

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

George C. Oursler, Elizabeth E. Oursler Burns and Winfield E. Kogler, Trustees and legal owner of the property situate in Baltimore County and which is described in the description and map attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-16 and DR 5.5 to an R-16 and DR 5.5 and (2) for the following reason: There was error in the zoning of the property at the time of the adoption of the 1976 Zoning Map by the Baltimore County Council.

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

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Contract purchaser
Address: 143 Main Street
Reisterstown, Maryland 21136

Protestant's Attorney
George Barrett Johns
Address: 200 Washington Avenue, Suite 307
Towson, Maryland 21204

ORDERED BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY, this 15th day of December, 1978, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15th day of December, 1978, at 10:00 o'clock P.M.

(over)

10:00 P.M.
11/17/78

IN THE MATTER OF THE PETITION
OF GEORGE C. OURSLER, ELIZABETH
E. OURSLER BURNS AND WINFIELD E.
KOGLER, TRUSTEES AND W. BRUCE
SMITH AND MARY MILLER DUNTON
FOR ZONING RECLASSIFICATION FROM
DR 16 AND DR 5.5 TO R-16

MEMORANDUM IN SUPPORT OF APPEAL

The Petitioners' property is situate on the west side of Reisterstown Road (Route 140) at the intersection of Reisterstown Road and Cherry Valley Road, in Baltimore County, Maryland. The present zoning is DR 16 and DR 5.5. Your Petitioners submit that the actions of the Baltimore County Council in downshifting the zoning classification were in error and the property would be more properly utilized for retail business purposes, and submit the following:

1. That the subject property was granted commercial zoning classification initially in approximately 1956. That the commercial zoning depth was extended an additional 150 feet in December of 1967.
2. That the property was not identified as an issue during the adoption process of the 1971 Official Zoning Map of Baltimore County.
3. That there was, however, a drafting error when the 1971 Official Zoning Map was adopted which caused your Petitioners in 1973 to file a Petition for Declaratory Decree in the Circuit Court for Baltimore County, and the said Petition resulted in the error being corrected.
4. That during the adoption of the 1976 Official Zoning Map, the subject property was again not identified as an issue under the procedures established and required under the laws of Baltimore County by the deadline established for that adoption. That therefore, your Petitioners received no notification, either actual or constructive, of any possibility of a downshift in their zoning.
5. That the downshifting of zoning of your Petitioners' property when the 1976 Map was adopted resulted in an unconstitutional confiscation of your Petitioners' property without notice or due process, for the following reasons:

A. Your Petitioners were denied the notice that would have been given them had the issue been properly identified under the adoption procedure.

B. That under the rules and procedures for the adoption of the Map, had any private individuals attempted to identify an issue after the said deadline, it would not have been allowed.

C. That the downshifting of your Petitioners' property in order to allow other commercial zoning coupled with the fact that other commercial zoning in the immediate vicinity was not downshifted, represents discrimination against your Petitioners.

6. That the resultant zoning is in error in that it constitutes spot residential zoning and fails to recognize the longstanding commercial zoning of the subject property.

Respectfully submitted,
SMITH, JOHNS AND SMITH, P.A.
200 Washington Avenue
Towson, Maryland 21204
823-6260

By: *George Barrett Johns*
GEORGE BARRETT JOHNS
Attorney for Petitioners

March 31, 1978

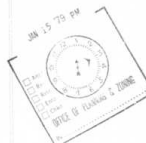
RE: Petition for Reclassification, 34 Corner of Reisterstown and Cherry Valley Roads - 4th Election District, Baltimore County, George C. Oursler, et al., Petitioners.
NO. 79-60-R (Item No. 9)

APPEAL

5. Eric Dienna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Mr. Commissioner:

Please note our appeal to the Baltimore County Board of Appeals from an Order passed by the Deputy Zoning Commissioner in the above referenced Petition. Thank you.



