

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, JAMES E. WHITCOMB, et ux, 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-5.5-BM zone to an DR-5.5-BM zone; for the following reasons:

our property was erroneously zoned DR-5.5 and BM and new commercial uses have been established surrounding our property.

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for Contractor's Equipment Storage Yard.

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 James E. Whitcomb, et ux
 Address 2112 Pine Avenue
 Address 206 E. 25th Street (21213)

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of December, 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 13th day of December, 1979, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR RECLASSIFICATION :
 from D.R. 5.5 and B.M. to a D.R. 5.5 :
 and B.R., and :
 PETITION FOR SPECIAL EXCEPTION :
 for a Contractor's Equipment Storage Yard :
 134 feet northwest Pine Avenue, 488 feet :
 northeast Windsor Mill Rd., :
 2nd District :
 James Whitcomb, et ux, :
 Petitioners :

BEFORE THE :
 COUNTY BOARD OF APPEALS :
 OF :
 BALTIMORE COUNTY :
 No. R-79-17-X :

OPINION

This request for a zoning reclassification comes before this Board from a petition by the property owners, James E. Whitcomb, et ux. The property is located 134 feet northwest of Pine Avenue, 488 feet northeast of Windsor Mill Road, in the Second Election District.

From testimony and exhibits offered at the hearing, the following facts are evidenced. The property in question is roughly rectangular in shape, averaging 160 feet in width and 300 feet in depth. There exists on the northwest corner of this property, an area of B.M. zoning approximately 48 feet in width and 170 feet in depth. The existing dwelling on the property lies partially within this B.M. zoning. The balance of the parcel is zoned D.R. 5.5. The request before this Board is to divide the property into two zoning classifications; the rear portion from B.M. and D.R. 5.5 to B.R. with a Special Exception for a contractor's equipment storage yard, and the front portion facing Pine Avenue, from B.M. and D.R. 5.5 to all D.R. 5.5.

Testimony from Petitioners cited the many commercial uses already virtually surrounding the subject parcel, actually abutting it on the west and south property lines. It should, however, be noted that none of these businesses have access to Pine Avenue. The Petitioner stated he needs the requested zoning in order to continue his landscaping business and enumerated the number of trucks and other vehicles that would be used in this business. He proffered that since part of this parcel was zoned B.M. and an existing commercial use on the south and west side was already in existence, the Council erred on the maps in not designating the entire subject parcel to a business classification.

James Whitcomb, et ux
 No. R-79-17-X

2.

Testimony in opposition to this petition was received from Mr. James Hoswell, Baltimore County Planner, who testified that any commercial use along Pine Avenue would be strictly out of character with the surrounding neighborhood. He stated, however, that the .04 acres of B.M. zoning upon which part of the existing residence lies is, in fact, in error and should be corrected. Mr. Michael Flanigan, Baltimore County Traffic Engineer, then testified as to the physical condition of Pine Avenue and its non-appropriate use as a commercial street. Pine Avenue is only 14 feet wide, has no curbs, gutters or paved shoulders and is a dead-end street serving only residential uses. He stated for these reasons alone, any proposed commercial use on this street to be impractical both from the potential increase in use and the potential size of vehicles generated by the proposed use. Neighborhood testimony indicated many problems caused by the present commercial use of the property. They noted that the trucks associated with this use now turn around on private property, block the street because of its narrow width, and generally create a nuisance. They also objected to the noise generated by chain saws, log splitters, etc., connected with this business. Fear was also expressed that commercial use as proposed would devalue all residences in the proximity of the subject site.

After careful consideration of all testimony and evidence offered and close scrutiny of all exhibits, the Board is of the opinion that any commercial use requiring access to Pine Avenue would not be proper and will so affirm the existing zoning. Pine Avenue actually seems to be the barest minimum access for strictly residential use. The Board is of the opinion that if any error was made by the Council, it was in not designating the entire parcel D.R. 5.5 rather than commercial. The Board will, however, grant the requested reclassification of the .04 acre portion from B.M. to D.R. 5.5, so that the residents will enjoy its proper residential classification.

For the reasons stated in the above Opinion, the Board will deny the requested reclassification of the .53 acres from B.M. and D.R. 5.5 to B.R. classification. Since a

BRIEF

The subject property is located at 2112 Pine Avenue, Baltimore County, Maryland. The Petitioners seek a change in zoning classification from DR-5.5 and BM to DR-5.5 and BR.

The property is presently zoned DR-5.5 and BM. Since the adoption of the property zoning classification many changes have occurred immediately adjacent to the subject property; new commercial uses have been established.

The Petitioners' property as presently zoned has placed their residence in both DR-5.5 and BM zone. The remaining portions of your Petitioners' property are located partially in DR-5.5 and partially in BM zoning; it certainly appears that original error was made when the county adopted the new zoning classification.

In accordance with the above your Petitioners herein are requesting that this property be rezoned so as to place the residence of your Petitioners completely in DR-5.5 and to put that portion of your Petitioners' property as set forth in the various Plats which are part of this case in BR zoning so as to allow your Petitioners use of the property; to do otherwise, will be to deny them the reasonable use of the property. Clayman vs. Prince Georges County 266 Md. 409, 241 A.2d 121 vs. John Corporation 242 Md. 216.

James Whitcomb, et ux
 No. R-79-17-X

3.

Contractor's storage yard is not permitted even by a Special Exception under the existing classification, this request becomes moot. The Board will, as stated above, order the reclassification of the .04 acre parcel from B.M. to D.R. 5.5.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 6th day of December, 1979, by the County Board of Appeals, ORDERED that the reclassification from B.M. and D.R. 5.5 to B.R. petitioned for on the .53 acre parcel be and the same is hereby DENIED, and it is

FURTHER ORDERED, that the Special Exception for contractor's equipment storage yard petitioned for is moot as it is not a permitted use, even by Special Exception, under the existing classification, and it is

FURTHER ORDERED, that the reclassification from B.M. to D.R. 5.5 petitioned for on the .04 acre parcel 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

William T. Hockett
 William T. Hockett, Acting Chairman
LeRoy B. Spurrier
 LeRoy B. Spurrier
Patricia Millhouse
 Patricia Millhouse

EVANS, HAGAN & HOLDEFER, INC.

SURVEYORS AND CIVIL ENGINEERS
 8013 BELAIR ROAD / BALTIMORE, MD. 21236 (301) 668-1501
 539 POPLAR STREET / CAMBRIDGE, MD. 21613 (301) 279-2356
 111 JOHN STREET / WESTMINSTER, MD. 21157 (301) 848-1790
 11 S. WASHINGTON STREET / EASTON, MD. 21601 (301) 932-6433

October 13, 1978

DESCRIPTION OF PORTION OF #2112 PINE AVENUE AND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at the end of the 2nd of the 2 following courses and distances, measured from the point formed by the intersection of the centerline of Pine Avenue and the centerline of Windsor Mill Road, (1) North 55 degrees 30 minutes East 348 feet and thence (2) North 51 degrees 25 minutes West 139 feet, more or less, thence leaving said place of beginning and running the 4 following courses and distances, viz: (1) North 55 degrees 30 minutes East 48 feet, more or less, thence (2) South 54 degrees 30 minutes East 39 feet, more or less, thence (3) South 55 degrees 30 minutes West 50 feet, more or less, thence (4) North 51 degrees 25 minutes West 38 feet, more or less, to the place of beginning.

Containing 0.53 acres of land, more or less.

The above description has been prepared for zoning purposes only and is not intended to be used for conveyance.



EVANS, HAGAN & HOLDEFER, INC.

SURVEYORS AND CIVIL ENGINEERS
 8013 BELAIR ROAD / BALTIMORE, MD. 21236 (301) 668-1501
 539 POPLAR STREET / CAMBRIDGE, MD. 21613 (301) 279-2356
 111 JOHN STREET / WESTMINSTER, MD. 21157 (301) 848-1790
 11 S. WASHINGTON STREET / EASTON, MD. 21601 (301) 932-6433

October 23, 1978

DESCRIPTION OF PORTION OF #2112 PINE AVENUE 2ND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at the end of the 2nd of the 2 following courses and distances, measured from the point formed by the intersection of the Northwest side of Pine Avenue and the centerline of Windsor Mill Road (1) North 55 degrees 30 minutes East 348 feet and thence (2) North 51 degrees 25 minutes West 139 feet, more or less, thence leaving said place of beginning and running the 4 following courses and distances, viz: (1) North 55 degrees 30 minutes East 48 feet, more or less, thence (2) South 54 degrees 30 minutes East 39 feet, more or less, thence (3) South 55 degrees 30 minutes West 50 feet, more or less, thence (4) North 51 degrees 25 minutes West 38 feet, more or less, to the place of beginning.

