PETITION FOR ZONING RE-CHASSIFICATION AND/OR SPECIAL EXCEPTION (Stem # 9)

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Marie V. Forbes
L or we, James E. Forbes and __legal owner A of the property situate in Baltimor County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the roning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an DR 3.5 and DR 16 zone to an zone: for the following reasons: There was an error in the

drafting of the map and the original zoning of the property.

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltin County, to use the herein described property, for.

Property is to be posted and advertised as prescribed by Zoning Regulations. I. or we, agree to pay expenses of above re-classification and/or Special Exception advertising. posting, etc., upon filing or 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

James E. Folies Address Route 2, Sherwood Road, Owings Mills, Maryland 21117

Protestant's Attorney

Gro, ory R. Dent 14 Sain Street

16 Saint-Street

17 Saint-Street

18 Sai

... 197 ... that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughpoor Ball. And 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 . 1977 at 11:00 o'clock

Oli Henra

E. F. RAPHEL & ASSOCIATES giated Professional Lend Surreyors 201 COURTLAND AVENUE

MARCH 30, 1977

38

6

DESCRIPTION TO ACCOMPANY ZONING PETITION
FOR RECLASSIFICATION OF
PART OF PROPERTY OF JAMES E. FORRES AND WIFE

Beginning for the same at a point in the center line of Dolfie'd Road at a distance of 410' easterly from the intersection formed by the center line of Dolfield Road and the center line of South Ritters Lane said point being also the beginning of the second line of the second parcel of the land which by deed dated December 23, 1971 and recorded among the Land Records of Baltimore County in Liber EHK Jr. 5242, folio 542, thence leaving the center line of Dolfield Road and running on the outlines of the lands of James E. Porbes and wife the four following courses and distances: 1) N13* 50. W 337.40 feet; 2) N78.37. E 640.40 feet to the center line of a stream running thence and binding on said stream 3) S4*35* W 239.45 feet and; 4) S19°23' W 117.78 feet to the center line of Dolfield Road running thence and binding on the center line of Dolfield Road the two following courses and distances: 1) 578*49. W 387.30 feet and 2) 578*19. W 114.30 feet to the place of beginning.

Containing 4.46 Acres of land, more or less. Being the property of James E. Forbes and Wife.



DATE

OFFICE: 053-300

mark.

WHEN OF FLAGO . & LOWER

Das PB3 E. F. RAPHEL Registered Prof. Land Surveyor March 30, 1977

IN THE MATTER OF THE PETITION OF JAMES E. FORBES and MARIE V. FORBES for zoning reclassification from DR3.5 and DR 16 to MLR.

MEMORANDUM IN SUPPORT OF APPLICATION

The Petitioners' property consists of a lot situate on Dolfield Road in the Fourth Election District of Baltimore County, Maryland. The majority of the property is zoned MLR; however, a small portion to the rear is zoned DR 3.5 and another portion of the property is zoned DR 16 and fronts on Dolfield Road. Your Petitioners submit that the existing DR 3.5 and DR 16 zoning classifications are in error, for the following reasons:

h. Petition by the property owner was filed at the time that the 1970 elimin was adopted requesting a MLR zoning on the property, which Petition adopted requesting a MLR zoning on the property, which Petition and the property and the regard to the size of the property and therefore, three (3) zoning classifications currently exist on the property.

B. Use of the subject property under its existing zoning classification is not economically feasible.

C. The existing DR 3.5 zoning is totally unusable within that classification and, therefore, in effect is confiscatory. D. The property is surrounded by either industrial or apartment uses and, in effect, the existing DR 3.5 zone constitutes spot zoning.

E. This property is oriented towards the Painters Mill Industrial Park and is bound on the rear by a substation of the Baltismor Gas and Electric Company and should maintain an indus-trial zoning designation.

