

**PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, we, Richard M. Kerr, legal owner^s of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby certify (1) that the zoning status of the herein described property is residential, general as existing in Baltimore County, Maryland and

and-44 for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for an office building

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser _____ Legal Owner _____
 _____ Address 1330 Sulphur Spring Road _____
 _____ Baltimore, Maryland 212 _____
 Petitioner's Attorney _____ Protestant's Attorney _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 20th 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 4th day of April, 1977, at 11:00 o'clock.

Eric B. Thuma
Zoning Commissioner of Baltimore County.

(over)

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.

I HEREBY CERTIFY that on this 30th day of March, 1977, a copy of the
aforegoing Order was mailed to Messrs. John C. Coolahan, Esquire, and Richard N.
Kerr, Esquire, 1330 Sulphur Spring Road, Baltimore, Maryland 21227. Petitioners.

John W. Messian, III

Zoning Commissioner

The Board of Directors of the Halethorpe Improvement Association has reviewed the proposal of J. Coolahans and R. Kern for an office building on the property across from the Post Office in Halethorpe and are in accord with the request.

Mr. Donald C. Strosser, Acting Chairman, has been authorized to present our position at the Federal Hearing.

PERMANENT EXHIBIT 2

Sincerely,

Joseph G. Hicks
Joseph G. Hicks
President

INTER-OFFICE CORRESPONDENCE

13th District

HEARING: Monday, April 4, 1977 (1:00 P.M.)

Office use would be appropriate at this location

Norman E. Gerber
Norman E. Gerber
Acting Director of Planning

NRC:JGH:rw

beginning for the same on the Southeast side of New Sulphur Spring Road at a point about 55 feet Southwesterly from the prolongation Northerly of Walchill Road as now laid out thence running South 60 degrees East 89.00 feet to the intersection of the Southeast side of Walchill Road thence running Southwesterly along the North side of Walchill Road 72.00 feet more or less thence continuing along the North side of Walchill Road 100.00 feet more or less thence turning to the left having a radius of 166.91 feet for a distance of 47.00 feet to the intersection of the Northwest corner of the lot on the Westmaster Side of Walchill Road as shown.

The following direction along the Northwest corner of the lot on Maryland Plat Number 25996 the distance of 110.00 feet more or less thence turning to the right having a radius of 166.91 feet for a distance of 47.00 feet to the intersection of the Southeast side of New Sulphur Spring Road the five following courses and distances, viz.: (1) North 56 degrees 30 minutes East 100.00 feet (2) North 56 degrees 30 minutes East 100.00 feet (3) North 56 degrees 30 minutes East 80.00 feet (4) North 33 degrees 30 minutes East 100.00 feet and (5) North 56 degrees 30 minutes East 52.00 feet to the intersection of the Southeast side of New Sulphur Spring Road.

April 6, 1977

RE: Petitions for Special Exception
and Variances
SW/corner of New Sulphur Spring
and Weachill Roads - 13th Election
District
John C. Coolahan, et al - Petitioners
NO. 77-194-XA (Item No. 135)

Dear Mr. Kerry:

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

Very truly yours,

Very truly yours,

 GEORGE J. MARTINAK
 Deputy Zoning Commissioner

GDM/mg

Attachments

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

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 strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners

the above Variance should be had; and it further appearing that by reason of the REFRACTION of the Variance requested not adversely affecting the health, safety and general welfare of the community, Variances to permit a setback of 35 feet to the center of the street instead of the required 50 feet and a front yard setback of 5 feet instead of the required 30 feet in a D.R. 16 Zone should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 6TH day of April, 1977, that the herein Petition for the aforementioned Variances should be and the same are GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore County

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

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of , 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Messrs. Coolahan and Kerr
1330 Sulphur Spring Road
Baltimore, Maryland 21227

Item 135

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your petition does not meet the Zoning requirements for filing, as per attached.

John C. Coolahan
Richard W. Kerr

John B. Gery, Surveyor
Land Development Consultants
9088 Town & City Blvd.
Ellicott City
Reviewed by:

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 17, 1977

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

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
INDUSTRIAL
DEVELOPMENT

Messrs. Coolahan and Kerr
1330 Sulphur Spring Road
Baltimore, Maryland 21227

RE: Special Exception Petition
Item 135
John C. Coolahan and
Richard W. Kerr - Petitioners

Gentlemen:

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.

This currently vacant site, zoned D.R. 16, is located on the southeast side of New Sulphur Spring Road approximately 35 feet southwest of Waelchill Avenue, in the 13th Election District. Wooded vacant land exists to the south of this site across Waelchill Avenue, while the Pennsylvania Railroad exists to the west.

