PETITION FC. ZONING RE-CLASSI CATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

DR 16 rome: for the following reasons:

There has been a change in the character of the neighborhood since the original zoning. Some areas in the vicinity have developed commercially and the re-classification of this property would not have an adverse effect on adjoining properties

(See attached brief)

See attached description

FOR FILING

RECEIVED

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Bali County, to use the herein described property, for...Offices.

Property is to be posted and advertised as prescribed by Zoning Regulation

Lor 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

Contract purchaser

Mangaulte J. Legal Owner

Address. Rock, Avenue.

Bandallstown, Md. 21133

Ralph E. Bores Alterney

Protestant's Alterney

212 Washington Avenue
Towson, Md. 21204

DEDERED By The Zoning Commissioner of Baltimore County to

of July ... 197 3., that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughjule Baltimore County, that property be posted, and that the public hearing be had before the Zoning ... Bonn 100. County Office Building in Townoon, Baltimore

Zoning Commis

(over)

RE: PETITION FOR RECLASSIFICATION
AND SPECIAL EXCEPTION
Beginning 215' from the 5W/S of
Liberty Road, 400' S of Offutt Road
2nd District
Everett M. Enos - Petitioner
NO. 74-50.RX (b. m. No. 4)

...

: DEPUTY ZONING : COMMISSIONER

BEFORE THE

: BALTIMORE COUNTY

This Petition represents a rejuest for the Reclassification of a tract of ground containing . 27 of an acre, more or less, from a D. R. 3, 5

Zone to a D. R. 16 Zone, together with a request for a Special Exception for offices on said tract. The property in question is located on the southside of Liberty Road, approximately four hundred (400) feet east of Offutt Road, in

Plans submitted with the request and testimony by the Petitioner described the the subject property as being, more specifically, located two hundred and fifteen (215) feet south of the south side of Liberty Road, at which point it binds on the read of a small commercial parcel also owned by the Petitioner that has frontage and access directly on Liberty Road. The subject site is improved with two (2) dwellings, one (1) of which serves as the Petitioner's residence and the other being rented out for residential purposes. Access to these dwellings is presently by way of a twelve (12) fool lane slong the north side of the property leading from Liberty Road. Said lane also provides access to one other residential dwelling located adjacent to and south of the Petitioner's property. However, if the Petitioner is successful in obtaining his Reclassification and Special Exception for office use, access to the two (2) converted dwellings would be by way of the driveway and parking areas that presently exist on his commercially zoned tract.

The Petitioner contends th it the map is in error in that it did not place a buffer type residential zone on his property that lies immediately adjacent to a commercially zoned (B. R.) tract on which cars are stored in

connection with a new car agency. He further contends that these cars have parked and operated from a point within twelve (12) feet of his front porch, and that the general operation and use of this adjoining property renders his

The Planning Board agrees, at least in part, with the Petitioner's contention and recommends that all but the rear forty-three (43) feet of 'an Petitioner's property be reclassified to D. R. 16. It should be noted, at this point, that the zoning location map that accompanies the Planning Board recommendation to the Zoning Commissioner does not correctly indicate the depth of the Petitioner's property in relation to the adjoining D. R. Zone. The property is indicated thereon as being more than twice its actual size, and as such, could have been misleading to the Planning Board in arriving at their recommendation.

The two (2) dwellings that are the subject of this Petition, along with a third dwelling located immediately to the rear of the Petitioner's property, represent the only three (3) dwellings in this immediate residential environ that obtain access through the commercially zoned uses or frontages along Liberty Road. All other dwellings are oriented to and have frontage on interior residential public roads and, more less, isolate the subject property from the rest of the residential community.

The County and State agencies who reviewed the Petitioner's proposed plans for compliance to their requirements and development standards, indicated that water and sewer was available to serve the proposed use and had no other adverse comments to offer with regard to traffic or other planning factors.

After reviewing the above testimony and other evidence presented, it is the opinion of the Depucy Zoning Commissioner that the zoning designation presently placed on the Petitioner's property is incorrect in that it does not

provide for transitional type uses between the commercially zoned property to the northwest and the residential uses to the east and south. It is also apparent that the conversion of the two (2) dwellings to office use together with the parking and access can be satisfactory tied in with the existing commercial use and, as such, will meet the requirements of Section 502. 1 of the Baltimore County Zonias Regulations.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this ___/7 224 day of 3-eptember 1973, that the herein requested Reclassification from a D. R. 3.5 Zone to a D. R. 16 Zone be and the same is hereby Granted together with a Special Exception to convert the existing residential dwellings to office use. Said granting is subject to the following

- Other than the enclosure of the existing porches, there shall be no further exterior alterations or additions to the existing structures other than that required by normal maintance.
- Subject to approval of an overall functional site plan that includes the subject property as well as the Petitioner's adjoining commercial parcel that fronts Liberty Road by the State Highway Administration, Department of Public Works. Traffic Engineering and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore County

THE PROCESSES OF FILING

BALTIMORE COUNTY ZONING ADVISORY COMM. TTEE

UNTY OFFICE BLDG. W. Chesapeake Ave.