Containing 0.04 acres of land, more or less.

This description has been prepared for zoning purposes only and is not intended to be used for conveyance.



OCT 24 78 PM



REVISED PLANS

L. ALAN EVANS, P.E., L.S.
 J. CARROLL HAGAN, L.S.
 GEORGE W. HOLDEFER, P.E.
 JURI MAISTE, L.S.

CAMBRIDGE and EASTON
 JESSE W. HOBLEY

WESTMINSTER
 RICHARD L. HALL, P.L.S.



494-3180

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

December 6, 1979

Barry M. Wasserman, Esq.
 306 E. 25th Street
 Baltimore, Maryland 21218

Dear Mr. Wasserman:

Re: Case No. R-79-17-X
 James Whitcomb, et ux

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,

June Holmen
 June Holmen, Secretary

Encl.

cc: Mr. & Mrs. James Whitcomb
 Mr. R. William Connolly, Jr.
 Ms. Marcia G. Connelly
 Ms. Patricia C. Restivo
 Mr. J. Dyer
 John W. Hession, III, Esq.
 Mr. William Hammond
 Mr. John Seyffert

Barry M. Wasserman, Esquire
306 East 25th Street
Baltimore, Maryland 21218

January 24, 1979

RE: Item No. 17
Petitioner - Whitcomb
Special Exception Petition

Dear Mr. Wasserman:

In accordance with our telephone conversation of January 22, 1979, you indicated that the above property was to be rezoned from D.R.S. 5 and B.M. Zones to a B.R. Zone, with a Special Exception for a contractor's equipment storage yard. This is clearly indicated on the Petition forms that you signed and filed with this office. However, the revised site plans and descriptions that were filed with this office on December 1, 1978, and the briefs explaining the reasons for the request, indicate a rezoning to B.R. and D.R.S. 5 Zones.

As per your instructions, we advertised only the rezoning to B.R. Since final advertising will be in the near future, this inconsistency must be cleared up immediately. For this reason, I am requesting a letter instructing this office on the correct procedure to follow.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

cc: Evans, Hagan & Holdefer, Inc.
8013 Belair Road
Baltimore, Maryland 21236

72-4008
BARRY M. WASSERMAN
ATTORNEY AT LAW

306 E. 25th Street, Baltimore, Maryland 21218
November 29, 1978

Baltimore County Office of Planning & Zoning
County Office Bldg.
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Item No. 17
Petitioner - Whitcomb
Reclassification and Special
Exception Petitions

Att: Mr. Nicholas B. Commodari,
Chairman

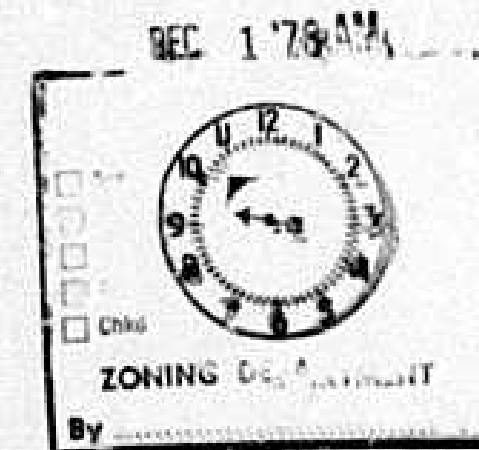
Dear Mr. Commodari:

In reply to your letter of 10/31/78, regarding a use-in common drive way with the service garage abutting the property which is the subject of the above rezoning please be advised that this is not feasible at this time.

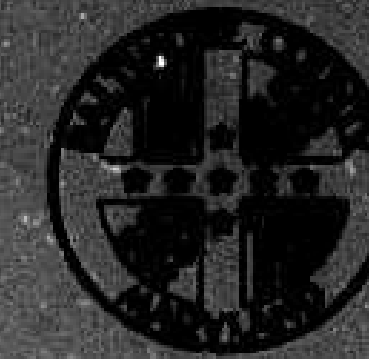
Yours very truly,

BARRY M. WASSERMAN

BW/dw



BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

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
this 14th day of December, 1978.

S. ERIC DINENNA
Zoning Commissioner

Petitioner: Whitcomb
Petitioner's Attorney: Wasserman

Barry M. Wasserman, Esquire
306 East 25th Street
Baltimore, Maryland 21218

Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

cc: Evans, Hagan & Holdefer, Inc.
8013 Belair Road
Baltimore, Maryland 21236

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

December 18, 1978

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

Barry M. Wasserman, Esquire
306 East 25th Street
Baltimore, Maryland 21218

RE: Item No. 17
Petitioner - Whitcomb
Reclassification and Special
Exception Petition

Dear Mr. Wasserman:

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,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

enclosure

cc: Evans, Hagan & Holdefer, Inc.
8013 Belair Road
Baltimore, Maryland 21236

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
Zoning Commissioner

Petitioner: Whitcomb
Petitioner's Attorney: Wasserman

Barry M. Wasserman, Esquire
306 East 25th Street
Baltimore, Maryland 21218

cc: Evans, Hagan & Holdefer, Inc.
8013 Belair Road
Baltimore, Maryland 21236

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

October 31, 1978

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

Barry M. Wasserman, Esquire
306 East 25th Street
Baltimore, Maryland 21218

RE: Item No. 17
Petitioner - Whitcomb
Reclassification and Special
Exception Petitions

Dear Mr. Wasserman:

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.

The subject of this petition is a parcel of ground to the rear of 2112 Pine Avenue, approximately 331 feet northeast of Windsor Mill Road in the 2nd Election District. This property, which abuts a service garage operation to the south and residentially improved properties on either side of Pine Avenue, was the subject of a previous zoning violation hearing (C-78-626) in which your clients were ordered to cease operation of a landscaping and tree removal business. At the time of field inspection, there was no evidence of said business and this combination Reclassification/Special Exception is now requested to conduct this use on the property.

The submitted site plan indicates that the access for this use will be from Pine Avenue via a proposed 25' right-of-way to the "B.M. zone". Since the proposed zoning is B.R., this should be corrected, as well as a commercial entrance, indicated on the revised plans. As discussed in our conversation, Mr. Dinenna

Whitcomb
Page 2
October 31, 1978

indicated that access in a residential zone would be allowed without rezoning. It is the feeling of this Committee that the possibility of a use-in common driveway with the service garage abutting this site from Windsor Mill Road should be explored. If this is not feasible, it should be addressed in a letter, that will be incorporated as part of this file.

In addition to the above, the site plan must be revised to indicate the type of equipment to be stored, parking arrangements, adjoining land ownership and uses, more effective screening, proposed right-of-way of Pine Avenue, and the correct title of the request.

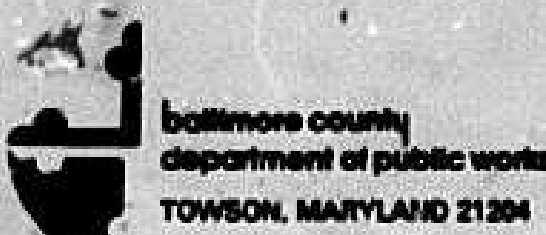
This petition will be accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to December 1, 1978 in order to allow time for final 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
Chairman
Zoning Plans Advisory Committee

NBC/sf

cc: Evans, Hagan & Holdefer, Inc.
8013 Belair Road
Baltimore, Maryland 21236



THORNTON M. MOURING, P.E.
DIRECTOR

November 3, 1978

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

Re: Item #17 Cycle IV (Oct. 1978-April 1979)
Property Owner: James & Roseanne Whitcomb
134' N/W Pine Ave. 488' N/E Windsor Mill Rd.
Existing Zoning: D.R. 5.5 & B.M.
Proposed Zoning: B.R. with a Special Exception for a contractor's equipment storage yard.
Acres: 0.53 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:

Pine Avenue, an existing public residential type road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required connection with any grading or building permit application.

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 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 #17 Cycle IV (Oct. 1978-April 1979)
Property Owner: James & Roseanne Whitcomb
Page 2
November 3, 1978

Water and Sanitary Sewer:

Public 8-inch water main and 8-inch sanitary sewerage exist in Pine Avenue.