This Special Exception and accompanying Variance is necessitated by your proposal to construct an office building 10 feet from the front property line, in lieu of the required 30 feet. As indicated in the

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 February, 1977.

Petitioner: Messrs. Coolahan and Kerr
Petitioner's Attorney: John B. Gery, Surveyor
Reviewed by: Nicholas B. Commodari, Planning & Zoning Associate III

Messrs. Coolahan and Kerr
Re: Item 135
February 17, 1977
Page 2

Bureau of Engineering comments, Waelchill Avenue is proposed to be improved as a 60 foot right-of-way in this vicinity. The plan must be revised to indicate the proposed right-of-way and Variance forms must be altered accordingly.

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

Very truly yours,

NICHOLAS B. COMMODARI,
Acting Chairman, Zoning
Plans Advisory Committee

NBC:JD

Enclosures

cc: John B. Gery, Surveyor
Land Development Consultants
9088 Town & City Blvd.
Ellicott City, Md.

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: December 29, 1976

Z.A.C. Meeting of: December 28, 1976

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

Re: Item 135
Property Owner: John C. Coolahan & Richard N. Kerr
Location: SE/4 New Sulphur Spring Road 55' x 54' Waelchill Avenue
Present Zoning: D.R. 16
Proposed Zoning: Special Exception for an office building and variance to permit a setback of 30' from the center of the street in lieu of the required 50' and a front setback of 10' in lieu of the required 30'.

District: 13th
No. Acres: 0.76

Dear Mr. DiNenna:

No hearing on statement: pulation.

Very truly yours,

W. Rick Petrovich,
Fid Representative.

JOSEPH W. BLODGETT, President
T. PATRICK MULLIGAN, JR., Vice President
WILLIAM M. LUTHER, Secretary

WALTER W. BLODGETT, Treasurer
THOMAS M. BLODGETT, Secretary

WILLIAM W. BLODGETT, Secretary

THORNTON M. MOURING, P.E.
DIRECTOR

February 10, 1977

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

Re: Item #135 (1976-1977)
Property Owner: John C. Coolahan & Richard N. Kerr
S/S New Sulphur Spring Rd., 55' S/W Waelchill Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for an office building
and variance to permit a setback of 30' from the center
of the street in lieu of the required 50' and a front
setback of 10' in lieu of the required 30'.
Acres: 0.76 District: 13th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office
for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

New Sulphur Spring Road is an existing County road which was recently constructed
by the State Highway Administration. No further highway improvements are proposed at
this time.

Waelchill Avenue, also an existing County road, is proposed to be improved in the
future as a 36-foot closed section roadway on a 60-foot right-of-way in this vicinity.
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 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.

Storm Drains:

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

Open stream drainage requires a drainage reservation or easement of sufficient
width to cover the 1:100 plain of a 100-year design storm. However, a minimum
width of 20 feet is required.

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 Waelchill and New Sulphur Spring
Roads adjacent to this property.

Additional fire hydrant protection is required in the vicinity.

Very truly yours,

Edward M. Diver
ELLMORSE H. DIVER, P.E.
Chief, Bureau of Engineering

END:KAM:PMR:as

cc: J. Tranner
W. Munchel

G-SW Key Sheet
10 SW 14 & 15 Pos. Sheets
SW 10 Twp
108 Tax Map

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

January 10, 1977

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

Dear Mr. DiNenna:

Comments on Item #135, Zoning Advisory Committee Meeting, December
28, 1976, are as follows:

Property Owner: John C. Coolahan & Richard N. Kerr
Location: S/S New Sulphur Spring Rd. 55' S/W Waelchill Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for an office building and
variance to permit a setback of 30' from the
center of the street in lieu of the required
50' and a front setback of 10' in lieu of the
required 30'.

Acres: 0.76
District: 13th

Since metropolitan water and sewer are available, no health hazards
are anticipated.

Very truly yours,

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

TMD/LN/rhe

STEPHEN E. COLLINS
DIRECTOR

January 24, 1977

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

Re: Item #135 - ZAC - December 28, 1976
Property Owner: John C. Coolahan & Richard N. Kerr
Location: S/S New Sulphur Spring Rd. 55' S/W Waelchill Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Special exception for an office building and variance to permit
a setback of 30' from the center of the street in lieu of req. 50'
and a front setback of 10' in lieu of required 30'

Acres: 0.76
District: 13th

Dear Mr. DiNenna:

The requested special exception for an office building is not expected to be
a major traffic generator.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF:dc

Paul H. Reinecke
Chief

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Nicholas B. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: John C. Coolahan & Richard N. Kerr
Location: S/S New Sulphur Spring Rd. 55' Waelchill Ave.

