

PETITION FOR ZONING RE-CLASSIFICATION
 AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, HERBERT H. HILDESHEIM, 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 an DR 16 zone to an DR 5.5 zone, for the following reasons:

- To conform with the adjacent zoning;
- To allow for the construction of single family detached dwellings that would conform with the existing surrounding neighborhood of detached and semi-detached dwellings

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

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

Contract purchaser: Herbert H. Hildesheim, Hilda Hildesheim, Legal Owners
 Address: c/o Manor Care Nursing Home, 8400 S. York Road, Suite 2104, Baltimore, Md. 21204
 Robert Evans, Petitioner's Attorney, Suite 507, 102 W. Penna. Ave., Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this day of June, 1979, 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 day of June, 1979, at o'clock

Zoning Commissioner of Baltimore County.

(over)

June 13, 1979

Ms. Elizabeth S. Fitzell
 916 Dunellen Drive
 Baltimore, Md. 21222

Re: Case No. R-79-3
 Herbert H. Hildesheim

Dear Ms. Fitzell:

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

Very truly yours,

Edith T. Eisenhart, Adm. Secretary

Encl.

cc: John W. Hasson, Esquire
 Mr. J. E. Dyer
 Mr. W. E. Hammond
 Mr. L. M. Graef
 Mr. J. Howell
 Board of Education

MEMORANDUM
 OF PETITIONERS IN SUPPORT OF RECLASSIFICATION PETITION

The basis for the reclassification in this case is error in the last comprehensive zoning, effective 1976. The parcel of 1.4 acres, plus or minus, which is the subject of this Petition, is completely surrounded by DR 5.5 land. By rezoning this parcel of just 1.4+ acres as DR-16, a great deal of the perimeter of the property has been removed from useful purposes. The Petitioners are now faced with the anomolous paradox that they can only get a reasonable amount of use out of this property by down grading the density from DR-16 to DR 5.5 in order to eliminate the buffer strip. The general zoning in this neighborhood is DR 5.5 and it was error to put one piece of spot zoning in the middle of it at DR-16. The reclassification from DR-16 to DR 5.5 should be granted also because this will allow this property to conform to the general scheme and character of the neighborhood. Petitioners do not rely on change.

RE: PETITION FOR RECLASSIFICATION : BEFORE
 from D.R. 16 zone to D.R. 5.5 zone : COUNTY BOARD OF APPEALS
 NW corner Sollers Point Road :
 12th District : OF
 Herbert H. Hildesheim, et ux : BALTIMORE COUNTY
 Petitioners : No. R-79-3

OPINION

This case comes before the Board on petition, wherein the property owner seeks to reclassify a small parcel of land from an existing D.R. 16 zone to a D.R. 5.5 zone. The subject property is located at the northwest corner of Sollers Point Road and Towson Road, in the Twelfth Election District of Baltimore County. Same contains approximately 1.482 acres.

The Petitioner's engineer explained to the Board why he considers the existing zone to be in error. In his judgment, the proper zoning for the subject property, so that it would conform with the already developed surrounding areas, should be D.R. 5.5.

James Hoswell, of the Baltimore County Office of Planning and Zoning, testified in favor of the granting of this petition. Mr. Hoswell noted that, in his professional opinion, the existing zoning is in error. Mr. Hoswell explained that at the time of the adoption of the comprehensive map, the subject property was not an issue, and it is his opinion that an error occurred because the property was small and simply was not noted at the time of the mapping process. Mr. Hoswell stated unequivocally that because of the small size and shape of the subject property and its specific location next to developed D.R. 5.5 single family residences, that the proper zoning is D.R. 5.5.

These were the only two witnesses and there is no contraevidence. Based upon the testimony and evidence presented to the Board, the Board is satisfied that the existing zoning is error and that the proper zoning for the subject property should be D.R. 5.5. An Order to this effect follows hereafter.

Herbert H. Hildesheim, et ux - #R-79-3

ORDER

For the reasons set forth in the foregoing Opinion, it is this 13th day of June, 1979, by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby GRANTED.

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

COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

John A. Miller

LeRoy B. Spurrier

MCKEE, DUVAL & ASSOCIATES, INC.
 Engineering - Surveying - Real Estate Development

1717 YORK RD. LUTHERVILLE, MARYLAND 21093
 Telephone: (301) 252-5820
 September 28, 1978

Description of 1.482 Acres of Land, More or Less
 12th Election District
 Baltimore County, Maryland

Beginning for the same at a point in or near the intersection of Sollers Point Road and Towson Avenue, said point of beginning being situated, as now surveyed, North 27° 35' 35" West 48.36 feet from the end of the first or South 40° East 15.6 perches line of Parcel No. 2 of land which by deed dated May 20, 1936 and recorded among the Land Records of Baltimore County, Maryland in Liber C.W.B., Jr. No. 976 at Folio 82 was conveyed by Claude A. Hanley to Max Hildesheim and Florine Hildesheim, his wife, and running thence with and parallel to and 15 feet distant northeasterly from the centerline of Sollers Point Road the following two courses and distances, viz: (1) North 45° 38' 30" West 206.76 feet and (2) North 46° 16' 30" West 177.24 feet; thence leaving said road and running the following two courses and distances, viz: (1) North 20° 17' 49" East 127.80 feet and (2) North 85° 46' 50" East 210.00 feet to a point in or near Towson Avenue; thence running with and parallel to and 20 feet distant southwesterly from the centerline of Towson Avenue South 03° 09' 10" East 402.99 feet to the place of beginning. Containing 1.482 acres of land, more or less.

Being a part of those parcels of land which by deed dated May 20, 1936 and recorded among the Land Records of Baltimore County, Maryland in Liber C.W.B., Jr. No. 976 at Folio 82 was conveyed by Claude A. Hanley to Max Hildesheim and Florine Hildesheim, his wife.