I HEREBY CERTIFY that on this 15th day of January, 1979, a copy of the foregoing Appeal was mailed to Lawrence K. Ginsberg, Esq., Suite 301, 6615 Reisterstown Road, Baltimore, Maryland 21215; John W. Hession III, Esq., County Office Building, Towson, Md., 21204; People's Counsel, Mrs. Pat Lazelle, 11731 Terrytown Drive, Reisterstown, Md. 21136, and Mrs. Alice LeGrand, 25 Olive Lane, Owings Mills, Md. 21117.

George Barrett Johns
G. Barrett Johns



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(410) 486-2300

5. ERIC DIENNA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

December 15, 1978

Martin J. Smith, Esquire
143 Main Street
Reisterstown, Maryland 21136

RE: Petition for Reclassification
SW/Corner of Reisterstown and
Cherry Valley Roads - 4th
Election District
George C. Oursler, et al -
Petitioners
NO. 79-60-R (Item No. 9)

Dear Mr. Smith:

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

Very truly yours,
George J. Martinak
GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJM:sr

Attachments

cc: Lawrence K. Ginsberg, Esquire
Suite 301, 6615 Reisterstown Road
Baltimore, Maryland 21215

Mr. Frank W. Dunton
Suite 307, Jefferson Building
105 West Chesapeake Avenue
Towson, Maryland 21204

Mrs. Pat Lazelle
11731 Terrytown Drive
Reisterstown, Maryland 21136

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

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

JAMES S. SPAMER & ASSOCIATES

PROFESSIONAL ENGINEERS & LAND SURVEYORS

800 PINE ROAD - TOWSON, MARYLAND

BY: W.C.L.
DATE: 9/28/77
George C. Oursler, et al
ZONING DESCRIPTION
SHEET 1 OF 1
FILE: 1-1250

Beginning for the same at a point on the southeast side of Reisterstown Road where it is intersected by the southeast side of Cherry Valley Road at the distance of 165 feet southeasterly from the center of Cherry Valley Road and running thence binding on said southeast side of Reisterstown Road, (1) South 136° 13' 00" East 583.67 feet, thence leaving Reisterstown Road, (2) South 31° 38' 00" East 353.1 feet to intersect the northwest side of Nicodemus Road, thence on Nicodemus Road, (3) South 77° 13' 00" East 126.17 feet, thence binding on the outline of "Bathhouse", (4) North 13° 12' 00" East 580.70 feet to the southeast side of Cherry Valley Road, thence on Cherry Valley Road, (5) by a line curving to the right with a radius of 600 feet the distance of 121.89 feet with a chord bearing North 51° 31' 13.5" East 123.69 feet, (6) North 57° 15' 27" East 130.59 feet, (7) by a line curving left with a radius of 700 feet the distance of 115.50 feet with a chord bearing North 51° 13' 13.5" East 135.29 feet and (8) South 88° 10' 00" East 21.21 feet to the place of beginning.

Containing 5.960 acres of land more or less.

William O. Laster
William O. Laster, P.E. & L.S., 19008

494-3180

County Board of Appeals

Room 219, Court House

Towson, Maryland 21204

September 18, 1979

Mr. George C. Oursler, et al
Trenton Road
Upper, Maryland 21155

Re: Case No. 79-60-R
George C. Oursler, et al

Gentlemen:

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

Very truly yours,

Edith I. Elsenhart
Edith I. Elsenhart, Admin. Secretary

Encl.

cc: Mr. Frank W. Dunton
Lawrence K. Ginsberg, Esq.
Mrs. Pat Lazelle
Mrs. Alice LeGrand
John W. Hession, III, Esq.
Mr. J. Dyer, Zoning
Mr. William Hammond, Zoning
Mr. John Seyffert, Planning
Mr. J. Howell, Planning
Board of Education

71-364

SMITH, JOHNS & SMITH P.A.

November 24, 1978

5. Eric Dienna, Zoning Commissioner
of Baltimore County
Room 106 - County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 79-60-R
George C. Oursler, et al
Petition for Reclassification

Dear Mr. Clerk:

Please strike my appearance on behalf of the Petitioners in the above captioned case.

