

**PETITION FOR SPECIAL HEARING**

77-19-SPH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Katherine A. Shulman, legal owner, of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 506.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a use permit for business parking in a residential area pursuant to 418A.1 of the Baltimore County Zoning Regulations. The purpose of the permit is to allow parking of automobiles by employees of The C & F Telephone Company of Maryland, the owners of the adjacent lot of ground and improvements.

See attached Description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising posting, etc., upon filing of this petition, and further agree to and shall be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

The C & F Telephone Company of Md.  
Katherine A. Shulman  
 Contract Purchaser  
 Address: 7 Dreher Avenue  
Baltimore, Md. 21202  
 Attention: Lee Thomas, Esquire  
409 Washington Avenue  
Towson, Md. 21284

ORDERED BY the Zoning Commissioner of Baltimore County, this 14th day of July, 1976, 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 15th day of July, 1976, at 10:00 o'clock A.M.

Lee Thomas  
 Zoning Commissioner of Baltimore County

(over)

**DESCRIPTION**

DESCRIPTION TO ACCOMPANY APPLICATION FOR SPECIAL HEARING

CHESAPEAKE AND POTOMAC TELEPHONE COMPANY OF MARYLAND  
 3RD ELECTION DISTRICT  
 BALTIMORE COUNTY, MARYLAND

BEGINNING at a point on the southeast 1/4 line of Dreher Avenue (30 feet wide), said point being South 17° 25' West, 365 feet measured along the prolongation of said right of way line from its intersection with the centerline of Reisterstown Road (60 feet wide) and running thence parallel and 365 feet from the centerline of Reisterstown Road South 36° 50' 35" East, 141.86 feet to a point, thence South 56° 09' 25" West, 88.88 feet to a point thence North 36° 50' 35" West, 140.00 feet to a point on the southeast right-of-way line of Dreher Avenue (30 feet wide), thence running and binding along the southeast side of said Dreher Avenue the two (2) following courses and distances, viz.:

- (1) North 56° 09' 25" East, 36.00 feet, and
- (2) North 54° 17' 25" East, 52.80 feet to the place of beginning.

Containing 0.286 acres of land more or less.

**IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, KATHERINE SHULMAN, LEGAL OWNER OF THE PROPERTY SITUATED IN BALTIMORE COUNTY, THE PROPERTY OFFICE OF WHICH IS SHOWN TO BE COMPLETE WITH REVISIONS AND SERVICES ON 200 FT. SQUARE LOTS, HEREBY APPLY FOR SPECIAL EXCEPTION TO PERMIT TO USE THE REAR DESIGNATED PROPERTY FOR ADDITIONAL PARKING FOR C & F TELEPHONE COMPANY PIKESVILLE DIAL CENTER

THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

GROUND SITE AREA OR 20 ACRES DEED REF. 211/100  
 GRADE 100 % OF OVERALL SITE WILL REQUIRE GRADE  
 BUILDING SIDE \_\_\_\_\_  
 WINDY FLAP N/A AREA N/A  
 NUMBER OF FLOORS \_\_\_\_\_ TOTAL HEIGHT \_\_\_\_\_  
 FLOOR AREA WINDY + TOTAL FLOOR AREA DIVIDED BY SITE AREA \_\_\_\_\_  
 BUILDING USE \_\_\_\_\_  
 GROUND FLOOR N/A OTHER FLOORS \_\_\_\_\_  
 REQUIRED NUMBER OF PARKING SPACES  
 WINDY FLOOR \_\_\_\_\_ OTHER FLOORS \_\_\_\_\_ TOTAL \_\_\_\_\_

RECEIVED  
 FEB 17 1978  
 OFFICE OF PLANNING & ZONING

FRAMES  
 AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES 11,200 SQ. FT.  
 (PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 300)  
 UTILITIES  
 WATER:  PUBLIC  PRIVATE, TYPE OF SYSTEM N/A  
 SEWER:  PUBLIC  PRIVATE, TYPE OF SYSTEM N/A  
 UTILITIES SECURITY APPROVAL: See attached 2/14/78

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. THE CHESAPEAKE AND POTOMAC TELEPHONE COMPANY OF MARYLAND  
Katherine Shulman  
 Legal Owner  
 By: B.C. Beckwith  
 Attorney, License No. 10000000  
 ADDRESS: 1 E. Pratt St. ADDRESS: 7 Dreher Ave.  
Baltimore, Md. 21202 Pikesville, Md.

LEO LEE THOMAS, Esq.  
 409 WASHINGTON AVENUE  
 TOWSON, MD. 21284 410-6177  
 THE PLANNING BOARD HAS DETERMINED ON 4/14/78 THAT THE PROPOSED DEVELOPMENT DOES / SUBSTANTIALLY CONFORM TO THE REQUIREMENTS OF SECTION 506.7 OF THE ZONING CODE OF BALTIMORE COUNTY.

FEB 16 78 PM  
 OFFICE OF PLANNING & ZONING  
 BALTIMORE COUNTY

IDCA FORM NO. 2 REVISED 9-22-77

888-4488

MARTIN BEERMAN  
 ATTORNEY AT LAW  
 1117 FIDELITY BUILDING  
 CHARLES & LENOX STREETS  
 BALTIMORE, MD. 21201

September 10, 1976

Zoning Commissioner  
 County Office Building  
 Towson, Maryland 21204

Re: Petition for Special Hearing  
 8/5 of Dreher Avenue, 365' W of  
 Reisterstown Road - 3rd Election  
 District  
 Katherine A. Shulman - Petitioner  
 No. 77-19-SPH (Item No. 247)

**NOTICE OF APPEAL**

Mr. Commissioner:

Please enter an APPEAL to the COUNTY BOARD OF APPEALS on behalf of Theodore J. Phillips and Elsie L. Phillips, his wife, 20 Dreher Avenue, Pikesville, Maryland 21208, from the Order of the Deputy Zoning Commissioner, dated the 18th day of August, 1976, in the above captioned case, they being persons aggrieved.

SEP 14 76 PM  
 ZONING DEPARTMENT

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE, REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT  
 No. 38996  
 DATE September 20, 1976 ACCOUNT 01-662  
 AMOUNT \$10.00  
 RECEIVED FROM Martin Beerman, Esquire  
 FOR Cost of Filing of an Appeal and Posting of Property  
 on Case No. 77-19-SPH (Item No. 247)  
 8/5 of Dreher Avenue, 365' W of Reisterstown Road -  
 3rd Election District  
 Katherine A. Shulman - Petitioner 4 O.C.C. REC  
 VALIDATION OR SIGNATURE OF CARRIER

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER  
 8/5 of Dreher Ave., 365 feet W of : OF BALTIMORE COUNTY  
 Reisterstown Rd., 3rd District  
 SHULMAN, KATHERINE A., Petitioner : Case No. 77-19-SPH

**ORDER TO ENTER APPEARANCE**

Mr. Commissioner:  
 Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Koussis, Jr. John W. Heslin, III  
 Charles E. Koussis, Jr. John W. Heslin, III  
 Deputy People's Counsel People's Counsel  
 County Office Building  
 Towson, Maryland 21204  
 494-2188

I HEREBY CERTIFY that on this 14th day of July, 1976, a copy of the foregoing Order was mailed to W. Lee Thomas, Esquire, 409 Washington Avenue, Towson, Maryland 21204, Attorney for Petitioner.

John W. Heslin, III  
 John W. Heslin, III

JUL 16 76 AM  
 ZONING DEPARTMENT

December 13, 1977

Martin Beerman, Esquire  
 1117 Fidelity Building  
 Charles and Lenox Streets  
 Baltimore, Md. 21201

Re: Case No. 77-19-SPH  
Katherine A. Shulman

Dear Mr. Beerman:

Enclosed herewith is a copy of the Order of Record passed today by the County Board of Appeals in the above captioned case.

Very truly yours,

Edwin T. Stumm, A.C.S., Secretary

Sir:

W. Lee Thomas, Esquire  
 409 Washington Avenue  
 Mr. and Mrs. Theodore J. Phillips  
 Mr. and Mrs. Arthur Vespignani  
 Mr. John W. Heslin, III  
 Mr. S. E. D'Annunzio  
 Mr. G. J. Heffernan  
 Mr. L. G. Guss  
 Mr. J. H. Hensell  
 Board of Education

September 20, 1976

W. Lee Thomas, Esquire  
Baltimore-Towson Building  
409 Washington Avenue  
Towson, Maryland 21284

RE: Petition for Special Hearing  
S/S of Dreher Avenue, 365' W of  
Reisterstown Road - 3rd Election  
District  
Katherine A. Shulman - Petitioner  
NO. 77-19-SPH (Item No. 147)

Dear Mr. Thomas:

Please be advised that an appeal has been filed by Martin Beerman, Esquire, acting on behalf of Theodore J. and Etale L. Phillips, Petitioners, from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the Baltimore County Board of Appeals.

Very truly yours,



S. ERIC DI NENNA  
Zoning Commissioner

SED/srl

cc: John W. Hessian, III, Esquire  
People's Council

August 18, 1976

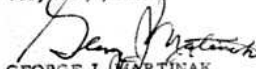
W. Lee Thomas, Esquire  
409 Washington Avenue  
Towson, Maryland 21284

RE: Petition for Special Hearing  
S/S of Dreher Avenue, 365' W of  
Reisterstown Road - 3rd Election  
District  
Katherine A. Shulman - Petitioner  
NO. 77-19-SPH (Item No. 247)

Dear Mr. Thomas:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,



GEORGE J. MARTINAK  
Deputy Zoning Commissioner

GJM/mc

Attachments

cc: Martin Beerman, Esquire ✓  
1117 Fidelity Building  
Charles & Lexington Streets  
Baltimore, Maryland 21201

John W. Hessian, III, Esquire  
People's Council

RE: PETITION FOR SPECIAL HEARING BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result of a Petition for a Special Hearing to permit business parking in a residential zone, pursuant to Section 409.4 of the Baltimore County Zoning Regulations, on property located on the southeast side of Draier Avenue, 365 feet southeast of Reisterstown Road.

Testimony on behalf of the Petitioner indicated that the request is being made on behalf of the contract purchaser, The C & P Telephone Company of Maryland, who wish to utilize the lot as a parking facility for their adjacent Pikeville Dial Center.

Counsel for The C & P Telephone Company of Maryland testified that the lot would be used by approximately eight to ten employees on one working shift and three or four employees on a succeeding shift. No trucks or buses would utilize the facility.

