29, 1972

DESCRIPTION OF WODARCZYK PROPERTY TO BE RECLASSIFIED FROM DR-16 AND

B.L. TO B.M.
BEGINNING for the same in the center line of Eastern Avenue (40 feet wide) at a point situate 668.63 feet southeasterly measured along said center line of Eastern Avenue from its intersection with the center line of Ebenezer Road, thence leaving said place of beginning and running and binding along the center line of said Eastern Avenue (1) South 45 degrees 15 minutes 00 seconds - West 350.97 feet, thence leaving Eastern Avenue and running the 3 following courses and distances, viz: (2) North 45 degrees 30 minutes 00 seconds - West 211.70 feet, thence (3) South 45 degrees 18 minutes 00 seconds - West 136.00 feet, thence (4) South 47 degrees 06 minutes 00 seconds East 204.50 feet to the center line of Eastern Avenue, thence running and binding along said center line of Eastern Avenue (5) South 46 degrees 06 minutes 00 seconds - West 324.30 feet to the southeastermost line of the Philadelphia, Baltimore and Washington Railroad (Right-of-Way, (120.00 feet wide) thence running and binding along said Right-of-Way line (7) by a line curving to the left in a northeasterly direction with a radius of 25,773.00 feet for a distance of 648.36 feet (the arc of said curve being subtended by a chord bearing North 42 degrees 21 minutes 30 seconds - East 648.36 feet), thence leaving the southeastermost Right-of-Way line of said railroad (8) South 59 degrees 00 minutes 53 seconds - East 157.76 feet to the place of beginning.

Containing 4.4 acres of land, more or less.

John & Holdfer, Inc.



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 8, 1972

Mr. & Mrs. Daniel S. Wodarczyk
Box 114
Chase, Maryland 21027

Re: Reclassification Petition
3rd Zoning Cycle
Item 19
Daniel & Barbara Wodarczyk
Petitioners

Dear Mr. & Mrs. Wodarczyk:

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 northwest side of Eastern Avenue in the Fifteenth District of Baltimore County. The property is improved with a two-story frame dwelling and garage and also a one-story frame storage building. The day the Committee visited the site, it appeared as though there was some type of business being operated from the dwelling. The rear of the property abuts the Penn. Railroad property. There is an existing residence in the north side of this site. The south side of this property, the plan indicates a frame house with storage. This is actually a general store. The properties on the opposite side of Eastern Avenue are all residential homes. No curb and gutter exist at this location.

The plan as submitted basically indicates the information required; however, we are requesting revised plans be submitted that indicate the exact uses of the one-story frame building and if there is a business being conducted within the two-story dwelling, that should also be indicated. The homes on the south side of Eastern Avenue must also be shown.

Very truly yours,
OLIVER L. MYERS, JR., Chairman
JOHN L. DELANEY, JR., Zoning Tech. II

OLM:JLD:bbr

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EDWARD J. CLIFFORD, P.E.
DIRECTOR

April 28, 1972

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

Re: Cycle Zoning III
Item 19 - ZAC - 4-4-72
Property Owner: Daniel & Barbara Wodarczyk
Eastern Avenue SW of Ebenezer Road
Reclassification to BM - District 15

Dear Mr. Myers:

The subject petition is requesting a change from BL and DR 16 to BM. This should increase the trip density from 550 to 1500 trips a day. Should the property develop as a warehouse, the number of trips would be less. However, Eastern Avenue is an old road and should be studied to determine the effects of trucks on this road.

Very truly yours,
C. Richard Moore
Assistant Traffic Engineer

CRC:mr



STATE HIGHWAY ADMINISTRATION

300 WEST FALSTON STREET
BALTIMORE, MD 21201

April 11, 1972

Mr. S. Eric DiMenna
Zoning Commissioner
County Office Bldg.
Towson, Maryland

Attn: Mr. J. L. Myers

Dear Sir:

The subject plan indicates a proposed commercial entrance of 24' in width. The minimum standard width is 25 ft. The radius returns appear to be oversized and should be reduced.

The roadside curb must be 24 ft. from the center of Eastern Avenue, and not 20 ft., as indicated on the plan. The plan must ultimately be revised.

The entrance is subject to State Highway Administration approval and permit.

Very truly yours,

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

CLJ:EMH

Re: ITEM 19,
Z.A. Cheating - 4/4/72
Reclassification
Owner: Daniel & Barbara Wodarczyk
Location: N/W/S Eastern Ave.
(Route 150) 668' S/W of Ebenezer Road
Present Zoning: B.L. & D.R. 16
Proposed "Reclass to B.M.
District: 15
No. Acres: 3.04

Baltimore County Fire Department



Towson, Maryland 21204

822-7318

J. Austin Deitz
Chief

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 Owners: Daniel and Barbara Wodarczyk

Location: N/W/S Eastern Avenue, 668' S/W of Ebenezer Road

Item No. 19 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 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 _____ 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 exist' 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: *H. Thomas E. Kelly* Noted and Approved: *James H. Rice*
Planning Group Social Inspection Division Fire Prevention Bureau
mb 4/17/72

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 12, 1972

DONALD J. HOOP, 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 19, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: Daniel and Barbara Wodarczyk
Location: N/W/S Eastern Avenue, 668' S/W of Ebenezer Road
Present Zoning: B.L. and D.R. 16
Proposed Zoning: Reclassification to B.M.
District: 15
No. Acres: 3.04

Metropolitan water is available to the site.