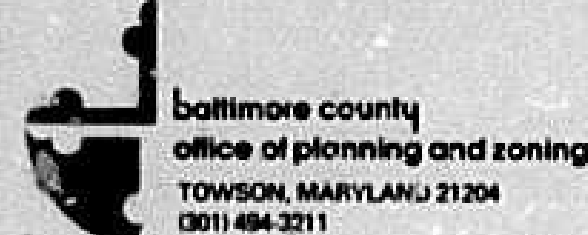
Very truly yours,

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

END:EAM:FWR:ss

cc: J. Somers

L-NE Key Sheet
16 & 17 NW 28 Pos. Sheets
NW 4 & 5 G Topo
87 Tax Map



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 #17, Zoning Cycle IV, October, 1978, are as follows:

Property Owner: James and Roseanne Whitcomb
Location: 134' NW Pine Avenue 488' NE Windsor Mill Road
Existing Zoning: D.R. 5.5 and B.M.
Proposed Zoning: B.R. with a Special Exception for a contractor's equipment storage yard
Acres: 0.53
District: 2nd

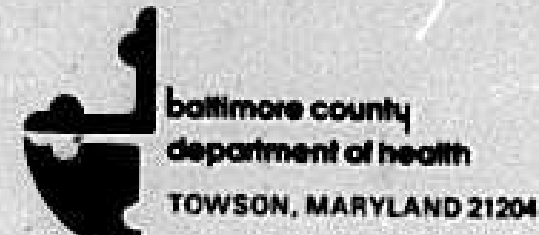
This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to develop ment plans that may have a bearing on this petition.

The site plan does not comply with the check list for filing a petition for a Reclassification.

Pine Avenue is not suitable for any commercial type use; therefore, if the petition is granted other access to the property must be found.

Very truly yours,

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



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

October 25, 1978

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

Dear Mr. DiNenna:

Comments on Item #17, Zoning Advisory Committee Meeting for Cycle IV, are as follows:

Property Owner: James & Roseanne Whitcomb
Location: 134' NW Pine Ave. 488' NE Windsor Mill Rd.
Existing Zoning: D.R. 5.5 & B.M.
Proposed Zoning: B.R. with a Special Exception for a contractor's equipment storage yard.
Acres: 0.53
District: 2nd

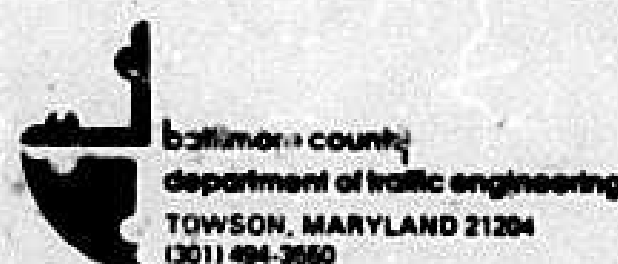
The parking area/s should be surfaced with a dustless, bonding material.

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

Very truly yours,

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

THD/JEP/fth



STEPHENE COLLINS
DIRECTOR

October 16, 1978

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

Item No. 17 - ZAC - Meeting for Cycle IV
Property Owner: James & Roseanne Whitcomb
Location: 134' NW Pine Ave. 488' NE Windsor Mill Rd.
Existing Zoning: D.R. 5.5 & B.M.
Proposed Zoning: B.R. with a Special Exception for a contractor's equipment storage yard.

Acres: 0.53
District: 2nd

Dear Mr. DiNenna:

The development of this site can be expected to generate approximately 100 trips per day with its existing zoning and 260 trips per day with the proposed zoning.

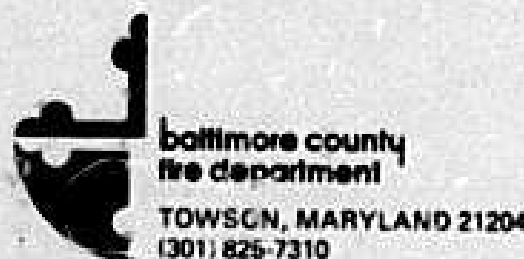
Any increase in traffic along Windsor Mill Road will compound the existing problems.

The proposed driveway to this site must be redesigned to meet county standards.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineer Associate II

KSP/hms



Paul H. Reincke
CHIEF

October 16, 1978

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: James & Roseanne Whitcomb

Location: 134' NW Pine Ave. 488' NE Windsor Mill Rd.

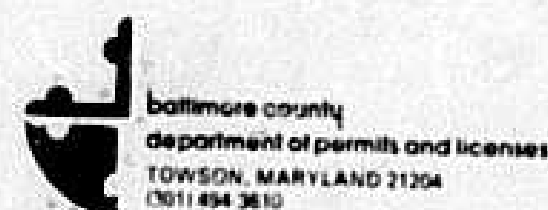
Item No. 17 Zoning Agenda Cycle IV

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 or _____ 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 _____ EXCEEDS 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.
- () 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.
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *George M. Haganoff* Noted and Approved:
Planning Group Special Inspection Division Fire Prevention Bureau



JOHN D. SEVERT
DIRECTOR

October 16, 1978

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

Dear Mr. DiNenna:

Comments on Item # 17 Zoning Advisory Committee Meeting, CYCLE IV are as follows:

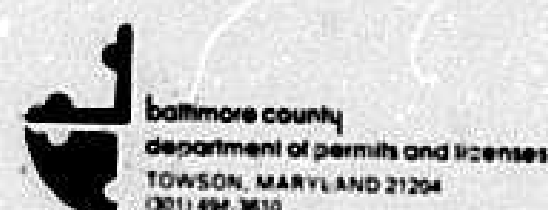
Property Owner: James & Roseanne Whitcomb
Location: 134' NW Pine Ave. - 488' NE Windsor Mill Road
Existing Zoning: D.R. 5.5 & B.M.
Proposed Zoning: B.R. with a Special Exception for a contractor's equipment storage yard.
Acres: 0.53
District: 2nd

The items checked below are applicable:

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

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief



JOHN D. SEVERT
DIRECTOR

November 28, 1978

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

Dear Mr. DiNenna: REVISED - CYCLE IV

Comments on Item # 17 Zoning Advisory Committee Meeting, are as follows:

Property Owner: James & Roseanne Whitcomb
Location: 134' NW Pine Ave - 488' NE Windsor Mill Road
Existing Zoning: D.R. 5.5 & B.M.
Proposed Zoning: B.R. with a Special Exception for a contractor's equipment storage yard.

