

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Edward T. O'Toole, legal owner, of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the use of one enclosed area of 2500 sq. ft. as an office-laboratory of a professional person(s) in a residential area under the provisions of Zoning Code Article 1801.1A.14c.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser _____ Legal Owner _____
Address _____
Petitioner's Attorney _____
Protestant's Attorney _____

ORDERED BY the Zoning Commissioner of Baltimore County, this 5th day of July, 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 15th day of September, 1977, at 2:30 o'clock P.M.

Zoning Commissioner of Baltimore County

(over)

June 30, 1977

Description for a Special Hearing

Located on the north side of Dunwick Road approximately 315 feet southeast of Pickett Road and known as Lot No. 11 as shown on the Plat of York Manor, Section 1 which is recorded in the Land Records of Baltimore County in the Liber No. 25 - Folio 5, also known as No. 8 Dunwick Road.

RE: PETITION FOR SPECIAL HEARING : BEFORE THE
N/S of Dunwick Road, 315' SE of : DEPUTY ZONING
Pickett Road - 8th Election District : COMMISSIONER
Edward T. O'Toole, et ux - Petitioners :
NO. 78-65-SPH (Item No. 13) : OF
: BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result of a Petition for a Special Hearing for the use of one enclosed area of approximately 250 square feet, more or less, as an office-laboratory of a professional person in a residential zone.

Testimony by the Petitioners indicated that the subject property, which is his bona fide residence, has been used over the past ten years as an office and for certain microbiology work commonly associated with laboratory practices. These include the receipt of medical specimens via the mail, messenger, or pickup, microscopic examination, testing, and analysis of these materials, disposition of specimen refuse by means of an autoclave, preparation of reports, and the filing and retention of related data.

Dr. O'Toole also indicated that his premises is inspected by the State Health Department annually and twice annually by the Sanitation Department. He claimed "professional" status under Section 1801.1A.14c of the Baltimore County Zoning Regulations.

The Deputy Zoning Commissioner was informed by copy of letter, dated September 22, 1977, over the signature of Robert L. Bosman, M.D., Deputy Director, Laboratories Administration, State of Maryland, Department of Health and Mental Hygiene, that a permit for the operation of a laboratory has not been issued to Dr. O'Toole for 8 Dunwick Road and that he is thereby in violation of law.

Testimony on behalf of nearby residents indicated fear of possible contamination of the environs due to laboratory materials and live cultures as

the inappropriateness of the operation in a residential neighborhood.

Without reviewing the evidence further in detail but based upon all of the evidence at the hearing, in the judgment of the Deputy Zoning Commissioner, the subject operation must be defined as a laboratory and, therefore, is not permitted in a D.R. Zone. Based on the foregoing, the Petitioner's contention that he is sheltered by Section 1801.1A.14c cannot be valid. That Section of the Baltimore County Zoning Regulations states:

"Offices or studios of physicians, dentists, lawyers, architects, engineers, artists, musicians, or other professional persons, provided that any such office or studio is established within the same building as that serving as the professional person's bona fide residence; does not occupy more than 25 per cent of the total floor area of such residence; and does not involve the employment of more than one non-resident professional associate nor two other non-resident employees."

The office use of these premises is minor and ancillary to the principle purpose—a microbiological laboratory.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 21st day of September, 1977, that the aforementioned Special Hearing be and the same is hereby DENIED.

Deputy Zoning Commissioner of Baltimore County

September 29, 1977

Dr. & Mrs. Edward T. O'Toole
8 Dunwick Road
Lutherville, Maryland 21093

RE: Petition for Special Hearing
N/S of Dunwick Road, 315' SE of
Pickett Road - 8th Election District
Edward T. O'Toole, et ux -
Petitioners
NO. 78-65-SPH (Item No. 13)

Dear Dr. & Mrs. O'Toole:

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

Very truly yours,

GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJM/mc

Attachments

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

Mr. Michael O. Magan, President
York Manor Association
P. O. Box 36
Lutherville, Maryland 21093

ORDER RECEIVED FOR FILING

DATE September 29, 1977

BY John P. Gray, Clerk

LAW OFFICES
SHAPIRO & SACHS, P.A.

