

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Roland A. Rockel, et al, of the property situate in Baltimore County and which is described in the plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 506.7 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 as provided in Sect. 506.7 of the Baltimore County Zoning Regulations, and as set forth in attached addendum.

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.

Contract Purchaser: Feb 14, 1973 Legal Owner: Legal Owner
Address: 16 West Seminary Avenue
Lutherville, Maryland 21093
Petitioner's Attorney: _____ Protestant's Attorney: _____

ORDERED By the Zoning Commissioner of Baltimore County, this 3th day of March, 1973, 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 11th day of April, 1973, at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County

(over)

Item #160 (1972-1973)
Property Owner: Roland A. Rockel, et al
Page 2
March 27, 1973

Water and Sanitary Sewers

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

It appears that additional fire hydrant protection may be required in the vicinity.

Very truly yours,

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

END:RAM/PW:ina

3-SE Key Sheet
15 & 16 1/2" 1 Position Sheets
1W 12 A Topo
60 Tax Map



March 7, 1973

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

ITEM 160
Re: Z.A.C. Meeting
March 6, 1973
Owner: Roland A. Rockel, et al
Location: W/S York Road
(Route 45) 265' N of Seminary Avenue
Present Zoning: B.L.
Proposed Zoning: Special Hearing for off street parking in a residential zone
No. Acres: 2.748 sq. ft.

Dear Mr. DiNenna:

The subject plan indicates proposed 30' wide entrances at the curb line; however, the entrances taper down to 20' at the right of way line. The width at the right of way line must be a minimum of 25 ft.

The northerly entrance is proposed at the location of an existing storm drain inlet. The inlet must be relocated clear of the entrance.

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

The 1971 Average Daily Traffic Count for this section of York Road is ... 27,000 vehicles.

Very truly yours,

Charles Lee, Chief
Development Engineering Section
by: John E. Mayers
Asst. Development Engineer

CLJ:ETB

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 2, 1973

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

JOHN J. DILLON, JR.
Chairman

MEMBERS
BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROAD COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

Mr. Roland A. Rockel
16 West Seminary Avenue
Lutherville, Maryland 21093

RE: Special Hearing Petition
Item 160
Roland A. Rockel, et al - Petitioner

Dear Mr. Rockel:

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 following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the west side of York Road, 265 feet north of Seminary Avenue, in the 8th District of Baltimore County. This property is almost exclusively undeveloped with the exception of a two story brick dwelling that is proposed to be changed to a retail or office use. The rest of the area is covered with woods. This property is zoned B.L. with the exception of a strip along the rear of the property that is zoned R-5. The subject of this petition is a request for off street parking in this residential zone at the rear of the property. Curb and gutter and sidewalk exist along York Road at this location.

This petition is received 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,
John J. Dillon, Jr.
Chairman, Zoning Advisory Committee

JJDjr:JS
(Enclosure)

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

March 27, 1973

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

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

Re: Item #160 (1972-1973)
Property Owner: Roland A. Rockel, et al
Location: W/S York Road, 265' N of Seminary Avenue
Present Zoning: B.L.
Proposed Zoning: Special Hearing for off street parking in a residential zone
District: 8th No. Acres: 2.748 sq. ft.

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.

Highways:

York Road (Md. 45) is a State Road; therefore, all improvements, intersections and entrances on this road 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 accommodating storm water or drainage have not been indicated on the submitted plan.

York Road (Md. 45) is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the 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.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

W. D. Fromm
Director

JOHN J. DILLON, JR.
County Office Building
111 W. Channele Ave.
Towson, MD 21204
466-2211

March 14, 1973

S. ERIC DINENNA
Zoning Commissioner
County Office Building
111 W. Channele Ave.
Towson, MD 21204
466-2211

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

Dear Mr. DiNenna:

Comments on Item #160. Zoning Advisory Committee Meeting, March 6, 1973, are as follows:

Property Owner: Roland A. Rockel, et al
Location: W/S York Road, 265' N of Seminary Avenue
Present Zoning: B.L.
Proposed Zoning: Special Hearing for off street parking in a residential zone
District: 8
No. Acres: 2.748 square feet

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

Very truly yours,

John L. Wimbley
Planner I
Project Planning Division
Office of Planning and Zoning

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

March 14, 1973

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

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

Dear Mr. DiNenna:

Comments on Item 160, Zoning Advisory Committee Meeting March 6, 1973, are as follows:

Property Owner: Roland A. Rockel et al
Location: W/S York Road, 265' N of Seminary Avenue
Present Zoning: B.L.
Proposed Zoning: Special Hearing for offstreet parking in a residential zone
District: 8
No. Acres: 2.748 sq. ft.

Metropolitan water and sewer are available to the site.