Also being part of those parcels of land which by deed dated June 24, 1942 and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1234 at Folio 321 was conveyed by C. Edward Schaumloeffel, Jr. and Mary P. Schaumloeffel, his wife, to Florine Hildesheim, Herbert H. Hildesheim and Hilda Hildesheim.

Page Two
 Description of 1.482 Acres of Land,
 More or Less, September 28, 1978

Also being known and designated as "Remainder of Max Hildesheim & Wife, Part of 1st & 2nd Parcel, C.W.B. Jr. 976 - 82", as shown on a plat of land entitled "Dunshire Garden Apartments", which was recorded on May 9, 1969 among the Plat Book Records of Baltimore County in Plat Book O.T.G. No. 33 at Folio 88.

PETITION FOR RECLASSIFICATION

12th District

ZONING: Petition for Reclassification from D.R.16 to a D.R.5.5
 LOCATION: Northwest corner of Sollers Point Road and Towson Road
 DATE & TIME: Thursday, June 7, 1979 at 10:00 A.M.
 PUBLIC HEARING: Room 218, Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing:

Present Zoning: D.R.16
 Proposed Zoning: D.R.5.5

All that parcel of land in the Twelfth District of Baltimore County

Being the property of Herbert H. & Hilda Hildesheim, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, June 7, 1979 at 10:00 A.M.
 Public Hearing: Room 218, Courthouse, Towson, Maryland

BY ORDER OF
 WALTER A. REITER, JR., CHAIRMAN
 COUNTY BOARD OF APPEALS OF
 BALTIMORE COUNTY

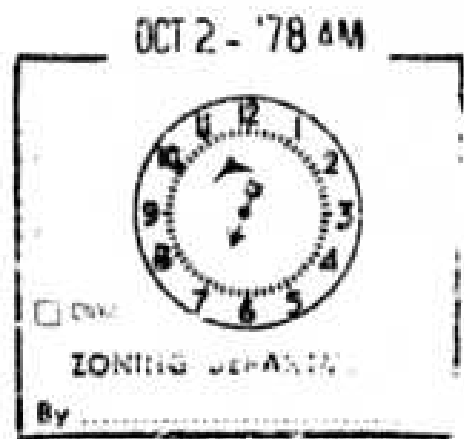
Office of Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Sir:

Enclosed you will find my
guardianship papers for Herbert and
Kelli Hildesheim that are needed
in connection with their property
at 7030 Sellers Point Road, Dundalk

If it is not mandatory for you
to keep these on file, I should
appreciate your returning the
guardianship papers to me.
Thank you very much.

Very truly yours,
Elizabeth S. Fitzell



9th
916 Darnall Drive
Towson, Maryland 21204

IN THE MATTER OF
HERBERT H. HILDESHEIM
A Person Alleged to be
Under a Disability
IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
IN EQUITY
Docket: 2
Folio: 11
Case No. 1011

DECREE

The above entitled cause having come on for hearing on the Petition for Appointment of a Guardian for the person and property of Herbert H. Hildesheim, a person alleged to be under a disability, after taking testimony in open Court and the Court having found that the said Herbert H. Hildesheim is a disabled person within the purview of the Annotated Code of Maryland, the nature of disability being: Cerebral Arteriosclerosis

IT, IS THEREFORE, ADJUDGED, ORDERED AND DECREED this 22nd day of May, 1978, by the Circuit Court for Baltimore County, In Equity, that Elizabeth S. Fitzell be and she is hereby appointed Guardian of the person and property of Herbert H. Hildesheim, a Disabled Person, empowering her to manage and protect the property of the said Herbert H. Hildesheim and to apply the said property to the support, care, and education of Herbert H. Hildesheim and to assume the custody of the said Herbert H. Hildesheim with the right to establish his place of abode and to provide for the care, comfort, and maintenance requirements of the said Herbert H. Hildesheim, including the authority to give the necessary consent or approval for medical or other professional care, counsel, treatment or service, all in accordance with the provisions of Title 13 of the Estates and Trusts Article, Subtitle R and Rule V77, Maryland Rules of Procedure; but before the said Guardian shall proceed to act as such Guardian shall give a corporate bond to the State of Maryland in the penalty of One Thousand (\$1,000.00) Dollars, with a surety or sureties to be approved by this Court or the Clerk thereof, for the faithful discharge of her duties as such Guardian, the penalty of said Bond, being subject to further Order of Court.

Approved as to form:

[Signature]
[Signature]

[Signature]
JUDGE

FILED MAY 23 1978

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
from D.R. 16 to D.R. 5.5
N.W./C Sellers Point Rd. & Towson Rd., : OF BALTIMORE COUNTY
12th District
HERBERT H. HILDESHEIM, et ux, :
Petitioners : Case No. R-79-3 (Item 1, Cycle IV)

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

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.

[Signature]
Peter Max Zimmerman
Deputy People's Counsel

[Signature]
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 15th day of May, 1979, a copy of the foregoing Order was mailed to Elizabeth S. Fitzell, c/o the Law Office of T. Bayard Williams, Esquire, 1301 Merritt Boulevard, Suite 202, Dundalk, Maryland 21222, guardian of the Petitioners; and William J. Quinn, 11207 Old Carriage Road, Glenann, Maryland 21057, Contract Purchaser.

[Signature]
John W. Hession, III

LAW OFFICES
EVANS & GEORGE
SUITE 507
ALEX BROWN & SONS BUILDING
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

March 8, 1979

Baltimore County Board of Appeals
County Office Building
Towson, Maryland 21204

RE: Case No. R-79-190 (Item 1, Cycle IV)

Gentlemen:

Please strike my appearance as attorney for the Petitioner in the above entitled matter. Kindly direct all further correspondence to Elizabeth S. Fitzell, care of the Law Office of T. Bayard Williams, Esq., 1301 Merritt Boulevard, Suite 202, Dundalk, Maryland 21222, guardian of the Petitioners, and William J. Quinn, contract purchaser from them.