SUITE 2000, CHARLES CENTER SOUTH
38 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

November 1, 1978

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

RE: Case No. 78-65-SPH

Gentlemen:

Please enter our appearance on behalf of the Petitioner, Dr. Edward T. O'Toole. In the above-captioned case which is scheduled for hearing November 16, 1978 at 11 A.M.

Thank you for your cooperation.

Sincerely,

Ann Clary Graham
Ann Clary Graham

ACG:in

CC: Dr. Edward T. O'Toole

8 Dunwick Road
Lutherville, Md.
21093
October 25, 1977

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

Dear Zoning Commissioner S. Eric Di Nenna:

Appeal is made to the decision of Deputy Zoning Commissioner George J. Martinak, certaining to Special Hearing No. 78-65-SPH, heard September 15, 1977, decision rendered September 29, 1977, as the decision did NOT address itself to the purpose of the hearing.

The hearing was, as stated at the beginning of the hearing, to determine the qualifications of a Medical Microbiologist as a "Professional Person" under Section 1801.1A.14c of the Baltimore County Zoning Regulations.

Because the Zoning Commissioner did not relate to the purpose of the hearing, the fee for this appeal should be cancelled and deleted.

In actual fact, this hearing should never have been necessary. The above specified Zoning Regulation covers my profession, without the need for such a hearing. The fact that "Professional Person" has not been defined by the county is a problem for the county and NOT the problem of an ACCEPTED PH.D. "SSIGN" acknowledged as a FULL professional by no less authority than the United States Government.

Sincerely,

Edward T. O'Toole, Ph.D.
Petitioner



Baltimore County, Maryland

PEOPLE'S COUNSEL
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

JOHN W. HESSIAN, III
People's Counsel
PETER MAX ZIMMERMAN
Deputy People's Counsel

October 6, 1978

The Honorable
Walter A. Ralston, Jr., Chairman
County Board of Appeals
Rm. 219, Court House
Towson, Maryland 21204

RE: EDWARD T. O'TOOLE
Case No. 78-65-SPH

Dear Mr. Ralston:

The above case has been brought to our attention by way of notice of assignment of hearing Thursday, November 15, 1978, at 11 am. It involves an appeal of the denial of a petition for special hearing.

Upon review of the case and the Charter provisions defining the authority of the People's Counsel, we have concluded that the matter is not within our jurisdiction since it involves an interpretive issue and does not involve any reclassification, special exception or variance.

We suggest that the County Office of Law be contacted in that they may more appropriately have an interest in the matter.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

cc: J. Carroll Holzer, County Solicitor
Mr. Michael O. Magan, Pres.
York Manor Association
P. O. Box 36
Lutherville, MD 21093

Rec'd 11-16-78
10:30 AM

RE: PETITION FOR SPECIAL HEARING : BEFORE
for the use of an office-laboratory : COUNTY BOARD OF APPEALS
of a professional person in a : OF
residential zone :
N/S Dunwich Road 315' :
SE of Pickett Road : BALTIMORE COUNTY
8th District :
Edward T. O'Toole, Petitioner :
No. 78-45-SPH

OPINION

The issues before the Board in this case are two-fold: (a) May the occupation of Dr. O'Toole be classified as "other professional persons" as said language appears in Section 1801.1A.14e of the Baltimore County Zoning Regulations, and (b) Is the planned use of a portion of the doctor's residence an office within the scope of Section 1801.1A.14e or a laboratory as defined on page 101: 8 of the Zoning Regulations?

During the course of the hearing, after reviewing the exhibits presented by the Petitioner that pertain to his qualifications as a microbiologist, the Board ruled that it was satisfied that this occupation of Dr. O'Toole did fall within the scope, spirit and intent as "a professional person" under the previously cited regulation.

