

85-155-SP4 85-155-SP4

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a use permit for off-street parking in a residential zone for a temporary employee parking lot.

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

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

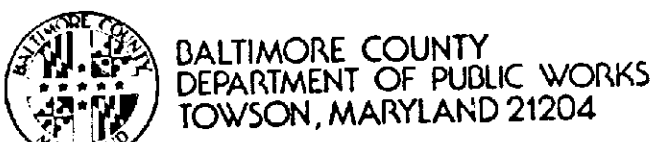
I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
Daft-McCune-Walker, Inc.
Name _____
Address _____
City and State _____
Attorney's Telephone No.: _____
Phone No. _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 29th day of October, 1984, 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 4th day of December, 1984, at 10:30 o'clock A.M.

Carl J. Jahn
Zoning Commissioner of Baltimore County.

ZCO-No. 1 (over)



HARRY J. PISTEL, P.E.
DIRECTOR

November 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #90 (1984-1985)
Property Owner: United States Fidelity and Guaranty Company
E/S Smith Ave. 750' S. from centerline
Copper Ridge Drive
Acres: 3.31 District: 3rd

Dear Mr. Jablon:

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

General Comments:

The Petitioner's site plan reveals a revised location to be constructed for the entrance at Smith Avenue. The Petitioner's engineer shall be required to furnish a highway construction drawing for public improvements at this location.

A drainage study must be submitted to the Bureau of Public Services of sufficient content to enable us to verify the size and capacity of the existing culvert under the entrance road. A pipe culvert capable of conveying the 100-year frequency storm is required.

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.

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.

In accordance with Baltimore County Council Grading Ordinance (Bill No. 10-77) a grading plan shall be approved and a Performance Bond posted prior to issuance of a grading permit. The number of square feet of land disturbed shall be indicated on the sediment control drawing.

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
E/S of Smith Ave., 750' S of : OF BALTIMORE COUNTY
Copper Ridge Dr., 3rd Dist.
UNITED STATES FIDELITY & : Case No. 85-155-SPH
GUARANTY CO., Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 8th day of November, 1984, a copy of the foregoing Entry of Appearance was mailed to United States Fidelity & Guaranty Co., 100 Light St., Baltimore, MD 21202, Petitioner; and Daft-McCune-Walker, Inc., 530 E. Joppa Rd., Towson, MD 21204, which requested notification.

Peter Max Zimmerman
Peter Max Zimmerman

Item #90 (1984-1985)
Property Owner: United States Fidelity and Guaranty Company
Page 2
November 16, 1984

General Comments: (Cont'd)

A permanent method for retaining storm water runoff in excess of the original runoff based on a 2-year, 10-year and 100-year frequency storm must be provided on the site.

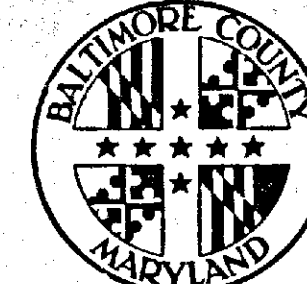
Very truly yours,
James A. Pawlik, P.E., Chief
Bureau of Public Services

JAM:EAM:PMO:ss

BALTIMORE COUNTY

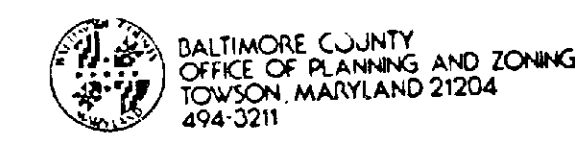
ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



NORMAN E. GENDER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulation.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping should be provided on this site and shown on the plan.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments: _____

Eugene A. Bobel
Eugene A. Bobel
Chief, Current Planning and Development

cc: James Howell

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 26, 1984

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

Chairman
Nicholas B. Commodari

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

Daft-McCune-Walker, Inc.
530 East Joppa Road
Towson, Maryland 21204

RE: Item No. 90 - 85-155-SPH
United States Fidelity & Guaranty
Special Hearing Petition

Dear Sir:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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.

In view of your proposal to utilize the subject property for temporary off street parking, this hearing is required.

