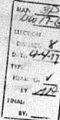


PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, JOHN T. GOSNELL, legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1.802-2-B-504 Vb 2 to permit a side setback of 12' instead of the required 25'.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons (Indicate hardship or practical difficulty):



Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance 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.

JOHN T. GOSNELL
 Contract purchaser
 25 W. Chesapeake Ave.
 Cockeysville, Md 21034
 Petitioner's Attorney

Address 18 WARREN ROAD
 COCKEYSVILLE, MD 21030
 Protester's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of January, 1977.

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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of September, 1977, at 7:00 o'clock P.M.

By Eric D. Nenna
 Zoning Commissioner of Baltimore County.

(over)

E. F. RAPHEL & ASSOCIATES
 Registered Professional Land Surveyors
 801 COUNTLAND AVENUE
 TOWSON, MARYLAND 21204

RESIDENCE 711-4282

APRIL 1, 1977
 DESCRIPTION TO ACCOMPANY ZONING PETITION
 RECLASSIFICATION
 D.R. 35 TO D.R. 16 WITH SPECIAL EXCEPTION FOR OFFICE

Beginning for the same at a point on the north side of Warren Road easterly 410'-2" from the intersection formed by the north side of Warren Road and the east side of York Road said point being also the beginning of the second line of the land which by deed dated December 23, 1975 and recorded among the Land records of Baltimore County in Liber ERK Jr. 5595, folio 746 was conveyed by G. Brock Hook to John T. Gosnell thence leaving the north side of Warren Road and binding on the out-lines of said deed the three following courses and distances: 1) N12°55' E 168.1 ft. 2) S77°53' E 80 ft. 3) S12°55' W 168.1 ft. to the north side of Warren Road running thence and binding on the north side of Warren Road N77°53' W 80 ft. to the place of beginning.

Containing 0.31 Acres of land more or less.
 Being number 18 Warren Road.

E. F. Raphe
 E. F. Raphe
 Reg. Prof. Land Surveyor
 No. 2246



PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John T. Gosnell, legal owner... 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 re-classified, pursuant to the Zoning Law of Baltimore County, from DR 3-5 zone to DR 16 zone; for the following reasons:

Please see attached brief. Side yard variance section 1802-2-B-504 Vb2 requested.

See 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... Offices

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.

JOHN T. GOSNELL
 Contract purchaser
 25 W. Chesapeake Avenue
 Suite-202
 Towson, Maryland 21204
 Petitioner's Attorney

Address 18 Warren Road
 Cockeysville, Maryland
 Protester's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of January, 1977.

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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of September, 1977, at 7:00 o'clock P.M.

By Eric D. Nenna
 Zoning Commissioner of Baltimore County.

(over)

William N. White, Esquire
 800 Equitable Towson Building
 Towson, Maryland 21204

May 10, 1977

Re: Case No. 78-33-RXA
 John T. Gosnell

Dear Mr. White:

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

Very truly yours,

Edith T. Elenhart, Adm. Secretary

Encl.

cc: Mr. John T. Gosnell
 Mrs. Lella Kaufman
 Mrs. Nancy Kase
 John W. Hession, III, Esquire
 Mr. J. E. Dyer
 Mr. L. H. Grief
 Mr. J. Gosnell
 Board of Education

RECEIVED BALTIMORE COUNTY APR 28 1977 OFFICE OF PLANNING AND ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, John T. Gosnell, legal owner... of the property situate in Baltimore County, the PROPERTY OUTLINE OF WHICH IS SHOWN TO SCALE, COMPLETE WITH DIMENSIONS AND DIMENSIONS ON 200 FT. SCALE MAPS, WHICH ARE ATTACHED HERETO, HEREBY MAKE APPLICATION TO FILE FOR A SPECIAL EXCEPTION, IN A DR 16 ZONE TO USE THE HEREIN DESCRIBED PROPERTY FOR

