

17-3 8-31 98-308 PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
Evelyn R. Masters &
I, or we, MARY R. RUSSELL, 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 petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an RR 16 zone to an R-1 zone, for the following reasons: There was error in originally zoning the property, and there have been substantial changes in the character of the neighborhood.

Sub attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore 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 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: Evelyn R. Masters
Address: P.O. Box 393
Winchester, Virginia 22601

Protestant's Attorney: Gregory R. Dent
Address: 143 Main Street
Reisterstown, Maryland 21136

By Gregory R. Dent, Esquire, Attorney for Petitioners, this 29th day of April, 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 13th day of September, 1977, at 11:00 o'clock A.M.

Gregory R. Dent, Esquire
Zoning Commissioner of Baltimore County

RE: PETITION FOR RECLASSIFICATION
NE/S of Reisterstown Road, 430' S of
Roaches Lane - 4th Election District
Evelyn R. Masters, et al - Petitioners
NO. 78-30-R (Item No. 10)

BEFORE THE
ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This matter comes before the Zoning Commissioner as a result of a Petition for a Reclassification from a D.R. 16 Zone to a B.L. Zone. Said property is located on the northeast side of Reisterstown Road, 430 feet south of Roaches Lane, in the Fourth Election District of Baltimore County, and contains 0.646 acres of land, more or less.

Evidence on behalf of the Petitioners indicated that the subject property is located in an area that lends itself to commercial use. Therefore, there is no economic usage of the property as presently classified. Furthermore, on August 28, 1975, the then Deputy Zoning Commissioner, James E. Dyer, reclassified the subject property from a D.R. 16 Zone to a B.L. Zone (Case No. 75-193-R).

Without reviewing the evidence further in detail but based on all of the evidence presented at the hearing, in the judgment of the Zoning Commissioner, the Petitioners have not proven that the property, as zoned, is in error. The Comprehensive Zoning Map, as adopted on October 7, 1976, is presumed to be correct, and the burden of proving error is borne by the Petitioners. In the instant case, this burden has not been met. The mere fact that the property was reclassified in 1975, does not prove that the zoning adopted by the Baltimore County Council, on October 7, 1976, is erroneous.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 29 day of October, 1977, that the Reclassification be and the same is hereby DENIED.

H. M. Hession, III
Zoning Commissioner of
Baltimore County

IN THE MATTER OF THE PETITION OF
EVELYN R. MASTERS and MARY R.
RUSSELL for zoning reclassification
from DR 16 to B.L.

MEMORANDUM IN SUPPORT OF APPLICATION

The Petitioners' property is a lot situate on the east side of Reisterstown Road (Route 140) approximately 430 feet south of Roaches Lane, in Baltimore County, Maryland. The present zoning is DR 16. Your Petitioners submit that the existing zoning classification is in error and that there were substantial changes in the character of the neighborhood, and that the property is more properly used for retail business purposes, for the following reasons:

A. Use of the subject property in its existing DR 16 zoning is not economically feasible as the property fronts on Reisterstown Road, a highly traveled and commercially oriented dual lane highway, fronting on said highway for a distance of 94.85 feet and with a depth of 297 feet to property already developed.

B. County Council erred in reversing the classification of this property which was granted by the Deputy Zoning Commissioner of Baltimore County on August 28, 1975 in Case No. 75-193R.

C. There have been numerous changes in zoning classifications in the immediate neighborhood as follows:

(1) Case No. 73-51R involving property on the west side of Reisterstown Road (Route 140) opposite Glyndon Drive wherein petition for reclassification from DR 16 to B.L. was filed for Sarah F. Beach and order granting reclassification was signed by the Deputy Zoning Commissioner on December 29, 1972.

(2) Case No. 73-48R involving property on the north-east side of Reisterstown Road, approximately 460 feet southeast of Charley Blvd. wherein petition for reclassification from DR 3.5 and DR 16 to B.R. was filed for Bernard Pomeroy and order granting reclassification signed by the Zoning Commissioner on February 5, 1973.

(3) Case No. 73-44R involving property on the southwest side of Reisterstown Road, approximately 134.28 feet southeast of Codrington Road, wherein petition for reclassification from B.L. and DR 3.5 to B.R. was filed for Warren D. Klaus and Order for reclassification granted by Zoning Commissioner on January 19, 1973.

(4) Case No. 73-50R involving property on the north-east side of Reisterstown Road, approximately 855 feet south of Gwynbrook Avenue wherein petition for reclassification from DR 16 and Order for Reclassification for parcel A granted by the Deputy Zoning Commissioner on February 5, 1973.