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JOHN J. DILLON, JR.

Chairman Chairman

BUREAU OF ENGINEERING DEPARTMENT OF TRAFFIC ENGINEERING STATE ROADS COMMISSION & BUREAU OF

TAUREAU OF FIRE PREVENTION HEALTH DEPARTMENT PROJECT PLANNING BUILDING DEPARTMENT BOARD OF EDICATION ZONING ADMINISTRATION INDUSTRIAL DEVELOPMENT April 13, 1973

h E. Deitz, Esq., Washington Avenue on, Maryland 21204

> RE: Reclassification Petition Item 4 Everett M. and Marguerite F. Enos -Petitioners

ear Hr. Deitz:

The Zening 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 sears of plans or problems with regard to the development plans that may have a beering on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the receasted

The subject property, which is located 400 feet southeast of Offutt Road, 215 feet southeast of Liberty Road, on a private lame, is in the 2nd C.-rict of Baltience County. This property, which is zoned DR 1,5 is requesting a Reclassification to DR 16 with a Special Exception for Offices. Provided the Special Exception for Offices are considered with the existing shellings, one is a two story structure and the other is a one story structure. These properties are located directly behind two commercial buildings that front on 'iberty Reed and whose parking lots are in the rear. Both of 'a deallings, plus a third dealling, front on a small 12 well lame, which status is unknown at this time and almost be clarified.

The Committee is frankly confused as to exactly how these dwellings were permitted to develop in this area, and as unusual as this seems, there is also at least two other dwellings that front on a similar lane inwediately to the rear of these properties. The petitioner's site plan indicates parking at the rear of these dwellings with the access via the existing parking lot in the rear of the two commercial establishments fronting on Liberty Rosq. The petitioner should indicate exactly what rights he has to allow an access of this nature.

In general, the Committee feels that should this metition

Ralph E. Deitz, Esq. Item 4 Page 2 April 13, 1973

ECE

receive a favorable decision that the petition be restricted to keeping these deallings compatible with the other residences in this vicinity, and the only atterior changes that could be made to these sites would be in the ones of painting, lighting, and lendscaping. Also, that before either of these structures be removed from this site for a new office structure, that another hearing be held to review only reposed development.

This patition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to patitions, descriptions, or olats, as may have been requested by this Committee, shall be submitted to this office prior to Friday, June 1, 1973 in order to allow I me frient in this patition not being scheduled for a hearing. Notice of the hearing date and time, which will be between September 1, 1973 and October 15, 1973 will be forwarded to you well in advance of the date and time.

John J. Dillon, J.
Chairmen, Zoning Rdvisory Committee

JJDJr.:JD

(Enclosure)

DIRECTOR



May 10, 1973

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

Dear Mr. Di Nenno

Comments on Ir - 4, V Zoning Cycle, April to October 1973, are as follows:

Property Owner, Everett and Marguerite Enos Location: 400'SE of Offfut Road, 215'SW of Liberty Road on private lane Present Zoning: D.R.3.5 Proposed Zoning: Reclassification to D.R.16; Special Exception for offices District: 2 No. Acres: 0.27

This office feels that if the petition is given a favorable decision, it should be restricted to the existing structures; and before any new structures are to be considered a new heoring would be held to review the new proposals.

Very truly yours,

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUX. TOWSON. MARYLAND 21204

NOV 30 1973



Baltimore County, Maryland Bepartment Of Bublic Borks

COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Bureau of Engineering

April 16, 1973

Mr. S Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 2120h

Re: Item 4 (April to October 1973 - Cycle V) Item 4 (April to October 1973 - Oycle V)
Froperty Comer: Everett and Marquerite Enos
Liberty Road, S. of Offutt Road
Fresent Zoning: D.R. 3.5
Froposed Zoning: Reclass, to D.R. 16
District: 2nd No. Acres: 0.27 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 commention with the subject item.

Highways:

Literty Road is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

As this property binds on a State Highway Administration road and a private road, this office has no comment.

Water:

Public water is available to serve this property.

Sanitary Sewer:

Public sewer is available to serve this property.

Storm Drains:

The Potitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any muisances or damages to adjacent properties, especially by the concentration of murface 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.