In response to questions raised concerning drainage, Mr. Beverly Johnson, a consultant engineer, testified on behalf of the telephone company. He stated that water emanating from the company's property comes from natural drainage of the lot and from roof water run-off. No water is being pumped from the building to a swale presently running along side of it for drainage purposes.

Nearby residents, in protest, indicated concern about traffic noise, added commercial, intrusive lighting, and alleged property damage due to water from the Pikeville Dial Center Building property, maintaining that the proposed lot would aggravate the latter situation.

Mr. T. J. Phillips, in protest, alleged that his property, as well as others nearby to the rear of the C & P Building, has suffered damage caused by water emanating from that building and that this condition has existed for more than two years. He further testified that the matter is presently the subject of a legal action, which he has undertaken.

An on-site field inspection of the property in question by the Deputy Zoning Commissioner disclosed that the proposed parking lot is fairly level and that residential property adjacent to it is appreciably higher. At the time of the inspection, there was no evidence of water ponding on the lot or on property adjacent to it. No indication of water being pumped was found.

The Petitioner's attention is specifically directed to the comments of the Baltimore County Department of Public Works, dated July 22, 1976, with emphasis on storm water run-off. Moreover, in the opinion of the Deputy Zoning Commissioner, the construction of the proposed parking lot would have a very minimal impact upon alleged existing drainage problems and no direct relation to the disputed situation regarding pumped water, which, in itself, is the subject of a law suit, according to testimony at the hearing.

Without reviewing the evidence further in detail, but based upon all of the evidence presented at the hearing, in the judgement of the Deputy Zoning Commissioner, the Petitioner's plans meet the requirements set forth in Section 409.4 of the Baltimore County Zoning Regulations and that the health, safety, and general welfare of the locality involved not being adversely affected, the Special Hearing for off-street parking in a residential zone, in accordance with the plat, dated May 18, 1976, and approved August 18, 1976, by John L. Wimbley, Planner III, Project and Development Planning Division, Office of Planning and

Zoning for Baltimore County, said plat having been filed as Exhibit "A" in this proceeding and which is incorporated by reference hereto as a part of this Order, should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 14th day of August, 1976, that the Special Hearing for business parking in a residential zone should be and the same is hereby GRANTED, from and after the date of this Order, subject to the following:

- 1. Compliance with the aforementioned approved site plan.
2. The lot is to be so constructed that surface water must run toward the Pikeville Dial Center Building, to the existing swale, and to Reisterstown Road.
3. Parking must be restricted to the use of employees of the C & P Telephone Company of Maryland.

Deputy Zoning Commissioner of Baltimore County

RE: PETITION FOR SPECIAL HEARING BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

OPINION

This case comes before the Board on an appeal from a decision of the Deputy Zoning Commissioner which granted a use permit for off-street parking in a residential zone, in accordance with Section 409.4 of the Baltimore County Zoning Regulations.

Petitioner's Exhibit #10 is a complete plot of the subject property and other holdings of the contract purchaser in the subject area. This plot is dated April 18, 1977. Shown on this plot is the subject property, i.e., the property of Katherine A. Shulman which, if successful with this petition, the C. & P. Telephone Company plans to purchase and remove the existing one and one-half story stucco dwelling.

NUMBER RECEIVED FOR EX-100

DATE August 19, 1976 BY [Signature]

NUMBER RECEIVED FOR EX-100

DATE August 19, 1976 BY [Signature]

NUMBER RECEIVED FOR EX-100

DATE August 19, 1976 BY [Signature]

Shulman - C. & P. Telephone Co. - #77-19-5PH 2.

compact plantings, and the lighting planned to be installed would be directional, non-glow, low intensity lighting similar to the lighting now used on the adjoining Pikeville Dial Center location of the Petitioner's.

Written arguments filed by counsel for the Petitioner and the Protestants fairly summarize the main issues in the subject case. Note that following the hearings and following the written arguments by counsel for the Petitioner and Protestants, the Interim Development Control Act was adopted by the Baltimore County Council.

On May 3, 1978, the Board received notice from the Zoning Commissioner that Leslie H. Graef, Director of Planning and Secretary to the Baltimore County Planning Board, by communication dated April 20th, 1978, indicated that the Planning Board had determined that the requested special hearing in the subject case conformed to the requirements of Subsection 22-15.1 (F) of the Baltimore County Code.

The Petitioner offered three witnesses who amply and ably described the subject area and the specifics of the proposal in the instant case. Eight neighbors appeared and testified in opposition to the granting of this use permit.

The consulting engineer testifying on behalf of the Petitioner spoke in support of the proposal to handle the storm water runoff and/or drainage from the

Shulman - C. & P. Telephone Co. - #77-19-5PH 3.

subject parking lot if this petition be granted.

There was much evidence in the case concerning existing conditions in the subject neighborhood, and most particularly concerning the storm water runoff which apparently comes at least in part from the other improvements of the Petitioner in the area. While the Petitioner will be required to meet every regulation concerning the subject petition, the Board will not concern itself with existing problems which are not part and parcel of the subject petition.

After considering and reflecting upon the testimony and evidence presented in this case, it is the judgment of this Board that, subject to certain restrictions, the Petitioner has evidenced compliance with Section 409.4 and Section 502.1 of the Zoning Regulations. The Board will make the granting of this use permit, amongst other restrictions, subject to strict and full compliance with all of the storm water management of this County.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 7th day of June, 1978, by the County Board of Appeals, ORDERED that the Use Permit for Off-Street Parking in a residential zone petitioned for, be and the same is hereby GRANTED, subject to the following restrictions:

Shulman - C. & P. Telephone Co. - #77-19-5PH 4.

- 1. The Petitioner's utilization of this use permit shall be in substantial compliance with the plan as set out on Petitioner's Exhibit #10.
2. The utilization of this use permit shall be strictly and solely for the employees of the C. & P. Telephone Company of Maryland in conjunction with their employment at the adjacent Pikeville Dial Center.
3. The parking for shall be so constructed so that surface water runs toward the Reisterstown Road and the existing swale.

An appeal from this decision must be in accordance with Rules 3-1 thru 3-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY. Walter A. Reiter, Jr., Esq., Chairman; Robert L. Offens; William T. Haskins; William F. Haskins.

Baltimore County Office of Planning and Zoning. TOWNSHIP, MARYLAND 21204. S. ERIC DENNEN, ZONING COMMISSIONER. May 3, 1978. Dear Mr. Reiter: As per your order of December 13, 1977, said matter was processed and enclosed herewith, please find a copy of IDA application for Special Hearing (IDA 78-13-SH).

RE: PETITION FOR SPECIAL HEARING : BEFORE THE COUNTY BOARD OF APPEALS  
to permit off-street parking in residential zone : OF BALTIMORE COUNTY  
S/S of Dreher Ave., 365' W of Reisterstown Rd., 3rd District  
KATHERINE A. SHULMAN, Petitioner : Case No. 77-19-SPH

ORDER

Upon the foregoing Motion, it is this 13th day of December, 1977, by the County Board of Appeals for Baltimore County,

ORDERED that the Order of the Zoning Commissioner of Baltimore County granting said Petition be and it is hereby neither Affirmed or Revoked, but the entire proceeding is hereby REMANDED to the Zoning Commissioner of Baltimore County for referral to the Baltimore County Planning Board in accordance with Section 22-15.1(f) of the Baltimore County Code, and further proceedings thereon as are required in accordance with law.

Any appeal from this decision must be in accordance with Rules 8-1 to 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

*Walter A. Reiser Jr.*  
Walter A. Reiser Jr.  
*Robert L. Gilland*  
Robert L. Gilland

*Herbert A. Davis*  
Herbert A. Davis

RE: PETITION FOR SPECIAL HEARING : BEFORE THE COUNTY BOARD OF APPEALS  
to permit off-street parking in residential zone : OF BALTIMORE COUNTY  
S/S of Dreher Ave., 365' W of Reisterstown Rd., 3rd District  
KATHERINE A. SHULMAN, Petitioner : Case No. 77-19-SPH

MOTION

To the Honorable, The County Board of Appeals:

The Motion of Katherine A. Shulman, by W. Lee Thomas, her attorney, respectfully shows:

1. That this case involves an application for a special hearing to permit off-street parking on a property which is presently zoned D.R. 16 as in the 1976 Comprehensive Zoning Map duly adopted by the County Council for Baltimore County. This case is presently pending before this Honorable Board.

2. That, in view of the decision recently promulgated by the County Board of Appeals in a case entitled, "Petition for Special Exception, Nicholas S. Mangione, et al," No. 76-158-X, your Honors believe, and therefore avers, that the instant case is similarly impacted by the legal operation and effect of the "Interim Development Control Act" and should, as was held in "Mangione," be Remanded to the Zoning Commissioner of Baltimore County for processing in accordance with the terms and provisions of said "Interim Development Control Act."

WHEREFORE, said Petitioner respectfully moves that the County Board of Appeals by its appropriate Order cause said case to be Remanded to the Zoning Commissioner of Baltimore County and refer thereafter to the Planning Board of Baltimore County so that said application might be processed under the "Interim Development Control Act."

AND AS IN DUTY BOUND, etc.,

*W. Lee Thomas*  
W. Lee Thomas, Attorney for Petitioner  
409 Washington Avenue  
Towson, Maryland 21284  
296-6777

Re: 12/13/77  
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employees of the Petitioner and would be so posted. An alleged possibility that outsiders might trespass on the lot is no justification for denying to this Petitioner the right to construct a parking lot for its benefit and for the benefit of the neighborhood. If improper parking occurs, the police authorities can be relied upon to terminate the practice.

C. of the protestants alleged that no parking on the Petitioner's property, as Petitioner's Exhibit 9 indicates, the most vocal of the protestants has himself, complained on numerous occasions to the Petitioner about employees of the Petitioner parking on area streets. Although the Petitioner is without a legal method of preventing such off-site employee parking, it is attempting, by this Petition, to remedy the situation by establishing, at its sole expense, an employee parking area adjacent to its existing facilities. Conversely, at least one of the protestants mentioned that the proposed parking encompassed only thirty-eight (38) spaces and stated this was insufficient for the employees of the Petitioner. It should be remembered that the thirty-eight (38) spaces are in addition to the seventeen (17) parking spaces now provided by Petitioner for its employees, with the total of fifty-five (55) spaces being in excess of Baltimore County requirements and being approximately equal to the number of Petitioner's employees on its largest shift.

D. The only protestants who could be affected in any way by lighting of the parking lot would be Mr. and Mrs. Vespignani, who reside at 5 Dreher Avenue, immediately to the west of the Shulman lot. As Petitioner's Exhibit 10 indicates, the proposed screening along the common property line of the Vespignanis and Mrs. Shulman is a type which will reduce or eliminate discomfort to the Vespignanis by lighting on the employee's parking lot. It is also important to note that the lighting standards shown on Petitioner's Exhibit 10 are identical to those presently in place on Petitioner's existing parking area and such standards have not resulted in complaint throughout the years that they have been in place and in use.

