

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

William W. and Margaret Frech
I, or we, 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 the Zoning Commissioner of Baltimore County, to re-classify, pursuant to the Zoning Law of Baltimore County, the following property:

See attached description

For a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for an office building.

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.

Mackenzie & Associates, Inc.
by Mark F. Mackenzie
Contact purchaser
Address: 608 Baltimore Avenue
Towson, Maryland 21204
Protestant's Attorney
Address: 409 Washington Avenue
Towson, Maryland 21204
823-4111

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of February, 1974, 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 106, County Office Building in Towson, Baltimore County, on the 25th day of February, 1974, at 10:30 o'clock.

James E. Dyer
Zoning Commissioner of Baltimore County.

(over)

James H. Cook, Esquire
409 Washington Avenue
Towson, Maryland 21204

RE: Petition for Special Exception and Variance
E/S of Bosley Avenue, 270' N of Allegheny Avenue - 9th District
William Frech - Petitioner
NO. 74-175-XA (Item No. 116)

Dear Mr. Cook:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

James E. Dyer
Deputy Zoning Commissioner

JED/mc

Attachments

cc: Austin W. Brisendine, Esquire
607 Bosley Avenue
Towson, Maryland 21204

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

William W. and Margaret Frech
I, or we, 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 for a Variance from Section 1802.2B (504-VB2)

to permit a front yard of fifteen (15) feet and side yards of five (5) feet instead of the required 30 feet and 25 feet respectively; and from Section 409.2 (b) (5) to permit six instead of the required ten parking spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
Widening of Bosley Avenue has reduced size of lot to the point that it cannot be feasibly utilized without the variance requested and the special exception requested in the collateral petition submitted simultaneously herewith.

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

Mackenzie & Associates, Inc.
by Mark F. Mackenzie
Contact purchaser
Address: 608 Baltimore Avenue
Towson, Maryland 21204
Protestant's Attorney
Address: 409 Washington Avenue
Towson, Maryland 21204
823-4111

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of February, 1974, 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 106, County Office Building in Towson, Baltimore County, on the 25th day of February, 1974, at 10:30 o'clock.

(over)

SPELLMAN, LARSON & ASSOCIATES, INC.

SUITE 303 INVESTMENT BUILDING
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
JOHN J. PARKER, P.E.

DESCRIPTION FOR SPECIAL EXCEPTION AND VARIANCES TO ZONING, NO. 609 Bosley Avenue, Towson, Maryland

Beginning for the same at a point on the East side of Bosley Avenue, as widened, at the distance of 270.00 feet measured Northerly along the East side of Bosley Avenue from the North side of Allegheny Avenue and running thence and binding on the East side of Bosley Avenue North 6 Degrees 31 Minutes 16 Seconds East 50.00 feet thence leaving the East side of Bosley Avenue and running South 83 Degrees 31 Minutes 14 Seconds East 98.05 feet to the West side of a 20 foot alley thence thence binding on the West side of said 20 foot alley South 6 degrees 28 Minutes 16 Seconds West 50.00 feet thence leaving the West side of said 20 foot alley and running North 83 Degrees 31 Minutes 14 Seconds West 98.09 feet to the place of beginning.

Containing 0.11 acres of land, more or less.

11-79-73.



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCE
E/S of Bosley Avenue, 270' N of Allegheny Avenue - 9th District
William Frech - Petitioner
NO. 74-175-XA (Item No. 116)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request for a Special Exception for an office building together with Variances to permit a front yard setback of 15 feet and side yard setbacks of five feet, in lieu of the required 30 feet and 25 feet, respectively, in addition to a parking Variance to permit six parking spaces instead of the required ten parking spaces. The property in question is located on the east side of Bosley Avenue, 270 feet north of Allegheny Avenue, in the Ninth Election District of Baltimore County.

Testimony by the Petitioner indicated that he planned to construct a two story office building with an architectural character similar to other existing converted dwellings in the area. The six bay parking area at the rear of the building would be macadamized, curbed, and would have access solely from the 20 foot alley at the rear of the property. Other planned improvements would consist of landscaping and of possible future enclosing of a parking garage on the rear parking lot.

After reviewing the above testimony and evidence, it is the opinion of the Deputy Zoning Commissioner that the proposed character of construction and improvements in general, including the setback and parking Variances, would substantially represent or characterize other existing land uses in the area. Such a use would not be detrimental to the health, safety and general welfare of the community and would comply with the requirements of Section 502.1 of the Baltimore County Zoning Regulations.