Respectfully submitted,

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

By Gregory R. Dent
Attorney for Petitioners

ORDER RECEIVED FOR FILING

DATE October 2, 1977

BY John W. Hession, III

Zoning Commissioner

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
201 COUNTRYLAND AVENUE
TOWSON, MARYLAND 21204

OFFICE 918-3000

March 30, 1977

REFERENCE 77-1492

DESCRIPTION TO ACCOMPANY PETITION FOR RECLASSIFICATION
PROPERTY OF EVELYN R. MASTERS ET AL

Beginning for the same at a point in the center line of Reisterstown Road at a distance 430' southeasterly from the intersection formed by the intersection of the center line of Reisterstown Road and the center line of Roaches Lane said point being the beginning of the land which by deed dated April 23, 1934 and recorded among the Land Records of Baltimore County in Liber GLB 2467, folio 198 was conveyed by Elsie E. Demme to Walter K. Russell et al running thence and binding on the center of Reisterstown Road and on the first line in aforesaid deed 35°30' E 94.83' thence leaving the center line of Reisterstown Road and binding on the second, third and fourth lines in aforesaid deed the three following courses and distances: 1) N54°30' E 297'; 2) N35°30' E 94.83'; 3) S54°30' W 297.0' to the place of beginning.

Containing 0.646 acres of land more or less.

Being the property of Evelyn R. Masters.

E. F. Raphael
E. F. RAPHEL
Registered Professional Land Surveyor
No. 2246



PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Trace		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, RA, CC, CA										
Reviewed by:	Revised Plans:									
Previous case: <u>75-193R</u>	Change in outline or description: Yes ☐ No ☒									
	Map # _____									

8/28/75 (granted B.L. reclassification 1976)

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

RE: Petition for Reclassification
NE/S of Reisterstown Road, 430' S of
Roaches Lane - 4th Election District
Evelyn R. Masters, et al - Petitioners
NO. 78-30-R (Item No. 10)

Dear Mr. Dent:

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

Very truly yours,

S. ERIC DILLON
Zoning Commissioner

SED/sf

Attachments

cc: Mrs. Alice LeGrand
25 Olive Lane
Owings Mills, Maryland 21117

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

RE: PETITION FOR RECLASSIFICATION
NE/S of Reisterstown Rd. 430' S of
Roaches Lane, 4th District
EVELYN R. MASTERS, et al, Petitioners
Case No. 78-30-R

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

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 therefor, and of any preliminary or final Order in connection therewith.

Charles E. Kowitz, 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 19th day of August, 1977, a copy of the foregoing Order was mailed to Gregory R. Dent, Esquire, 143 Main Street, Reisterstown, Maryland 21136, Attorney for Petitioner.

John W. Hession, III



BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

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

Nicholas, B.
Commodari
Reisterstown, Maryland 21136
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

May 2, 1977

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

RE: Reclassification
Item No. 10 - 1st Cycle
Petitioner - Evelyn R. Master

Dear Mr. Dent:

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 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, zoned D.R. 16 and improved with a two story dwelling and shed, is located on the northeast side of Reisterstown Road, approximately 430' south of Roaches Lane in the 4th Election District. Adjacent properties to the north and east of this site are also zoned D.R. 16 and are improved with an individual dwelling and apartment development respectively, while property immediately to the south is zoned B.L. and improved with an existing dwelling.

This site was the subject of a previous zoning request, Case #75-193-R, in which it was reclassified from D.R. 16 to a B.L. zoning classification. In view of the fact that with the adoption of the new Countywide Zoning Map at the end of last year this property was downshifted to the existing D.R. 16 zone, this request is exactly the same as the previous one.

Revised plans, incorporating the comments of the

Gregory R. Dent, Esquire
Page 2
Item No. 10
May 2, 1977

State Highway Administration and the Office of Project and Development Planning, must be submitted to this office.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plans, as may have been requested by this Committee, shall be submitted to this office prior to May 27, 1977 in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between September 1, 1977 and October 15, 1977 will be forwarded to you well in advance of the date and time.

Very truly yours,

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

NBC:rf

cc: E. F. Raphael & Assoc.
201 Courtland Avenue
Towson, Maryland 21204

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

Item No. 10

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 29th day of April 1977.

