

RE: PETITION FOR RECLASSIFICATION : BEFORE THE ZONING COMMISSIONER
NW corner of Liberty Rd. and
Oakwood Rd., 2nd District
OF BALTIMORE COUNTY
FANNIE C. THOMAS, et al., : Case No. 79-55-R
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.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 9th day of August, 1978, a copy of the foregoing Order was mailed to C. John Serio, Esquire, 3 E. Lexington Street, Baltimore, Maryland 21202, Attorney for Petitioners.

John W. Heslan, III
John W. Heslan, III



BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

C. John Serio, Esquire
Page 2
Item Number 5

May 1, 1978

C. John Serio, Esquire
3 East Lexington Street
Baltimore, Maryland 21202

RE: Cycle III
Reclassification Petition
Item Number 5
Petitioner - Fannie C. Thomas

Dear Mr. Serio:

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 plan 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 suitability of the requested zoning.

This B.L. zoned site, currently improved with a one-story masonry dwelling, is located on the northeast corner of Liberty and Oakwood Roads in the 2nd Election District. Adjacent property to the west is zoned B.R. and is improved with a camper sales operation, while to the east is B.L. zoned land improved with a Volunteer Fire Company. These properties were the subjects of previous zoning hearings (Case #68-55-R and 976-241-X) in which the former was granted a Reclassification from residential to its present B.R. Classification, and the latter was granted a Special Exception for an expansion of the Fire Company's facilities. To the north and south is vacant D.R. 3-5 zoned land, also owned by the Fire Company, and individual dwellings, respectively.

A review of the building permit file indicates that a change of occupancy permit (02534) to convert the existing residence to a plumber's office has been filed with Baltimore County. This office will approve

said permit with the understanding that it is to be used for offices only provided all other requirements have been satisfied. The site plan filed with this permit reflects a different parking arrangement than the one submitted with this Reclassification request. Since this latter arrangement is unacceptable to the Office of Current Planning and Development, the site plan must be revised to correct this and to reflect the same arrangement for this request as well as the building permit application. In addition to this and as indicated in the attached comments, there appears to be a question concerning the status of Oakwood Road, i.e., whether it is private or public. Since the answer to this question will be a determining factor concerning the access to the subject property, it must be resolved upon the submittal of revised site plans.

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 June 1, 1978 in order to allow time for final Committee review and advertising. All changes must be accompanied by a cover letter indicating these corrections. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be forwarded to you well in advance.

Very truly yours,

Nicholas S. Commadore
NICHOLAS S. COMMADORE
Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: Richard Paul Tustin - Lead Surveyor
9 East Lexington Street
Baltimore, Maryland 21202

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THOMTON M. MOURING, P.E.
DIRECTOR

April 18, 1978

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

Re: Item #5 (Cycle III April-October 1978)
Property Owner: Fannie C. Thomas, et al.
N/W cor. Liberty Rd. & Oakwood Rd.
Existing Zoning: B.L.
Proposed Zoning: B.R.
Acres: 0.827 District: 2nd

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

Liberty Road (Md. 26) 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.

Oakwood Road, a gravel surfaced 50-foot right-of-way shown on "Plat No. 1 - Barwood", recorded J.W. 14, Folio 20, if improved in the future as a public road, would be as a 30-foot closed section roadway on a 50-foot right-of-way.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County standards.

Sediment Control

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

Storm Drainage

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent flooding 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.



Maryland Department of Transportation
State Highway Administration

Markus E. Caltrider
Secretary
N.S. Caltrider

April 14, 1978

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

Attention: Mr. N. Commadore

Re: Zoning Cycle III, April 1978
Item # 5
Property Owner: Fannie C. Thomas, et al.
Location: NW/4 Liberty Rd. (Route 26) & Oakwood Road
Existing Zoning: B.L.
Proposed Zoning: B.R.
Acres: 0.827
District: 2nd

Dear Mr. DiNenna:

It appears that Oakwood Road is a private road, however, if the developer has rights of access, the road should be used rather than having direct access from Liberty Road. The latter should be resolved prior to the hearing.

The proposed right of way is 45' from the centerline of highway and not 40'. The 45' dimension from centerline to proposed curb must be more clearly indicated. A curb must be constructed along the proposed property line. The plan must be revised prior to the hearing.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:JBH:rvd

By: John E. Meyers

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21205

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

cc: Nicholas S. Commadore
Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Planning
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

April 21, 1978

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

Dear Mr. DiNenna:

Comments on Item # 5, Zoning Cycle III, April, 1978, are as follows:

Property Owner: Fannie C. Thomas, et al
Location: NW/C Liberty Road and Oakwood Road
Existing Zoning: B.L.
Proposed Zoning: B.L.
Acres: 0.827
District: 2nd

This office has reviewed the subject petition and offers the following comments. These comments are intended to indicate the appropriateness of the zoning in question, but are to ensure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This office is of the opinion that all access should be from Oakwood Road; however, it is my understanding that the petitioner has no rights in Oakwood Road.