In order to properly consider the effect, if any, that the proposed parking area would have on storm water dispersal, we must first consider the following facts:

1. All protestants who mentioned the subject admitted that the contour of the land is such that storm water is not readily dispersed after a heavy storm but, instead, tends to settle in neighborhood areas prior to absorption or run off.
2. Although the Petitioner has had a dial center on the corner of Reisterstown Road and Dreher Avenue since 1953 there was no noticeable effect on neighborhood storm water problems until 1973 when the addition to the dial center was constructed.

W. LEE THOMAS, P.A.  
ATTORNEY AT LAW  
409 Washington Avenue  
Towson, Maryland 21284  
296-6777

W. LEE THOMAS, P.A.  
ATTORNEY AT LAW  
409 Washington Avenue  
Towson, Maryland 21284  
296-6777

The principal question to be addressed, then, is: Will the neighborhood problems with storm water dispersment be aggravated if the Petitioner is allowed to construct a parking facility on the Shulman property? The testimony is uncontradicted that the Petitioner, although entitled to a waiver from the Baltimore County Regulations pertaining to storm water control, has chosen not to take advantage of that waiver, but has, instead, at its own cost and expense, acquired a second 1/2 x 25 feet in width adjacent to the first such lot acquired from Mr. Phillips so that storm water control might be accomplished. The testimony of Mr. Johnson is that these lots, in combination 50 feet by 140 feet, will remain in the natural state except that an earth berm will be constructed within the confines of these lots of a height sufficient to

W. LEE THOMAS, P.A.  
ATTORNEY AT LAW  
409 Washington Avenue  
Towson, Maryland 21284  
296-6777

allow the retention of three thousand cubic feet of storm water. The Baltimore County requirements would enable the Petitioner to provide a retention area for only 1,650 cubic feet of storm water; however, the Petitioner has voluntarily agreed to undergo the expense in providing for 3,000 cubic feet of storage. The storm water control then consists of this retention area engineered so that storm water collected after a substantial rainfall would be dispersed gradually through outlet pipes over a period of several hours following the storm, thus preventing inundation during and immediately after the storm. There is no possibility of water directed to this retention area going other than through its intended course southerly through piping to the "paper street", the area of natural dispersment, inasmuch as even during a very severe storm provision has been made for a "safety" discharge point to the south and onto the "paper street". The possibility of waters coursing westerly directly from the existing concrete flume is eliminated by the berming to be contained on Petitioner's southerly lots.

The beneficial results are at least two in number. First, the possibility of water proceeding from the concrete flume across the Petitioner's two 25 foot lots westerly to the rear of the property of some of the protestants is eliminated. Water does not run up hill and will follow the course of the berm rather than going westerly over a berm. Second, the possibility of large amounts of water being instantly distributed westerly over the paper street or over the property of the protestants is decreased dramatically by the area of the retention capabilities within the berm and the gradual controlled dispersing of such waters onto the paper street through the berm control pipes immediately north of the paper street. It is important to note that not only the amounts of water attributable to the parking area requested will be so retained, but an additional amount of water, primarily from Dreher Avenue, which now inconveniences the neighborhood will be retained inasmuch as Petitioner has voluntarily chosen to increase the retention capabilities within the berm area by a public foot amount eighty percent greater than that which would be required by Baltimore County.

In summary, then, it is apparent:

1. That the operation by the Petitioner of its facility prior to 1973 in no way aggravated the general neighborhood difficulties stemming from the dispersing of storm water.
2. That any difficulties encountered after 1973 are a direct result of the Baltimore County demand that storm water from Dreher Avenue be directed southerly for eventual dispersment westerly along the paper street.
3. That the Petitioner, at its own expense, has been forced to construct the concrete channel from Dreher Avenue

W. LEE THOMAS, P.A.  
ATTORNEY AT LAW  
409 Washington Avenue  
Towson, Maryland 21284  
296-6777

Re: 12/13/77  
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PETITION FOR SPECIAL HEARING \* BEFORE THE  
S/S of Dreher Avenue, \* BALTIMORE COUNTY  
365' W of Reisterstown Road, \*  
Third District \*  
Katherine A. Shulman, \* BOARD OF APPEALS  
Petitioner \*  
No 77-15-SPH (Item No. 247) \*

THE HEARING, SUMMARY OF EVIDENCE AND ARGUMENT  
OF THE PETITIONER,  
THE CHESAPEAKE AND POTOMAC TELEPHONE COMPANY  
OF MARYLAND, CONTRACT PURCHASER

It is clear from the evidence presented by the Petitioner, The Chesapeake and Potomac Telephone Company of Maryland, that all of the requirements of 409.4 of the Baltimore County Zoning Regulations authorizing business parking in residential zones have been met. A prima facie case has thus been made for the granting of the Special Use Permit requested.

The objections raised by the various protestants may be categorized as follows:

- A. The establishment of the proposed parking lot would result in commercialization of the area.
- B. The parking lot, once established, would be used by parties other than employees of the Petitioner.
- C. A parking lot is not needed by the Petitioner.
- D. Lighting would present a nuisance to nearby property owners; and
- E. Increased storm water run-off would damage the real property of certain of the protestants.

Of the objections raised, the Petitioners believe that only the last requires full discussion and argument. The first four objections are answerable as follows:

A. Installation of the proposed parking lot does not represent commercialization of the area inasmuch as the underlying DR-16 zoning of the Shulman tract would remain unchanged and parking in a residential zone under controlled conditions is specifically allowed by the Baltimore County Zoning Regulations. There would be no change in the character of the neighborhood that would justify commercial or industrial expansion into the neighborhood.

B. The parking lot to be established is not in any sense a public parking lot. It is solely for the benefit of the

southerly end to purchase an additional lot of land from Mr. Phillips in order to assure dispersment of Dreher Avenue storm water over the "paper street".

4. That the Petitioner has voluntarily purchased from Baltimore County an additional lot south of the Shulman tract so that it can provide a retention area for all storm water, and further, it has volunteered to increase the retention area capability by over eighty percent in order to lessen the effect on the neighbors of existing storm water run off from Dreher Avenue.

5. That although the Petitioner is under no obligation to supply additional parking spaces for its employees, it has voluntarily requested that it be allowed to supply additional parking area at its sole expense for the benefit of its employees and in order to meet the objections of neighbors to employee parking along Dreher Avenue.

In summary, the Petitioner is requesting that it be allowed, at its own expense, to alleviate two of the problems of which its neighbors have complained - storm water dispersment and employee parking.

*W. Lee Thomas*  
W. Lee Thomas  
Attorney for The Chesapeake and  
Potomac Telephone Company of Maryland  
409 Washington Avenue - Suite 314  
Towson, Maryland 21284  
296-6777

W. LEE THOMAS, P.A.  
ATTORNEY AT LAW  
409 Washington Avenue  
Towson, Maryland 21284  
296-6777

PETITION FOR SPECIAL HEARING : BEFORE THE  
5/5 of Dreher Avenue, :  
365' W of Reisterstown Road, : BALTIMORE COUNTY  
Third Election District, :  
Katherine A. Shulman, :  
Petitioner :  
NO 77-19-SFH (Item No. 247) : BOARD OF APPEALS

ADJUDICATION OF PROTESTANTS

The Protestants maintain that the request of the Petitioner for a Special Use Permit should not be granted because to do so would be inimical to the area and the best interests of its residents and will cause additional irreparable harm to the Protestants by additional flooding of their properties.

Dreher Avenue is now a quiet residential street and the Protestants have resided on that street for many years, maintaining comfortable homes.

The evidence clearly shows that great damage has been done to the real estate of the Protestants on the south side of Dreher Avenue because the present use of the buildings erected by the Petitioner has resulted in the maintenance of a large concrete channel which forces great quantities of water to run over the lands of the Protestants, notwithstanding that the Petitioner maintains that the water runs into natural swales across a "paper street" and that the water follows the "paper street" westerly. The evidence shows that the swales are ineffectual. The evidence, including the many picture exhibits, clearly shows that notwithstanding the arguments of the Petitioner as to the course of the water directed to the rear of the Petitioner's property, nevertheless the waters do not take the calculated course but run wildly over the lands of the

Protestants.

To permit the Petitioner to erect a parking lot only means that additional quantities of water will be forced over the lands of the Protestants. The Petitioner admits, in its written argument, that the construction of a parking lot will require the use of two lots to the rear of the Shulman property for storm water control, by the use of earth berms. Obviously, the Petitioner is hopeful that it can successfully cause the retention of as much as 3,000 cubic feet of storm water. There was an inadequate explanation as to the possibility of water seeping over the sides of their proposed storm water control area.

There is no sufficient proof of a necessity for the additional parking lot, except for the desire of the Petitioner to provide an additional parking area for its employees.

It is significant that prior to the construction of the addition in 1973, there was no problem with water flooding the properties of the Protestants.

The Petitioner admits that there are "difficulties" since 1973 with regard to storm waters but puts the blame on Baltimore County because the Petitioner states that it was required to erect the concrete channel from Dreher Avenue. Be that as it may, it is obvious that the construction of the concrete channel was improperly done because the waters find their way onto the lands of the Protestants.

Since the Petitioner admits that water floods the properties of the Protestants it should not be permitted to further aggravate the existing situation by more construction that will admittedly lead to additional problems.

-2-

The Petitioner, in its written argument, concludes by stating that it is "requesting that it be allowed, at its own expense, to alleviate two of the problems of which its neighbors has complained - storm water disbursement and employee parking". The addition of a parking lot will not alleviate storm water disbursement but will add substantially to the existing problems.

This cause is a classic example, where it is established that the Petitioner's use of its property has caused substantial damage to the Protestants, which damages continue to accrue, and its proposal does not guarantee alleviation of the trouble but, to the contrary, is rife with potential aggravation of the condition. Weighing the rights of the parties, it is apparent that fairness and protection of the Protestants calls for a denial of the permit, which, at least, would guarantee no threatened aggravation of the existing condition. There is real danger that in addition to adding to a deluge of water on the lands of the Protestants the creating of an area for ponding of 3,000 cubic feet of water will invite stagnation and marsh land, with its attraction of insects, bacteria pathogenic and the like.

The Protestants urge that the permit be denied.