Very truly yours,

EVANS & GEORGE

[Signature]
L. Robert Evans

LRE/bd

cc: John W. Hession, III

Rec'd 3/12/79
10:40 AM

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

000
Nicholas B. Commodari
Chairman

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

December 18, 1978

Robert Evans, Esquire
Suite 507, 102 W. Pennsylvania Ave.
Towson, Maryland 21204

RE: Item No. 1
Petitioner - Hildesheim
Reclassification Petition

Dear Mr. Evans:

Please be advised that the acceptance certificate for the above petition, dated January 30, 1979, was incorrect. Enclosed is verification that the correct date of acceptance was December 14, 1978. This should replace the previous certificate.

Very truly yours,

[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

enclosure

cc: McKee, DuVal & Associates, Inc.
1717 York Road
Lutherville, Maryland 21093

ITEM NO. 1

PROPERTY OWNER: Herbert Hildesheim
LOCATION: N.W. corner of Sellers Point & Towson Rds.
ELECTION DISTRICT: 12
COUNCILMANIC DISTRICT: 7

ACREAGE: 1.5

GEOGRAPHICAL GROUP: None

FUNCTIONAL CATEGORY: None

RECOMMENDED DATE OF HEARING: Spring, 1979

ZONING PRIOR TO ADOPTION OF 1976 COMPREHENSIVE ZONING MAP: D.R. 16
EXISTING ZONING: D.R. 16
REQUESTED ZONING: D.R. 5.5

PLANNING BOARD RECOMMENDATION: D.R. 5.5

This partially wooded parcel of land, containing a fire damaged large frame house, is located at the convergence of Towson Avenue and Harrison and Van Buren Roads with Sellers Point Road. With the exception of a vacant D.R. 16 zoned tract to the north, all of the surrounding properties contain well-maintained, single-family dwellings on land zoned D.R. 5.5. The petitioner is requesting a change from D.R. 16 to D.R. 5.5 zoning, proposing to construct single-family dwellings.

Prior to the adoption of the 1976 Comprehensive Zoning Map, the subject property was zoned D.R. 16. The zoning of this site was not identified as an issue before either the Planning Board or County Council during the preparation and processing of this map; the County Council adopted D.R. 16 zoning here.

In reviewing the subject petition, it is apparent that because of the limited size of the tract and its irregular shape, the setback requirements in the D.R. 16 zoning classification would severely restrict the development potential of the property. Further, the construction of single-family dwellings at a maximum density of 5-1/2 dwelling units per acre would certainly be in character with the existing development in the immediate area.

It is therefore recommended that the petitioner's request for D.R. 5.5 zoning be granted.

[Signature]
P.C. - 1



ITEM NO. 2

PROPERTY OWNER: Jacob and Esther Caplan
LOCATION: N.W. of Gunpowder Road; 2,000' S.W. of Oliver Beach Road
ELECTION DISTRICT: 15
COUNCILMANIC DISTRICT: 5

