

70-5-SPH 100 PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Virginia Voigt Roeder, 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 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 off-street parking in a residential zone.

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.

Marvin James Roeder
Contract Purchaser
Address: 5019 Meadowood Road
Baltimore, Maryland 21212
Patricia S. Graham
Petitioner's Attorney
Address: 605 Baltimore Avenue
Towson, Maryland 21204
Phone: 296-8836

ORDERED BY the Zoning Commissioner of Baltimore County, this 28th day of June, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building, Towson, Baltimore County, on the 28th day of July, 1973, at 10:15 o'clock a.m.



Eric D. DiNenna
Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR SPECIAL HEARING : BEFORE THE
W/S of Monroe Street, 218.45' : DEPUTY ZONING
N of Gibbons Boulevard - 8th District : MARVIN J. ROEDER, et al - Petitioners
NO. 70-5-SPH (Item No. 233) : COMMISSIONER

This Petition represents a request for a Special Hearing to determine if a permit should be granted for off-street parking on a residentially zoned parcel of land, pursuant to Section 409.4 of the Baltimore County Zoning Regulations. The property in question contains .46 of an acre, more or less, and is located on the west side of Monroe Street, 218.45 feet north of Gibbons Boulevard, in the Eighth Election District of Baltimore County.

Testimony on behalf of the Petitioners indicated that the subject property lies adjacent to and binds on a commercially zoned parcel that it is intended to serve. The commercial site is located on the east side of York Road, one hundred and sixty (160) feet, more or less, north of Gibbons Boulevard, and is intended to be improved with a restaurant containing forty-two hundred (4200) square feet of floor area.

The residentially zoned tract which is the subject of this Petition is proposed to be improved with macadam paving, compact evergreen six (6) foot high screen planting along the north and south property lines and the westernmost right-of-way line of Monroe Street. No ingress or egress to Monroe Street is planned or anticipated in the future.

The Petitioners felt that utilization of the parcel for parking would serve a need for off-street parking and would at the same time stabilize the zoning in the area by providing a substantial use on the residentially zoned D.R. 3.5 property, without the necessity of a zoning change.

There were no area residents in attendance at the hearing, nor were there any letters of protest submitted with regard to the proposed

use. County and State agencies that reviewed the Petitioners' site plan had no adverse comment with regard to the method of operation or use.

After reviewing the above testimony, it is the opinion of the Deputy Zoning Commissioner that a commercial parking use on the residentially zoned .46 of an acre, more or less, parcel would not be detrimental to the health, safety, or general welfare of the community. Said use would, in fact, benefit the community by providing an apparently unobjectional use that would, in effect, tend to stabilize the present residential character of the area in general.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 20th day of July, 1973, that the requested use for commercial parking on the herein described property should be and the same is hereby GRANTED, subject, however, to the following restrictions:

1. Approval of the site plan by the Department of Public Works, the State Highway Administration, and the Office of Planning and Zoning.
2. Strict compliance with all notes on said plan, including the hours of use, type of paving, maintenance, lighting and screening.

James E. H. P.
Deputy Zoning Commissioner of Baltimore County

ORDERS RECEIVED FOR FILING

DATE July 20, 1973
BY John J. Dillon, Jr.

DOLLENSBERG BROTHERS
Registered Professional Engineers & Land Surveyors
708 W. BOWLING GREEN AVENUE AT YORK ROAD
TOWSON, MD. 21204

May 16, 1973

Zoning Description

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same on the west side of Monroe Street at the division line between lots Nos. 27 and 28 Block 85 as laid out on "1st No. 2 of Timonium Heights, said plat being recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7 Part 1 folio 15, said point of beginning being distant North 12 degrees 31 minutes West 216.45 feet of Gibbons Boulevard, and thence leaving said Monroe Street and running and binding on the division line between lots Nos. 27 and 28, South 77 degrees 29 minutes West 126 feet to the center of an alley, 12 feet wide, thence running and binding in the center of said alley, North 12 degrees 31 minutes West 160 feet to the division line between lots Nos. 35 and 36 Block 85 as laid out on the aforesaid plat of Timonium Heights, thence running and binding on the division line between lots Nos. 35 and 36 North 77 degrees 29 minutes East 126 feet to the west side of Monroe Street and thence binding on the west side of Monroe Street, South 12 degrees 31 minutes East 160 feet to the place of beginning.