Item No. 1.5 Zoning Agenda December 28, 1976

Gentlemen:

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

- (a) 1. Fire hydrants for the referenced property are required and shall be
located at intervals of 300 ft. 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.
- (x) 5. The buildings and structures existing or proposed on the site shall
comply with all applicable requirements of the National Fire Pro-
tection Association Standard No. 101 "Life Safety Code", 1970
Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *St. Kelly* Noted and Approved: *George M. Wagnett*
Planning Group Special Inspection Division Fire Prevention Bureau

JOHN D. SEVYERT
DIRECTOR

December 29, 1976

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

Dear Mr. DiNenna:

Comments on Item #135 Zoning Advisory Committee Meeting, December 28, 1976
are as follows:

Property Owner: John C. Coolahan & Richard N. Kerr
Location: S.S. S. New Sulphur Spring Road 55' S.W. Waelchill Avenue
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for an office building and variance to
permit a setback of 30' from the center of the street
in lieu of the required 50' and a front setback of 10'
in lieu of the required 30'.
Acres: 0.76
District: 13

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.B.C.)
1:70 Edition and the 1971 Supplement and other applicable codes.
- ☒ 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
Charles E. Burnham
Plans Review Chief
CEB:rwj

JOHN D. SEVYERT
DIRECTOR

Received 3-28-77

March 28, 1977

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

Dear Mr. DiNenna:

REVISED
Comments on Item #135 Zoning Advisory Committee Meeting,
are as follows:

Property Owner: John C. Coolahan & Richard N. Kerr
Location: S/S New Sulphur Spring Rd 55' S/W Waelchill Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for an office building and variance to permit a
setback of 30' from the center of the street in lieu of the required
50' and a front setback of 10' in lieu of the required 30'.
Acres: 0.76
District: 13th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.B.C.)
1:70 Edition and the 1971 Supplement and other applicable codes.
- ☐ 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
Charles E. Burnham
Plans Review Chief
CEB:rwj

February 9, 1977

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 #135, Zoning Advisory Committee Meeting, December 28, 1976, are as follows:

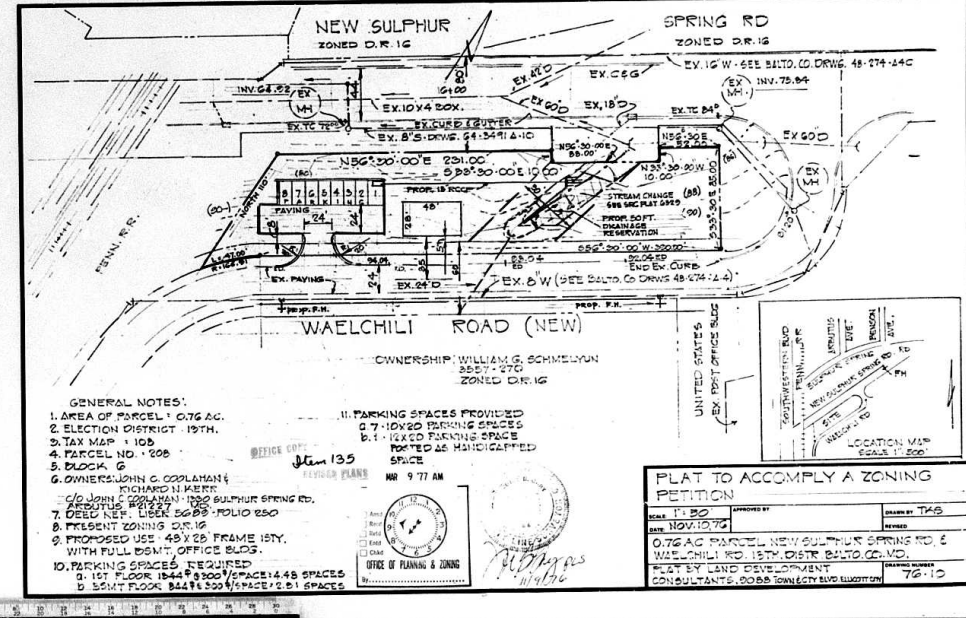
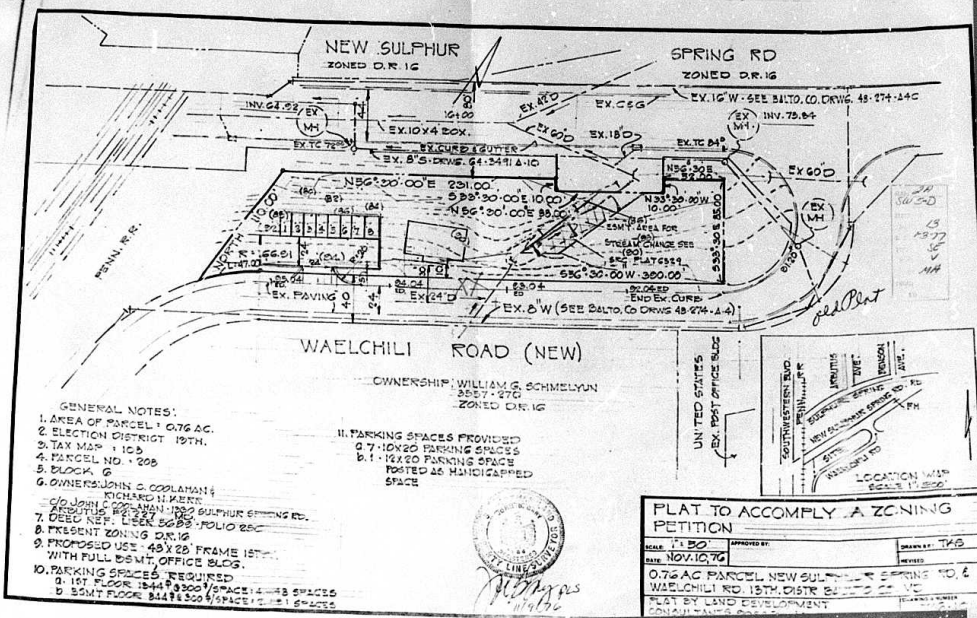
Property Owner: John C. Coolahan & Richard N. Kerr
Location: S/S New Sulphur Spring Road 55' S/W Waelchill Avenue
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for an office building and variance to permit a setback
of 30' from the center of the street in lieu of the required 50' and a front setback
of 10' in lieu of the required 30'.
Acres: 0.76
District: 13th

