

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of error in the original zoning map, substantial changes in the character of the neighborhood and the health, safety, and general welfare of the community not being adversely affected.

the above Reclassification should be had.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd day of October, 1975, that the herein described property or area should be and the same hereby reclassified from a D.B.3.5 Zone to a R.1 Zone, from and after the date of this Order, subject to the approval of a site plan State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of...

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1975, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby DENIED to remain a zone; and/or the Special Exception for...

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204
Franklin T. Hoggans,
Chairman

MEMBERS
ZONING ADMINISTRATION
HEALTH DEPARTMENT
BUREAU OF FIRE PREVENTION
DEPARTMENT OF TRAFFIC ENGINEERING
STATE HIGHWAY ADMINISTRATION
BUREAU OF ENGINEERING
PROJECT AND DEVELOPMENT PLANNING
INDUSTRIAL DEVELOPMENT COMMISSION
BOARD OF EDUCATION
OFFICE OF THE BUILDINGS ENGINEER

April 30, 1975

James A. Gede, Esq.
11000 Reisterstown Road
Owings Mills, Maryland 21117

RE: Reclassification Petition
Item 14 - Zoning Cycle 9
Harvey E. & Eula Marshall, Jr. -
Petitioners

Dear Mr. Gede:

The Zoning Plans 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 southwest side of Reisterstown Road, 357 feet southeast of Delight Road, and is currently improved with a frame dwelling fronting on Reisterstown Road, and a frame building at the rear of the property around which crushed stone paving exists. This property abuts to the northwest additional property of the petitioner in the form of Capt. Harvey's Restaurant. Although the property on the petition is at a higher elevation than the adjacent restaurant property, two driveways exist from the aforementioned stone parking lot down to existing parking lot for the restaurant. Both properties were the subject of previous review by this Committee as Item 78 of October 1974, (Hearing Case #75-130-ASPH), at which time the petitioner requested a Variance to permit 106 parking spaces instead of the required 167, and

James A. Gede, Esq.
Re: Item 14 - Zoning Cycle 9
April 30, 1975
Page 2

a Special Hearing for parking in a residential zone. Both requests were granted by the Zoning Commissioner the tent'd day of December, 1974.

The site plan submitted for the present petition must be revised to indicate the overall holdings and proposed development of the petitioner as this relates to both properties. The plan should further be revised to clearly indicate hard surface paving for the stone surface parking area to the rear of this property, as required by the previously approved site plan. Many site plan factors inherent in this request were noted in previous comments to the petitioner, as mentioned in the foregoing; these comments are therefore referred for your consideration.

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 June 2, 1975, 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, 1975 and October 15, 1975 will be forwarded to you well in advance of the date and time.

Very truly yours,

Franklin T. Hoggans
FRANKLIN T. HOGANS, JR.
Chairman,
Zoning Plans Advisory Committee

PTH:JD

Enclosure

cc: W. T. Sadler, Inc.
458 Main Street
Reisterstown, Maryland 21136

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
DIRECTOR
WILLIAM T. MELSER
DEPUTY TRAFFIC ENGINEER

April 28, 1975

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

Re: Cycle Zoning 9
Item 14 - ZAC - April, 1975 - October, 1975
Property Owner: Harvey E. & Eula Marshall, Jr.
Location: SW/S of Reisterstown Rd. 357' SE of Delight Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Re-class to B.L.
No. of Acres: 0.82
District: 4th

Dear Mr. DiNenna:

The subject petition is requesting a change from D.R. 3.5 to

B. L.
This should increase the trip density from 30 to 400 trips per day. This increase in trip density along Reisterstown Road can only compound existing problems and is considered undesirable.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM/bza

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

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

April 22, 1975

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

Re: Item #14 - Cycle #9 (April - October 1975)
Property Owner: Harvey E. & Eula Marshall, Jr.
S/W of Reisterstown Rd., 357' S/E of Delight Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Re-class to B.L.
No. of Acres: 0.82 District: 4th

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 submitted plan must be revised to indicate the outlines of the Petitioner's properties which include the restaurant property "Captain Harvey's" at the corner; such revision shall clearly indicate the present and/or proposed combined use of the entrances, driveways as access to and from Reisterstown Road and Delight Road for the parking lots for these sites.

The comments supplied in connection with the Zoning Advisory Committee review of Item 130 (1973-1974) and Item 78 (1974-1975) are also referred to for your consideration.