Containing 0.46 of an Acre of land more or less.



William S. Ulrich

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Eric D. DiNenna, Zoning Commissioner Date: July 5, 1973
FROM: William D. Fromm, Director
Office of Planning and Zoning
SUBJECT: Petition #70-5-SPH - West side of Monroe Street 218.45 feet North of Gibbons Boulevard.
Petition for Special Hearing for Off-Street Parking in a Residential Zone.
Petitioners: Marvin Roeder and Virginia Voigt Roeder

8th District

HEARING: Monday, July 9, 1973 (10:15 A.M.)

The Office of Planning and Zoning has reviewed the subject petition and has the following comments to make.

The staff questions the status of the paper alley on the plat of Timonium Heights. This plan would generally be acceptable if the alley can be severed as proposed by the petitioner. However, if the alley were to be constructed and opened to traffic at a future date, access to this alley by commercial development fronting on York Road would be undesirable.

If granted, the parking permit should require screening 6' high or more and the lights limited to 8' in height or less.

William D. Fromm
Director
Office of Planning and Zoning

WDF:REG:rw

BALTIMORE COUNTY

ZONING ADVISORY COMMITTEE

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 27, 1973

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

John J. Dillon, Jr.
Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

Mrs. Patricia S. Graham
605 Baltimore Avenue
Towson, Maryland 21204
RE: Special Hearing Petition
Item 233
Marvin James Roeder and
Virginia Voigt Roeder -
Petitioners

Dear Mrs. Graham:

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 of the property. The following comments are a result of this review and inspection.

The subject property is located on the west side of Monroe Street, 218.45 feet north of Gibbons Blvd., in the 8th District of Baltimore County. The subject property is currently improved with an existing one story frame ranch house and a detached carport and tool shed, and the property immediately to the north is vacant. There are existing dwellings on both sides of Monroe Street and adjacent to either side of the subject property. Curb and gutter does not exist along Monroe Street at this location.

The petitioners' request is for off street parking in a residential zone. The property being zoned D.R. 3.5 and consisting of 0.46 acres of land. The site plan as submitted indicates there will be no access to Monroe Street and that heavy and dense

Mrs. Patricia S. Graham
Item 233
Page 2
June 27, 1973

planting would be provided on both sides of the property and along Monroe Street. Lighting would consist of 30 foot high light fixtures and be strategically located on the property. Access to the property would be via York Road, which is zoned Business Local and is proposed to be developed as a restaurant. It is felt that the screening should be more detailed insofar as type of screening is concerned, and the light standards should not exceed 8 feet in height so as to prevent any glare or illumination causing nuisances to surrounding neighbors. Also that curb and gutter should be provided along Monroe Street.

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

Very truly yours,

John J. Dillon, Jr.
John J. Dillon, Jr., Chairman
Zoning Advisory Committee

JJDjr:JD

enclosure

cc: Mr. Cicero H. Brown, Jr.,
Wagner Building
501 York Road
Towson, Md. 21204

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

Review of Engineering
ELLENWORTH N. DIVER, P. E. - CHIEF

June 12, 1973

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

Re: Item #233 (1972-1973)
Property Owner: Marvin and Virginia Roeder
W/S of Monroe Street, N. of Gibbons Blvd.
Present Zoning: D.R. 3.5
Proposed Zoning: Special Hearing for off-street parking
in a residential zone
District: 8th No. Acres: 0.46 acre

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, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration.

