

74-187-R PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Myrtle V. Hoeltzel, 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an DR 2 zone to an B.M. (Business, Major) zone; for the following reasons:

MAP 10
SECTION 10
D 100-100
TYPE 10
BY 10
FINAL 10-10-74
BY 10

SEE ATTACHED BRIEF
See attached description

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.

Howard A. Triplett Myrtle V. Hoeltzel
HOWARD ALLEN TRIPLETT MYRTLE V. HOELTZEL
MILDRED H. TRIPLETT contract purchaser
Address 3521 Hillmore Road Address 10724 Liberty Road
Baltimore, Maryland 21207 Randallstown, Md. 21133

William S. Baldwin
WILLIAM S. BALDWIN Petitioner's Attorney
Address 24 West Pennsylvania Avenue
Towson, Maryland 21204
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of October, 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 106, County Office Building in Towson, Baltimore County, on the 6th day of March, 1974, at 1:00 o'clock

Zoning Commissioner of Baltimore County.

(over)

Myrtle V. Hoeltzel - #74-187-R

4.

While not a major factor in the Board's decision to grant this reclassification, the Board feels it is interesting to note that the contract purchaser has been engaged in the motor cycle sales and service business for many years and, if this petition be granted, is planning to relocate his existing business from Baltimore City to this rural Halbrook community. Mr. Triplett told the Board that the majority of his customers reside and work near this general area. Of course, Mr. Triplett does not come into the community as an unknown entity in that he is purchasing this property from his mother-in-law, Mrs. Myrtle V. Hoeltzel, a long time area resident and property owner.

Counsel for the Petitioner argued that the proposed use of the property is in harmony with the adjacent and nearby commercial/residential uses of other property. Frankly, having visited the subject area and having been familiar with the Halbrook community for many years, the Board is inclined to agree with this argument of the Petitioner.

Concerning the various comments of other Baltimore County agencies, the Board wonders about the Planning Board's knowledge of the area, particularly in light of its comment concerning the relationship between the subject property and the proposed Deer Park Shopping Center. The Department of Public Works noted that public water and sewer facilities were not available to the area. The Board is very cognizant of this fact and, of course, understands that for the Petitioner to utilize the subject property, the premises must be approved for the necessary and sufficient private septic and well systems that would be required. Before any building permit can be issued, it would be necessary for such facilities to conform with the Department of Health requirements and to the requirements in the Plumbing Code. Certainly, the proposed use would hardly require public water and sewer facilities, and we doubt that the residents and property owners in Halbrook are anxious for the installation of public water and sewer facilities, which seem to precede the total disruption of the rural character of our older communities.

The Board has noted carefully the comment of Richard C. Moore, Assistant Traffic Engineer, dated October 25, 1973, included in the file of the subject case. The Board agrees with the comment of Mr. Moore, but considering the specific rural location of the subject property would judge that same is inapplicable in the subject instance. By

RE: PETITION FOR RE-CLASSIFICATION : BEFORE
From D.R. 2 to B.M. : COUNTY BOARD OF APPEALS
N/S of Liberty Road, 450' :
W. of Halbrook Road :
2nd District : OF
Myrtle V. Hoeltzel, Petitioner : BALTIMORE COUNTY
Howard A. Triplett, et ux, :
Contract Purchaser : No. 74-187-R

OPINION

This case comes before the Board on an appeal by the Petitioner from a decision of the Deputy Zoning Commissioner denying B.M. zoning on certain lands in the Second Election District of Baltimore County. The subject property in this petition contains approximately 0.754 acres, same being located on the north side of Liberty Road, approximately 450 feet west of Halbrook Road. This subject property is now zoned D.R. 2 and R.S.C. The petition before the Board at this time is limited to the portion of the subject property that is zoned D.R. 2; the R.S.C. section of this lot is not within the subject petition. The subject parcel of 0.754 acres has approximately 150 feet of frontage on the north side of Liberty Road, and the depth of the petitioned area is approximately 219 feet.

The subject property is now improved by an old two story frame residence. The property is now owned by Myrtle V. Hoeltzel and Howard A. Triplett, her son-in-law, is the contract purchaser. Mr. Triplett, if successful in his petition, proposes to utilize the existing structure and to further develop the property with an additional building. The proposed use for this property is for the contract purchaser's (Mr. Triplett) motor cycle sales and service business. The B.M. land use classification is required, according to the regulations, if the property is to be used for motor cycle sales and service.