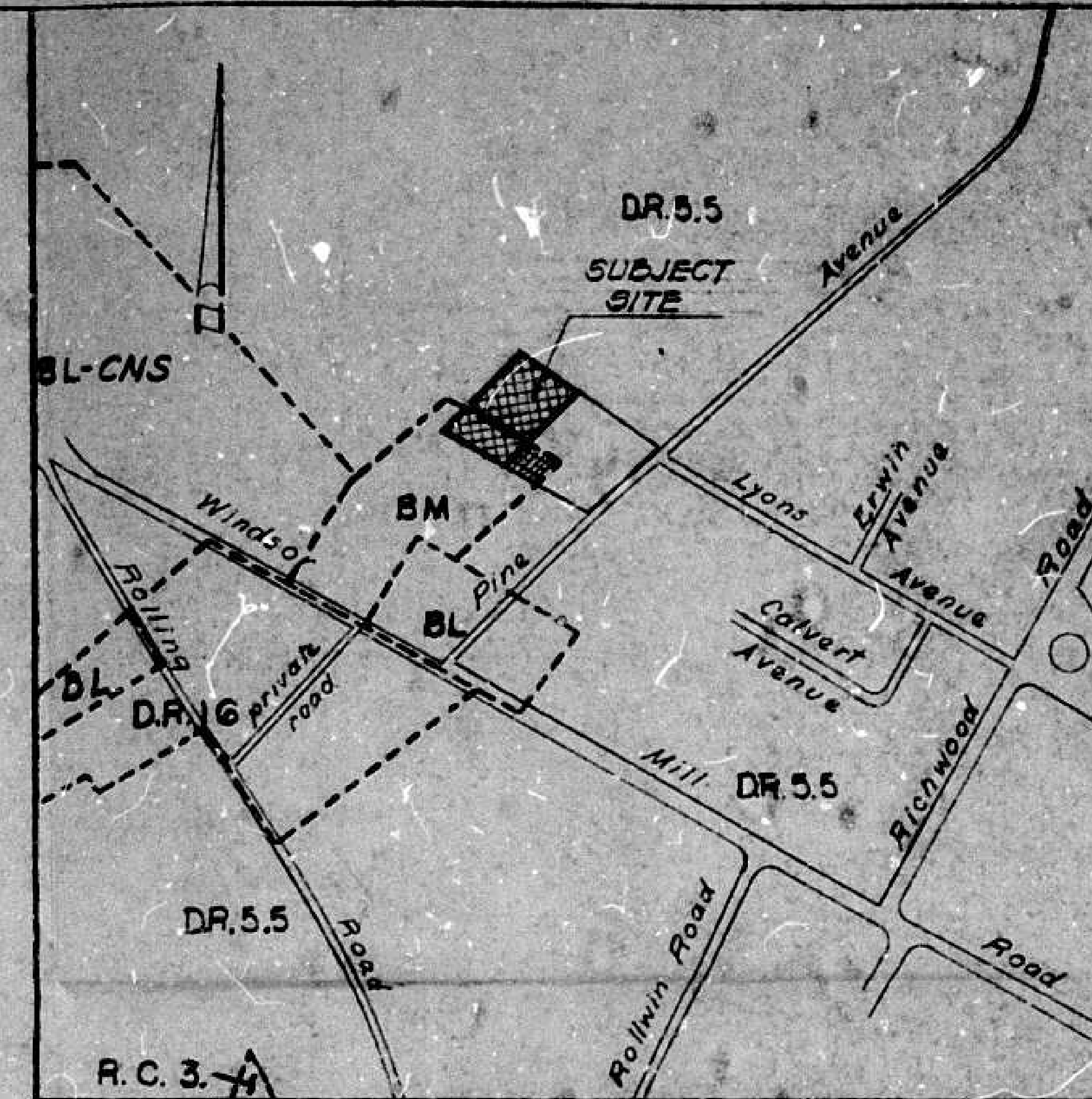
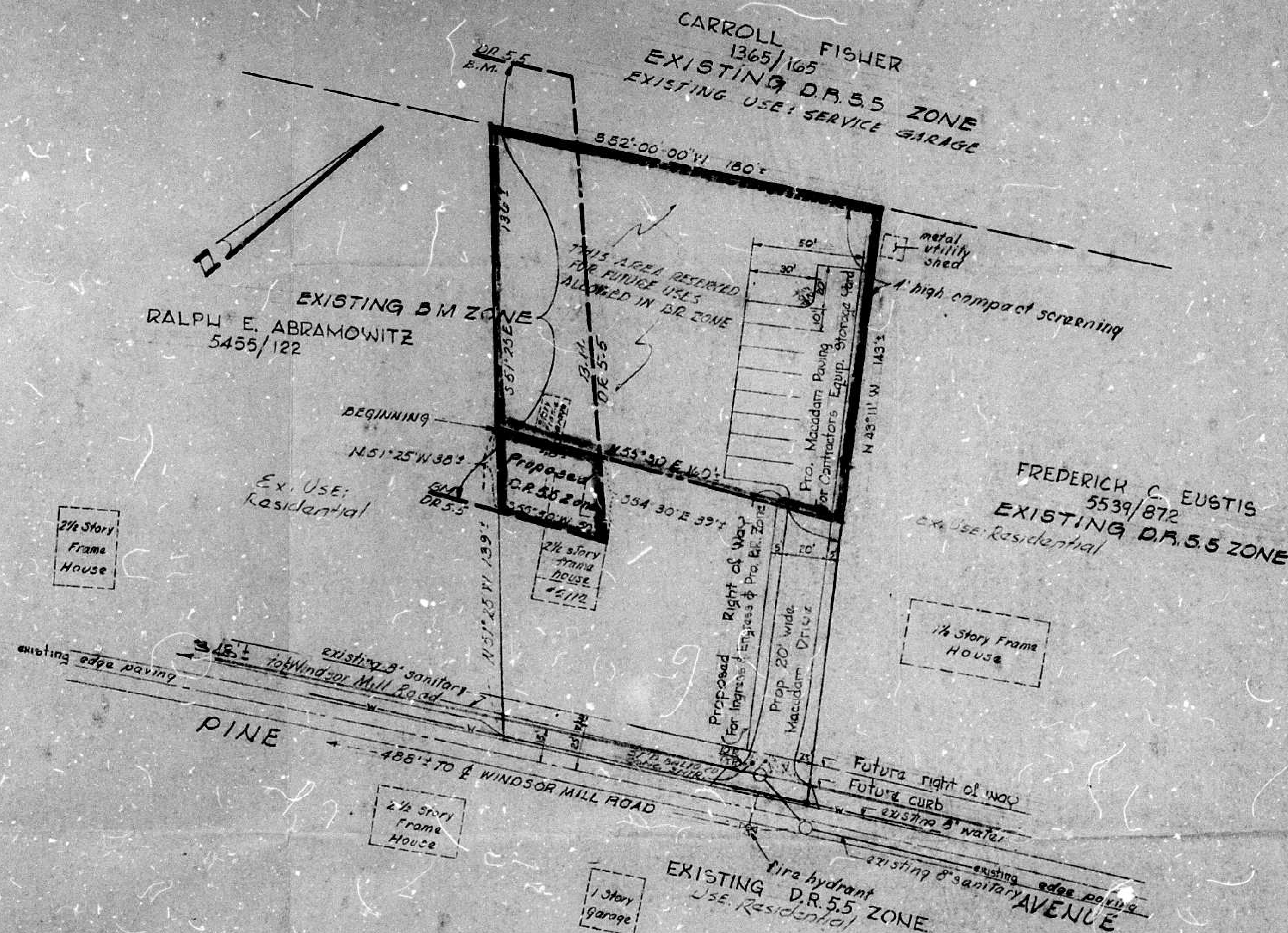
Acres: 0.53
District: 2nd

The items checked below are applicable:

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

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief



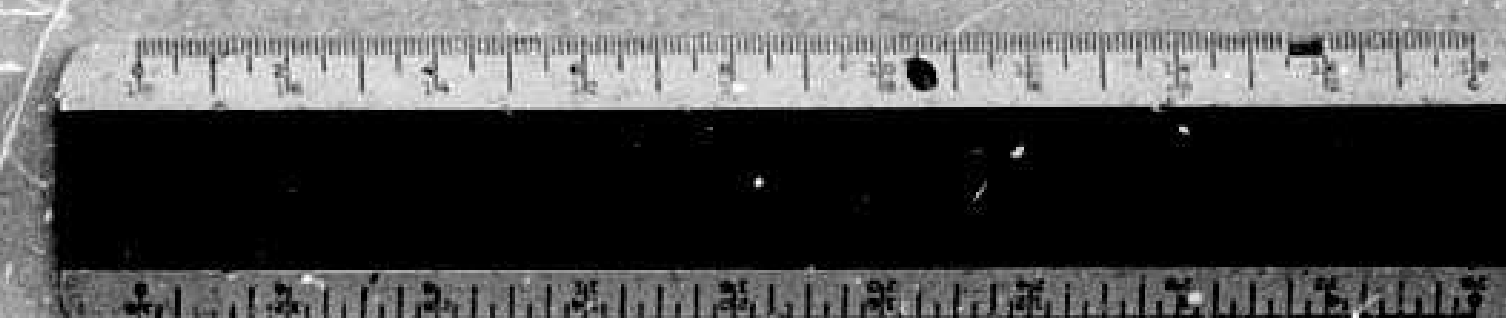
Location Map
1" = 200'

NOTES

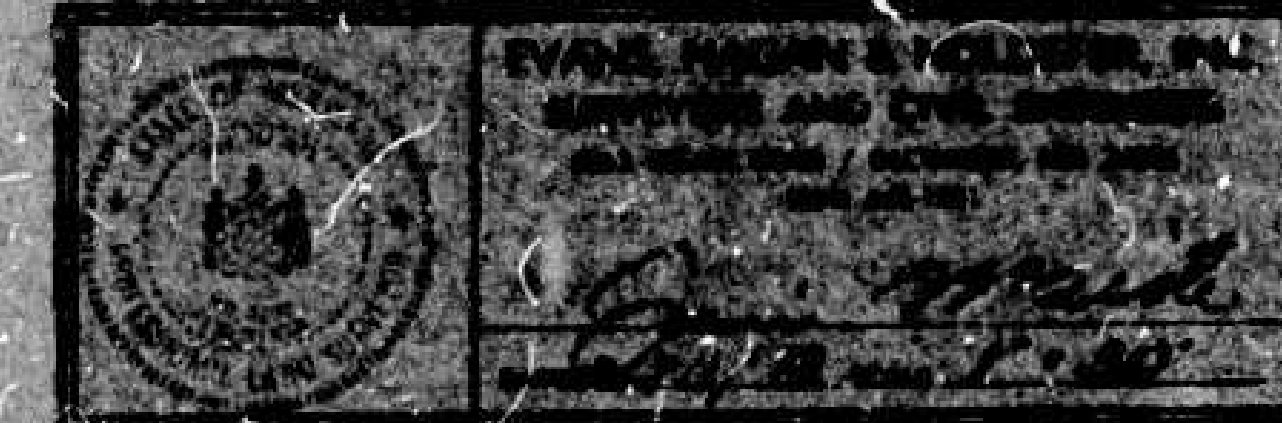
- Proposed B.R. Zone
- 1) Area of Parcel 0.53 Acres ±
 - 2) Present Zoning D.R.5.5 & B.M. 45 SHOWN
 - 3) Present Use Contractors Equipment Storage
 - 4) Proposed Zoning B.R.
 - 5) Proposed Use Contractors Equipment Storage and STORAGE OF TRUCKS, TRACTOR & FRONT END LOADER.
 - 6) PARKING PROVIDED: 8 SPACES - 10x30'