ORDER RECEIVED FOR FILING

DATE February 26, 1974

BY [Signature]

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: February 25, 1974

FROM: William D. From, Director of Planning

SUBJECT: Petition #74-175-XA. East side of Bosley Ave. 270 feet North of Allegheny Ave. Petition for Special Exception for an Office Building Petition for Variance for Front and Side Yards and Parking.

Petitioner - William W. & Margaret Frech

9th District

HEARING: Monday, February 25, 1974 (10:30 A.M.)

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

Offices in this area generally are consistent with the County's Master Plan and Comprehensive Zoning Maps; however, we question the adequacy of the current access.

If the proofs of Section 502.4 are met any development on this site should be conditioned to conformance to an approved site plan.

William D. From
Director
Office of Planning and Zoning

WDF:NEC:rv



Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 26th day of February 1974, that the herein requested Special Exception for an office building and Variances to permit five foot side yards, 15 foot front yard, and six parking spaces should be and the same is hereby GRANTED. Said granting of the Special Exception and Variances is subject to approval of a site plan by Department of Public Works and the Office of Planning and Zoning.

James E. Dyer
Deputy Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE February 26, 1974

BY [Signature]

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLYFORD, P.E.
DIRECTOR



January 28, 1974

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

Re: Item 116 - ZAC - January 8, 1974
Property Owner: William and Margaret Frech
E/S of Bosley Avenue, 270 feet S of Allegheny Avenue
Variance to permit a front yard of 15 feet instead of the required 30 feet and a side yard of 5 feet instead of the required 25 feet and to permit 6 instead of the required 10 parking spaces and a special exception for an office building
District 9

Dear Mr. DiNenna:

This petition is for a special exception for an office and variances to the front and side yards and also a variance to the parking requirement. We have reviewed this petition and have the following comments:

As presently zoned, this site would generate approximately 13 trips per day and the proposed office building would generate approximately 62 trips per day.

The Towson area has parking problems at this time and the parking requirement should be exceeded rather than reduced.

Access to this site is from a paved alley that is 10 feet wide and is not adequate for this type of traffic.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate

MSF/pk

January 31, 1974

John B. Howard, Esq.,
409 Washington Avenue
Towson, Maryland 21204

RE: Variance and Special Exception
Petition
Item 116
William W. & Margaret Frech -
Petitioners

Dear Mr. Howard:

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 east side of Bosley Avenue, 270 feet north of Allegheny Avenue, in the 9th District of Baltimore County. This property, which is zoned D.R. 16, is requesting a Special Exception for office and office building zoning, front and side yard variances, as well as a variance to the parking regulations.

The property is currently unimproved and lies adjacent to an existing law office on the south side of the property and immediately south of existing buildings that front on Joppa Road, one of which has been a recent subject of a similar petition. The properties immediately to the east are also improved with offices as a result of Special Exception hearings.

John B. Howard, Esq.
Re: Item 116
Page 2
January 31, 1974

Access to this property will be via a twenty (20) foot wide alley, of which 10-1/2 feet are paved. Some discussion was generated with regard to the increased use of this 20 foot alley, as well as other alleys in the Towson area by commercial traffic.

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 than 30, nor more than 30 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:JJD

Enclosure

cc: Spellman, Larson & Associates, Inc.
303 Investment Building
Towson, Maryland 21204

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

Division of Engineering
ELLSWORTH H. DIVER, P. E. CHIEF

January 25, 1974

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

Re: Item #116 (1973-1974)
Property Owner: William W. & Margaret Frech
E/S of Bosley Ave., 270' N. of Allegheny Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit a front yard of 15' instead of the required 30' and a side yard of 5' instead of the required 25' and to permit 6 instead of the required 10 parking spaces and a Special Exception for an office building
No. of Acres: 0.11 District: 9th

Dear Mr. DiNenna:

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

Highways:

Bosley Avenue, an existing County street, is being reconstructed as a divided highway 25 feet wide with closed-type roadway cross-sections and no median breaks on a 110-foot right-of-way. Highway right-of-way widening and slope easements and proposed road improvements are as shown on Baltimore County construction drawing #72-0449 (C), Job Order 5-201-1.

The alley east of this site, to satisfactorily accommodate vehicular movements anticipated to be generated by the proposed development of this area, must be improved in the future as a 20-foot paved alley within a 24-foot right-of-way.

Additional highway and/or alley improvements are not required at this time. When the County deems it necessary that the entire alley be improved, the shutting property owners will be assessed for the full cost of the improvements. Further information may be obtained from the Baltimore County Bureau of Engineering.

Alley right-of-way widening, including any necessary reversible easements for slopes, and the right-of-way plat therefore will be required in connection with any grading or building permit application.

