

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Carolyn K. Preston, 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 D.R. 5.5 zone to an D.R. 16 zone; for the following reasons:

That the County Council committed error at the time of the adoption of the Comprehensive Zoning Map insofar as it affects the subject property for the reasons set forth in the attached Memorandum.

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 Doctors offices

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.

Robert L. Barney
Robert L. Barney
Address 527 Hampden Lane
Baltimore County, Maryland

Carolyn K. Preston
Carolyn K. Preston Legal Owner
Address 6123 Falls Road
Baltimore County, Maryland

James H. Cook
James H. Cook Petitioner's Attorney
Address 409 Washington Avenue
Towson, Maryland 21204

Protestant's Attorney
Protestant's Attorney
Address 409 Washington Avenue
Towson, Maryland 21204

ORDERED BY The Zoning Commissioner of Baltimore County, this 22th day of January, 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 11th day of March, 1974, at 10:00 o'clock

Zoning Commissioner of Baltimore County.

(over)

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

Description to accompany
Zoning Petition for
Reclassification from
existing D.R. 5.5 Zone to
D.R. 16 Zone with Special
Exception for offices (Medical)
for Robert L. Barney
Containing 1.4 Acres more or less

September 27, 1973

Beginning for the same at the centerline intersection of Falls Road and Hollins Lane, thence binding on the centerline of Hollins Lane North 63° 15' East 267.00 feet, thence running the five following lines viz: South 11° 45' East 265.00 feet, South 69° 30' West 119.20 feet, North 20° 30' West 16.00 feet, South 69° 30' West 17.00 feet, North 20° 30' West 42.00 feet to the center of a 10 foot alley, thence binding in the center of said alley, South 77° 30' West 158.00 feet to the centerline of Falls Road, thence binding on said centerline North 3° 00' West 158.00 feet to the place of beginning. Containing 1.4 Acres of land more or less.



RE: PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION
SE/corner of Falls Road and Hollins Lane - 9th District
Carolyn K. Preston - Petitioner
NO. 74-197-RX (Item No. 20)

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioner having withdrawn her Petition at least ten (10) business days prior to the hearing, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4th day of April, 1974, that the said Petition be and the same is hereby DISMISSED without prejudice.

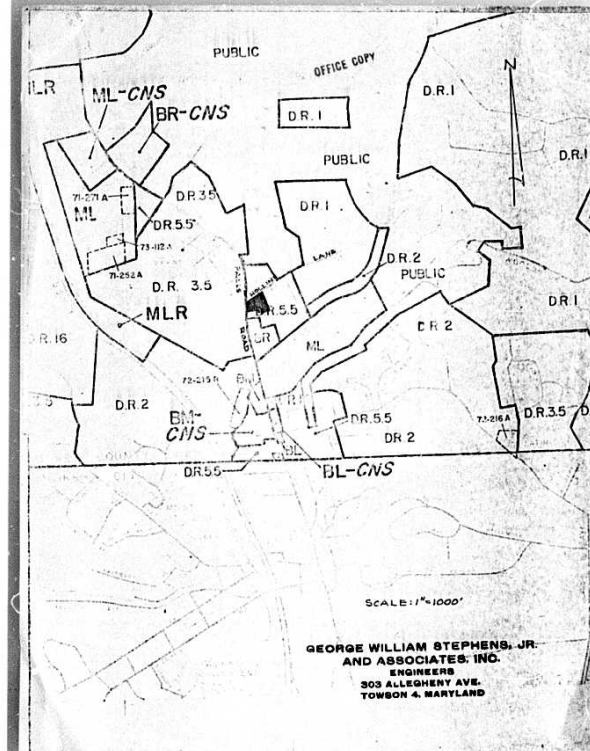
James H. Cook
Zoning Commissioner of
Baltimore County

POINTS OF ERROR COMMITTED BY THE COUNTY
COUNCIL IN CLASSIFYING THE SUBJECT PROPERTY
D.R. 5.5

The Petitioner states that the Baltimore County Council committed error in classifying the subject property D.R. 5.5 in that:

1. The subject property has enjoyed an apartment use for approximately thirty years, and it was error for the Council to fail to recognize this use and not to classify the property D.R. 16, and,
2. For such other and further reasons as may be shown at the hearing hereon.

