



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 12, 1997

Mr. Burton English, Jr.
Farrand & English, Inc.
416 Lyman Avenue
Baltimore, MD 21212

RE: Zoning Verification
8510 Old Harford Road
9th Election District

Dear Mr. English:

Your letter to Permits and Development Management has been referred to me for reply. This site was granted a limited exemption from the Development Regulations under Section 26-171 (A-7) on September 29, 1997, file #09297C. The proposed addition as shown on the submitted site plan will encroach into the required 30 feet side yard setback. The north wall of the addition will align with the wall of the existing building for which zoning case #5549-RXV granted a side yard setback. Subsequently, zoning case #74-272-XA granted a reclassification of the property plus a variance to side yard setbacks for a proposed building addition. The proposed building was never built. The proposed building footprint is similar to the prior (proposed and granted) addition, but is not as large. As such, the proposed addition will be approved as being within the spirit and intent of the latter aforementioned zoning cases.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in dark ink, appearing to read "John J. Sullivan, Jr.", is written over the typed name.

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:rye

c: zoning cases 5549-RXV & 74-272-XA

Enclosure



PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, TRUMAN S. SMITH, 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an R-L And D.R.-16 zone to an B-R zone, for the following reasons:

Reasons are as set forth in the attached brief and as earlier advanced and approved in Cases No. 5549-RXV (decided May 10, 1962) and No. 5913-X-63-30 (decided July 31, 1963)

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 TRUCK TERMINAL

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

None
Contract purchaser
Address: Box 120-A, Baldwin Mill Road
Baldwin, Maryland 21013
Robert L. Sullivan, Jr.,
Petitioner's Attorney
Address: 10 E. Eager Street, Balto., Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of April, 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 27th day of May, 1974, at 1:00 o'clock P.M.

(over)

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, TRUMAN S. SMITH, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 238.1 to permit a side-back from the center line of Diehl Avenue instead of the required 50' and Section 238.2 to permit a side-yard of 5' instead of the required 30'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

See attached brief in companion request for a Reclassification and Special Exception, historically related to Cases No. 5549-RXV (decided May 10, 1962) and No. 5913-X-63-30 (decided July 31, 1963)

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.

None
Contract purchaser
Address: Box 120-A, Baldwin Mill Road
Baldwin, Maryland 21013
Robert L. Sullivan, Jr.,
Petitioner's Attorney
Address: 10 E. Eager Street, Balto., Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of April, 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 27th day of May, 1974, at 1:00 o'clock P.M.

(over)

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
SPECIAL EXCEPTION AND VARIANCES : DEPUTY ZONING
NW/corner of Old Harford Road and : COMMISSIONER
Diehl Avenue - 9th District
Truman Smith - Petitioner
NO. 74-272-RXA (Item No. 12)
OF
BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a B.L. Zone and D.R.16 Zone to a B.R. Zone, a Special Exception for a truck terminal and side yard Variances. The property in question is located on the west side of Old Harford Road at Diehl Avenue, in the Ninth Election District of Baltimore County. Said Diehl Avenue is an unimproved paper street with a right-of-way width of forty feet. Attempts to lose this unimproved avenue are presently underway.

Expert testimony was presented on behalf of the Petitioner by a civil engineer, who prepared the site plans, and the manager of the armored carrier company that operates from an existing building on the subject property.

Their testimony covered both existing and proposed improvements including the interior operations that include a car wash, vehicular repair, and interior loading and unloading. Due to a large percentage of the business that is directly related to the Federal Reserve Bank, a substantial area must be provided for processing and storage of coins.

The Petitioner also presented documents and other evidence establishing that his property was, at one time, commercially zoned in entirety including a Special Exception for the existing use. Letters from the Planning Board substantiated his contention that a drafting error had been made in placing the zoning designation on his property when the Comprehensive Zoning Maps were adopted in 1971.

One area resident, who resides on property adjoining the opposite side of Diehl Avenue and fronting on Old Harford Road, was present at the hearing to indicate his concern as to parking areas that have not been paved or screened and possible future water problems.

When and if Diehl Avenue is closed, both parties were of the opinion that one-half of these portions of the bed of Diehl Avenue that binds on their respective properties would be deeded to them by Baltimore County. The Petitioner agreed to pave that portion of said Diehl Avenue that is presently used by him for access to his two parking areas. He also agreed to eliminate all parking or other use of said avenue.

After reviewing the above testimony and evidence, it is the opinion of the Deputy Zoning Commissioner that the Petitioner has proven error in the zoning designation as presently placed on his property and that the property should be reclassified as requested. The Petitioner, having met the requirements of Section 502.1 of the Baltimore County Zoning Regulations for the establishment of a truck terminal, would be faced with a hardship if he could not expand his present facilities as they presently exist on the unusual elongated site (560 feet, more or less, by 120 feet). For these reasons, the Special Exception and Variances can, with certain restrictions, be also be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 10th of June, 1974, that the herein requested Reclassification from a B.L. Zone and D.R.16 Zone to a B.R. Zone, together with a Special Exception for a truck terminal and side yard Variances, to permit a 25 foot setback from the center line of Diehl Avenue and a five foot setback from the side property line, instead of the required 50 feet and 30 feet, respectively, should be and the same is hereby GRANTED, from and after the date of this Order. Said granting is subject, however, to the following restrictions:

1. All parking areas must be paved with macadam paving, including the access drives along the northernmost one-half of Diehl Avenue as presently unimproved.

