

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Case #: 87-191-SPH

The undersigned, legal owner(s) 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 for a Variance from Section 402.2 to permit 25 parking spaces in lieu of the required 39 spaces. (Parcel A, 13 parking spaces in lieu of the required 24; Parcel B, 12 parking spaces in lieu of the required 15.)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Size and shape limitation of property for a reasonable development
2. Such other and further reasons to be presented at the time of hearing.

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

I, or we, agree to pay expenses of above Variance 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

409 Washington Avenue, #600

Towson, Maryland 21204

City and State

Attorney's Telephone No.:

Legal Owner(s):

ROBERT PADOUSSIS

(Type or Print Name)

Signature

ANTHONY PADOUSSIS

(Type or Print Name)

Signature

1117 Old Carriage Road

Glen Arm, Maryland 21057

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

S. Eric DiNenna

409 Washington Avenue, Suite 600

Towson, Maryland 21204 296-6820

Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of September, 1986, 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 20th day of July, 1987, at 11:30 o'clock

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
Date July 24, 1987
By [Signature]

87-191-SPH
444-5-SPH

87-191-SPH
444-5-SPH

Robert Padoussis, et al
SW/S of Oak Forest Rd., 180' SE of
the C/L of Harford Rd.,
14th E.D.
6th C.D.

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 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

(BUSINESS PARKING IN A RESIDENTIAL ZONE)

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

Attorney's Telephone No.:

Legal Owner(s):

ESTATE OF MARY E. ISAAC

(Type or Print Name)

Signature Owner

Ralph W. Simmers Jr.

(Type or Print Name)

Signature

C/O Ralph W. Simmers Jr

6700 Loch Raven Blvd

Baltimore, Maryland 21239

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

* James E. Cumbest Jr.

Name JECCO COMPANY INC.

Perring Plaza Shopping Center

1971 E. Joppa Rd. Balto. Md. 21234

Address Phone No.

301-661-4394

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of September, 1986, 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 16th day of November, 1986, at 11:30 o'clock

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
Date July 24, 1987
By [Signature]

VT ASSOCIATES, C.C.

SURVEYING & ENGINEERING
3132 EAST JOPPA ROAD
BALTIMORE, MD 21234

TONY VITTI, President
J. SCOTT DALLAS, Vice President
668-0090

August 18, 1986

Anthony G. Padoussis and Robert P. Padoussis

ZONING DESCRIPTION

Special hearing for commercial parking in a D.R. 5.5 zone.

14th election district

Baltimore County, Md.

Beginning on the SW/S of Oak Forest Dr. 180 ft. SE of the Centerline of Harford Road.

BEING known and designated as Lots No. 52, 53, 54 and 55 as shown on the Plat entitled "Oak Forest" recorded among the Land Records of Baltimore County in Plat Book C.L.B. No. 12 folio 110 at the intersection of the southeast side of Harford Road and the southwest side of Oak Forest Drive.

SAVING and excepting that portion of the above described Lots located in a B.L. zone.

CONTAINING 5575 square feet of land, more or less.



[Signature]

Vitti, Rebel & Associates, Inc.

Engineering & Surveying
216 Washington Avenue Towson, Maryland 21204
821-9441

May 20, 1987

ZONING DESCRIPTION

To accompany Special Hearing for commercial parking in a D.R. 5.5 zone and/or a Variance to the minimum parking requirements.

Site is at the southeast side of Harford Road and the southwest side of Oak Forest Drive.
14th Election District Baltimore, County, Maryland

Zoning case number: 87-191-SPH

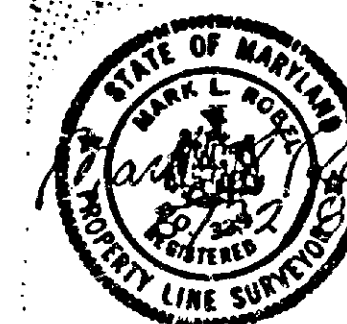
For Anthony G. Padoussis and Robert P. Padoussis (owners)

Description of area to be considered for special hearing.

