

74-19-2A **PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John H. Otto, et ux, legal owner(s) 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone; for the following reasons:

and a variance from § 1802.2B(504.V.B.2) to permit a side yard setback of 13.5 feet instead of the required 25 feet, and to permit 16 feet between buildings instead of the required 50 feet.

And a Variance from Section 1802.2B(504.V.B.2) to permit a side yard setback of 13.5 feet instead of the required 25 feet and to permit 16 feet between buildings instead of the required 50 feet.

Property is to be ported and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above reclassification 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.

John H. Otto Legal Owner
Elinor M. Otto Legal Owner
Frederic B. Johnston Contract purchaser
Nelson R. Kerr, Jr. Petitioner's Attorney

Address _____
Petitioner's Attorney _____
Nelson R. Kerr, Jr.
210 West Pennsylvania Avenue
Towson, Maryland 21204

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day of _____, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of October, 1973, at 1:00 o'clock.

Nelson R. Kerr, Jr.
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
AND VARIANCES : DEPUTY ZONING
SW/corner of Belair Road and Baker Lane - 11th District : COMMISSIONER
John H. Otto - Petitioner : OF
NO. 74-109-XA (Item No. 46) : BALTIMORE COUNTY

This Petition represents a request for a Special Exception for professional and general offices, and Variances for side yard setbacks. The property in question contains .26 of an acre, more or less, and is located on the southwest corner of Belair Road and Baker Lane, in the Eleventh Election District of Baltimore County.

Testimony indicated that the subject property is located in a commercial area of Belair Road and is, in fact, surrounded on three sides by either commercially zoned property or dwellings that have been converted to office use.

The Petitioner's site plan provides for adequate off-street parking and circulation from both Baker Lane and Belair Road. The plan has been reviewed by County agencies and all comments by said agencies, with regard to the Petitioner's proposed improvements, have been satisfactorily complied with.

Water and sewer are available and no detrimental comments were made by either the State Highway Administration or the Baltimore County Department of Traffic with regard to traffic problems.

The Petitioner's testimony made specific reference to the fact that the requested Variances do not have the affect of creating lesser setbacks than presently exist but will provide for an extension or addition to the rear, of the same width as the existing dwelling.

There were no area residents present in protest of the request, and the recommendations of the Baltimore County Planning Board were favorable.

After reviewing the above testimony, it is the opinion of the Deputy Zoning Commissioner that the Petitioner has met the requirements of Section 502.1 of the Baltimore County Zoning Regulations, and the Special Exception should be granted. The requested Variance provides for a reasonable addition to the rear of the existing dwelling, and as such, would not be detrimental to the health, safety and general welfare of the community and should also be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 5th day of November 1973, that the herein described property or area should be and the same is hereby Granted a Special Exception for professional and general offices.

It is further ORDERED that the Variance to Section 1802.2B (504.V.B.2) to permit a side yard setback of 13 feet instead of the required 25 feet, and to permit 16 feet between buildings instead of the required 50 feet is also Granted. Said Special Exception and Variances shall be subject to:

1. No additional expansion other than indicated on the Petitioner's plan.
2. Approval of a site plan that encompasses the subject property as well as his adjoining property at 9608 Belair Road.
3. Said site plan is to be approved by, and comply with the comments of the State Highway Administration, Department of Public Works, Department of Traffic Engineering and the Office of Planning and Zoning, including the provisions for a driveway and circulation between the two parking areas.

James E. Hahn
Deputy Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
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

DEPARTMENT OF EDUCATION

ZONING ADMINISTRATION

MUNICIPAL DEVELOPMENT

Nelson R. Kerr, Jr., Esq.
210 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Special Exception Petition
Item 46
John H. Otto, et ux -
Petitioners

Dear Mr. Kerr:

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 northwest corner of Belair Road and Baker Lane, in the 11th District of Baltimore County.

This property is presently zoned DR 16 and lies directly adjacent to an existing DR 16 property that received a Special Exception under Case No. 71-20-X and 71-163-X. The current proposal is to develop this property in conversion with the adjoining property.

