

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

That we, Rudolph G. Kessler and John J. Szumlanski, legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve granting of Special Exception for Trailer Park. Zoning Commissioner by previous Case No. 2626 dated June 8, 1955, approved zoning for trailer park on property adjoining subject site by mistake. It is requested, therefore, that the Zoning Commissioner issue an Order approving trailer park on corrected lot as shown on the enclosed plat.

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 are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser
John J. Szumlanski, Legal Owner
Address: 809 Eastern Boulevard
Baltimore, Maryland 21204
Deputy People's Counsel
Protestant's Attorney

ORDERED BY the Zoning Commissioner of Baltimore County, this 30th day of February, 1977, 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 24th day of February, 1977, at 11:00 o'clock A.M.



(over)

RE: PETITION FOR SPECIAL HEARING
NE/C of Dogwood & Oak Rds.,
15th District

RUDOLPH G. KESSLER, et al, Petitioners : Case No. 77-161-SPH

11:11:11

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

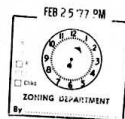
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in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

Charles E. Kuntz, Jr.
Deputy People's Counsel

John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of February, 1977, a copy of the foregoing Order was mailed to Robert J. Romadka, Esquire, 809 Eastern Boulevard, Baltimore, Maryland 21221, Attorney for Petitioner.

John W. Hession, III



Robert J. Romadka, Esquire
Germania Federal Building
809 Eastern Boulevard
Baltimore, Maryland 21221

March 7, 1977

RE: Petition for Special Hearing
NE/C of Dogwood and Oak
Roads - 15th Election District
Rudolph G. Kessler, et al -
Petitioners
NO. 77-161-SPH (Item No. 108)

Dear Mr. Romadka:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

S. ERIC DI MENNA
Zoning Commissioner

SFD/vrl

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD 21237

October 30, 1976

Northeast corner of Dogwood Road and Oak Road.
15th District Baltimore County, Maryland

Beginning for the area at the center line intersection of Dogwood Road (20 feet wide) and Oak Road (20 feet wide) and thence running and binding on the center of Oak Road North 00 degrees 25 minutes West 460.06 feet to the center line of Poplar Road (20 feet wide) thence running and binding on the center line of Oak Road North 07 degrees 30 minutes East 164.83 feet, thence leaving Poplar Road for a line of Division South 1 degree 35 minutes East 414.16 feet to the center line of Dogwood Road, and thence running and binding on the center of Dogwood Road the four following courses and distances: (1) South 06 degrees 02 minutes West 55.70 feet, (2) South 82 degrees 01 minute West 50 feet, (3) South 66 degrees 30 minutes West 50 feet, and (4) South 40 degrees 10 minutes West 29 feet to the place of beginning.

Containing 1.66 acres of land more or less.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna, Zoning Commissioner Date: February 24, 1977
FROM: Norman S. Gerber, Acting Director of Planning
Petition 77-161-SPH
SUBJECT: Petition for Special Hearing for a Trailer Park
Northeast corner of Dogwood and Oak Roads
Petitioner - Rudolph G. Kessler and John J. Szumlanski
15th District

REMARKS: Monday, February 28, 1977 (11:00 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman S. Gerber
Acting Director of Planning

ASD:JDR:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Robert J. Romadka, Esq.
809 Eastern Boulevard
Baltimore, Maryland 21221

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 30th day of November 1976.

S. Eric DiMenna
Zoning Commissioner

Petitioner: Rudolph G. Kessler & John J. Szumlanski

Petitioner's Attorney: Robert J. Romadka

cc: Frank S. Lee
1277 Neighbors Ave.
Baltimore, Md. 21237

Reviewed by: Nicholas B. Commodari
Planning & Zoning
Associate III

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 14, 1977

Nicholas B. Commodari
Acting Chairman

MEMBERS
BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROADS COMMISSION

BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
MUNICIPAL DEVELOPMENT

Robert J. Romadka, Esq.
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Special Hearing Petition
Item 108
Rudolph G. Kessler & John J. Szumlanski - Petitioners

Dear Mr. Romadka:

As per the letter of January 31, 1977 from Mr. DiMenna, I have been instructed to schedule this Special Hearing without revised site plans. As requested in my original comments of January 13, 1977.