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Evelyn R. Masters

Petitioner's Attorney: Gregory R. Dent
c/o: E. F. Raphael & Assoc.
201 Courtland Avenue
Towson, Maryland 21204

Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari,
Associate III



Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Director
Barnard M. Evans
Assistant

April 19, 1977

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

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting
Zoning Cycle I, April 1977
ITEM: #10
Property Owner: Evelyn R. Masters, et al
Location: NE/4 of Reisterstown Road (Route 140) 430 ft. S of Roaches Lane
Present Zoning: D.R. 16
Proposed Zoning: B.L.
District: 4th
No. Acres: 0.646

Dear Mr. DiNenna:

The proposed entrance must be a depressed curb type. The proposed roadside curb must tie into the existing curb fronting the adjacent properties. The existing curb must be indicated. The proposed right of way line or parking. A back line must be curb & with concrete. Proposed concrete sidewalk must be indicated.

The plan must be revised prior to the hearing.

Very truly yours,
Charles Lee, Chief
Bureau of Engineering
Access Permits
John E. Meyers
By: John E. Meyers

CL:JEM:vrd



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 434-3211

April 20, 1977

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

Dear Mr. DiNenna:

Comments on Item 10, Zoning Cycle I, April, 1977, are as follows:

Property Owner: Evelyn R. Master, et al
Location: NE/4 of Reisterstown Road 430 ft. S of Roaches Lane
Present Zoning: D.R. 16
Proposed Zoning: B.L.
District: 4th
No. Acres: 0.646

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.

It is suggested that the proposed driveway be increased to 30 feet in width to allow a better flow of vehicles in and out of the property.

Very truly yours,

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



Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 434-3500
STEPHENE COLLINS
DIRECTOR

April 22, 1977

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

Re: Item 10 - ZAC - April, 1977 Cycle Zoning
Property Owner: Evelyn R. Masters, et al
Location: NE/4 of Reisterstown Road 430 ft. S of Roaches Lane.
Present Zoning: D.R. 16
Proposed Zoning: B.L.
District: 4th
No. Acres: 0.646

Dear Mr. DiNenna:

The existing D.R. 16 zoning will generate approximately 80 trips per day; the proposed B.L. zoning will generate approximately 320 trips per day. The Reisterstown Road corridor is having capacity problems at this time and any increase in trip generation is undesirable.

Yours truly,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

SES:lft

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

April 29, 1977

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

Re: Item #10 (Cycle I April-October 1977)
Property Owner: Evelyn R. Masters, et al
N/4 of Reisterstown Rd. 430' S. of Roaches La.
Existing Zoning: D.R. 16
Proposed Zoning: B.L.
District: 4th No. of Acres: 0.646

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

Comments were supplied in connection with the Zoning Advisory Committee review of this site for Item #9, Cycle VIII (October 1974-April 1975). Those comments remain valid, applicable and are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #10 of Cycle I (April-October 1977).

Very truly yours,

Donald M. Tucker
DONALD M. TUCKER, P.E.
Acting Chief
Bureau of Engineering

DWT:EAM:PHR:ss

T-W Key Sheet
53 NW 36 Pos. Sheet
NW 14 J Topo
58 Tax Map

April 18, 1977

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

Dear Mr. DiNenna:

Comments on Item #10, Zoning Cycle I Meeting, April 5, 1977,
are as follows:

Property Owner: Evelyn R. Masters, et al
Location: NE/S of Reisterstown Rd., 430 Ft. S of Roaches Lane
Present Zoning: D.R. 16
Proposed Zoning: B.L.
District: 4th
Acres: 0.646

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

Very truly yours,

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

KS/rth

MICROFILMED

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

Attention: Mr. Nicholas R. Comodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Evelyn R. Masters, et al

Location: NE/S of Reisterstown Rd., 430 Ft. S of Roaches Lane

Item No. 10

Zoning Agenda Zoning Cycle I

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 _____

violates 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 "Life Safety Code", 1970 Edition prior to occupancy.

(x) 6. Site plans are approved as drawn.

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

Noted and Approved: *James M. McKeon*
Planning Board
Special Inspection Division
Baltimore County
Fire Prevention Bureau

MICROFILMED

April 18, 1977

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

Zoning Cycle #1

Dear Mr. DiNenna:

Comments on Item # 10 Zoning Advisory Committee Meeting,
are as follows:

Property Owner: Evelyn R. Masters, et al
Location: NE/S of Reisterstown Road, 430 Ft. S of Roaches Lane
Existing Zoning: D.R. 16
Proposed Zoning: B.L.

Acres: 0.646
District: 4th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin. A zoning permit shall be required.
- ☐ 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,

Mark E. Lankham

Charles E. Burdum
Planning Board Chief
CDB:rj

MICROFILMED

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: April 19, 1977

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

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

RE: Item No. 10
Property Owner: Evelyn R. Masters, et al
Location: NE/S of Reisterstown Rd., 430 Ft. S of Roaches Lane
Present Zoning: D.R. 16
Proposed Zoning: B.L.