*Martin Beerman*  
MARTIN BEERMAN  
1117 FIDELITY BUILDING  
BALTIMORE, MARYLAND 21201  
539-4438  
Attorney for Protestants

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on this 30<sup>th</sup> day of June 1977, a copy of the foregoing was mailed to W. Leo Thomas, Esquire, Suite 314, 409 Washington Avenue, Towson, Maryland 21284, Attorney for The Chesapeake and Potomac Telephone Company of Maryland.

*Martin Beerman*  
Attorney for Protestants

June 7, 1978

Martin Beerman, Esquire  
1117 Fidelity Building  
Charles & Lexington Streets  
Baltimore, Maryland 21201

Re: Case No. 77-19-SFH  
Katherine A. Shulman

Dear Mr. Beerman:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

*Edith Y. Hunsbury, Adm. Secretary*

cc:

Mr. W. Leo Thomas, Esquire  
Mr. Katherine A. Shulman  
Mr. and Mrs. Theodore J. Phillips  
Mr. and Mrs. Arthur Waples  
John W. Hunsbury, III, Esquire  
Mr. S. I. Dismore  
Mr. G. J. Marshall  
Mr. L. H. Gussel  
Mr. J. H. Dyer  
Mr. J. Hunsbury  
Board of Education

230-4400

MARTIN BEERMAN  
ATTORNEY AT LAW  
1117 FIDELITY BUILDING  
CHARLES & LEXINGTON STREETS  
BALTIMORE, MD. 21201

July 14, 1976

Office of the Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

RE: Hearing No. 77-19-SFH  
Dreher Avenue  
Hearing Date - July 19, 1976 - 10 a.m.

Dear Sir:

Please file this letter so that the record will show that I represent Theodore J. Phillips and Elsie L. Phillips, his wife, who vigorously object to the granting of the above application for the reasons that (1) the result will be extended commercialization of a residential street and (2) that the lands of the objectors, already being flooded by the pumping of water from the adjacent C & P Telephone Company building, will be further inundated by waters from the proposed cemented parking area and (3) for other reasons.

My clients and I will appear at the hearing to oppose the application.

Very truly yours,

*Martin Beerman*  
Martin Beerman

MB/dv

cc: Mr. & Mrs. Theodore J. Phillips  
20 Dreher Avenue  
Pikesville, Maryland 21208



Baltimore County  
Department of Public Works  
TOWSON, MARYLAND 21284

August 26, 1976

Mr. Martin Beerman  
Attorney at Law  
1117 Fidelity Building  
Charles and Lexington Streets  
Baltimore, Maryland 21201

Dear Mr. Beerman:

In response to your letter dated August 26, 1976, we wish to clarify what appears to be a misunderstanding.

Our comments stated that Dreher Avenue is "an existing County maintained public road", which was not intended to imply that said street had indeed been dedicated to Baltimore County. Perhaps we should have stated that Dreher Avenue is an existing macadam road maintained by the Baltimore County Bureau of Highways. As is often the case with many existing public roads in Baltimore County, the County does not own fee simple title to the roadbed or the right-of-way. However, the roads have been used by the public over a period of years and as a consequence, have been included in the public roads maintained by the County.

We regret any inconvenience the subject comments may have caused and by copy of this letter we are requesting that the Zoning Commission revise the first paragraph of the highway comments to read, "Dreher Avenue is an existing macadam road maintained by the Baltimore County Bureau of Highways."

Very truly yours,

*Eric Dismore*  
ERIC DISMORE, P.E.  
Chief, Bureau of Engineering

END:EM:RDS

cc: S. Eric Dismore, Zoning Commissioner  
Mr. & Mrs. Theodore J. Phillips  
20 Dreher Avenue 21208



Re: Zoning Item #1 (1975-1976)  
Dreher Avenue

MARTIN BEERMAN  
ATTORNEY AT LAW  
1117 FIDELITY BUILDING  
CHARLES & LEXINGTON STREETS  
BALTIMORE, MD. 21201

August 24, 1976

Re: Dreher Avenue

Mr. Ellsworth N. Diver  
Chief, Bureau of Engineering  
Baltimore County Department  
of Public Works  
Towson, Maryland 21204

Dear Mr. Diver:

I represent Mr. & Mrs. Theodore J. Phillips, owners of properties on Dreher Avenue, Pikesville, Maryland.

In a zoning matter regarding Item Number 247 (1975-1976) you wrote a letter to the Zoning Commissioner of Baltimore County, letter dated July 22, 1976, copy of which I enclose to you, which letter is in error in at least one respect.

In the paragraph in your letter under "Highways" you state that Dreher Avenue is "an existing County maintained public road...". This is in error as Dreher Avenue is a private road. I refer you to the case of Theodore J. Phillips, et al vs. Corn Bros., Inc., in the Circuit Court for Baltimore County in Equity, 74/53/51207, Judge Raine entered a Decree dated May 1, 1964, wherein, among other things, he declared that Dreher Avenue was a private road. There has been no dedication and the property owners have not parted with title to said road.

I trust that you will advise the Zoning Commissioner of this fact and that you will correct your records accordingly.

Very truly yours,

*Martin Beerman*

MB/sn

Enclosure

cc: Mr. & Mrs. Theodore J. Phillips

RECEIVED

AUG 26 1976  
BUREAU OF ENGINEERING  
BUREAU OF ENGINEERING

RECEIVED  
AUG 26 1976  
BALTIMORE COUNTY  
BUREAU OF ENGINEERING

*Ted Phillips* 20 DREHER AVENUE • FIKESVILLE, MD. 21208

August 10, 1976.

Mr. H. W. Berrick,  
Division Engineering Manager,  
Land and Buildings,  
C & P Telephone,  
360 St. Paul Place,  
Baltimore, Maryland 21202.

Dear Mr. Berrick:

The writer is the owner of more than half of the properties and land on this Avenue, amongst which is a brick apartment building known as #11 - 11 Dreher Avenue, situated a few doors to the west of your telephone exchange building, and I am having constant complaints from my tenants that your employees utilize all of the parking space in front of and at the side of this property when I build for the parking convenience of my tenants, when I constructed the building back in 1926.

It seems that there are forty to fifty cars owned by your employees, plus numerous trucks owned by the telephone company that park in this Avenue every day from 8:30 A.M. to 5:30 P.M. - eight or ten of which park in front of or on the side of my apartment some preventing my tenants from use of any of this parking area, further - numerous of these vehicles park on the North side of this Avenue which is clearly posted by the Police Department "No Parking At Anytime" completely ignoring these signs, and a creation of a nuisance to all residents residing on this Avenue.

I want to point out to you that Dreher Avenue is a private road, owned by the property owners residing thereon, whose deeds and plats are to the center line of the Avenue, and this fact was reaffirmed by Judge J. M. E. E. E. in the Circuit Court for Baltimore County in Equity, as recently as ten years ago in a suit filed by myself against Gora Brothers, Builders, who attempted to alter and make changes in this Avenue. This road was constructed and paid for by my parents 61 years ago - it has never been a County Road, and is not today a County Road, and Judge E. E. E. ruled that because Baltimore County takes and chisps the surface of this Avenue, "I think it was done as a favor to the people, and has no legal significance".

I hope you will immediately cooperate in having your employees refrain from parking their vehicles from the parking areas in front of and to the left of my apartment building, and on the posted North side of this Avenue, so that legal action will not be necessary. The fact that your Company has elected to cause a situation whereby an enormous amount of vehicles of your employees and Company is a problem of your creation that has caused much damage, anxiety, and inconvenience, and must be corrected immediately.

Very truly yours,

*Ted Phillips*

**Baltimore County Department of Public Works**  
COUNTY OFFICE BUILDING  
TOWSON, MARYLAND 21284

Division of Public Services  
ADDRESS A. 2000, P. O. BOX 1000

August 19, 1976

Mr. H. W. Berrick  
Senior Engineer, Department  
Construction & Telephone Company  
360 St. Paul Street  
Baltimore, Maryland 21202

Re: Fikesville Dial Center Addition  
Relocation Road and Drainage  
Public Works Agreement #37302  
Historic 3

Dear Sir:

During the past few months we have received complaints from Mr. Phillips, owner of a land adjacent to the referenced site, that surface waters emanating from the Dial Center were creating problems on his property.

We asked you to investigate this matter in our letter of July 15, 1976 and you responded to this in your letter of July 29, 1976.

Mr. Phillips contacted this office again about this problem and we made a field inspection on August 19, 1976 to determine the validity of the complaint.

We found that Mr. Phillips does have a legitimate complaint. The drainage is inadequate and is not under any County control. This area may have been developed adequately for the conveyance of normal surface water flows however, underground water which is being pumped from your site has created a continuously running stream through Mr. Phillips property where none previously existed. This is not acceptable.

A pipe system will undoubtedly be required to correct this situation. We strongly suggest that you advise your engineer to begin immediately on a solution to this problem because the Company approval for the Dial Center addition will not be approved by this office until the solution is fully established.

Very truly yours,  
*George C. O'Brien*  
GEORGE C. O'BRIEN, Chief  
Division of Public Works

GCB:dlw

cc: Furdon C. Jacobie  
2022 N. Calvert Street 21202

Theodore J. Phillips  
20 Dreher Avenue 21208

Edward A. McDonough  
File



**C&P Telephone**

201 N. Charles Street  
Baltimore, Maryland 21201  
Phone 300-3951

July 1, 1974

Theodore J. Phillips  
20 Dreher Avenue  
Fikesville, Maryland 21208

Dear Mr. Phillips:

Your letter of June 13, 1974, regarding work being performed at this Company's Fikesville Central Office has been referred to me for reply.

As you are aware, this Company purchased from you, in 1973, a strip of land 25 feet in width for the express purpose of carrying water pumped from this Company's Fikesville Central Office to the Baltimore County drainage ditch for that vicinity. Indeed, Baltimore County has approved this method of water drainage and has, accordingly, granted to this Company a building permit authorizing the building operations which are presently being performed, including the pumping of storm and ground water which accumulates in the building into the County drainage ditch.

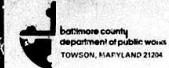
Because this Company's building operations, including the pumping of storm and ground water from the building site, have been pursuant to, and in reliance on proper authorization from Baltimore County, because this Company's actions have been innocent and the drainage system appears to be a reasonable use, and because this Company channels waters pumped from the Fikesville Central Office into the existing Baltimore County drainage ditch, you may wish to direct your inquiry to the appropriate Baltimore County officials.

For your information, I should like to emphasize that due to the particular circumstances in the instant matter, if this Company were required to discontinue draining water from its Fikesville Central Office, such a requirement would result in the flooding of the basement of the building. Such flooding would damage electrical gear, fuel tanks, and cable vaults and would ultimately result in disruption of telephone services throughout the area. Clearly, the benefits derived from the continued operation of this Company's central office greatly outweigh any harm which may result from water emanating from the County drainage ditch.

