

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

JOHN S. ALMONY and JANET L. ALMONY, legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R.D.P. zone to an BL-CR zone; for the following reasons:

- In classifying the property R.D.P., the council committed an error.
- Substantial changes have occurred in the neighborhood so as to alter its character, the council having classified the property on the west side of Old York Road opposite the subject property as BL-CR.

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 1 or we agree to pay expenses of above re-classification and of 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.

Contract purchaser
Address: POWER AND MOSNER
21 W. Susquehanna Ave.
Towson, Maryland 21204

Legal Owner
Address: JANET L. ALMONY
White Hall, Md. 21161

Protestant's Attorney
Address: Russell D. Karpoo
21 W. Susquehanna Ave.
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of October, 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 13th day of March, 1974, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

POINTS OF ERROR COMMITTED BY THE COUNTY COUNCIL IN CLASSIFYING THE SUBJECT PROPERTY R.D.P.

The Petitioners state the County Council committed at least the following errors in classifying the subject property R.D.P.

- Commercial activity at the intersection of Openshaw Road and Greystone Road with Old York Road suggests this should be extended to subject property, so that Petitioners may conduct a beauty parlor within their dwelling.

CHANGES IN THE NEIGHBORHOOD

The population growth in the area creates a need for a beauty parlor.

The Council granted BL-CR to property on the west side of Old York Road at its intersection with Openshaw Road. The store there located does an increasing amount of business, and the Council even extended the BL-CR zoning to the southwest corner of Greystone Road with Old York Road, indicating the expected growth of commercial activities near the subject property.

Respectfully submitted,
POWER AND MOSNER

Gordon G. Power
Russell D. Karpoo
Attorneys for Petitioners

RE: PETITION FOR RECLASSIFICATION
NE/S of Openshaw and Old York Roads
7th District
John S. Almony, et ux - Petitioners
NO. 74-195-R (Item No. 25)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioners have withdrawn this Petition, therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 14th day of June, 1974, that the said Petition be and the same is hereby DISMISSED with prejudice.

Deputy Zoning Commissioner of
Baltimore County

June 14, 1974

Gordon G. Power, Esquire
21 West Susquehanna Avenue
Towson, Maryland 21204

RE: Petition for Reclassification
NE/S of Openshaw and Old York Roads
7th District
John S. Almony, et ux - Petitioners
NO. 74-195-R (Item No. 25)

Dear Mr. Power:

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

Attachment

LAW OFFICES
POWER AND MOSNER
21 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204

S. Eric Dinenna, Esquire
Baltimore County Office of
Planning and Zoning
County Office Building
Towson, Maryland 21204

Re: Petition for Reclassification
John S. Almony
#74-195-R
Item #25

Dear Mr. Dinenna:

Please dismiss, without prejudice, the above captioned petition.

With appreciation,

Very truly yours,

Gordon G. Power
Attorney for Petitioner

cc: Mr. and Mrs. John S. Almony

HOLD UNTIL NOTIFIED BY MR POWER
HE MUST DISCUSS WITH HIS CLIENTS

SPELLMAN, LARSON & ASSOCIATES, INC.

SUITE 303 INVESTMENT BUILDING
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.E.
JOSEPH L. LARSON
LOUIS J. PIASECKI, P.E.

DESCRIPTION FOR REZONING, OPENSRAW ROAD, SEVENTH DISTRICT, BALTIMORE CO., MD.

Beginning for the same at a point in the center of Openshaw Road at the distance of 2950 feet, more or less, measured Northeasterly along the center of Openshaw Road from the center of Old York Road and running thence and binding on the center of Openshaw Road North 51 Degrees 15 Minutes East 200.00 feet thence leaving the center of Openshaw Road and running North 36 Degrees 01 Minutes West 1013.15 feet, South 48 Degrees 20 Minutes 31 Seconds West 200.66 feet and South 36 Degrees 01 Minutes East 1001.47 feet to the place of beginning.

Containing 1.63 acres of land, more or less.

7-25-74



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

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Gordon G. Power and Russell D. Karpoo
21 W. Susquehanna Avenue
Towson, Maryland 21204

Item 25
6th Meeting Cycle

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing

this 10th day of October 1973

S. Eric Dinenna
Zoning Commissioner

Petitioner John S. & Janet L. Almony

Petitioner's Attorney Gordon G. Power and Russell D. Karpoo
21 W. Susquehanna Avenue
Towson, Md. 21204

Zoning Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 30, 1973

Messrs. Power and Karpook
21 W. Susquehanna Avenue
Towson, Maryland 21204

RE: Reclassification Petition
Item 25 - 6th Zoning Cycle
John S. & Janet L. Almony -
Petitioners

Gentlemen:

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 ensure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the north side of Openshaw Road, 2850 feet east of Old York Road, in the 7th District of Baltimore County.

