

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

George Harvey Reiblich
I, or we, Helen A. Reiblich, wife, 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 as D.R. 5.5 zone to an DR. 16 zone; for the following reasons:

That the County Council erred in assigning DR. 5.5 in the original zoning map and that the character of the neighborhood has changed to such an extent that reclassification property ought to be made.

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 Office and Office Buildings

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.

Contract purchaser: George Harvey Reiblich
Address: 2104 Cedar Lane
Baltimore, Maryland 21228
Legal Owner: Helen A. Reiblich
Address: Powder Road
Sykesville, Maryland

Petitioner's Attorney: Shirley B. Pina
Protestant's Attorney: Shirley B. Pina

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day of July, 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 9th day of September, 1974, at 11:00 o'clock.

Shirley B. Pina
Zoning Commissioner of Baltimore County.

(over)
JUL 2 - 74 AM
11:00 AM
9/19/74
#75-41-RX
#35

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
AND SPECIAL EXCEPTION : DEPUTY ZONING
S/S of Frederick Road, 310' W of : COMMISSIONER
Hilltop Place - 1st District :
George H. Reiblich - Petitioner :
NO. 75-41-RX (Item No. 35) : OF
BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a D. R. 5.5 Zone to a D. R. 16 Zone, together with a request for a Special Exception offices and office building. The property in question is situated on the south side of Frederick Road, 310 feet west of Hilltop Place in the First Election District of Baltimore County.

Testimony by the contract purchaser and his architect described the proposed use of the property as that of a medical center that is to be developed in two stages. The first stage is to be an addition to and alteration of an existing dwelling on the property. The second stage is scheduled to take place in 1980, and would consist of a three story medical building with facilities for twenty-five doctors' offices, a lab, drug store and parking for 172 cars.

In attempting to establish error in the Comprehensive Zoning Map and/or change in the neighborhood, the Petitioner made reference to the fact that commercially zoned property exists within approximately one block of the subject site and that substantial areas along Frederick Road were retained in a residential classification when the Comprehensive Zoning Map was adopted. It was also pointed out that several commercial uses, which enjoy nonconforming status, exist in the area. The contract purchaser is of the opinion that the proposed use would be compatible with and would satisfy needs of the residential community within which it would be located.

Area residents were unequivocally opposed to any change in the Comprehensive Zoning Map. They felt that a three story office building, with a

parking area for 172 cars, would be out of character with the area and maintained that the area is, and has been, stable for many years with no substantial changes having taken place in the past eighteen years.

Without reviewing all the testimony in detail but based on all such testimony, it is the opinion of the Deputy Zoning Commissioner that the Petitioner has not overcome the burden of proof necessary to establish error in the Comprehensive Zoning Map as originally adopted by the Baltimore County Council on March 24, 1971. Said testimony and evidence was also lacking any substantial proof that there have been changes in the character of the neighborhood that would warrant changing the zoning classification of the Petitioner's property. There was absolutely no testimony offered to indicate that the subject property could not be developed under its present zoning classification.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 17th day of September, 1974, that the above Reclassification should be and the same is hereby DENIED, and that the above described property or area be and the same is hereby continued as and to remain a D. R. 5.5 Zone. The Special Exception should also be and the same is hereby DENIED.

James S. Pina
Deputy Zoning Commissioner of Baltimore County

September 17, 1974

Mario Vahos, M.D., F.A.C.S.
2104 Cedar Circle Drive
Baltimore, Maryland 21228

RE: Petition for Reclassification and Special Exception
S/S of Frederick Road, 310' W of Hilltop Place - 1st District
George H. Reiblich - Petitioner
NO. 75-41-RX (Item No. 35)

Dear Dr. Vahos:

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/s:c

Attachments

cc: Mr. George Reiblich
Powder Road
Sykesville, Maryland 21154
Mr. John G. Kaufman
4 N. Rolling Road
Baltimore, Maryland 21228

- 2 -

COLUMBIA OFFICE
WALTER PINE
Registered Surveyor
Phone 730-0000

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 East Joppa Road
Room 101, Shell Building
TOWSON, MARYLAND 21204
PHONE: 825-8000

DEL. AIR
L. GERALD WOLFF
Landscape Architect
Phone 830-0000

May 24, 1974

MEMORANDUM OF PETITION FOR ZONING RECLASSIFICATION

1935 Frederick Road

Amended June 5, 1974

DESCRIPTION FOR ZONING CHANGE:

Beginning for the same at a point distant 310 feet more or less westerly measured along the south side of Frederick Road from the centerline of Hilltop Place thence binding on the said south side of Frederick Road South 63° 30' West 346.5 feet thence South 356.40 feet thence East 311.85 feet thence North 504.90 feet.