The Petitioner presented two witnesses; namely, Mr. Triplett and Hugh Gelston, a well-known and recognized real estate expert. There were no Protestants to the granting of this petition. Mr. Triplett and Mr. Gelston described the area surrounding the subject property. Immediately contiguous with the western boundary of the subject property and for a distance of approximately 950 feet, a strip along the north side of Liberty Road is zoned B.L. The actual use of this strip is mixed between commercial and residential use. This strip lies on both sides of Allen Road and includes

Myrtle V. Hoeltzel - #74-187-R

5.

no stretch of the imagination is Halbrook, Randallstown, and likewise by no stretch of the imagination can one relate the traffic problems existing from Randallstown easterly on Liberty Road with those that exist in the more rural communities; such as, Halbrook, Harrisonville, Wards Chapel, etc. The Board would want to emphasize the distinction for, as stated above, the Board strongly agrees with Mr. Moore's comments concerning the Liberty Road traffic conditions as they are applicable to the urbanized section of the Liberty Road corridor; i.e., from Deer Park Road easterly to the city.

After carefully considering the testimony and evidence presented in this case, the Board is satisfied that the Petitioner has evidenced substantial change in the character of the neighborhood to warrant the reclassification in the subject petition. While this burden to prove change is burdensome, the Board would wish to carefully note that the elements of change as might exist in one particular more urbanized section of Baltimore County would be different from the elements and factors that might exist in a more rural section of the County. The Board sees distinctions in types of land classification and utilization between the urbanizing sections and the isolated rural communities of this County. Equal consideration must be given to what is tantamount to change in the rural communities, and a distinguishing look between these factors must be made; i.e., what might be change in Halbrook may or may not be change in Randallstown.

In conclusion, this Board will grant the petitioned reclassification and following is an Order to this effect. Please note that the petition and subsequent reclassification is limited to the subject lands which are now zoned D.R. 2. The rear portion of the subject lot, which is zoned R.S.C., has not been a part of this petition and is not involved in the reclassification Order set out below.

Myrtle V. Hoeltzel - #74-187-R

2.

Allen's Market. The property to the east of the subject property, along the north strip, is zoned D.R. 2. This area includes the Everlasting Vault Company. This company lies approximately 200 feet east of the subject property, and while same apparently enjoys a non-conforming use status in a D.R. zone, this business use dominates the commercial utilization in the small community of Halbrook. The south side of Liberty Road across from the subject property is zoned D.R. 2 along the Liberty Road frontage, but with several small spotted areas of Business Local zoning. A tract of approximately eleven acres across the Liberty Road from the subject property is owned by Mr. Triplett's mother-in-law.

Mr. Gelston told the Board that it was his strong opinion that the utilization as proposed in this petition would have absolutely no adverse effect on any nearby residential properties. He noted that there were business uses east and west of the subject property. As far as change in the neighborhood, Mr. Gelston noted that such change is subtle rather than obvious as there has been no added commercial use nor, frankly, any new homes along Liberty Road in the Halbrook area. He described Halbrook as a rural community and noted that for many, many years all of the commercial activity that might be involved in and around the Halbrook area was centered, and is still now centered, along this strip of Liberty Road where the Petitioner proposes to develop a motor cycle sales and service business. Mr. Gelston pointed out to the Board that the County Council must not have known of the vault factory operation at the time of the adoption of the use maps in March of 1971, because it really made no sense to zone some of the smaller retail community type uses B.L. while leaving this rather large and obviously commercial/industrial type use in a D.R. 2 zone. As mentioned above, the operation of the Everlasting Vault Company is by far the most dominant commercial use that exists within several miles of the Halbrook community in any direction. Mr. Gelston was somewhat shocked by the comments of the Planning Board concerning this particular case. Mr. Gelston could not follow the comments concerning the Deer Park Shopping Center. Frankly, this Board cannot follow these comments either for the Board sees no relationship between the proposed Deer Park Shopping Center, several miles east of this petition in the Randallstown area, and the proposed rural

Myrtle V. Hoeltzel - #74-187-R

6.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 28th day of February, 1975, by the County Board of Appeals, ORDERED that the reclassification from D.R. 2 to B.M., on that portion of the subject property as outlined in the surveyor's description included in the subject file and containing 0.754 acres, petitioned for, be and the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

W. Giles Parker

Robert L. Gilland

Myrtle V. Hoeltzel - #74-187-R

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commercial use sought by this Petitioner in the small community of Halbrook. Certainly, any merchant or business entrepreneur seeking to locate in either one of these two locations would have no common interest with the other location.

The questions before the Board involve whether or not the Council erred in March of 1971 by not placing the subject property in a B. M. zone, and/or whether or not there has been substantial change in the character of the neighborhood to warrant the reclassification as requested in this petition. Certainly as to error, it would be very difficult to charge the Council with such when this property was not a petitioned item before the Council in March of 1971. However, as to change, the Board is inclined to agree with Mr. Gelston and Mr. Triplett in that the change, while subtle, has been substantial enough to warrant the granting of this reclassification. The Board feels that it is important to note the entire general area involved in this petition is that of the Halbrook community. This is a longstanding rural community which frankly in population is dominated by a few families; such as, the Hoeltzels, Allens, et al. The change that has taken place in Halbrook is the growth of this tiny rural community itself. The commercial center, if such sophisticated words can be used, for the Halbrook community has been around the petitioned site. In looking to these facts as evidence of change, the requested B. M. zoning is a logical extension of the existing commercial use immediately to the west of the subject property.