Being known and designated as Lot 52 and part of Lot 53, located in the BL-CCC zone and shown on the plat entitled "Oak Forest" recorded among the Land Records of Baltimore County in Plat Book G.L.B. No. 12 folio 110 and fronting on Oak Forest Drive.

Description of area to be considered for Variance.

Being known and designated as Lots 1, 2, 55, 54 and a portion of 53 as shown on the plat entitled "Oak Forest" recorded among the Land Records of Baltimore County in Plat Book G.L.B. No. 12 folio 110 at the southwest side of Oak Forest Drive.



87-191
Revised

IN RE: PETITIONERS SPECIAL HEARING AND ZONING VARIANCE
SW/S of Oak Forest Drive,
180' SE of the centerline of
Harford Road - 14th Election
District
Robert Padousis, et al.,
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-191-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner, Estate of Mary E. Isaac, initially filed a request for a special hearing for a use permit for business parking in a residential zone, as shown on Petitioner's Exhibit 1. At the conclusion of the hearing held on November 10, 1986, it was indicated that a petition for a parking variance should also be filed, and with the assurance of the Petitioner, this matter was held sub curia pending such filing.

This matter now comes before the Zoning Commissioner for a variance to permit 25 parking spaces in lieu of the required 39 spaces. See Petitioner's Exhibit 2.

The Petitioners, Robert and Anthony Padousis, who purchased the subject property from the original owners, appeared and were represented by Counsel. Tony Vitti, an engineer, testified on behalf of the Petitioners. Geraldine Onorato, an adjacent property owner, appeared in opposition and was represented by Counsel, as did other neighbors, including Mr. and Mrs. John Connelly.

At the onset of the hearing, the Petitioners moved to dismiss without prejudice their request for a use permit. Although the protestants objected, said motion was granted.

Testimony, which had been taken in full at the first hearing, indicated that the subject property, zoned B.L., consists of two sites, one lot at each corner of Oak Forest Drive and Harford Road. The sites comprise 0.67 acres and both are presently vacant. The Petitioners propose to construct a two-story office and retail building on each site. Building A, located on the northwest corner, will contain 5,520 square feet, and Building B, located on the southwest corner, will contain 3,480 square feet. Mr. Vitti testified that, in his opinion, the requested office/retail buildings are as small as they can be to utilize these sites for their intended zoning purpose.

The protestants were vehemently opposed to parking on the residentially-zoned portion of the subject property but were not as opposed to the parking variance. Their concerns relate to traffic, which is presently a problem because Oak Forest Drive is being used as a feeder road for Harford Road, and to storm water run-off. These issues will be addressed at the County Review Group (CRG) hearing, which is awaiting the outcome of this hearing.

The Petitioners seek relief from Section 409.2, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 31st day of July, 1987, that the Petition for Zoning Variance to permit 25 parking spaces in lieu of the required 39 spaces be and is hereby GRANTED, from and after the date of this Order, subject to the following:

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

It is FURTHER ORDERED that the Petition for Special Hearing for a use permit for business parking in a residential zone be and is hereby DISMISSED without prejudice.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl

cc: S. Eric DiNenna, Esquire

Walter J. Ballesteros, Esquire

People's Counsel

ORDER RECEIVED FOR FILING
Date July 31, 1987
By [Signature]

ORDER RECEIVED FOR FILING
Date July 31, 1987
By [Signature]

ORDER RECEIVED FOR FILING
Date July 31, 1987
By [Signature]

ORDER RECEIVED FOR FILING
Date July 31, 1987
By [Signature]

- 2 -

- 3 -

- 4 -

PETITIONS FOR SPECIAL HEARING AND VARIANCE

14th Election District - 6th Councilmanic District
Case No. 87-191-SPHA

LOCATION: Southwest Side Oak Forest Drive, 180 feet Southeast of the Centerline of Harford Road