Sanitary sewer is under construction. Approved for rezoning when sanitary sewer becomes available.

Very truly yours,

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

JS:an

GEORGE E. GAYRELS
Director
Jefferson Building
Suite 301
Towson, Md. 21204
46-2251



S. ERIC DIMENNA
Zoning Commissioner
County Office Building
111 W. Choptank Ave.
Towson, Maryland 21204
46-2251

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 19, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: Daniel and Barbara Wodarczyk
Location: N/W/S Eastern Avenue, 668' S/W of Ebenezer Road
Present Zoning: D.R. 16
Proposed Zoning: B.L. and D.R. 16
District: 15
No. Acres: 3.04 acres

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

Very truly yours,

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

BOARD OF EDUCATION OF BALTIMORE COUNTY

ITEM #19

TOWSON, MARYLAND - 21204

Property Owner Daniel and Barbara Wodarczyk
District 15
Present Zoning BL & DR 16
Proposed Zoning BM
No. Acres 3.04

No effect on student population

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

Division of Engineering
ELLSWORTH H. DYER, P.E., CHIEF

April 20, 1972

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

Re: Item #19 (Cycle April - October 1972)
Property Owner: Daniel & Barbara Wodarczyk
N/W/S Eastern Ave., 668' S/W of Ebenezer Road
Present Zoning: B.L. and D.R. 16
Proposed Zoning: Reclassification to B.M.
District: 15th No. Acres: 3.04 acres

Dear Mr. Myers:

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:

Eastern Avenue is a State Road; therefore, all improvements, intersections and entrances will be subject to State Highway Administration requirements.

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.

Storm Drains:

Provisions for the accommodation of storm water have not been indicated on the submitted plan.

Eastern Avenue is a State Road; therefore, drainage requirements as they affect this road come under the Jurisdiction of the Maryland State Highway Administration.

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.

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

Re: Item #19 (Cycle April - October 1972)

Water:

Public water is available.

Sanitary Sewers:

Public sanitary sewerage will be available as soon as construction is completed on the "Antenn Avenue Interceptor".

Very truly yours,

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

END:SAN:MAKISS

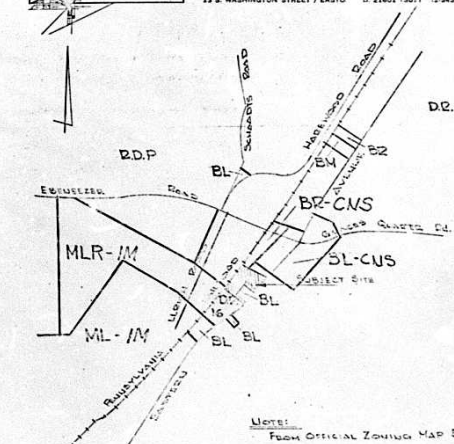
W-424 Key Sheet
23 NS 17 Position Sheet
NS 6 L Topo Sheet
83 Tax Map

EVANS, HAGAN & HOLDEFER, INC.



SURVEYORS AND CIVIL ENGINEERS

8013 BELAIR ROAD / BALTIMORE, MD 21236 (301) 668-1501
836 POPLAR STREET / CAMDEN, MD 21613 (301) 218-3350
115 S. MAIN STREET / WESTMINSTER, MD 21157 (301) 841-1700
13 S. WASHINGTON STREET / EAGLE, MD 21601 (301) 72-5423