In light of the above, 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,
Nicholas B. Commodari
NICHOLAS B. COMMODARI,
Acting Chairman, Zoning
Plans Advisory Committee

NBC:JD

Enclosure

cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Md. 21237

JUL 27 1977

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the following finding of facts, that is in accordance with the power granted unto the the Zoning Commissioner by Section 508.7 of the Baltimore County Zoning Regulations, it is hereby determined that the same as herein requested, will not be detrimental to the health, safety, and general welfare of the community and would be within the spirit and intent of said Regulations, and, therefore, the Special Hearing to approve the granting of the Special Exception for a Trailer Park, Case No. 2626, dated June 8, 1953, on the corrected lot, as shown on the plat, should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of March, 1962, that the herein Petition for the Special Hearing to approve the granting of the Special Exception for a Trailer Park, Case No. 2626, dated June 8, 1953, on the corrected lot, as shown on the plat, should be and the same is granted by the Zoning Commissioner of Baltimore County, and from and after the date of this Order.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of March, 1962, that the above Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 S. Calverton Ave.
TOWSON, MARYLAND 21204

January 13, 1977

Nicholas B. Commodari
Acting Chairman

MEMBERS
BUREAU OF ENGINEERING
TRAFFIC ENGINEERING
STATE ROAD COMMISSION
BUREAU OF FIRE PROTECTION
HEALTH DEPARTMENT
PROJECT PLANNING
SCHOOL DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

Robert J. Romadka, Esq.
209 Eastern Boulevard
Baltimore, Maryland 21211

RE: Special Hearing Petition
Item 108
Rudolph G. Kessler & John J. Szumlanski - Petitioners

Dear Mr. Romadka:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made as 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 plan 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.

This property, located on the northeast corner of Oak and Dogwood Roads, is in the 15th Election District, is currently improved with the facilities of the Penwood Trailer Park. Adjacent properties, zoned D.R. 5.5, to the east, west and south are improved with residences, while vacant land exists to the north.

The previous Special Exception (Case No. 2626) for this existing operation was inadvertently granted on the property immediately to the east of this site, and therefore this Special Hearing is being requested to correct this error.

Robert J. Romadka, Esq.
Re: Item 108
January 13, 1977
Page 2

The submitted site plan fails to indicate the location of improvements on this site, and therefore it is impossible to determine whether all requirements of the Zoning Regulations pertaining to trailer parks established before 1955 are satisfied. In light of this, I feel that a hearing should be withheld pending receipt of revised plans reflecting the above, in order to determine whether additional Variances should be hearing. It is my opinion that any possible future problems should be avoided.

Particular attention should be afforded the comments of Charles E. Burnham, Plans Review Chief, of the Department of Permits and Licenses.

This petition is being withheld from a hearing date until such time as revised plans are received that reflect the comments the above, and any comments from other departments as requested.

Very truly yours,

Nicholas B. Commodari
Acting Chairman, Zoning
Plans Advisory Committee

NEC:JD

Enclosure

cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Md. 21237

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

December 30, 1976

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

Dear Mr. DiNenna:

Comments on Item 108, Zoning Advisory Committee Meeting, November 30, 1976, are as follows:

Property Owner: Rudolph G. Kessler & John J. Szumlanski
Location: NE/C Dogwood Rd. & Oak Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to correct error of Case No. 2626, where Commissioner approved zoning for a trailer park on adjoining lot.
Acres: 1.66
District: 15th

Comments: Since metropolitan water and sewer exist, no health hazard is anticipated.

Very truly yours,

Thomas B. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TBD/BJW/rth#

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 484-3610

JOHN D. SEIFFERT
DIRECTOR

November 26, 1976

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

Dear Mr. DiNenna:

Comments on Item # 108 Zoning Advisory Committee Meeting, November 30, 1976 are as follows:

Property Owner: Rudolph G. Kessler & John J. Szumlanski
Location: NE/C Dogwood Road & Oak Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to correct error of Case No. 2626, where Commissioner approved zoning for a trailer park on adjoining lot.
Acres: 1.66
District: 15th

The items checked below are applicable:

- ☒ A. shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes. Specifically Section 105.0
- ☒ B. A building permit shall be required before construction can begin.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☒ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☐ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section