DATE AND TIME: Monday, July 20, 1987, at 11:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. 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 to approve business parking in a residential zone

Petition for Zoning Variance to permit 13 parking spaces in lieu of the required 24 spaces as to Parcel A and 12 parking spaces in lieu of the required 15 spaces as to Parcel B

Being the property of Robert Padousis, et al., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

PETITION FOR SPECIAL HEARING

14th Election District
Case No. 87-191-SPH

LOCATION: Southwest Side of Oak Forest Drive, 180 feet Southeast of the Centerline of Harford Road

DATE AND TIME: Monday, November 10, 1986, at 10:45 a.m.

PUBLIC HEARING: Room 301, County Office Building, 111 W. 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 to approve business parking in a residential zone

Being the property of Estate of Mary E. Isaac, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
SW/S of Oak Forest Drive, 180' : OF BALTIMORE COUNTY
SE of C/L of Harford Road, :
11th Election District : Case No. 87-191-SPH
ESTATE OF MARY E. ISAAC, :
Petitioner :

ENTRY OF APPEARANCE

Please enter the appearance of WALTER J. BALLESTEROS as Attorney for the Protestants in the above captioned matter.

Walter J. Ballesteros

Walter J. Ballesteros
Attorney for Protestants

8200 Harford Road
P.O. Box 27144
Baltimore, Maryland 21285
665-1384

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE :
SW/S of Oak Forest Dr., 180' SE : OF BALTIMORE COUNTY
of C/L of Harford Rd., :
14th District : Case No. 87-191-SPHA
ROBERT PADOUSIS, et al., :
Petitioners :

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

Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 18th day of June, 1987, a copy of the foregoing Entry of Appearance was mailed to S. Eric DiNenna, Esquire, 409 Washington Ave., Suite 600, Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman

Peter Max Zimmerman

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
SW/S of Oak Forest Dr., 180' SE
of C/L of Harford Rd., 14th
District : OF BALTIMORE COUNTY
ESTATE OF MARY E. ISAAC, : Case No. 87-191-SPH
Petitioner :

ENTRY OF APPEARANCE

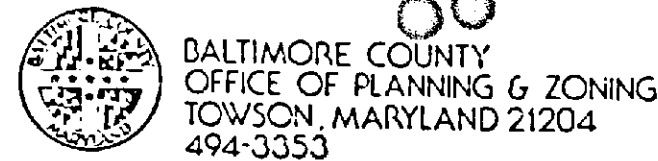
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 3rd day of October, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. Ralph W. Simmers, Jr., 6700 Loch Raven Blvd., Baltimore, MD 21239; and James E. Cumbest, Jr., JECCO COMPANY, INC., Perring Plaza Shopping Center, 1971 E. Joppa Rd., Baltimore, MD 21234.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 15, 1987

S. Eric DiNenna, Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
SW/S of Oak Forest Drive, 180' SE of the c/l
of Harford Rd.
14th Election District - 6th Councilmanic District
Robert Padousis, et al - Petitioners
Case No. 87-191-SPH

Dear Mr. DiNenna:

This is to advise you that \$134.04 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

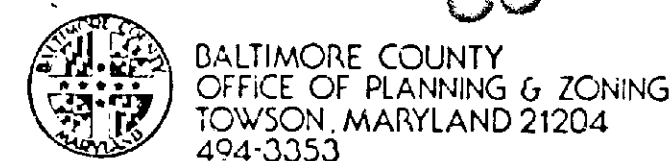
THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 35979

DATE: 7/20/87 ACCOUNT: 8-01-615-000
2 SIGNS & POSTS
RETURNED AMOUNT: \$ 134.04
Jecco Co., Inc., Perring Plaza Shopping
Center, 1971 E. Joppa Rd., Balto., MD 21234
RECEIVED FROM: Jecco Company, Inc.
ADVERTISING & POSTING COSTS RE CASE 87-191-SPH
FOR: B076*****1340413 87018
VALIDATION OR SIGNATURE OF CASHIER