- Said parking areas are to be graded and properly drained to avoid any possible run-off onto the adjoining property on the opposite side of Diehl Avenue.
- The entire property with the exception of the entrances shall be fenced with an eight foot high chain link fence, and the areas adjacent to or opposite residentially zoned premises shall be screened with compact evergreen plantings, a minimum of four foot high.
- Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore County

JAMES S. SPANER & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
8017 YORK ROAD - TOWSON, MD. 21204
BY W.O.L.
DATE 12-13-73
8510 Old Harford Road

For the Purpose of zoning only.
All that piece or parcel of land situate lying and being in the 9th Election District of Baltimore County, State of Maryland and described as follows:

BEING more or less the same at the corner formed by the intersection of the westerly side of Old Harford Road as now laid out sixty feet wide in front of the property now being described with the northerly side of Diehl Avenue forty feet wide running thence and binding on the westerly side of Old Harford Road as now laid out sixty feet wide by a line curving northeasterly toward the right having a radius of 1530.00 feet a distance of 112.00 feet more or less to intersect the northernmost outline of "Cathy Heights" as laid out on a plat and recorded among the plat records of Baltimore County in Plat Book W.P.O. No. 5, folio 63 etc., thence leaving the Road and binding reversely on a part of said northernmost outline north 86 degrees 25 minutes west 507.00 feet more or less to the northernmost side of said lot numbered 22 on the aforesaid plat thence binding on the northerly side of Diehl Avenue south 87 degrees 25 minutes west 121.00 feet to the northerly side of Diehl Avenue thence binding on the northerly side of Diehl Avenue south 87 degrees 25 minutes west 511.00 feet more or less to the place of beginning.

Containing 1.48 acres of land more or less.

RE: Petition for Reclassification, Special Exception and Variances
NW/corner of Old Harford Road and Diehl Avenue - 9th District
Truman Smith - Petitioner
NO. 74-272-RXA (Item No. 12)

Dear Mr. Sullivan:

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: Mr. Daniel W. Noss
8606 Old Harford Road
Baltimore, Maryland 21234

Short L. Sullivan, BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
10 E. Eager Street
Baltimore, Maryland 21202
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 26th day of April, 1974.

S. ERIC DINENNA,
Zoning Commissioner

Petitioner Truman S. Smith

Petitioner's Attorney Robert L. Sullivan, Jr. Reviewed by James S. Spaner & Associates, Inc. Chairman, Zoning Advisory Committee
Towson, Md. 21204

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 2, 1974

Robert L. Sullivan, Jr., Esq.
10 E. Eager Street
Baltimore, Maryland 21202

Re: Special Exception Petition
Truman & Ruth Smith - Petitioners
Item 12

Dear Mr. Sullivan:

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 west side of Old Harford Road, approximately seven hundred and fifty (750) feet south of Putty Hill Avenue and is presently improved with a one-story brick building being utilized as a truck terminal by an armored carrier company.

This property was the subject of two (2) previous hearings. Case No. 5549-RXA was for a Reclassification to Business Roadside (B.R.), a Special Exception for a truck terminal and Variances for yard setbacks. Case No. 63-30-X was for a Special Exception for an antenna structure.

The properties to the north of the site are improved by a contractor's storage yard and an automotive service station. Various single family dwellings exist to the south and the property to the east, across Old Harford Road, is improved by the Ridge Gardens apartment development. A row house development exists to the west.

Robert L. Sullivan, Jr., Esq.
Re: Truman & Ruth Smith - Petitioners
May 2, 1974

Item 12
Page 2

The petitioner is requesting both a Reclassification and Special Exception to restore the previous zoning, which was apparently down shifted with the adoption of the 1971 Comprehensive Zoning Maps. Additional variances have also been requested to permit the construction of a thirty-two hundred (3200) square foot addition.

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 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

James B. Byrnes, III
JAMES B. BYRNES, III
Chairman,
Zoning Advisory Committee

JBB:JD

Enclosure

cc: James S. Spaner & Associates
8017 York Road
Towson, Maryland 21204

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

April 24, 1974

Bureau of Engineering
ELLENWORTH N. DYER, P. E., CHIEF

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

Re: Item #12 (Cycle VII - April to October 1974)
Property Owner: Truman & Ruth Smith
1/2 of Old Harford Rd., 750' S. of Putty Hill Ave.
Existing Zoning: B.L. & D.R. 16
Proposed Zoning: B.R. & Special Exception for an armored car service terminal and radio antenna, and a Variance from Section 238.1 to permit a 25' setback instead of the required 50' and a Variance from Section 238.2 to permit a side yard of 5' instead of the required 30'.
No. of Acres: 1.48 District: 9th

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 is from Old Harford Road which is improved with ultimate improvements along the frontage.

Diehl Avenue binds the site on the south. The attorney for the Petitioner has previously requested that this road be closed. After review by the Department of Traffic Engineering and the Bureau of Engineering it was agreed that Diehl Avenue may be closed. The Petitioner shall be fully responsible to take action to accomplish this closing which must be subject to a 10-foot drainage and utility E-ement over the existing 8-inch sanitary sewer in the existing right-of-way as shown on construction drawing #66-433-1.

Storm Drains:

All drainage required for this site shall be private.

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 improper grading or improper installation of the drainage facilities, would be the full responsibility of the Petitioner.

Item #12 (Cycle VII - April to October 1974)
Property Owner: Truman & Ruth Smith
Page 2
April 24, 1974

Sediment Control:

Development of this property through striping, 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:

There is a public 12-inch water main in Old Harford Road along the frontage of this property, as shown on construction drawing #62-113. This site is currently being served by public water.