OFFICES

THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

CROSS SITE AREA 1.1 ACRES DEED REF. _____
 GRADING _____ % OF OVERALL SITE WILL REQUIRE GRADING
 BUILDING SIZE _____
 GROUND FLOOR 32 X 38 AREA 1140 sq. ft.
 NUMBER OF FLOORS 2 TOTAL HEIGHT _____
 FLOOR AREA RATIO = TOTAL FLOOR AREA DIVIDED BY SITE AREA = .7
 BUILDING USE _____
 GROUND FLOOR OFFICES OTHER FLOORS OFFICES

REQUIRED NUMBER OF PARKING SPACES
 GROUND FLOOR 4 OTHER FLOORS 2 TOTAL 6
 PARKING _____

AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES 2160 sq. ft.
 (PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 360)

UTILITIES
 WATER: ☐ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM _____
 SEWER: ☐ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM _____

UTILITIES SECURITY APPROVAL _____
 BUREAU OF LAND DEVELOPMENT

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICANT _____ LEGAL OWNER _____

LESSOR OF CONTRACT PURCHASER _____

THE PLANNING BOARD HAS DETERMINED ON 7/14/77 THAT THE PROPOSED DEVELOPMENT DOES OR DOES NOT CONFORM TO THE REQUIREMENTS OF SUBSECTION 22-611 OF THE BALTIMORE COUNTY CODE, 1966.

DATE 7/14/77
 CHAIRMAN, BALTIMORE COUNTY PLANNING BOARD

10CA FORM NO. 2 REVISED 4-71

Baltimore County
 Office of Planning and Zoning
 TOWSON, MARYLAND 21204
 3711 424 3251
 S. ERIC DINENNA
 ZONING COMMISSIONER

January 17, 1978

Robert W. Stange, Esquire
 25 W. Chesapeake Avenue
 Towson, Maryland 21204

Dear Mr. Stange:

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

Very truly yours,

S. ERIC DINENNA
 Zoning Commissioner

SED/mc

Attachments

cc: Mrs. Lella Kaufman
 226 Warren Road
 Baltimore, Maryland 21030

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

We believe an error was made on the comprehensive zoning map of Baltimore County in 1976 by not allowing the property at 18 Warren Road to be zoned DR 16, with special exception to be used as offices; because Warren Road from the corner of York Road on the north side is presently zoned DR (Business Roadside) to within 12' of the West Side of our house and from there to York Road. York Road north and South is also zoned DR. The first National Bank is located on the Southeast corner of York and Warren Roads. York Road on the South side beginning on the West Side of the bank property is presently zoned DR 16 running East on Warren Road directly across from our property and for several additional properties farther East. There is a rental office on the grounds known as MARTIN LODGE.

Sewer pipe is now being completed on Warren Road which also has city water.

Directly across the street from our property (18 Warren Road) is DR 16 zoning between the DR zoning near York Road and the DR 3-5 zoning which we believe acts as a buffer between the Commercial activities of York Road and the Residential area of Warren Road. The property is presently improved with a white frame house, split rail fence, trees and shrubs which will be retained so as to retain its present appearance.

In summary, the property has sewage and water, ample room for parking. The atmosphere will be retained. The appearance will not be changed nor will the appearance of the neighborhood be changed. It would be used for our Insurance office in which approximately 80 to 90 percent of the business is conducted without the necessity of people coming to our office. We believe if the DR 16 zoning with a special exception for the use of office is granted as we requested, this property will serve as a buffer between the DR zoning and the DR 3-5 zoning and there by be a service to the community.

479-3180

County Board of Appeals
 Room 219, Court House
 Towson, Maryland 21204

January 5, 1979

William N. White, Esq.
 800 Equitable Towson Bldg.
 Towson, Maryland 21204

Re: Reclassification Petitions
 Case 78-33-RXA - John T. Gosnell

Dear Mr. White:

Enclosed please find a copy of the recently enacted Bill 122-78 which affects your petition. No further hearings on reclassification petitions will be held until the petitioners advise the Board as to their intentions within the purview of this act.

Your prompt reply is necessary.