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 3, 1986

Mr. James E. Cumbest, Jr.
JECCO COMPANY, INC.
Perring Plaza Shopping Center
1971 East Joppa Road
Baltimore, Maryland 21234

RE: PETITION FOR SPECIAL HEARING
SW/S of Oak Forest Dr., 180' SE of the c/l
of Harford Rd.
14th Election District
Estate of Mary E. Isaac - Petitioner
Case No. 87-191-SPH

Dear Mr. Cumbest:

This is to advise you that \$61.40 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 025613
DATE: Nov. 10, 1986 ACCOUNT: 01-615-000
AMOUNT: \$ 61.40
RECEIVED FROM: Jecco Company, Inc.
FOR: Posting & Advertising Fee 87-191-SPH
Estate of Mary E. Isaac - Petitioner
2180 11-22-86
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 87-191-SPH
Towson, Maryland

District: 14th Date of Posting: 6/25/87
Posted for: Special Hearing & Variance
Petitioner: Robert Padousis, et al
Location of property: SW/S Oak Forest Dr., 180' SE of Harford Rd.
Location of Sign: Perring Plaza Shopping Center, 1971 E. Joppa Rd.
Remarks: Petitioner's property
Posted by: [Signature] Date of return: 7/6/87
Number of Signs: 2

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 87-191-SPH
Towson, Maryland

District: 14th Date of Posting: 9/24/86
Posted for: Special Hearing
Petitioner: Estate of Mary E. Isaac
Location of property: SW/S Oak Forest Dr., 180' SE of Harford Rd.
Location of Sign: Perring Plaza Shopping Center, 1971 E. Joppa Rd.
Remarks: Petitioner's property
Posted by: [Signature] Date of return: 10/6/86
Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 2, 1987

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 2, 1987.

THE JEFFERSONIAN.

Susan Stender Obrecht
Publisher

PETITIONS FOR
SPECIAL HEARING
AND VARIANCE
14th Election District
6th Councilmanic District
Case No. 87-191-SPH

LOCATION: Southwest Side Oak
Forest Drive, 180 feet Southeast
of the Centerline of Harford Road.
DATE AND TIME: Monday, July 20,
1987 at 11:30 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

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

Petition for Special Hearing to approve business parking in a residential zone

Petition for Zoning Variance to permit 13 parking spaces in lieu of the required 24 spaces as to Parcel A and 12 parking spaces in lieu of the required 15 spaces as to Parcel B. Being the property of Robert Padousis, et al, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission 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
7016 July 2

"DUPLICATE"
CERTIFICATE OF PUBLICATION

TOWSON, MD., October 23, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 23, 1986.

THE JEFFERSONIAN.

Susan Stender Obrecht
Publisher

Cost of Advertising
24.75

PETITION FOR
SPECIAL HEARING
14th Election District
Case No. 87-191-SPH

LOCATION: Southwest Side of
Oak Forest Drive, 180 feet South-
east of the Centerline of Harford
Road.
DATE AND TIME: Monday,
October 19, 1986 at 11:30 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

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

Petition for Special Hearing to approve business parking in a residential zone

Being the property of Estate of Mary E. Isaac, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission 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
10241 Oct. 23

Petition
for Special Hearing

14th Election District
Case No. 87-191-SPH

LOCATION: Southwest side of Oak
Forest Drive, 180 feet Southeast of the
centerline of Harford Road.

DATE & TIME: Monday, November
10, 1986, at 11:30 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 West
Chesapeake Avenue, Towson,
Maryland

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

Petition for Special Hearing to approve business parking in a residential zone

Being the property of the Estate of Mary E. Isaac, as shown on the plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission 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

The Times

Middle River, Md., Oct. 23, 1986

Obrecht
This is to Certify, That the annexed

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 23 day of October, 1986.
Denise Petty Publisher.

