### PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Contract Purchaser

13

ORDER

I, or we, <u>Evnest E. Chubb</u> 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 business parking in a residential zone (D. B. 5. 5).

0 16/2/23

Property is to be posted and advertised as prescribed by Zoning
Regulations.

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. EBNEST E CHURB

ERNEST E. CHURR Address 5815 Queens Ferry Road

> Baltimore, Maryland 21239 Protestant's Attorney

/S of

8 0 E

11128173

800 Equitable Towson Building Towson, Maryland 21204

Towson, Maryland 21204 t 10:00\_o'clock\_\_A\_\_M.

OCT 30 73 AM -

Zoning Commissioner of Baltimore County

1001

(over)

GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC. P.O. BOX 6828, TONSON, MD. 21204

Description to Accompany Plat for Special Hearing to allow parking in Residential Zone (DR 5.5) Southeast Corner Oakleigh Road & Redwood Avenue

July 26. 1973.

Beginning for the same at a point on the southerly side of Redwood Avenue 40 feet wide, said point being measured southeasterly along said Avenue distant 180 feet from the intersection formed by the said southerly side of Redwood Avenue with the center line of Oakleigh Road 55 feet wide, said point of beginning being also the existing zoning line between the BL zone and the DR 5.5 zone at its intersection with the above mentioned southerly side of Redwood Avenue running thence binding along said southerly side South 68° 12' East 37.49 feet thence leaving said Redwood Avenue South 21° 29' West 198.89 feet running thence North 66° 31' West 189.99 feet to the easterly side of Oakleigh Road as widened thence along said easterly side North 21° 29' East 89.94 feet to intersect the existing zoning line separating the above mentioned BL and DR 5.5 zones running thence leaving said Oakleigh Rord binding on said zoning line the two following courses viz: first South 68° 12' East 152.50 feet and second North 21° 29' East 110.00 feet to the place of beginning.

Containing 0.485 Acres of land more or less.

## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. S. Eric DiNenn TO Zoning Commissioner Mr. William D. From

Date November 27, 1973

Director of Planning

SUBJECT Petition 74-125-SPH, East side of Oakleigh Road 180 feet South of Redwood Avenue. Petition for Special Hearing for Off-Street Parking in a residential zone.

Petitioner: Ernest E. Chubb

9th DISTRICT

HEARING: Wednesday, November 28, 1973 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has

Based on the existing commercial zoning in the general area and standards utilized by the Planning Board during the preparation of the zoning maps in 1970–71, this property would not qualify to be recommended for expansion to a neighborhood center.

The granting of the requested use permit in effect would more than quadruple the size and upgrade the property to a small neighborhood center.

If the permit is granted, any lighting standards should be limited to 8' in height and the entire southern and eastern boundaries should be screened. The parking plan must be conditioned to conformance to a site plan which has the approval of the Office of Planning and Zoning and the Department of Traffic Engineering.

NOI 27 73 PM ~

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 11, 1973

Lee Stuart Thomson, Esq., 800 Equitable Towson Building Towson, Maryland 21204

RE: Special Hearing Petition Item 28 Ernest E. Chubb - Petitioner

Dear Mr. Thomson:

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 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 southeast corner of Oakleigh and Redwood Roads, in the 9th District of B altimore County.

This property, which is zoned BL and DR 5.5, is improved with a High's milk store on the corner and an abandoned brick and block structure next to the High's store(which, according to the plan, is to be razed), and an unimproved lot.

The petitioner, who developed the High's store has not fully complied with the approved site plan insofar as that portion of the site is concerned.

The requirements of Sec. 409.4 are not indicated on the site plan, nor are the size or type of light standards indicated. Also, the existing storm drain located on this property has not been indicated. Until revised site plans indicating those and reflecting the comments of the Dept. of "raffic Bayineering, and the Project Planning Cfflice are submitted, this came is being withheld from a hearing.