Sanitary Sewers:

There is an existing sanitary service connection to this property from the existing 8-inch sanitary sewer in Diehl Avenue, as shown on drawing #66-433-1.

Very truly yours,

Ellenworth N. Dyer
ELLENWORTH N. DYER, P.E.
Chief, Bureau of Engineering

END:RAM:CD:ms

NE 90 Topo

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

878-7316

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Truman & Ruth Smith

Location: W/S of Old Harford Road, 750 feet S of Putty Hill Avenue

Item No. 12 Zoning Agenda Jan. 29, 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.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 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] is not 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.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *John W. Brady*
Planning Group
Special Inspection Division

Noted and Approved: *Paul H. Reincke*
Deputy Chief
Fire Prevention Bureau

ms
4/16/73

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

Wm. T. NELSON
DEPUTY TRAFFIC ENGINEER

March 1, 1974

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

Re: W/S Old Harford Road, 750 feet S of Putty Hill Avenue
Property Owner: Truman and Ruth Smith
Recess from B.L. and D.R. 16 to B.R., Special Exception for an armored car service terminal and radio antenna, and a variance to permit a 25 foot setback instead of the required 50 feet and a side yard of 5 feet instead of the required 30 feet
District 9

Dear Mr. DiNenna:

The subject petition is for a reclassification from B.L. and D.R. 16 to B.R. and a variance to the set back from the center of the street.

The reclassification is not expected to cause a major increase in traffic.

Granting the variance to the setback from the center of the street would eliminate any possibility of providing on site traffic circulation between the front and the rear of the site.

Although the petitioner provides all the parking that is required, a field investigation reveals that more parking should be provided by the petitioner.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF/pk

WILLIAM D. FFGAN
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER



February 7, 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 #12, Zoning Advisory Committee Meeting, January 29, 1974, are as follows:

Property Owner: Truman and Ruth Smith
Location: W/S of Old Harford Road, 750 feet S. of Putty Hill Avenue
Existing Zoning: B.L. and D.R. 16
Proposed Zoning: Reclass from B.L. and D.R. 16 to B.R., Special Exception for an armored car service terminal and radio antenna, and a Variance to permit a 25 foot setback instead of the required 50 feet and a side yard of 5 feet instead of the required 30 feet.
No. of Acres: 1.48
District: 9th

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

At the time of the field inspection the parking area was not paved and there were vehicles parked over most of the property and in the right of way for Diehl Avenue.

Diehl Avenue must be improved in accordance with the Bureau of Engineering comments.

If the side yard variance along the street is granted, it would stop any on-site traffic circulation from the front of the site to the rear of the site.

All required curbing and paving of the parking area and driveways must be shown on the site plan. All parking must be a minimum of 8 feet from the street proper, and shown on the site plan.

All parking areas must be effectively screened from residential premises. A minimum of 4 feet in height and compact.

John L. Windley
John L. Windley
Planning Specialist II

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 4843811 ZONING 4843811

BRIEF OF TRUMAN & RUTH SMITH
OWNERS OF 8510 OLD HARFORD ROAD

In Support of Request for Reclassification

1. That your Petitioners acquired by purchase on September 28, 1962, the then unimproved property known as 8510 Old Harford Road, Baltimore County, Maryland, bearing at that point in time, a zoning classification of "R-6".
2. That subsequently, your Petitioners, being then in the Armored Car Business, filed a request for a zoning reclassification of the subject property from "R-6" to a "B-R" Zone with a "Special Exception for a Truck Terminal and a Variance".
3. That following a hearing thereon, on May 9, 1962 (Exhibit "A") the subject Reclassification Request, etc., was granted by the Zoning Commissioner of Baltimore County on May 10, 1962, as evidenced by letter of the Zoning Commissioner dated May 10, 1962, a copy of which is attached hereto, marked Exhibit "B" and prayed to be taken as a part hereof.
4. That thereafter, your Petitioners caused said property to be improved by the erection thereon of a one-story building, measuring 58' x 130" with a front foot set back from said

Old Harford Road of approximately 225' (See Exhibit "C" attached hereto).

5. That thereafter your Petitioners filed a Petition for a Special Exception for the erection of a Radio Antenna to be used incident to the conduct of the armored car service business.
6. That on July 31, 1963, a hearing was held on said Petition (See Exhibit "D") and on the same date, said Petition and Request was, by Order of the Zoning Commissioner, granted (See Exhibit "E" attached hereto and prayed to be taken as a part hereof).
7. That in October your Petitioners sought to obtain a building permit for the purpose of expanding the size of the subject improvements in excess of 25% of the present size and were advised for the first time, that their property had been down-shifted from a "BR" Classification, with a "Special Exception and Variance", to that of a combined "BL" and "D.R. 16" Classification and, in point of fact, said present uses are now considered in the nature of a "non-Conforming use".

8. That an investigation of the circumstances surrounding this change and down-shifting in classification, has disclosed that said change is the result of an inadvertent error in drafting, on the part of the planning staff, of the official zoning map which was adopted by the County Council in March, 1971.
9. That your Petitioners believe and therefore aver that said change was an inadvertent error and mistake and respectfully request that the within Reclassification Petition be accepted, heard, and granted upon an affirmative showing of the facts herein alleged.