\$21.65

CERTIFICATE OF PUBLICATION
Office of
THE AVENUE NEWS

442 Eastern Blvd.
Baltimore, Md. 21221

THIS IS TO CERTIFY, that the annexed advertisement of

ROBERT PADOUSIS, ET AL 14th ELECTION DISTRICT.
To advertise POF 80229 REP# M03278, SW/S OAK
FOREST DR., 180 SE of the C/L of HARFORD RD.
14th Election District, on July 20, 1987 at 11:30 am.
133 lines at \$6.50

was inserted in The Avenue News a weekly newspaper

published in Baltimore County, Maryland once a week for one

successive weeks) before the 3rd day of JULY 19 87

that is to say, the same was inserted in the issues of 7/2/87 19

The Avenue Inc.

per publisher

Deirdre Caldwell

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: October 24, 1986

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

SUBJECT: Zoning Petition No. 87-191-SPH

If the proposal provides landscaping buffers to screen the parking from the adjacent residences, this office is not opposed to the granting of the subject request.

Norman E. Gerber, AICP
Director

NEG:JGH:slb

CPS-008

87-191-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this
22nd day of September, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner: Estate of Mary E. Isaac
Petitioner's Attorney: Ralph W. Simmers, Jr.

Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 22, 1986

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

cc:

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

Mr. Ralph W. Simmers, Jr.
6700 Loch Raven Blvd.
Baltimore, Maryland 21239

RE: Item No. 87 - Case No. 87-191-SPH
Petitioner: Estate of Mary E. Isaac
Petition for Special Hearing

Dear Mr. Simmers:

The Zoning Plans Advisory Committee and the County Review Group (CRG) have both reviewed the plans submitted with the above-referenced petition. The comments from the CRG have been added to those of the Zoning Plans Advisory Committee and are part of this case file. They 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 Commission with recommendations as to the suitability of the requested zoning.

This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer /JES

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

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

OCTOBER 17, 1986

Re: Zoning Advisory Meeting of September 9, 1986
Item # 87
Property Owner: RALPH W. SIMMERS, JR.
Location: (ESTATE OF MARY E. ISAAC)
SW/S OAK FOREST DRIVE, 180' SE E OF
HARFORD RD.

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.

- () There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- (X) 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 Regulations.
- () 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
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- (X) 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:

cc: James Hoswell

David Fields, Acting Chief
Current Planning and Development

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS DATE: June 9, 1986

FROM: Edward A. McDonough, P.E., Chief
Developers Engineering Division

PROJECT NAME: Oak Forest Retail Center

PROJECT NUMBER: #86100

LOCATION: Harford Rd. and Oak Forest Dr.

DISTRICT: 14CE

The revised Plan for the subject site, dated April 1, 1986, has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

All private contracts for construction of storm drains and roads intended for public title and maintenance must be let under a contract form, proposal and attachments adopted by the Baltimore County Department of Public Works. The Developer has the option of placing the storm drains under a public contract.

All construction drawings and construction for public use shall conform with Baltimore County Department of Public Works Design Standards and Standard Specifications and Details for Construction.

The responsibilities of the Developer involving public improvements shall include the Inspection Fees, Burden and Fringe Costs incurred. Currently these charges are 3.0 times payroll for Metropolitan District Projects and 2.0 times payroll for the Capital Improvement Fund.

The Developer shall be responsible for damages to the County's facilities, such as water meters, manholes, curbs and gutters and inlets within his site. Occupancy Permits will be withheld until such damages have been corrected.

All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The Developer is responsible for the full cost of all highway and storm drain construction.

Project #86100
Oak Forest Retail Center
Page 2
June 9, 1986

GENERAL COMMENTS: (Cont'd)

A Public Works Agreement must be executed by the owner and Baltimore County for the required public improvements, after which a Building Permit may be approved.

Offsite rights-of-way are necessary for roads, storm drains or other utilities. The Developer is hereby advised that the final plat and/or building permits will not be approved until the offsite right-of-way is acquired. The County reserves the right to make the necessary contacts for acquisition of rights-of-way.