FOOD SERVICE COMMENTS: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

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 H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RVB:mg

cc: L.A. Schuppert
W.L. Phillips

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: March 7, 1973

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

Re: Item 160
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

Z.A.C. Meeting of: March 6, 1973
Roland A. Rockel, et al
W/S York Road, 265' N of Seminary Avenue
S.L.
Special Hearing for off street parking in a residential

District: 8
No. Acres: 2708 square feet

Dear Mr. DiMenna:

No bearing on student population

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich
Field Representative

1. EMILIE PARKS, PRESIDENT
JOHN C. WEBB, VICE PRESIDENT
MRS. ROBERT L. BERNY

MARCUS H. BOTSARIS
JOSEPH W. HODGMAN
ALVIN LORECK
JOSHUA R. WHEELER, SECRETARY

T. BAYARD WILLIAMS, JR.
RICHARD W. WATNEY, V.M.D.
MRS. RICHARD A. WILKIN

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 409.4 of the Baltimore County Zoning Regulations, 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 revised March 7, 1973, and approved April 11, 1973, by George W. Pryor, Acting Chief, Project Planning Division, Office of Planning and Zoning for Baltimore County, said plat having been filed as Exhibit "A" in this proceeding and 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 _____ day of _____, 196____, that the herein Petition for Special Hearing should be and the same is granted, from and after the date of this Order, subject to the stockade screen fence along the rear of the property being a minimum of five (5) feet in height, and approval of a site plan for the park.

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 _____ day of _____, 196____, that the above Special Hearing be and the same is hereby DENIED.

All that parcel of land in the Eighth Election District of Baltimore County, more particularly described as follows:

Beginning for the same at a point located 187.0 feet westerly of the West Right of Way Line of York Road, 66 feet wide, and by a line drawn at right angles from said Right of Line 265.36 feet northerly from the North Right of Way Line of Seminary Avenue; running thence parallel to the West Right of Way Line of York Road, North 18 deg. 00 min. West, 220 feet, to a point at a junction with the North lot line of Lot no. 22, Lutherville, Heights, as hereinafter referred to; running thence and binding on the rear lot lines of Lot nos. 22 through 30, South 18 deg. 00 min. East, 202.80 feet, to a corner point at the rear of said Lot no. 30; running thence and binding on a part of the Southwest rear line of said Lot no. 30, South 53 deg. 18 min. East, 23 feet, to the point and place of beginning.

Containing 2748.20 square feet more or less.

Being the most westerly part of Lot nos. 22 through 30, as laid out on the plat of Lutherville Heights, said plat being recorded in the Land Records of Baltimore County in Plat Book W.P.C. 7 f.110 68.

Being the property of Roland A. and Norman T. Rockel and as shown on the plat plan filed with the Baltimore County Zoning Department.

Augustine J. Ruffner
P.E. & L.S. #1391

BALTIMORE COUNTY, MARYLAND

JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

CURVEN J. CLIFFORD, P.E. Wm. T. MELLEN
DIRECTOR DEPUTY TRAFFIC ENGINEER

April 11, 1973

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

Re: Item 160 - ZAC - March 6, 1973
Property Owner: Roland A. Rockel, et al
York Road N. of Seminary Avenue
Special hearing for off street parking in a residential area - District 8

Dear Mr. DiMenna:

No traffic problems are anticipated by the requested special exception for parking in a residential zone.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:nc

Addendum / brief
accompanying petition of Roland A. Rockel, et al
Off Street Parking in a Residential Zone

The staff of the Baltimore County Planning Board concedes the line and resultant dimension scribbled on the Zoning Map, Sheet N.W. 12-A is an error. This line so scribbled has nested previous individual zoning grants applicable to contiguous and other properties within the 1500 block of York Road, whereby zoning depth of 200 feet West of the York Road Right of Way line, or 233 feet West of the said road centerline, for commercial use was established. This line as scribbled has created a number of non-conforming uses within properties subject of these prior grants.

In the instant matter this drafting error has in effect divided the subject property into segments of 107 feet and 13 feet depths whereby uses of a distinct nature only are permitted. The original intent and purpose of the subdivision known as Lutherville Heights established in 1923 and as recorded in the Plat Records of Baltimore County, W.P.C. 7, folio 68, was to establish entities of 200 feet depth for the subject property.

The drafting error establishing two separate entities constitutes a severe use hardship on the petitioners. It must be pointed out to use an area approximately 200 feet long, by 13 feet wide for residential purposes is not within the realm of reasonable use, nor within standards established by Baltimore County regulations.

Should this error continue to remain burdened on the subject property it will constitute a severe economic hardship on the petitioners and owners of record.

It is therefore prayed this petition will receive favor and be granted to enable Off Street Parking and thus remove the constructive division of the property, resulting by error.