John of Willow of JOHN J. DILLON, JR., Chairman, Zoning Advisory Committee

JJDJr.:JD

cc: Nelson - Salabes, Inc. 1045 Taylor Avenue, Suite 208 Baltimore, Maryland 21204

Baltimore County, Maryland Bepartment Of Public Burks COUNTY OFFICE BUILDING

TOWSON, MARYLAND 21204

Bureau of Engineering

WDF: NEG: cm

Mr. 3. Bric DiNemna Zoning Commissioner County Office Building Towson, Maryland 2120h

> Re: Item #28 (1973-1974) Item 223 (1973-1974)
> Property Owner: Ermest E. Chubb
> Property Owner: Ermest E. Chubb
> Property Calcade B. and Robbook We.
> Existing Communication of the Commu

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.

Oakleigh hoad and Redwood Avenue, existing public roads are proposed to be improved in the future, Oakleigh Road as a LO-foot closed-type roadway cross-section on a 60-foot right-of-way and Rodwood Avenue as a 30-foot locad-type roadway cross-section on a LO-foot right-of-way. Highway improvements including any necessary highway right-of-way videnting, fills terms for sight distance at the intersection and any necessary revertible essents for slopes, will be required in connection with any grading or building permit application for this site. Purther information may be grading or building permit application for this site. Purther information application for these proposed highway improvements are recommended for the formation of the Petitioner's engineer, Cachaigh Road, Job Order 5-2-588 (Drawing #73-0195-5 Sheet 1 of 1).

The entrance locations are subject to approval by the Department of Traffic Engineering and must be constructed in accordance with Baltimore Jounty Design Standards.

Development of this property through stripping, grading and stabilization could rought in audient pollution problem, demaging private and public believes constraint of the property. A grading parait is, therefore, necessary for all grading, including the stripping of top soil.

#### Storm Drains:

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

Etem #28 (1973-1974) Property Owner: Ernest E. Chubb Page 2 August 20, 1973

Storm Drains: (Cont'd)

The Petitioner must provide tucessary drainage facilities (temporary or permanent) to prevent creating any muisances or demages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which any result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

DVISORY COMMITTEE

PETITION AND SITE PLAN

EVALUATION COMMENTS

There is an existing 50° x 91° storm drain within this property (Drawing #60-051), File )) within the utility essence shown on Sight-of-May Plat 18985-2,3-2. The Petitioner is autioned that no encreachement by construction of any structure, including footings will be permitted within the utility essencent traversing this property. By the contractor to protect the steemant on this site, protection must be afforded by the contractor to protect the steemant on the site of the protection of the site of the steeman thereto. Any damage sustained would be the full responsibility of the Fetitions.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are available to serve this property.

Very truly yours.

Elleworth V. Diver fr.w. f.
ELLEMORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:FAM:FWR:ss

N-NE Key Sheet 35 ME 11 & 12 s. Sheets ME 9 C Topo 70 Tax Map

Pursuant to the advertisement, posting of property, and public hearing on the above Betition and it appearing that by reason of the following finding of facts that the Petitioner's plans meet the requirements set forth in Section 409, 4 of the Baltimore County Zoning Regulations, and that the health, safety and general welfare of the locality involved not being adversely affected, the Special Hearing for Off-street Parking in a Residential Zone, in accordance with the plat dated June 28, 1973, revised July 31, 1973, October 9, 1973, and November 28, 1973, and approved January 21, 1974, by John L. Wimbley, Planning Specialist II. Project and Development Planning Division. Office of Planning and Zoning for Baltimore County, said plat having been filed as Exhibit "A" in this proceeding and which is incorporated by reference hereto as a part of this Order, should IS ORDERED by the Zoning Commissioner of Baltimore County, this day of January ..., 19621, that the herein Petition for the Special Hearing for Off-street Parking in a Residential Zone should be and the same GRAFTED, from and after the date of the forder, subject to the approval of a site and Zoning. Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of\_\_\_\_\_ the above Special Hearing should NOT BE GRANTED. IT IS ORDERED by the Zoning Commi a oner of Baltimore County, this \_\_\_\_\_day of\_\_\_\_\_, 196\_\_, that the above Special Hearing be and the same is hereby DENIED.