The Petitioner has told the Board that the B. M. classification is sought because it is required for the cycle sales and repair service. The Board sees no particular difficulty in this petition in granting B. M. as opposed to extending the B. L. classification. The site petitioned is very limited in size and the potential for commercial growth and activity in Halbrook, while expanding, is also very limited. Expansion in Halbrook does not mean or connote the same as expansion in Randallstown. Frankly, we feel the above is clearly evidenced by the fact that there were no Protestants to the granting of this reclassification. This Liberty Road corridor, in the Second Election District of Baltimore County, is not unknown for its keen interest in land classification and utilization. Hence, it is significant to note that there were no Protestants.

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
N/S of Liberty Road, 450' W of : DEPUTY ZONING
Halbrook Road - 2nd District :
Myrtle V. Hoeltzel - Petitioner : COMMISSIONER
NO. 74-187-R (Item No. 35) :
OF
BALTIMORE COUNTY

This Petition represents a request to reclassify eight tenths of an acre, more or less, from a D.R. 2 Zone to a B.M. (Business, Major) Zone. The property is located on the north side of Liberty Road, 450 feet west of Halbrook Road, and is in the Second Election District of Baltimore County.

Testimony was offered by Mr. Howard Triplett, contract purchaser and son-in-law of the legal owner, Mrs. Myrtle V. Hoeltzel, and Mr. Hugh E. Gelston, a real estate broker and appraiser with many years experience throughout Baltimore County.

The Petitioner was at one time engaged in the automotive service station and automotive repair business. He has since shifted his interest and business to the motorcycle industry and presently operates The Motor Sport Center, a business for the sale and repair of motorcycles, exclusively. He plans to move his business from Baltimore City to Baltimore County where most of his customers reside.

The property in question has a frontage of 150 feet with a rectangular depth of 290.4 feet. The front 219 feet of said depth is zoned D.R. 2 and is the subject of this request. The remaining 71.4 is zoned Rural Suburban Conservation (R.S.C.) and is not included in the reclassification request. The property is presently improved with a two story frame dwelling that will remain and is to be further developed or improved with a 100 foot by 50 foot building that will house a repair shop and retail sales area.

A great deal of testimony was devoted to existing land use and zoning in the area. Properties immediately adjoining and 950 feet west of the subject

ORDER RECEIVED FOR FILING

DATE May 14, 1975

BY John P. B. B. B.

JUN 26 1975

property were described as being commercially zoned and improved with a variety of uses. One such property is improved and used as a produce market and another is utilized as a church and meeting hall. However, most of the individual properties within the 950 foot strip have retained their residential character and use. The first three properties east of the subject property are residentially zoned and inhabited. The fourth property, situated approximately 200 feet east of the subject property, is residentially zoned but is improved with the Everlasting Valve Company, which has had a non-conforming use for many years.

Properties on the opposite side of Liberty Road are residentially zoned and inhabited with the exception of one commercially zoned property that has approximately 100 feet of frontage on Liberty Road. This property is situated approximately 400 feet west of the Petitioner's site.

In general, the Petitioner felt that substantial changes have occurred since the adoption of the zoning map in 1971; there is a strong demand for and, therefore, a need for a motorcycle sales agency in the western area of the County; the County Council erred in not extending commercial zoning to the eastern edge of his property; B.M. zoning would be a logical extension of the existing commercial zone on the west; and the proposed use would be in harmony with the adjacent nearby commercial uses.

There were no Protestants present at the hearing. However, County and State agencies, who reviewed the Petitioner's proposed development plans, indicated that public water and sewer facilities were not available to the property. The Department of Traffic Engineering made the following comment:

"Due to a study conducted in the Northwest area earlier this year, it was determined that the existing and proposed road system is adequate only for existing Zoning, assuming the entire road system can be built along with the mass transit and any trip density increases, and there also be a downgrading of some other properties to offset this increase. Therefore, the increasing of the density proposed can only continue to aggravate an already serious traffic problem."

- 2 -

After reviewing the above testimony and evidence and making a personal field inspection of the area in question, it is the opinion of the Deputy Zoning Commissioner that said testimony and evidence does not overcome the Petitioner's burden of proving error or change.

After several public hearings both the Baltimore Planning Board and the County Council, the present zoning map was adopted in 1971. The Petitioner apparently did not object to the residential classification placed on the subject property at that time. Now, however, three years later, the contract purchaser has a genuine need to establish an outlet in the County for his growing business and has turned to the subject property that is not only owned by his family, but is situated adjacent to an existing strip commercial zone. It is not difficult to ascertain that commercial use of the site would be logical and for that matter, ideal for the contract purchaser. It is also true, that the use could be compatible with other uses that could take place on adjoining commercially zoned properties. Nevertheless, this in itself is not sufficient to establish the criteria necessary to make the requested change in classification from residential to commercial.