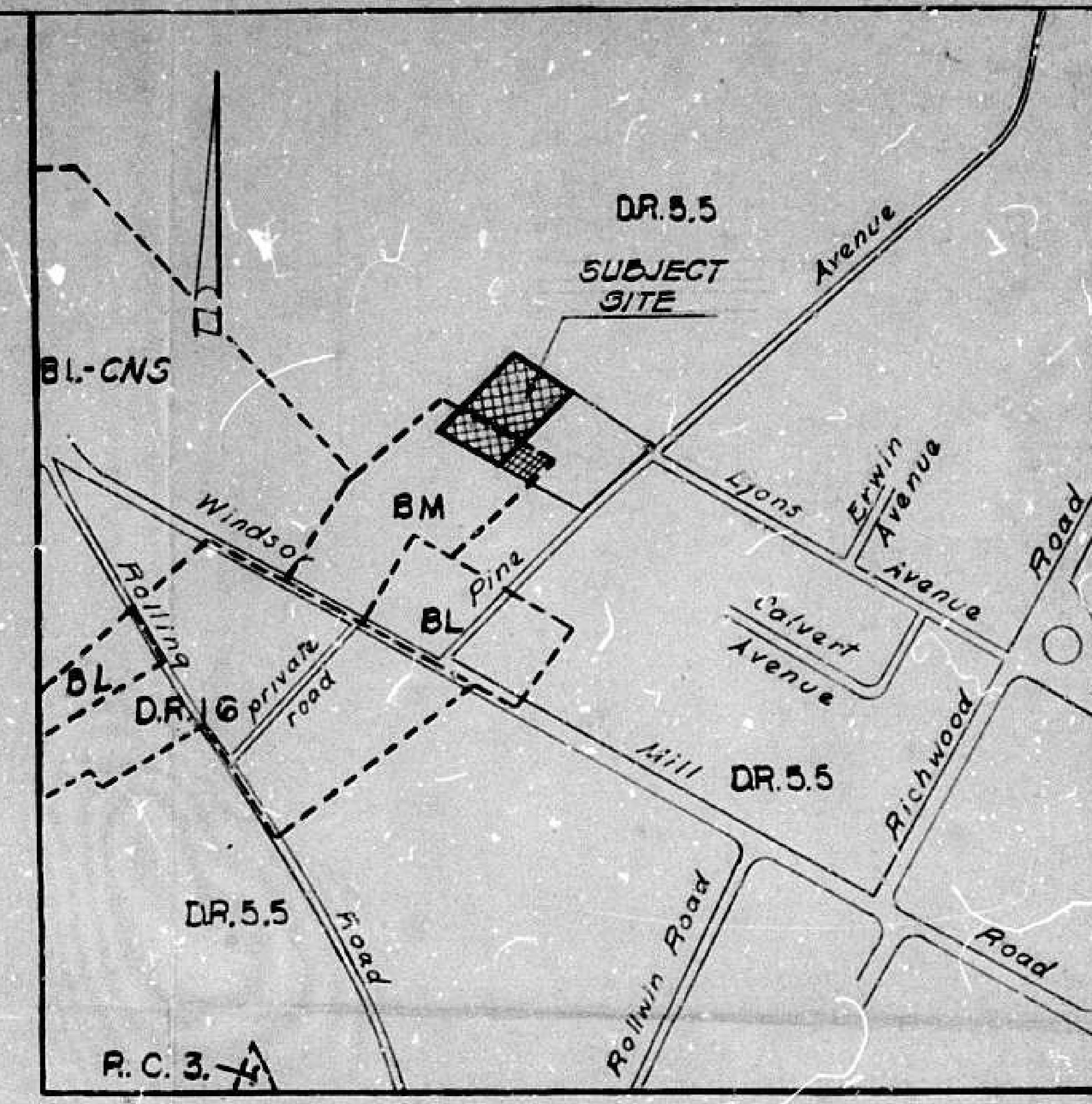
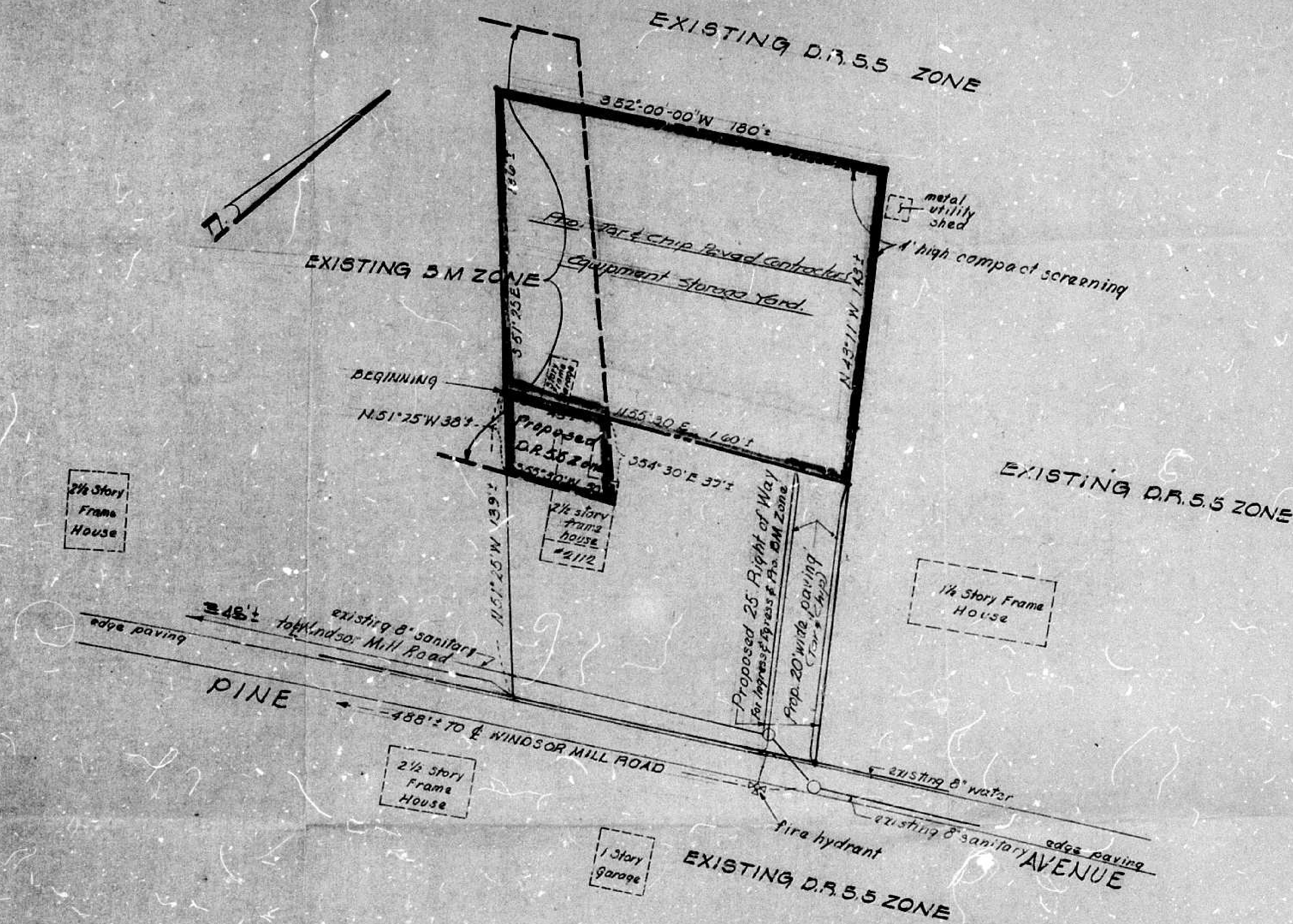
- Proposed D.R.5.5 Zone
- 1) Area of Parcel 0.04 Acres ±
 - 2) Present Zoning B.M.
 - 3) Present Use Residential
 - 4) Proposed Use 1-Family Residence