There is an existing two-story dwelling on this site and the petitioner is proposing to erect an addition to the rear of this site and is requesting a Variance to permit a 16 foot

Nelson R. Kerr, Jr.,
Item 46.

setback between buildings instead of the required 50 feet. In general, the Committee is in agreement with the proposal. However, we feel that the two parking areas should be combined to provide ease of traffic flow within the proposed development.

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 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: Dollenberg Brothers
709 Washington Avenue at York Road
Towson, Md. 21204

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

BY: Eric J. Clafford, P.E. DIRECTOR
Wm. T. Miller DEPUTY TRAFFIC ENGINEER

September 27, 1973

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

Re: Item 46 - ZAC - August 28, 1973
Property Owner: John H. Otto, et ux
84/5 Belair Road
Variance to permit a sideyard setback of 13.5 feet instead of the required twenty-five (25) feet and to permit sixteen (16) feet between buildings instead of the required fifty (50) feet
Special Exception for professional and general offices
District 11

Dear Mr. DiMenna:

This office has reviewed the submitted petition and has the following comments:

1. The two parking areas should be connected on site.
2. All internal driveways must be a minimum of 20 feet wide.
3. The driveway opening on Baker Lane can not be any wider than 24 feet.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF/pk

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

Branch of Engineering
ELLSWORTH M. DIVER, P.E., CHIEF

September 18, 1973

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

Re: Item #46 (1973-1974)
Property Owner: John H. Otto, et ux
NW/8 of Belair Road
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for professional and general offices. Variance to permit a sideyard setback of 13.5' instead of the required 25' and to permit 16' between buildings instead of the required 50'.
District: 11th No. Acres: 0.26

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:

Belair Road (U.S. 1) is a State Road; therefore, all improvements, intersections, entrances and entrance requirements as they affect the road come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Baker Lane is an existing improved County street. No further highway improvements are required. Any construction or reconstruction of sidewalks, curb and gutter, entrance, apron, etc. will be the full responsibility of the Petitioner.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed 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.

Item #46 (1973-1974)
Property Owner: John H. Otto, et ux
Page 2
September 18, 1973

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property. It appears that additional fire hydrant protection may be required in the vicinity.

Very truly yours,

Ellsworth M. Diver
Ellsworth M. Diver, P.E.
Chief, Bureau of Engineering

ENCLOSURES:

Q-SN Fee Sheet
42 & 43 NW 29 Fee Sheets
NY 11 H Topo
72 Tax Map



Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans
Administrator

September 10, 1973

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

RE: J.A.C. meeting August 29, 1973
Property Owner: John H. Otto, et ux
Location: NW/8 of Belair Road Rtl
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for professional and general offices
Variance to permit a sideyard setback of 13.5 feet instead of the required twenty-five (25) feet and to permit sixteen (16) feet between buildings instead of the required fifty feet.
Election District: 11
No. of acres: 0.26
Item: 46

Dear Mr. DiNenna:

There is no direct access proposed from Belair Road to the subject site, therefore, there will be no requirements by the State Highway Administration.

The 1972 average daily traffic count for this section of Belair Road is 30,000 vehicles.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering Access Permits
By: John L. Meyers

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

August 29, 1973

DONALD J. ROOP, M.D., M.P.H.
HEALTH AND ENVIRONMENTAL SERVICES

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

Dear Mr. DiNenna:

Comments on Item 46, Zoning Advisory Committee Meeting
August 28, 1973, are as follows:

Property Owner: John H. Otto, et ux
Location: NW/8 Belair Road, cor. Baker Lane
Present Zoning: D.R. 16
Proposed Zoning: Special Exception for professional and general offices. Variance to permit a sideyard setback of 13.5' instead of required 25' and to permit 16' between buildings instead of req. 50'.
District: 11
No. Acres: 0.26

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

Very truly yours,

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

HVS:mn

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 31, 1973

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

Re: Item 46
Property Owner: John H. Otto, et ux
Locations: NW/8 of Belair Road
Present Zoning: D.R. 16
Proposed Zoning: Special Exception for professional and general offices. Variance to permit a sideyard setback of 13.5 feet instead of the required twenty-five (25) feet and to permit sixteen (16) feet between buildings instead of the required fifty (50) feet.

