PETITION OR ZONING RE-CLAST FICATION 74.51-R AND/OR SPECIAL EXCEPTION

ONER OF BALTIMORE COUNTY:

to the Zoning Law of Baltimore County, from 186, RE-16, and RE. 3.5.

- 1. Error in original soning.
- 2. Substantial change in the character of the neighb

0 14.5.2.2

County, to use the hereia described property, for

Property is to be posted and advertised as prescribed by Zoning Regulation: sting, etc., upon filing of 'his petition, and further agree to and are to be bound by the arean gulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

William V Fabria 100 Westminster Road,

Reisterstown, Md. 21136

197 3, that the subject matter of this petition be advertised, as sore County, that property be posted, and that the public hearing be had before the Zonias

, 1973 , at 11:00 o'clock

00:11

RE: PETITION FOR RECLASSIFICATION NW/corner of Westminster Road and Wolf Street - 4th District William V. Fabrick - Petitioner NO. 74-51-R (Item No. 7)

BEFORE THE DEPUTY ZONING

COMMISSIONER OF

. BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a D. R. 16 Zone and D. R. 3. 5 Zone to a B. M. (Business, Major) Zone. The pro Wolf Street, approximately one thousand (1,000) feet west of the business district at the intersection of Westminster Road and Reisterstown Road, in the Fourth Election District of Baltimore County. The property contains . 568 acres, more or less, and is improved with a one and one-half $(\frac{1}{2})$ story dwell ing, garage, and a small shed.

The Petitioner, the only person to testfy on behalf of the request indicated that if his request was granted, he planned to utilize the existing dwelling for the rale of antiques and related items; and to utilize the existing commercial zone line immediately east of his property binding on the center line of Wolf Street, should be extended to include his property. Reference was one thousand (1,000) feet to the west of his property, and several con

property for twenty-three (23) years, appeared in protest of the Reclas It was their opinion that the zoning line, as it presently exists, should be main Any extention of the commercial zone to the west of its present location would represent a departure from the Comprehensive Zoning Map as adopted for the area, thereby having an unstablizing effect on the community as a whole

proposed development plans, indicated that water is available to serve the site However, public sewer is not available. The Department of Traffic Engineering states that the proposal would increase trip density from fifty (50) trips per day to two hundred and fifty (250) trips per day. They also state that the site itself is not of sufficient size to create any serious capacity problems. However, they caution that should this be the beginning of expansion of a commercial area in Reisterstown, a revision to the existing road

The Baltimore County Planning Board recommendations state that the existing zoning be retained.

After reviewing the above testimony and evidence presented, it is the opinion of the Deputy Zoning Commissioner that the commercial zone line, as it presently exists, is not in error and should not be extended to the west. The subject site does border commercial zoning and should be granted some relief as to the intensity of zoning permitted under the present classi-D. R. 3. 5 Zone line and a D. R. 16 Zone line, making it difficult to utilize in

ing, the Deputy Zoning Commissioner is enpowered to grant certain or more restrictive voning classifications or uses than Petitioned for. Under this ignation from a D. R. 3, 5 Zone and D. R. 16 Zone to a D. R. 2 Zone; grant a cial Exception for an antique shop as provided for in Section 1802. 1.; or grant Special Exception for office use in the existing D. R. 16 Zone as provided for under the same Section together with a use permit for passenger car parking in the D. R. 3. 5 Zone as provided for under Section 409.4. After considering both possibilities, it is the opinion of the writer that the latter of the two (2) avenues open would grant relief to the Petitioner while creating less

change or variance to the existing man.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this _____ day of November 1973, that the herein requested Reclassification from a D. R. 16 Zone and a D. R. 3. 5 Zone to a

It is further ORDERED that a Special Exception to utilize the existing frame dwelling on the subject property for office use be and the same is hereby Granted together with a use permit for parking on the residentially zoned D. R. 3. 5 zoned portion of the Petitioner's property, as indicated on the site plan submitted with this Petition. Said Special Exception and parking permit shall be subject to the following restrictions:

- !. Offices shall be confined to the dwelling and there shall be no exterior changes other than normal maintance and upkeep of the grounds including the parking area which must be installed prior to any ccupancy of the offices.
- ment of Public Works, Health Department, Depart-ment of Traffic Engineering and the Office of Planning and Zoning.