District: 4th
No. Acres: 0.646

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours,

W. A. K. K. K.
W. A. K. K. K.,
Field Representative

MICROFILMED

WSP/rjp

JOSEPH W. MULLIGAN, CHAIRMAN
F. BARBARA MULLIGAN, JR., VICE-CHAIRMAN
MARCELLO M. MULLIGAN
THOMAS H. DEVLIN
WILLIAM L. LUTHER
RUSSELL D. HARRIS
ALVIN L. LUTHER
WILLIAM L. LUTHER
MICHAEL W. TRACY, JR.

PETITIONER'S
EXHIBIT #2



Report
to the
Zoning Commissioner
by the
Baltimore County
Planning Board

ZONING RECLASSIFICATION
PETITIONS: CYCLE VIII

Adopted
January 16, 1975

MICROFILMED

ITEM 9

PROPERTY OWNER: Evelyn R. Masters and Mary M. Russell
LOCATION: NE/S of Reisterstown Road, 430 S.E. of Roaches Lane
ELECTRIC DISTRICT: 4
ACREAGE: 0.65

GEOGRAPHICAL GROUP: III
FUNCTIONAL CATEGORY: C

RECOMMENDED DATE OF HEARING: Week of March 3, 1975

ZONING PRIOR TO 3/24/75: R. 10
EXISTING ZONING: D.R. 16
REQUESTED ZONING: B.L.

PLANNING BOARD RECOMMENDATION: Retain Existing Zoning (D.R. 16)

This 0.65-acre property, containing a two-story dwelling and a shed, is located on the northeast side of Reisterstown Road, 430 feet southeast of Roaches Lane. To the north and south are carports on land zoned D.R. 16 and B.L., respectively; to the east, the Harman Condominium Apartments on D.R. 16 zoned land; to the west, on the opposite side of Reisterstown Road, vacant, commercially-zoned land. The petitioner is requesting a change from D.R. 16 to B.L. zoning, proposing to construct a building for retail use.

Prior to the adoption of the comprehensive zoning map, the subject tract was zoned R. 10. During the preparation and processing of these maps, the zoning of this property was not identified as an issue before either the Planning Board or the County Council; on March 24, 1971, the Council adopted D.R. 16 zoning here.

The Department of Public Works' representative on the Zoning Advisory Committee stated that public safety issues exist along the easternmost property line of this site, and that this site "falls within the Cuyamaca Falls Drainage Area". The Department of Health's representative on the Zoning Advisory Committee stated that a moratorium was placed on new sewer connections in the Cuyamaca Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on May 14, 1974; therefore, approval may be withheld for this connection.

The Department of Traffic Engineering's representative on the Zoning Advisory Committee stated that, as presently zoned, the development of this tract could be expected to generate 300 trips per day. If the tract were rezoned to B.L., there are 20 acres of vacant land, zoned B.L., located on the north Reisterstown Road from Towson Cove Road to Paul H. Senior High School. Additionally, the strip commercial zoning along commercial uses. Further, Reisterstown Road has already been closed with more than its share of strip-commercial zoning.

It is the opinion of the Planning Board that the present zoning of this parcel of land, D.R. 16, is appropriate. The Suburban Shopping Plaza, on land zoned B.L., "C.C.", is located on the east side of Reisterstown Road at Towson Cove Road, west of Reisterstown Road. There are 20 acres of vacant land, zoned B.L., located on the north Reisterstown Road from Towson Cove Road to Paul H. Senior High School. Additionally, the strip commercial zoning along commercial uses. Further, Reisterstown Road has already been closed with more than its share of strip-commercial zoning.

It is therefore recommended that the existing zoning, D.R. 16, be retained.

MICROFILMED

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE A. CLIFFORD, P.E. Wm. T. MILLER
CHIEF ASST. CHIEF

October 28, 1974

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

Re: Item 9 - Cycle Zoning - October 1974 through April 1975
Property Owner - Evelyn R. Masters & Mary M. Russell
NE/2 of Reisterstown Road, 430 ft. SE of Roaches Lane
B.L.
District 4

Dear Mr. DiNenna:

This increase is undesirable since present capacity problems exist along Reisterstown Road, particularly at the interchange of the Beltway and Reisterstown Road.

Very truly yours,

E. A. Clifford
Eugene A. Clifford
Assistant Traffic Engineer

CW/mg



Maryland Department of Transportation
State Highway Administration

October 7, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204
Attn: Mr. James B. Byrnes III

Re: 8th Zoning Cycle
October 1974
Property Owner: Evelyn R. Masters
& Mary M. Russell
Location: NE/2 of Reisterstown
Road (Route 140) 430 ft. SE of
Roaches Lane
Existing Zoning: R-16
Proposed Zoning: B.L.
No. of Acres: 0.646
District: 4th

Dear Sir:

The proposed curb along Reisterstown Road is to be 28' from the centerline and not 30' as indicated on the plan.