District: 11
No. Acres: 0.26

Dear Mr. DiNenna:

No adverse effect on student population.

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

WNP/ml

H. EMILIE PARRIS, Secretary
EUGENE C. HARRIS, Treasurer
MR. ROBERT L. BERRY

MARCUS P. MURRAY
DREW N. MURPHY
ALVIN LORICK
JOSHUA L. WHEELER, Superintendent

T. RAYARD WILLIAMS, JR.
RICHARD W. TRADY, V.M.D.
MR. RICHARD K. KUEPFLER

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



October 9, 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 #46, Zoning Advisory Committee Meeting, August 28, 1973, are as follows:

Property Owner: John H. Otto, et ux
Locations: NW/8 of Belair Road
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for professional and general offices Variance to permit a sideyard setback of 13.5 feet instead of the required twenty-five (25) feet and to permit sixteen (16) feet between buildings instead of the required fifty (50) feet.

Election District: 11
No. of Acres: 0.26

The site plan must be revised to show the following:

1. The parking areas must be joined.
2. 4 foot high screening must be provided at the rear of the property.
3. Any exterior lighting - limited 8 feet in height.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project & Development Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 100 WEST CHESTERPAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 466-3311 ZONING 466-3311

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: October 26, 1973
FROM: William D. Fromm, Director
Office of Planning
Petition #74-109-XA. Southwest corner of Belair Road and Baker Lane.
SUBJECT: Petition for Special Exception for Offices and Office Building.
Petition for Variance for Side Yard.
Petitioner - John H. Otto and Elinor M. Otto

11th District

HEARING: Wednesday, October 24, 1973 (1:00 P.M.)

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

D.R. 16 zoning was recommended to be placed on this property by the Planning Board in anticipation that the property would be converted to office use.

If approved, any construction on this site should be conditioned to conformance to an approved site plan.

William D. Fromm
William D. Fromm, Director
Office of Planning

WDF:NEF:rv

DOLLENBERG BROTHERS

Registered Professional Engineers & Land Surveyors
708 WASHINGTON AVENUE AT YORK ROAD
TOWSON, MD. 21204

August 15, 1973

For the purpose of Zoning only.

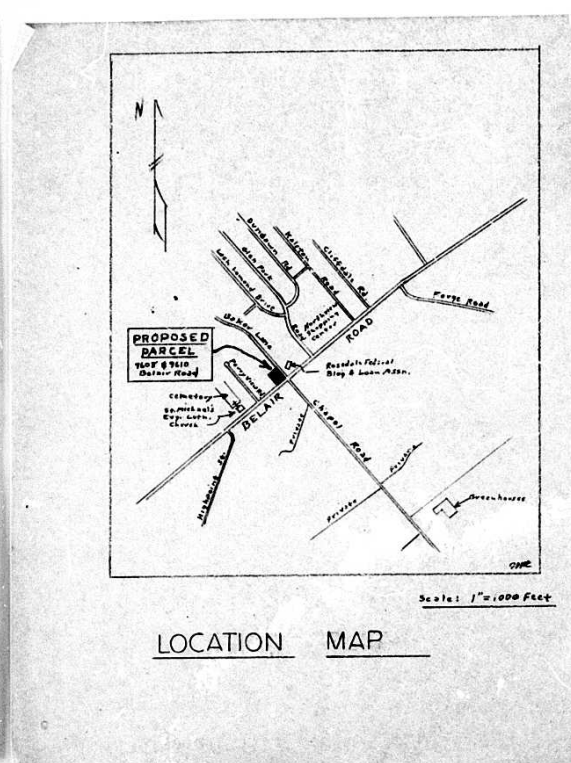
All that piece or parcel of land situate, lying and being in the Eleventh Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same on the northwest side of Belair Road, 60 feet wide, at the distance measured South 49 degrees 49 minutes West 45 feet from the center line of Baker Lane and running thence and binding on the northwest side of Belair Road South 49 degrees 49 minutes West 38.50 feet, thence leaving the Belair Road and running for the two following courses and distances viz: north 40 degrees 11 minutes West 200 feet and North 49 degrees 49 minutes East 56.52 feet to the southwest side of Baker Lane, 50 feet wide and thence running and binding on the southwest side of Baker Lane the two following courses and distances viz: South 40 degrees 45 minutes East 176.10 feet and South 0 degrees 43 minutes East 31.09 feet to the place of beginning.