Containing 3.0 acres of land more or less.

Malcolm E. Hudkins
Registered Surveyor #5095

XXXXXXXXXXXX

Wildberger Associates
1101 N. Calvert Street
Baltimore, Maryland 21202

RE: Reclassification and Special Exception Petition
Item 35 - 7th Cycle
George Harvey Reiblich and
Helen A. Reiblich, wife - Petitioners

Gentlemen:

The enclosed comments for Project and Development Planning Division are to be included with the Zoning Advisory Committee comments sent you under date of April 30, 1974.

Very truly yours

James B. Byrne
JAMES B. BYRNE, III
Chairman,
Zoning Advisory Committee

JBB:JD
Enclosure

cc: Dr. Mario Vahos
Medical Arts Center of Glen Burnie
325 Hospital Drive
Glen Burnie, Maryland 21061

Hudkins Associates, Inc.
200 East Joppa Road
Room 101, Shell Building
Towson, Maryland 21204

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



May 22, 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 #35, Zoning Cycle VII, April, 1974, to October, 1974, are as follows:

Property Owner: George Harvey and Helen A. Reiblich
Location: SE/S Frederick Road, 195' SW of Hilltop Road
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16 and Special Exception for offices
No. of Acres: 3.27
District: 1st

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The site plan must be revised to show the street on the north side of Frederick Road in the proper location. Four foot high compact screening must be provided where the parking areas are adjacent to or across the street from residential premises.

Very truly yours,

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

April 30, 1974

Wildberger Associates
1101 N. Calvert Street
Baltimore, Maryland 21202

RE: Reclassification and Special
Exception Petition
Item 35 - 7th Cycle
George Harvey Reiblick and
Helen A. Reiblick, wife - 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 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 side of Frederick Road, approximately 195 feet southwest of Hilltop Place Road, in the First Election District of Baltimore County. It is presently improved by a 1-1/2 story residence.

Various one story brick and frame dwellings surround the property on all sides. There is no curb and gutter existing in the area.

The petitioner requests a Reclassification to Density Residential (D.R.16) and a Special Exception for office use. Two phases of development are proposed, phase one being a two story addition to the existing residence and conversion of the entire structure to medical offices. Off street

Wildberger Associates
Item 35 - Cycle 7
April 30, 1974

Page 2

parking would be provided for 26 Vehicles. Phase two proposes a three-story office building containing 26,000 square feet and providing off street parking for 90 vehicles.

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 plats, as may have been requested by this Committee, shall be submitted to this office prior to Monday, June 3, 1974, 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 September 1, 1974 and October 15, 1974, will be forwarded to you well in advance of the date and time.

Very truly yours,

JAMES B. BYRNES, III
Chairman
Zoning Advisory Committee

JBB:JD

Enclosure

cc: Dr. Mario Vahos
Medical Arts Center of Glen Burnie
325 Hospital Drive
Glen Burnie, Maryland 21061

Hudkins Associates, Inc.
200 East Hooey Road
Room 101, Shell Building
Towson, Maryland 212

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

Wm. T. MELZER
DEPUTY TRAFFIC ENGINEER

April 30, 1974

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

Re: Item 35 - Cycle Zoning 7 - April 1974 through October 1974
Property Owner: George Harvey and Helen Reiblick
SE/S Frederick Road, 195 feet SW of Hilltop Road
D.R. 16 and special exception for offices
District 1

Dear Mr. DiNenna:

The subject petition is requesting a change from D.R. 5.5 to D.R. 16 and special exception for offices of 3.27 acres. This will increase the trip density from 150 to 750 trips per day. This site in itself should not create any major traffic problems, however, if additional land surrounding this tract were to be converted into office space, problems could be created along Frederick Road.

Very truly yours,

C. Richard Moore
Assistant Traffic Engineer

CRV/pk



Maryland Department of Transportation

State Highway Administration

April 25, 1974

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

Att: Mr. James Byrnes

Re: ITEM 35
Seventh Zoning Cycle
April, 1974
Property Owner: George Harvey
& Helen A. Reiblick
Location: SE/S Frederick Road,
195' SW of Hilltop Road
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16 & Special
Exception for offices
No. of Acres: 3.27
District: 1st

Dear Sirs:

An inspection at the subject site revealed that the street opposite on the north side of Frederick Road is not correctly located on the plan.