At the time of the scheduled hearing, the type of paving must be fully discussed. (Proposed crusher run, Note #7)

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

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

NBC:bsc

cc: RTKL Associates, Inc.
Village of Cross Keys
Baltimore, Md. 21210



STEPHEN E. COLLINS
DIRECTOR

October 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 90 -220- Meeting of October 9, 1984
Property Owner: United States Fidelity and Guaranty Company
Location: E/S Smith Avenue 750' S. from c/l Copper Ridge Drive
Existing Zoning: D.R. 2
Proposed Zoning: Special Hearing to approve a use permit for off-street parking in a residential zone for a temporary employee parking lot.

Acres: 3.31
District: 3rd

Dear Mr. Jablon:

The petitioner must meet minimum driveway standards, i.e. a 24' wide entrance and a 20' driveway.

Michael S. Plagem
Traffic Engineering Assoc. II

MSP/can

PAUL H. REINCKE
CHIEF

October 26, 1984

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: United States Fidelity and Guaranty Company

Location: E/S Smith Avenue 750' S. from c/l Copper Ridge Drive

Item No.: 90

Zoning Agenda: Meeting of 10/9/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____

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 operation.
- () 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", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.

- k) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *George M. McGehee* Noted and Approved: *George M. McGehee*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

October 24, 1984

TED ZALESKI JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 90 Zoning Advisory Committee Meeting are as follows:

Property Owner: United States Fidelity & Guaranty Company
Location: E/S Smith Avenue 750' S. from c/l Copper Ridge Drive
Existing Zoning: D.R. 2
Proposed Zoning: Special hearing to approve a use permit for off-street parking in a residential zone for a temporary employee parking lot.

Acres: 3.31
District: 3rd.

The items checked below are applicable.

() All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

(X) A building/_____ permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0" for commercial uses or 3'0" for one & two family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, line 2, Section 1107 and Table 1102, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 205 and the required construction classification of Table 101.

I. Comments _____

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burman
Charles E. Burman, Chief
Plans Review

CJB:es

IN RE: PETITION SPECIAL HEARING
E/S of Smith Avenue, 750' S
of Copper Ridge Drive - 3rd
Election District
United States Fidelity and
Guaranty Company,
Petitioner
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-155-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing for a use permit for off-street parking in a residential zone to service a business or industrial use, as more particularly shown on Petitioner's Exhibit 1.

The Petitioner, by Edmund F. Halle, a registered surveyor, appeared and testified and was represented by Counsel. Michael H. Mannes, an attorney, appeared on behalf of the Copper Hill Condominium Corporation to protest the proposed use. Also appearing were David Snyder, a member of the Board of Directors of the corporation and Michael Federici, Project Manager for the Bonnie Ridge Apartments. Other Protestants also appeared. See Protestants' Exhibit 1.

Testimony indicated that the subject property, once a college campus, consists of approximately 70 acres, 30 acres in the City and 40 acres in the County, and is presently improved with an office building on the City portion of the property. The County portion is zoned D.R.2 and is unimproved, although the Petitioner does envision future growth. In the interim, the Petitioner is in need of temporary employee parking to service the existing office building. However, on November 13, 1984, the Baltimore County Council passed the new Comprehensive Zoning Maps which included a change in the zoning from the existing D.R.2 Zone to a C-2 Zone. This change zone will take effect on January 6, 1985. In C-2 Zones, parking for office buildings is permitted as a matter of right under Section 409.2.b.5, Baltimore County Zoning Regulations (BCZR), as long as the

parking is either on the same lot with the principal use to which it is accessory or within 500 feet of the building it is intended to serve.

There is no question that this is one parcel with parking on the same lot as the principal use, i.e., the office building. Although the office building is in the City and the Zoning Commissioner has no authority to supervise or control the zoning of that portion of the property, it is clear that the proposed parking lot will be accessory to the office building.

Since the zoning for the site under consideration here has changed, it would be an exercise in futility to debate whether a use permit should be granted for parking in a D.R.2 Zone when such parking is permitted as a matter of right in an O-2 Zone.