The map does provide commercially zoned properties to meet the needs and requirements of this rural area that have not been fully utilized. Substantial changes in the area were not obvious by the testimony or field inspection. Utilities have not been extended to the area, and any commercial utilization of the site would depend on an in ground septic system. There was no expert traffic testimony other than that of the contract purchaser who testified as to the number of customers expected to frequent his business. However, comments by the Baltimore County Traffic Engineer did state that the proposed use would be a detriment to the existing traffic situation. Based on these findings and facts, the Petitioner's request must be denied.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 14 day of May, 1974, that the above Reclassification be and the same is hereby DENIED, and that the above property or area be and the same is hereby continued as to remain in D.R.2 Zone.

- 3 -

fication be and the same is hereby DENIED, and that the above property or area be and the same is hereby continued as to remain in D.R.2 Zone.

James E. Dyer
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE May 14, 1974
BY *James E. Dyer*
Deputy Zoning Commissioner

- 4 -

BRIEF IN SUPPORT OF PETITIONER'S REQUEST
FOR RECLASSIFICATION

1. That substantial changes have occurred in the neighborhood since the adoption of the presently existing zoning map in 1971.
2. That there is a strong demand for, and therefore a need for, a motorcycle sales agency in the western area of Baltimore County.
3. That the County Council erred in not extending the commercial zoning to the eastern edge of your Petitioner's property.
4. That the requested BM zoning is a logical extension of the existing commercial zoning immediately to the west of the subject property.
5. That the zoning regulations do not permit a "garage" service in a Business Local zone and therefore the Petitioner is required to ask for Business Major zoning to allow his proposed business.
6. That your Petitioner has been engaged in the motorcycle sales field for many years and his business is now located in Baltimore City and he wishes to move his business to Baltimore County where the majority of his customers reside and work.
7. That the proposed use of the property is in harmony with adjacent and nearby commercial uses of other properties.

AND FOR SUCH OTHER REASONS THAT MAY BE ASSIGNED AT THE TIME OF THE HEARING HEREON.

Respectfully submitted,

William S. Baldwin
William S. Baldwin
Attorney for Petitioner

24 West Pennsylvania Avenue
Towson, Maryland 21204
Valley 3 - 6260

WILLIAM S. BALDWIN
ATTORNEY AT LAW
TOWSON, MARYLAND
21204

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
ENGINEERS
P. O. BOX 6828, TOWSON, MD. 21204

Description to accompany Zoning Petition
for reclassification from existing D.R.2 Zone
to B.M. Zone for Howard Allen Triplet
Containing 0.754 of an acre more or less

September 25, 1973

Beginning for the same on the north side of Liberty Road at a point measured westerly 450 feet more or less from the centerline of Holbrook Road, thence from said place of beginning North 10° 45' East 219.00 feet to intersect the existing zoning line between D.R. 2 Zone on the south and R.S.C. Zone on the North, thence binding on said zoning line North 78° 00' West 150.00 feet to intersect the existing zoning line between D.R. 2 Zone on the east and B.L. Zone on the west, thence binding on said zoning line South 10° 45' West 219.00 feet to the north side of said Liberty Road, thence binding on said side of Liberty Road, South 78° 00' East 150.00 feet to the place of beginning. Containing 0.754 of an acre of land more or less.



WILLIAM S. BALDWIN
ATTORNEY AT LAW
24 WEST PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204
VALLEY 3-6260

May 22, 1974

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

RE: MYRTLE V. HOELTZEL - Petitioner
No. 74-187-R (Item No. 35)

Dear Mr. DiNenna:

Please enter an Appeal to the Board of Appeals for Baltimore County from the Order of the Deputy Zoning Commissioner dated May 14th, 1974 denying the above captioned Petition for re-classification.

Enclosed herewith is a check to Baltimore County in the amount of \$70.00 to cover the costs of this Appeal.

Very truly yours,

William S. Baldwin
William S. Baldwin

WSB/mjf
Enclosure



May 14, 1974

William S. Baldwin, Esquire
24 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Reclassification
N/S of Liberty Road, 450' W of
Holbrook Road - 2nd District
Myrtle V. Hoelzel - Petitioner
NO. 74-187-R (Item No. 35)

Dear Mr. Baldwin:

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

Very truly yours,

James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON, MARYLAND





DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE A. CLIFFORD, P.E. Wm. Y. MILLER
DIRECTOR ASSISTANT TRAFFIC ENGINEER

October 25, 1973

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

Re: Item 35 - October 1973 to April 1974 - Cycle Zoning VI
Property Owner: Myrtle V. Hoeltzel
North side of Liberty Road, 450 feet west of Holbrook Road
District 2

Dear Mr. DiNenna:

Due to a study conducted in the Northwest area earlier this year, it was determined that the existing and proposed road system is adequate only for existing zoning, assuming the entire road system can be built along with the mass transit and any trip density increases, and there also be a downgrading of some other properties to offset this increase. Therefore, the increasing of the density proposed can only continue to aggravate an already serious traffic problem.