Respectfully submitted,

Robert L. Sullivan, Jr.
Robert L. Sullivan, Jr.
Attorney for Petitioners
10 E. Eager Street
Baltimore, Maryland 21202
752-1122

WILLIAM D. FROMM
SECRETARY
BALTIMORE COUNTY PLANNING BOARD



February 22, 1974

The Honorable Harry J. Bartenfelder, Chairman
Baltimore County Council
County Office Building
Towson, Maryland 21204

Dear Mr. Bartenfelder:

At its regular meeting on Thursday, February 21, 1974, the Baltimore County Planning Board, under the provisions of Subsection 22-22(1) of the Baltimore County Code 1968, as amended, unanimously approved a motion to certify to the County Council that early action is manifestly required in the public interest on the petition of Truman and Ruth Smith to change the zoning classification of portions of their property at 8510 Old Harford Road from B. L. and D. R. 16 to B. R.

After reviewing the letter from the petitioner's attorney and a copy of the zoning map, the Planning Board concluded that drafting errors, apparently made at the time the map was drawn, unintentionally changed the zoning classification of portions of this property, since the property's use was not in accordance with the new classifications.

Copies of the petition and of the attorney's letter are attached. Additional information will be provided upon your request. Notification of the Council's action should be made to the Zoning Commissioner so that timely actions can be taken by him in accordance therewith.

William D. Fromm
William D. Fromm, Secretary
Baltimore County Planning Board

WDF/TS/As

cc: Honorable Francis C. Barrett
Honorable Francis X. Bostle
Honorable Webster C. Dove
Honorable Gary Huddles
Honorable G. Walter Tyrre, Jr.
Honorable Wallace A. Williams

Mr. Herbert E. Hohenburger
Mr. S. Eric DiNenna
Mr. Thomas Toporovich
Mr. Robert L. Sullivan, Jr.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 48-2331 ZONING 48-2331

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: April 18, 1974
FROM: Baltimore County Planning Board
SUBJECT: Zoning Reclassification Petition

Property Owner: Truman and Ruth Smith
Location: 8510 Old Harford Road
Existing Zoning: B.L. & D.R. 16
Requested Zoning: B.R.
District: 9



After reviewing the letter from the petitioner's attorney and a copy of the zoning map, the Planning Board concluded that drafting errors, apparently made at the time the map was drawn, unintentionally changed the zoning classification of portions of this property, since the property's use was not in accordance with the new classifications.

It is therefore recommended that the petitioner's request for B.R. zoning be granted.

William D. Fromm
William D. Fromm, Secretary
Baltimore County Planning Board

WDF:JGH:rw





BALTIMORE COUNTY, MARYLAND No. 14795
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE May 6, 1974 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Messrs. Sullivan, Wisand & Singer
Ten East Bay
Baltimore, Md. 21202
Petition for Reclassification, Special Exception and
Variance for Trash Site
#74-272-521 500 REC

BALTIMORE COUNTY, MARYLAND No. 15065
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE June 14, 1974 ACCOUNT 01-662

AMOUNT \$51.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Messrs. Sullivan, Wisand & Singer
Ten E. Bay
Baltimore, Md. 21202
Advertising and posting of property for Truman Smith
#74-272-521 4647 810 REC

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Malcolm M. Dill
Director

John G. Rose
Zoning Commissioner

Robert Sullivan, Esq.,
1110 Court Square Building
Baltimore 2, Maryland

Re: Petition for Reclassification
from an "R-4" Zone to a "B-2"
Zone; a special exception for a
Truck Terminal and a variance
to Section 236.3 of the Zoning
Regulations to permit a 10 foot
setback on the north side yard
instead of the required 20 feet,
and a 21 foot setback from the
side property line instead of the
required 25 feet.

Dear Mr. Sullivan:

I have today passed my Order granting the
reclassification, in the above matter, from an "R-4" Zone to a
"B-2" Zone; a special exception for a Truck Terminal and a
variance to Section 236.3 of the Zoning Regulations to permit a
10 foot setback on the north side yard instead of the required
20 feet and a 21 foot setback from the side property line
instead of the required 25 feet.

The granting of the above petition is subject
to approval of the plans for the development of said property
by the Office of Planning and Zoning to be returned to the Zoning
Commissioner for approval. The plans are also subject to the
approval of the Division of Land Development of Baltimore County.

Very truly yours

[Signature]
John G. Rose
Zoning Commissioner

EXHIBIT "B"

111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204
B. ERIC DINENNA
COUNTY COMMISSIONER

The Honorable Harry J. Bartenfelder, Chairman
Baltimore County Council
County Office Building
Towson, Maryland 21204

Dear Mr. Bartenfelder:

At its regular meeting on Thursday, February 21, 1974, the Baltimore County Planning Board, under the provisions of Subsection 22-22(i) of the Baltimore County Code 1968, as amended, unanimously approved a motion to certify to the County Council that early action is manifestly required in the public interest on the petition of Truman and Ruth Smith to change the zoning classification of portions of their property at 8510 Old Harford Road from B. L. and D. R. 16 to B. R.

After viewing the letter from the petitioner's attorney and a copy of the zoning map, the Planning Board concluded that drafting error, apparently made at the time the map was drawn, unintentionally changed the zoning classification of portions of this property, since the property's use was not in accordance with the new classifications.

Copies of the petition and of the attorney's letter are attached. Additional information will be provided upon your request. Notification of the Council's action should be made to the Zoning Commissioner so that timely actions can be taken by him in accordance therewith.