Respectfully submitted

SMITH, JOHNS & SMITH 143 Main Street Reisterstown, Maryland 21136 833-1221

GREGORY R. DENT
Attorney for Petitioners

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

RE: PETITION FOR RECLASSIFICATION N/S of Dolfield Rd. 410' E of South Ritters Lone, 4th District

: BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

JAMES E. FORBES, Petitioner

: Case No. 78-27-R

......

ORDER TO ENTER APPEARANCE

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 ar hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Z. Krunte D. Charles E. Kountz, Jr. Deputy People's Counsel

John W. Hessian, III People's Counsel County Office Building

I HEREBY CERTIFY that on this 16th day of August, 1977, a copy of the aforegoing Order was mailed to Gregory Dent, Esquire, 143 Main Street, Reisterstown, Maryland 21136, Attorney for Petitioner.



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG III T. Chrispeaks Avr. Towner, Maryland 21204 Nicholas B Commo Acting hairman

> DEPARTMENT OF STATE ROADS CON

BUREAU OF HEALTH DEPARTMENT PROJECT PLANNING REGIDING DEPARTMENT BOARD OF EDUCATION INDUSTRIAL DEVELOPMENT

May 2, 1977

Gregory & Dent, Esquire 143 % of Street Reisterscown, Maryland 21136

Reclassification Item No. 9 - 1st Cycle Petitioner - James E. Forbes

Dear Mr. Dent:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above reference petition and has made an on site field inspection of the property. The following comments are a result of this review and

These comments are not intended to indicate the appropriateness of the zoning action requested, but to appropriate and the zoning action requested, but to appropriate the development plans that will be appropriate the development plans that may have a bearing on the development plans that may file a virtient report with the Zoning with recommendations as to the appropriateness of the requested zoning.

Located on the north side of Dolfield Road approximately 410' cast of Scuth Ritters Lame in the 4th Election District. this 4.46 acre tract, pastially gened M.L.R., D.R. 3.5 and D.R. 16, is currently improved VLD a two story frame dwelling. Adjacent properties when the story frame week are zened residential and are improved with appearance of residential and are improved with appearance of the story of the south and east consists of weart land and indestrial uses, respectively.

This reclassification request is necessitated by your client's proposal to construct two large warehouse buildings on this site. As indicated in previous conversations on this site. As indicated in previous conversations of the state of the control of the soning regulations are also required and must be included with this request.

October 24, 1977

Gregory R. Dent, Esquire 143 Main Street Reisterstown, Maryland 21136

RE: Petition for Reclassification N/S of Dolfield Road, 410' E of South Ritters Road. 4th Election District James S. Forbes, et ux - Petitioners NO. 78-27-R (Item No. 9)

Dear Mr. Dante

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

Very truly yours. 15/

S. ERIC DI NENNA Zoning Commissioner

SED/ef

Attachmen

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

Gregory R. Dent, Esq. Page 2 Item No. 9 May 2, 1977

As provided in the comments of the State High-way Administration, this site is seriously affected by the state of the state of the state of the state or the attacked resociation of bolifield Road, as shown on the attacked resociation of the state of the state of suggested that a meeting be arranged within it. It is notice to discuss this matter and its resultant of the state of the state of the state of the state of the required wireless of the state of the state of the state of the required wireless of the state of th

In addition to the above it appears that part of this site is located within an environmental protection area, as shown on the Interim Development Control on the Interior would be subject to any applicable requirements of Bill 12-79.

This petition for Reclassification is accepted for filing on the date of the enclosed filing entricate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been petitions, descriptions, or plats, as may have been this officer pits Committee, shall be submitted to this officer pits Committee revisions. The order to allow time for final Committee revisions, and the filing time for final Committee revisions. The filing the fi

Very truly yours, NICHOLAS B. COMMODARI, Acting Chairman Zoning Plans Advisory Committee

NBC:rf

E. P. Raphel & Associates 201 Courtland Avenue Towson, Maryland 21204

Zoning Commissioner of Baltimore County

TY OFFICE OF PLANNING & SONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Patition has been received and accepted for filing TOWSON, MARYLAND 21204

April 29, 1977

Mr. S. Bric DiNenn Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Item #9 (C/cle I April-October 1977)
Proprety Owner: James E. Forbes
M/S Dolfield Rd. 410 Fe. of South Ritters La.
Existing Zoning: D.R. 3.5 and D.R. 16
Proposed Zoning: M.L.R.
District; 4th Mo. of Acres: 4.46

Jear Mr. DiNenne

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.