The 1973 average daily traffic count on this section of Reisterstown Road is 24,000 vehicles.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits
by John C. Meyers

CLJ/DHB

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owners: Evelyn R. Masters & Mary M. Russell

Location: NE/2 of Reisterstown Rd. 430 ft. SW of Roaches Lane

Item No. 7 Zoning Agenda Cycle 8 - October 1, 1974

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) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

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

EXCEEDS the maximum allowed by the Fire Department.

(4) 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) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.

(6) 6. Site plans are approved as drawn.

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

Reviewed: *J. Austin Deitz* Noted and Approved:
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

Paul H. Riecke
Deputy Chief
Fire Prevention Bureau

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE

PETITIONER'S



PETITION AND SITE PLAN

EVALUATION COMMENTS

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

Bureau of Engineering

ELIZABETH H. DENT, P. E., CHIEF

October 23, 1974

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

Re: Item #9 (Cycle VIII - October 1974 - April 1975)
Property Owner: Evelyn R. Masters & Mary M. Russell
NE/2 of Reisterstown Rd., 430' S/E of Roaches Ln.
Existing Zoning: B.L. 16
Proposed Zoning: B.L.
No. of Acres: 0.646 District: 4th

Dear Mr. DiNenna:

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

Highways:

Reisterstown Road is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

As no County roads are involved, this office has no comments.

Main Thoroughfares:

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage 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.

Setback Controls:

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

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 2, 1977

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

Commodari

King Thomas

MEMBERS

CHIEF OF ENGINEERING

STATE ROAD COMMISSION

RECLASSIFICATION

ITEM NO. 10 - 1st Cycle

PETITIONER - Evelyn R. Masters

Dear Mr. Dent:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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, zoned D.R. 16 and improved with a two story dwelling and shed, is located on the northeast side of Reisterstown Road, approximately 430' south of Roaches Lane in the 4th Election District. Adjacent properties to the north and east of this site are also zoned D.R. 16 and are improved with an individual dwelling and apartment development respectively, while property immediately to the south is zoned B.L. and improved with an existing dwelling.

This site was the subject of a previous zoning request, Case #75-193-R, in which it was reclassified from D.R. 16 to a B.L. zoning classification. In view of the fact that with the adoption of the new Countywide Zoning Maps at the end of last year this property was downshifted to the existing D.R. 16 zone, this request is exactly the same as the previous one.

Revised plans, incorporating the comments of the

Item #9 (Cycle VIII - October 1974 - April 1975)
Property Owner: Evelyn R. Masters & Mary M. Russell
Page 2
October 23, 1974

Very

Public water exists within Reisterstown Road.

Setback Controls

Public water exists within the eastern property line of this site; however, this site exists within the urban built-up area. The Maryland State Health Department has placed a water main on this area, therefore, this site is subject to their approval for any additional connections.

Very truly yours,

Elizabeth H. Dent
Elizabeth H. Dent, P.E.
Chief, Bureau of Engineering

ENCLOSURES

1/4" Key Sheet
1/4" 3/4" Key Sheet
1/4" 1/2" Key Sheet
1/4" 1/4" Key Sheet

Gregory R. Dent, Esquire
Page 2
Item No. 10
May 2, 1977

State Highway Administration and the Office of Project and Development Planning, must be submitted to this office.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plans, as may have to this office prior to May 27, 1977 in order to allow time for final Committee review and advertising. Failure to comply with a hearing Notice of the hearing date and time, which will be between September 1, 1977 and October 15, 1977 will be forwarded to you well in advance of the date and time.

Very truly yours,

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

NBC:rf

cc: E. F. Raphael & Assoc.
201 Courtland Avenue
Towson, Maryland 21204

balmore county
department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

April 29, 1977

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

Re: Item #10 (Cycle I April-October 1977)
Property Owner: Evelyn R. Masters, et al
Location: NE/S of Reisterstown Rd. 430' S. of Roaches Ln.
Present Zoning: D.R. 16
Proposed Zoning: B.L.
District: 4th
No. Acres: 0.646

Dear Mr. DiNenna:

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

General:

Comments were supplied in connection with the Zoning Advisory Committee review of this site for Item #9, Cycle VIII (October 1976-April 1977). Those comments remain valid, applicable and are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item #10 of Cycle I (April-October 1977).