In any event, before any parking lot can be constructed the appropriate sections under the Baltimore County Landscape Manual must be satisfied to insure appropriate buffering and screening.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief prayed for is determined to be moot.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of December, 1984, that the Petition for Special Hearing for permit for parking in a residential zone be and is hereby DISMISSED. FURTHER, it is determined that the proposed parking lot is permitted as a matter of right pursuant to Section 409.2.b and that the location of the office building in the City does not bar such right in this particular case inasmuch as the location of the building and the proposed location for the parking lot are on the single parcel owned by the Petitioner, subject to the following:

1. If the use of the office building terminates, the use of the parking lot shall simultaneously and immediately cease.

- 2 -

2. The Petitioner may apply for its appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Arnold Jablon
Zoning Commissioner of
Baltimore County

AJ/srl

cc: John B. Howard, Esquire
Michael H. Mannes, Esquire
Mr. Michael Federici
People's Counsel

ORDER RECEIVED FOR FILING

DATE *December 11, 1984*
BY *State of Maryland*
ADMINISTRATIVE ASSISTANT

- 3 -

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: November 26, 1984

FROM: Norman E. Gerber, Director
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 85-155-SPH

With the effective date of the 1984 Comprehensive Zoning Map, this property will be zoned O-2.

Norman E. Gerber
Norman E. Gerber, Director

NEG:JGH:bjs

DAFT-McCUNE-WALKER, P.C.

530 East Joppa Road
Towson, Md. 21204
Telephone: 301-296-3333
Land Planning Consultants
Landscape Architects
Engineers

Description for Zoning Purposes
3.3164 Acre Parcel
Baltimore County, Maryland

Beginning for the same at a point on the east side of Smith Avenue, which point is 750 feet +/- south of the intersection of Copper Ridge Drive, thence running the following courses and distances: (1) due east 246.00 feet, (2) North 56 degrees 00 minutes 00 seconds East 261.40 feet, (3) South 56 degrees 26 minutes 30 seconds East 345.05 feet, (4) South 33 degrees 33 minutes 30 seconds West 353.50 feet, (5) North 47 degrees 47 minutes 30 seconds West 415.50 feet, (6) due west 256.36 feet, thence (7) North 08 degrees 47 minutes 26 seconds East 607.1 feet to the place of beginning.
Containing 3.3164 acres of land.

September 11, 1984
Our File No. 81040-E



PETITION FOR SPECIAL HEARING
3rd Election District

LOCATION: East side of Smith Avenue, 750' South of Copper Ridge Drive

DATE AND TIME: Tuesday, December 4, 1984 at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

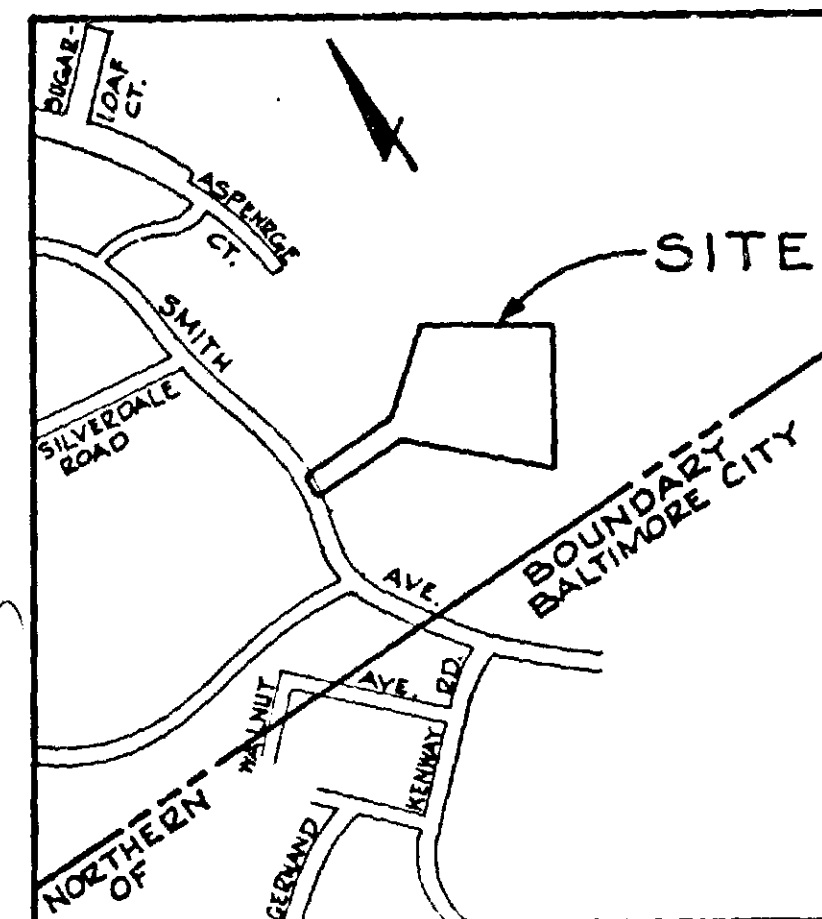
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a use permit for off-street parking in a residential zone for a temporary employee parking lot.