Monroe Street, an existing public road, is proposed to be further improved in the future as a 30-foot closed-type roadway cross-section on a 50-foot right-of-way. Highway improvements including highway right-of-way widening and any necessary reversible easement for slopes will be required in connection with any grading or building permit application. The plan should be revised accordingly.

The status of the alley is unknown; however, a commercial site cannot have ingress or egress from a residential alleyway. It is the responsibility of the Petitioner to ascertain and clarify rights therein.

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 Drain:

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

Item #233 (1972-1973)
Property Owner: Marvin and Virginia Roeder
Page 2
June 12, 1973

Storm Drain: (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:

Public water supply is available and presently serving the residences on this site. It appears that additional fire hydrant protection may be required in the vicinity.

Sanitary Sewer:

Public sanitary sewerage can be made available to serve this property by construction of a public sanitary sewer extension which may require offsite utility easements.

Very truly yours,

Ellenworth N. Diver
ELLENWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:RAN:Ph/iss

cc: G. Reier
S. Bellastri
J. Loos

S-100 Key Sheet
59 NW 4 Pos. Sheet
DC USA Topo
51 Tax Map

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

Wm. T. MELLEN
DEPUTY TRAFFIC ENGINEER

June 7, 1973

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

Re: Item 233 - ZAC - June 5, 1973
Property Owner: Marvin and Virginia Roeder
W/S of Monroe Street, N of Gibbons Boulevard
Special Hearing for off-street parking in a residential zone
District 8

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested special hearing for off-street parking in a residential zone.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF/pk

Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans
Assistant Secretary

June 6, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Re: Z.A.C. Meeting June 5, 1973
Property Owner: Marvin and Virginia Roeder
Location: W/S of Monroe St. N of Gibbons Boulevard
Present Zoning: D.R. 3.5
Proposed Zoning: Special Hearing for off-street parking in a residential zone
District: 8
No. Acres: 0.46 acre

Dear Mr. DiNenna:

The right of way line for the proposed improvements to York Road is approximately 42' from the existing centerline and not 40' as indicated on the subject plan. Any subsequent plans must indicate the correct right of way line.

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

The 1972 average daily traffic count on this section of York Road is 18,000 vehicles.

Very truly yours,

Charles Lee, Chief
Development Engineering Section
John E. Meyer
Asst. Development Engineer

cc: Mr. Cicero H. Brown, Jr.
Sol York Road
Towson, Md. 21204

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
923-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Marvin and Virginia Roeder

Location: W/S of Monroe Street, N of Gibbons Blvd.

Item No. 233 Zoning Agenda June 5, 1973

Gentlemen:

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 _____ 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 on this time.

Reviewed: *John H. Phillips* (Noted and Approved: *Paul H. Reinisch*)
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

June 7, 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 233, Zoning Advisory Committee Meeting June 5, 1973, are as follows:

Property Owner: Marvin and Virginia Roeder
Location: W/S Monroe St., N of Gibbons Blvd.
Present Zoning: D.R. 3.5
Proposed Zoning: Special Hearing for offstreet parking in a residential zone.
District: 8
No. Acres: 0.46

Metropolitan water is available to the site. Sanitary sewer must be extended prior to Health Department approval.

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. Devin
Thomas H. Devin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVS:nn

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

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



June 7, 1973

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 #233, Zoning Advisory Committee Meeting, June 4, 1973, are as follows:

Property Owner: Marvin and Virginia Roeder
Location: W/S of Monroe Street, N of Gibbons Boulevard
Present Zoning: D.R.3.5
Proposed Zoning: Special Hearing for off-street parking in a residential zone
District: 8
No. Acres: 0.46 acres

The site plan as submitted should be revised to show the following:

For the portion of the property zoned D.R.3.5;

1. The lights should be limited to a minimum of 8 feet in height.
2. The screening should be evergreens, a minimum of 6 feet in height, and compact.
3. The road widening of Monroe Street.

For the portion zoned B.L.

1. A minimum of 4 foot high compact screening must be provided where the parking areas are adjacent to residential premises.