Liberty Road is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

Item h (April to October 1973 - Cycle V) Property Owner: Everett and darguerite thos Page 2 April 16, 19

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.

Very truly yours.

Jo Die SLISWORTH N. DIVER, P.E. Chief, Burau of Engineering

END: BAM: CLW: 88

NW 7 I Topo Sheet P-SW Key Sheet 26 NW 35 Pos. Sheet 77 Tax Map BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD. P.E.

April 26, 1973

Mr. S. Eric DiNenna Zoning Commissioner County Office Building

Re: Item 4 - Cycle Zoning V - April to Oct, 1973 Property Owner: Everett & Marguerite Enos Offutt Raud SV of Liberty Road on private lane reclass, to D.R. 16; S. E. for offices

BOARD OF EDUCATION

OF BALTIMORE COUNTY

Property Owner: Everett and Marguerite Enos Location: Liberty Road, S of Offutt Road Present Zoning: D.H. 3.5

sed Zoning: Reclass to D.R. 16

The subject petition is requesting a change from DR 3.5 to DR 16 of

Due to the size of the property, the zoning change should not have any major effect on trip density. It should be pointed out, however, that serious capacity problems do exist all along Liberty Road with no relief in sight, Especially, in the area from Offutt Road to the Beltway.

Very truly yours,

Linfan Mon

C. Richard Moore
Assistant Traffic Engl

TOWSON, MARYLAND - 21204

Date: April 25, 1973

Harry R. Hughes James J. O'Donnel

April 25, 1973

Mr. S. Eric DiNenna Roning Commissioner County Office Bldg.

Att. Mr. John J. Dillor

RE: RECIASSIFICATION, April 1973
Property 'Amer: Everett & Marguerite Enos Location: Laberty Rd. S of Offutt Rd. (Route 26)
Present Zoning: D.R. 3.5 Proposed Zoning: Feclass to D.R. 16 Distric: 2 No. Acres: 0.27 acres

Dear Mr. Edlennar

The existing entrance into the subject site is acceptable to the State

The 1972 average daily traffic count for this section of Liberty Road is 13.900 vehicles.

Very truly yours.

CL:JM:dr

Charles Lee, Chief Development Engineering Section

Other E. Meyers
BY: John E. Meyers
Asst. Tevelopment engineer

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 2120:

Baltimore County Fire Department



Towson, Maryland 21204 075-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Jack Dillon
Attention: Mr. Ghimendkuchysmay Chairman
Zoning Advisory Committee

Re: Property Owner: Everett and Marguerite Enos

Location: Liberty Road, S. of Offutt Road

Item No. Reclassification Zoning Agenda Tuesday, April 10, 1973 Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicabl 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 it 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 t ginning of the Delidious 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 drawm.

() 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: A Proget Macha L. Aprioved: Deputy Chief Special Inspection Division Fire Prevention Bureau

-BALTIMORE COUNTY. MARYLAND DEPARTMENT OF HEALTH-

April 9, 1973

DONALD J. ROOP, M.D., M.P.H.

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

Dear Mr. DiNenna:

Comments on reclassification, Zoning Advisory Committee Heeting, April 4, 1973, are as follows:

Property Owner: Everett and Marguerite Enos Location: Liberty Road, S of Offutt Road Present Zoning: D.R. 3.5 Proposed Zoning: Reclass to D.R. 16 No. Acres:0.27

Since metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

HVB:mns

Districts 2 0.27 acres Dear Mr. DiNenna:

Mr. S. Eric DiNenna Zoning Commissioner County Office Building

n, Miryland 21204

Acreage too small to adversely effect the student population.

Z.A.C. Meeting of:

Very truly yours, W Tick Petronel W. Nick Petrovich

" EMSLIE PACKS, POLE TO

MARCUS M. BOTSARIS JOSEPH N. MEGGWAN

IN THE MATTER OF THE PETITION OF

EVERET! M. ENOS and MARGUERITE P. ENOS, his wife

REASONS FOR RE-CLASSIFICATION

1. There was a mistake in the original zoning.

At the time the subject property was placed on the original zoning map it was roned as residential, immediately adjacent to a Bz zone used as a storage lot for an automobile agency, and under good zoning practices, this property should have been used as a transition property from Br to residential. The division line between the BL zone and DR 3.5 runs directly through the residence building on the property which is also an obvious error.

There has been a change in the character of the neighborhood since the original zoning. The use of the BR zoning adjacent to the property has intensified, making this property undesirable for residential use.

Since the adoption of the original zoning map some areas in the vicinity have developed commercially. The re-classification of the property would not have an adverse effect on the adjoining properties.