Very truly yours,

Charles E. Burnham
Plans Review Chief
CEB:JW

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 484-3211

December 30, 1976

Mr. E. 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 #108, Zoning Advisory Committee Meeting, November 30, 1976, are as follows:

Property Owner: Rudolph G. Kessler & John J. Szumlanski
Location: NE/C Dogwood Road and Oak Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to correct error of Case No. 2626, where Commissioner approved zoning for a trailer park on adjoining lot
Acres: 1.66
District: 15th

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 ensure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed, and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
Planner III
Project and Development Planning

Baltimore County
Department of Health
TOWSON, MARYLAND 21204
(301) 835-7310

Paul H. Reinke
Chief

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

Attention: Mr. Nicholas B. Commodari
Zoning Advisory Committee

Re: Property Owner: Rudolph G. Kessler & John J. Szumlanski

Location: NE/C Dogwood Rd. & Oak Rd.

Item No. 108

Zoning Agenda 11/30/76

Gentlemen:

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

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or 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. 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 "Life 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.

REVIEWER: [Signature] Planning Group
Special Inspection Division
Noted and Approved: [Signature] Acting Zoning Chief
Fire Prevention Bureau

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 484-3556

STEPHEN E. COLLINS
DIRECTOR

December 17, 1976

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item 108 - ENC - November 30, 1976
Property Owner: Rudolph G. Kessler & John J. Szumlanski
Location: NE/C Dogwood Rd. & Oak Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Special hearing to correct error of Case No. 2626, where Commissioner approved zoning for a trailer park on adjoining lot
Acres: 1.66
District: 15th

Dear Mr. DiNenna:
Since the requested trailer park is existing, no additional traffic generation is anticipated.

Very truly yours,

Nicholas B. Commodari
Traffic Engineer Associate

NSF:nc

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: November 29, 1976

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

Z.A.C. Meeting of: November 30, 1976

Re: Item No.: 108
Property Owner: Rudolph G. Kessler & John J. Szumlanski
Location: M/C Dogwood Road & Oak Road
Present Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to correct error of Case No. 2626, where Commissioner approved zoning for a trailer park on adjoining lot.

District: 15th
No. Acres: 1.66

Dear Mr. DiNenna:
No hearing on student population.

Very truly yours,
W. J. Petrosich
W. J. Petrosich,
Field Representative.

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

January 13, 1977

Re: Item #108 (1976-1977)
Property Owner: Rudolph G. Kessler & John J. Szumlanski
1/2 cor. Dogwood Rd. & Oak Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Special Hearing to correct error of Case 2626, where Commissioner approved zoning for a trailer park on adjoining lot.
Acres: 1.66 District: 15th

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:

This site, which is a portion of an overall larger property, is subject to Baltimore County Subdivision Regulations. The submitted plan does not indicate any trailers, drives, utilities, ownerships, paving widths, etc.

Highways:

Dogwood Road, Oak Road and Poplar Road a "paper street", are proposed to be improved and constructed, respectively, as 30-foot closed section roadways on 50-foot rights-of-way. Highway improvements and highway rights-of-way widening, including fillet areas for right distances at the intersections 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 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 #108 (1976-1977)
Property Owner: Rudolph G. Kessler & John J. Szumlanski
Page 2
January 13, 1977

Storm Drainage:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

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 exist in Dogwood and Oak Roads.

Very truly yours,

Edmund H. Diva
Edmund H. Diva, P.E.
Chief, Bureau of Engineering

EDH:EAH/PWR:as

cc: J. Wimbly

A-NE Site Sheet
27 & 28 SE 34 & 35 Pos. Sheet
2E 7 1 Topo
111 Tax Map

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 28th day of

Feb. 1976 Filing Fee \$ 24.00 Received 4 Check
Cash
Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Rudolph Kessler Submitted by J. Romadka
Petitioner's Attorney J. Romadka Reviewed by J. Romadka

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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#77-161-SPH

District: 15th Date of Posting: Feb. 22, 1977

Posted for: Henry Monte, Feb. 22, 1977, 5:00 PM

Petitioner: Rudolph G. Kessler

Location of property: 1/2 cor. Dogwood & Oak Rd.