Being the property of United States Fidelity and Guaranty Company as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



VICINITY MAP

SCALE: 1"=500'

GENERAL NOTES

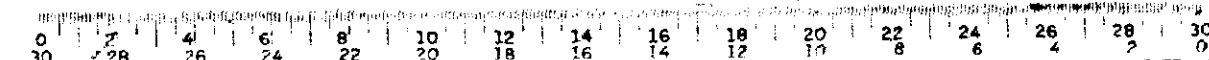
1. ELECTION DISTRICT 3
2. THE LAND FOR THE PROPOSED PARKING LOT ADJOINS THE U.S.F. & G. OFFICE CAMPUS. (SEE SHEET 2 OF 2)
3. ONLY PASSENGER VEHICLES, EXCLUDING BUSES, WILL USE THE PARKING AREA. A SHUTTLE VAN WILL PROVIDE TRANSPORTATION TO & FROM THE OFFICE AREA.
4. THERE SHALL BE NO LOADING, SERVICE, OR ANY USE OTHER THAN PARKING.
5. LIGHTING SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF ILLUMINATION, GLAZE, AND INTENSITY, AS REQUIRED.
6. SCREENING BY A WALL, FENCE, PLANTING AND/OR OTHERWISE SHALL BE REQUIRED AS DEEMED ADVISABLE BY THE OFFICE OF PLANNING.
7. A CRUSHER RUN PAVED SURFACE, PROPERLY DRAINED, SHALL BE PROVIDED.
8. HOURS OF USE SHALL BE TYPICALLY 7:30 A.M. - 6:00 P.M. MONDAY THROUGH FRIDAY. MAINTENANCE SHALL BE BY U.S.F. & G.

PETITIONER'S
EXHIBIT 1

UNITED STATES FIDELITY
AND GUARANTY COMPANY
PLAT TO ACCOMPANY
REQUEST FOR SPECIAL HEARING
SCALE: 1"=50' 9/25/84 J.O.#83001A
SHEET 1 OF 2

DAFT-McCUNE-WALKER, INC.
530 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
TELEPHONE: (301) 296-3333

D.R. 2
D.R. 3.5





- 20 Station Course 802 as manufactured By,
Landscape Structures, Inc.
Telephone No. (612) 479-2546.

Stations 1 through 4 -- 3-inches N.S.H.A.
Band SM 4-feet wide.

Stations 4 through 15 -- Trail shall be field located to minimize tree removal and grading. Trail shall be 6-inches of wood chips 4-feet wide.

All equipment and hardware shall be installed in accordance with manufacturer's recommendations.

~~MAD. 3C
NW & C
SECTION
DISH 3
12/11
TYPE
FLAS 300
BY J.B.
SP-2~~

Mount Washington Campus

RTKL Associates Inc.

Daft·McCune·Walker, Inc.
Land Planning and Landscape Architecture

Architecture Planning Urban Design Engineering

The Village Square • Village of Cross Keys

Baltimore, Maryland 21210 Tel 301 435 6000

Architecture
925 North Charles St. • Baltimore, Md. • Maryland 21201

Architecture
925 North Charles St. Baltimore, Maryland 21201

USF&G

1	3228	ADDENDUM #5
No.	Date	Item

REVISIONS	
Drawn	Seal

Checked	
Approved	

BRIT

Title

**NATURE &
FITNESS TRAIL**

Contr. No.		SITE 21
Scale	1" = 100'	
Date	10-1-82	

SITE
21
06