Very truly yours,

Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRN/pk



Maryland Department of Transportation

State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans
Assistant Secretary

October 11, 1973

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

Att: Mr. John J. Dillon

RE: Baltimore County
Sixth Zoning Cycle, Oct. 1973
Property Owner: Myrtle V. Hoeltzel
Location: N/S Liberty Road (Sta 26)
450 ft. from centerline of Holbrook Road
Existing Zoning: D.M. 2
Proposed Zoning: B.M.
No. of Acres: 0.754
District: 2nd

Dear Mr. DiNenna:

There is an 80' Right of Way proposed for Liberty Road, (40' from existing centerline) that must be indicated on the subject plan.

The frontage of the site must be improved with curbing and paving. The roadside face of curb is to be 24" from the centerline of Liberty Road. A concrete curb must be constructed along the proposed Right of Way line at the parking lot frontage or along the parking setback line. The plan should be revised prior to the hearing.

The entrance will be subject to approval and permit from the State Highway Administration.

The 1972 average daily traffic count on this section of Liberty Road is 11,700 vehicles.

The State Highway Administration has studies for several alignments for the proposed Rte 29 extended. One of the alignments is in the subject area and could affect the site.

Very truly yours,

CLJ:DHAG

Charles Lee, Chief
Bureau of Engineering Access Permits
John J. Dillon
By: John E. Meyers

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

Baltimore County Fire Department



J. Austin O'Leary
Chief

Towson, Maryland 21204

875-7316

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Myrtle V. Hoeltzel

Location: N/S Liberty Rd., 450 ft. from centerline of
Holbrook Road
Item No. 35 Zoning Agenda Tuesday, October 2, 1973

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 _____
- () 4. _____ 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 operation.
- (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", 1973 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *J. Austin O'Leary* Noted and Approved: _____
Planning Group Special Inspection Division Deputy Chief
Fire Prevention Bureau

mls
4/16/73

BALTIMORE COUNTY, MARYLAND



DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

October 19, 1973

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

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, October 2, 1973, are as follows:

Property Owner: Myrtle V. Hoeltzel
Location: N/S Liberty Rd., 450' from C/L Holbrook Rd.
Present Zoning: D.M. 2
Proposed Zoning: B.M.
No. Acres: 0.754
District: 2

Revised plot plan must be submitted indicating what is to be done with existing 2 story dwelling.

Very truly yours,

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

HVB:mgp

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



November 29, 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 35 - VI Zoning Cycle, October 1973, to April 1974, are as follows:

Property Owner: Myrtle V. Hoeltzel
Location: N/S Liberty Road 450 ft. from centerline of Holbrook Road
Existing Zoning: D.M. 2
Proposed Zoning: B.M.
No. of Acres: 0.754
District: 2nd

The site plan does not indicate the type of repair shop proposed. If the repair shop is for motor vehicles and there are to be any damaged or disabled vehicles stored on the site the requirements of Section 405A of the Zoning Regulations must be complied with.

Very truly yours,

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

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 18, 1973

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

Z.A.C. Meeting of: "Cycle 6"

Re: Item
Property Owner: Myrtle V. Hoeltzel
Location: N/S Liberty Road, 450 ft. from centerline of Holbrook Road
Present Zoning: D.M. 2
Proposed Zoning: B.M.

District: 2nd
No. Acres: 0.754

Dear Mr. DiNenna:

The area as currently zoned could yield 1 elementary pupil while a reclassification to B.M. would not yield any pupils.

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

WHP/ml

CERTIFICATE OF PUBLICATION

TOWSON, MD., FEBRUARY 14, 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. on the 14th day of March, 1974, the 6th publication appearing on the 14th day of February 1974.

THE JEFFERSONIAN
John L. Wimbley
Manager

Cost of Advertisement \$ _____

PETITION FOR RECLASSIFICATION

Re: Item 35 - VI Zoning Cycle, October 1973, to April 1974, are as follows:

Property Owner: Myrtle V. Hoeltzel

Location: N/S Liberty Road 450 ft. from centerline of Holbrook Road

Present Zoning: D.M. 2

Proposed Zoning: B.M.

No. of Acres: 0.754

District: 2nd

The site plan does not indicate the type of repair shop proposed. If the repair shop is for motor vehicles and there are to be any damaged or disabled vehicles stored on the site the requirements of Section 405A of the Zoning Regulations must be complied with.