Very truly yours,
George Barrett Johns
George Barrett Johns

gjb:hm



Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of...

the above Reclassification should be had, and it further appearing that by reason of...

a Special Exception for a... should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this... day of... 197... that the herein described property or area should be and the same is hereby reclassified, from a... zone to a... zone, and/or a Special Exception for a... should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above Petition and it appearing that by reason of... the Reclassification should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this... day of... December... 197..., that the herein Petition for Reclassification from D.R. 16 and D.R. 5.5 Zones to a B.L. Zone should be and the same is hereby DENIED.

Deputy Zoning Commissioner of Baltimore County

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 16 and D.R. 5.5 to B.L.
3/4 corner Reisterstown Road
and Cherry Valley Road
4th Dist.
George C. Oursler, et al
Petitioners : BALTIMORE COUNTY
No. 79-60-R

ORDER OF DISMISSAL

Petition of George C. Oursler, et al, for reclassification from D.R. 16 and D.R. 5.5 to B.L. on property located on the southwest corner of Reisterstown Road and Cherry Valley Road, in the Fourth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of appeal filed September 17, 1979 in copy of which letter is attached hereto and made a part hereof from the Petitioner-Appellants in the above entitled matter.

WHEREAS, the said Petitioner-Appellants request that the appeal filed on behalf of said Petitioners be dismissed and withdrawn as of September 17, 1979.

IT IS HEREBY ORDERED this... day of September, 1979, that said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William J. Hackett, Acting Chairman
John A. Miller
Leroy S. Spurrer

RE: PETITION FOR RECLASSIFICATION : BEFORE THE ZONING COMMISSIONER
SW corner Reisterstown Rd. and
Cherry Valley Rd., 4th District : OF BALTIMORE COUNTY
GEORGE C. OURSLER, et al, Petitioners : Case No. 79-60-R

ORDER TO ENTER APPEARANCE

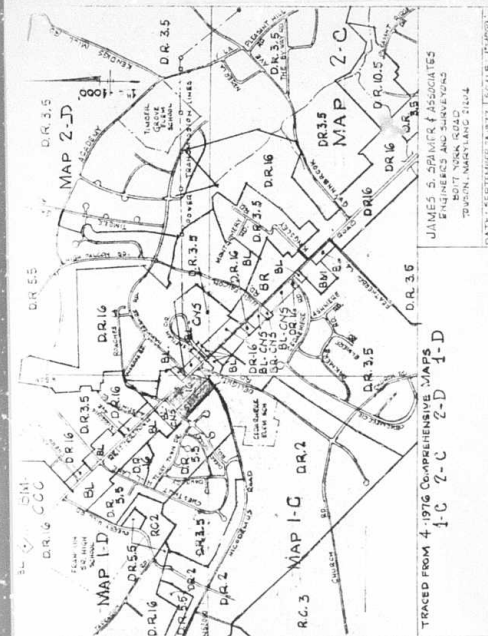
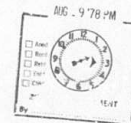
Mr. Commissioner:

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.

John W. Hession, 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 George Barrett Johns, Esquire, Smith, Johns & Smith, P. A., 200 Washington Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Hession, III
John W. Hession, III



JAMES S. SPANIER & ASSOCIATES
ENGINEERS AND SURVEYORS
8017 YORK ROAD
TOWSON, MARYLAND 21204

DATE: SEPTEMBER 18, 1979 SCALE: 1"=500'

16039 Trenton Road
Upperco, Maryland 21155
September 11, 1979

County Board of Appeals for
Baltimore County
County House
Towson, Maryland 21204

Re: Appeal of George C. Oursler et al
Case No. 79-60-R

Dear Sirs:

The owners have determined to withdraw their appeal in the above entitled matter which is set for hearing before the Board of Appeals on Tuesday, September 25, 1979.