Very truly yours,

John L. Wimbley
John L. Wimbley, Planning Specialist II

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 108 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 486-3811 ZONING 486-3811

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

De-01 June 5, 1973

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

Re: Item 233
Property Owner: Marvin and Virginia Roeder
Location: W/S of Monroe Street, N of Gibbons Boulevard
Present Zoning: D.R. 3.5
Proposed Zoning: Special Hearing for off-street parking in a residential zone

Z.A.C. Meeting of: Tuesday June 4, 1973

District: 8
No. Acres: 0.46 acres

Dear Mr. DiNenna:

No effect on student population.

MNP/m

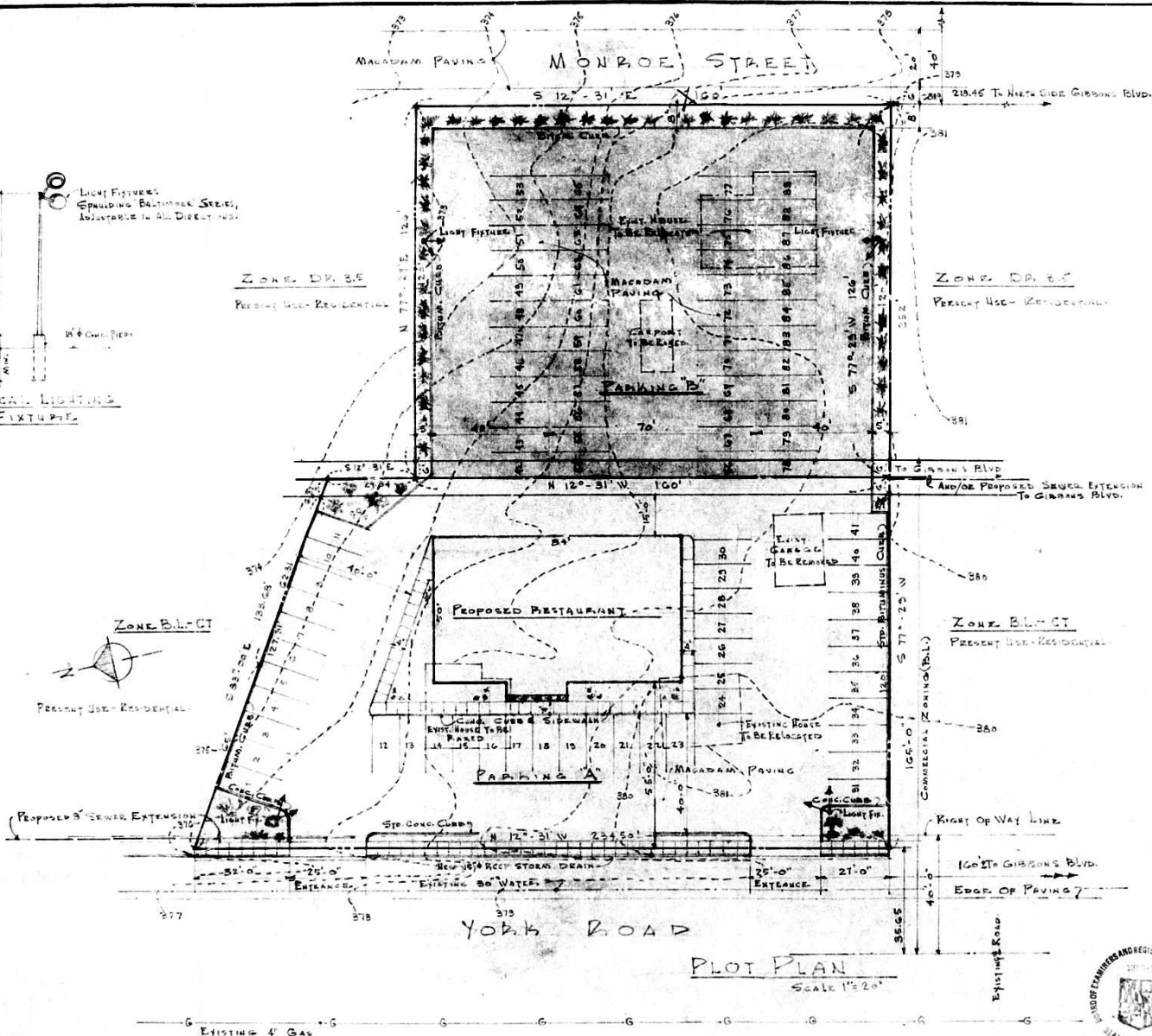
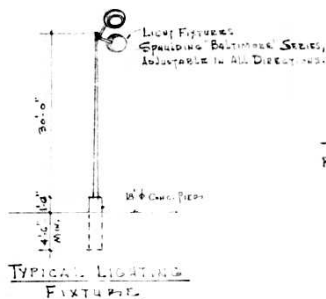
Very truly yours,
W. Nick Petruich
W. Nick Petruich
Field Representative