Very truly yours,
Donald W. Tucker, P.E.
DONALD W. TUCKER, P.E.
Acting Chief
Bureau of Engineering

DWT:EM:PMR:as
7-10 Key Sheet
13 1/2 x 26 PWS. Sheet
10 14 J Topo
18 Tax Map

Maryland Department of Transportation
State Highway Administration

April 19, 1977

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

Attention: Mr. W. Cammerlari

Re: Z.A.C. Meeting
Zoning Cycle I, April 1977
ITEM: #10
Property Owner: Evelyn R. Masters, et al
Location: NE/S of Reisterstown Road (Route 140) 430 ft. S of Roaches Lane
Present Zoning: D.R. 16
Proposed Zoning: B.L.
District: 4th
No. Acres: 0.646

Dear Mr. DiNenna:

The proposed entrance must be a depressed curb type. The proposed roadside curb must tie into the existing curb fronting the adjacent properties. The existing curb must be indicated. The proposed right of way line or parking setback line must be curbed with concrete. Proposed concrete sidewalk must be indicated.

The plan must be revised prior to the hearing.

Very truly yours,
Charles Lee, Chief
Bureau of Engineering
Access Permits
John E. Meyers
By: John E. Meyers

CLJEM:vrd

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

balmore county
office of planning and zoning
TOWSON, MARYLAND 21204
301-454-5211

April 20, 1977

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

Dear Mr. DiNenna:

Comments on Item 10, Zoning Cycle I, April, 1977, are as follows:

Property Owner: Evelyn R. Masters, et al
Location: NE/S of Reisterstown Road 430 ft. S of Roaches Lane
Present Zoning: D.R. 16
Proposed Zoning: B.L.
District: 4th
No. Acres: 0.646

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 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.

It is suggested that the proposed driveway be increased to 30 feet in width to allow a better flow of vehicles in and out of the property.

Very truly yours,
John L. Wimbley
John L. Wimbley
Planner III
Project and Development Planning

balmore county
department of public engineering
TOWSON, MARYLAND 21204
301-454-5205

STEFANIE COLLINS
DIRECTOR

April 22, 1977

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

Re: Item 10 - ZAC - April, 1977 Cycle Zoning
Property Owner: Evelyn R. Masters, et al
Location: NE/S of Reisterstown Road 430 ft. S of Roaches Lane
Present Zoning: D.R. 16
Proposed Zoning: B.L.
District: 4th
No. Acres: 0.646

Dear Mr. DiNenna:

The existing D.R. 16 zoning will generate approximately 80 trips per day; the proposed B.L. zoning will generate approximately 320 trips per day.

The Reisterstown Road corridor is having capacity problems at this time and any increase in trip generation is undesirable.

Yours truly,
Michael A. Hanigan
Michael A. Hanigan
Traffic Engineer Associate

MS7/jst

balmore county
department of health
TOWSON, MARYLAND 21204

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

April 18, 1977

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

Dear Mr. DiNenna:

Comments on Item #10, Zoning Cycle I Meeting, April 5, 1977, are as follows:

Property Owner: Evelyn R. Masters, et al
Location: NE/S of Reisterstown Rd. 430 ft. S of Roaches Lane
Present Zoning: D.R. 16
Proposed Zoning: B.L.
District: 4th
Acres: 0.646

A moratorium was placed on new sewer connections in the Owyne Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene on May 18, 1976; therefore, approval may be withheld for this connection.

Very truly yours,
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

ES/th

balmore county
department of public works
TOWSON, MARYLAND 21204
301-454-5211

Paul H. Reinecke
CHIEF

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

Attention: Mr. Nicholas B. Comodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Evelyn R. Masters, et al
Location: NE/S of Reisterstown Rd. 430 ft. S of Roaches Lane
Item No. 10 Zoning Agenda Zoning Cycle I

Gentlemen:

In answer to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "R" 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 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 "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.

Noted and approved: *George M. Macdonald*
Paul H. Reinecke, Chief
Special Inspection Division
Baltimore County
Fire Prevention Bureau

balmore county
department of public works
TOWSON, MARYLAND 21204
301-454-5211

April 18, 1977

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

Re: Zoning Cycle I

Dear Mr. DiNenna:

Comments on Item #10 Zoning Advisory Committee Meeting, are as follows:

Property Owner: Evelyn R. Masters, et al
Location: NE/S of Reisterstown Road 430 ft. S of Roaches Lane
Present Zoning: D.R. 16
Proposed Zoning: B.L.

Acres: 0.646
District: 4th

The items checked below are applicable:

(1) A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement and other applicable codes.

(2) B. A building permit shall be required before construction can begin.