Very truly yours,

George C. Oursler, Trustee
Elizabeth E. Oursler Burns, Trustee
Winifred B. Koehler, Jr., Trustee
W. Bryce Smith
Mary Miller Dunton
Owners - Appellants

ITEM NO. 9

PROPERTY OWNER: George C. Oursler, et al
LOCATION: SW corner of Reisterstown and Cherry Valley Roads
ELECTION DISTRICT: 4 ACREAGE: 7.0
COUNCILMANIC DISTRICT: 3 GEOGRAPHICAL GROUP: II
RECOMMENDED DATE OF HEARING: Week of September 11, 1979 FUNCTIONAL CATEGORY: B

ZONING PRIOR TO ADOPTION OF 1976 COMPREHENSIVE ZONING MAP: B.L.-C.N.S.
EXISTING ZONING: D.R. 16, D.R. 5.5
REQUESTED ZONING: B.L.

PLANNING BOARD RECOMMENDATION: Retain Existing Zoning (D.R. 16, D.R. 5.5).

This wooded parcel of land is located on the southeast corner of Reisterstown Road and Cherry Valley Road. Adjacent properties along this side of Reisterstown Road are commercially zoned. On the opposite side of Cherry Valley Road, behind the existing service station, is a vacant, commercially zoned site owned by the petitioners. To the west of the subject site are single-family dwellings in D.R. 5.5 zoned lands. On the opposite side of Reisterstown Road are properties zoned D.R. 16 and B.L. The petitioner is requesting a change from D.R. 16 and D.R. 5.5 to B.L. zoning, proposing to construct a shopping center.

Prior to the adoption of the 1976 Comprehensive Zoning Map, the subject tract was zoned B.L.-C.N.S. During the preparation and processing of this map, the zoning was identified as an issue before the County Council (7-283); the Council adopted D.R. 16 and D.R. 5.5 zoning here.

The Department of Traffic Engineering's representative or the Zoning Advisory Committee, stated, in part, that, on presently zoned development of this tract would generate approximately 800 trips per day were the petitioner's request granted; development would generate approximately 3,500 trips per day. Further, he stated that any increase in trip density in this area could be undertaken in view of the existing traffic congestion along Reisterstown Road.

The Planning Board believes that D.R. 16 and D.R. 5.5 zoning are appropriate here, and that the zoning map is correct. Further, it is the opinion of the Board that ample commercial opportunities have been provided for in the Reisterstown Road corridor.

It is therefore recommended that the existing zoning, D.R. 16 and D.R. 5.5, be retained.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

George Barrett Johns, Esquire
Smith, Johns and Smith, P.A.
200 Washington Ave. BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
Towson, Maryland 21204

Item #9

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

Your Petition has been received and accepted for filing
this 1st day of May, 1978

Eric Dinenna
Zoning Commissioner

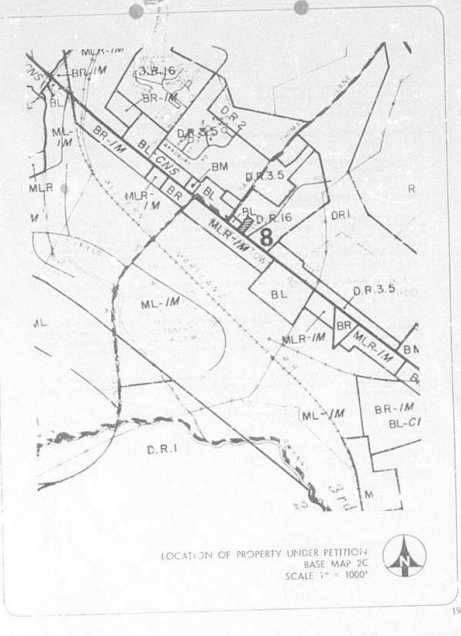
Petitioner: Geo. Oursler, et al
Petitioner's Attorney: Geo. Barrett Johns reviewed by

cc: James S. Spanier & Associates
8017 York Road
Towson, Maryland 21204

Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

RECEIVED
BALTIMORE COUNTY
SEP 17 4 14 PM '79
COUNTY CLERK
BY

DEC 18 1979



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Comptonsville Rd.
Towson, Maryland 21204

also
Nicholas P. Commodari
Chairman

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

May 1, 1978

George Barrett Johns, Esquire
Smith, Johns and Smith, P.A.
200 Washington Avenue
Towson, Maryland 21204

RE: Reclassification Petition
Item Number 9
Petitioner - Geo. Oursler, et al

Dear Mr. Johns:

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 suitability of the requested zoning.