PLAT TO ACCOMPANY PETITION FOR
ZONING RECLASSIFICATION FROM DR.5.5 & B.M.
ZONE TO B.R. ZONE AND FROM B.M. ZONE TO DR.5.5 ZONE
Rear of #2112 PINE AVENUE
2ND DISTRICT BALTIMORE COUNTY, MD
FOR MRS ROSIANNA WHITCOMB - 2112 PINE AVENUE



Revised 11-29-78 PER ZAC COMMENTS OF MS
Revised 10-23-78 Added Bearings





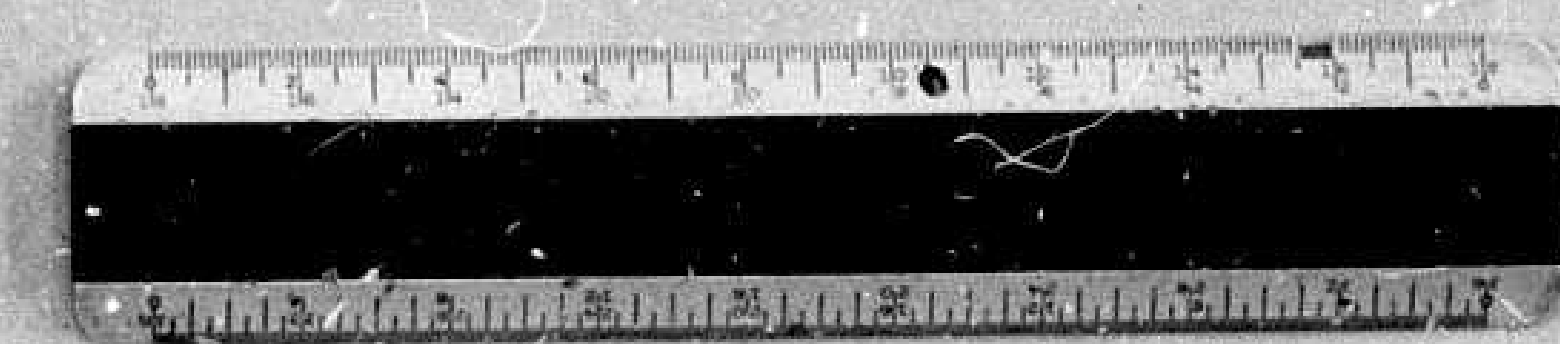
Location Map
1" = 200'



NOTES

Area of Parcel	0.53 Acres ±
Present Zoning	D.R. 5.5 & B.M. - AS SHOWN
Present Use	Contractors Equipment Storage
Proposed Zoning	B.F.
Proposed Use	Contractors Equipment Storage Yard

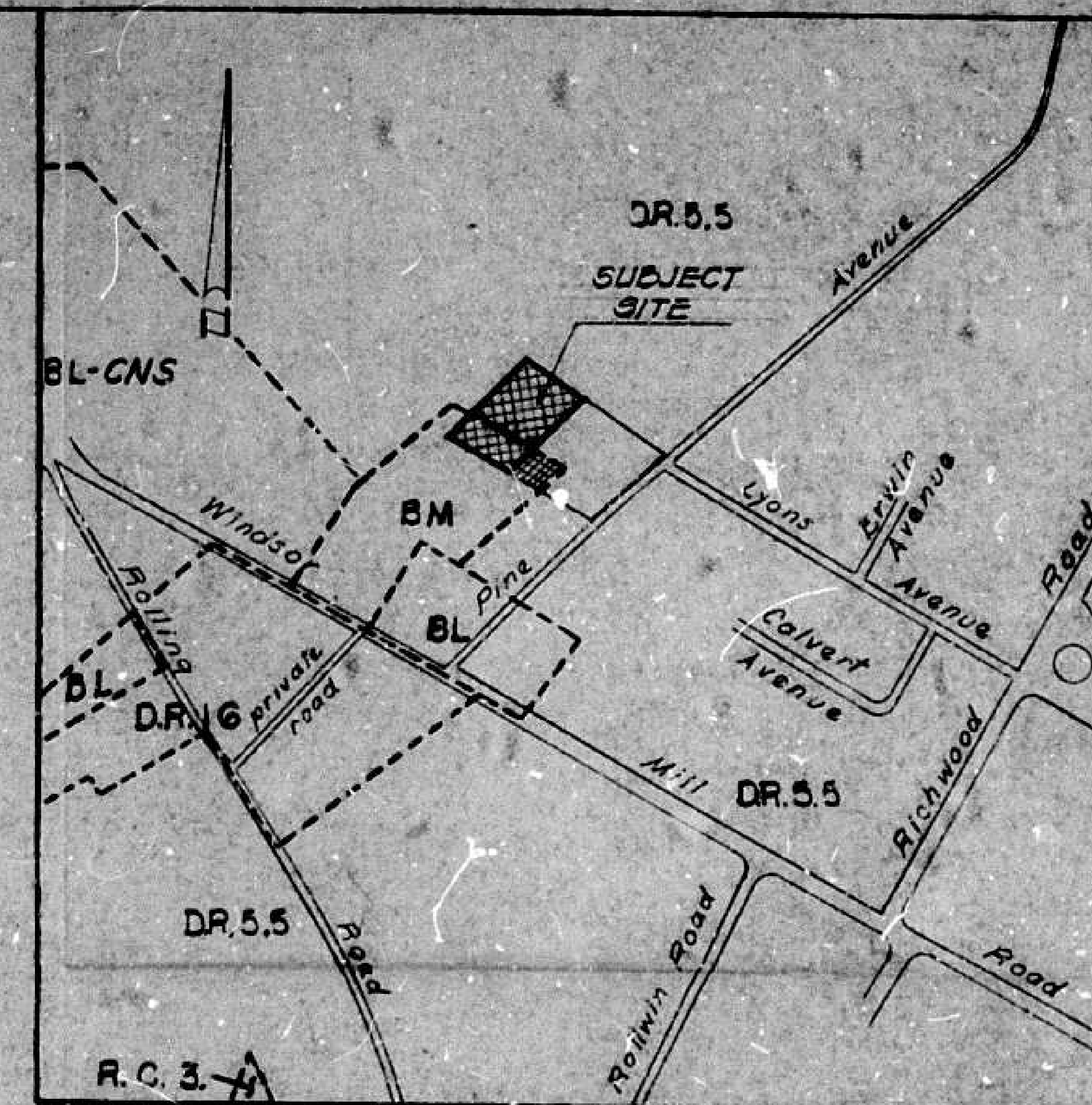
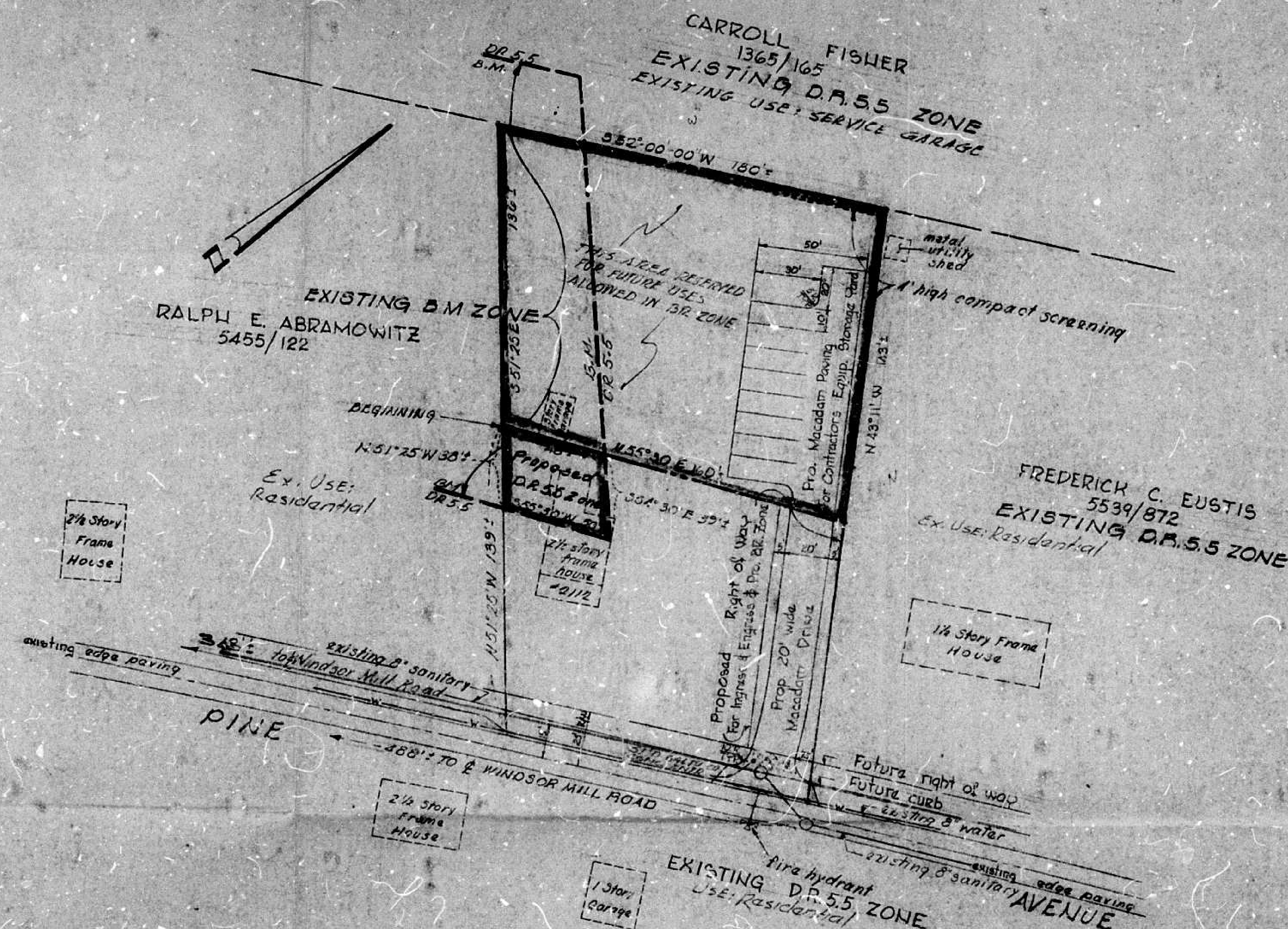
PLAT TO ACCOMPANY PETITION
FOR RECLASSIFICATION TO B.F. ZONE
Rear of #2112 PINE AVENUE
2ND DISTRICT BALTIMORE COUNTY, MD.
FOR MRS. ROSIANNA WHITCOMB - 2112 PINE AVENUE