WDE/ES/ks

cc: Honorable Francis C. Barrett
Honorable Francis X. Bosse
Honorable Webster C. Dove
Honorable Gary Huddles
Honorable G. Walter Tyrie, Jr.
Honorable Wallace A. Williams

Mr. Herbert E. Hohenberger
Mr. S. Eric DiNenna
Mr. Thomas Toporovich
Mr. Robert L. Sullivan, Jr.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 108 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 494-3311 ZONING 494-3351

February 22, 1974

[Signature]
W. D. Fromm
Secretary

County Council of Baltimore County
County Office Building, Towson, Maryland 21204

COUNCILMEN

First District

Second District

Third District

Fourth District

Fifth District

Sixth District

Seventh District

Eighth District

Ninth District

Tenth District

Eleventh District

Twelfth District

Thirteenth District

Fourteenth District

Fifteenth District

Sixteenth District

Seventeenth District

Eighteenth District

Nineteenth District

Twentieth District

Twenty-first District

Twenty-second District

Twenty-third District

Twenty-fourth District

Twenty-fifth District

Twenty-sixth District

Twenty-seventh District

Twenty-eighth District

Twenty-ninth District

Thirtieth District

Thirty-first District

Thirty-second District

Thirty-third District

Thirty-fourth District

Thirty-fifth District

Thirty-sixth District

Thirty-seventh District

Thirty-eighth District

Thirty-ninth District

Fortieth District

Forty-first District

Forty-second District

Forty-third District

Forty-fourth District

Forty-fifth District

Forty-sixth District

Forty-seventh District

Forty-eighth District

Forty-ninth District

Fiftieth District

Fifty-first District

Fifty-second District

Fifty-third District

Fifty-fourth District

Fifty-fifth District

Fifty-sixth District

Fifty-seventh District

Fifty-eighth District

Fifty-ninth District

Sixtieth District

Sixty-first District

Sixty-second District

Sixty-third District

Sixty-fourth District

Sixty-fifth District

April 16, 1974

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

Dear Mr. DiNenna:

Attached herewith please find Planning Board Resolution certifying that early action is manifestly required in the public interest on the petition of Truman and Ruth Smith to change the zoning classification of portions of their property at 8510 Old Harford Road from B. L. and D. R. 16 to B. R., which the County Council approved at their meeting on Monday, April 15, 1974.

Very truly yours,

[Signature]
Herbert E. Hohenberger
Secretary

HEH:bl

Enc: 1

cc: Mr. William D. Fromm

BALTIMORE COUNTY COUNCIL MINUTES

Legislative Day No. 6
April 15, 1974 - 5:00 P. M.

The meeting was called to order by the Chairman at 5:00 P. M. Chairman Bartenfelder then asked the audience to rise for a moment of silent prayer. There were approximately persons present and the following Councilmen were in attendance:

Francis X. Bosse	First District
Gary Huddles	Second District
G. Walter Tyrie, Jr.	Third District
Webster C. Dove	Fourth District
Harry J. Bartenfelder	Fifth District
Francis C. Barrett	Sixth District
Wallace A. Williams	Seventh District

Council Approval of Fiscal Matters

1. Budget Appropriation Transfer 74-10-Department of Social Services

At the direction of the Chairman, the Secretary read the cover letter pertaining to this B A T necessary due to underestimates of assessable base for Fiscal Years 1969 through 1971. Mrs. Makofsky appeared to explain. Mr. Guild also spoke briefly to explain the fiscal audit. There being no further discussion upon motion by Councilman Williams, seconded by Councilman Tyrie, this transfer was unanimously approved by the Council.

2. Budget Appropriation Transfer 74-11-Maryland School for the Blind

At the direction of the Chairman, the Secretary read the cover letter pertaining to this transfer to provide the additional funds to the Maryland School for the Blind due to increase in number of County resident students registered over the original estimate. Mr. Guild appeared to explain, and there being no discussion, upon motion by Councilman Williams, seconded by Councilman Tyrie this B A T was unanimously approved by the Council.

3. Budget Appropriation Transfer 74-12-Office of Data Processing & Management

At the direction of the Chairman, the Secretary read the cover letter pertaining to this transfer to provide funds for additional air conditioning for the IBM computer room. Mr. Richardson appeared to explain and was questioned by Councilman Dove, who said this was not bid on a competitive basis and asked why we waited so long. Mr. Dewberry spoke to explain that informal bids would be received for this job. Councilman Barrett questioned Mr. Richardson about overruns putting the Council in a bad position. Chairman Bartenfelder said he agreed with Councilmen Dove and Barrett, but that Mr. Richardson has tried to save the county money by installing window air conditioners, etc. There being no further discussion, upon motion by Councilman Bosse, seconded by Councilman Williams, this B A T

was approved by the following roll call vote:

Aye - Messrs. Bosse, Tyrie, Bartenfelder, Barrett and Williams
Nay - Messrs. Huddles and Dove

4. Budget Appropriation Transfer 74-7-C.Woodmoor Box Culvert

At the direction of the Chairman, the Secretary read the cover letter pertaining to this transfer to provide additional funds to pay a bill from the C & P Telephone Company that was received subsequent to the closing of this item (Woodmoor Box Culvert). Mr. Kaltenbach appeared to explain and there being no discussion, upon motion by Councilman Tyrie, seconded by Councilman Huddles this B A T was unanimously approved by the Council.

5. Budget Appropriation Transfer 74-8-C.Rocky Point Area Park

At the direction of the Chairman, the Secretary read the cover letter pertaining to this B A T required to provide the funds necessary to proceed with the letting of a revised engineering contract for Rocky Point Area Park. Mr. Aldrich appeared to explain and was questioned briefly by Councilman Dove. Councilman Bartenfelder questioned Mr. Aldrich regarding the amount of money being spent. He then made a motion to approve, which was seconded by Councilman Tyrie and this transfer was unanimously approved by the Council.

