

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

THOMAS ADAM and
I, or we, AVIS ADAM, his wife, legal owners 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from D.R. 3.5 zone to B.M. zone, for the following reasons:

Error in original zoning

Changes in the neighborhood make such a reclassification reasonable and necessary
(See attached Description and Plat)

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

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or 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 County.

Thomas Adam Avis Adam
Contract purchaser Legal Owner
Address: 206 Eastridge Gerth Address: 4918 White Marsh Road
Towson, Md. 21204 Baltimore County, Maryland
Petitioner's Attorney Protestant's Attorney
Address: 202 W. Penna. Ave.
Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of April, 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 108, County Office Building in Towson, Baltimore County, on the 24th day of September, 1973, at 1:00 o'clock

Carville M. Downes
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
N/S of Whitmarsh Road, 4500' NE : ZONING COMMISSIONER
of Buck Schoolhouse Road - :
11th District : OF
Thomas Adam - Petitioner :
NO. 74-72-R (Item No. 30) : BALTIMORE COUNTY

The Petitioner has withdrawn this Petition, therefore, IT IS
ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of November 1973, that the said Petition be and the same is hereby
DISMISSED without prejudice.

H. R. H.
Zoning Commissioner of
Baltimore County

BRIEF SUPPORTING REASONS FOR
RECLASSIFICATION OF PROPERTY AT
WHITE MARSH ROAD, 14th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

ERROR IN ORIGINAL ZONING

The subject tract lies directly across the road from a large gravel quarry which uses large trucks and digging equipment. This type of use does not warrant a D.R. 3.5 zone and would make such a low density residential use unwarranted.

The subject tract falls away from the road sharply to a large flood plain which includes White Marsh Run and thus a large portion of the property is unusable for residential purposes.

CHANGE IN THE NEIGHBORHOOD

The subject tract lies in a D.R. 3.5 zone but just east of the property (several thousand feet), There has been a recent change in zoning in a large tract to a zoning compatible with the zoning requested here.

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DOWNES & SEILAND
ATTORNEYS AT LAW
108 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
POST OFFICE BOX 5404

September 27, 1973

CARVILLE M. DOWNES
JOHN D. SEILAND
CHARLES A. JENKINS

ml 73058

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

Re: Application for Zoning Reclassification
Item #30, V Zoning Cycle, April to October 1973

Dear Mr. DiNenna:

This letter is to formally confirm the actions taken on September 24, 1973 before you with regard to the above captioned matter of withdrawing the Petition for Zoning Reclassification and requesting a dismissal without prejudice, effective immediately. Your cooperation is sincerely appreciated.

Very sincerely,

DOWNES & SEILAND

Carville M. Downes

CND:jjs



ALAN & HOLDEPER, INC.
SURVEYORS AND CIVIL ENGINEERS
2015 BELAIR ROAD BALTIMORE, MD 21206-3001 800-1501
1000 PULASKI STREET - CAMDEN, MD 21613-3001 410-391-1100
111 E. MAIN STREET - WESTMINSTER, MD 21157-3001 848-1700
22 S. WASHINGTON STREET - PAXTON, MD 21084-3001 822-1437
March 29, 1973

DESCRIPTION TO ACCOMPANY PETITION FOR ZONING RECLASSIFICATION
OF 4918 WHITE MARSH ROAD FROM D.R. 3.5 TO B.M. ZONE, 14TH
ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

BEGINNING FOR THE SAME in the center of Whitmarsh Road at a point situate 4,900 Feet, more or less, northeasterly measured along the centerline of Whitmarsh Road from its intersection with the centerline of Buck School House Road, thence leaving said place of beginning and the centerline of said road and running (1) North 19 degrees 18 minutes 00 seconds East 616.63 Feet to the center of Whitmarsh Run, thence running and binding in the center thereof, the 9 following courses and distances, vizi: (2) South 58 degrees 00 minutes 26 seconds East 19.63 Feet (3) North 74 degrees 53 minutes 37 seconds East 38.62 Feet (4) North 43 degrees 03 minutes 29 seconds East 62.93 Feet (5) North 85 degrees 13 minutes 41 seconds East 27.85 Feet (6) South 53 degrees 17 minutes 36 seconds East 20.94 Feet (7) North 85 degrees 01 minutes 44 seconds East 89.70 Feet (8) South 34 degrees 14 minutes 45 seconds East 50.63 Feet (9) South 10 degrees 11 minutes 02 seconds East 42.43 Feet and (10) South 72 degrees 25 minutes 10 seconds East 38.10 Feet, thence leaving the center of Whitmarsh Run (11) South 19 degrees 18 minutes 00 seconds West 499.19 Feet to the center of Whitmarsh Road, thence running and binding in the center of Whitmarsh Road (12) South 79 degrees 55 minutes 28 seconds West 352.00 Feet to the place of beginning.