Very truly yours,

Valter A. Katter, Jr.
 Chairman

WAR: Enclosure: Bill 122-78
 cc: Mr. John T. Gosnell
 Mrs. Lella Kaufman
 Mrs. Nancy Kase
 John W. Hession, III, Esq.
 Mr. S. E. DINENNA
 Mr. James Dyer
 Mr. Lella Grief
 Mr. Gary Burt
 Board of Education
 Mrs. Carol Berash

RE: PETITION FOR RECLASSIFICATION
from D.R. 3.5 to D.R. 16,
SPECIAL EXCEPTION for Office,
and VARIANCE from Section
1802.28 (504 V2) of the Baltimore
County Zoning Regulations
N/S Warren Road 410'
E. of York Road
8th District
John T. Gonnell, Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 78-33-RXA

OPINION

This case comes before the Board on an appeal by the Petitioner from the decision of the Zoning Commissioner which denied a reclassification, special exception and variance at the subject property. This property contains 0.31 acres and is located on the north side of Warren Road approximately 410 feet east of York Road in the Eighth Election District of Baltimore County.

In order to use an existing residence as offices the Petitioner, who now resides on the subject property, seeks a reclassification from an existing D.R. 3.5 zone to a D.R. 16 zone, a special exception for offices, and a side yard variance from 25 feet to 12 feet. The variance is necessary as the existing improvement is built but 12 feet from the west property line of the subject property, and obviously it would be a practical difficulty and/or unreasonable hardship if this 25 foot side yard setback would be required.

Paul Lee, a registered professional engineer, told the Board that sewer and water were available to the property and that, in his judgment, the Council erred when they did not zone this property D.R. 16 on the 1976 comprehensive zoning maps. Mr. Lee felt that this property should be zoned D.R. 16 in order to serve as a buffer zone between the B.R. zoning which abuts the west side property line of the subject property and the residentially used D.R. 3.5 zoning easterly and northerly of the subject property. Mr. Lee pointed out the comments from the Baltimore County Department of Traffic Engineering indicating that he agreed with their conclusion that the subject property "with a special exception for an office building is not expected to be a major traffic generator." Mr. Lee reviewed the tenets of Section 502.1 of the Baltimore County Zoning Regulations and told the Board that, in his judgment, if the special exception were granted, some would

John T. Gonnell - #78-33-RXA

violate none of these elements of Section 502.1. Mr. Lee explained the difficulty and/or hardship that mandates the granting of the variance if the subject property is to be used as proposed in this petition.

Petitioner's Exhibit No. 2 is the Planning Board's recommendation in the subject case. The third and fourth paragraphs state as follows:

"The Planning Board believes that D.R. 16 zoning for the subject property would be appropriate. Conversion of this structure to office use would provide a transition between commercial properties to the west and residential properties to the east."

"It is therefore recommended that the petitioner's request for D.R. 16 zoning be granted."

Mr. Bernard Willemin, a recognized land planner, testified on behalf of the petition and detailed for the Board his reasons why the subject property was zoned in error in 1976 and, in fact, should now be reclassified to a D.R. 16 zone. Mr. Willemin also commented upon Section 502.1 as same may or may not be affected by the granting of the requested special exception.

One nearby resident testified in opposition to the granting of the petition. This homeowner felt that the subject property as now used residentially was an excellent buffer zone between her property and the B.R. zoning west of the subject property.

Without further detailing the testimony and evidence presented in this case, the Board is satisfied that there is sufficient evidence of error on the part of the Council and will grant the requested reclassification from the existing D.R. 3.5 zone to a D.R. 16 zone. The Board, by having the opportunity to specifically study the request to reclassify this small 0.31 acre parcel, has a decided advantage over the Council process when considering such small parcels because more individual time can be devoted to the land use factors under consideration. Likewise, the Board has the opportunity to couple this reclassification with a special exception, subject to a series of restrictions. In this instance the Board will grant the special exception subject to a series of conditions because it is satisfied that if the conditions are specifically and fully complied with, this particular requested special exception use will in no way violate any of the tenets of Section 502.1.