Dolfield Road, an existing public road, is proposed to be improved as a M-foot closed section roadway on a 60-foot right-tof-way. A standard type roadway termination is required wast of the Opyma realls. Highway improvements, including highway that the property of the property rewarding to the property of the propert

The untrance 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.

COUNTY OFFICE BLDG. 111 V. Chrosposte Ave. ToDass, Maryland 21204

holas . B.

BUREAU OF

TATE ROADS COM

PUREAU OF FIRE PREVENTION

ALTH DEPARTMENT PROJECT PLANNING

BUILDING DEPARTMEN MOARD OF EDUCATION

DEVELOPMENT

NBC:rf

Enclosure

DEPARTMENT OF

Commodar

A portion of this property is within the Gwynns Falls flood plain. Open stream dainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design atoms.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Enclosed is an additional comment from the State Highway Administration concerning the pro-posed relocation of Dolfield Road through the subject property. Since this proposed relocation was not shown on the submitted site plan, the enclosed comment should be taken into consideration.

If you have any further questions regarding this matter, please feel free to contact this office.

Gregory R. Dent, Esquire 143 Main Street Reisterstown, Maryland 21136

cc: E. F. Raphel and Associates 201 Courtland Avenue Towson, Maryland 21204

July 6, 1977

RE: Reclassification

Very truly yours.

NICHOLAS B. COMMODARI

Zoning Plans Advisory Committee

Item No. 9 - 1st Cycle Petitioner - James E. Forbes

Provisions for accommodating storm water or drainage have not been indicated on

Item #9 (Cycle I April-October 1977) Property Owner: James E. Forbes April 29, 1977

Storm Drains: (Cont'd)

The Prititioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any muisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any profile which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Prititions.

This residential property apparently is utilizing private onsite water supply. The 8-inch public water main in Dolfield Road (Drawing #54-1927, File 3) can be extended to serve this site.

Additional fire hydrant protection is required in the vicinity.

Sanitary Sewer:

An 8-inch public sanitary sewer exists along Dolfield Road (Drawing 859-0436, File 1) and there is also 8-inch public sr tary sewerage at the northeaster most corner of this property (Drawing 864-0300, File 1).

This property is tributary to the Gwynns Falls Sanitary Sewer System, subject to State Health Department regulations.

Very truly yours, Donald M. Tucky Comes
Donald M. Tucky P.E.
Acting Chief
Bureau of Engineering

cc: W. Munchel

T-SW Key Sheet 44 NW 32 Pos. Sheet NW 11 H Topo 58 Tax Map

Maryland Department of Transportation

Bernard M. Evans

April 19, 1977

Re: Zoning Cycle I Reisterstown Road area (Route 140) J. ne Forher

Attention: Mr. N. Commodari

Dear Mr. DiNenna:

Mr. S. Eric DiNenna Zoning Commissioner County Office Bldg. Towson, Md. 21204

and reviewing petitions for the current cycle, we find quite for proposals on or near Relaterstown Road, Of special note are a proposals on or near Relaterstown Road, Of special note are a proposal special special

Very truly yours,

Charles Lee, Chief Bureau of Engineering Access Permits

CL:JEM:vrd

By: John E. Meyers

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203



Maryland Department of Transport

Harry R. Hughe Bernard M. Evans

June 2, 1977

Mr. S. Eric DiNenna Zoning Commissioner County Office Bldg. Towson, Md. 21204

Re: Zoning Cycle I, April, 1977 Item 9, James E. Forbes Revised Plan Dolfield Road, Northwest Expwy.