Containing 4.153 acres of land, more or less.
This description has been prepared for zoning purposes only and is not intended to be used for conveyance.

L. Alan Evans



L. ALAN EVANS, P.E., L.S.
2 CARROLL LANE, L.S.
GEORGE W. HOLDEPER, P.E.
CAMDEN, WESTMINSTER, JESSE W. HURLEY, RICHARD J. MULL
ASSOCIATES

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



May 23, 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:

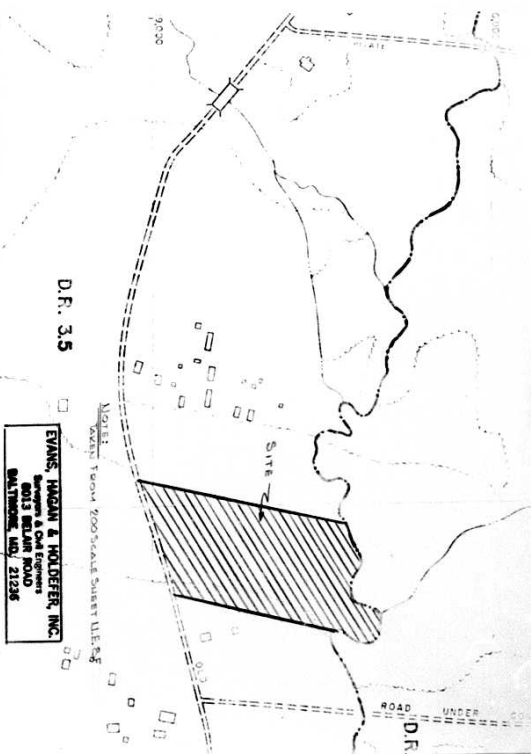
Comments on Item #30, V Zoning Cycle, April to October 1973, are as follows:

Property Owner: Thomas and Avis Adams
Location: N/S Whitmarsh Road, 4500' E of Bucks Schoolhouse Road (4918 White Marsh Road)
Present Zoning: D.R. 3.5
Proposed Zoning: Reclassification to B.M.
District: 14
No. Acres: 4.153

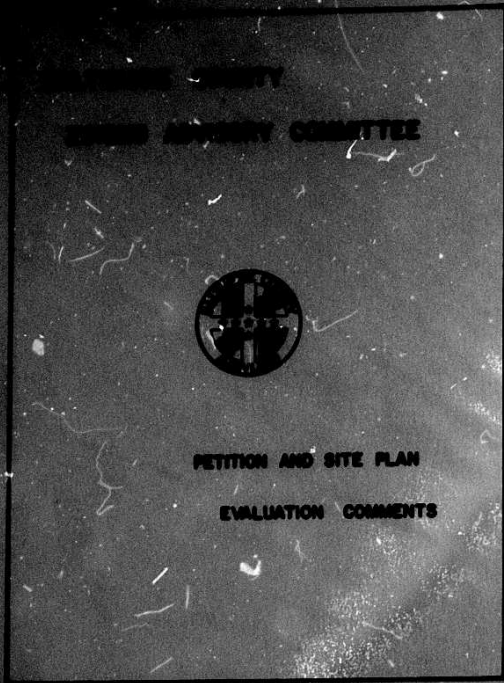
This plan has been reviewed and there are no site-planning factors requiring comment.

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 108 WEST CHESAPEARE AVENUE TOWSON, MARYLAND 21204
AREA CODE 361 PLANNING 464311 ZONING 464361



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 13, 1973

COUNTY OFFICE BUILDING
111 E. Chesapeake Ave.
Towson, Maryland 21204

Carville M. Downes, Esq.
302 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Reclassification Petition
Item 30
Thomas and Avis Adam - Petitioners

JOHN J. DILLON, JR.
Chairman

MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF
LAND PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BOARDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

Dear Mr. Downes:

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 north side of White Marsh Run Road, approximately 4500 feet north of the center line of the intersection of Bucks School House Road and White Marsh Run Road. This property is currently zoned D.R. 3.5 and is improved with a very attractive and well maintained one story brick dwelling and is comparable to other dwellings that are existing or under construction in this area. The property is also improved with a one story frame building at the rear of the property which is shown on the site plan as an office and existing shop. A very serious question has arisen as to how this structure was built on this property and what type of permits were requested, as it appeared to be an obvious violation of the Zoning Regulations of Baltimore County.