John T. Gonnell - #78-33-RXA

Because the Board will require that the existing residence be used for the office building, the granting of the variance is necessary. Same clearly would represent a practical difficulty and/or unreasonable hardship if the variance were not granted. An Order in accordance with the above finding follows hereafter.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 10th day of May, 1979, by the County Board of Appeals, ORDERED that the reclassification from D.R. 3.5 to D.R. 16 petitioned for, be and the same is hereby GRANTED; and it is

FURTHER ORDERED that the variance from Section 1802.28 (504 V2) of the Baltimore County Zoning Regulations to permit a side yard setback of twelve (12) feet instead of the required twenty-five (25) feet petitioned for, be and the same is hereby GRANTED; and it is

FURTHER ORDERED that the special exception for offices petitioned for, be and the same is hereby GRANTED, subject to the following restrictions:

1. That the existing dwelling as shown on Petitioner's Exhibit #1 be used for the office building, and that no substantial exterior changes which would alter the residential character and appearance of this structure shall be permitted.
2. No medical office space shall be rented in this structure.
3. The east property line and the rear lot line where the on site parking is to be placed shall be screened as proposed on Petitioner's Exhibit #1.
4. No on site parking shall be placed within thirty-five (35) feet of the rear lot line.

John T. Gonnell - #78-33-RXA

5. The total area to be used for offices shall not exceed 2,000 square feet.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

John A. Miller

Lafayette S. Spitzer

THOMSON, RUPPERSBERGER & WHITE

LEE STUART THOMSON
CHARLES A. RUPPERSBERGER JR.
WILLIAM N. WHITE
C. WILLIAM CLARE
DAVID B. WHITE

April 23, 1979

Mr. Walter A. Reiter, Jr.
Chairman of the County Board of Appeals
Room 219
Court House
Towson, Maryland 21204

Re: Case No.: 78-33-RXA
John T. Gonnell
Hearing Date: May 8, 1979
Petition for Reclassification
Warren Road 410 Feet East of York Road
Eighth District

Dear Mr. Reiter:

On behalf of the Petitioner, John T. Gonnell, I request a postponement so that additional documentation might be submitted and an amendment achieved to conform to County Council Bill No. 122-78.

Sincerely yours,

William N. White

WNW:mtj

JOHN T. GONNELL

224 Warren Rd.
Cockeysville, Maryland 21030
September 14, 1979

Mr. Eric Dinnon,
Director of Planning
County Office Building
111 West Chesapeake Ave.
Towson, Maryland 21204

Dear Mr. Dinnon,

This letter is to express my opposition to the zoning change requested for 18 Warren Rd. The change requested is from a 3.5% DC 16. I understand this would open the way for permitting offices and other types of commercial establishments in this residential area.

My husband and I have recently moved in this area and are buying our home. This change in the neighborhood would not be in keeping with our purpose for locating in this area.

Thank you for your consideration in this matter.



Yours truly,
Mrs. Mary H. Jackson
Mr. Robert W. Jackson

Mr. L. Eric Dinnon
Zoning Commissioner
Baltimore County

PROTESTANT'S
EXHIBIT

Dear Mr. Dinnon:
As on phone conversation yesterday, I am disabled and can not attend the meeting concerning the proposed zoning change of the property of Mr. John T. Gonnell located on the northern side of Warren Road, 410 feet east of the York Road. This will serve as official notice of my objection to the proposal. Listed below are some of my reasons:

- 1) My property directly faces Mr. Gonnell's and I definitely don't want to mix a commercial company.
- 2) The two houses west of Mr. Gonnell's on Warren Road are rentals and attract a transient type of people. One is occupied by a religious cult. To approve Mr. Gonnell's proposal only compounds the situation and further degrades the area.
- 3) Generally off types of commercial things tend to create higher assessments on individual residents, while in the opposite direction, it decreases the value of their home.
- 4) I am a 37 year old resident of this area and

We believe an error was made on the comprehensive zoning map of Baltimore County in 1976 by zoning the property at 18 Warren Road to be zoned DC 16, with special exception for offices, as shown because Warren Road from the corner of York Road on the north side is presently zoned DC (business roadside) to within 12' of the west side of our house and from there to York Road. York Road north and south is also zoned DC. The first national bank is located on the southeast corner of York and Warren Roads. York Road on the south side beginning on the west side of the bank property is presently zoned DC 16 running east on Warren Road directly acrossed from our property and for several additional properties further east. There is a rental office on the grounds known as MARSHALL LODGE. Sewer pipe is now being completed on Warren Road which also has city water.