After carefully considering the testimony and evidence presented and reviewing the zoning regulations as same define laboratory and refer to office use, the Board is satisfied that the use planned by Dr. O'Toole is that of an office use and not that of a laboratory. Dr. O'Toole's description of his planned use of this area of his home satisfied the Board that same was office-like in nature and not the use of a "laboratory" as is described in our regulations. Only several small pieces of equipment will be in this office and used in the doctor's work. A couple of pieces of this equipment will be connected to his household electric, and the doctor stated that their electric requirements will be about the same as that of a light bulb. The doctor told the Board that no other special requirements for his work would be necessary; i.e., no special plumbing, lighting or other particular finishings to the walls, ceilings or floors. An order summarizing these findings follows hereafter.

Edward T. O'Toole - #78-45-SPH

2.

ORDER

For the reasons briefly summarized in the above Opinion, the Board finds that the occupation of this Petitioner falls within Section 1801.1A.14e of the Baltimore County Zoning Regulations as "other professional persons".

Secondly, the Board finds that the planned use of this Petitioner for the designated area in his residence is office-like in nature and not a laboratory, as defined in the Zoning Regulations.

Therefore, for the above reasons, the Board ORDERS that the planned use as presented by the Petitioner be allowed as a matter of right within the existing regulations.

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. Miller, Jr., Chairman

John A. Miller

Dated: November 27, 1978

William T. Hackitt

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
N/S of Dunwich Rd. 315' SE of : OF BALTIMORE COUNTY
Pickett Rd., 8th District :
EDWARD T. O'TOOLE, et al., : Case No. 78-45-SPH
Petitioners :

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

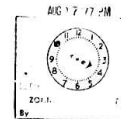
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in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

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

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

I HEREBY CERTIFY that on this 17th day of August, 1977, a copy of the foregoing Order was mailed to Dr. and Mrs. Edward T. O'Toole, 8 S. Dunwich Road, Lutherville, Maryland 21093, Petitioners.

John W. Heston, III



November 27, 1978

Ms. Ann Cheryl Graham
Suite 2000 Charles Center South
30 S. Charles Street
Baltimore, Md. 21201

Re: File No. 78-45-SPH
Edward T. O'Toole

Dear Ms. Graham:

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,

Marcel E. Babinchew

End.

cc: Dr. Edward T. O'Toole
Thomas J. Ballinger, Eng.
Mr. Michael O. Hagen, Pres.
York Manor Association
Thomas McDonough, Eng.
Mr. S. E. D'Amico
Mr. George Mariani
Mr. James Dyer
Mr. Leslie Graft
Mr. James Hunsell

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNanna, Zoning Commissioner
FROM: Leslie H. Graft, Director of Planning
SUBJECT: Petition #78-45 SPH. Petition for Special Hearing for Approval of the Use for Office Laboratory in a residential zone.
North side of Dunwich Road 315 feet Southeast of Pickett Road
Petitioners - Edward T. O'Toole and Edith S. O'Toole

8th District

HEARING: Thursday, September 15, 1977 (5:30 A.M.)

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

Leslie H. Graft
Director of Planning

LHG:JGH:rw



STATE OF MARYLAND DEPARTMENT OF HEALTH AND MENTAL HYGIENE LABORATORIES ADMINISTRATION 201 W. PRESTON STREET P.O. BOX 2335, BALTIMORE, MARYLAND 21203 (410) 361-2444

September 22, 1977

Mr. Edward O'Toole, Jr.
8 Dunwich Road
Lutherville, Maryland 21093

Dear Mr. O'Toole:

It has been reported to this Administration that you are currently operating a laboratory at the above address.

Article 43, Section 34 of the Annotated Code of Maryland makes it unlawful for anyone to operate a laboratory without a valid permit. Our records indicate that a permit has not been issued you.

You are requested to cease and desist operating a laboratory at 8 Dunwich Road immediately. Failure to do so will result in the issuance of a criminal summons in this matter.