H. EMILIE PARKS, President
CUSTACE C. HENNING, Vice President
MRS. ROBERT L. BERNY

MANUS M. BOUTARIS
JOSEPH N. HUBBARD
ALVA L'AMOREUX

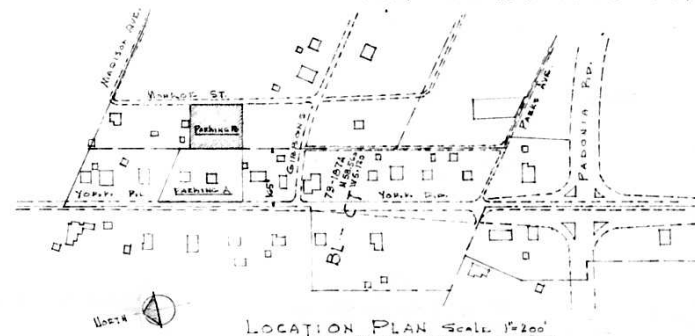
T. BAYARD WILLIAMS, JR.
RICHARD W. FRIDLEY, M.D.
MRS. RICHARD K. MURPHY

mls
4/16/73



GENERAL NOTES.

1. PARKING AREA "B" COMMERCIAL VEHICLES SHALL BE EXCLUDED. ONLY PASSENGER VEHICLE PARKING PERMITTED.
2. SETBACK OF 5'0" TO PROPERTY LINE PROVIDED FOR COMPACT PLANTING SCREEN OR FENCE AS REQUIRED.
3. PARKING LOT LIGHTING SHALL BE DESIGNED TO MINIMIZE GLARE AND INTERFERENCE TO ADJOINING RESIDENCE.
4. RESTAURANT-HOURS OF OPERATION: 11 A.M. UNTIL 2 P.M.
5. SITE TO BE FINISH GRADED TO PREVENT SURFACE WATER DRAINAGE TO ADJACENT PROPERTY.



PARKING REQUIREMENTS.

Proposed Building 4200^{sq} ft - 34 SPACES REQUIRED.
82 SPACES INDICATED.

PRELIMINARY LOCATION PLAN FOR "PAPPY'S" RESTAURANT

COCKEYSVILLE, BALTIMORE COUNTY, MD.

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 - 28, 29, 30, 31, 32, 33, 34 & 35
Block BB
PLAT No. 2 TIMONIUM HEIGHTS
PLAT Book W.P.C. No. 7 PART 1-15
8TH DISTRICT.