Very truly yours,

*James A. Hamasak*

cc: Martin Beckman, Esquire  
1117 Fidelity Building,  
Charles & Lexington Streets  
Baltimore, Maryland 21201



Baltimore County  
Department of Public Works  
TOWSON, MARYLAND 21284

*Ted Phillips*

June 29, 1976

Mr. Ted Phillips  
20 Dreher Avenue  
Baltimore, Maryland 21208

References: Lot 26, Warren's Addition to  
East Subbrook Park, and Drainage

Dear Mr. Phillips:

The County Engineer's Office has requested this Department to review the disposal of Lot 26 and the drainage condition in the vicinity of this lot, both of which you have corresponded with the Bureau of Land Acquisition and the Bureau of Public Services. This office is satisfied that the disposal of Lot 26 is being handled in accordance with standard procedure.

Drainage improvements for your community have been thoroughly studied so we have budgeted funds for engineering the needed improvements. These funds will become available July 1st of this year and the selection of a consulting firm for the work will start soon after that date.

We are aware that construction by the Chesapeake and Potomac Telephone Company could adversely affect drainage in this area. However, correction of the problem would require a major project serving much more than the Telephone Company and would require extending a drain to the westerly side of the Western Maryland Railroad. Because it is such an extensive improvement, it must be a public facility. Design and construction is expected to take at least two years.

We are pleased that we are able to proceed with this project and will be glad to keep you informed as to its progress.

Very truly yours,

*Elizabeth N. Diver, P.E.*  
ELIZABETH N. DIVER, P.E.  
Acting Director of Public Works

END/DC:JSP  
cc: A. Marshall  
File

**BALTIMORE COUNTY**

**ZONING PLANS**

**ADVISORY COMMITTEE**



W. Lee Thomas, Sec.  
449 Washington Avenue  
Towson, Maryland 21284

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received and accepted for filing  
this \_\_\_ day of \_\_\_ 1976.

*Eric Dillenna*  
ERIC DILLENNA,  
Zoning Commissioner

Petitioner: Katherine A. Shulman

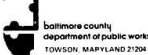
Petitioner's Attorney: W. Lee Thomas

Reviewed by: *Franklin F. Nojans, Jr.*  
Franklin F. Nojans, Jr.  
Chairman, Zoning Plans  
Advisory Comm. Inc.

cc: Furdon and Jacobie  
1023 North Calvert Street  
Baltimore, Md. 21202

**PETITION AND SITE PLAN**

**EVALUATION COMMENTS**



Baltimore County  
Department of Public Works  
TOWSON, MARYLAND 21208

July 22, 1976

Mr. S. Erin Dillenna  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #247 (1975-1976)  
Property Owner: Katherine A. Shulman  
2700 Greener Ave., 865' x 70' Substation Rd.  
Existing Zoning: DR 16  
Proposed Zoning: Special housing, to permit off-street parking in a residential zone.  
Acres: 0.2 - District: 3rd

Dear Mr. Dillenna:

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 does not indicate this property as comprising specific lots, apparently, 21 thru 24, of the "Amended Plat No. 4 Warren's Addition to East Subbrook Park" (recorded W.P.C. 4, Vol. 120).

Highways:

Dreher Avenue, an existing County maintained public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 40-foot right-of-way. Highway improvements including highway right-of-way widening and any necessary reversible easements for slopes will be required in connection with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

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

Case No. 89-15 504  
4/27/76

Item #247 (1975-1976)  
Property Owner: Katherine A. Shulman  
Page 2  
July 22, 1976

Storm Drainage:

As the C & P Telephone Company is aware, storm water runoff or drainage is a critical problem in connection with further development or improvements for this Fikesville Dial Center, and other properties within this drainage area, which requires a public storm water or drainage outfall. Presently, such waters traverse private properties. Additional storm water drainage could be expected to increase the magnitude of already undesirable effects on downstream properties, through which offsite rights-of-way are required.

Provisions for adequate accommodation of storm water or drainage have not been indicated on the submitted plan.

In accordance with the drainage policy, the developer is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall. The Developer's cost responsibilities include the acquiring of easements and rights-of-way - both onsite and off-site - including the deed in fee to the County of the rights-of-way.

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.

Further information may be obtained from the Baltimore County Bureau of Engineering.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage exist in Dreher Avenue and serve the present residence on this site.

The Petitioner will be responsible for all costs in connection with the capping and plugging of water and sanitary sewer service connections which would no longer be required to serve this property.

Very truly yours,

*Elizabeth N. Diver, P.E.*  
ELIZABETH N. DIVER, P.E.  
Chief, Bureau of Engineering

END/EAN:RWS

cc: J. Frenner  
D. Griss  
D. Covatta  
R. Morton (C. & P. Tele. Co. Fikesville Dial Center)

C-5M Key Sheet  
25 x 26 MM 19 x 20 Pos. Sheets  
MM 7 E Topo  
78 Top Map

WILLIAM D. FROMM  
DIRECTOR

July 14, 1976

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 #247, Zoning Advisory Committee Meeting, June 15, 1976, are as follows:

Property Owner: Katherine A. Shulman  
Location: SE/S Dreher Avenue 365' SW Reisterstown Road  
Existing Zoning: D.R. 16  
Proposed Zoning: Special hearing to permit off-street parking in a residential zone  
Acres: 0.286  
District: 3rd

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.

All 409.4 notes must be clearly indicated on the site plan. The screening as shown in inadequate. All lighting must be limited to 3 feet in height.

Very truly yours,

*John L. Winkley*  
John L. Winkley  
Planner III  
Project and Development Planning

DONALD J. ROOF, M.C., M.P.H.  
DEPUTY STATE AND COUNTY HEALTH OFFICER

October 11, 1976

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

Dear Mr. DiNenna:

Comments on Item #247, Zoning Advisory Committee Meeting, June 15, 1976, are as follows:

Property Owner: Katherine A. Shulman  
Location: SE/S Dreher Ave. 365' SW Reisterstown Road  
Existing Zoning: D.R. 16  
Proposed Zoning: Special hearing to permit off-street parking in a residential zone.  
Acres: 0.286  
District: 3rd

Metropolitan water and sewer are available; no health hazards are anticipated.

Very truly yours,

*Thomas H. Derrin*  
Thomas H. Derrin, Director  
BUREAU OF ENVIRONMENTAL SERVICES

TEH:HRJ/b/c

STEPHENE COLLINS  
DIRECTOR

July 13, 1976

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

Re: Item 247 - SAC - June 15, 1976  
Property Owner: Katherine A. Shulman  
Location: SE/S Dreher Ave. 365' SW Reisterstown Road  
Existing Zoning: D.R. 16  
Proposed Zoning: Special hearing to permit off-street parking in a residential zone.  
Acres: 0.286  
District: 3rd

Dear Mr. DiNenna:

The requested parking in a residential zone is not expected to cause any traffic problems.

Very truly yours,

*Michael S. Flanagan*  
Michael S. Flanagan  
Traffic Engineer Associate

MSF:mc

Paul H. Hencke  
CHIEF

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

Attention: Mr. Frank Sigman, Chairman  
Zoning Advisory Committee

Re: Property Owner: Katherine A. Shulman

Location: SE/S Dreher Ave. 365' SW Reisterstown Rd.

Item No. 247

Zoning Agency June 15, 1976

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 plan for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead-end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- ( ) 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, "IFC - Safety Code", 1970 Edition prior to occupancy.
- ( ) 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

Reviewed by: *James H. Taylor* Noted and Approved: *James H. Taylor*  
Planning Group Acting Deputy Chief  
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 30, 1976

COUNTY OFFICE BLDG  
1115 TREASURY AVE.  
TOWSON, MARYLAND 21204

Franklin T. HOGANS, JR.  
Chairman

W. Lee Thomas, Esq.  
409 Washington Avenue  
Towson, Maryland 21204

RE: Special Hearing Petition  
Item 247  
Katherine A. Shulman - Petitioner

DEAR Mr. Thomas:

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

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 southeast side of Dreher Avenue, 365 feet southwest of Reisterstown Road, and is currently improved with a stucco dwelling.

Although the property is presently titled to Katherine A. Shulman, this request is basically made on behalf of the contract purchaser, the CAP Telephone Company of Maryland, who wishes to utilize this property as additional parking for the adjacent Pikeville Dial Center. In conjunction with this, a request to permit off street parking in a residential zone is proposed.

Adjacent properties to the west along Dreher Avenue are improved with single family dwellings.

W. Lee Thomas, Esq.  
Re: Item 247  
June 30, 1976  
Page 2

The existing structure on this site is of course to be removed.

The site plan must be revised prior to the hearing to reflect the comments of the Project & Development Planning Division. The plan must further be revised to indicate all those items as required by Section 409.4 of the Zoning Regulations.

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,

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

FTH:JD

Enclosure

cc: Furud and Jeschke  
1823 North Calvert Street  
Baltimore, Md. 21202

BOARD OF EDUCATION  
OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: June 11, 1976

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

Z.A.C. Meeting of: June 15, 1976

Re: Item 247  
Property Owner: Shulman  
Location: SE/S Dreher Ave. 365' SW Reisterstown Rd.  
Present Zoning: DR 16  
Proposed Zoning: R

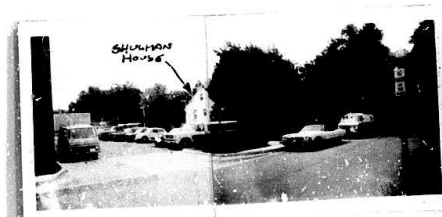
District: 3  
No. Acres: 0.286

Dear Mr. DiNenna:

No bearing on student population

Very truly yours,

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



**CERTIFICATE OF PUBLICATION**

TOWSON, MD. July 1, 1976

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~consecutively~~ once a time ~~six consecutive~~ weeks before the 19th day of July, 1976, the first publication appearing on the 1st day of July, 1976.

THE JEFFERSONIAN

*L. Leach Shulman*  
Manager.

Cost of Advertisement, \$.....



TOWSON, MD. 21204 June 30, 1976

THIS IS TO CERTIFY that the annexed advertisement of Petition for a Special Hearing-- Shulman was inserted in the following:

- Catonsville Times
- Dundalk Times
- Essex Times
- Suburban Times East
- Towson Times
- Arbutus Times
- Community Times
- Suburban Times West

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 19th day of July, 1976, that is to say, the same was inserted in the issues of June 30, 1976.