Very truly yours,

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

CERTIFICATE OF PUBLICATION

P. O. 1.7756 C 2962

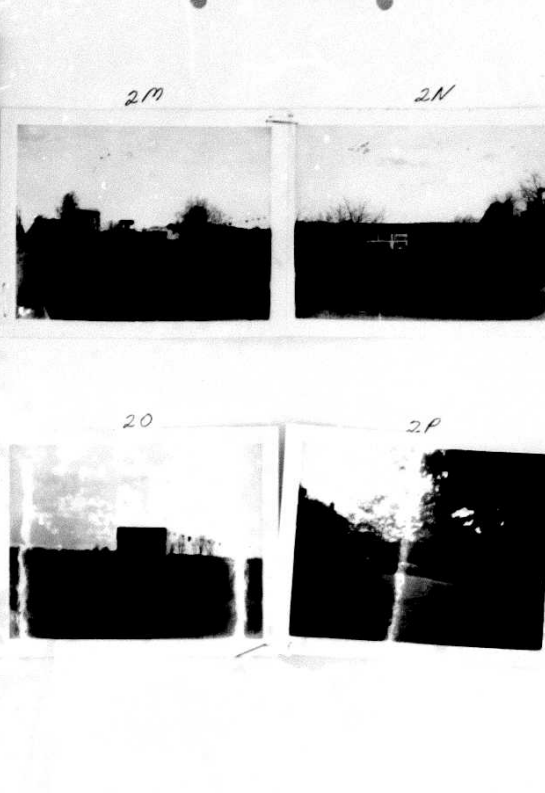
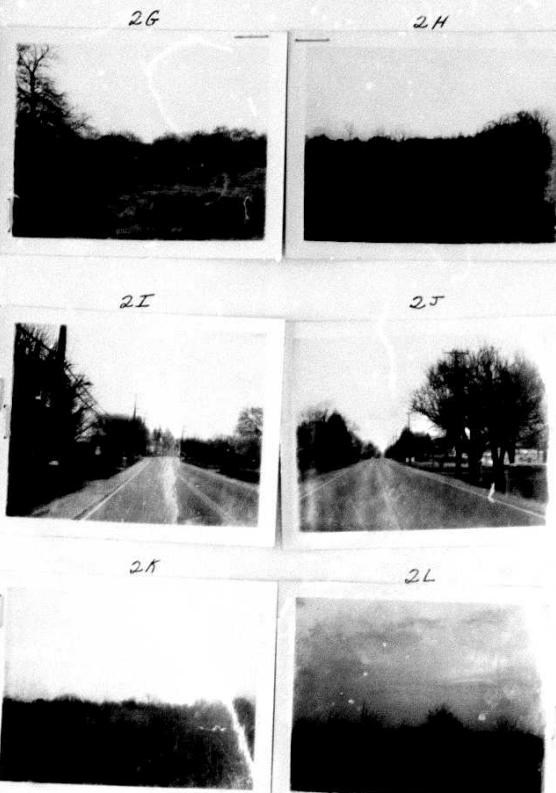
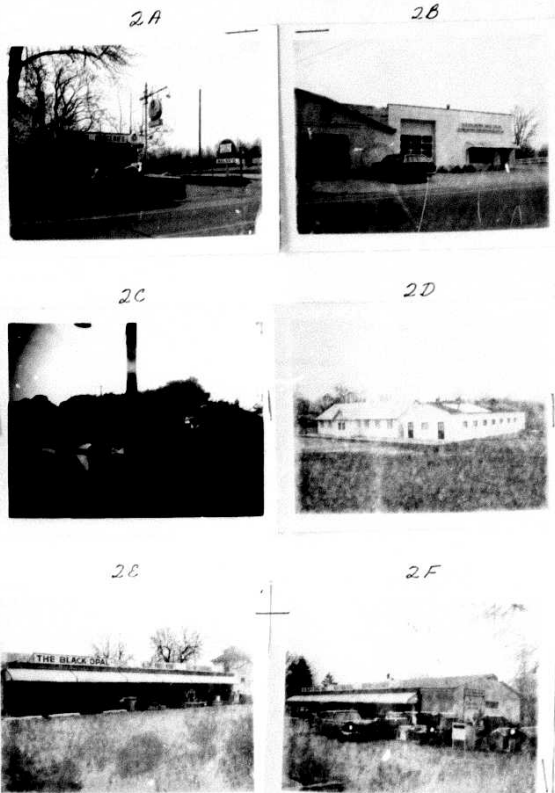
Pikesville, Md., Feb. 14, 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE NORTHWEST STAR, a weekly newspaper printed and published in Pikesville, Baltimore County, Maryland, once in each of one time before the 6th day of March, 1974, the first publication appearing on the 14 day of Feb., 1974.