Containing 0.26 of an Acre of land more or less.

Being the property of the petitioner herein and more fully shown on a plat plan filed with the Zoning Department of Baltimore County.



[illegible]

ORIGINAL

OFFICE OF

 **THE
ESSEX TIMES**

ESSEX, MD. 21221 October 8, 1973

THIS IS TO CERTIFY, that the annexed advertisement of
 S. Eric Dinema, Zoning
 Commissioner of Baltimore County

was inserted in THE ESSEX TIMES, a weekly newspaper published in
Baltimore County, Maryland, once a week for One ~~XXXXXX~~
week before the 8th day of Oct., 1973 that is to say the same
was inserted in the issue of October 4, 1973.

STROMBERG PUBLICATIONS, Inc.

By Rich Morgan

[illegible]

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 14, 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., once in each one time, announcing each before the 24th day of October, 1973, the 5th publication appearing on the 4th day of October, 1973.

THE JEFFERSONIAN.

L. Frank Smith Manager

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

74-169-A

Date of Posting: 10-4-73

Mag. Noted Oct 24, 1973. A 1' x 2' E.M.

H. Ott

541/2 E. of Blair Rd. & Baker Lane

Map. Noted 9/11/73. Baker Rd. from Blair

H. Ott

Date of return: 10/11/73

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: 			Revised Plans: Change in outline or description				Yes			
Previous case:			Map #				No			

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received* this 24th day of August 1975. Item # _____

H. D. T.
S. the Petitioner
Zoning Commissioner

Petitioner: OTD Subscribed by _____
Petitioner's Attorney: KERR Reviewed by: JES

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

BALTIMORE COUNTY, MARYLAND
OFFICE OF THE COMPTROLLER
MISCELLANEOUS CASH RECEIPT

12452

DATE: Oct. 1, 1973 ACCOUNT: 65-44

AMOUNT: \$20.00

DISTRIBUTION
FIRM - AGENT

YELLOW - COUNTER

James H. Hays and Son
105 W. Penn. Ave.
Crown, Md. 21031
Telephone: 444-4444
2424 York Road