This property, which contains 4.63 acres of land, is currently zoned R.D.P. and is requesting a Reclassification to B.L. for a proposed beauty shop. This property is currently improved with a very attractive one-story ranch house that is in excellent condition. There is another existing dwelling immediately to the east of this property.

Openshaw Road is a very narrow 16 foot wide rural road that is improved with curb and gutter at this time.

The petitioner is advised to review these comments and revise his plans accordingly where necessary. He is also reminded that he must comply

Messrs. Power and Karpook
Item 25 - 6th Zoning Cycle
November 30, 1973

with Section 1A09.1 No. 2a. of the Baltimore County Zoning Regulations.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petition, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to Monday, December 17, 1973 in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1974 and April 15, 1974 will be forwarded to you well in advance of the date and time.

Very truly yours,

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

JJDjr:JD

Enclosure

cc: Spellman, Larson & Associates, Inc.
Suite 303, Investment Bldg.,
Towson, Md. 21204

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 27, 1973

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

also
JOHN J. DILLON, JR.
Chairman

MEMBERS
BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF
FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

Messrs. Power and Karpook
21 W. Susquehanna Avenue
Towson, Maryland 21204

RE: Reclassification Petition
Item 25 - 6th Zoning Cycle
John S. & Janet L. Almony -
Petitioners

Gentlemen:

The attached comments indicate revised site plans are to be filed by December 17, 1973. Since I have been unable to forward comments as early as I would have liked, I am revising this date to January 17, 1974.

Very truly yours,

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

JJDjr:JD

Enclosures

cc: Spellman, Larson & Associates, Inc.
Suite 303, Investment Bldg.,
Towson, Md. 21204

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Wm. T. MILLER
DIRECTOR DEPUTY TRAFFIC ENGINEER

October 25, 1973

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

Re: Item 25 - October 1973 to April 1974 - Cycle Zoning VI
Property Owner: John S. Almony
Northeast side of Openshaw Road, 2850 feet east of Old York Road
B.L.
District 7

Dear Mr. DiNenna:

Openshaw Road is inadequate for commercial development.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRN/pk

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

October 26, 1973

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

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

Re: Item #25 (October 1973-April 1974 - Cycle VI)
Property Owner: John S. & Janet L. Almony
Center of Openshaw Rd., 2850' N/E from the center of Old York Rd.
Existing Zoning: R.D.P.
Proposed Zoning: B.L.
No. of Acres: 4.63 Acres District: 7th

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:

Access to this site shall be from Openshaw Road, an existing public road which shall ultimately be improved as a 40-foot combination curb and gutter cross-section with bituminous concrete paving, on a 60-foot right-of-way.

Storm Drains:

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage 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.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Water:

Public water is not available to serve this property. Therefore, private well systems must be provided in conformance with Health Department requirements. A water appropriation permit must be approved prior to signature on the record plat.

Item #25 (October 1973-April 1974 - Cycle VI)
Property Owner: John S. & Janet L. Almony
Page 2
October 26, 1973

Sanitary Sewers:

Public sewers are not available to serve this property; therefore, private sewage systems must be provided. Soil tests must be conducted on each lot prior to approval of a tentative and/or record plat in accordance with Department of Health requirements.

Very truly yours,

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

END: SANITARY SEWERS

MS 36 R Topo

Baltimore County Fire Department

J. Austin Deitz
Chief

Towson, Maryland 21204

833-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: John S. & Janet L. Almony

Location: Center of Openshaw Road, 2850 ft. N.E. from the Center of Old York Road

Item No. 25 Zoning Agenda Wednesday, October 3, 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 _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: *J. Austin Deitz* Noted and Approved: _____
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

ms
4/16/73

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

October 18, 1973

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 Reclassification, Zoning Advisory Committee Meeting, October 3, 1973, are as follows:

Property Owner: John S. & Janet L. Almony
Location: Openshaw Rd., 2850' E of C/L Old York Rd.
Present Zoning: R.D.P.
Proposed Zoning: B.L.
No. Acres: 4.63
District: 7

Complete soil evaluation must be conducted on rear of property and if approved, a gravity flow must be obtained to a system at this location.

Very truly yours,

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

HVB:mas

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

Property Owners: John S. & Janet L. Almony
Location: Center of Opershaw Road, 2850 ft. N/E from the Center of Old York Road
Existing Zonings: R.D.P.
Proposed Zonings: B.L.
No. of Acres: 4.63 acres
District: 7

The proposed road widening must be shown on the site plan.

John L. Wembley

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 494-3311 ZONING 494-3381

Date: October 25, 1973

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

Re: Item
Property Owner: John S. & Janet L. Almony
Location: Center of Openshaw Rd, 2850 ft. N.E. from the center of Old York Rd.
Present Zoning: R.D.P.
Proposed Zoning: B.L.

District: 7th
No. Acres: 4.63

A change from residential to B.L. would only result in a loss of approximately 1 or 2 pupils and would have no adverse effect.