Directly acrossed the street from our property (18 Warren Road) is DC 16 zoning between the DC zoning near York Road and the DC 5-5 zoning which we believe acts as a buffer between the commercial activities of York Road and the Residential area of Warren Road. The property is presently improved with a white frame house, split rail fence, trees and shrubs which will be retained so as to retain its present appearance.

In summary, the property has sewage and water, ample room for parking. The atmosphere will be retained. The appearance will not be changed nor will the appearance of the neighborhood be changed. It would be used for our insurance office in which approximately 80 to 90 percent of the business is conducted without the necessity of people coming to our office. We believe if the DC 16 zoning with a special exception for the use of office is granted as we requested, this property will serve as a buffer between the DC zoning and the DC 5-5 zoning and there by be a service to the community.

John T. Gonnell

Summ and subscd before me this
13th day of September 1979
Elizabeth D. Feller
Notary Public

due to that fact, feel it would be unfair to give Mr. Gosnell (or his agent) as a 30 year resident priority status such a serious investment would definitely be affected.

I could go on and on, but do not feel it is necessary as you will be getting further objections from other residents.

I sincerely hope you does not make a quick ruling in either way, and give these objections some consideration.

Yours Truly,
Robert W. Stange

P.S. Below are further objections from other residents who have read this letter, and in complete agreement:

* George R. Albright
#2 Bacon Place Cockeysville, Md. 666 2057

Dr. Stephen G. Lane
10 Bacon Place 21030 667-3062

Mr. Mrs. Philip Walker
6 Bacon Place Cockeysville 666-9735

Mr. Mrs. Emory Standford 666-0730
14 Bacon Place Cockeysville, Md.

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

RE: PETITIONS FOR RECLASSIFICATION, SPECIAL EXCEPTION AND VARIANCE N/S of Warren Road 410' E of York Road 8th Election District John T. Gosnell - Petitioner NO. 78-33-RXA (Item No. 14)

ORDER FOR APPEAL

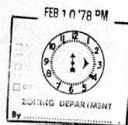
Mr. Commissioner:

Please note an appeal from your decision in the above entitled matter, under date of January 17, 1978, on behalf of the Petitioner, John T. Gosnell, 18 Warren Road, Cockeysville, Maryland 21030, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

William N. White
800 Equitable Towson Building
Towson, Maryland 21204
821-6900
Attorney for the Petitioner

I HEREBY CERTIFY that on this 16 day of Feb, 1978, a copy of the foregoing Order For Appeal was mailed to John W. Hessian, III, Esquire, People's Counsel, County Office Building, Towson, Maryland 21204 and to Mrs. Lelia Kaufman, 226 Warren Road, Cockeysville, Maryland 21030.

William N. White



BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 78-33-RXA

RE: PETITION FOR RECLASSIFICATION
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
N/S of Warren Rd. 410' E of York Rd.,
8th District

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

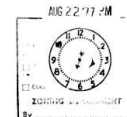
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in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

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

John W. Hessian, III
John W. Hessian, III
People's Counsel
County Office Building
Towson, Maryland 21204
474-2188

I HEREBY CERTIFY that on this 22nd day of August, 1977, a copy of the foregoing Order was mailed to Robert W. Stange, Esquire, 25 W. Chesapeake Avenue, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hessian, III
John W. Hessian, III



BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

RE: PETITIONS FOR RECLASSIFICATION, SPECIAL EXCEPTION AND VARIANCE N/S of Warren Road 410' E of York Road 8th Election District John T. Gosnell - Petitioner NO. 78-33-RXA (Item No. 14)

NOTICE OF APPEARANCE OF COUNSEL NOTICE TO STRIKE APPEARANCE OF COUNSEL

Mr. Commissioner:

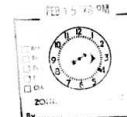
Please enter the appearance of William N. White, as attorney for the Petitioner, John T. Gosnell, and strike the appearance of Robert W. Stange, Esquire.