The submitted plan must be revised to indicate the proposed alley right-of-way widening and also the easement across the frontage of this site for the Bosley Avenue road improvements.

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

Item #116 (1973-1974)
Property Owner: William W. & Margaret Frech
Page 2
January 25, 1974

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, impacting private and public holdings downstream of the property. A grading permit 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.

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 responsibility of the Petitioner.

Water and Sanitary Sewers:

Public water supply and sanitary sewers are available and had served the former residence on this site. This property is within the Towson-Boland Run drainage area, tributary to the Jones Falls sanitary sewerage system, subject to State Health Department imposed moratorium restrictions.

It appears that additional fire hydrant protection may be required in the vicinity.

Very truly yours,

Ellsworth H. Diver
ELLSWORTH H. DIVER, P. E.
Chief, Bureau of Engineering

END:RAH/PMS

cc: G. Deior
J. Treaner

4-1/2 Key Sheet
39 NB 2 Pos. Sheet
WE 10 A Topo
70 and 70A Tax Map

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
822-7219

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: William W. & Margaret Frech

Location: E/S of Bosley Ave., 270 feet S of Allegheny Ave.

Item No. 116 Zoning Agenda January 8, 1974

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.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 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

- (x) 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: *John A. Smith* Noted and approved: *Paul H. Reinhardt*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

January 10, 1974

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

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

Dear Mr. DiNenna:

Comments on Item 116, Zoning Advisory Committee Meeting
January 8, 1974, are as follows:

Property Owner: William W. & Margaret Frech
Location: 609 Bosley Avenue
Present Zoning: D.R. 16
Proposed Zoning: Variance to permit front yard of 15' instead of req'd 30' and side yard of 5' instead of req'd 25' and a permit 6 instead of req'd 10 parking spaces with a Special Exception for an office building.
No. of Acres: 0.11
District: 9

Metropolitan water and sewer are available.

A moratorium was placed on new sewer connections in the Jones Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on Sept. 13, 1973; therefore approval may be withheld for this connection.

Very truly yours,

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

HVB:mnp

BALTIMORE COUNTY DEPARTMENT OF HEALTH
DIVISION OF AIR POLLUTION AND INDUSTRIAL HYGIENE
MARYLAND AVENUE AND VALLEY ROAD
TOWSON, MARYLAND 21204

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

January 17, 1974

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

Dear Mr. DiNenna:

Comments, from the Division of Air Pollution, on Item 116,
Zoning Advisory Committee Meeting January 8, 1974, are as follows:

Property Owner: William W. & Margaret Frech
Location: E/S of Bosley Avenue, 270 feet S. of Allegheny Avenue
Present Zoning: D.R. 16
Proposed Zoning: Variance to permit a front yard of 15 feet instead of the required 30 feet and a side yard of 5 feet instead of the required 25 feet and to permit 6 instead of the required 10 parking spaces and a Special Exception for an office building

No. of Acres: 0.11
District: 9th

The building on this site may be subject to a permit to construct and a permit to operate any and all fuel burning equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
Bureau of Environmental Services

TND/MLP/DP

WILLIAM D. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER



January 18, 1974

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 #116, Zoning Advisory Committee Meeting, January 8, 1974, are as follows:

Property Owner: William W. & Margaret Frech
Locations: E/S of Bosley Avenue 270 feet S of Allegheny Ave
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit a front yard of 15 feet instead of the required 30 feet and a side yard of 5 feet instead of the required 25 feet and to permit 6 instead of the required 10 parking spaces and a Special Exception for an office building
No. of Acres: 0.11
District: 9th

This Office has reviewed the subject petition and offers the following comments:

The site plan must be revised to indicate the type of offices; if there is going to be any medical office the parking calculations and petition must be adjusted to show medical offices.

Proper curbing must be placed along the edge of the alley to provide a proper entrance to the site.

Very truly yours,

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



APR 28 1975

PLANS APPROVED

OFFICE OF PLANNING & ZONING

BY John R. Lundy

DATE 10-2-74

BY ZONING COMMISSIONER

DATE 74-195-X

SITE PLAN @ 1"=20'

BASED ON INFORMATION
FURNISHED BY STEPHEN LACSON.