CICERO H. BROWN JR., M.A.
ARCHITECT
NEWPORT BUILDING
801 YORK ROAD
BETHESDA, MARYLAND 20814

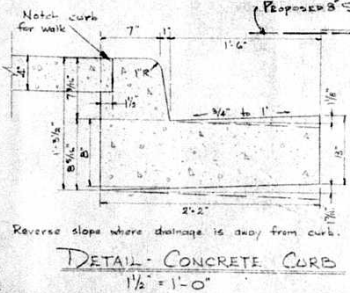
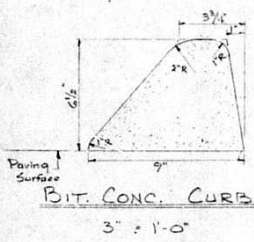
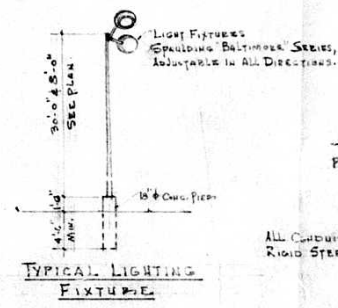
NOTE: MEETS, BOUNDS, DIMENSIONS, ETC. TAKEN FROM DOLLENBERG BROTHERS PLAT DATED 3-20-73