The entire frontage of the site must be improved with curb and gutter. The roadside face of curb is to be 12' from and parallel to the existing edge of paving of the traveled way.

If a monumental entrance is to be used, the lanes must have a width of 20' and not 16' as indicated. The plan should be revised prior to the hearing.

Neither the petitioner nor the engineer contacted this office relative to what must be indicated on the plan.

The 1973 average daily traffic count on this section of Frederick Road is ... 9,700 vehicles.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

by: John E. Meyers

CL:JEM:bk

Harry R. Hughes
Secretary
Bernard M. Evans
Administrator

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

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

April 30, 1974

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

Re: Item #35 (Cycle VII - April to October 1974)
Property Owner: George Harvey & Helen A. Reiblick
S/ES Frederick Rd., 195' S/W of Hilltop Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16 & Special Exception for offices
No. of Acres: 3.27 District: 1st

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.

General:

The subject property is situated within the boundary of the Baltimore County Metropolitan District and is included within the limits of the Baltimore County Comprehensive Water and Sewerage Plan, amended July 1973.

Frederick Road is a State Road; therefore, all improvements, intersections, 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.

The subject plan does not depict all the existing dwellings on the property and the house number shown as 2105 should read 1935. The street indicated on the north side of Frederick Road is apparently Devere Lane and is located further to the east than shown. The plan should be revised to correct these deficiencies and to avoid confusion.

Highways:

No existing or proposed County roads are involved in the proposed development of this property.

Storm Drains:

No provisions for accommodating storm water or drainage flows have been indicated on the subject plan. However, a storm drainage study will be required in connection with the proposed development of this property to determine the extent of storm drainage facilities and easements that may be required, contingent upon and in conjunction with State Highway Administration requirements.

Item #35 (Cycle VII - April to October 1974)
Property Owner: George Harvey & Helen A. Reiblick
Page 2
April 30, 1974

Storm Drains: (Cont'd)

The Developer 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 drainage facilities, would be the full responsibility of the Developer.

Water:

A public water main exists in Frederick Road along the frontage of this property.

Sanitary Sewer:

Public sanitary sewers exist along the north side of Frederick Road at Morerick Avenue (See Baltimore County Bureau of Engineering Drawing #50-1537, A-10) and at Devere Lane (See Baltimore County Bureau of Engineering Drawing #50-1537, A-10). Public sanitary sewer also exists along the south side of Frederick Road in an easement extending easterly from the easternmost outline of this property and is also shown on the latter drawing.

House number 1927 exists in the extreme northeastern corner of this property and currently is connected to the existing sanitary sewer. House number 1935, which is proposed to be retained as part of Phase I cannot be served with public sewerage unless an extension of the sewer existing at Morerick Avenue is constructed.

It appears that the Medical Center, Phase II, can be served by the existing sewer connection; however, recent restrictions imposed by the Maryland State Department of Health against increased sewage flows contributing to the Patapsco sewerage system prohibits connections or increased flows until proposed improvements to the Patapsco Waste Water Treatment Plant have been completed.

Very truly yours,

Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END:EN:END:SS

H-SE Key Sheet
12 SW 28 Top Sheet
SW 3 G Top

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

822-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: George Harvey & Helen A. Reiblick

Location: SE/S Frederick Rd, 195' SW of Hilltop Road

Item No. 35 Zoning Agenda April 2, 1974

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- (X) 2. A second means of vehicle access is required for the site.
- (X) 3. The vehicle dead-end condition shown at

EXEMPT: the maximum allowed by the Fire Department.
The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

- (X) 4. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1973 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.
- (X) 8. Comply with requirement for Interior Fire Protection.
- (X) 9. On site hydrants may be and will be based on fire flow demands.

Reviewed: *Paul H. Rausche* Approved: *Paul H. Rausche*
Planning Division Deputy Chief
Special Inspection Division Fire Prevention Bureau

mls
4/16/73

BALTIMORE COUNTY, MARYLAND



DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 9, 1974

DONALD J. ROOF, 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 the following item, Zoning Advisory Committee Meeting April 2, 1974, are as follows:

Property Owner: George Harvey & Helen A. Reiblick
Location: SE/S Frederick Road, 195' SW of Hilltop Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16 & Special Exception for offices
No. of Acres: 3.27
District: 1

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

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.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB/cae