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 10, 1973

Zoning Commissioner of Baltimora County

Mr. S. Eric Dillenna Zoning Cormissioner County Office Building Towson, Maryland 2120h

303

Z.A.C. Meeting of: August 7, 1973

Re: Item 28 Item 26
Property Omer: Srmest E. Chubb
Location: see agenda
Precent Zoning: S.L. and D.E. 5.5
Proposed Zoning: S.H. for off-street parking in a residential zone

District: 9 No. Acres: 0.485

No adverse effect on student population.

Very truly ypts, le Tich Keterul W.P/=1

BALTIMORE COUNTY, MARYLAND



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD. P.E.

WM. T. MELZER

August 9, 1973

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

Re: Item 28 - ZAC - August 7, 1973 Property Owner: Ernest E. Chub 5E corner Oakleigh and Rechood Roads Special Hearing for off street parking in a residential zone District

This Department has reviewed the submitted plan and has the following

- Both Oakleigh Road and B.dwood Road should be improved
   The entrance on Oakleigh Road should be eliminated because of the poor sight distance to the vertical curve on Oakleigh Road
   On site circulation must be provided : \*\*neem the two parking areas

michaels Floringa Michael S. Flanigan Traffic Engineer Associate

MSF/pk

Petition for Spect Coar

SCATION: East side of Oakleigh Seed 180 feet South of Redwood

# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-



JEFFERSON BUILDING

August 14, 1973

DOWALD J. ROCP, M.D., M.P.H.

Mr. S. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 2120¢

Dear Mr. DiNenna:

Comments on Itc. 28, Zoning Advisory Committee Meeting August 7, 1973, are as follows:

Property Owner: Ernest E. Chubb Location: SE/Cor. Oakleigh and Redwood Rds. Present Zoning: B.L. and D.R. 5.5 Proposed Zoning: Special Hearing for offstreet parking in a residential zone District: 9

No. Acres: 0.485

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

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 Hea'th, for review and approval.

Very truly yours.

Thomas H. Deviin, Director BUREAU OF ENVIRONMENTAL SERVICES

HVB:mn@

cc: L.A. Schuppert



TOWSON, MD. 21204

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

was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one and weeks/before the 12thay of November 19 73that is to say, the same was inserted in the issue of November 5, 1973.

STROMBERG PUBLICATIONS, Inc.

S. ERIC DINENNA



August 28, 1973

Mr. S. Eric Di Nenna, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Di Nenna:

Comments on Item #28, Zoning Advisory Committee Meeting, August 7, 1973, are as follows:

Property Owner: Ernest E. Chubb Property Owner, Ernest C. Chubb Locations: SE/cor Oakleigh and Redwood Road Existing Zoning: B.L. and D.R.5.5 Proposed Zoning: Special Hearing for off-street parking in a residential zone. District: 9

Traffic circulation must be provided between the proposed building and the existing dairy store.

The light standards must be clearly indicated on the site plan (Elevation View).

All of the notes under Section 409.4 must be clearly indicated on the site plan.

John J. Newley John L. Wimbley

Planning Specialist II
Project & Development Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING LDING 105 WEST CHESAPEAKE AVENUE SUITE 301 JEFFERSON BUILDING

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY

| # | 24 | -/2 | 5-51 | 9 |
|---|----|-----|------|---|
|   |    |     |      |   |

| District 9 H                | Date of Date: 11- 8 /22    |
|-----------------------------|----------------------------|
| Posted for Heavy Med Nov    | Date of Posting 11-8/73    |
| Petitioner: French E Chille |                            |
|                             | I Pd 180 de of Sedwood one |
| Cox ackleye B.S.            | April 180 Sof Selond on    |
| Remarks:                    |                            |
| Posted by Mass News         | uals of return: 11-15-03   |

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 8

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., outputs courts at one time \_\_\_\_supersistencements before the \_\_\_23th\_\_\_\_\_\_ day of .....November......, 19...73, the first publication appearing on the 8th day of November 19.73.

Cost of Advertisement, \$\_.