The petitioner should make every effort to keep as many of the existing trees as possible.

The interior driveway does not function adequately, therefore, the site plan should be revised. Screening must be provided where the parking area is across the street from residential premises.

Very truly yours,

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

June 15, 1978

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

Dear Mr. DiNenna:

Revised comments on Item #5, Zoning Advisory Committee Meeting for Cycle III, are as follows:

Property Owner: Fannie C. Thomas, et al
Location: NW/C Liberty Rd. & Oakwood Rd.
Existing Zoning: B.L.
Proposed Zoning: B.L.
Acres: 0.827
District: 2nd

The existing well and sewage disposal system appear to be in good condition and operating correctly, therefore no health hazards are anticipated.

Very truly yours,

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

TED/BJF/twh



April 13, 1978

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

RE: Item #5 - ZAC - Cycle 3 - April, 1978
Property Owner: Fannie C. Thomas, et al
Location: NW/C Liberty Rd. & Oakwood Rd.
Existing Zoning: B.L.
Proposed Zoning: B.L.
Acres: 0.827

Dear Mr. DiNenna:

The subject petition is requesting a change from B.L. to S.R. of .827 acres.

This increase should not increase the trip density of the subject property.

The entrance to the property should be via Oakwood Road rather than Liberty Road.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CEB/BJF

April 21, 1978

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

Dear Mr. DiNenna:

Comments on Item #5, Zoning Advisory Committee Meeting, for Cycle III, are as follows:

Property Owner: Fannie C. Thomas, et al
Location: NW/C Liberty Rd. & Oakwood Rd.
Existing Zoning: B.L.
Proposed Zoning: B.L.
Acres: 0.827
District: 2nd

A revised plan showing the locations of the individual water supply and sewage disposal systems must be submitted.

Very truly yours,

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

TED/BJF/twh

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Fannie C. Thomas, et al

Location: NW/C Liberty Rd. & Oakwood Rd.

Item No. 5

Zoning Agenda Cycle III

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 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 _____ 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.
- (x) 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.

REVISOR
Planning Group
Special Inspection Division

Noted and Approved: *Paul H. Reincke*
Paul H. Reincke
Fire Prevention Bureau

April 6, 1978

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

Dear Mr. DiNenna:

Comments on Item #5, Zoning Advisory Committee Meeting, are as follows:

Property Owner: Plumbers Office and Shop
Location: Liberty Road and Oakwood Road
Existing Zoning: B.L. 3-5
Proposed Zoning: B.L.

Acres: 0.827
District: 2nd

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- X C. Additional change of occupancy _____ permit shall be required.
- X D. Building shall be upgraded to new use - requires alteration permit.
- X E. Three sets of construction drawings will be required to file an application for a building permit.
- X F. 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.
- G. 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.
- E. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- I. No Comment.
- J. Comments:

Very truly yours,

Charles E. Sumner
Charles E. Sumner
Plans Review Chief

CEB/tj

May 5, 1978

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

Dear Mr. DiNenna:

Comments on Item #5, Zoning Advisory Committee Meeting, CYCLE III are as follows:

Property Owner: Plumbers Office and Shop
Location: Liberty Road and Oakwood Road
Existing Zoning: B.L. 3-5
Proposed Zoning: B.L.

Acres: 0.827
District: 2nd

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- X C. Additional change of occupancy _____ permit shall be required.
- X D. Building shall be upgraded to new use - requires alteration permit.
- X E. Three sets of construction drawings will be required to file an application for a building permit.
- X F. 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.
- G. 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.
- E. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- I. No Comment.
- J. Comments:

Very truly yours,

Charles E. Sumner
Charles E. Sumner
Plans Review Chief

CEB/tj

June 7, 1978

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

Dear Mr. DiNenna:

Comments on Item #5, Zoning Advisory Committee Meeting, June 6, 1978 are as follows:

Property Owner: Fannie C. Thomas, et al
Location: NW/C Liberty Road and Oakwood Road
Existing Zoning: B.L.
Proposed Zoning: B.L.

Acres: 0.827
District: 2nd

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- X C. Additional change of occupancy _____ permit shall be required.
- X D. Building shall be upgraded to new use - requires alteration permit.
- X E. Three sets of construction drawings will be required to file an application for a building permit.
- X F. 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.
- G. 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.
- E. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- I. No Comment.
- J. Comments:

Charles E. Sumner
Charles E. Sumner
Plans Review Chief

CEB/tj