William N. White
800 Equitable Towson Building
Towson, Maryland 21204
821-6900
Attorney for the Petitioner

Robert W. Stange
25 West Chesapeake Avenue
Towson, Maryland 21204

I HEREBY CERTIFY, that on this 14 day of Feb, 1978, a copy of the foregoing Notice was mailed to John W. Hessian, III, Esquire, People's Counsel, County Office Building, Towson, Maryland 21204 and to Mrs. Lelia Kaufman, 226 Warren Road, Cockeysville, Maryland 21030

William N. White



the burden of proving the substantial change in the character of the neighborhood and/or error on the map is borne by the Petitioner, and this burden has not been met. Furthermore, under the Interim Development Control Act, IDCA, the only evidence that can be considered by the Zoning Commissioner is evidence proving a mistake and/or error was committed classifying the subject property D.R. 3.5. Though the Zoning Commissioner took into consideration the recommendations of the Baltimore County Planning Board, the decision reached by the Zoning Commissioner must be based on the evidence presented at the hearing, and in the instant case, there was insufficient evidence to prove that the subject property is incorrectly zoned.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of January, 1978, that the Reclassification be and the same is hereby DENIED and that the described property or area be and the same is hereby continued as and to remain a D.R. 3.5 Zone. Further, the aforementioned Special Exception and Variance be and the same are hereby DENIED.

Robert W. Stange
Zoning Commissioner of
Baltimore County

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

RE: PETITIONS FOR RECLASSIFICATION, SPECIAL EXCEPTION AND VARIANCE N/S of Warren Road, 410' E of York Road 8th Election District John T. Gosnell - Petitioner NO. 78-33-RXA (Item No. 14)

This matter comes before the Zoning Commissioner as a result of a Petition for a Reclassification from a D.R. 3.5 Zone to a D.R. 16 Zone, a Special Exception in a D.R. 16 Zone for offices, and a Variance from Section 1B02.2B, 504VB2 to permit a side yard setback of 12 feet instead of the required 25 feet. The subject property is located on the north side of Warren Road, 410 feet east of York Road, in the Eighth Election District of Baltimore County, containing 0.31 acres of land, more or less, and is known as 18 Warren Road.

Evidence presented in behalf of the Petitioner indicated that the property is presently improved with a two story frame building, which is proposed to be converted to office use. It was alleged that the subject property would be a transition zone between the Business, Roadside Zone fronting on York Road and the D.R. 3.5 Zone.

In its recommendations to the Zoning Commissioner, the Baltimore County Planning Board, under Item No. 14, recommended the granting of the D.R. 16 Zone.

Residents of the area, in protest to the subject Petition, alleged that traffic on Warren Road is becoming increasingly more difficult, especially at the Warren Road intersection with York Road. Further, it was felt that the granting of the subject Petition would be a spot zone.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner,

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Robert W. Stange, Esquire
25 W. Chesapeake Avenue
Towson, Maryland 21204

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 14th day of April, 1978.

Robert W. Stange
Zoning Commissioner

Petitioner John T. Gosnell

Petitioner's Attorney Robert W. Stange, Esquire reviewed by Nicholas A. Combs, Planning & Zoning Associate III

561 Guilford Avenue
Towson, Maryland 21204

ORDER RECEIVED FOR FILING

DATE January 11, 1978
BY John P. Stange

ORDER RECEIVED FOR FILING

DATE January 11, 1978
BY John P. Stange

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 2, 1977

Robert W. Stange, Esquire
25 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Reclassification,
Special Exception & Variance
Item No. 14 - 1st Cycle
Petitioner - John T. Gosnell

Dear Mr. Stange:

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

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property, zoned D.R. 3.5 and improved with a two story framed dwelling, is located on the north side of Warren Road approximately 410' east of York Road in the 8th Election District. Adjacent properties to the north and east are similarly zoned and improved with similar type uses, while properties to the west and south are zoned B.R. and D.R. 16 and improved with a single family dwelling and apartment buildings, respectively.

This combination petition is necessitated by your client's proposal to convert the existing structure into offices and provide accessory parking to the rear. The submitted site plan must be revised to indicate the comments of the State Highway Administration concerning the frontage along and access to this site.

In addition to the above and as provided in Section 22-15.1(e) of Bill 12-77, The Interim Development Control Act, any application for Special Exception in residential

Robert W. Stange, Esquire
Page 2
Item No. 14
May 2, 1977

zones must first be approved by the Planning Board before it can be processed by this office. This letter will officially notify you that your petition is being referred to the Planning Board for their review in accordance with the aforementioned bill.