NOTE:
FROM OFFICIAL ZONING MAP 5-2

Signed this 20th day of May, 1972

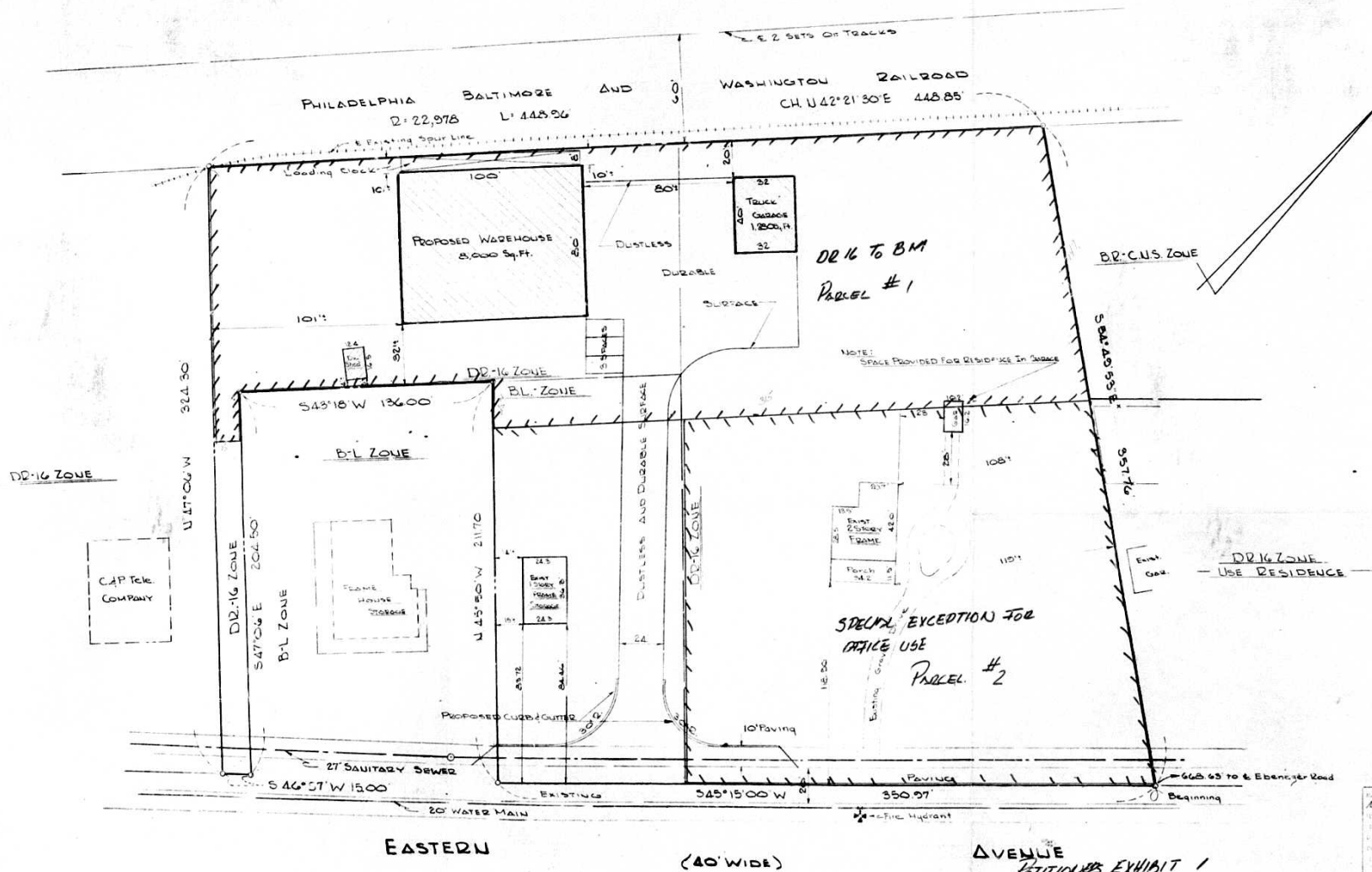
SCALE 1" = 1 inch

SURVEYORS AND CIVIL ENGINEERS

W. EUGENE FRANK, President
EUGENE E. NESS, Vice President
WILLIAM L. BERRY

MRS. JOHN M. BROCKEN
JOSEPH H. M. MORGAN
ALVIN LURICK
JOSEPH H. MORGAN, Secretary

T. BAYARD WILLIAMS, JR.
EDWARD W. RACEY, VICE
MRS. EDWARD W. RACEY



PLAT TO ACCOMPANY ZONING PETITION
WODARCZYK PROPERTY
 15TH ELECTION DISTRICT FOR BALTIMORE CO. MD.
 DANIEL WODARCZYK - BOX 114 CHASE MD. BALTIMORE CO.

NOTED:

1 AREA OF PROPERTY	3.04 AC.
2 EXISTING USE	RESIDENCE
3 PROPOSED USE	WAREHOUSE & TRUCK GARAGE
4 EXISTING ZONE	BL & DR-16 ZONES
5 PROPOSED ZONE	DR-16 ZONE

PARKING NOTED:

1 NO. OF EMPLOYEES IN PROPOSED WAREHOUSE (6)	
2 NO. OF EMPLOYEES IN PROPOSED TRUCK GARAGE (4)	
3 NO. OF PARKING SPACES PROVIDED (4)	
4 TOTAL AREA OF PARKING SPACE (1,200 SQ. FT.)	

EVANS, HAGAN & HOLDEFER, INC.
 SURVEYORS AND CIVIL ENGINEERS
 8013 BELAIR ROAD / BALTIMORE, MD. 21236
 (301) 448-1501
 J. Paul Hagan
 DATE: MARCH 20, 1978 SCALE: 1" = 30'