This vacant wooded 6.96 acre tract of land is currently zoned D.R. 16 and S.5 and is located at the southeast corner of Cherry Valley and Reisterstown Roads. Adjacent properties on the same side of Reisterstown Road are improved with a car/truck service center and a service center to the southeast and northwest, respectively, while individual dwellings immediately abut the rear of this site. The rear portion of this property was the subject of a previous zoning hearing (Case #68-127-R) in which a Reclassification was granted from the then existing R-10 zone to a B-1 classification. With the adoption of the 1971 zoning map, this portion was rezoned to D.R. 5.5 and subsequently rezoned to B-1 by the Circuit Court (Case #77677) on August 24, 1973. The present residential zoning on the entire site was accomplished with the adoption of the current zoning map. Because of your client's proposal to construct retail stores,

George Barrett Johns, Esquire
Page 2
Item Number 9
May 1, 1978

this Reclassification is required.

Particular attention should be afforded all comments from the Office of Current Planning and Development, the State Highway Administration and the Fire Department, and the plans should be revised accordingly.

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 between September 1, 1978 and October 15, 1978 will be forwarded to you well in advance.

Very truly yours,

Nicholas P. Commodari
NICHOLAS P. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: James S. Spamer & Associates
8017 York Road
Towson, Maryland



THORNTON M. MOURING, P.E.
DIRECTOR

April 20, 1978

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

Re: Item #9 (Cycle III April-October 1978)
Property Owner: George C. Oursler, et al
S/W cor. Reisterstown Rd. & Cherry Valley Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B-1
Acreage: 6.960 District: 4th

Dear Mr. DiNenna:

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

General

Comments were supplied for a portion of the overall property, of which this site is a part (see Parcel 236, Tax Map 37 and 58) in connection with the Zoning Advisory Committee review for item #159 (1971-1972) 72-223.

Highways

Reisterstown Road (MD 140) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road are 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.

Cherry Valley Road is a County road, improved as a 40-foot closed section roadway on a 60-foot right-of-way. No further road improvement is proposed at this time.

Hidomans Road, an existing public road, is proposed to be realigned in this vicinity and improved as a 40-foot closed section roadway on a 60-foot right-of-way, as indicated. Highway right-of-way widening, including any necessary reversible easements for slope will be required in connection with any grading or building permit application.

The construction or reconstruction of concrete sidewalks, curb and gutters, entrances, aprons, etc. will be the full responsibility of the petitioners.

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

Item #9 (Cycle III April-October 1978)
Property Owner: George C. Oursler, et al
Page 2
April 20, 1978

Setback Controls

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

Storm Drainage

In accordance with the drainage policy, the Developer is responsible for the total actual cost of drainage facilities required to carry the storm water runoff through the property to be developed to a suitable outfall.

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

There are County drainage and utility easements within this site with public storm drainage facilities and sanitary sewerage therein. No encroachment by construction of any structure, including footings, will be permitted within County rights-of-way or utility easements.

Water and Sanitary Sewers

There are public 8-inch water mains, and 8-inch sanitary sewerage in Cherry Valley Road and also Reisterstown Road, as indicated on the submitted plan. Additional fire hydrant protection is required in the vicinity.

This property is tributary to the Guyton Falls 8-inch Sewer System & the Reaches Run Interceptor.