ACREAGE: 2.4

GEOGRAPHICAL GROUP: None

FUNCTIONAL CATEGORY: None

RECOMMENDED DATE OF HEARING: Spring, 1979

ZONING PRIOR TO ADOPTION OF 1976 COMPREHENSIVE ZONING MAP: R.D.P.
EXISTING ZONING: R.C. 5
REQUESTED ZONING: D.R. 5.5

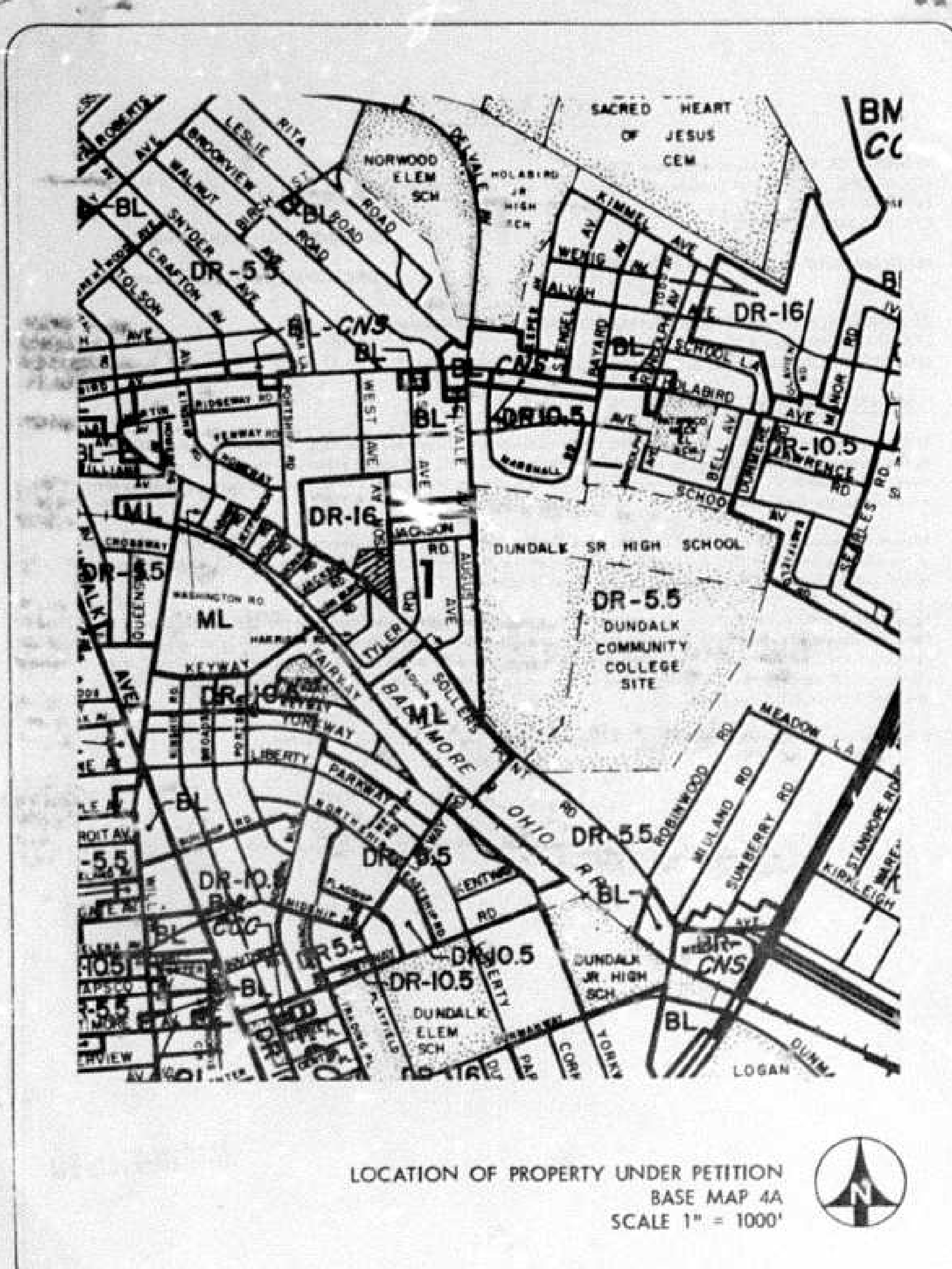
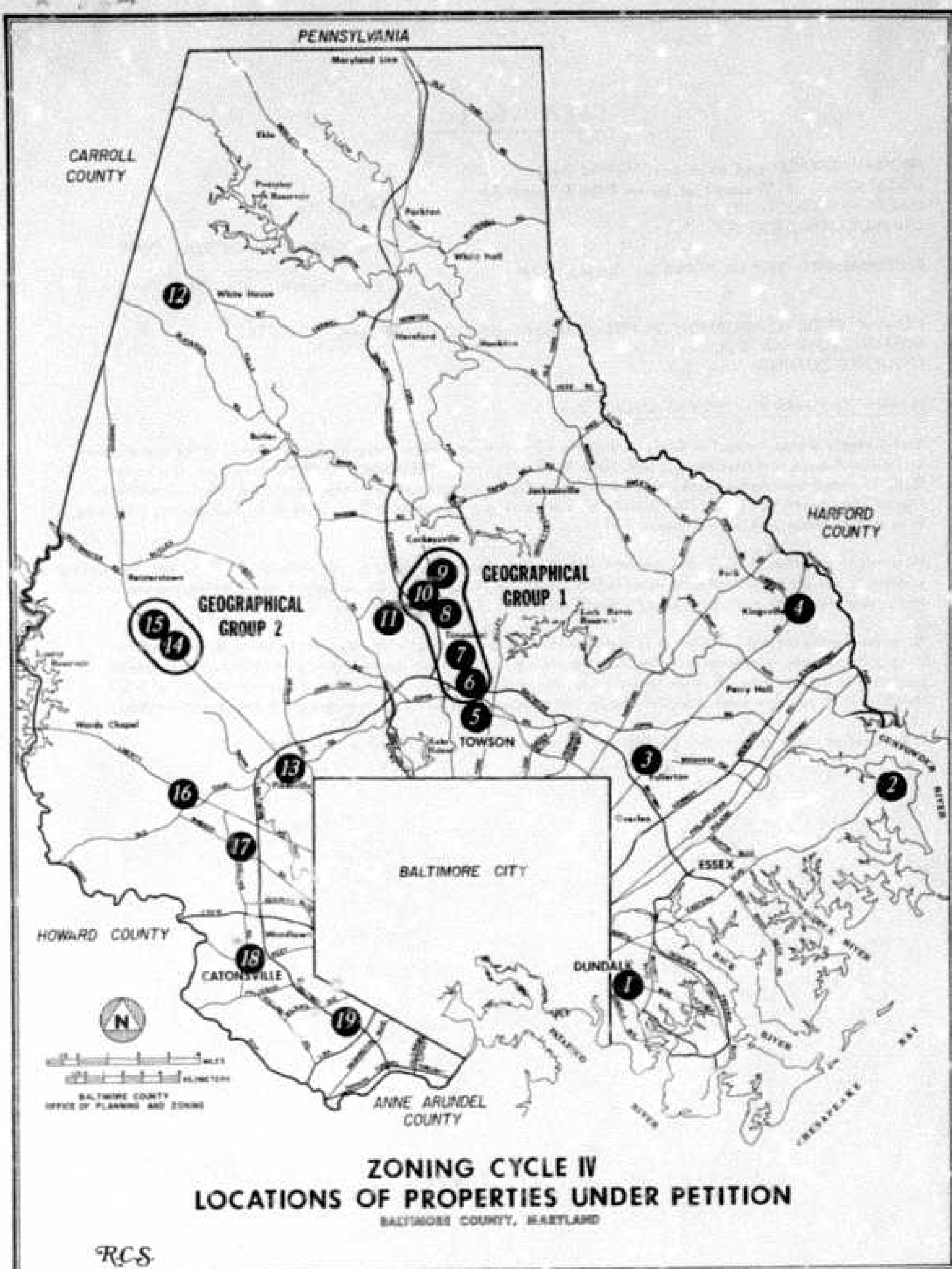
PLANNING BOARD RECOMMENDATION: D.R. 5.5

This vacant parcel of land is located in the Groves Quarters - Oliver Beach area of Baltimore County, adjacent to the Gunpowder State Park. The property is surrounded by D.R. 5.5 zoned privately-owned land and the state park zoned R.C. 5. The petitioner is requesting a change from R.C. 5 to D.R. 5.5 zoning, proposing to construct single-family dwellings.

Prior to the adoption of the 1976 Comprehensive Zoning Map, the subject property was zoned R.D.P. The zoning of the site was not identified as an issue before either the Planning Board or the County Council during the preparation and processing of this map; the County Council adopted R.C. 5 zoning here.