(3) C. Three sets of construction drawings will be required to file an application for a building permit.

(4) 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.

(5) E. Wood frame walls are not permitted within 3' of a property line. Contact Building Department if distance is between 3' and 6' of property line.

(6) F. No comment.

(7) G. Requested setback variances conflict with the Baltimore County Building Code. See Section _____.

Very truly yours,
Mark E. Lunsford
Mark E. Lunsford
Chief
Bureau of Engineering

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 19, 1977

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

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

Re: Item No: 10
Property Owner: Evelyn R. Masters, et al
Location: NE/S of Reisterstown Rd. 430 ft. S of Roaches Lane
Present Zoning: D.R. 16
Proposed Zoning: B.L.

District: 4th
No. Acres: 0.646

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich
Field Representative

WSP/jp

JOHN W. MCCORMACK, PRESIDENT
D. RICHARD WILLIAMS, JR., VICE PRESIDENT
RICHARD S. BROWN
THOMAS H. DEVLIN
MRS. CONSTANCE F. CONNOR
RUDOLPH S. HAYES
ALVIN LORECK
MRS. WILSON S. SMITH, JR.
RICHARD W. TRACY, D.D.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 30th day of

March 1977. Filing Fee \$ 50.00. Received ☐ Check

☒ Cash

☐ Other

H. R. Thomas
S. Eric Dimenna,
Zoning Commissioner

Petitioner May Russell Submitted by Mark Smith

Petitioner's Attorney Edwin R. Masters, et al Reviewed by

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

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

No. 46510

DATE March 30, 1977 ACCOUNT 01-662

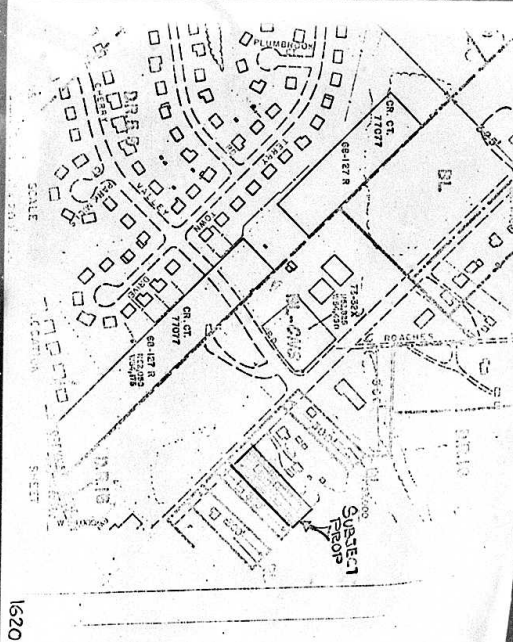
AMOUNT \$50.00

RECEIVED FROM Martin Smith, Esq. (Cash)

FOR Petition for Reclassification Evelyn R. Masters, et al

505 APR 31 500.00

VALIDATION OR SIGNATURE OF CASHIER



1620

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 25, 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., on the one time once before the 13th day of September 1977, the first publication appearing on the 25th day of August 1977.

THE JEFFERSONIAN
L. L. Smith
Manager

Cost of Advertisement \$



1620

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4th Date of Posting Aug. 29, 1977

Posted for PETITION FOR RECLASSIFICATION

Petitioner Evelyn R. Masters, et al

Location of property NE/S. of Reisterstown Rd. 1436 S.E.

Reisterstown, Md.

Location of Sign Front 11619 Reisterstown Rd.

Remarks

Posted by Thomas G. H. H. H.

Signature

Date of return Sept. 1, 1977



TOWSON, MD. 21204 August 26 19 77

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR RECLASSIFICATION - Evelyn R. Masters, et al, N/S Reisterstown Rd. - H 1436 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 26th day of August 1977, that is to say, the same was inserted in the issues of August 25, 1977.

STROMBERG PUBLICATIONS, INC.

BY Evelyn R. Masters

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

No. 57276

DATE Sept. 30, 1977 ACCOUNT 01-662

AMOUNT \$161.75

RECEIVED FROM Stewart, Huse and Smith Co.