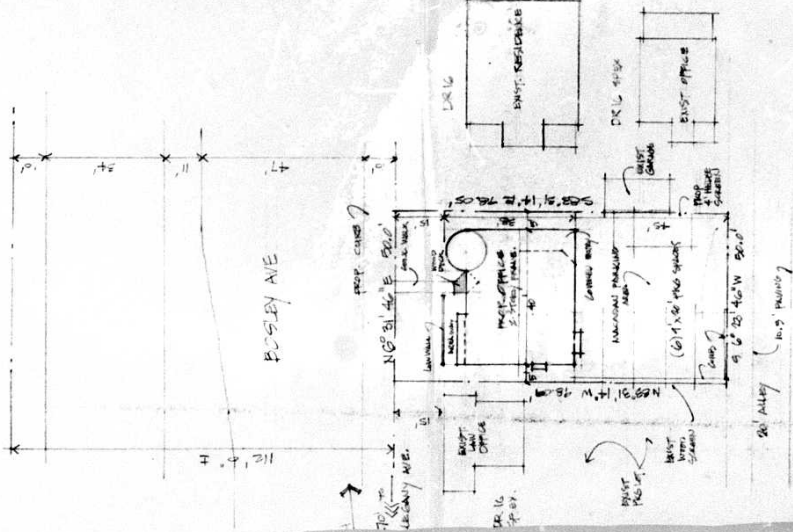
DISTRICT = 9

ZONING = DR 16 = SP EXCERPTION

PARKING REQUIRED: MAIN LEVEL $1/5000 \text{ FT}^2$ (2540) = 125 SPOTS = 4.160

UPPER LEVEL $1/5000 \text{ FT}^2$ (2540) = 125 SPOTS = 2.560

TOTAL PARKING REQUIRED 7.6 - PROVIDED 6 SPACES.



A NEW OFFICE BUILDING TO BE LOCATED AT
609 BOSLEY
TOWNSHIP 2ND: BALTIMORE COUNTY, MARYLAND

certified



marks and cooke, inc.
architects / planners
219 West Joppa Road
Baltimore, Maryland 21204
(301) 823-6744

Sheet
1
of 4

SHEET THIS
DATE PLAN - 1-50
LOWER LEVEL PLAN -
TYPICAL WALL SECTION

JOB NO.

DRAWN TEL

CHECKED

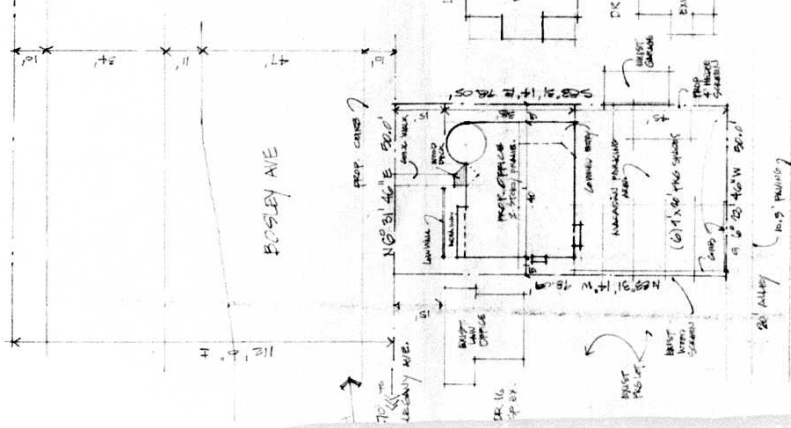
DATE 10/2/74

REVISIONS

1. 10-2-74

2. 10-2-74

DR 16 40' x 8'



SITE PLAN @ 1" = 20'

BASED ON INFORMATION PROVIDED BY STEPHEN L. LAMONT

DISTRICT = 9

ZONING: DR 16 - SPECIAL

HARVEST REPTD. MAIN LEVEL 1/200 sq ft (20' x 10' x 10' x 10' = 4.00

UPPER LEVEL 1/200 sq ft (20' x 10' x 10' x 10' = 2.50

TOTAL PARKING REQUIRED 7.5 - PROVIDED 6 SPACES.

PLANS APPROVED
OFFICE OF PLANNING & ZONING

BY: *[Signature]*
PLANNING

DATE: 10-2-74

BY: *[Signature]*
ZONING COMMISSIONER

DATE: 74-195-X

marks and cooke, inc.
architects / planners

219 west joppa road
baltimore, maryland 21204
(301) 823-6744

certified

A NEW OFFICE BUILDING TO BE LOCATED AT
609 BOSLEY
TOWSON 21047 : BALTIMORE COUNTY, MARYLAND

sheet title
SITE PLAN - 1" = 20'
LOWER LEVEL, MAIN
TYPICAL WALL SECTION

job no.

drawn TEL

checked OLD

date 10/2/74

revisions

1. 10/2/74

2. 10/2/74

3. 10/2/74

Sheet

1
of 4