STROMBERG PUBLICATIONS, INC

BY *Pete Sunk*

1-Sign 77-19-SPH

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 3rd Date of Posting Oct 2, 1976

Posted for ARRIVAL

Petitioner KATHERINE A. SHULMAN

Location of property S/S of DRENON AVE. 365 W. of REISTERSTOWN Rd.

Location of Signs FRONT #7 DRENON AVE

Remarks.....

Posted by *Thomas L. Roland* Date of return Oct. 8, 1976

Signature

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received \* this 4th day of June 1976 Filing Fee \$ 25 Received  Check

Cash  
 Other

*S. Eric Dinanno*  
S. Eric Dinanno,  
Zoning Commissioner

Petitioner Shulman Submitted by Thomas

Petitioner's Attorney Thomas Reviewed by FSA

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

1-Sign 77-19-SPH

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 3rd Date of Posting July 3, 1976

Posted for Petition for Special Hearing

Petitioner KATHERINE A. SHULMAN

Location of property S/S of DRENON AVE. 365 W. of REISTERSTOWN Rd.

Location of Signs FRONT #7 DRENON AVE

Remarks.....

Posted by *Thomas L. Roland* Date of return July 8, 1976

Signature

BALTIMORE COUNTY, MARYLAND No. 38907  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE July 19, 1976 ACCOUNT 01-662

AMOUNT \$50.50

RECEIVED FROM W. Lee Thomas, Esq., Suite 311, 1409 Washington Ave., Towson, Md. 21204

FOR Advertising and posting of property for Katherine A. Shulman #77-19-SPH

289 4 02 28 26 250 C NSC

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 32467  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE June 25, 1976 ACCOUNT 01-662

AMOUNT \$25.00

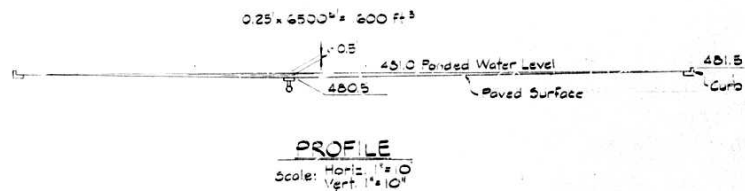
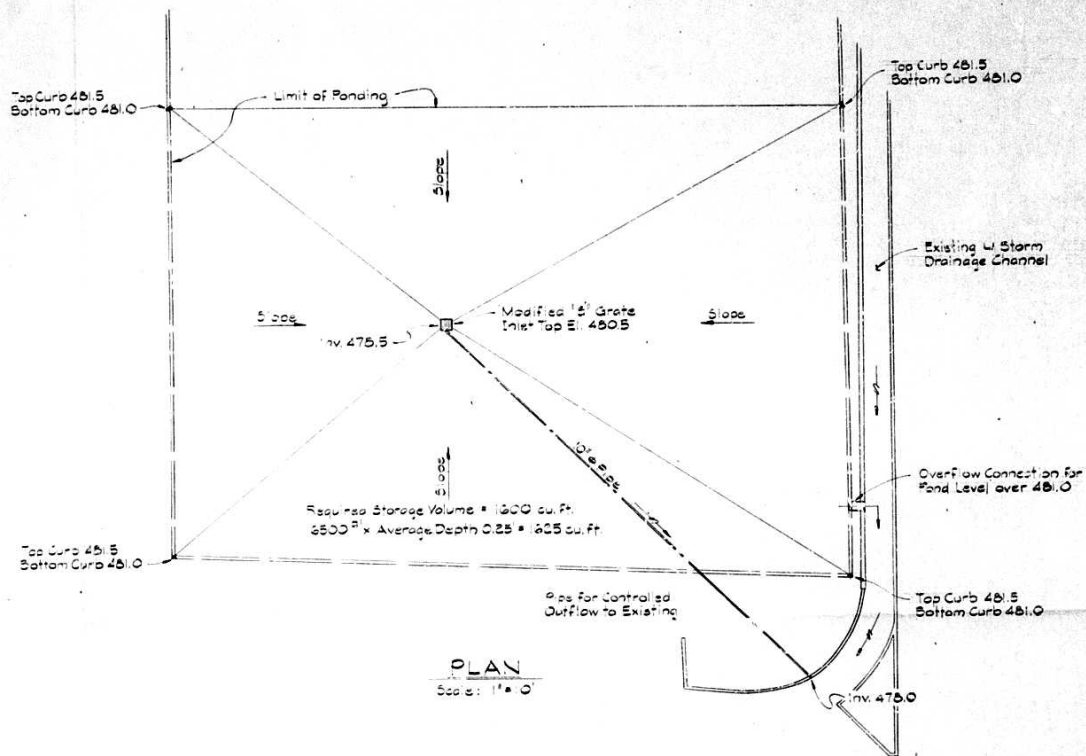
RECEIVED FROM W. Lee Thomas, Esq., Suite 311, 1409 Washington Ave., Towson, Md. 21204

FOR Petition for Special Hearing for Katherine A. Shulman #77-19-SPH

289 4 02 28 26 250 C NSC

VALIDATION OR SIGNATURE OF CASHIER





NOTE: THIS PLAN OVERLAYS PARKING  
LOT DRAWING DATED MAY 18, 1976  
AS SUBMITTED TO ZONING HEARING

SUPPLEMENTAL  
PLAN TO ACCOMPANY  
APPLICATION FOR SPECIAL HEARING  
CHESAPEAKE & POTOMAC TELEPHONE  
COMPANY OF MARYLAND

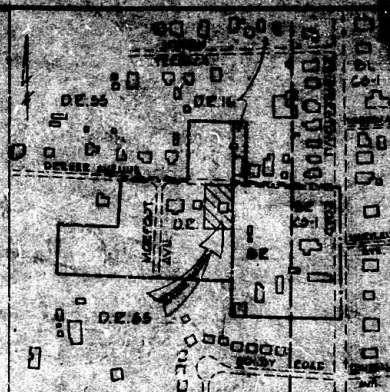
BRD ELECTION DISTRICT BALTIMORE COUNTY, MD.  
SCALE: 1" = 10' AUGUST 2, 1976 MAY 18, 1976

**PURDUM & JESCHKE**  
CONSULTING ENGINEERS  
LAND SURVEYORS

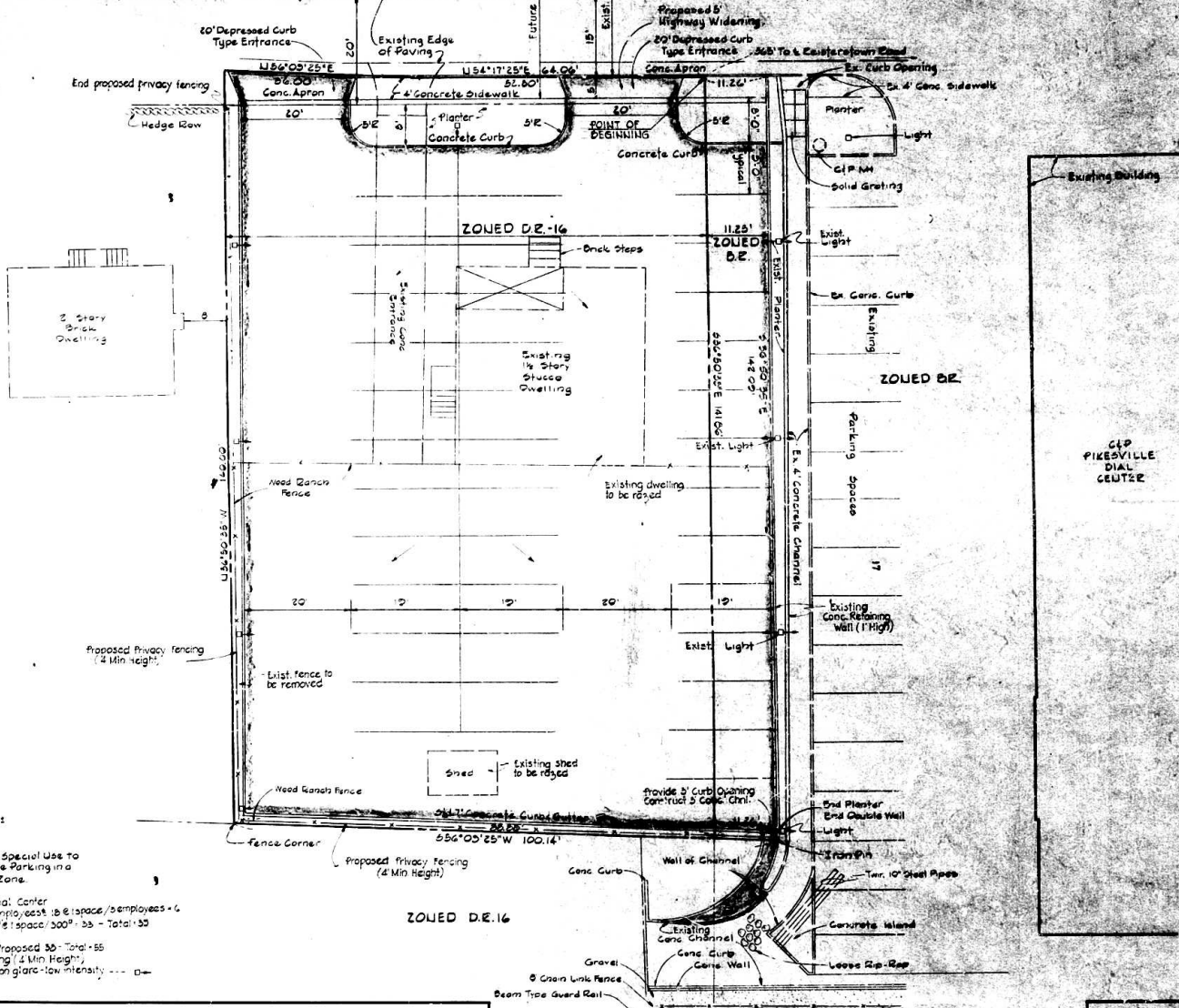
1023 North Calvert Street  
Baltimore, Maryland 21202 301/837-9194