W. Nick Petrovich
Field Representative

WNP/m1

H. Emslie Parks, President
Eugene C. Hess, Vice-President
Mrs. Robert L. Lerney

MARCUS M. BOTSARIS
JOSEPH N. MCGOWAN
ALVIN J. FREE

T. BAYARD WILLIAMS, JR
RICHARD W. TRACEY, V.M.O.
MRS. RICHARD E. WUERFEL

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. ~~under the name of~~ one time ~~under the name of~~ before the 12th day of March, 1974, the ~~first~~ publication appearing on the 21st day of February, 1974.

THE JEFFERSONIAN

Cost of Advertisement, \$.....

[illegible]

OFFICE OF

THE TOWSON TIMES

TOWSON, MD. 21204 February 25 - 19 74

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

was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~week~~ week before the 25 day of February 1974, that is to say, the same was inserted in the issue of February 21, 1974.

STROMBERG PUBLICATIONS, Inc.

By *Ruth Morgan*

[illegible]

1-S, 6N

74-195-R

District: 7th Date of Posting: Feb 21, 1974

Posted for: BRITAIN FOR RECLASSIFICATION

Petitioner: JOHN S. AHMERY

Location of property: NE/4S. of OPENSHAW Rd. 2850' E of Ckd.
YORK Rd

Location of Signs: NE/4S. of OPENSHAW Rd. 2850' + on - E of
OLD YORK Rd

Remarks:

Posted by: ILLINOIS S. DYSLAND

Date of return: MARCH 1, 1974

Signature _____

Date of return: MARCH 1, 1974

FUNCTION

Descriptions checked and
outline plotted on map

Petition number: added to outline

Denied
Granted by ZC, BA, CC, CA

Reviewed by: TSJ

Previous case:

Revised Plans:

Change in outline or description ☐ Yes
☐ No

Map # _____ No _____

Messrs. Power and Mosner
21 W. Susquehanna Avenue
Towson, Maryland 21204

Item 24
6th zoning Cycle

BALTIMORE COUNTY OFFICE OF PLANNING & 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


S. ERIC DINENNA
Zoning Commissioner

Petitioner John J. Moise

Petitioner's Attorney Messrs. Power and Mosner
cc: Spellman, Larson & Associates, Inc.,
Suite 303, Investment Bldg.,
Towson, Md. 21204

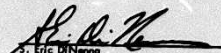
Reviewed by 
Chairman,
Zoning Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received* this 1st day of

Oct 1973. Item #


S. ERIC DINENNA
Zoning Commissioner

Petitioner John S. Almy, duc Submitted by Patricia Mosner

Petitioner's Attorney Power & Mosner Reviewed by FTH

* 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. 12771

DATE Nov. 27, 1973 ACCOUNT 01-662

AMOUNT \$50.00

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER

Messrs. Power and Mosner
21 W. Susquehanna Ave.
Towson, Md. 21204
Petition for Reclassification for John S. Almy

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

No. 13143

DATE March 13, 1974 ACCOUNT 01-662

AMOUNT \$109.71

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER

Messrs. Power and Mosner
21 W. Susquehanna Ave.
Towson, Md. 21204
Advertising and posting of property for John S. Almy
#74-195-R

EXISTING ZONING RDP
 PROPOSED ZONING BR
 EXISTING USE LUMBER YARD AND
 SERVICE GARAGE (AUTOMOTIVE REPAIR)
 EXISTING OFFICES: 1800'
 EXISTING RETAIL SALES AREA: 3200'
 EXISTING AUTO REPAIR
 EXISTING RESIDENCE

REQUIRED PARKING
 OFFICE: 1800' / 200' = 1
 RETAIL STORE 3200' / 200' = 16
 RESIDENCES = 1
 AUTOMOTIVE REPAIR = 1
 TOTAL REQUIRED = 8
 TOTAL PROVIDED = 10
 (6 EXISTING SPACES)
 (6 PROP. SPACES)

NOTE: NO DAMAGED OR DISABLED
 VEHICLES WILL BE STORED
 ON THIS PROPERTY

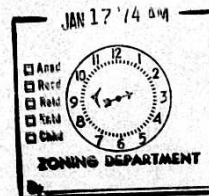
OFFICE COPY

PLAT FOR REZONING
 OPENSRAW RD. OLD YORK RD.
 7TH DISTRICT
 BALTIMORE CO., MD.

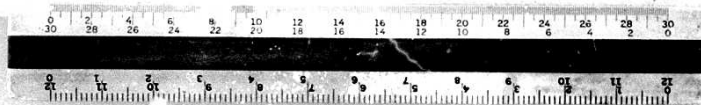


Cycle #6
 Item #25
 REVISED PLANS

Robert E. Spellman



SPELLMAN, LARSON & ASSOCIATES INC.
 Suite 303 Investment Bldg.
 Towson, Maryland 21204
 824-3535
 SCALE: 1"=50' SEPT. 28, 1973



73051