James H. Cook
Attorney for Petitioner



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

LAW OFFICES
COOK, MUDD, MURRAY & HOWARD
MERCANTILE TOWSON BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

TELEPHONE 823-4111
AREA CODE 301

February 27, 1974

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

Re: Case 74-197-RX
Carolyn K. Preston

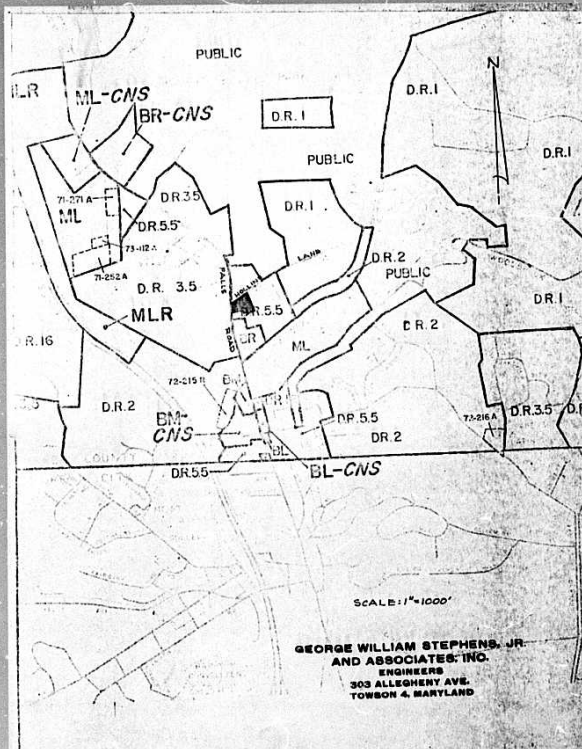
Dear Mr. DiNenna:

Will you kindly dismiss the above captioned Petition for Reclassification and Special Exception.

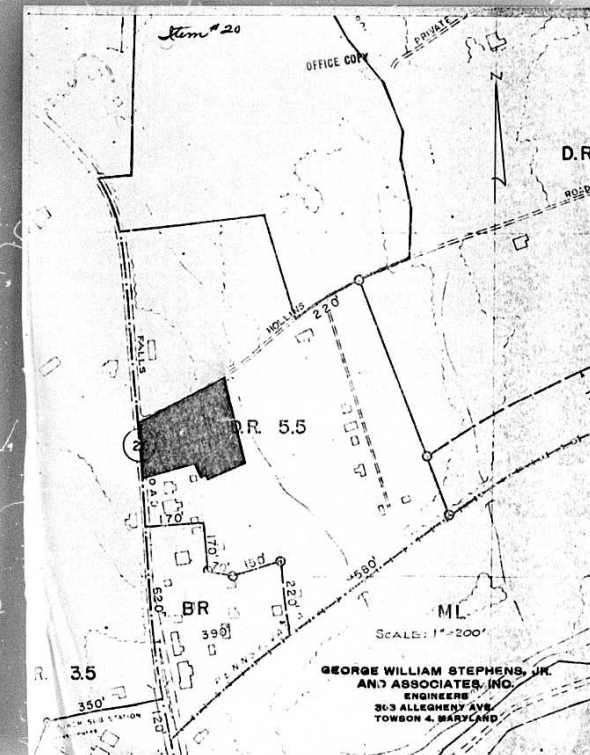
Very truly yours,

James H. Cook
James H. Cook

JHC:rm



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



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

**BALTIMORE COUNTY
ZONING ADVISORY COMMITTEE**



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

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

Re:

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

November 27, 1973

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

RE: Reclassification Petition
Item 20 - 6th Zoning Cycle
Carolyn K. Preston - Petitioner

Dear Mr. Cook:

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., Chairman
Zoning Advisory Committee

JJDjr.:JD

Enclosures

George William Stephens, Jr.
and Associates, Inc.
303 Allegheny Ave.,
Towson, Maryland 21204

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 29, 1973

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

RE: Reclassification Petition
Item 20 - 6th Zoning Cycle
Carolyn K. Preston - Petitioner

Dear Mr. Cook:

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 southeast corner of Falls Road and Hollins Lane, in the 9th District of Baltimore County. This property, which is zoned D.R. 5.5, is requesting a Reclassification to D.R. 16 and a Special Exception for doctors' offices on the first floor only and residences on the 2nd floor.

The property is currently improved with a two-story frame dwelling that appears to have been used as a multiple dwelling for some time.

The property is in fair condition and is adjacent to other dwellings along Falls Road. Since there are no other offices or apartments in the immediate vicinity, I recommend that should this petition receive a favorable decision that it be restricted in such a manner as to eliminate future expansion.

October 11, 1973

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

RE: Baltimore County
Sixth Zoning Cycle, Oct., 1973
Property Owner: Carolyn K. Preston
Location: E/S of Falls Road, (Sta 25)
S.W./S of Hollins Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16
No. of Acres: 1.4 Acres
District: 9th

ATT: Mr. John J. Dillon

Dear Mr. DiNenna:

Hollins Ave. is only 10' in width. An appreciable increase in traffic to the subject site, utilizing Hollins Ave. in its present condition would create a traffic problem. Hollins Ave. should be widened to a minimum of 25' at the intersection with Falls Road.