May 10, 1973

Planning and Zoning County Office Building

Comments on Item #7, V Zoning Cycle, April to October 1973, are at follows

The site plan must be revised to show the following

The night foot high screen fence as required by Section 405A

The access to the garage should if at all possible be from site itself and not Walfe Street.

Very truly yours, John L Wimbley

October 13, 1972

IN THE MATTER OF THE PETITION OF WILLIAM V. PARRICK for zoning reclassification from DR-16 and DR 3.5 to B M

MANDUM IN SUPPORT OF APPLICATION

The Petitioner's property comprises approximately six-sevenths (6/7) of an acre of land located on the Northwest corner of Wastminster Road and Wolf Street in the Fourth Election District of Beltimore County, Reisterstown, Maryland. The front portion of the property is presently soned DE-16 and the rear portion DE - 3.5. Your Petitioner submits that the existing soning classifications are in error and that use of the subject parcel under the uses permitted by the present soming is impossible and not economically feasible for the following reasons:

- (a) That portion of the property zoned DR-16 is too small for development under that soning classification.
- (b) That portion of the property zoned DR-3.5 is too small for development under that zonin; classification.
- (c) That property fronting on Westminster Road to the east of the subject property is presently somed B L and three additional parcels frantine on Ventminster Road in a westerly direction from the subject property are presently zoned B L or B N.
- (d) That by reason of the aforegoing and other reasons to be stated at the hearing hereon, the DR-16 and DR 3.5 soning was confiscatory and clearly erroseous.

Respectfully submitted.

SMITH, JOHNS & SMITH

Martin J. Smith

143 Main Street

Merchand 21114 Maryland 21136 833-1221 ev for Petitione

- 2 -

for the same at a point formed by the fiverpaction of the dead of description exactly the machine and as a times binding on the binding at the contract of degrees 22 c 136.13 fear, theme on divided line between Lore or or Jacob V. Welf's Buddinaton as filed in these WP 538 weth 67 degrees 42 minutes once 183.39 fear to the seeing such 67 degrees 42 minutes once 183.39 fear to the seeing

MING part of lots 3 and 4 as shown on Jacob W. Wolf's Subdivision in filed in Liber MC 338 felio 554

OCTOBER 13, 1972

3

ZON ING DESCRIPTION

- 3 -

DR 3.5 TO M

BECHNING for the same on the worthermost side of Welf Street at a point distant 27.60 feet perheaserly from the sam'ermost side of Westminster Rood said point being the division line between Lots 4 and 5 as shown on Jacob V. Welf's Subdivision as filed in Liber UPC 338 follo 5%, themes binding on said attent south 47 dagrees 42 minutes west 54 21 seet to the division line between DB 3.5 and DR 10 sending, themes on said soning time north 49 degrees 22 minutes west 136.03 feet, themes on the southwast morth 4: degrees 42 minutes east 17.74 feet, thence on the southwast side of Lot 5 south 42 degrees 18 vinutes east 135.00 feet to the southwast side of Lot 5 south 42 degrees 18 vinutes east 135.00 feet to the place of beginning.

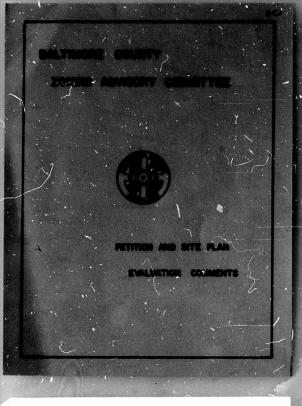
CONTAINING 0.195 acres of land more or less.

SEING part of Lots 3 and 4 as shown on Jacob W. Wolf's Subdivision as filed in Liber WPC 338 folio 554.

OCTOBER 13. 1972



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING PLANNING 464-3211



. BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 13, 1973

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

JOHN J. DILLON, JR.