Attention: Mr. N. Commodari

Dear Mr. DiNenna:

The subject plan, revised May 24, 1977, does not indicate the effects to the property by the proposed State highway improvements as mentioned in our comments of April 20, 1977.

We wish to clarify our comments so that it is understood that in ail probability a portion of the property will be required for highway improvements. It is our opinion that the plan should indi-cate the proposed taking.

Very truly yours.

Charles Lee, Chief Bureau of Engineering Access Permits

CI . IFM . wrd

By: John E. Meyers

Harry R. Hughes Bernard M. E ans

April 20, 1977

Mr. S. Erit bloenna Zoning Committeioner County Office Bldg. Towson, Nd. 21204

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting, Zoning Cycle I Item. April, 1977 Item. April, 1977 Property Domer: James E. Forbes Location: N/S Dulfield Rd., 410 ft. E. of South Ritters Lane (Morthwess Expressway) Present Coning: M. Li. 8. 1.6 b.R. 16 Proposed Zoning: M. Li. 8. Bistrict: 4th No. Acres: 4.46

Dear Mr. DiNenna:

The site is seriously affected by the proposed relocation of bolicida Rd., that will be done in conjunction with the Northwest Expressor be have recently received location approval for the project, rock the received by the project, rock the project, rock the project rock but the highway approvements will be made.

Transmitted herewith are two copies of the plan on which the effects are indicated. One copy should be made available to the petitioner's engineer. The plan should be revised to indicate a reservation of the proposed right of way.

CL:JEM:di

Very truly /ours, Charles Lee, Chief Bureau of Engineering Access Permits

By: John E. Meyers

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

P.O. Box 717 / 300 West Preston Street, Saltimore, Maryland 21203



April 15, 1977

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

Dear Mr. DiNeana:

Re: Zoning Cycle I: 9/1/77 to 10/15/77 Itom 9 Property Owner: James E. Forbea Location: N/S Dolffeld Rd., 410 ft. East of S. Ritters Lame Present Zoning: D.R. 3.5 and D.R. 16 Proposed Zoning: N.L.R. District: 4th No. Acres; 4.46

The Industrial Development Commission has no comments to offer.

Sincerely GARY E. BURL Director



April 20, 1977

Mr. Eric S. DiNenna, Zoning Commissione Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. DiNesson

Comments on Item 9 , Zoning Cycle I, April, 1977, are as follows:

Property Owner: James E, Forbes Location: N/S Dollfield Road 410 ft. E, of South Ritters Lane Present Zaning: D.R.3.5 and D.R.16 Proposed Zoning: M.L.R. District: 4th No. Acres: 4.46

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

The property may be involved in a major highway project

The plan should be revised to show the required setbacks, loading areas, existing and proposed right-of-way and poving widths, and the use of the existing building.

Very truly yours.

John Zwhiley Project and Development Planning



April 19, 1977

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

Cycle Zoning No. 9 - ZAC - Ap.11 1977
Property Owner: James Z. Forthes
Location: NS Doublied Met All Ot. E. of South Ritters Lane
Prosent Zoning: D.R. 1.5 and D.R. 16
Proposed Zoning M.L.R.
District: 4th
No. Acres: 4.46

Dear Mr. DiNenna:

The DR 16 and DR 3.5 area proposed to be rezoned to MLR is too small to be a major traffic generator.

Very truly yours. Michael S. Harrier Michael S. Flanigan

MSF/110



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

April 18, 1977

Mr. S. Eric DiMenna, Zoning Commissioner Office of Palaning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Di Nenna:

Comments on Item #9, Zoning Cycle I Meeting, April 5, 1977, are as follows:

Property Owner:
Location:
M/S Dolffield Rd. 410 ft. E of
South Ritters Lame
D.R. 3.5 and D.R. 16
District:
4th
Acres:
4.46

A moratorium was placed on new sewer connections in the Cwynna Falls Drahage Basin by Dr. Neil Scionov, Secretary of Health and Mental Hygiene on May , 1774; therefore, approval may be withheld for this connection.