Revised 10-23-78 Added Bearings

EVANS, HAGAN & HOLDEFER, INC.
SURVEYORS AND CIVIL ENGINEERS
8213 BELAIR ROAD / BALTIMORE, MD. 21226
(301) 648-1501

John M. Hagan
DATE 10-24-78 SCALE 1" = 30'



Location Map
1" = 200'

Petitioner's Exhibit 1

NOTES

- Proposed B.R. Zone
- 1) Area of Parcel 0.55 Acres ±
 - 2) Present Zoning D.R.5.5 & B.M. AS SHOWN
 - 3) Present Use Contractors Equipment Storage
 - 4) Proposed Zoning B.R.
 - 5) Proposed Use Contractors Equipment Storage and STORAGE OF TRUCKS, TRACTOR & FRONT END LOADER.
- 6) PARKING PROVIDED: 8 SPACES - 10x30'
-
- Proposed D.R.5.5 Zone
- 1) Area of Parcel 0.04 Acres ±
 - 2) Present Zoning B.M.
 - 3) Present Use Residential
 - 4) Proposed Use Family Residence

PLAT TO ACCOMPANY PETITION FOR
ZONING RECLASSIFICATION FROM D.R.5.5 & B.M.
ZONE TO B.R. ZONE AND FROM B.M. ZONE TO D.R.5.5 ZONE

Rear of #2112 PINE AVENUE

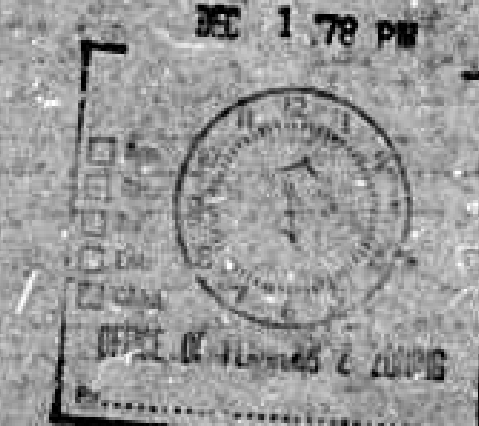
2nd DISTRICT BALTIMORE COUNTY, MD.