In reviewing the subject petition, it is apparent that in delineating the boundaries of the Gunpowder State Park, the Planning staff inadvertently included the subject tract within its boundaries. This parcel is actually a subdivision of the Caplan Property that is currently being processed for development as the "Cunninghill Cove" subdivision. All necessary public utilities will be available to the site and access to the subject parcel will be via proposed Cunningham Cove Road.

It is therefore recommended that the petitioner's request for D.R. 5.5 zoning be granted.



72-464
Marty

LAW OFFICES
EVANS & GEORGE
SUITE 507
ALEX BROWN & SONS BUILDING
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

December 26, 1978

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

RE: Petitioner - Hildesheim
Reclassification Petition
Item No. 1

Dear Mr. DiNenna:

I originally signed the Petition for Reclassification in the above entitled matter. My client has requested that I take no further action in his regard in this matter.

Would you please have your records amended to show that I will not now be representing the Petitioner who will pursue this reclassification on his own.

Very truly yours,
EVANS & GEORGE
L. Robert Evans

LRE/bd

DEC 27 78 AM
ZONING DEPARTMENT

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE

PETITION AND SITE PLAN

EVALUATION COMMENTS

Robert Evans, Esquire
Suite 507, 102 W. Pennsylvania Ave.
Towson, Maryland 21204

cc: McKee, DuVal & Associates, Inc.
17 York Road
Lutherville, Maryland 21093

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing as of the
30th day of January 1979.

S. Eric DiNenna
S. ERIC DI NENNA
Zoning Commissioner

Petitioner: Hildesheim
Petitioner's Attorney: Robert Evans
Reviewed by: Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

cc: Nicholas B. Commodari
Chairman

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

October 31, 1978

Robert Evans, Esquire
Suite 507, 102 W. Pennsylvania Ave.
Towson, Maryland 21204

RE: Item No. 1
Petitioner - Hildesheim
Reclassification Petition

Dear Mr. Evans:

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 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 triangular shaped property, currently zoned D.R. 16 and improved with an abandoned dwelling, which was the subject of a recent fire, is bounded on the east by Towson Avenue, on the west by Sollers Point Road and to the north by vacant land which is part of the Dunshire Garden Apartments in the 12th Election District. This latter property is zoned D.R. 16, while the individual dwellings which exist to the east and west of the subject site are zoned D.R. 5.5.

If this petition is granted, all applicable setback and area requirements for the proposed lots as set forth in Section 1801.2 C.4 of the Baltimore County Zoning Regulations, must be satisfied. Since some of the proposed dwellings appear to have problems with setbacks, in particular lots Nos. 5 and 6, revised site plans, indicating the area of each lot, the width of the lots at the front building line and the proposed building envelopes, must be submitted in order to determine if Variances should also be requested.

Hildesheim
Page 2
October 31, 1978

This petition for Reclassification will be 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 December 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 March 1, 1979 and April 15, 1979, will be forwarded to you well in advance.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

cc: McKee, DuVal & Associates, Inc.
1717 York Road
Lutherville, Maryland 21093

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211

LESLIE H. GRAEF
DIRECTOR

October 31, 1978

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

Dear Mr. DiNenna:

Comments on Item # 1, Zoning Cycle IV, October, 1978, are as follows:

Property Owner: Herbert H and Hilda Hildesheim
Location: NW/C Sollers Point Road and Towson Road
Existing Zoning: D.R. 16
Proposed Zoning: D.R. 5.5
Acres: 1.482
District: 12th

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.

There appears to be some site design problems which should be cleared up before the hearing is scheduled. The petitioner should contact Harry Grace, (494-3335) of this office for additional information as to site design problems.

The property is also subject to the Baltimore County Subdivision Regulations.

Very truly yours,

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

October 26, 1978

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

Re: Item #1 Cycle IV (Oct. 1978 - April 1979)
Property Owner: Herbert H. & Hilda Hildesheim
R/W cor. Sollers Point Rd. & Towson Ave.
Existing Zoning: D.R. 16
Proposed Zoning: D.R. 5.5
Acres: 1.482 District: 12th

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:

Towson Avenue and Sollers Point Road, existing public roads, are proposed to be improved in the future as 30 and 40-foot closed section roadways on 50 and 60-foot rights-of-way, respectively.

Highway rights-of-way widening, including a fillet area for sight distance at the Towson Avenue-Sollers Point Road intersection and any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

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 Drains:

Provisions 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 #1 Cycle IV (Oct. 1978 - April 1979)
Property Owner: Herbert H. & Hilda Hildesheim
Page 2
October 16, 1978

Water:

There is a public 10-inch water main in Sollers Point Road (Drawing #27-0707, File 3).

Sanitary Sewer:

There is 8-inch public sanitary sewerage in Van Buren Road (Drawing #40-0926, File 1), from which a public sanitary sewer extension is required to serve this property.

Very truly yours,

Ellsworth H. Diver, P.E.
ELLSWORTH H. DIVER, P.E.
Chief, Bureau of Engineering

END:RAN:RWR:as

cc: J. Trenner
J. Somers
S. Bellestri

F-52 Key Sheet
11 SS 18 & 19 Pce. Sheets
SR 3 E Topo
103 Tax Map

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

October 17, 1978

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

Dear Mr. DiNenna:

Comments on #1, Zoning Advisory Committee Meeting for Cycle IV, are as follows:

Property Owner: Herbert H. & Hilda Hildesheim
Location: NW/4 Sollers Point Rd. & Towson Rd.
Existing Zoning: D.R. 16
Proposed Zoning: D.R. 5.5
Acres: 1.482
District: 12th

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

Very truly yours,

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

END/JRP/12h

STEPHEN E. COLLINS
DIRECTOR

October 16, 1978

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

Item No. 1 - ZAC - Meeting for Cycle IV
Property Owner: Herbert H. & Hilda Hildesheim
Location: NW/4 Sollers Point Rd. & Towson Rd.
Existing Zoning: D.R. 16
Proposed Zoning: D.R. 5.5

Acres: 1.482
District: 12th

Dear Mr. DiNenna:

The proposed rezoning of this site from D.R. 16 to D.R. 5.5 will reduce the trip generation from this site.