The Plan is satisfactory pending conformance with the following comments.

HIGHWAY COMMENTS:

It shall be the responsibility of the Developer's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way. The Developer shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way.

In accordance with Bill No. 32-72, street lights are required in all developments. The Developer will be responsible for the full cost of installation of the cable, poles and fixtures. The County will assume the cost of the power when the streets have been accepted for County maintenance.

Ramps shall be provided for physically handicapped persons at all street intersections.

Sidewalks are required adjacent to the public roads serving this site. The walks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards, which places the back edge of the sidewalk 2 feet off the property line, or the adjacent unencumbered area.

The Developer shall be responsible for construction stake-out of all highway improvements required in connection with this site and all stake-outs shall be in accordance with Baltimore County Standards.

Oak Forest Drive is an existing road, which shall ultimately be improved as a 30-foot street cross-section on a 50-foot right-of-way. The Developer's responsibilities along the existing road frontage shall be as follows:

- a. The submission of detailed construction drawings to extend a minimum distance of 200 feet beyond the limits of the site or as may be required to establish line and grade.
- b. The submission of full cross-sections is deemed necessary

Project #86100
Oak Forest Retail Center
Page 3
June 9, 1986

HIGHWAY COMMENTS: (Cont'd)

for design and/or construction purposes. The sections are to be taken at 25-foot intervals and are to be shown on standard cross-section paper at 1"=5' horizontal to 1"=5' vertical scale.

- c. The preparation of the right-of-way plat for, and the dedication of any widening and slope easements at no cost to the County.
- d. The preparation of the right-of-way plats for any offsite road rights-of-way required to make the necessary improvements. Baltimore County will attempt to acquire the right-of-way, at the Developer's cost.
- e. The grading of the widening and the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to these properties.
- f. The relocation of any utilities or poles as required by the road improvements.
- g. The construction of combination curb and gutter in its ultimate location and a maximum of 28.5 feet of paving adjacent thereto along the frontage of the property. The paving thickness shall conform with Baltimore County Standards and requirements for 11-inch thick paving.

The entrance locations are subject to approval by the Department of Traffic Engineering.

Entrances shall be a minimum of 24 feet and a maximum of 35 feet wide, shall have 10-foot minimum radii curb returns with handicap ramps, shall be located a minimum of 15 feet from any property line, and shall be constructed in accordance with Baltimore County Standards (Detail R-32, 1977 Edition), as the Developer's total responsibility.

Screening shall be placed so as to prevent headlights within the parking areas from interfering with the traffic on the adjacent road.

Project #86100
Oak Forest Retail Center
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June 9, 1986

SIDEWALKS, SEWAGE CONTROL AND STORM WATER MANAGEMENT COMMENTS:

The Developer is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall. The Developer's cost responsibilities include the acquiring of easements and rights-of-way - both onsite and offsite - and the deducing in fee of said rights-of-way to the County. Preparation of all construction, rights-of-way and easement drawings, engineering and surveys, and payment of all actual construction costs, including the County overhead both within and outside the development, are also the responsibilities of the Developer.

The Developer 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 Developer.

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. 13-85), a grading plan shall be approved and a Performance Bond posted prior to issuance of a grading permit.

A sediment control plan is required. The number of square feet of land disturbed shall be indicated on the sediment control drawing.

The Developer shall be responsible to stabilize the sidewalk areas and supporting slopes on all road rights-of-way following completion of the initial grading of the lowest cut subgrade. The stabilization shall be accomplished within the nearest period of optimum seeding as established in the Baltimore County Sediment Control Manual. Minimum acceptable stabilization measures will be as specified in the Baltimore County Sediment Control Manual under "Critical Area Stabilization (With Semi-Permanent Seedings)".

Failure by the Developer to accomplish the stabilization as aforementioned will result in the termination of all processing phases of this development.

Temporary construction easements of adequate width are necessary adjacent to all offsite rights-of-way or easements where utility construction is planned. They should be indicated on the right-of-way plats and construction drawings.