6. Budget Appropriation Transfer 74-3-S-Grace's Quarters Elementary School

At the direction of the Chairman, the Secretary read the cover letter pertaining to this transfer to supplement the current allocation for the acquisition of the "Grace's Quarters Elementary School" site. Mr. Krabbe of the Board of Education appeared to speak. After a brief discussion, upon motion by Councilman Bartenfelder, seconded by Councilman Tyrie this B A T was unanimously approved by the Council.

Miscellaneous Business

1. Correspondence

There was no correspondence.

2. Planning Board Resolution-Petition of Truman and Ruth Smith

At the direction of the Chairman, the Secretary read the planning board resolution which stated that at its regular meeting on Thursday, February 21, 1974 the Baltimore County Planning Board under the provisions of Subsection 22-22(i) of the Baltimore County Code 1968, as amended, unanimously approved a motion to certify to the County Council that early action is manifestly required in the public interest on the petition of Truman and Ruth Smith to change the zoning classification of portions of their property at 8510 Old Harford Road from B. L. and D. R. 16 to B. R. Norman Gerber appeared to explain, and upon motion by Councilman Dove, seconded by Councilman Tyrie this resolution was unanimously approved by the Council.

3. Metropolitan District Extension-Deer Park Road, Randallstown area

At the direction of the Chairman, the Secretary read the Metropolitan District Extension regarding Deer Park Road in Randallstown. Councilman Huddles made a motion to approve, which was seconded by Councilman Bosse; and the extension was unanimously approved by the Council.

4. Resolution No. 7-74 "Ride-a-Bike for the Retarded"

At the direction of the Chairman, the Secretary read Resolution No. 7-74, stating that the Baltimore Association of Retarded Citizens will conduct a fund raising "Ride-a-Bike for the Retarded" on Sunday - April 21, 1974 from 12:00 Noon until 5:00 P. M. Mr. Huddles spoke briefly and moved for adoption. Councilman Tyrie seconded and this resolution was unanimously approved by the Council.

5. Lease between State of Maryland to the use of the Board of Regents of the University of Maryland, Baltimore County.

At the direction of the Chairman, the Secretary read this lease covering 4.5 acres of property at the University of Maryland, Baltimore County. Councilman Bosse spoke briefly to explain the need for this additional property and then made a motion to approve. Councilman Williams seconded and this matter was unanimously approved by the Council.

There being no further business to come before the Council, upon motion by Councilman Williams, seconded by Councilman Tyrie the meeting adjourned at 5:45 P. M.

[Signature]
Herbert E. Hohenberger
Secretary

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Malcolm M. Dill
Director

John G. Rose
Zoning Commissioner

Messrs. Sclar & Sullivan,
1110 Court Square Building
Baltimore 2, Maryland

Att: Allan J. Kaleser, Esq.

July 31, 1963

Re: Petition for Special Exception
for Jacke Antenna, 300' in height,
in connection with its armored
truck operation - 1110 Side of
Old Harford Road and Diehl Ave.,
9th Dist., Truman Smith and
Ruth Smith, Petitioners -
No. 63-30

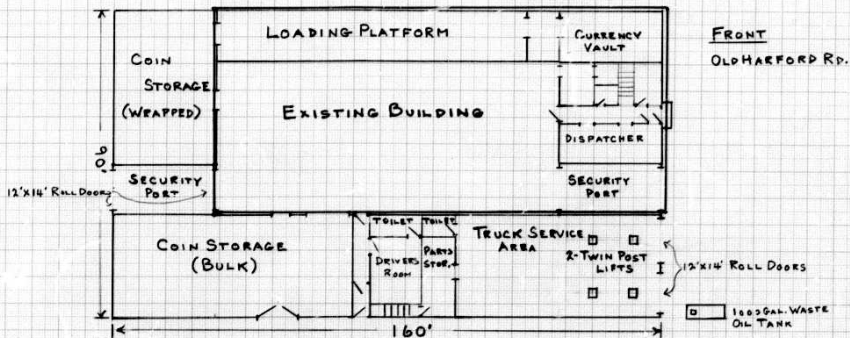
Dear Mr. Kaleser:

I have today passed my Order granting the special exception in the above matter, subject, to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

Very truly yours

[Signature]
John G. Rose
Zoning Commissioner

EXHIBIT "E"



DET EX #7

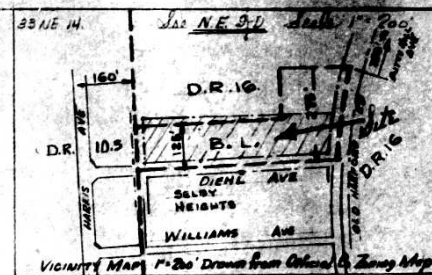
SCALE 1"=20'



Metropolitan water and sewer are available to site.

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

Water Resources Administration Comments: If lubrication work and oil changes are performed at this location, plans must be submitted showing method providing for the elimination of waste oil in accordance with Water Resources Admin. requirements.