Very truly yours,

Thom 11. Dunn

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

KS:mah

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

Re: Property Owner: James E. Forbes

Location: N/S Dolfield Rd. 410 ft. E. of South Ritters Lane

Zoning Agenda Zoning Cycle I

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

- (x) 1. Pire hydrants for the referenced property are required and shall be located at intervals or 200 feet along an approved read in accordance with Bultimore County Standards as published by the Department of Publish "orics.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at ___ EXCERCIS the maximum allowed by the Fire Department.
- () h. The site shall be made to comply with all applicable parts of the Pire Provention 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 Pre-tection Association Standard No. 101 "Life Safety Code", 1970 Billion prior to company.
- () 6. Site plans are approved as drawn.

BOTTO-TO CAMPAGE A BOTTO-TO BY THE STATE OF THE STATE OF



JOHN D. SEYFFERT

April 18, 1977

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

Dear Mr. DiNenna:

Comments on Item # 9 Zoning Advisory Comm.ttee Meeting, are as follows:

Property Owner: Issue P Powhee James E. Forces
Location: M/S Dolfield Road 410 ft. E of South Ritters Lane
Existing Zoning: D.R. 3,5 and D.R. 16
Proposed Zoning: M.L.R.

The items checked below are applicable:

- (X) A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
- (X) F. 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.
- (X) D. Three sets of construction drawings with a registered Karyland Architect or Engineer's original seal vill be required to file an application for a building permit.
- E. Wood frame walls are not peinitted within 3'0" of a property line. Contact hillding Department if distance is between 3'0" and 5'0" of property line.
- () G. Requested setback variance conflicts with the Baltimore County Building Code. See Section

Mark E. Sunham C.B Charles E. Burnham

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON MARYLAND 21204

Date: April 19, 1977

Zoning Commissioner Baltimore County Office Building

Z.A.C. Meeting of: Zoning Cycle 1

RF: Item No: 9 Item No: 9

James E. Forbes
Location: N/S Polffield Rd, 410 ft. E. of South Ritters Lane
Present Zoning: D.R. 3.5 and D.R. 16
Proposed Zoning: M.L.R.

No. Acres:

Dear Mr. DiNenna:

lo adverse effect on student populacion.

Very truly yours. 6. Wil hand W. Nick Petrovich, Field Representative

MNP/bp

BAYARD WILLIAMS, JR. VICES

THUMAS H. DOVER MRS LORRAINT F. CHIRCUS BOSER B. HAYDEN



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this_

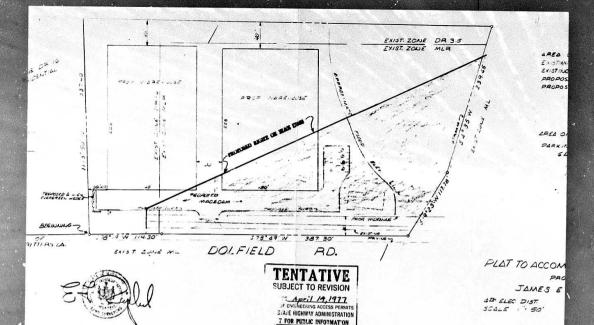
April 197? Filing Fee \$ 50 Received

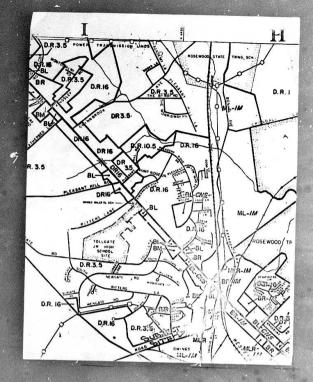
Cash __Other

__Check

Petitioner Jane C. Na. U. Fula Submitted by Smith Petitioner's Attorney Great Don't Reviewed by

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





Contraction to the state of the boundaries of the The start the start of the star

ap or 59 of the Acts of 1956. nnotated Code of Maryland, pro-/ es that this plat may be used for off cial purposes only.