Road improvements and sidewalks will be required with development of this site.

Very truly yours,

Michael S. Flanigan
MICHAEL S. FLANIGAN
Engineer Associate II

MSF/lms

October 16, 1978

October 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 #1, Zoning Advisory Committee Meeting, CYCLE IV are as follows:

Property Owner: Herbert H. & Hilda Hildesheim
Location: NW/4 Sollers Point Rd. & Towson Rd.
Existing Zoning: D.R. 16
Proposed Zoning: D.R. 5.5

Acres: 1.482
District: 12th

The items checked below are applicable.

- X. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, and other applicable codes.
- X. A building permit shall be required before construction can begin.
- X. Additional miscellaneous permits shall be required.
- X. Building shall be upgraded to new use - requires alteration permit.
- X. Three sets of construction drawings will be required to file an application for a building permit.
- X. 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.
- X. 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.
- X. Requested setback varies or conflicts with the Baltimore County Building Code. See Section _____.
- X. No comment.
- X. Comments:

Very truly yours,

Charles E. Burden
CHARLES E. BURDEN
Plans Review Chief

CEB:rcj

Section 320.0 Construction in Areas Subject to Flooding

Subsection 320.1 General Requirements. All buildings and structures hereafter erected or moved in Areas in Baltimore County, as designated by the Department of Public Works of Baltimore County and which are subject to inundation by tidal water, surface water or running streams shall have floor elevations and watertightness as set forth in this Code.

Subsection 320.2 Areas Subject to Inundation by Tidal Waters

a. Where buildings are built in areas subject to inundation by tidal waters, the first or main floor elevation shall not be lower than 10 feet above mean low tide. Such buildings shall be supported on piles, reinforced concrete piers, monolithic concrete foundations or other approved means of support.

b. Where basements or other floors are constructed below 10 feet above mean low tide, the enclosure walls and floor construction shall be of monolithic construction of concrete of sufficient strength and specifically designed for watertightness and hydrostatic pressure, as certified by a Professional Engineer registered in the State of Maryland. Such walls shall be made watertight by membrane waterproofing on the exterior face and the membrane protected by 1 inch minimum cement plaster coating. All floors below 10 feet above mean low tide shall be made watertight by membrane waterproofing on 3 inch minimum concrete floor slab base.

c. All areas for windows, doors, and other openings below 10 feet above mean low tide shall be made watertight as required for walls and floors as set forth in this Code.

d. All areas for windows, doors, and other openings below 10 feet above mean low tide shall be connected by service weight cast iron soil pipe to an adequate sump pump located in the basement and discharging to elevation not less than 10 feet above mean low tide; the said pump shall have a discharge capacity of not less than 15 gallons per minute.

e. Crawl spaces under floors of buildings or structures below 10 feet above mean low tide shall have enclosure walls conforming to the requirements of this Code except such enclosing walls may be of concrete masonry units set in mortar and shall be capable of withstanding the hydrostatic pressure. All openings to the crawl spaces, including access doors, shall be enclosed to an elevation of not less than 8 1/2 feet above mean low tide. The crawl space areas and enclosures shall be drained by cast iron soil pipe with a proper backwater valve, and shall discharge to the adjacent grade or into an approved drainage system.

Subsection 320.3 Areas Subject to Inundation by Surface Waters on Running Streams

a. The first or main floor elevation of buildings subject to inundation by surface water or streams shall be not less than 2 feet above the flood level as determined by the Department of Public Works of Baltimore County, or at such elevation as may be necessary to grade a lot to prevent flooding of the same. Construction shall be in conformity with the requirements set forth in this Code, titled "Areas Subject to Inundation by Tidal Waters."

b. All basement or other floors below the first or main floor shall be in conformity with the requirements set forth in this Code.

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 24, 1978

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

Z.A.C. Meeting of: Cycle IV

RE: Item No. 1
Property Owner: Herbert H. & Hilda Hildesheim
Location: NW/4 Sollers Point Rd. & Towson Rd.
Present Zoning: D.R. 16
Proposed Zoning: D.R. 5.5

District: 12th
No. Acres: 1.482

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours,

W. Nick Petrovich
W. NICK PETROVICH,
Field Representative

NNP/bp

JOSEPH N. MCGOWAN, PRESIDENT
Y. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BOTHAIRIS

THOMAS H. BUTER
MRS. LORRAINE F. CHURCH
ROGER B. HAYDEN

ALVIN LORECK
MRS. MILTON E. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

ROBERT V. DUBEL, SUPERINTENDENT

NOV 02 1978

[illegible]

TOWSON, MD. May 17 1979
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., ~~on each week~~
~~at one time~~ ~~successive weeks~~ before the 7th
day of June 1979, the ~~first~~ publication
appearing on the 17th day of May
1979.

THE JEFFERSONIAN,
L. Frank Smith
 Manager.
 Cost of Advertisement, \$.....

[illegible]

May 17, 1979

THIS IS TO CERTIFY, that the annexed advertisement of Walter Reiter Jr., ch. County Bd. Appeals in matter of petition of Herbert H. & Hilda Hildesheim was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, ~~once a week~~ **for** ~~on~~ **successive weeks** before the ~~18~~ **19** day of May, 19 ~~19~~ **79**; that is to say,

the same was inserted in the issues of
May 17, 1979.

Kimbel Publication, Inc.
Publisher.

By Fred L. Oake



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

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>RHE</u>			Revised Plans:				Change in outline or description		Yes	
Previous case: _____			Map # _____						No	

District: _____ Date of Posting: 5/12/79

Posted for: Yellow for Gelatinization

Petitioner: Robert H. Williams, Jr. Esq.