THE NORTHWEST STAR

Donald J. Roop
Donald J. Roop
Manager

Cost of Advertisement, \$ 19.25



PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	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: <u>PTH</u>					Revised Plans: Change in outline or description: <u>Yes</u>				
Previous case:					Map # <u> </u>				

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: FEB 15, 1974
 Posted for: APPLICANT
 Petitioner: MYRTLE V. HOELTZEL
 Location of property: N/S of LIBERTY ROAD, 450' W of HOLBROOK ROAD
 Location of Signs: FRONT 16724 LIBERTY ROAD
 Remarks: THOMAS K. BALDWIN Date of return: FEB 20, 1974
 Posted by: THOMAS K. BALDWIN Signature

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: FEB 15, 1974
 Posted for: PETITION FOR REZONING
 Petitioner: MYRTLE V. HOELTZEL
 Location of property: N/S of LIBERTY ROAD, 450' W of HOLBROOK ROAD
 Location of Signs: FRONT 16724 LIBERTY ROAD
 Remarks: THOMAS K. BALDWIN
 Posted by: THOMAS K. BALDWIN Signature Date of return: FEB 20, 1974

William S. Baldwin, Esq.,
24 West Pennsylvania Avenue
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted for filing
 this 15th day of October 1973

THOMAS K. BALDWIN
Zoning Commissioner

Petitioner: Myrtle V. Hoeltzel
 Petitioner's Attorney: William S. Baldwin
 cc: George William Stephens, Jr., and Associates, Inc.
 P.O. Box 6828, Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 28th day of Sept 1973. Item #

THOMAS K. BALDWIN
Zoning Commissioner

Petitioner: Myrtle V. Hoeltzel Submitted by: THOMAS K. BALDWIN
 Petitioner's Attorney: Baldwin Reviewed by: PTH

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

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

No. 13137
 DATE: March 8, 1974 ACCOUNT: 01-662
 AMOUNT: \$110.11
 DISTRIBUTION:
 WHITE - CASHIER: No. Howard A. Triplett
 PINK - AGENCY: 3521 Wilkesmore Rd.
 YELLOW - CUSTOMER: Baltimore, Md. 21207
 Advertising and posting of property for
 Myrtle V. Hoeltzel
 #74-107-R

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

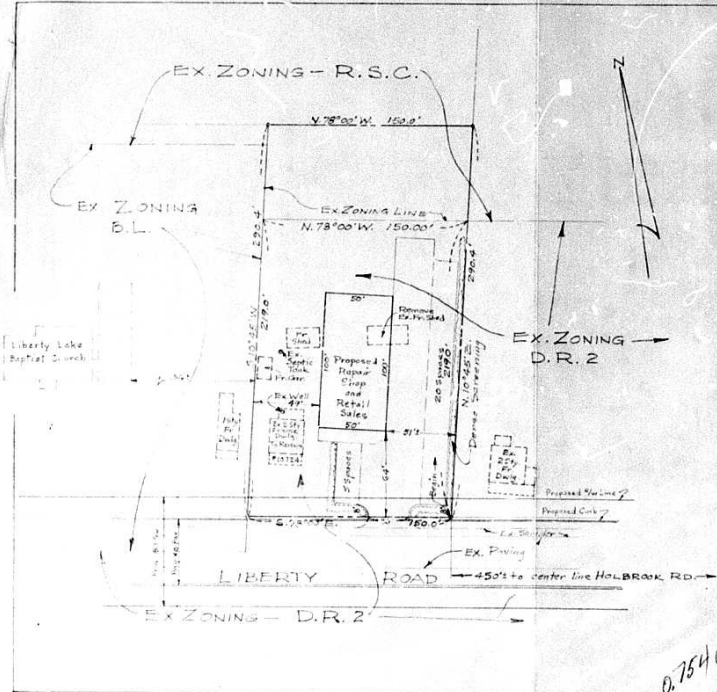
No. 16916
 DATE: October 1, 1974 ACCOUNT: 01-662
 AMOUNT: \$5.00
 DISTRIBUTION:
 WHITE - CASHIER: William S. Baldwin, Esquire
 PINK - AGENCY: Cost of Posting Property of Myrtle V. Hoeltzel for an Appeal Hearing
 YELLOW - CUSTOMER: N/S of Liberty Road, 450' W of Holbrook Road - 2nd Election District
 Case No. 74-187-R

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

No. 12762
 DATE: Nov. 27, 1973 ACCOUNT: 01-662
 AMOUNT: \$50.00
 DISTRIBUTION:
 WHITE - CASHIER: William S. Baldwin, Esq.
 PINK - AGENCY: 24 W. Penna. Ave.
 YELLOW - CUSTOMER: Towson, Md. 21204
 Petition for Reclassification for Myrtle V. Hoeltzel

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

No. 15036
 DATE: May 29, 1974 ACCOUNT: 01-662
 AMOUNT: \$70.00
 DISTRIBUTION:
 WHITE - CASHIER: William S. Baldwin, Esquire
 PINK - AGENCY: Cost of Filing of an Appeal on Case No. 74-187-R
 YELLOW - CUSTOMER: N/S of Liberty Road, 450' W of Holbrook Road 2nd Election District
 Myrtle V. Hoeltzel - Petitioner