Sincerely,

Robert I. Rosenthal, M.D.
Deputy Director
Laboratories Administration

cc: Dr. J. Mehsen Joseph
Honorable Sandra O'Connor
Randall L. Esquire
Mr. George Martinak



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Eric DiNanna, Zoning Commissioner
FROM: Keith Williams, Executive Officer
SUBJECT: Dr. Edward T. O'Toole
8 Dunwich Rd., 21093

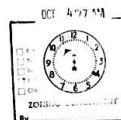
I have been contacted by Dr. O'Toole with regards to his attempt to maintain an office/laboratory at his residence.

Dr. O'Toole maintains that he does not intend to fully develop a laboratory, but wishes to establish an office as a doctor, lawyer or other like professional. He claims that the lab work that he is requesting permission to do will not be as extensive as a doctor would undertake.

Please advise as to the status of this case so that we may respond to this inquiry.

Thank you.

pt



YORK MANOR IMPROVEMENT ASSOCIATION, INC. P.O. BOX 34 - LUTHERVILLE, MD 21091

13 September 1977

Deputy Zoning Commissioner
Baltimore County
Towson, Maryland

Dear Sir:

The York Manor Association has considered the O'Toole proposal and have concluded that we find ourselves opposed to any request for zoning change or zoning interpretation which will allow the use of his property as proposed by Mr. O'Toole.

The present residential zoning law allows up to 25% of floor space for office use. We feel that the consultant activities relating to biological specimen evaluation and its handling comprise a commercial laboratory, which is allowed only in commercial zoning.

We feel that in our neighborhood any change of the present zoning would be detrimental to our present stability of its residential nature.

Thank you for your kind consideration of this petition and opinion of this board.

Yours truly,
Michael O. Hagen
President
York Manor Association.

EXHIBIT A

Article 13 - Health

EXHIBIT C

34.

(a) The Secretary of Health and Mental Hygiene shall establish minimum standards and qualifications for any laboratories and tissue banks in the counties of the State and in Baltimore City which make examinations in connection with the diagnosis and control of human diseases, or which process, preserve, distribute or sell human tissues, as he may consider necessary to assure to the citizens of the State these safe and reliable laboratory or health services, and he shall adopt and promulgate rules and regulations for the operation of any person, partnership, association, or corporation desiring to open or maintain such a laboratory or tissue bank, except a physician performing laboratory examinations on his own patients, shall file with the Secretary an application setting forth the name of the owner, the types of laboratory or health services to be performed, and such other information as the Secretary may require. The Secretary shall cause an inspection to be made and, if in compliance with the minimum standards and qualifications, and upon payment of the fees herein authorized, he shall issue a permit to operate. The Secretary shall conduct periodic inspections to assure continuing compliance. No person, partnership, association or corporation shall operate such a laboratory or tissue bank without this permit. The Secretary may refuse to issue, suspend or revoke a permit to operate if, after inspection and due notice, a laboratory or tissue bank fails to comply with the minimum standards or qualifications or with the provisions of any rules or regulations regularly adopted by the Secretary. No person, partnership, association or corporation may represent or services or maintain in this State any office, representative or other facilities for the representation or servicing of any laboratory or tissue bank situated in this State or any other state which makes examinations in connection with the diagnosis and control of human diseases or which processes, preserves, distributes or sells human tissues unless the laboratory or tissue bank is represented or serviced in accordance with the minimum standards and qualifications adopted by the Secretary under and pursuant to this section, and before representing or servicing any laboratory or tissue bank not situated within this State each person, partnership, association or corporation shall make appropriate annual application to the Secretary on such terms and conditions as are adopted by the Secretary, the application to show by satisfactory evidence that such laboratory or tissue bank not located within this State meets or exceeds the minimum standards and qualifications adopted by the Secretary pursuant to this section for similar laboratories or tissue banks located and operated within the

State of Maryland. The term "tissue bank" as used in this section includes blood bank and the term "tissue" includes blood. Physicians exempt from licensing and inspection under this section are nevertheless required to demonstrate satisfactory performance in a proficiency testing program in applicable laboratory procedures. The State Department of Health and Mental Hygiene shall establish standards and testing program and for conducting the program. The State shall establish a service fee for those persons participating in a proficiency testing program conducted by the Department. If a physician fails to demonstrate satisfactory performance, the Department shall notify the Commission on Medical Discipline.