MEMBERS

DEPARTMENT OF TRAFFIC ENGINEERING STATE BOADS CON

BUREAU OF HEALTH DEPARTMENT PROJECT PLANNING BUILDING DEPARTMENT BOARD OF EDUCATION ZONING ADMINISTRATION Mertin J. Smith, Esq., 143 Main Street Reisterstown, haryland 21136

RE: Reclassification Petition Item 7 William V. Fabrick - Petitioner

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 suare 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 retuested

The subject property is located on the northwest corner of Vestafinater Road and Wolf Streat, in the 4th District of Baltimore County. This property is presently zoned R 3,5 and 08 16. The Front portion of this property is zoned R 3,5 and 08 16. The Front portion of this property is zoned R 15,6 and contains 5,6 acres of lead, This portion of the property is improved with a shed. The rear portion of this site, approximately 183 feet morthess to flustrinister Road is zoned D8 3,5 and contains 0,195 acres. The petitioner's request for Business Major zoning is presumbly to that he may convert the one story frame garage to a service strain of the convert the one story frame garage to the service strain of the convert the property of the convert the property of the property of the convert of the

Revised site plans will be required in connection with this petition that indicate the requirements of Section of 405A, which are the service garage regulations, especially with

Mortin J. Smith, Esq., Item 7 Page April 13, 1973

regard to the 8 foot high screen fence. The Committee is also concerned with the precise type of service garage facility that will be provided on the site. Will this consist of a body and fender operation or will there just be major engine work conducted on this site.

This petition for reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to Friday, June 1, 1973 in order to allow time for final Committee review and advertising. Failure to comply may result in this petition being scheduled for a hearing. Notice of the hearing date and time, which will be between Sentember 1, 1973 and October 15, 1973 will be forwarded to you well in advance of the date and time.

of Dillon of

JJDJr. 1JD

(Enclosure)

cci David W. Dallas,Jr., 8713 Old Harford Road Baltimore, Hd. 21234

Baltimore County, Maryland Bepartment Of Bublic Morks

COUNTY OFFICE BUILDING

Bureau of Engineering

April 25, 1973

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

> Re: Item #7 (April to October 1973 - Cycle V) Property Owner: William V. Fabrick N/W corner of Westminster Road and Wolf Avenue Present Zoning: D.R. 3.5 and D.R. 16 Proposed Zoning: Reclass. to B.M. District: hth No. Acres: 0.568

The following comments are furnished in regard to the plat submitted to this office for review by the loning Advisory Committee in connection with the subject item.

Westminster Road is a State Road. All improvements within the Westminster Road right-of-way will be subject to State Highway Administration requirements.

Highways:

Wolf Avenue, an existing road will be improved with a 30-foot closed section with curb and gutter on a 50-foot right-of-way.

The fetitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any muisances or damages to adjusent properties, especially by the concentration of nurface waters. Correction of any problem which any result, due to improper greating or improper installation of drainage facilities, would be the full responsibility of the Artitioner.

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, messary for all grading, including the stripping of top soil.

Public water is available to serve this property. There is an existing 6-inch water main in Wolf Avenue. (See Drawing #88-0063, A-4,-b)

-BALTIMORE COUNTY, MARYLAND

April 9, 1973

Item #7 (April to October 1973 - Cycle V)
Property Owner: William V. Fabrick Page 2 April 25, 1973

Public sewer is not available to serve this site.

Very truly yours.

ISWORTH N. DIVER, P.E. Chief. Bureau of Engineering

END: BAM: HWS: sa

Sanitary Sewer:

X-SE Key Sheet NW 16 K Topo

Baltimore County Fire Department

Gentlemen:



Towson Maryland 21204

Office of Planning and Zoning Baitimore County Office Building Towson, Maryland 21204 Attention: Mr. Burnes Attention: Mr. Burnes Advisory Committee

Re: Property Owner: William V. Fabrick

Location: E/S of Westminster Road, N/S of Wolf Street

Item No. MECLASSIFICATIONS Zoning Agenda Tuesday, April 3, 1973

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.

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 D-poartment 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.
The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning

of the Fire Prevention Gode prior to occupancy or beganning of operations.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Pire Protection Association Standard No. 101

10. The Life Safety Code", 1970 Edition prior to occupancy.

11. The Pire Prevention Bureau has no comments at this time.

Reviewer: 400 Planning Group Special Inspection Division

The hotel and Paul H Reinche Frey Prevention Bureau

BAL'/IMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

Re: Item 7 - Cycle Zoning V - April to Oct. 1973 Property Owner: William V. Fabrick NVC of Westminster Road & Wolf Street Reclass. to B.M. - District 4

The subject petition is requesting a change from DR 3.5 \pm DR 16 to BM of .568 acres. This should increase the trip density from 50 to 250 trips

This site in itself, is not of sufficient size to create any serious capacity problems. However, should this be just the beginning of the expansion of the commercial area in Relsterstomm, a revision to the road system may be

Mr. S. Eric DiNenna

CRM:nc

Zoning Commissioner County Office Building



DEPARTMENT OF TRAFFIC ENGINEERING

April 26, 1973

EUGENE J. CLIPPORD. P.E.