Respectfully submitted,
Roland A. Rockel

Petition contents:

- 3 copies petition form
- 3 copies of addendum/brief
- 10 copies of plat plan
- 10 copies of Phase 1 parking arrangement
- 7 copies of legal description
- check no. 11366
- 10 copies 200 scale official Zoning Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna, Zoning Commissioner Date: April 9, 1973
FROM: Norman E. Gerber, Chief
Land Use Master Plans

SUBJECT: Petition #73-242-SPH, West Side of York Road 265.36 feet North of Seminary Ave.

Petitioner - Roland A. Rockel

8th District

HEARING: Wednesday, April 11, 1973 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the above petition and have the following comments to make.

The area of the property in question was zoned B.L. prior to the adoption of the Comprehensive Zoning Map by the County Council in 1971. The removal of the B.L. zone classification was a drafting error. At no time was the removal ever considered by the staff, Planning Board, or County Council.

We see no planning objection to the granting of this request and if granted will eliminate the need for setting into motion the cumbersome procedure for correcting a drafting error.

ORIGINAL

THE TOWSON TIMES

TOWSON, MD. 21204

March 26 - 1973

THIS IS TO CERTIFY, that the annexed advertisement of

S. Eric DiMenna
Zoning Commissioner of Baltimore County

was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 26 day of March 1973 that is to say, the same was inserted in the issue of March 22, 1973.

STROMBERG PUBLICATIONS, Inc.

By: Rick Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 22, 1973

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time before the 22nd day of April, 1973, the first publication appearing on the 22nd day of March 1973.

THE JEFFERSONIAN,
H. Leach, Jr., Manager

Cost of Advertisement, \$.

PETITION FOR SPECIAL HEARING

OFFICE OF PLANNING AND ZONING

LOCATION: York Road, 265' N of Seminary Avenue, Towson, Maryland

DATE: April 11, 1973

TIME: 10:30 A.M.

PLACE: County Office Building, 211 W. Chesapeake Avenue, Towson, Maryland

REASON: To determine whether or not the proposed special exception for off street parking in a residential zone is a reasonable use.

ALL that parcel of land in the Eighth Election District of Baltimore County, more particularly described as follows:

Beginning for the same at a point located 187.0 feet westerly of the West Right of Way Line of York Road, 66 feet wide, and by a line drawn at right angles from said Right of Line 265.36 feet northerly from the North Right of Way Line of Seminary Avenue; running thence parallel to the West Right of Way Line of York Road, North 18 deg. 00 min. West, 220 feet, to a point at a junction with the North lot line of Lot no. 22, Lutherville, Heights, as hereinafter referred to; running thence and binding on the rear lot lines of Lot nos. 22 through 30, South 18 deg. 00 min. East, 202.80 feet, to a corner point at the rear of said Lot no. 30; running thence and binding on a part of the Southwest rear line of said Lot no. 30, South 53 deg. 18 min. East, 23 feet, to the point and place of beginning.

Containing 2748.20 square feet more or less.

Being the most westerly part of Lot nos. 22 through 30, as laid out on the plat of Lutherville Heights, said plat being recorded in the Land Records of Baltimore County in Plat Book W.P.C. 7 f.110 68.

Being the property of Roland A. and Norman T. Rockel and as shown on the plat plan filed with the Baltimore County Zoning Department.

Augustine J. Ruffner, P.E. & L.S. #1391

DATE: April 11, 1973

TIME: 10:30 A.M.

PLACE: County Office Building, 211 W. Chesapeake Avenue, Towson, Maryland

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Augustine J. Ruffner, P.E. & L.S. #1391

DATE: April 11, 1973

TIME: 10:30 A.M.

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Being the property of Roland A. and Norman T. Rockel and as shown on the plat plan filed with the Baltimore County Zoning Department.

Augustine J. Ruffner, P.E. & L.S. #1391

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TIME: 10:30 A.M.

PLACE: County Office Building, 211 W. Chesapeake Avenue, Towson, Maryland

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Being the property of Roland A. and Norman T. Rockel and as shown on the plat plan filed with the Baltimore County Zoning Department.