Very truly yours,

Edward M. Dwyer, P.E.
EDWARD M. DWYER, P.E.
Chief, Bureau of Engineering

END: EAM: PWR:lls

cc: J. Tranter
W. Marshall

T-W Key Sheet
S.W. 37 Box Sheet
NW 14 J Topo
37 & 58 Tax Map

Attachment

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna
FROM: Oliver L. Myers
DATE: April 27, 1972

SUBJECT: Item #159 (1971-1972)
Property Owner: Winfield E. Koehler, et al
S/W Reisterstown Rd., 206' W/W of Cherry Valley Rd.
Present Zoning: B-1
Proposed Zoning: Special Exception for automotive service station
District: 4th
Acreage: 6.966 acres

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

General

Major public storm drainage facilities and public sanitary sewerage exist within the utility easement along the Reisterstown Road frontage. No encroachment by construction of any structure, including footings, will be permitted within this easement. During the course of grading or construction on this property, protection must be afforded by the contractor to prevent damage to the existing public utilities. The protection of these utilities and any damage sustained would be the full responsibility of the Petitioner.

Highways

Reisterstown Road (U.S. 140) is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

Cherry Valley Road, an existing County road, is improved as a 40-foot closed section roadway cross-section on a 60-foot right-of-way. No further highway improvements are required along Cherry Valley Road in conjunction with this site. However, the construction or reconstruction of any sidewalks, curb and gutter, entrances, aprons, etc. required as a result of further development of this site would be the full financial responsibility of the Petitioner.

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

Setback Controls

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

Item #159 (1971-1972)
Property Owner: Winfield E. Koehler, et al
Page 2
April 27, 1972

Setback Controls (Cont'd)

Entrance studies and setback control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Storm Drainage

Provisions for accommodating storm water or drainage have not been indicated on the submitted plans.

Reisterstown Road (U.S. 140) is a State Road. Therefore, drainage requirements as they affect the road are under the jurisdiction of the Maryland State Highway Administration.

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

Water and Sanitary Sewers

Public water supply and sanitary sewerage are available and serving this site.

Edward M. Dwyer

EDWARD M. DWYER, P.E.
Chief, Bureau of Engineering

ENCLOSURES

T-W Key Sheet
S.W. 37 Box Sheet
NW 14 J Topo
37 & 58 Tax Map



THORNTON M. MOURING, P.E.
H.S. Caltrider
Administrator

April 17, 1978

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

Re: Zoning Cycle III, April 1978
Item: 9
Property Owner: George C. Oursler, et al
Location: SW/C Reisterstown Road (Rte. 140) & Cherry Valley Road
Existing Zoning: D.R. 16
Proposed Zoning: B-1
Acreage: 6.960
District: 4th

Dear Mr. DiNenna:

The plan indicates as proposed, items that are existing such as curbing and storm drain inlets.

One entrance from Reisterstown Road should be sufficient to serve the proposed development. This entrance must be opposite the entrance into the Humanum Apartments. The apartment entrance must be clearly indicated.

A deceleration lane may be required. This will be determined at a latter date.

The plan is an old one that appears to have been redrawn several times. It is dirty, cluttered and difficult to read. For the sake of clarity and accuracy a new plan should be drawn.

CL:JEN:dj

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

June 27, 1978

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

Re: Zoning Cycle III, April 1978
Item # 9
Reisterstown Rd. (Rouse 140)
& Cherry Valley Rd.

Attention: Mr. N. Commodari

Dear Mr. DiNenna:

In our comments of April 17, 1978, we mentioned that a deceleration lane may be required. This has been confirmed by our Traffic Engineer. The lane is to be 12' wide and 195' long with a 230' taper. The plan must be revised to indicate the land and right of way widening sufficient to support the lane and relocated sidewalk. The current revised plan, stamped June 19, 1978 by the Office of Planning & Zoning, is very dark, is cluttered with notes and is very difficult to read. It is recommended that a new plan be drawn. This was mentioned in our previous comments. In any event, a revised plan must be submitted prior to the hearing.