BALTIMORE COUNTY, MARYLAND No. 12493

OFFICE OF FINANCE - REVENUE DIVISION

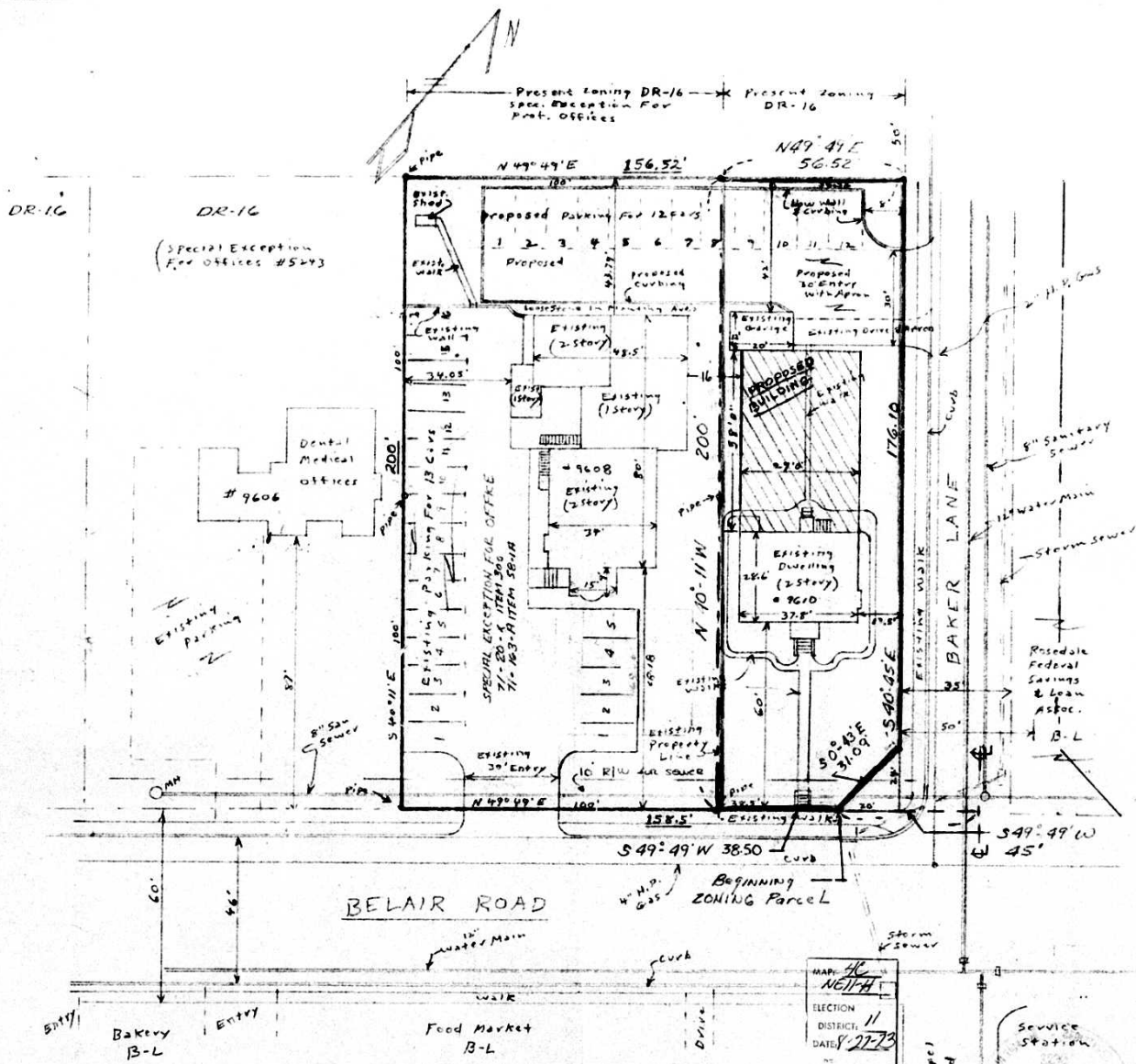
MISCELLANEOUS CASH RECEIPT

DATE October 24, 1973 01-662

AMOUNT \$63.75

DISTRIBUTION

WHITE - CASHIER	FROM - AGENT	YELLOW - CUSTOMER
Thompson R. Johnston		
Michael E. Hertz, Jr., Reg.		
210 W. Penn. Ave.		
Baltimore, Md. 21201		
Advertising and posting of property for		
John E. Cole		
PH-109-11		



PARKING DATA:
 1st Floor AREA 9608 & 9610
 Belair Road = 6,300 sq ft
 1 space per 300' = 21 spaces

2nd Floor AREA - GENERAL OFFICES
 = 5000 sq ft 1 space per 500
 = 10 spaces

SPACES SHOWN = 33
 SPACES Required = 31
 PARKING AREA TO BE PAVED
 with a macadam surface

FOR THE PURPOSE OF ZONING ONLY
 PROPERTY LOCATED IN THE
 11TH ELECTION DISTRICT OF BALTIMORE CO., MD.
 0.26 of an ACRE ±

PRESENT ZONING DR-16
 PROPOSED: SPECIAL EXCEPTION FOR PROFESSIONAL & GENERAL OFFICES
 ① VARIANCE: 16' between buildings in lieu of required 50'
 ② VARIANCE: 135' Side Yard on BAKER LANE
 IN LIEU OF 25'

SCALE 1" = 30' AUGUST 10, 1973

DOLLENBERG BROTHERS
 SURVEYORS & CIVIL ENGINEERS
 709 WASHINGTON AVENUE
 TOWSON MARYLAND

MAP: 46
NE 1/4
ELECTION
DISTRICT: 11
DATE: 8-27-73
SE
HR
1-11-74
BY: HLB