Location of property: on corner of 1st St. & 1st Ave. N.E.

Location of Signs: on corner of 1st St. & 1st Ave. N.E.

Remarks: _____

Posted by: _____ Date of return: 5/25

Signature

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

No. 78664

DATE May 16, 1979 ACCOUNT 01-662

AMOUNT 350.00

RECEIVED FROM Quinn Construction Co.

FOR Filing Fee for Case No. B-79-3

833 TRIP 10 F0004

VALIDATION FOR SIGNATURE OF CASHIER

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

No. 78706

DATE June 5, 1978 AMOUNT 01-662

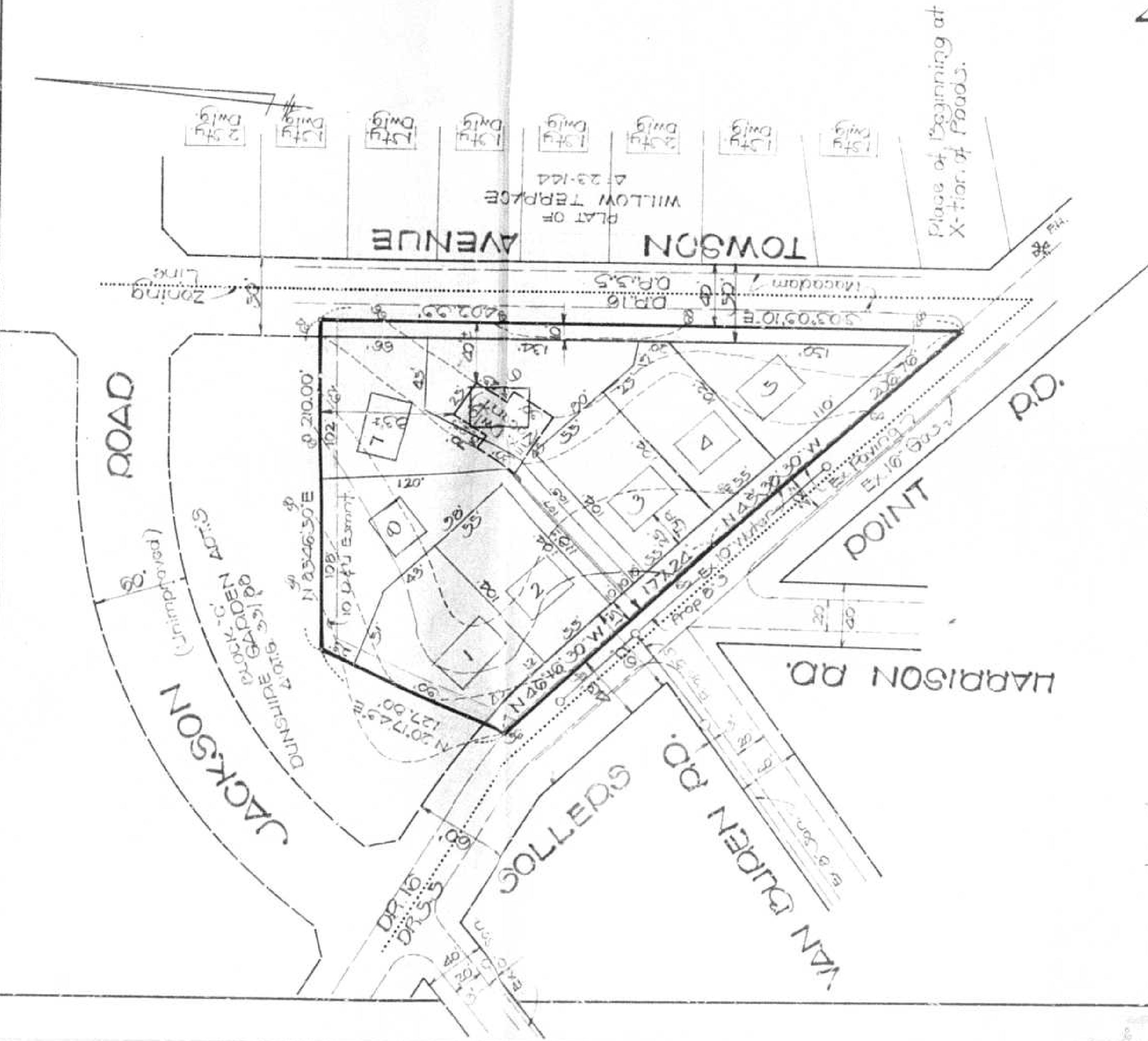
AMOUNT \$294.34

RECEIVED FROM Mrs. Eldred B. Fitzell

FOR Cost of Advertising and Posting for Case No. R-9-1
Herbert H. Hiltzheim

2046 FEB 5 20434

VALIDATING SIGNATURE OF CASHIER



LOCATION MAP: Scale: 1"=500'

DENSITY NOTES:

1. Total Area of Property: 1.482 Ac.±
 2. Existing Zoning: DR 16
 3. Proposed Zoning: DR 5.5
 4. No. of Units Allowed (1482.55): 8 Units
 5. No. of Units Proposed: 8 Sing. Family Dwlg's.
 6. No. of Parking Spaces Req'd (27.14): 16 Spaces
 7. No. of Parking Spaces Prop'd: 16 (2 per Dwlg. Unit)
 8. Local Open Space Req'd: 0.05 Ac.±
- Note:
Since Local Open Space Req'd. does not meet requirements for maintenance by Caltra Co., a waiver will be applied for.

Zoning Petition:

To downgrade Existing Zoning of Property shown hereon from DR 16 to DR 5.5.