Very truly yours,
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: John E. Meyers

CL:JEN/vrd



Paul H. Peacock
Chief

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: George C. Oursler, et al

Location: SW/C Reisterstown Rd. & Cherry Valley Rd.

Item No. 9 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.

(x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 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 _____

_____ the maximum allowed by the Fire Prevention Code.

() 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 as proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comment, at this time. NOTES: Fire department connection shall be 50 feet from an approved fire hydrant.

REVIEWED: Planning Group Special Inspection Division
Noted and Approved: _____
Fire Prevention Bureau

LESLIE H. UPFAR
DIRECTOR

April 21, 1978

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 #9, Zoning Cycle III, April 1978, are as follows:

Property Owner: George C. Oursler, et al
Location: SW/C Reisterstown Road and Cherry Valley Road
Existing Zoning: D.R. 16
Proposed Zoning: B.L.
Acres: 6.960
District: 4th

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 site plan should be updated to show existing conditions.

One driveway along Reisterstown Road is sufficient to serve the site. The interior traffic pattern must be revised on proper curbing provided for better channelization.

The petitioner should retain as many trees as possible and provide landscaping.

The rear of the site should be heavily screened from the adjacent residential properties.

Very truly yours,

John L. Wimbley
Planner III
Current Planning and Development

STEPHEN E. COLLINS
DIRECTOR

April 13, 1978

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

Re: Item #9 - ZAC - Cycle 3 - April, 1978
Property Owner: George C. Oursler, et al
Location: SW/C Reisterstown Rd. & Cherry Valley Rd.
Existing Zoning: D.R. 16 & D.R. 5.5
Proposed Zoning: B.L.
Acres: 6.960
District: 14th

Dear Mr. DiNenna:

The subject petition is requesting a change from D.R. 16 to B.L. of 6.96 acres. This will increase the trip density from 835 to 3500 trips per day.

This increase is undesirable due to the present traffic problems along Reisterstown Road.

Very truly yours,

Charles Moore
Assistant Traffic Engineer

CEB/vaa

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

April 24, 1978

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

Dear Mr. DiNenna:

Comments on Item #9, Zoning Advisory Committee Meeting for Cycle III, are as follows:

Property Owner: George C. Oursler, et al
Location: SW/C Reisterstown Rd. & Cherry Valley Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.L.
Acres: 6.960
District: 14th

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval prior to construction.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/KS/fth

cc: J. J. Dieter

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 24, 1978

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

Z.A.C. Meeting of: Cycle III

RE: Item No. 9
Property Owner: George C. Oursler, et al.
Location: SW/C Reisterstown Rd. & Cherry Valley Rd.
Present zoning: D.R. 16
Proposed Zoning: B.L.

District: 4th
No. Acres: 6.960

Dear Mr. DiNenna:

No bearing on student population. Would only result in the loss of some pupils.

Very truly yours,

Nick Petrovich
Field Representative

NSP/lp

JOSEPH M. COLLINS, EXECUTIVE
V. BAYARD, DEPUTY CHIEF OF POLICE
HAROLD W. HUBBARD

ROBERT H. GUYER
WILLIAM L. LINDSEY, JR., CHIEF OF POLICE
ROBERT H. GUYER

ALVIN LINDSEY
WILLIAM L. LINDSEY, JR., CHIEF OF POLICE
RICHARD W. TRACY, D.D.M.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nicholas B. Commodari, Zoning

Date: April 24, 1978

FROM: Rosellen J. Plant, Industrial Development Commission

SUBJECT: No. 11, Property Owner: George C. Oursler, et al.
Location: SW/C Reisterstown Rd. & Cherry Valley Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.L.

The Industrial Development Commission is in agreement with the Baltimore County 1976 Comprehensive Zoning Maps, as adopted by the County Council, in obvious cases of change of neighborhood or technical errors in the maps.

Rosellen J. Plant
ROSELLEN J. PLANT

RJP:pk

VALIDATION OR SIGNATURE DE CARRIER