# DREHER

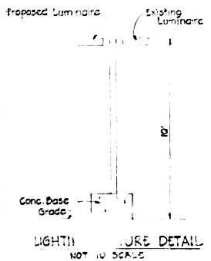
# AVENUE



**VICINITY MAP**  
Scale: 1"=200'



ZONED D.E. 16



- NOTES:**
- Total Area of Property: 0.323 Acres ±
  - Area of Zoning Parcel: [unclear]
  - Present Zoning: D.E. 16
  - Proposed Zoning: D.E. 16 With a Special Use to Permit Office Parking in a Residential Zone
  - Parking Data:
    - A) Use: Telephone Dial Center
    - B) Number of Spaces: Number of Employees: 18 @ 1 space/employees = 18 Required
    - C) Number of Spaces: Office: 1700 sq ft space/300 sq ft - Total: 55 Provided
  - Screening: Existing: 17' Proposed: 30' Total: 55'
  - Lighting: Privacy Fencing (4 Min Height)
  - Directional, Non glare, low intensity
  - Non office classified

PLAN TO ACCOMPANY  
APPLICATION FOR SPECIAL HEARING  
**CHESAPEAKE & POTOMAC TELEPHONE COMPANY OF MARYLAND**  
2ND ELECTION DISTRICT BALTIMORE COUNTY, MD.  
SCALE: 1"=80' M.P.Y. 10/1976

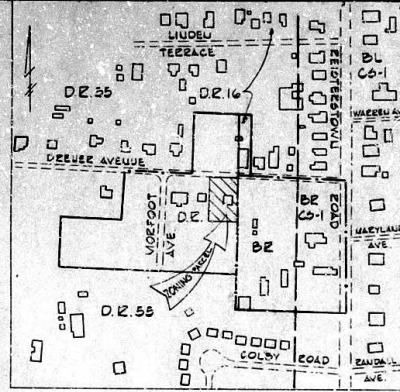
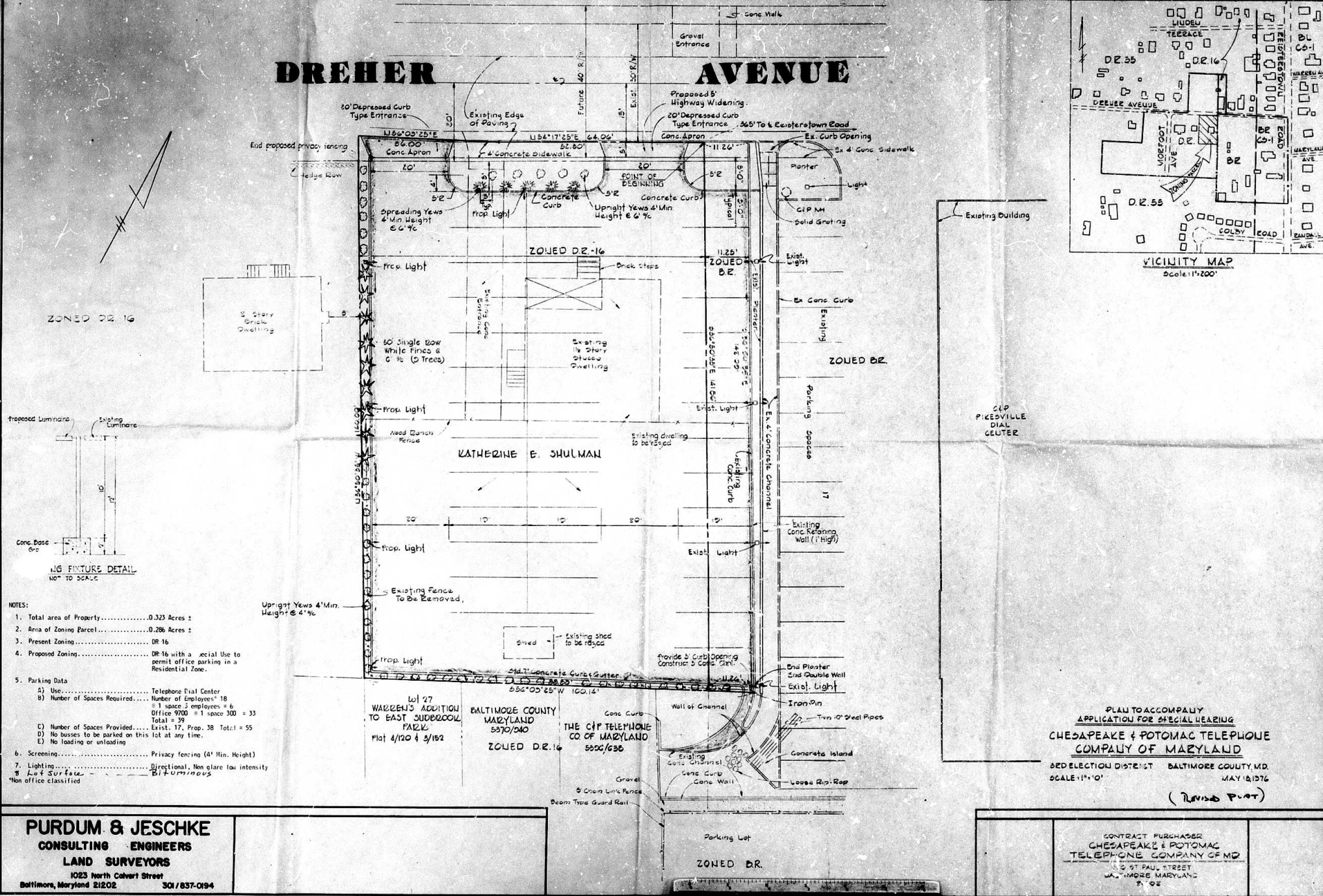
**PURDUM & JESCHKE**  
CONSULTING ENGINEERS  
LAND SURVEYORS  
1023 North Calvert Street  
Baltimore, Maryland 21202 301/837-0194

CONTACT PURCHASER  
CHESAPEAKE & POTOMAC  
TELEPHONE COMPANY OF MD  
260 ST. PETER STREET  
BALTIMORE, MARYLAND  
21202



# DREHER

# AVENUE



VICINITY MAP  
Scale: 1"=200'

ZONED DR-16

ZONED DR-16

ZONED BR

ZONED BR

610  
PIKEVILLE  
DIAL  
CENTER

W/ 27  
WARREN'S ADDITION  
TO EAST JUDERHOOL  
FARM  
Plat 4/120 & 3/152

BALTIMORE COUNTY  
MARYLAND  
5370/040  
ZONED DR-16

THE CITY TELEPHONE  
CO OF MARYLAND  
5506/036

PLAN TO ACCOMPANY  
APPLICATION FOR SPECIAL HEARING  
CHESAPEAKE & POTOMAC TELEPHONE  
COMPANY OF MARYLAND

3RD ELECTION DISTRICT BALTIMORE COUNTY, MD.  
SCALE: 1"=100' MAY 18, 1976

(Revised Plan)

- NOTES:
- Total area of Property.....0.323 Acres ±
  - Area of Zoning Parcel.....0.286 Acres ±
  - Present Zoning.....DR-16
  - Proposed Zoning.....DR-16 with a special Use to permit office parking in a Residential Zone.
  - Parking Data
    - A) Use.....Telephone Dial Center
    - B) Number of Spaces Required.....
      - Number of Employees\* 18
      - 1 space 2 employees = 6
      - Office 9'00" @ 1 space 300 = 33
      - Total = 39
    - C) Number of Spaces Provided.....Exist. 17, Prop. 38 Total = 55
    - D) No buses to be parked on this lot at any time.
    - E) No loading or unloading
  - Screening.....Privacy fencing (4' Min. Height)
  - Lighting.....Directional, Non glare low intensity  
\*Non office classified

**PURDUM & JESCHKE**  
CONSULTING ENGINEERS  
LAND SURVEYORS  
1023 North Calvert Street  
Baltimore, Maryland 21202 301/837-0194

CONTRACT PURCHASER  
CHESAPEAKE & POTOMAC  
TELEPHONE COMPANY OF MD.  
152 ST. PAUL STREET  
BALTIMORE, MARYLAND  
21202

Parking Lot  
ZONED DR.

