

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, the undersigned, 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 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 a Special Parking Permit for the within described property to permit parking for patrons of State Village Shopping Center located on the West side of Reisterstown Road at a point 117 feet South of the centerline of Reisterstown Avenue, the said offstreet parking being located in a residential zone; and, to permit an exception to the requirement of said parking adjoining or being located across the street or alley from the proposed business involved (409.44); and having a variance to Section 409.25(4) to permit a "0" setback at the street property line instead of the required 8 feet.

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.

JASON REALTY CO.
 1215 Northbrook Road
 Baltimore, Maryland 21208
 Address: 401 Reisterstown Road
 Pikesville, Maryland 21208
 Address: 7 Church Lane, Pikesville, Md. 21208
 ORDERED By the Zoning Commissioner of Baltimore County, this 15th day of August, 1982, 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 the public hearing be held before the Baltimore County Zoning Commission in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of October, 1982, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County

(over)

PETITION OF PROPERTY OWNERS : TO MR. ERIC DINENNA
 AND RESIDENTS OF DREHER AVENUE : THE ZONING COMMISSIONER OF
 REQUESTING DENIAL OF VARIANCES : BALTIMORE COUNTY
 SOUGHT BY JASON REALTY COMPANY : OFFICE OF PLANNING AND
 (73-102-SPHA) : ZONING

Mr. Commissioner:

Whereas, Jason Realty Company has petitioned the Zoning Commissioner of Baltimore County for variance to allow off-street parking on and to permit zero parking spaces at the property line of the parcel known as 2 Dreher Avenue.

Whereas, the said property currently and properly is zoned residential and fronts Dreher Avenue.

Whereas, the adjacent property on Northwest side also fronting Dreher Avenue and other properties on Northwest side fronting Dreher Avenue are used for residential purposes.

Now, Therefore, we, the undersigned property owners and residents of Dreher Avenue, hereby respectfully petition the Zoning Commissioner to deny said petition for the variances requested upon the following grounds:

1. To grant the petition for said variances would adversely affect the value of property fronting Dreher Avenue as residential property.
2. Dreher Avenue is a small, narrow, residential, dead-end road and to allow additional vehicles on said street would be incongruous to its nature.
3. The additional traffic which would occur if said variances are allowed would only add adversely to the already heavy traffic on Dreher Avenue and would create a hazard to pedestrians since said road generally has no sidewalks and is narrow.
4. Approving said variances would make it more difficult for resident drivers of Dreher Avenue to ingress and egress from their dead-end road to the heavily traveled Reisterstown Road.

MICHAEL E. BROWN
 ATTORNEY AT LAW
 4015 DREHER AVENUE
 BALTIMORE, MD. 21208

5. The property subject to these variances does not adjoin or be directly across from the business involved.

WHEREFORE, we respectfully ask the petition for said

variances be denied.

Michael E. Brown
 Michael E. Brown
 Attorney for Petitioners

4313 Edro Avenue
 Baltimore, Maryland 21236
 665-3758

PETITIONERS:

Jerome W. Hixley
 Regina M. Hixley
 Rebecca M. Hixley
 Mary S. Hixley
 Joseph C. Hixley
 Katherine Hixley
 Mary Hixley
 Christina Vespignani
 Peter S. Vespignani
 Jerome W. Hixley Jr.

Liza Malumud
 Liza Malumud

Shirley B. Dunning
 Raymond D. Dunning
 Shirley B. Dunning
 Charles W. Martin
 Dorothy Martin
 Constance Dunning
 Nick Dunning

ADDRESSES:

4 Dreher Ave.
 4 Dreher Ave.
 6 Dreher Avenue
 6 Dreher Ave.
 6 Dreher Ave.
 7 Dreher Ave.
 7 Dreher Ave.
 9 Dreher Ave.
 9 Dreher Ave.
 4 Dreher Ave.

12 Dreher Ave.
 12 Dreher Ave.
 12 Dreher Ave.
 20 Dreher Ave.
 20 Dreher Ave.
 19 Dreher Ave.
 19 Dreher Ave.
 17 Dreher Ave.
 17 Dreher Ave.