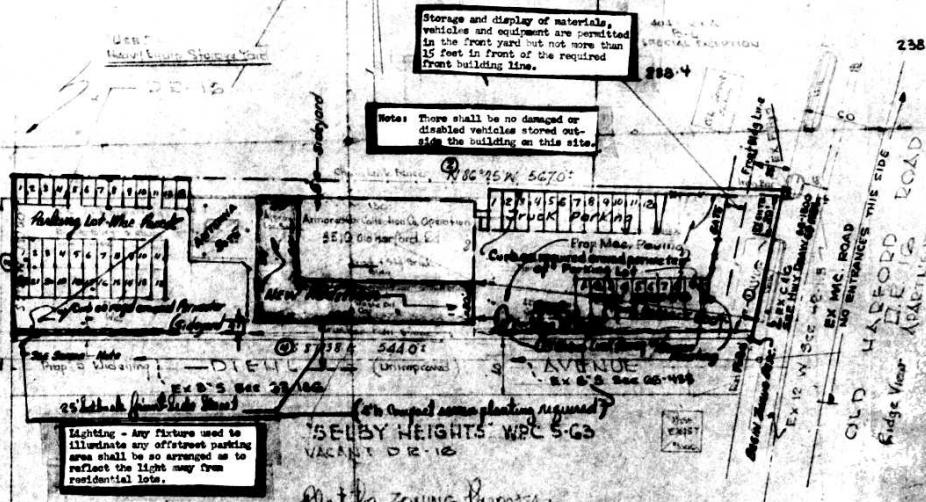
Zoning Data:

- Section 236-1 Parking: View: From East B.L. 16 to a B.R. 16
- Section 236-4 Special Exception for a Truck Terminal in the B.R. Zone
- Section 238-1 Front Yard: EXIST 800' setback
- 238.1 Variance from a 25' setback from the intersection of the side street instead of required 50'
- 238.2 Side Yard: Variance for a 5' backyard instead of required 30'.

- 238.3 Loading Area: Loading Area See Section 409
- "Industrial or warehouse type of use"
- One space for each 3 employees in building
- 40 employees + 3 = 13 spaces Required
- Parking: 21 spaces 100' x 20' for Trucks
- 35 spaces 10' x 20' for Employees, etc.

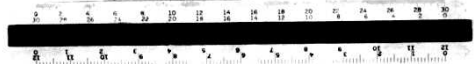
- Area: 1.25 ac. - Existing
- Prop. Use: 7,000 sq. ft. - 1.25 ac.
- Special Exception: C. 1000 sq. ft. - 1.25 ac.
- Special Exception: C. 1000 sq. ft. - 1.25 ac.
- Special Exception: C. 1000 sq. ft. - 1.25 ac.
- Special Exception: C. 1000 sq. ft. - 1.25 ac.
- Prop. Use: (Same) Plan (Same)
- Exist: 7,000 sq. ft. - 1.25 ac.

- Scale: 1"=200'
- Scale: 1"=200'
- Scale: 1"=200'
- Scale: 1"=200'
- Scale: 1"=200'
- Scale: 1"=200'



PROPERTY OF THOMAS SMITH & DUL SMITH
911 ELECTION DIST. BALTIMORE CO. MD
DECEMBER 1975 SCALE: 1"=50'

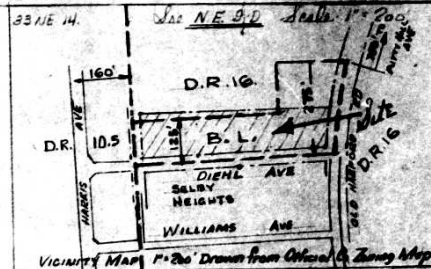
WOB 4051-355
Exhibit A to the Ordinance from B.L. 16 to B.R. 16
Use Cases No 5549-RXV and 593-X-25-30



Metropolitan water and sewer are available to site.

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

Water Resources Administration Comments: If lubrication work and oil changes are performed at this location, plans must be submitted showing method providing for the elimination of waste oil in accordance with Water Resources Admin. requirements.



VICINITY MAP 1"=200' Drawn from Official & Zoning Map

Zoning Data:

- Sect. 236 - 1 Reclassification: From Sect B.L. & D.R. 16 to a B.R. Zone
- Sect 236.4. Special Exception for a truck terminal in the B.R. Zone
- Sect 238. 238.1 Front Yard EXIST 800' lot back
- 238.1 Variance from a 25' lot back from the centerline of the side street instead of required 30'
- 238.2 Side Yard: Variance for a 5' sideyard instead of required 30'.

- 238.3 Backyard: Sideyard: See Sect 409
- "Industrial warehouse type of use"
- One space for each 3 employees in largest shift
- 40 employees + 3 = 13 spaces Required
- Parking 21 spaces (100' x 10' for trucks)
- 85 spaces (100' x 10' for employees etc)

- Area: 157' x 100' - EXIST
- Front Yard: 100' x 100'
- Special Exception: Radio Station & Reception Tower
- Special Exception for a Truck Terminal & a Variance of 10' instead of the required 30'
- Prop. Use: (SAME) Plus (new) 100' x 100' (100' x 100')
- Exist: 7,800' x 100' (100' x 100')

Cycle 7 Stop

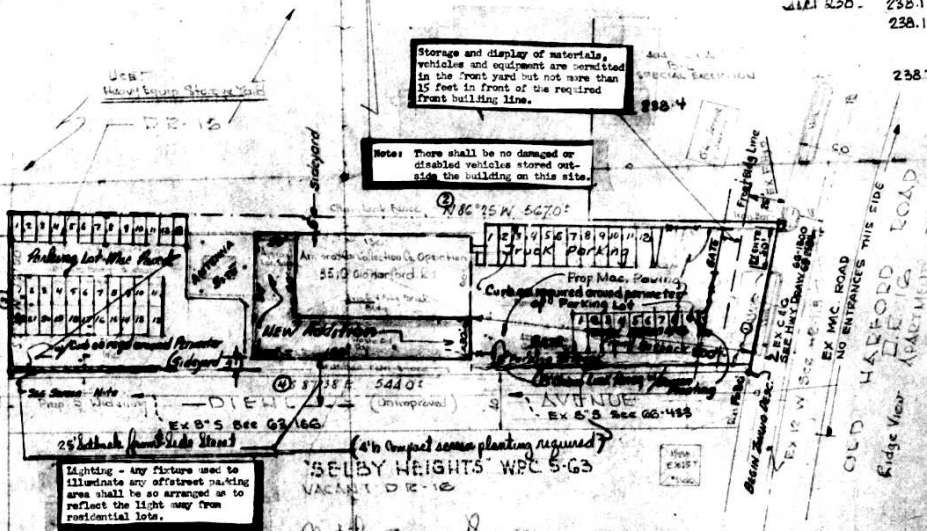
James S. Surber & Associates

ENGINEERS & SURVEYORS

801 YORK ROAD

TOWSON, MD. 21204

Scale 1"=50'