22 May 1973

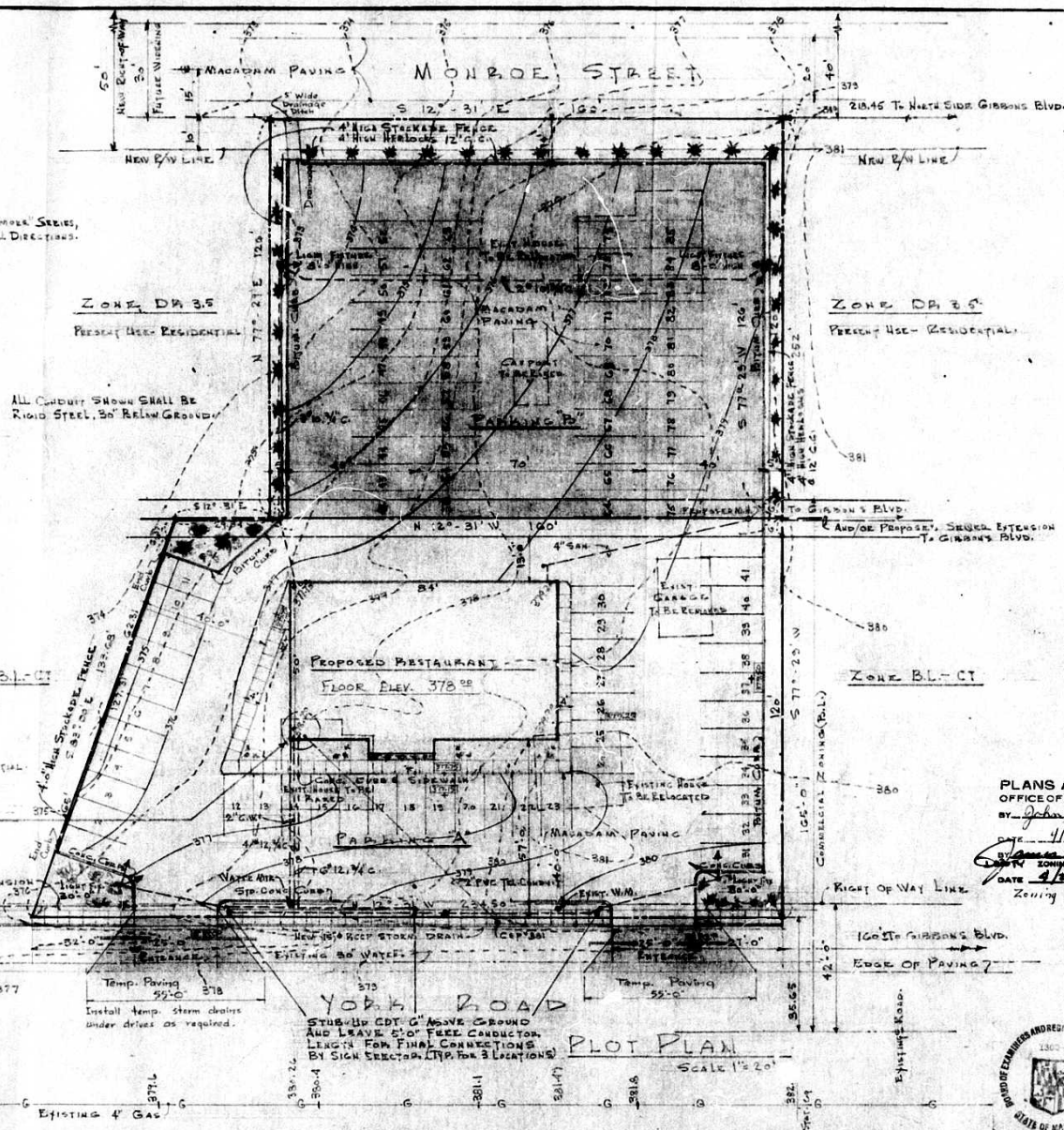


C. H. Brown Jr.



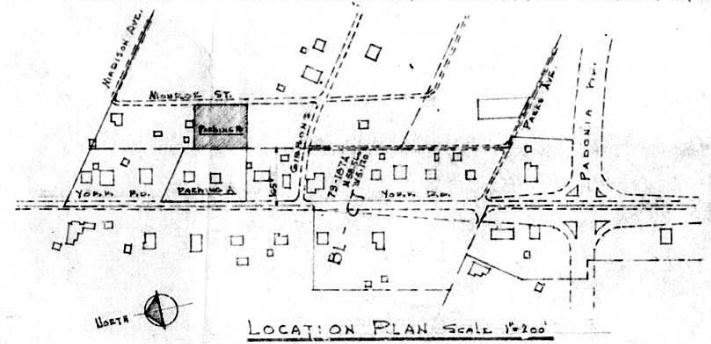


ALL CURBUT SHOWN SHALL BE RIGID STEEL, 30" BELOW GROUND



GENERAL NOTES.

1. PARKING AREA B. COMMERCIAL VEHICLES SHALL BE EXCLUDED. ONLY PASSENGER VEHICLE PARKING PERMITTED.
2. SETBACK OF 5' TO PROPERTY LINE PROVIDED FOR 6' HIGH COMPACT EVERGREEN SCREEN OR FENCE AS REQUIRED.
3. PARKING LOT LIGHTING SHALL BE DESIGNED TO MINIMIZE GLARE AND INTERFERENCE TO ADJOINING RESIDENCE.
4. RESTAURANT - HOURS OF OPERATION: 11 A.M. UNTIL 2 A.M.
5. SITE TO BE FINISH GRADED TO PREVENT SURFACE WATER DRAINAGE TO ADJACENT PROPERTY.



PARKING REQUIREMENTS.

Proposed Building 4200^{sq}/50 = 84 SPACES REQUIRED.
55 SPACES INDICATED.

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY *John Z. Wimbly*
DATE *4/25/74*
ZONING COMMISSIONER
DATE *4/25/74*
Zoning File 74-5

ADDED FENCING & SCREENING REV. 4-24-74
ADDED UNDERGROUND UTILITIES - 11-22-73
REVISIONS PER ZONING REQUIREMENTS 7-12-73.

**PRELIMINARY LOCATION PLAN
FOR PROPOSED "PAPPY'S" RESTAURANT**

Cockeysville, Baltimore County, MD.

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 - 28, 29, 30, 31, 32, 33, 34 & 35
Block BB
PLAT No. 2 TIMONIUM HEIGHTS
PLAT Book W.P.C. No. 7, PART 1-15
8TH DISTRICT.

CICERO H. BROWN, JR., AIA
ARCHITECT
NORFOLK BUILDING
801 YORK ROAD
BETHESDA, MARYLAND 20814

NOTE: MEETS, BOUNDS, DIMENSIONS, ETC. TAKEN FROM DOLLENBERG REG. ACRES PLAT DATED 3-20-73.

REV. 29 MAY 1973
22 MAY 1973