(b) The standards and qualifications adopted by the Secretary may not require that the director of any such laboratory be a physician licensed under this article. Any person who was, for a period of seven consecutive years prior to June 1, 1966, the director of a laboratory which had met the standards and qualifications in effect for laboratories as of June 1, 1966, shall be considered to have met the standards and qualifications for a laboratory director which are established as of and after June 1, 1966, and any laboratory which, for a similar period of seven years, had met the standards and qualifications in effect prior to June 1, 1966, shall be issued a permit under this section, and, thereafter shall comply with the rules and regulations established under this section. The director of a tissue bank must be a physician licensed to practice medicine in Maryland.

(c) No person, partnership, association or corporation may business from anyone except physicians, hospitals, laboratories, clinics, and clinical installations, or other medical care facilities, for any laboratory which makes examinations in connection with the diagnosis and control of human diseases, whether that laboratory is situated in this State or any other state.

(d) The Secretary shall establish reasonable application and annual registration fees for permittees under this section. These fees shall be payable to Laboratories Administration, Department of Health and Mental Hygiene, for deposit by the Department in the general funds of the State.

(e) Any person violating this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be liable for a fine of not more than \$100.00 for the first offense and not more than \$500.00 for each successive offense. Each day a violation is continued after the first conviction shall be considered a second offense.

(Reographed by Laboratories Administration, Maryland State Department of Health and Mental Hygiene, May 7, 1974.)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 2, 1977

Mr. Edward T. O'Toole
Mrs. Edith S. O'Toole
8 Dunwich Road
Lutherville, Maryland

RE: Special Hearing Petition
Item Number 13
Petitioner - Edward O'Toole

Dear Mr. & Mrs. O'Toole:

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 Commission with recommendations as to the appropriateness of the requested zoning.

Located on the north side of Dunwich Road approximately 315' southeast of Pickett Road in the 8th Election District, this site is presently zoned D.R. 3.5 and improved with a single family detached dwelling, as are the properties immediately surrounding.

As indicated in previous correspondence with this office on May 11th and June 3, 1977, your proposed use would consist of the clinical microbiological evaluation of patient specimens with no patient traffic, no sign

Mr. Edward T. O'Toole
Mrs. Edith S. O'Toole
Page 2
Item Number 13
September 2, 1977

posted on the property, no employees except the residence of the house and no visible indication of the existence of the operation at this location. After careful consideration, the Deputy Zoning Commissioner determined that the proposed use would be considered a laboratory, as such would only be permitted in a commercial zone.

In light of this, this Special Hearing is being requested in order to question this interpretation and allow this use under Section 1801.1A.14.e of the Baltimore County Zoning Regulations as, "office or studio of...other professional persons...."

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

NICHOLAS B. CONNOR
Chairman
Zoning Plans Advisory Committee

NBC:rf

Baltimore County
Department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

July 29, 1977

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

Re: Item #13 (1977-1978)
Property Owner: Edward T. & Edith S. O'Toole
N/S Dunwich Rd. 315' S/E Pickett Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Hearing to approve an enclosed area of 250 sq. ft. as an office-laboratory of a professional person in a residential zone.
District: 8th

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:

Baltimore County highway and utility improvements are not directly involved. Additional fire hydrant protection is required in the vicinity.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item #13 (1977-1978).