There is no curb and gutter existing along White Marsh Road at this location, and petitioner alleges that change of zoning is warranted because there is a use of a gravel pit on the opposite side of White Marsh Run and the property is zoned D.R. 3.5. There are no other recent reclassifications or changes in this area that the Committee can locate.

With regard to the office and shop at the rear of this property, a review of the Permits Division indicated that a permit was issued on July 20, 1952 for a residential garage. However, further investigation of the assessment records

Carville M. Downes, Esq.
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indicates that it was not assessed as a garage, but in 1969 was assessed as a shop. It is apparent at this time that the permit was fraudulently applied for and not built in strict accordance with Baltimore County Zoning Regulations, and, furthermore, the petitioner is now alleging that because of other changes in the area this property should be zoned Business Major. This office has no further comments with regard to this petition.

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 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.

Very truly yours,
John J. Dillon, Jr.
JOHN J. DILLON, JR.,
Chairman,
Zoning Advisory Committee

JJD:JJO
(Enclosure)

cc: Evans, Hagan & Noldefer, Inc.
8013 Belair Road
Baltimore, Md. 21236

Baltimore County Fire Department

J. Austin Deitz
Chief



Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Mr. JACK DILLON
Zoning Advisory Committee

Re: Property Owner: Thomas and Avis Adam
Location: 4918 White Marsh Road

Item No. Reclassification Zoning Agenda Tuesday, April 10, 1973
30
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 _____ 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 beginning of operations.
- (X) 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 by: *H. P. [Signature]* Noted and Approved: *Paul H. [Signature]*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

nl
4/25/72

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

Bureau of Engineering
ELLSWORTH H. OVER, P. E. CHIEF

April 17, 1973

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

Re: Item #30 (April to October 1973 - Cycle V)
Property Owner: Thomas and Avis Adam
4918 White Marsh Road
Present Zoning: D.R. 3.5
Proposed Zoning: Reclass. to B.M.
District: 14th No. Acres: 4.153 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.

Highways:

White Marsh Road, an existing County maintained road is proposed to be improved in the future with a 40-foot curbed street on a 60-foot right-of-way.

Highway improvements are not required at this time. Highway right-of-way and widening including any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

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

Storm Drains:

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.

No provisions for accommodating storm water or drainage have been indicated on the subject plan; however, storm drainage studies, facilities and easements or flood plain reservations, will be required in connection with the proposed development of this property beyond its present use.

Property Owners: Thomas and Avis Adam
Page 2
April 17, 1973

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.

Water:

This site is presently being served by a well. Public water service is not available.

Sanitary Sewer:

This site is presently being served by a septic tank. A public 27-inch sewer traverses the rear portion of this property.

Very truly yours,

Ellsworth H. Over
ELLSWORTH H. OVER, P.E.
Chief, Bureau of Engineering

END:EHM:CLM:ess

H-SN Key Sheet
30 NE 25, 30 NE 26 Pos. Sheets
NE 8 & 9 topo

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
CHIEF
WILL T. NELSON
DEPUTY TRAFFIC ENGINEER

April 27, 1973

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

Re: Item 30 - Cycle Zoning V - April to Oct. 1973
Property Owner: Thomas & Avis Adams
Whitmarsh Road E. of Bucks Schoolhouse Road
Reclass. to B.M. - Dist. 14

Dear Mr. DiNenna:

The subject petition is requesting a change from DR 3.5 to BM of 4.1 acres. This should increase trip density from 140 to 2000 trips per day. Whitmarsh Road is of insufficient width to accommodate commercial zoning.

Very truly yours,
C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM:nc

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

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

April 11, 1973

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: Thomas and Avis Adam
Location: 4918 White Marsh Road
Present Zoning: D.R. 3.5
Proposed Zoning: Reclass to B.M.
District: 14
No. Acres: 4.153