CERTIFICATE OF PUBLICATION

E F RAPHEL & ASSOC.
ED PROFESSIONAL LAND SURVEYORS
DI COURTLAND AVENUE
FOWSON, MARYLAND 21204

appearing on the ______18th .day of ______August 19...77.

Cost of Advertisement, \$



TOWSON, MD. 21204 August 19

19 77

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR RECLASSIFICATION - James E. Forbes N/S Dolfield Road was inserted in the following:

- ☐ Catonsville Times
 ☐ Dundalk Times
- ☐ Towson Times
- ☐ Artutus Times
- ☐ Essex Times ☐ Suburban Times East
- El Community Times ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 19th day of August 19 77, hat is to say, the same was inserted in the issues of August 18, 1977

> STROMBERG PUBLICATIONS, INC. BY Exity Burger

1-SIGN

78-27-R

CERTIFICATE OF POSTING PARTMENT OF BALTIMORE

Posted for Petition For Rechassification Date of Posting August 22 /977 Petitioner: TAMES E. FORBES Location of property. N/S oF DelFicho Rd. 410' E of South Ritters Lane Location of Signar N/S OF DelFreld Rd Scotter - E OF South RITTERS LANE

Posted by Floresas K. Roland Date of return Autost 26,1977 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISE MISCELLANEOUS CASH RECEIPT

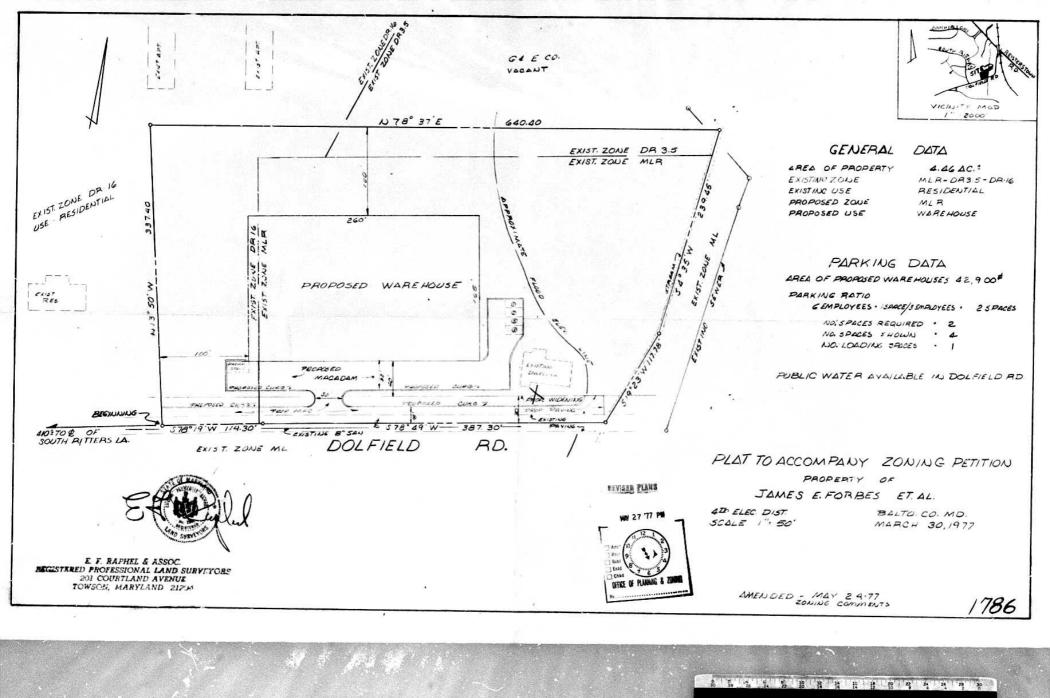
Sept. 20, 1977 ACCOUNT 01-662

MOUNT \$163.50

James B. Forbes Rt. 2 Sherwood Road, Owings

280 3 HEST 21 163.50 MSC

Me. 57275



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