Very truly yours,

ELLENWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

ENCLOSURE

cc: W. Dunbar

6-SE Key Sheet
40 NW 1 Pcs. Sheet
NW 12 A Topo
61 Top Map

Baltimore County
Office of planning and zoning
TOWSON, MARYLAND 21204
(410) 684-2111

August 11, 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 #13, Zoning Advisory Committee Meeting, July 12, 1977, are as follows:

Property Owner: Edward T. & Edith S. O'Toole
Location: N/S Dunwich Road 315' SE Pickett Road
Existing Zoning: D.R. 3.5

Proposed Zoning: Special Hearing to approve an enclosed area of 250 sq. ft. as an office-laboratory of a professional person in a residential zone.
District: 8th

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.

This office is unable to comment until an explanation of the proposed use is submitted, such as number of employees, what type of laboratory, hours of operation.

Very truly yours,

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

August 10, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
1st Floor, County Office Building
Towson, Maryland 21204

Re: Item 13 - SAC July 12, 1977
Property Owner: Edward T. & Edith S. O'Toole
Location: N/S Dumlich Rd. 315' SE Pickett Rd.
Existing Zoning: D.R.S.5
Proposed Zoning: Special Hearing to approve an enclosed area of 250 sq. ft. as an office-laboratory of a professional person in a residential zone.

Acres:
District: 8th

Dear Mr. DiNenna:
No traffic problems are anticipated by the request for a office laboratory in a residential zone.

Sincerely,
Michael S. Flanagan
Michael S. Flanagan
Associate Traffic Engineer

MSF/jlf

August 1, 1977

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

Dear Mr. DiNenna:

Comments on Item #13, Zoning Advisory Committee Meeting, July 12, 1977, are as follows:

Property Owner: Edward T. & Edith S. O'Toole
Location: N/S Dumlich Rd. 315' SE Pickett Rd.
Existing Zoning: D.R.S.5
Proposed Zoning: Special Hearing to approve an enclosed area of 250 sq. ft. as an office-laboratory of a professional person in a residential zone.

Acres:
District: 8th

Metropolitan water and sewer are available.

State law and regulations require submission of plans and specifications for any new or renovated clinical laboratory facility. Contact the Baltimore County Department of Health, Division of Health Care Facilities for additional advice and guidance.

Very truly yours,

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

TED/KS/rthG

July 12, 1977

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

Dear Mr. DiNenna:

Comments on Item # 13 Zoning Advisory Committee Meeting, July 12, 1977 are as follows:

Property Owner: Edward T. & Edith S. O'Toole
Location: N/S Dumlich Road - 315' S/E Pickett Road
Existing Zoning: D.R.S. 5.5
Proposed Zoning: Special Hearing to approve an enclosed area of 250 sq. ft. as an office laboratory of a professional person in a residential zone.

Acres:
District: 8th

The items checked below are applicable:

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

Very truly yours,

Charles E. Burbanck
Charles E. Burbanck
Plans Review Chief
CDB/rjg

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 8, 1977

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

Z.A.C. Meeting of: July 12, 1977

RE: Item No: 13
Property Owner: Edward T. & Edith S. O'Toole
Location: N/S Dumlich Rd. 315' SE Pickett Rd.
Present Zoning: D.R.S. 5.5
Proposed Zoning: Special Hearing to approve an enclosed area of 250 sq. ft. as an office-laboratory of a professional person in a residential zone.

District: 8th
No. Acres:

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

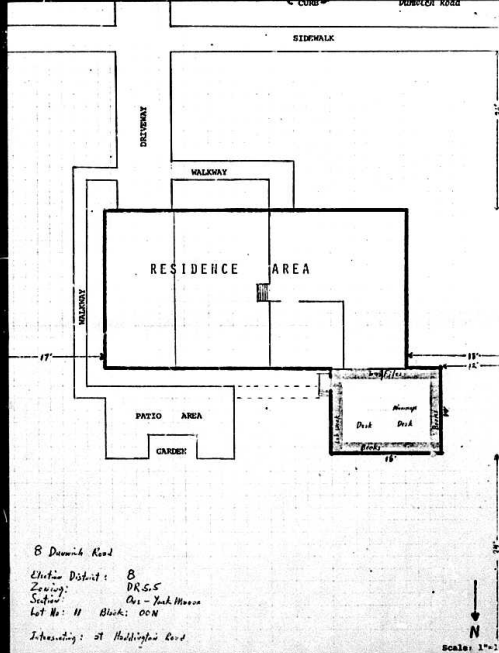
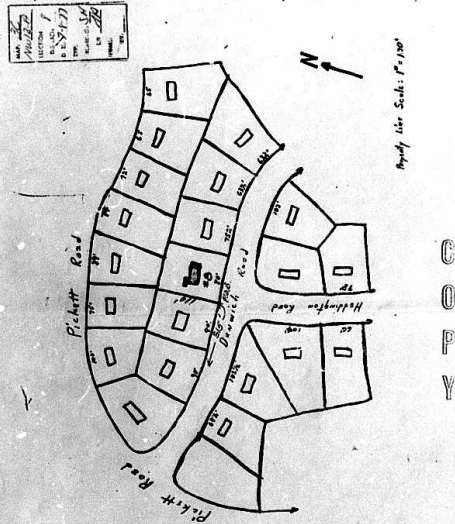
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

MSF/jlf

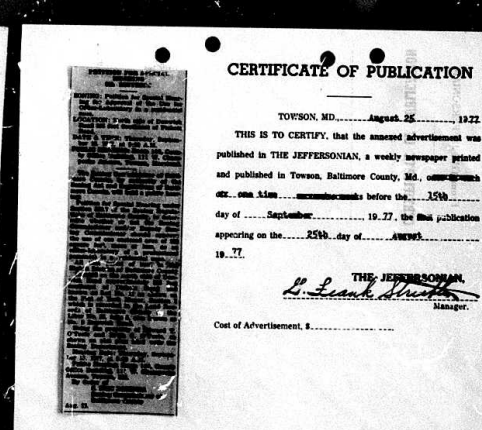
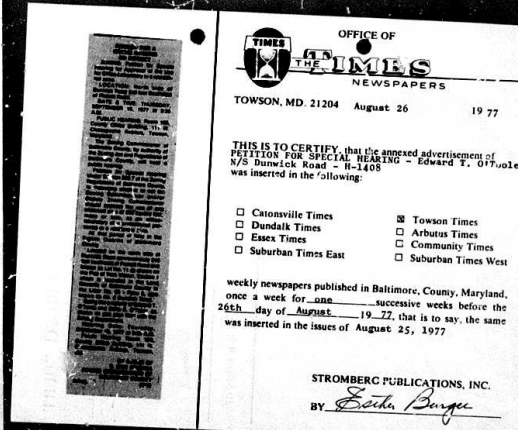
JOSEPH N. WILSON, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS H. ROTHSCHILD

THOMAS H. BOYER
WILLIAM LORRAINE F. CHIRLUP
ROBERT E. HAYDEN

ALVIN LORECK
MRS. WILTON K. SMITH, JR.
RICHARD W. TRACEY, D.M.



8 Dumlich Road
Urban District: B
Zoning: D.R.S.5
Setback: As - York Mason
Lot No: 11 Block: 00N
Intersecting: 87 Hilltop Road



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#78-65-SPH

District: 8th Date of Posting: 11-4-77
Posted for: Edward T. O'Toole
Petitioner: Edward T. O'Toole
Location of property: N/6, Dunwich Rd. 315' 5/8"
Pick Rd.
Location of Sign: Sign Post C #8 Dunwich Rd.
Remarks:
Posted by: Paul H. Hess Date of return: 11-10-77
Signature

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#78-65-SPH

District: 8th Date of Posting: 8-15-77
Posted for: Edward T. O'Toole
Petitioner: Edward T. O'Toole
Location of property: N/6, Dunwich Rd. 315' 5/8" S.E. of Pick Rd.
Location of Sign: Sign Post C #8 Dunwich Rd.
Remarks:
Posted by: Paul H. Hess Date of return: 8-21-77
Signature