Storage and display of materials, vehicles and equipment are permitted in the front yard but not more than 15 feet in front of the required front building line.

Note: There shall be no damaged or disabled vehicles stored outside the building on this site.

Lighting - any fixture used to illuminate any offstreet parking area shall be so arranged as to reflect the light away from residential lots.

PROPERTY OF TUDMAN SMITH & SONS SMITH
911 ELECTION DIST. BALTIMORE CO. MD.
DECEMBER 1975

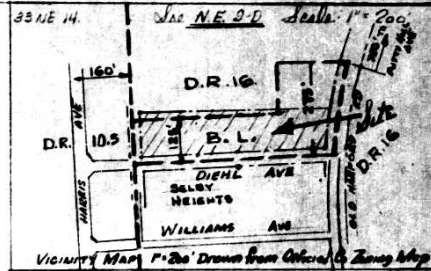
W.D. 2051-255
Shown for the Chesapeake Bay B.L. & D.R. 16 to B.R.
See Cases No 5549-RKV and 6915-X-63-30



Metropolitan water and sewer are available to site.

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

Water Resources Administration Comments: If lubrication work and oil changes are performed at this location, plans must be submitted showing method providing for the elimination of waste oil in accordance with Water Resources Admin. requirements.



zoning Data:

Sect. 236 - 1 **Reclassification:** From Sect B.L. DR 16 to a B.R. Zone
 Sect 236.4. **Special Exception** for a Truck Terminal in the B.R. Zone
 Sect 238.

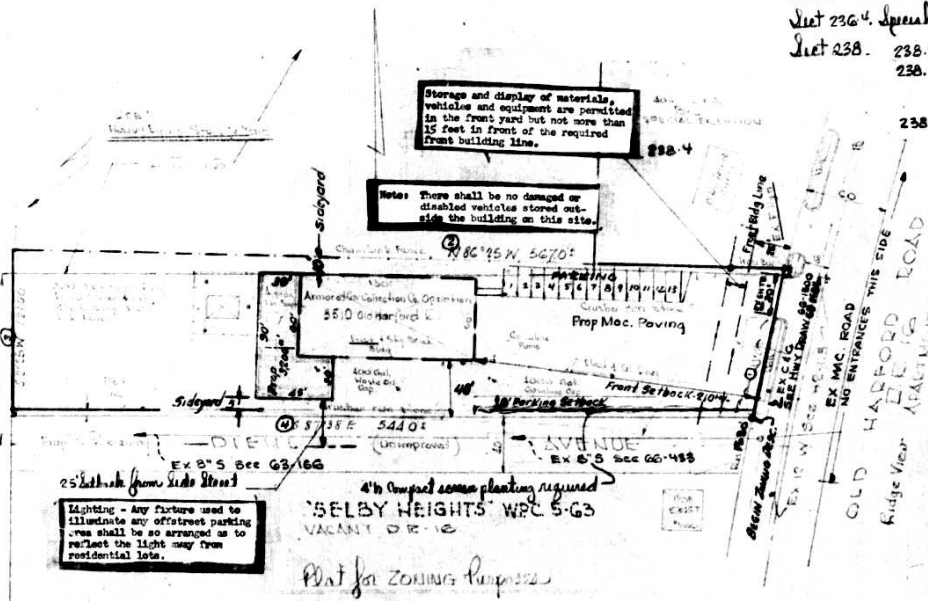
238.1 Front Yard EXIST 210' Setback
 238.1 Variance from a 25' Setback from the center line of the side street instead of required 50'
 238.2 Side Yard Variance for a 5' backyard instead of required 30'.

238.3 **Loading Area** - Loading Area See sheet 409
 "Industrial warehouse type of use"
 - One space for each 3 employees inv. largest shift
 40 employees + 3 = 13 spaces PROVIDED

Area 4411 - EXIST BLDG 60' x 110' - 7,000'
 Special Use - **Armored Car - Garage & Money Handling**
 Special Exception for a Truck Terminal & Variance for a 5' Setback instead of the required 50' and a 25' Setback instead of 50'
 Prop. Use - (SAME) Plus (60' x 60' addition) = 8,200'
 Exist = 7,000' - Prop Addition = 8,200' Total 11,000'

Scale 1" = 50'

JAMES S. SPAMER & ASSOCIATES
 ENGINEERS & SURVEYORS
 8017 YORK ROAD
 TOWSON, MD. 21204
 Scale 1" = 50'



PROPERTY OF TOWN OF SMITH & SUTHER SMITH
 512 ELECTION DIST. BALTIMORE CO. MD.
 DECEMBER 1975 SCALE 1" = 50'

W.D. 1055-255
 Letter for B. Classification from B.L. & D.R. 16 to B.R.
 See Cases No 5549-RXV and 6413-X-65-20