Location of Signs: Sign posted on N. Chesapeake Ave. just before Towson Co. City

Remarks:

Posted by: Paul H. Hines Date of return: Feb. 22, 1977

CERTIFICATE OF PUBLICATION

TOWSON, MD. FEBRUARY 10, 1977

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 28th day of FEBRUARY 19 77, the first publication appearing on the 28th day of FEBRUARY 19 77.

THE JEFFERSONIAN,

W. J. Petrosich
Manager

Cost of Advertisement, \$.....

OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 Feb. 10, 1977

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

- | | |
|---|--|
| ☐ Catonsville Times | ☐ Towson Times |
| ☐ Dundalk Times | ☐ Arbutus Times |
| ☒ Essex Times | ☐ Community Times |
| ☐ Suburban Times East | ☐ Suburban Times West |

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 28th day of FEBRUARY 19 77, that is to say, the same was inserted in the issues of Feb. 10, 1977.

STROMBERG PUBLICATIONS, INC.

BY *Paul Strome*

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

No. 46433

DATE: Feb. 28, 1977 ACCOUNT: 03-662

AMOUNT: \$57.55

RECEIVED FROM: Cash (Rudolph Kessler, et al)

FOR: Advertising and posting of property--777-161-SPH

2860 6212 28 5725 REC

VALIDATION OR SIGNATURE OF CASHIER



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

No. 42889

DATE: Feb. 7, 1977 ACCOUNT: 03-662

AMOUNT: \$25.00

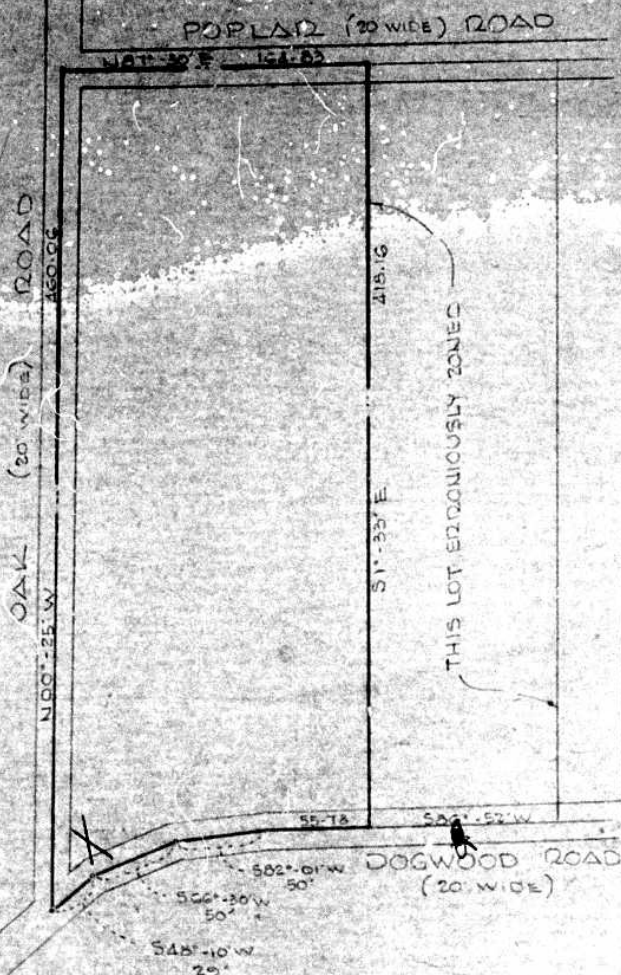
RECEIVED: Robert J. Romadka, Esq., 309 Eastern Blvd.
Pawcatuck, CT 06259

FOR: Petition for Special Hearing for Kessler and Szumlanski--777-161-SPH

287 7 4212 7 2500 REC

VALIDATION OR SIGNATURE OF CASHIER





FLAT OF THE PROPERTY OF PENWOOD TRAINED PARK

15TH DISTRICT BALTIMORE CO, MARYLAND
SCALE: 1" = 50' DATE: 11-3-76

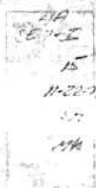
EX. USE - TRAINED PARK

PROP. USE - SAME

EX. ZONING - D.D. 55, WITH A SPECIAL EXCEPTION

PROP. ZONING - SAME

AREA OF LOT - 1.66 A.C.



FRANK S. LEE
1277 NEIGHBORS AVE.
BALTIMORE, MD. 21231

0 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30

0 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