FOR MRS. ROSIANNA WHITCOMB 2112 PINE AVENUE

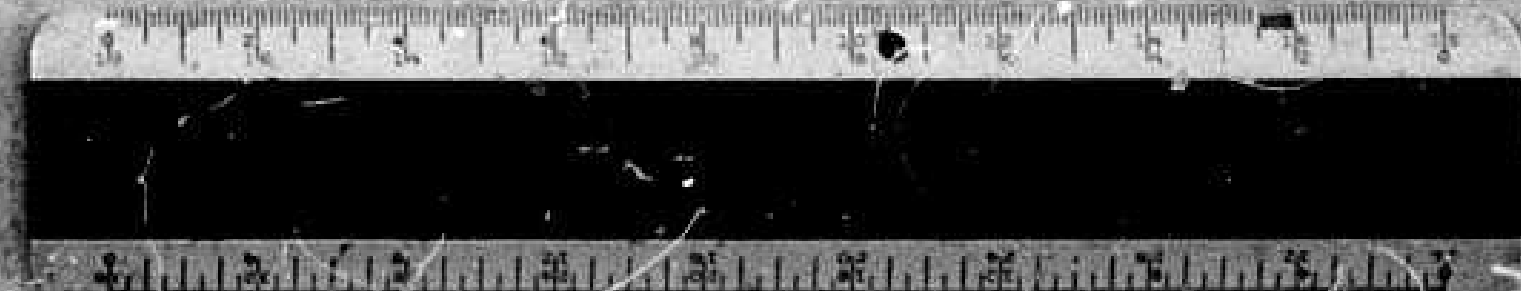
BOARD OF APPEALS
PETITIONER'S
EXHIBIT 1

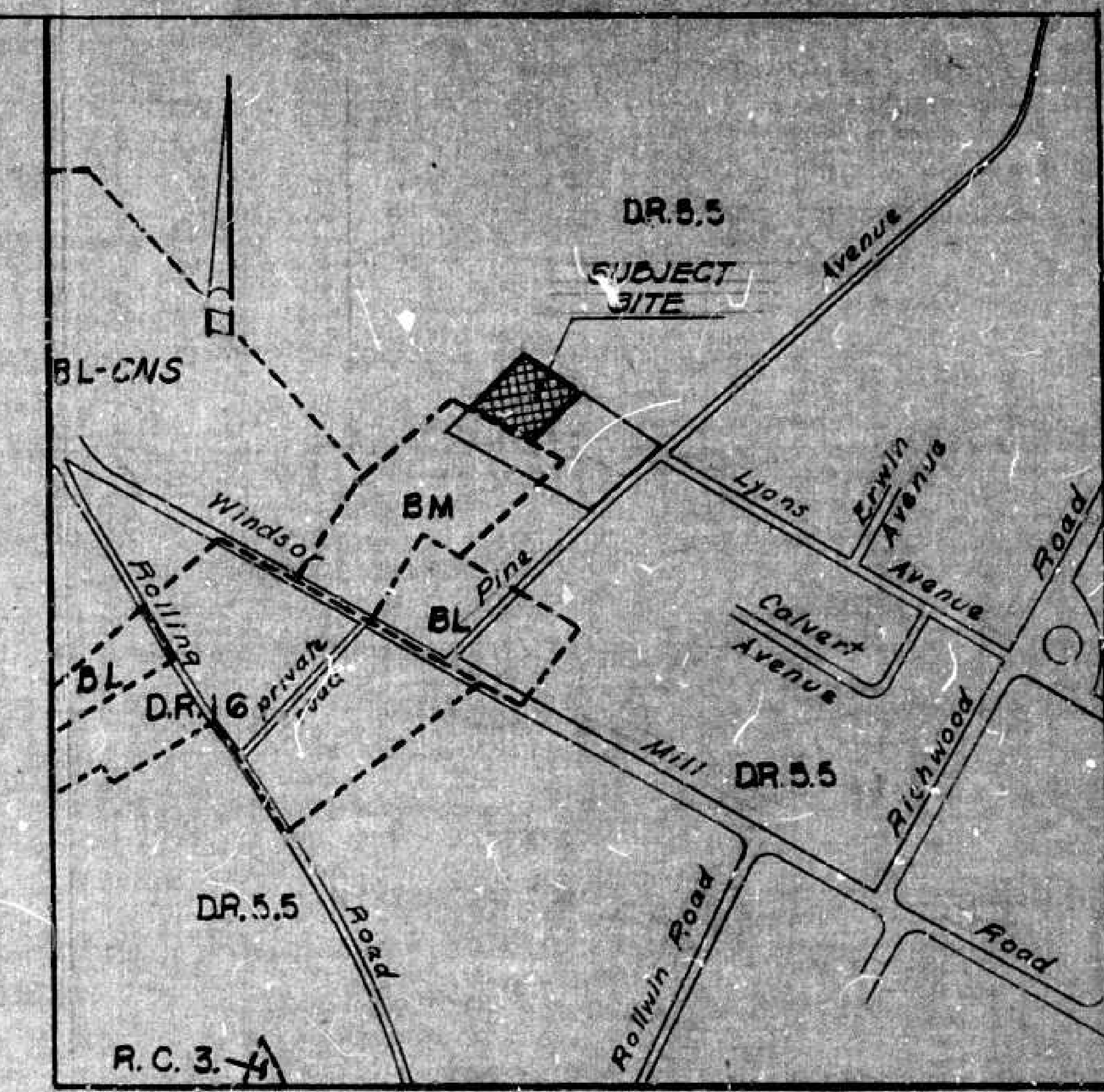
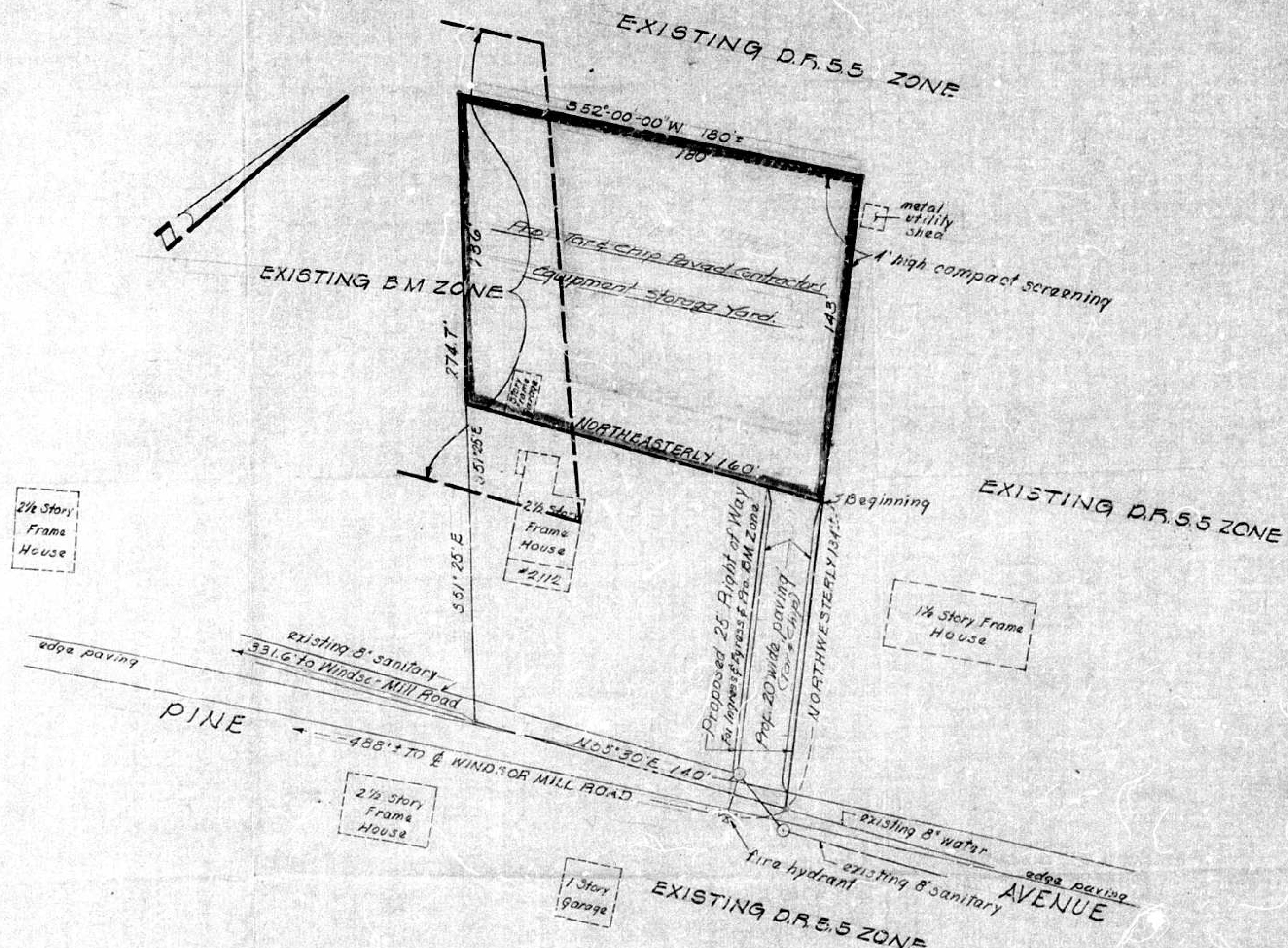
REVISED PLAT

DEC 1 78 PM



Revised 11-29-78 PER ZAC COMMENTS
Revised 10-23-78 Added Bearings





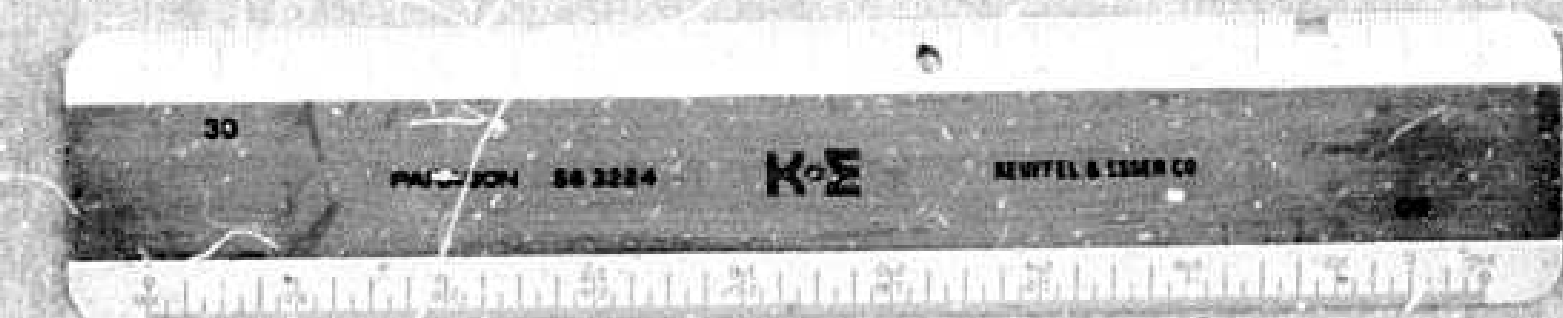
Location Map
1" = 200'

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Area of Parcel	0.53 Acres ±
Present Zoning	D.R.5.5 & B.M. - 45 SHOWN
Present Use	Contractors Equipment Storage
Proposed Zoning	B.F.
Proposed Use	Contractors Equipment Storage Yard

PLAT TO ACCOMPANY PETITION FOR RECLASSIFICATION TO B.F. ZONE

Rear of #2112 PINE AVENUE
2ND DISTRICT BALTIMORE COUNTY, MD.
FOR MRS. ROSI ANNA WHITCOMB - 2112 PINE AVENUE



EVANS, HAGAN & HOLDEFER, INC.
SURVEYORS AND CIVIL ENGINEERS
8015 BELAM ROAD / BALTIMORE, MD. 21236
(301) 248-1501

James M. Hagan
DATE: 11/14/23 SCALE: 1" = 30'