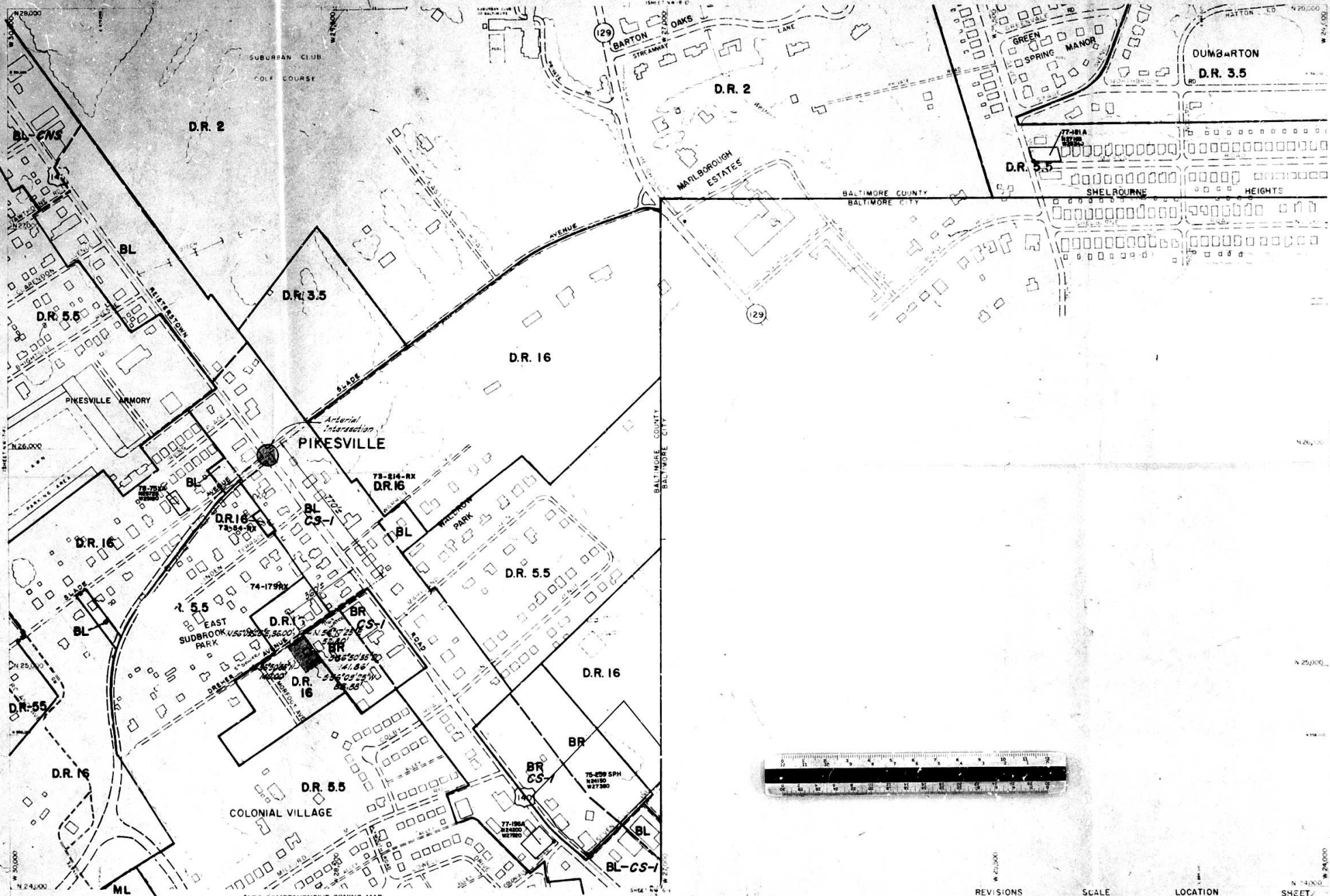


9-16

4

9-16 NE

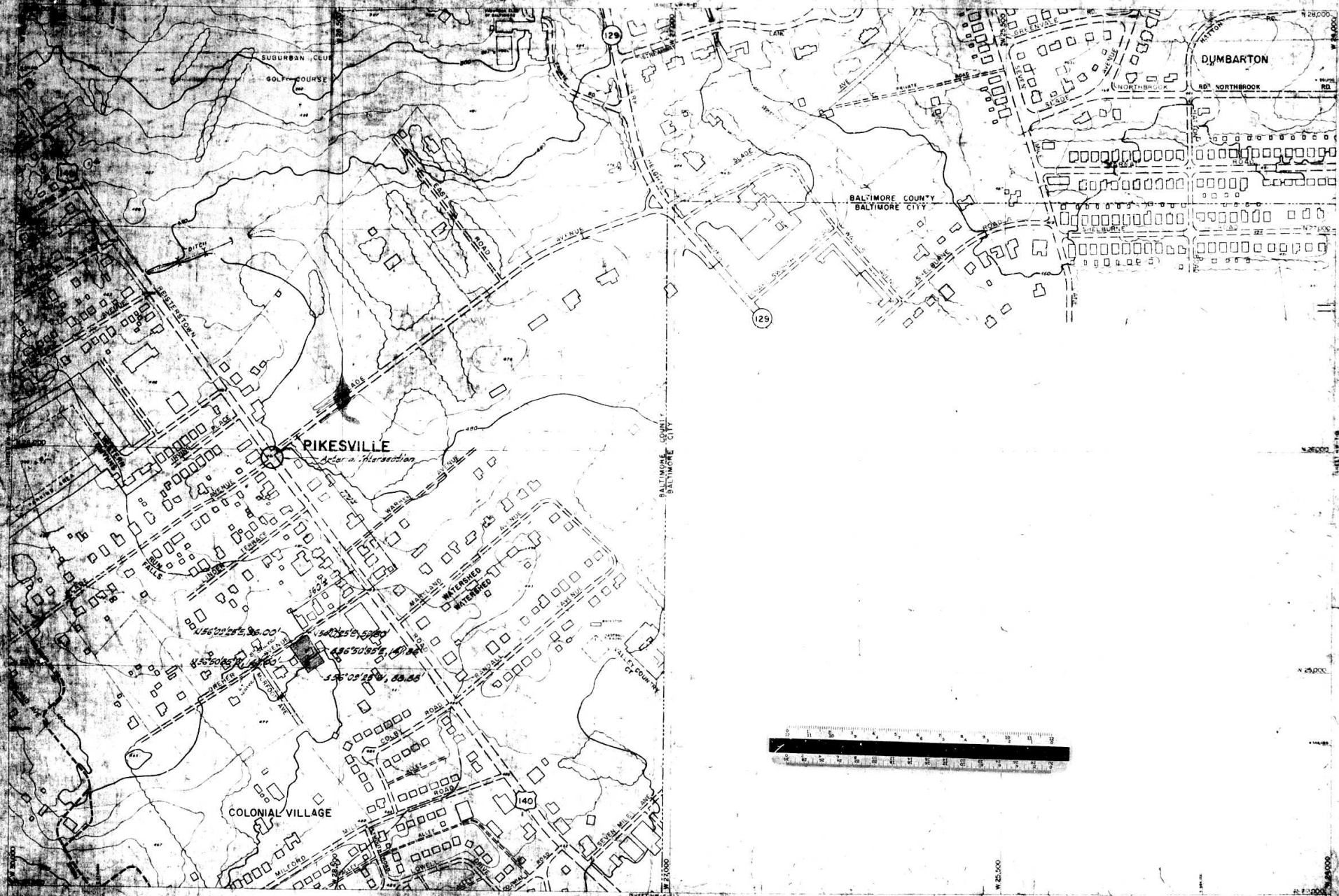
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100



1976 COMPREHENSIVE ZONING MAP  
 ADOPTED BY THE  
 BALTIMORE COUNTY COUNCIL  
 OCT 7, 1976 & OCT 8, 1976  
 BILL NOS. 108 '6, 109-76, 110-76, 111-76,  
 112-76, 113-76, and 114-76

PHOTOGAMMETRIC MAP OF  
 BALTIMORE COUNTY METROPOLITAN AREA  
 OFFICIAL ZONING MAP

REVISIONS BY DATE SCALE LOCATION SHEET  
 1" = 200'  
 DATE OF PHOTOGRAPHY  
 APRIL 1983  
 PIKESVILLE  
 NW  
 7-E  
 Prepared by Photogrammetric Methods  
 AERO SERVICE CORPORATION - PHILADELPHIA, PA



PHOTOGRAMMETRIC MAP OF  
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS	SCALE	LOCATION	SHEET
BY	1" = 200'	PIKESVILLE	N.W.
DATE	DATE OF PHOTOGRAPHY		
	APRIL 1955		

Copyright Reserved By Photogrammetric Methods  
The Service Corporation, PHOTODUPLICATION









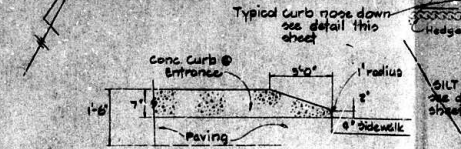
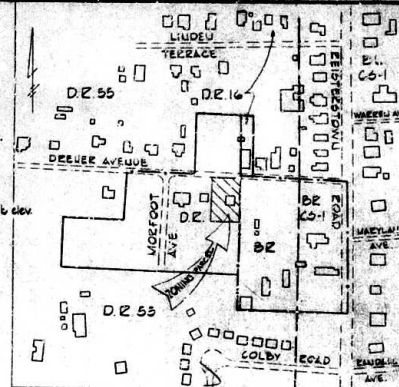
Bituminous concrete surfacing as directed by engineer of existing pavement

Sta. 4+55 Limit of concrete curb & gutter elev. 481.92 TC

**OSHEER AVENUE**

**OSHEER AVENUE**

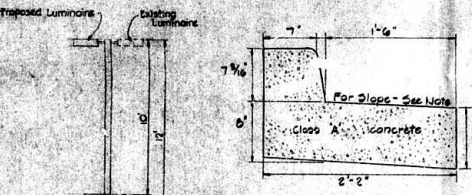
**KEY:**  
 480.20 Existing elev.  
 480.20 Proposed top of curb elev.  
 482.22 Proposed top of paving elev.



Note: All curb ends of entrances to be tapered as above.

**ZONED DR-16**

PLANNING APPROVED  
 OFFICE OF PLANNING & ZONING  
 BY: [Signature]  
 DATE: 9-21-78  
 7719 SP4



Note: Slope of same rate as linear slope across paving

**KEY: SLOPE CURB & GUTTER**  
NO SCALE

**SITE ANALYSIS**

- Total Area: 4.04 acres
  - Zoning: DR-16 with a special use to permit office parking in a Residential Zone.
  - Total Area Paved: .322 acres
  - Total Area Vegetated: .101 acres
  - Parking Data:
    - Use - Telephone Dial Center
    - Number of spaces required - number of employees / 10 @ 1 space per 5 employees = 6  
Office area = 9700 sq. ft.  
@ 1 space per 500 sq. ft. = 19  
Total Required = 25 spaces
    - Number of spaces provided adjacent existing lot, 17 spaces. Proposed on this site, 85 spaces. Total provided = 102 spaces
- \* Non office classified

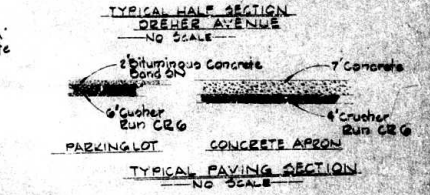
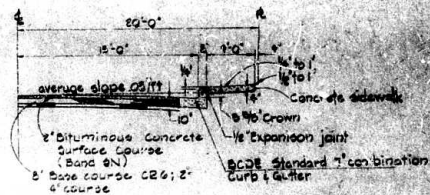
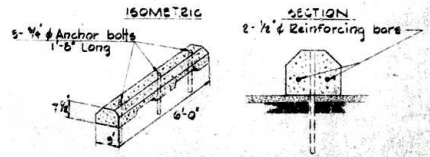
101 27 WAREHOUSE ADDITION TO EAST SUBDIVISION PARK  
 Plat 4/10 & 3/102

**ZONED DR-16**  
 CIP TELEPHONE CO. OF MARYLAND

THE CIP TELEPHONE CO. OF MARYLAND  
 5000/550

**SITE PLAN**  
 OFF STREET PARKING OSHEER AVE.  
 380 Election District Baltimore Co., Md.  
 Scale: 1"=10'-0"  
 August 1978

**SITE PLAN**  
 CHESAPEAKE & POTOMAC TELEPHONE COMPANY OF MARYLAND  
 380 ELECTION DISTRICT BALTIMORE COUNTY MD.  
 SCALE: 1"=10'  
 MAY 1976



**PURDUM & JESCHKE**  
 CONSULTING ENGINEERS  
 LAND SURVEYORS  
 1023 North Calvert Street  
 Baltimore, Maryland 21202 301/657-0194

**OWNER'S CERTIFICATION**  
 Land clearing and construction of development will be completed pursuant to this plan  
 [Signature]  
 8-24-78  
 Date

**ENGINEER'S CERTIFICATION**  
 I certify that the plan of development and plan of site and erosion control meet the requirements of the Code and specifications of the Conservation District.  
 [Signature]  
 8-23-78  
 Date

CONTRACT PURCHASER  
 CHESAPEAKE & POTOMAC TELEPHONE COMPANY OF MD.  
 315 5<sup>th</sup> PAUL STREET  
 BALTIMORE, MARYLAND 21202

SHEET 1 of 2