The 1972 average daily traffic count on this section of Falls Road is 7,000 vehicles.

Very truly yours,

CLJEM:AG

Charles Lee, Chief
Bureau of Engineering and Planning
By: John S. Meyers

James H. Cook, Esq.
Re: Item 20 - 6th Zoning Cycle
November 29, 1973

of this property by retaining the existing structure, as indicated on the petitioner's site plan.

The petitioner is advised to familiarize himself with the comments contained in this report and revise his plans accordingly.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plans, 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., Chairman
Zoning Advisory Committee

JJDjr.:JD

Enclosure

cc: George William Stephens, Jr.
and Associates, Inc.
303 Allegheny Ave.
Towson 4, Maryland

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

Bureau of Engineering
ELLSWORTH N. DIVER, P. E., Chief

October 17, 1973

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

Re: Item #20 (October 1973-April 1974 - Cycle VI)
Property Owner: Carolyn K. Preston
2 1/2 of Falls Road, S/W of Hollins Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16
No. of Acres: 1.4 Acres District: 9th

Dear Mr. DiNenna:

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

Highways

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

Hollins Lane is an existing road which shall be ultimately improved with a 30-foot curb and gutter street on a 50 foot right-of-way. A highway widening is to be provided on Hollins Lane. This widening line is to be 25 feet from the centerline of the existing right-of-way.

Storm Drains

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of the property 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.

Item #20 (October 1973-April 1974 - Cycle VI)
Property Owner: Carolyn K. Preston
Page 2
October 17, 1973

Water:

Public water is available to serve this property.

Sewerage:

The nearest public sewer available is Roland Run Interceptor approximately 1,000 feet to the south along Jones Falls.

This tract falls within the Jones Falls watershed and at present there is a restriction on construction until 1975.

Very truly yours,

ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END/EN:AG:MS

C-52 Key Sheet
30 NW 7 Pos. Sheet
1/4 2 3 Topo
78 Tax Map



Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
Baltimore, Maryland

October 11, 1973

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

RE: Baltimore County
Sixth Zoning Cycle, Oct., 1973
Property Owner: Carolyn K. Preston
Location: E/S of Falls Road, (Sta 25)
S.W./S of Hollins Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16
No. of Acres: 1.4 Acres
District: 9th

ATT: Mr. John J. Dillon

Dear Mr. DiNenna:

Hollins Ave. is only 10' in width. An appreciable increase in traffic to the subject site, utilizing Hollins Ave. in its present condition would create a traffic problem. Hollins Ave. should be widened to a minimum of 25' at the intersection with Falls Road.

The 1972 average daily traffic count on this section of Falls Road is 7,000 vehicles.

Very truly yours,

CLJEM:AG

Charles Lee, Chief
Bureau of Engineering and Planning
By: John S. Meyers

**BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204**

EUGENE J. CLIFFORD, P.E.
DIRECTOR



Wm. T. Melzer
DEPUTY TRAFFIC ENGINEER

October 26, 1973

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

Re: Item 20 - October 1973 to April 1974 - Cycle Zoning VI
Property Owner: Carolyn K. Preston
Southeast corner of Falls Road and Hollins Lane
D.R. 16, special exception for offices
District 9

Dear Mr. DiNenna:

The site in itself is of insufficient size to create major traffic capacity problems to Falls Road in this area, due to existing volumes. Hollins Lane, however, is inadequate for access to this type of use.

Very truly yours,

C. Richard Moore
Assistant Traffic Engineer

CRM/gk

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
823-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Carolyn K. Preston

Location: E/S of Falls Road, S.W./S. of Hollins Lane

Item No. 20 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.

- (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.
- (X) 2. A second means of vehicle access is required for the site.
- (X) 3. The vehicle dead-end condition shown at _____ is the maximum allowed by the Fire Department.
- (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.
- (X) 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: John H. Kelly Noted and
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

mls
4/16/73

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

October 17, 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: Carolyn K. Preston
Location: E/S Falls Rd., SW/S Hollins Lane
Present Zoning: D.R. 5.5
Proposed Zoning: D.R. 16
No. Acres: 1.4
District: 9

Metropolitan water is available to the site.

Metropolitan sewer must be extended to the site prior to approval by Health Department.

Very truly yours,

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

HVB:mng

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



November 16, 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 #20, VI Zoning Cycle, October 1973, to April 1974, are as follows:

Property Owner: Carolyn K. Preston
Location: E/S of Falls Road, S/W/S of Hollins Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16
No. of Acres: 1.4 acres
District: 9th

The access to the site is inadequate.

Hollins Lane should be widened to a 50 foot right-of-way with a 30 foot curb and gutter street.

If the petition is granted this office would request that the special exception be limited to the existing structure.