RE: PETITION FOR A SPECIAL HEARING AND VARIANCES : BEFORE THE
 NW side of Dreher Avenue : DEPUTY ZONING
 185, 13' SW of Reisterstown : COMMISSIONER
 Road - 3rd District : OF
 Jason Realty Company - : BALTIMORE COUNTY
 Petitioner :
 NO. 73-102-SPHA (Item No. 30) :

This Petition represents a request for a Special Hearing to permit parking in a residential zone, a Variance to the parking setback requirements from a street property line and an exception from the parking requirements to permit a parking area to be located in a location other than adjoining or across the street or alley from the business involved.

The parking area in question is located on the north side of Dreher Avenue approximately one hundred and eighty-five (185) feet west of Reisterstown Road in the Third District of Baltimore County. The business for which the parking area is requested is located on the west side of Reisterstown Road, one hundred and seventy-seven (177) feet south of the center line of Dreher Avenue.

Testimony on behalf of the Petitioner indicated that in addition to the ten (10) parking spaces that would be provided in the residential parking lot, fifty-five (55) spaces have been provided on the site of the commercial shopping center. The Petitioner also indicated that he had made arrangements to utilize a parking area of an adjoining plumbing company during the hours, or at such times as the use of the parking area by his customers would not conflict with the use of the adjoining parking area by the employees of the plumbing company.

The principle use of the residential parking area that is the subject of this Petition was described as being intended for the employees of the retail stores. The land uses surrounding the parking area were described as follows: east side - an unimproved nine (9) foot alley and the parking area

DATE: December 5, 1982
 BY: Liza P. Malumud

OPINION

At the request of both the Petitioner and the Protestants, the Deputy Zoning Commissioner made an on site field inspection of the subject property prior to writing this Order. The lot in question is bounded on two (2) sides by parking areas and on the third or across Dreher Avenue by a resident that is planned to be removed to make way for a parking area for the C & P Telephone Company. The fourth side is adjoined by residential property improved with a residence. Many cars, apparently owned by the employees of the C & P Telephone Company, were parked along Dreher Avenue. The subject lot was overgrown and unkempt and in no way could be considered a benefit to the community.

The heavy on-street parking in the area was pointed up by the Zoning Advisory Committee comment by the Department of Traffic Engineering which states:

"There is a severe shortage of parking in this area and any increase in parking will be beneficial to the area."

In view of the above findings, it is the opinion of the Deputy Zoning Commissioner that the subject lot will, in all probability, never be improved with a residential dwelling, and that a logical use would be for a parking area.

The Petitioner has not proven hardship or practical difficulty and the Variance to permit zero (0) parking spaces should not be granted.

The Petitioner's plan indicates vehicle parking spaces within four (4) feet of the west property line and within approximately nine (9) feet of the adjoining dwelling is not acceptable and should be revised as follows. The parking lot should be reversed to place vehicular parking spaces along easternmost property line adjacent to the existing parking lot. The four (4) foot buffer strip adjacent to the residential dwelling should be increased to seven (7) feet with a screen fence a minimum of four (4) feet high and a maximum of eight (8) feet high, is to be erected along the easternmost boundary of this seven (7) foot wide buffer strip. The parking lot is to be open only between the hours of

9:00 A. M. and 9:00 P. M., during all other times it is to be closed and locked with a chain including a sign indicating that the parking lot closed. Each parking space is to be labeled with the name of the employee using same. All other requirements of the parking regulations must also be complied with.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 5th of December, 1982, that the herein Petition for a Special Hearing for a use permit for parking in a residential zone and an exception to permit the parking area in a location other than adjoining or across the alley or street from the business involved should be GRANTED, subject to the restrictions in the above opinion. Further, the Variance request to permit a zero (0) foot setback from the street property line is DENIED.

James S. Hixley
 Deputy Zoning Commissioner of
 Baltimore County

H. MALMUD & ASSOCIATES, INC.
 LAND PLANNERS • SURVEYORS • ENGINEERS

TELEPHONE: 343-4444
 AREA CODE 301 443-4444

8613 MEADOW HEIGHTS ROAD
 BALDWIN, MARYLAND 21113

DESCRIPTION OF NO. 2 DREHER AVENUE
 BALTIMORE COUNTY, MARYLAND

All that piece or parcel of land situate, lying and being in Baltimore County and conveyed by Mildred C. Holsenorth, widow, to Jason Realty Company, by deed dated April 10, 1962 and recorded among the Land Records of Baltimore County in Liber 3985 at Folio 563, and being more particularly described as follows:

Beginning at a "PX" Nail now set on the Northwest side of Dreher Avenue, 30 feet wide, at the distance of 185.15 feet measured Southwesterly from the intersection of the Southwest side of Reisterstown Road, 60 feet wide and the Northwest side of Dreher Avenue and at the intersection of the Northwest side of Dreher Avenue and the Southwest side of an alley 9 feet wide. Thence running and binding on the Southwest side of said alley, as now surveyed; the following courses and distances: North 54° 49' 30" East 100.00 feet to a hub and tack now set; Thence leaving said alley and running South 54° 05' 15" East 50.00 feet to a hub and tack now set; Thence running South 54° 49' 30" East 100.00 feet to a pipe found on the Northwest side of said Dreher Avenue. Thence with said Dreher Avenue North 54° 05' 15" East 50.00 feet to the place of beginning.

Containing 5000 square feet or 0.115 acres of land more or less.



Liza P. Malumud
 Liza P. Malumud
 Registered Land Surveyor
 Maryland No. 7558

JAN 31 1983

William D. Wells, Esq.,
Pikesville Professional Building
7 Church Lane
Pikesville, Maryland 21208

RE: Special Hearing Petition
Item 30
Jason Realty Company - Petitioner

Dear Mr. Wells:

With regard to our recent telephone conversation concerning the ZAC comments dated September 6, 1972, please disregard the comments concerning a revised site plan and the necessity of maintaining the 8 foot buffer strip as this is part of your Variance request.

Very truly yours,

JOHN J. DILLON, JR.,
Chairman
Zoning Advisory Committee

JJD:JO

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: October 25, 1972
FROM: Norman E. Gerber, Office of Planning

SUBJECT: Petition #73-102-SPHA, Northwest side of Dreher Avenue 185.15 feet southwest of Reisterstown Road.
Petition for Special Hearing for Off-Street Parking in a residential zone.
Jason Realty Co. - Petitioner

3rd DISTRICT

HEARING: Thursday, October 26, 1972 (10:00 A.M.)

The Office of Planning and Zoning has reviewed the subject petition and has the following comment to offer:

If the parking permit and variances are granted the lighting standards should be limited to 8 feet in height.



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 6, 1972

William D. Wells, Esq.,
Pikesville Professional Building
7 Church Lane
Pikesville, Maryland 21208

RE: Special Hearing Petition
Item 30
Jason Realty Company - Petitioner

Dear Mr. Wells:

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 northwest side of Dreher Avenue, approximately 185 feet southwest of Reisterstown Road, and is presently unimproved. It is additionally approximately 200 feet in a direct line from the existing Trade Village Shopping Center, to which it is proposed to be added. To the southeast across Dreher Avenue, and to the southwest along Dreher Avenue there exists various frame and brick dwellings. To the northeast of the site is an existing parking area which is used in conjunction with the First Union Savings & Loan Building. There is no curb and gutter existing at this location.

It should also be noted that a variance has recently been requested for a reduction to the required parking for the CSP Telephone Company Service Center, which is located on the southwest corner of Reisterstown Road and Dreher Avenue (See Case No. 72-057A).

This petition is submitted for filing, however, revised plans indicating the need at least of one widening for Dreher Avenue, and additionally increasing all parking 8 feet from the proposed widening line, would be submitted 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

William D. Wells, Esq.,
RE: Item 30
Page 2
September 6, 1972

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

Very truly yours,

JOHN J. DILLON, JR.,
Chairman
Zoning Advisory Committee

JJD:JO
Enclosure

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

August 23, 1972

Bureau of Engineering
ELLSWORTH N. DYER, P. E. CHIEF

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

Re: Item #30 (1972-1973)
Property Owner: Jason Realty Company
#2 Dreher Avenue
Present Zoning: B-1
Proposed Zoning: Special Hearing for off-street parking in a residential zone
District: 3rd No. Acres: 0.115 acres

Dear Mr. DiNenna:

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.

Highway:

Dreher Avenue, an existing public road, is proposed to be improved in the future as a 36-foot closed-type roadway cross-section on a 50-foot right-of-way. Highway improvements, including highway right-of-way widening will be required in connection with any grading or building permit application for this site. The plan must be revised to indicate the proposed highway improvement.

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

The status of the "9-foot alley" is unknown. It is the responsibility of the petitioner to determine rights therein. Turnups with proper title clearance the area of the "alley" might better be utilized.

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 accommodating storm water or drainage have not been indicated on the submitted plan.