Attorney for the Petitioners

m1s 4/25/72

MAS BEBERT L. BERNEY

RICHARD W. TRACEY, VMC

E. F. RAPHEL & ASSOCIATES
Registed Projestional Land Surveyors
201 COURTLAND AVENUE

OFFICE: 82-13108

ESIDENCE: 771-4592

March 29, 1973

DESCRIPTION TO ACCOMPANY PETITION FOR PECLASSIFICATION OF PROPERTY OF EVERETT M. ENOS AND WIFE LIBERTY ROAD, SOUTH OF OFFUTT BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point in the first line of the land which by deed dated April 5, 1957, and recorded among the Land Records of Baltimore County in Liber G.L.B.3135, Folio 1, was conveyed by John A. Keck Jr. to Everett M. Enos and wife, said point being located southeasterly 400° along the center line of Liberty Road and \$38° w 215' from the intersection Tormad by the center line of liberty Road, 80° wide, and the center line of Offutt Road, 80° wide; running thence N51°57' w 105' more or less, and \$36°54' w 113.4', thence \$52° 04' E 109,84', and N35°01' E 113.4' to the place of beginning.

CONTAINING 0.27 acres of land more or less.
BEING the property of Everett M. Enos and wife,









CERTIFICATE OF PUBLICATION

TOWSON, MD. August. 16. 19.72

THIS IS TO CERTIFY, that the annexed selectisement was published in THE JEFFERSONIAN, a weekly assepaper printed and published in Towson, Baltimore County, Md. conclusional and published in Towson, Baltimore County, Md. conclusional and published in Towson, Baltimore County, Md. conclusional and conclusional control control county, Md. conclusional and control control county, Md. conclusional control control control county, Md. conclusional control co

B. Leank Structure.

Cost of Advertisement, \$----



RTIFICATE OF	PUBLICATION

Pikesville, Hd. Aug. 16, , 19

THIS IS TO CERTIFY, that the annexed advartisement was published in THE NORTHWEST STAR, a weekly newspaper printed and published in Pikes-ville, Beltimore County, Maryland, once in each of one time before the 6tilday of Sept. 1973
the first publication appearing on the 16th day of Aug. 1973

<u> Arnold Landau</u>

Cost of Advertisement, § 25.38



3 SIENS

74-50-RX

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Tousen, Maryland

Date of Posting August. 12, 1973

Poste: to D. Petition. Fer. Rechassien as seven. Petitioner: Eucrett. M. ENDS

Location of property Bris. 21%. Fixee. The Suys of Luberry, RJ. 400', S. of OFFUT. RJ.

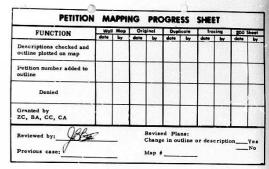
Location of Signar. O. Suys. Luberry, RJ. 420', t. o.a. S. of C. OFFUT. Rd.

(Q. 22% t. ora. From the Suys Luberry, 415', t. ora. S. of C. OFFUT. Rd.

Remarks:

Posted by Llocassia. F. Colonia.

Date of return. Aug. 24, 1973.



County Office OF PLANNING AND ZONING

County Office Building
III W. Changerier Avenue.

Tenson, Maryland 21204

Your Politica has been received this 3040 day of 1973

1973

THOROGA 1979. Item 1

Submitted by Deith
Politicand's Astenney Deith.

Reviewed by Office

This is not to be interpreted an acceptance of the Partition for assignment of a hearing date.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

12 Washingto Tomon, Haryl	2120A	111	ty Office Building W. Chesepeake Aven on, Meryland 21204	ue de la companya de
		Your Patitio	n has been receive	d and accepted for filing
this	1385	day of	April .	1973•
				10 , 01

J. FRIC DIREMA, Zoning Commissioner

Petitioner Everett H. and Harmorite F.	Chara .
Petitioner's Attorney Bolgh &. Bolto	
Petitioner's Attorney Brigh & Bolto ess & F. Rephol & Asses. 201 Courtiend Ave. (21204)	

BALTIMORE COUN	TY. MARYLAND	11186
OFFICE OF FINANCE - F	EVENUE DIVISION	
MISCELLANEOUS	CASH RECEIPT	
DATE3/4/73	ACCOUNT	01.662
1	AMOUNT_\$1	27.70
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adv. a Pa	مامت	

SALTIMORE COUNTY	MINE DIVISION	()		8332
May 3, 1973	ACCOUNT.	01-662		
	AMOUNT.	850.00		
WHITE - CASHIER Byerett Bace Took Ave.	PINK - AGENCY	7	VELLE	m - CUSTOMER
Pendaliston, Petition for E	Nd. 21133 coleccification	ng and	Speci	al Exception