Highways:

Reisterstown Road (U.S. 140) 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.

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 #14 - Cycle #9 (April - October 1975)
Property Owner: Harvey E. & Eula Marshall, Jr.
Page 2
April 22, 1975

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 any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving the present dwelling. This property is tributary to the Guyana Falls Sewerage System, subject to State Health Department imposed moratorium restrictions.

Very truly yours,

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

END:RAM:PMR:SS

cc: G. Reier (M.D. 1023-70)

T-MW Key Sheet
52 & 53 NW 36 Pos. Sheets
13 & 14 NW I & J Topo
58 Tax Map

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

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

April 3, 1975

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

Dear Mr. DiNenna:

Comments on Item #14, Zoning Re-Classification
Cycle #9, are as follows:

Property Owner: Harvey E. & Eula Marshall, Jr.
Location: SW/S of Reisterstown Rd. 357' SE of
Delight Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Re-class to B.L.
No. of Acres: 0.82
District: 4th

Metropolitan water and sewer are available.

Guyana Falls Moratorium: A moratorium was placed on new sewer connections in the Guyana Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on May 14, 1974; therefore approval may be withheld for this connection.

Very truly yours,

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

#HVB:nc#

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 21, 1975

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

Z.A.C. Meeting of: April 1975-October 1975 Cycle #9

Re: Item 14
Property Owner: Harvey E. & Eula Marshall, Jr.
Location: SW/S of Reisterstown Rd. 357' S.E. of Delight Road
Present Zoning: D.R. 3.5
Proposed Zoning: Re-class to B.L.

District: 4th
No. Acres: 0.82

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative.

H. EMBELI PARKS, President
EUGENE C. HESS, Vice-President
MRS. ROBERT L. BERNY

MARCUS M. ROTSIKIS
JOSEPH N. MCGOWAN
ALVIN LORICK
JOSHUA R. WHEELER, Superintendent

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACY, V.M.D.
MRS. RICHARD R. RUERTEL



May 1, 1975

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 # 14, Zoning Cycle IX, April, 1975, are as follows:

Property Owner: Harvey E. and Eula Marshall, Jr.
Location: SW/4 of Reisterstown Road 357' SE of Delight Road
Existing Zoning: D.R.3.5
Proposed Zoning: Re-class to B.L.
No. of Acres: 0.82
District: 4th

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 petitioners adjoining property uses along with the required screening, parking, lighting and traffic circulation. This office will not approve the proposed driveway into Reisterstown Road because of the poor sight distance and the already available parking area and driveway at the rear of the property.

Very truly yours,

John L. Wimbley

John L. Wimbley
Planning Specialist II
Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 484-3211 ZONING 484-3281

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
678-7510

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Harvey E. & Eula Marshall, Jr.

Location: SW/4 of Reisterstown Road, 357' SE of Delight Rd.

Item No. 14 Zoning Agenda CYCLE #9
April 1975- October 1975

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.

() 2. A second means of vehicle access is required for the site.
() 3. The vehicle dead-end condition shown at

() 4. EXCEEDS 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) 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.