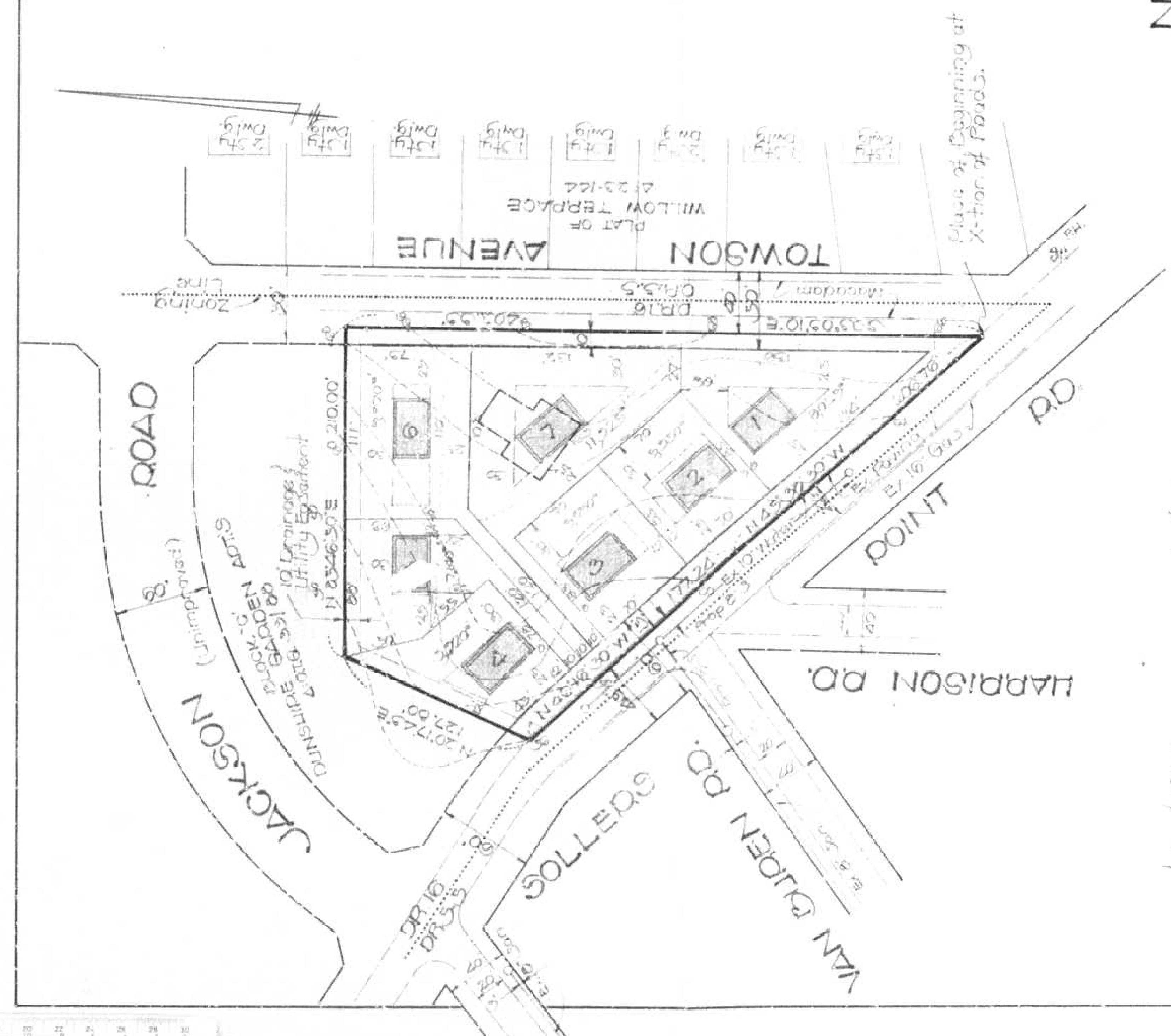
PLAT TO ACCOMPANY PETITION FOR ZONING RECLASSIFICATION AT PROPERTY LOCATED AT N.W. CORNER OF TOWSON AVE. & SOLLERS POINT ROAD

12th Election District
Scale: 1"=50'
Baltimore County, Md.
September 28, 1978



McKEE, DUVAL & ASSOCIATES, INC.
Civil Engineers & Land Surveyors
1717 York Rd. - Lan Lea Bldg. - Lutherville, Md. 21093
Job No. 78-25 Scale: 1"=50' Engr: DMD, Dwn: MJLB, Sheet No. 1 of 1
Date: 9-28-78 Des: MJLB, Chk: JWM.

J.W. McKee
James W. McKee
Date: 9/28/78



LOCATION MAP: Scale: 1"=500'

DENSITY NOTES:

1. Total Area of Property: 1.482 Ac.±
 2. Existing Zoning: DR 16
 3. Proposed Zoning: DR 5.5
 4. No. of Units Allowed (1482.55): 8 Units
 5. No. of Units Proposed: 7 Sing. Family Dwlg's.
 6. No. of Parking Spaces Req'd (27.14): 16 Spaces
 7. No. of Parking Spaces Prop'd: 14 (2 per Dwlg. Unit)
 8. Local Open Space Req'd: 0.05 Ac.±
- Note:
Since Local Open Space Req'd. does not meet requirements for maintenance by Caltra Co., a waiver will be applied for.

Zoning Petition:

To downgrade Existing Zoning of Property shown hereon from DR 16 to DR 5.5.

PLAT TO ACCOMPANY PETITION FOR ZONING RECLASSIFICATION AT PROPERTY LOCATED AT N.W. CORNER OF TOWSON AVE. & SOLLERS POINT ROAD

12th Election District
Scale: 1"=50'
Baltimore County, Md.
September 28, 1978
Date: December 12, 1978



McKEE, DUVAL & ASSOCIATES, INC.
Civil Engineers & Land Surveyors
1717 York Rd. - Lan Lea Bldg. - Lutherville, Md. 21093
Job No. 78-25 Scale: 1"=50' Engr: DMD, Dwn: MJLB, Sheet No. 1 of 1
Date: 9-28-78 Des: MJLB, Chk: JWM.

J.W. McKee
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