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.

Screening will be required for the parking area where it is adjacent to or across the street from
residential premises.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Project and Development Planning



CERTIFICATE OF PUBLICATION

TOWSON, MD., March 12, 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., commencing on the 11th day of March, 1977, the last publication appearing on the 17th day of March, 1977.

THE JEFFERSONIAN
S. L. Smith
 Manager

Cost of Advertisement, \$ _____

OFFICE OF THE TIMES

TOWSON, MD. 21204 Mar. 16, 1977

THIS IS TO CERTIFY, that the annexed advertisement of Petition for Special Exception & Variance was inserted in the following: Coolahan

☐ 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 4th day of April 1977, that is to say, the same was inserted in the issues of March 16, 1977.

STROMBERG PUBLICATIONS, INC.
 BY *Paul Smith*

CERTIFICATE OF POSTING

District: 19th Date of Posting: March 15, 1977

Posted for: *Petitioners' Petition for Special Exception & Variance*

Petitioner: *John C. Coolahan*

Location of property: *SW corner of New Sulphur Springs and Waechili Rds.*

Location of Signage: *N/S of Waechili Rd. 150' to W of SW corner of New Sulphur Springs and Waechili Rds.*

Remarks: *See above*

Posted by: *William C. Holand* Date of return: *March 24, 1977*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 8 day of Dec 1976. Filing Fee \$ 50.00 Received ☒ Check ☐ Cash ☐ Other

S. Eric Dismann
 S. Eric Dismann, Zoning Commissioner

Petitioner: *John C. Coolahan* Submitted by: *A. C. Cullen*

Petitioner's Attorney: *Reviewed by: SPS*

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

Richard Kerr's Engineer will be here 3/17/77 @ 2:30P

BALTIMORE COUNTY, MARYLAND. No. 42807

OFFICE OF FINANCE - REVENUE DIV.

MISCELLANEOUS CASH RECEIPT

DATE: Dec 8, 1976 ACCOUNT: 01-622

AMOUNT: \$50.00

RECEIVED: Cash (John Coolahan)

FROM: Petition for Variance - Special Exception

FOR: 50.00

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND. No. 46521

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE: April 14, 1977 ACCOUNT: 01-662

AMOUNT: \$70.25

RECEIVED: Richard H. Kerr, Esq. 1105 Pineside Drive, Balto., Md. 21201

FOR: Advertising and posting of property

7/17-200-11

VALIDATION OR SIGNATURE OF CASHIER