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 plats, 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.

Very truly yours,

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

NBC:rf

cc: E. R. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

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 #14 (Cycle I April-October 1977)
Property Owner: John T. Gosnell
N/S Warren Rd. 410' E. of York Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: D.R. 16, with Special Exception for
Offices and Variance for side yard - Section 1802.2.8
504 V.B.2
District: 8th No. of Acres: 0.31

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:

Warren Road (Md. 143) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State 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.

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 Drainage:

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

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

Item #14 (Cycle I April-October 1977)
Property Owner: John T. Gosnell
Page 2
April 29, 1977

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property. The indicated proposed driveway location conflicts with the existing fire hydrant.

Very truly yours,

Ronald M. Tuckey, P.E.
RONALD M. TUCKEY, P.E.
Acting Chief, Bureau of Engineering

DNT:KAM, PNR:sa

cc: W. Munchel

V-SE Key Sheet
65 104 S Pos. Sheet
104 17 B Topo
51 Tax Map

Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans

April 19, 1977

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

RE: Z.A.C. Meeting
Zoning Cycle I, April 1977
ITEM: #14
Property Owner: John T. Gosnell
Location: N/S Warren Road
(Route 143) 410 ft. E of York Road
Present Zoning: D.R. 3.5
Proposed Zoning: D.R. 16,
with special exception for
offices and variance for side
yard - Section 1802.2.8
504 V.B.2
District: 8th
No. Acres: 0.31

Dear Mr. DiNenna:

The entrance must have a minimum width of 25'. There must be a minimum of 5' between the property line and the radius into the entrance. The fire hydrant must be relocated clear of the entrance widening.

The frontage of the property must be improved with curb and gutter. The curb is to be 20" from the existing centerline of Warren Road. The area between the traveled way and the curb must be paved with bituminous concrete.

The plan must be revised prior to the hearing.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

John E. Mayers
By: John E. Mayers

CL:JEM:rvd

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 438-3211

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 14, Zoning Cycle I, April, 1977, are as follows:

Property Owner: John T. Gosnell
Location: N/S Warren Road 410 ft. E. of York Road
Present Zoning: D.R. 3.5
Proposed Zoning: D.R. 16, with Special Exception for offices and variance for side yard - Section 1802.2.8 504 V.B.2
District: 8th
NO. Acres: 0.31

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.

The access to the property does not meet County or State standards.

Very truly yours,

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

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 438-3600

STEPHEN E. COLLINS
DIRECTOR

April 22, 1977

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

RE: Cycle Zoning Item 14 - ZAC- April, 1977
Property Owner: John T. Gosnell
Location: N/S Warren Road 410 ft. E of York Rd.
Present Zoning: D.R. 3.5
Proposed Zoning: D.R. 16, with special exception for offices and variance for side yard - Section 1802.2.8 504 V.B.2
District: 8th
Acres: 0.31

Dear Mr. DiNenna:

The proposed change from D.R. 3.5 to D.R. 16 with a special exception for an office building is not expected to be a major traffic generator.

The York Road corridor is having capacity problems at this time and any increase in traffic generation is undesirable. The intersection of York Road and Patuxent Road is at F level of service.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:jlt

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY 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 #14, Zoning Cycle I Meeting, April 5, 1977, are as follows:

Property Owner: John T. Gosnell
Location: N/S Warren Rd. 410 ft. E of York Rd.
Present Zoning: D.R. 3.5
Proposed Zoning: D.R. 16, with special exception for offices and variance for side yard - Section 1802.2.8 504 V.B.2
District: 8th
Acres: 0.31

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

KS:mah



Item No. 11 Zoning Agenda Zoning Cycle I

REVIEWER: Paul M. Latham, Jr. Noted and Approved: George M. V. Vignani
Planning Group Battalion Chief
Special Inspection Division Fire Prevention Bureau