THE, JEFFERSONIAN,

| PETITION   | M    | APPI | NG   | PRO   | OGRE | SS    | SHEE    | ET     |      |       |
|--|------|------|------|-------|------|-------|---------|--------|------|-------|
| FUNCTION   | Wal  | Map  | Orig | ginal | Dupl | icole | Tra     | cing   | 200  | Sheet |
| ronciion   | date | by   | date | 'ay   | date | by    | date    | by     | date | by    |
| Descriptions checked and<br>outline plotted on map |      |      |      |       |      |       |         |        |      |       |
| Petition number added to outline                   |      |      |      |       | ,    |       |         |        |      |       |
| Denied   |      |      |      |       |      |       |         |        |      |       |
| Granted by<br>ZC, BA, CC, CA                       |      |      |      |       |      |       |         | -      |      | -     |
| Reviewed by:                                       |      | _    | (    |       |      |       | or desc | cripti | on   |       |

| BALTIMORE COUN   |               | No. 12797         |
|--|---------------|-------------------|
| MISCELLANEOUS  | CASH RECEIPT  |                   |
| DATE NOV. 28. 1  | 1973 ACCOUNT  | -660              |
| 14.  |               |                   |
|  | AMOUNT_\$5    | 7.50              |
|  | DISTRIBUTION  |                   |
| WHITE - CASHIER  | FINK - AGENCY | VELLOW - CUSTOMES |
| Oakleigh Propert<br>6815 Queens Ferr<br>Baltimore, Md. 2 | v Rd.         |                   |

| 2 |   |   |
|---|---|---|
| 1 | BALTIMOR . OUNTY OFFICE OF PLANNING . D ZONING  |   |
|   | County Office Building<br>III W. Chesopeake Avenue<br>Towson, Maryland 2(204                    |   |
|   | Your Patition has been received * this 2md day of   |   |
|   | Cuprot 1973 HTZ. Item   |   |
|   | S. Eric DiNand Zoning Commissioner:   |   |
|   | Petitioner Chube Submitted by Thomson   |   |
|   | Petitioner's Attorney <u>Thornson</u> Reviewed by PB  |   |
|   | * This is not to be interperted as acceptance of the Petition for assignment of a hearing date. | , |

| ALTIMORE COUNTY, MARYLAND<br>FFICE OF FINANC REVENUE DIVISION<br>ISCELLANEOUS CASH RECEIPT | No. 12717  |
|--|------------|
| Nov. 5, 1973 ACCOUNT   | 01-662     |
| AMOUNT   | 12hr 25.00 |
|  |            |