WM. T. MELZER

JEFFERSON BUILDING

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

DEPARTMENT OF HEALTH—

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 Meeting, April 4, 1973, are as follows:

Property Owner: William V. Fabrick Location: E/S Westminster Rd., N/S Wolf Street Present Zoning: D.R. 15 and D.R. 3.5 Proposed Zoning: Reclass to B.M. District: 4 Wo. Acres: 0.568

Metropolitan water is available. Private sewage disposal system functioning satisfactorily at this time.

Very truly yours,

Thomas H. Devlin, Director F'REAU OF ENVIRONMENTAL SERVICES

HVB:mn6

m1s 4/25/72

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 11, 1973

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

Z.A.C. Meeting of: Tuesday April 3, 1973

: Item 7
Property Owner: William V. Fabrick
Location: E/S. of Westminster Road, N/S of Wolf Street
Present Zoning: D.R. 16 and D.R. 3.5
Proposed Zoning: Reclass to B.M.

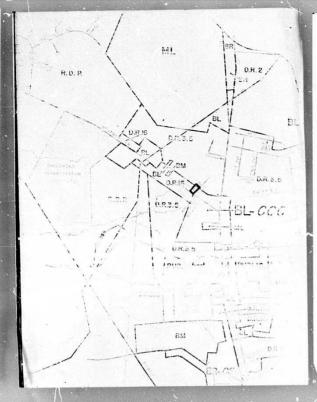
Acreage too small to have an effect on student population.

Very truly yours, W. Nick Petrouch

H. EMBLIE PARKS, TANDALLY EUGENE C. HESS, TANDALLY MRS. ROBERT L. BERNEY

ALVIN LORECK

T. BAYARD WILLIAMS, JA



BM

O D.R. 18

May 9, 1973

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

Att: Mr. John Dillon

RE: RECLASSIFICATION, April, 1973
Property Owner: William V.Fabrick
Location: E/S of Westminister
Road, (Rte. 1ho) N/S of Wolf St.
Prosent Joning: D.R. 16 & D.R.
3.5

3.5 Proposed Zoning: Reclass to 3.M. District: h No. Acres: 0.568 acres

The highway improvements indicated on the setject plan are acceptable to the State Highway Administration.

The 1972 average daily traffic count for this section of Restainister bad is 11,300 vehicles.

Very truly yours.

CL: JM:dr

Charles Lee, Chief Development Engineering Section

John E. Mayers

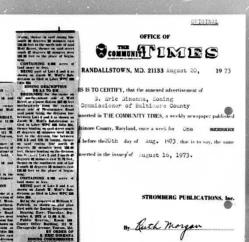
Acat. Development Engineer

P.O. Box 717 / 300 West Preston Screet, Baltimore, Man



CERTIFICATE OF PUBLICATION

L. Leank Shuth





74-51-R

CERTIFICATE OF POSTING PARTMENT OF BALTIMORE COUNTY

Date of Posting AuGo 97 18 / 773 Posted for Petition FOR Rechassification Petitioner: WILLIAM V. FABRICK Location of property: NW/COR. OF WESTMINSTER RJ. AND WOLF STREET Location of Signs NW/COL OF WESTMINSTER Pd AND WOLF STREET FRONT 100 WOSTHWITTE Rd Posted by Flaceurs B. Robaccol Data of return: AUG. 24, 1973

PETITION MAPPING PROGRESS SHEET FUNCTION Descriptions checked and Petition number added to outline Granted by ZC, BA, CC, CA Revised Plans: Change in outline or description___Yes

AMOUNT .50.00

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

TE Nov. 1, 1973 ACCOUNT 01-662 AMOUNT \$138.57 138,57 HSC BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

SALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

D.R. 3.5

BL-CCC

REISTERSTOWN