Very truly yours,

Very truly yours,
 Mark E. Lunkham

Charles E. Burnham
Plans Review Chief
CEB:rrj

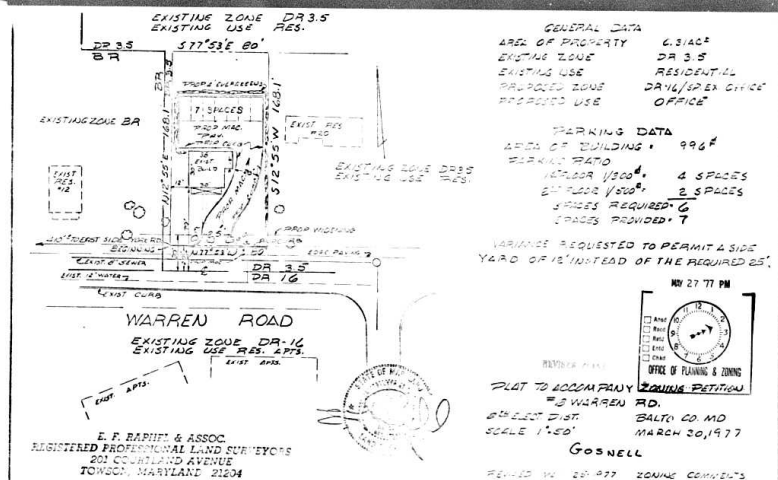
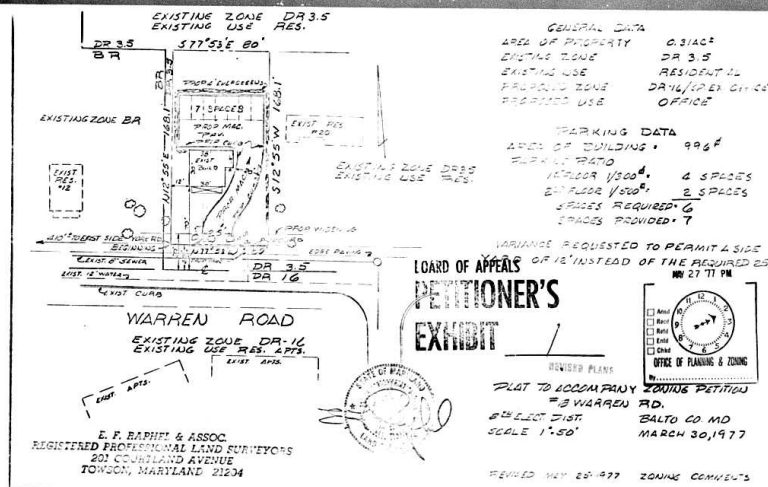
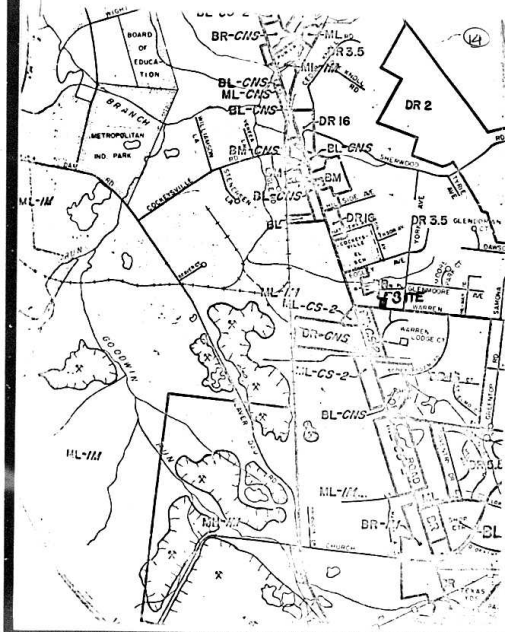
2.A.C. Meeting of: Zoning Cycle 1

Dear Mr. DiSenna:

No adverse effect on student population.

Very truly yours,

W. Nick Petrovich,
Field Representative



[illegible]

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

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS SCALE
Planimetric BY MAPS, INC. DATE 4-11-70 1" = 200'
DATE OF PHOTOGRAPHY
APRIL 1953
Compiled By Photogrammetric Methods
AERO SERVICE CORPORATION - PHILADELPHIA, PA

COCKEYSVILLE

NW
17-B