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SALTIMOR COUNTY OFFICE OF PLANKING 5 ZONING

County Office Suliding

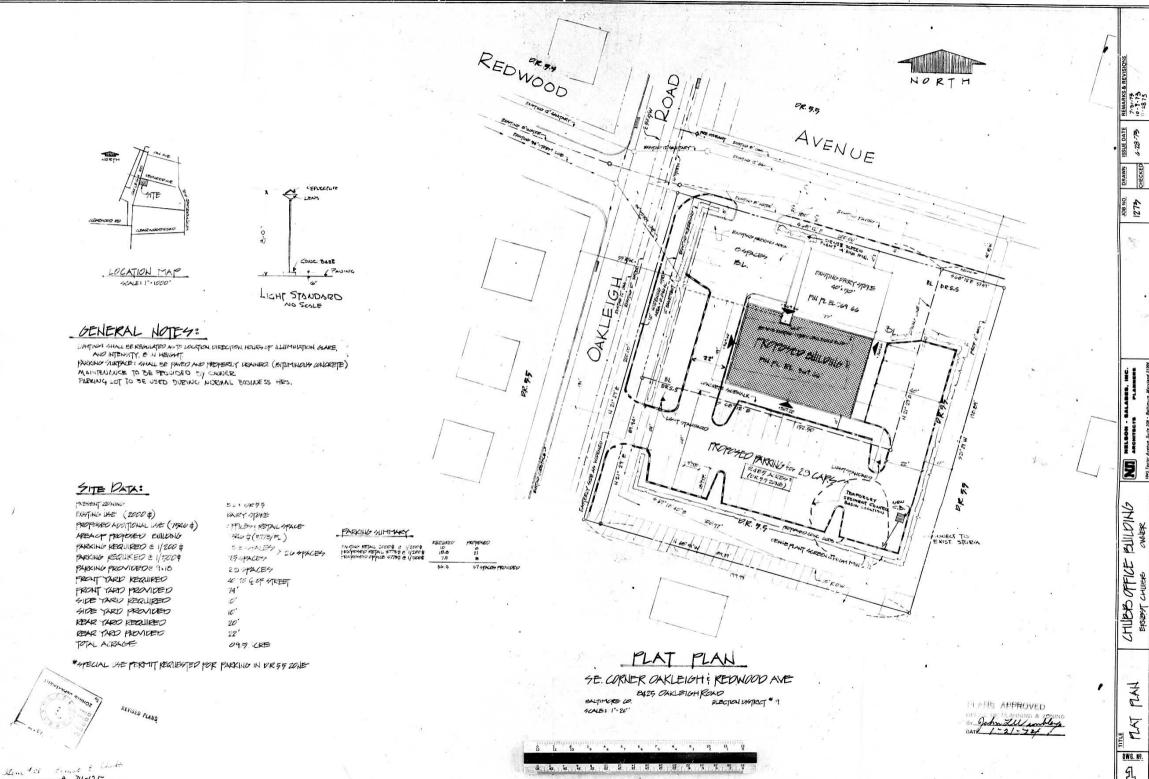
Ill V. Chaspaske Avenue

Town, Meryland 21204

Your Petition has been received and accepted for filing

this 30th day of 1977

Lettioner Street E. Chabb



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# GENERAL NOTEY:

4CALE: 1" . 1000

LIGHTINGS SHALL BE RESULTED AS D LOCATION, DIRECTION, HOURS OF ILLUMINATION, GLARE, AND INTENATY, B IN HEIGHT. PARKING TURFACE: SHALL FE PAVED AND PROPERTY DOWNED (BITUMINOUS COLCRETE)

# SITE DATA:

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PARKING GUMMARY

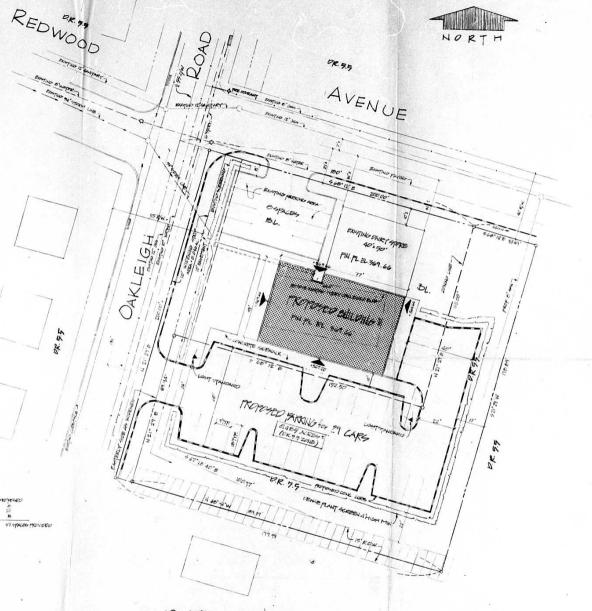
ENGLIGA RETAIL 2000 \$ 1/200\$ PROPOSED RETAIL 3773 \$ 6 1/200\$ PROPOSED OFFICE \$775 \$ 1/100\$

KACHIKEO

57 SPACES PROVIDED

PR. 55

\* APECIAL USE PERMIT REQUESTED FOR PARKING IN DR 55 ZONE



PLAT PLAN

SE CORNER OAKLEIGH & REDWOOD AVE

8425 OAKLEIG ROAD BALTIMORE CO. SLECTION DISTRICT # 9 SCALE: 1.20



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DWG. NO. 红

old Plat