Very truly yours,

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 484-7111 ZONING 484-3381

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: October 24, 1973

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

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

Re: Item
Property Owner: Carolyn K. Preston
Location: E/S of Falls Road, S.W./S. of Hollins Lane
Present Zoning: D.R. 5.5
Proposed Zoning: D.R. 16

District: 9th
No. Acres: 1.4

Dear Mr. DiNenna:

The area if developed residentially could only produce 3 or 4 pupils at most with either zoning while if a doctor's office because the use there would naturally be no pupil yield.

Very truly yours,

W. Rick Petrovich
W. Rick Petrovich
Field Representative

WNP/ml

IN ENGLISH PARK, PARKING
EUGENE D. HENSLER, CHAIRMAN
AND ROBERT L. BERRY
MARSHALL W. WATSON
JOSEPH E. H. HENSLER
ALAN LUTHER
LAWRENCE B. WATSON, CHAIRMAN

THE TOWSON TIMES

TOWSON, MD. 21204 February 25 - 19 74

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 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: Rich Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 23, 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. once a week
before the 23 day of February 1974, that is to say, the same
was inserted in the issue of February 21, 1974.

THE JEFFERSONIAN,
St. Louis
Manager.

Cost of Advertisement, \$ _____

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th
Posted by: Carolyn K. Preston
Location of property: E/S of Falls Rd. & Hollins Lane
Location of Sign: Front 6123 Falls Rd.
Remarks:
Posted by: Thomas H. Devlin
Date of return: MARCH 1, 1974

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received* this 10 day of
1973

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner: Preston Submitted by: Murray
Petitioner's Attorney: Cook Reviewed by: DB

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

James H. Cook, Reg.
469 Washington Avenue
Towson, Maryland 21204
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing

this 10 day of October 1973.

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner: Carolyn K. Preston
Petitioner's Attorney: James H. Cook
Reviewed by: John L. Wimbley
Zoning Advisory Committee
303 Allegheny Ave., Towson, Md. 21204

BALTIMORE COUNTY, MARYLAND No. 13102

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: March 21, 1974 ACCOUNT: 01-662

AMOUNT: \$117.21

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Messrs. Cook, Mudd, Murray & Howard
109 Washington Ave.
Towson, Md. 21204
Advertising and posting of property for
Carolyn K. Preston - #74-197-EX-1721

BALTIMORE COUNTY, MARYLAND No. 12772

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Nov. 27, 1973 ACCOUNT: 01-662

AMOUNT: \$20.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Messrs. Cook, Mudd, Murray & Howard
109 Washington Ave.
Towson, Md. 21204
Petition for Reclassification and Special Exception for
Carolyn K. Preston



Parking Required Based on Section
409.2, subparagraph B5 of the
Baltimore County Zoning Regulations
1 Space for each 300 Sq.Ft. - Total Area First Floor 1185 Sq.Ft.
Required Spaces - 4
Proposed Spaces - 12
(Parking Spaces Shall be 9'x18')

Use of Existing Building- Medical Offices
First Floor Only, Residence-Second Floor.

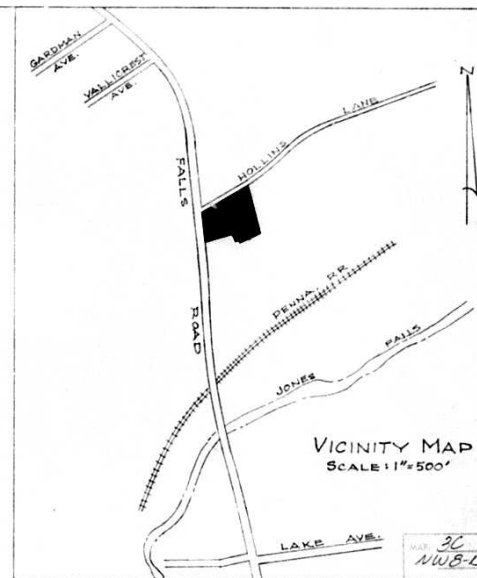
Parking Surface: All parking area and drives shall be of Bituminous paving properly drained.

Lighting: Proposed lighting shall be so arranged as to direct light away from adjoining residences.

Screening: Screening shall be dense Arborvitae with a minimum height of 4 Feet.



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



VICINITY MAP
SCALE: 1"=500'

PLAT TO ACCOMPANY ZONING PETITION
FOR RECLASSIFICATION
FROM EXISTING D.R. 5.5 ZONE TO D.R. 16 ZONE
WITH SPECIAL EXCEPTION FOR OFFICES (MEDICAL)
FOR
ROBERT L. BARNEY

BALTO. CO., MD.
SCALE: 1" = 50'

ELECTION DIST. N29
SEPT. 27, 1973