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 27 day of JUNE 1977 Filing Fee \$ 25 Received ✓ Check ✓ Cash ✓ Other ✓

S. Eric Dinon
S. Eric Dinon,
Zoning Commissioner

Petitioner O'TOOLE Submitted by O'TOOLE
Petitioner's Attorney --- Reviewed by NPC

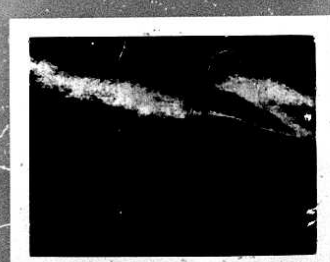
* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

Pictures
Baltimore's Exhibit 1A, 1B & 1C

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 57260
DATE Oct. 28, 1977 ACCOUNT 01-662
AMOUNT \$40.00
RECEIVED FROM Edward T. O'Toole 8 Dunwich Road, Lutherville, Md. 21093
FOR Cost of Appeal #78-65-SPH
4895 2161 28 4 00 CASH
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 57165
DATE Aug. 30, 1977 ACCOUNT 01-662
AMOUNT \$42.25
RECEIVED FROM Edward T. O'Toole 8 Dunwich Rd., Lutherville, Md. 21093
FOR Advertising and posting of property #78-65-SPH
4840 7853 1 4 225 CASH
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 51881
DATE August 12, 1977 ACCOUNT 21-662
AMOUNT \$25.00
RECEIVED FROM Edward T. O'Toole, 8 Dunwich Rd., Lutherville, Md. 21093
FOR Petition for Special Hearing #78-65-SPH
4886 6088 12 2 500 CASH
VALIDATION OR SIGNATURE OF CASHIER



Official
CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

#78-65-SFH

District 8th Date of Posting 11-4-77
 Posted for Edward T. O'Toole
 Petitioner Edward T. O'Toole
 Location of property Nb/s 1 Dunwich Rd 315' S/E 8
Picket Rd
 Location of Signs 1 Sign Postal C # 8 Dunwich Rd.
 Remarks
 Posted by Macl H. Hues Date of return 11-10-77
 Signature

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

#78-65-SFH

District 8th Date of Posting 8-25-77
 Posted for Hearing Show April 15th 1977 @ 9:30 AM.
 Petitioner Edward T. O'Toole
 Location of property Nb/s 1 Dunwich Rd 315' S.E. of Picket Rd.
 Location of Signs 1 Sign Postal C # 8 Dunwich Rd.
 Remarks
 Posted by Macl H. Hues Date of return 8-31-77
 Signature

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received • this 27 day of 11/11/77 1977 Filing Fee \$ 2.00 Received ☒ Check ☐ Cash ☐ Other

S. Fritz DiNanno
 Zoning Commissioner

Petitioner E.T.O. Submitted by E.T.O.
 Petitioner's Attorney _____ Reviewed by 11/11/77

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

BALTIMORE COUNTY MARYLAND
 OFFICE OF FINANCE REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

DATE Oct. 28, 1977 ACCOUNT 01-662
 AMOUNT \$50.00
 RECEIVED Edward T. O'Toole 8 Dunwich Road, Lutherville, Md.
 FROM 21093
 FOR Cost of Appeal—#78-65-SFH

BALTIMORE COUNTY MARYLAND
 OFFICE OF FINANCE REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

DATE Aug. 30, 1977 ACCOUNT 01-662
 AMOUNT \$47.25
 RECEIVED Edward T. O'Toole 8 Dunwich Rd., Lutherville, Md.
 FROM 21093
 FOR Advertising and posting of property #78-65-SFH

BALTIMORE COUNTY MARYLAND
 OFFICE OF FINANCE REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

DATE August 12, 1977 ACCOUNT 01-662
 AMOUNT \$25.00
 RECEIVED Edward T. O'Toole 8 Dunwich Rd., Lutherville, Md. 21093
 FROM 21093
 FOR Petition for Special Hearing #78-65-SFH