Augustine J. Ruffner, P.E. & L.S. #1391

Roland A. Rockel
6 West Chesapeake Avenue
Lutherville, Maryland 21093

Form 160

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
March

9th

Your Petition has been received and accepted for filing

this _____ day of _____ 1973

Roland A. Rockel, et al

S. ERIC BYENHIA,
Zoning Commissioner

Petitioner

Petitioner's Attorney

Reviewed by

Zoning Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 8271

OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE April 12, 1973 ACCOUNT 01-662

AMOUNT \$56.74

WHITE - CASHIER

BL - FREIGHTED

PK - AGENCY

YELLOW - CUSTOMER

WHITE - CASHIER

BL - FREIGHTED

PK - AGENCY

YELLOW - CUSTOMER

WHITE - CASHIER

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YELLOW - CUSTOMER

56.74

BALTIMORE COUNTY, MARYLAND No. 8208

OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE March 19, 1973 ACCOUNT 03-668

AMOUNT \$85.00

WHITE - CASHIER

BL - FREIGHTED

PK - AGENCY

YELLOW - CUSTOMER

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WHITE - CASHIER

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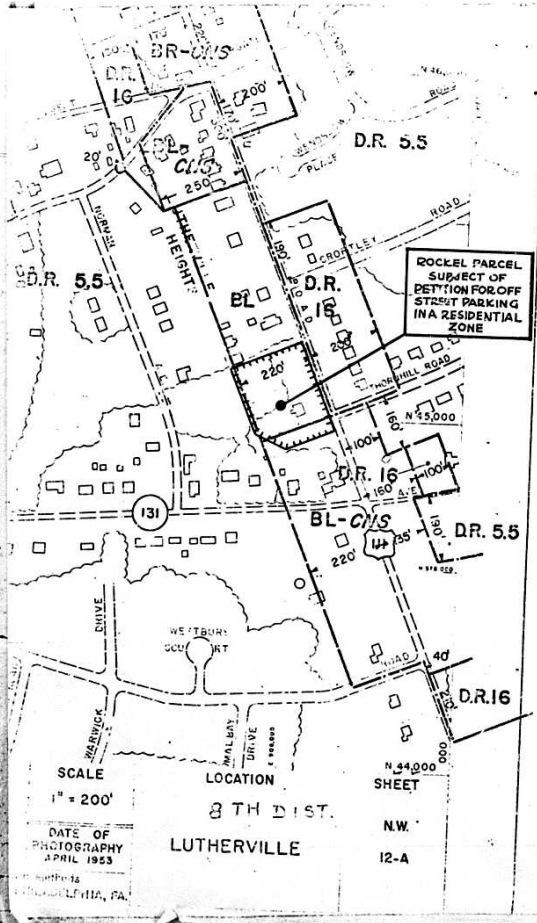
PK - AGENCY

YELLOW - CUSTOMER

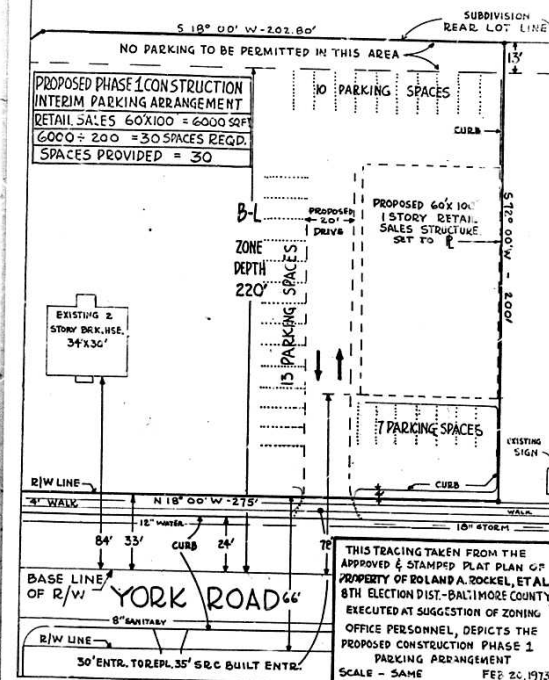
WHITE - CASHIER

BL - FREIGHTED

85.00



D.R. 5.5 ZONE
(RESIDENTIAL)



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1500 Date of Posting: 11/20/73

Posted for: Special Hearing

Petitioner: Roland A. Rockel

Location of property: 1100 E. York Rd. 265 E. N. of Seimans Ave.

Location of Sign: 1100 E. York Rd. 300 E. N. of Seimans Ave.

Remarks: 1100 E. York Rd. 300 E. N. of Seimans Ave.

Posted by: Charles W. Mac

Date of return: April 3, 1973

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 2/13/74

Feb. 1974

S. ERIC BYENHIA,
Zoning Commissioner

Petitioner: Roland A. Rockel

Petitioner's Attorney: Roland A. Rockel

Reviewed by: J. C. Ellis

Previous case: 1100 E. York Rd. 300 E. N. of Seimans Ave.

* This is not to be interpreted as acceptance of the Petition for postponement of a hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map	Original	Duplicate	Tracing	200 Sheet
	date	by	date	by	date
Descriptions checked and outline plotted on map					
Petition number added to outline					
Denied					
Granted by					
ZC, BA, CC, CA					
Reviewed by:					
Previous case:					
Revised Plans:					
Change in outline or description					
Map #					