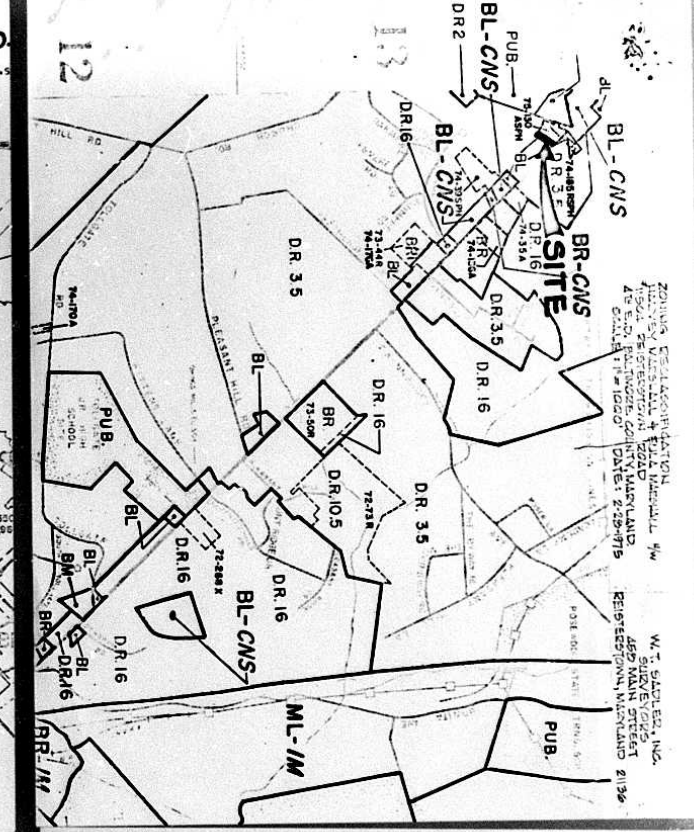
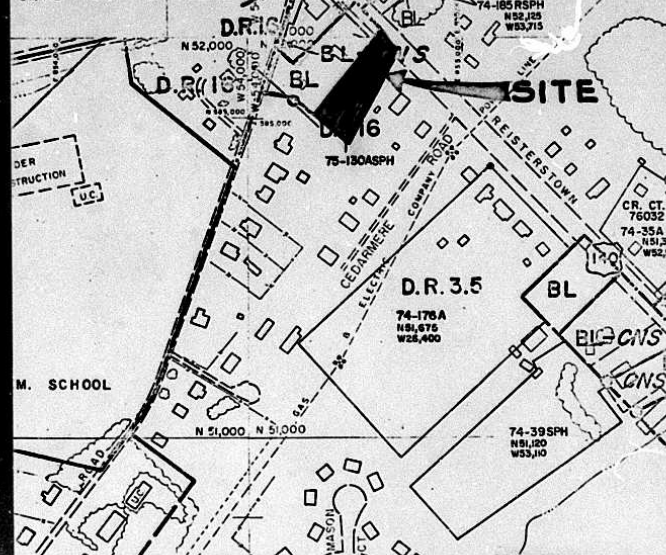
() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *H. B. ...* Noted and
Planning Group
Special Inspection Division

Approved: *D. H. ...*
Deputy Chief
Fire Prevention Bureau

ZONING RECLASSIFICATION
HARVEY MARSHALL &
EULA MARSHALL JR
11504 REISTERSTOWN ROAD
1TH E.D. BALTIMORE COUNTY, MD
W.T. BADLER, INC.
SURVEYORS
450 MAIN STREET
REISTERSTOWN, MARYLAND 21136
SCALE: 1"=200' DATE: 8-22-1975



CERTIFICATE OF PUBLICATION

TOWSON, MD., August 23, 1975

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 in each of one time successive weeks before the 15th day of September, 1975, the first publication appearing on the 23rd day of August, 1975.

THE JEFFERSONIAN
L. L. ...
Manager

Cost of Advertisement, \$

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

DATE Oct. 8, 1975 ACCOUNT 01-662

AMOUNT \$226.10

RECEIVED: Harvey E. Marshall, Jr., Box 50-A, Rt. 3
Reisterstown, Md. 21136

FOR Advertising and posting of
property #76-47-R

812801 8 226100

VALIDATION OR SIGNATURE OF CASHIER

THE COMMUNITY TIMES

RANDALLSTOWN, MD. 21133 Aug. 27 1975

THIS IS TO CERTIFY, that the annexed advertisement of Petition for Reclassification Property of Harvey E. Marshall was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 15th day of Sept. 1975, that is to say, the same was inserted in the issues of August 27, 1975.

STROMBERG PUBLICATIONS, Inc.

By *Eleanor P. Swank*

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

DATE April 21, 1975 ACCOUNT 01-662

AMOUNT \$50.00

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

James A. Gede, Esq.
11000 Reisterstown Rd.
Owings Mills, Md. 21117

Petition for Reclassification for Harvey E. Marshall

500000

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4th Date of Posting August 30, 1975
Posted for: PETITION FOR RECLASSIFICATION
Petitioner: HARVEY E. MARSHALL, JR.
Location of property: SW/4 of REISTERSTOWN RD. 357' SE of DELIGHT RD.
Location of Signs: FRONT 11504 REISTERSTOWN RD
Remarks: *Thomas E. Roland*
Posted by: *Thomas E. Roland* Signature Date of return: SEPT. 5, 1975

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>NBC</i>	Revised Plans: Change in outline or description Yes Map #									
Previous case:	No									

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 27 day of
MAR 1975. Item #

Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: MARSHALL Submitted by: Gede

Petitioner's Attorney: Gede Reviewed by: NBC

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