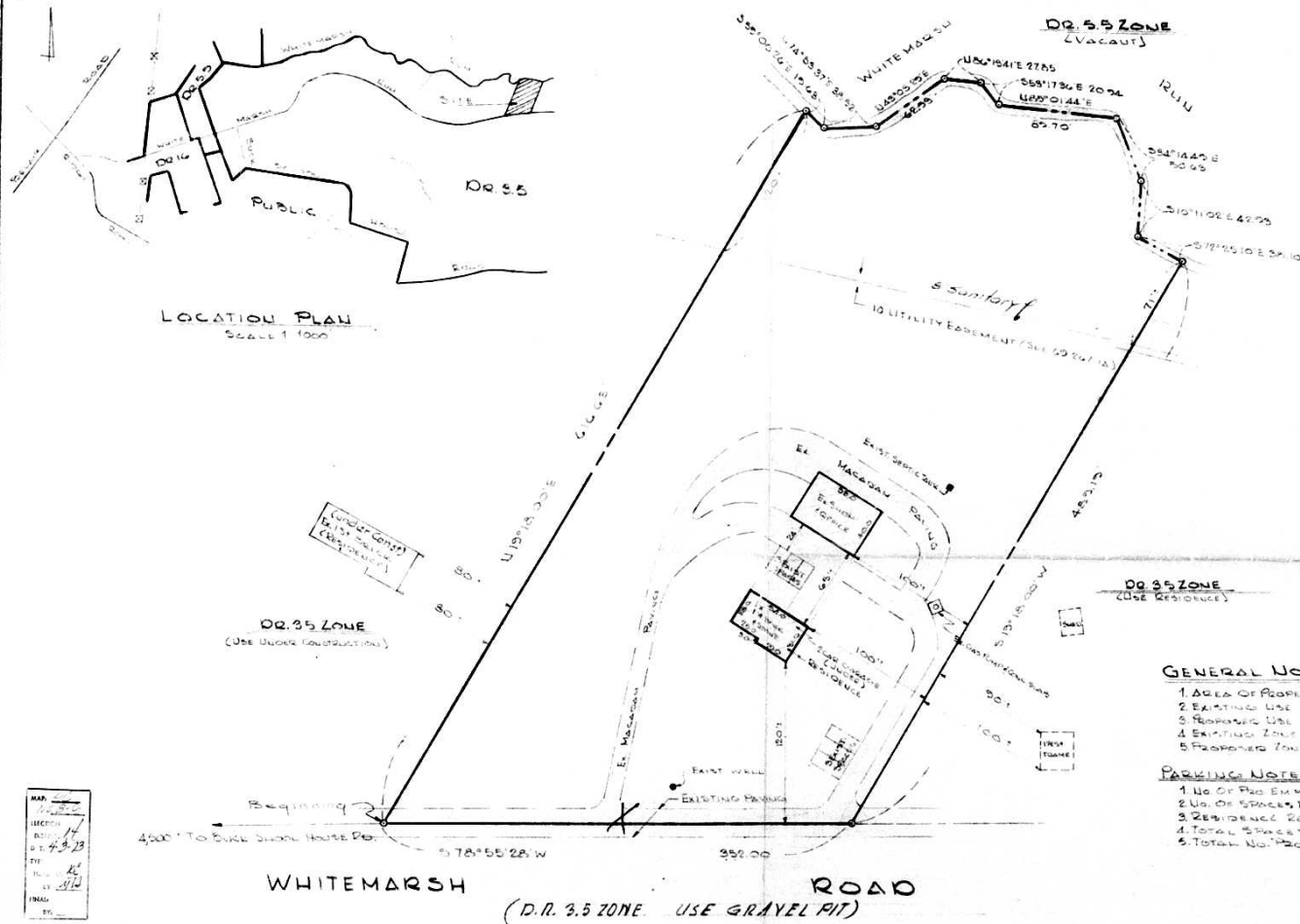
Private water supply.

Sanitary sewer is available.

Very truly yours,

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

HVB:mag



GENERAL NOTES:

- | | |
|---------------------|-------------------------|
| 1. AREA OF PROPERTY | 2.155 AC. |
| 2. EXISTING USE | RESIDENCE - 200' x 100' |
| 3. PROPOSED USE | RESIDENCE - 200' x 100' |
| 4. EXISTING ZONE | DR 3.5 |
| 5. PROPOSED ZONE | DR 3.5 |

PARKING NOTES:

1. No. Of Paid Employees - 2
2. No. Of Spaces Required - 213 - 1 Space
3. RESIDENCE REQUIRED - 2 Spaces
4. Total Spaces Required - 215 Spaces
5. Total No. Provided - 215 Spaces

PLAT TO ACCOMPANY PETITION FOR ZONING RECLASSIFICATION

4918 WHITE MARSH ROAD

14th ELECTION DISTRICT

BALTIMORE CO., MD

For

C. MARSHALL WILLIAMS & WIFE - 206 EASTRIDGE GARTH BALTO 21035

EVANS, HAGAN & HOLDEFER, INC.		
DATE	APPROVED BY	BY
SURVEYORS AND CIVIL ENGINEERS		
6013 BELAIR ROAD / BALTIMORE, MD 21224		
(301) 646-1501		
DESIGNED BY W. WATTS		800 POPPUS STREET / CARROLLTON, MD 21033 / (301) 380-0000
DRAWN BY		110 S. MAIN STREET / WINDHAM, MD 21107 / (301) 640-1500
CHECKED BY		12 S. WASHINGTON ST. / BALTIMORE, MD 21201 / (301) 640-1500
IN CHARGE		
DATE		DATE