Item #X (1972-1973)
Property Owner: Jason Realty Company
Page 2
August 23, 1972

Storm Drains: (Cont'd)

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 Sewer:

Public water supply and sanitary sewerage are available to serve this property.

Very truly yours,

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

END/EN:SPH:iss

C-50 Key Sheet
26 NW 19 & 20 Position Sheets
NW 7 E Topo
78 Tax Map

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 16, 1972

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

Re: Item #30 - ZAC - August 15, 1972
Property Owner: Jason Realty Co.
Location: #2 Dreher Avenue
Present Zoning: B-1
Proposed Zoning: Special Hearing for off-street parking in a residential zone.

District: 3
No. Acres: 0.115 acres

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

WHP:ld

W. Nick Petrowski
Field Representative

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

872-7519

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Mr. S. Eric DiNenna, Zoning Commissioner, Chairman
Zoning Advisory Committee

Re: Property Owner: Jason Realty Company
Location: #2 Dreher Avenue

Item No. 30

Zoning Agenda Tuesday, August 14, 1972

Geniecen:

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.

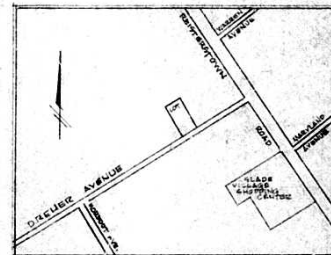
- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at

- () 4. 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: *[Signature]* Noted and
Planning Group Approved: *[Signature]*
Special Inspection Division Deputy Chief
Fire Prevention Bureau

mls
4/23/72

REISTERSTOWN RD.



VICINITY MAP
SCALE: 1" = 200'

EXISTING PARKING FOR SLADE VILLAGE
54 EXISTING PARKING SPACES

SLADE VILLAGE
SHOPPING CENTER

EXISTING 1-STORY RETAIL
BUILDING
ST. FLOOR 10450.0 SQ. FT.
BSMT. FLOOR 3500.0 SQ. FT.

ZONING DATA

3RD ELECTION DISTRICT - BALTO. CO. MD.
EXISTING ZONING - BL
AREA OF PARCEL - 5,000 SQ. FT.
PARKING: NO. OF SPACES REQUIRED - 23
NO. OF SPACES PROVIDED - 24
SITE: 8'-0" X 115'-0"

NOTES

- THE LAND SO USED IS WITHIN A 500 FOOT DISTANCE FROM THE BUSINESS INVOLVED.
- ONLY PASSENGER VEHICLES, EXCLUDING BUSES, MAY USE THE PARKING AREA.
- NO LOADING SERVICE, OR ANY USE OTHER THAN PARKING WILL BE PERMITTED.
- LIGHTING WILL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF ILLUMINATION, GLARE, AND INTENSITY AS REQUIRED.
- SCREENING AS CALLED OUT ON PLAN.
- A 6" MACADAM DRIVE SURFACE, PROPERLY DRAINED, WILL BE PROVIDED.
- A PLAN SHOWING PARKING ARRANGEMENT AND VEHICULAR ACCESS IS PROVIDED.
- METHOD AND AREA OF OBSTRUCTION, PROVISION FOR MAINTENANCE, AND PERMITTED HOURS OF USE WILL BE SPECIFIED, AND REGULATED AS REQUIRED.

PLANS APPROVED

OFFICE OF PLANNING & ZONING

BY *[Signature]*

DATE *7/11/73*

Subject to Zoning Order
73-102 SPNA

PLAT TO ACCOMPANY PETITION
FOR SPECIAL PARKING PERMIT

SCALE: 1" = 30'

NOTE:

TIME OF USE AND LIGHTING WILL
BE LIMITED TO THE HOURS
BETWEEN 7 A.M. TO 9 P.M.

OWNED: MACDONALDS
OWNED: FIRST UNION SAVINGS & LOAN

RETAIL STORE
AND SERVICES

D.R. 5.5 ZONING

1' ALLEY

6" MACADAM PAVING

EXISTING
SCREENING

4'-0" FENCE

OWNED
J.V. HIGLEY

50' PROPOSED
24' W

30'

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

17'-0"

PAVED SHOULDER

DREHER AVE.

212'-0"

105'

71'-0"

71'-0"

71'-0"

71'-0"

71'-0"

71'-0"

71'-0"

71'-0"

71'-0"

71'-0"

71'-0"