FOR Reclassification - H 1436

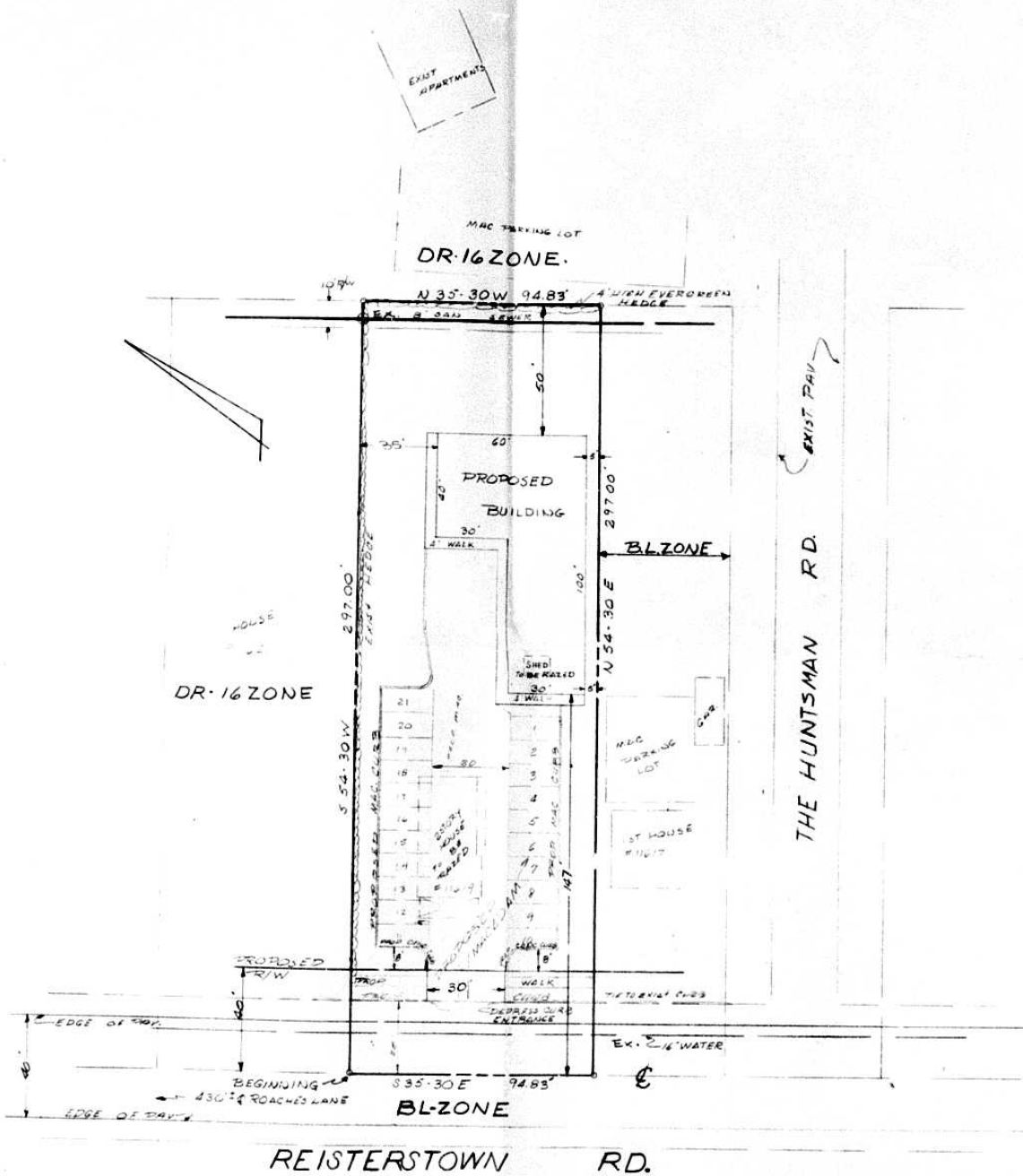
Advertising and posting of property for Evelyn R. Masters, et al

#18-30-R

537 SEP 21 161.75

VALIDATION OR SIGNATURE OF CASHIER

E. F. RAHNEY & SONS
REGISTERED PROFESSIONAL LAND SURVEYORS
203 COURTLAND AVENUE
TOWSON, MARYLAND 21204



GENERAL NOTES

AREA OF PROPERTY	0.646 AC. ±
EXISTING ZONE	DR-16
EXISTING USE	RESIDENTIAL
PROPOSED ZONE	BL
PROPOSED USE	RETAIL

PARKING DATA

AREA PROPOSED BLDG	4,200 sq. ft.
PARKING RATIO	1 SPACE/200 sq. ft.
REQUIRED SPACES	21
PROPOSED SPACES	21

(9' x 20')

REVISED PLANS



MAY 27 77 PM



PLAT TO ACCOMPANY PETITION
FOR ZONING RECLASSIFICATION

PROPERTY OF
EVELYN MASTERS ET AL.

4TH ELECT. DIST

BALTO CO. MD

SCALE 1" = 30'

MARCH 30 1977

AMENDED MAY 25-77 - PER ZONING COMMENTS

#1620