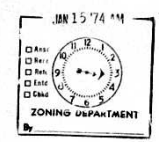
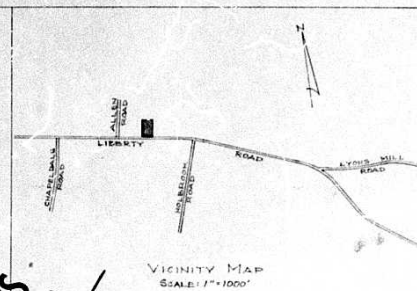
PARKING TABULATION
 Parking Required Based on Section 404.2, Subparagraph B.5 of the Baltimore County Zoning Regulations:
 1 Space for each 200 Sq. Ft. Total Area 5000 Sq. Ft.
 Required Spaces - 25
 Proposed Spaces - 25
 (Parking Spaces Shall be 9'x18')

GENERAL NOTES
 Parking Surface: All parking areas and drives shall be of Bituminous paving and properly drained.
 Lighting: Proposed lighting shall be so arranged as to direct light away from adjoining residences.
 Screening: Screening shall be done in accordance with a minimum height of 4 feet.
 Use of Proposed Building: Sales and Repair service of Motorcycles; any area used for storage of damaged vehicles shall be screened by a suitable fence not less than 6 feet high.



GEORGE WILLIAM STEPHENS, JR.
 AND ASSOCIATES, INC.
 ENGINEERS
 303 ALLEGHENY AVE.
 TOWSON 4, MARYLAND

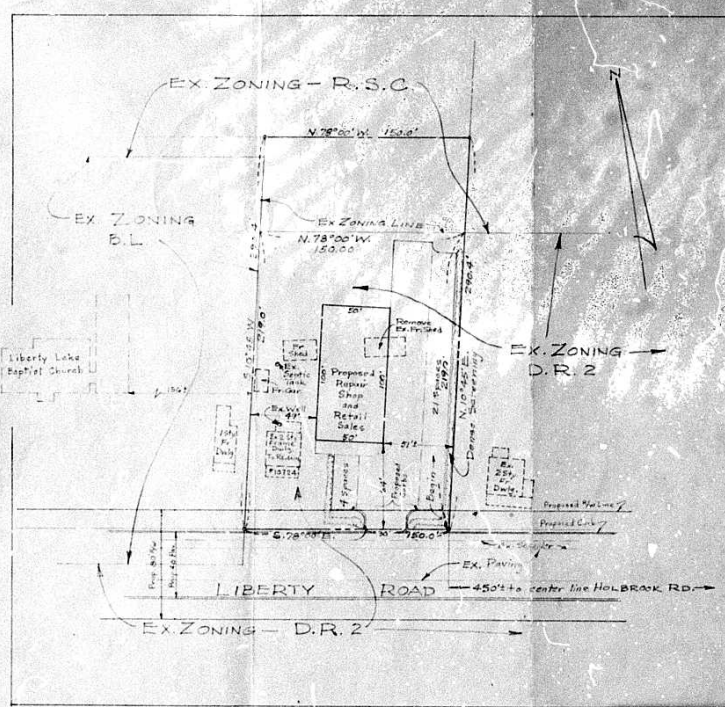
**BOARD OF APPEALS
 PETITIONER'S
 EXHIBIT**



20 Pet EX #1
 PLAT TO ACCOMPANY ZONING PETITION
 FOR RECLASSIFICATION
 FROM EXISTING D.R.2 ZONE TO B.M. ZONE
 FOR
 HOWARD ALLEN TRIPLETT

BALTO. CO., MD.
 SCALE: 1" = 50'
 ELECTION DIST. N°2
 SEPT. 24, 1973
 Revised January 14, 1974 To Comply With Zoning Comments.

P.N. 5139

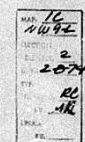
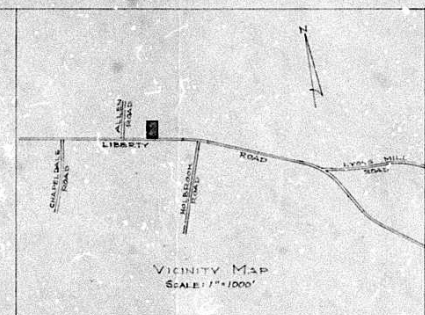


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 Use of Proposed Building: Sales and Repair service of Motorcycles; any area used for storage of damaged vehicles shall be screened by a suitable fence not less than 6 feet high.



GEORGE WILLIAM STEPHENS, JR.
 AND ASSOCIATES, INC.
 ENGINEERS
 303 ALLEGHENY AVE.
 TOWSON 4, MARYLAND



Myrtle V. Holtzcliff
 PLAT TO ACCOMPANY ZONING PETITION
 FOR RECLASSIFICATION
 FROM EXISTING D.R.2 ZONE TO B.M. ZONE
 FOR
 HOWARD ALLEN TRIPLETT

BALTO. CO., MD.
 SCALE: 1" = 50'
 ELECTION DIST. N°2
 SEPT. 24, 1973
 Revised January 14, 1974 To Comply With Zoning Comments.
 Revised January 1, 1974 To show parking curb along proposed parking.

P.N. 5139