Project #86100
Oak Forest Retail Center
Page 5
June 9, 1986

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS: (Cont'd)

Building/occupancy permits shall be withheld until offsite right-of-way as required has been cleared and the contract for the utilities has been awarded.

No storm water management is required.

The Plan should include contours to indicate drainage from Site "A" going into Oak Forest Drive.

WATER AND SANITARY SEWER COMMENTS:

A preliminary print of this property has been referred to the Baltimore City Water Division for review and comment in regard to adequacy of water pressure in this development. Comments have been received from the City and are as follows:

"...service may be obtained from the Eastern Third Zone.

Individual metered services for the two proposed buildings may be taken from the existing 6-inch main in Oak Forest Drive.

The developer should arrange to have fire flow tests made to determine if the water available is adequate for fire protection and domestic service. Arrangements for fire flow tests can be made by contacting Mr. T. F. Schwartz, Chief of Pumping Section, Bureau of Water and Waste Water, Ashburton Filtration Plant, 3301 Druid Park Drive, 398-0360.

All mains within the project not in the public road will not be serviced or maintained by the City."

Fire hydrant spacing and location are subject to review and approval by the Fire Protection Section of the Fire Department.

Permission to obtain a metered connection from the existing water main may be obtained from the Department of Permits and Licenses.

Permission to connect to the existing public sanitary sewer may be obtained from the Department of Permits and Licenses.

Water and sanitary sewer service connections shall be installed by a utility contractor prior to the road improvements and shall be included in the Public Works Agreement.

Project #86100
Oak Forest Retail Center
Page 6
June 9, 1986

WATER AND SANITARY SEWER COMMENTS: (Cont'd)

This property is subject to Water and/or Sewer System Connection Charges based on the size of water meters utilized in accordance with current County Policy.

The total Water and/or Sanitary Sewer System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This charge is in addition to the normal front foot assessment and permit charges.

EDWARD A. McDONOUGH, P.E., Chief
Developers Engineering Division

EAM:COL:JER:iss

cc: File

BALTIMORE COUNTY, MARYLAND

Subject: County Review Group Comments Date June 3, 1986

From: Dept. of Recreation and Parks

Project Name: Oak Forest Retail Center Preliminary Plan

Project Number: 86100 Development Plan

Location: Harford Road & Oak Forest Dr. Final Plat

Districts: 14, C-6 CRG Plan X

COMMENTS:

L.O.S. is not required.

FRN:ssm

Francis R. Niner
Facilities Coordinator



Maryland Department of Transportation

State Highway Administration

William K. Heilmann
Secretary
Hal Kassoff
Administrator

June 4, 1986

Mr. J. Markle, Chief
Bureau of Public Services
County Office Building
Towson, Maryland 21204

Re: CRG Meeting of 6-12-86
Oak Forest Retail Center
S/E Side Harford Road
Route 147 @ Oak Forest Dr.

Dear Mr. Markle:

On review of the submittal of 4-1-86, the State Highway Administration - Bureau of Engineering Access Permits recommends the concept plan be revised.

With the proposed widening of Oak Forest Drive to 30', the State Highway Administration recommends the intersection radii be increased to a standard 30' radius.

This improvement will accommodate improved access to Oak Forest Drive and the proposed new development.

It is requested that all Baltimore County Permits be held until the site plan is revised and State Highway Administration permit is applied for with the posting of a bond or letter of credit to guarantee construction.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

My telephone number is (301) 659-1350
Teletypewriter for impaired hearing or speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

**COUNTY REVIEW GROUP
COMMENTS ON PROPOSED SUBDIVISION PLANS
BALTIMORE COUNTY DEPARTMENT OF HEALTH**

OAK FOREST RETAIL CENTER

Subdivision Name, Section and/or Plat

R.W. Summers Developer and/or Engineer VT Assoc. Inc.
Buck River Watershed No. 2 of Lots 0.97 Total Acreage Public Water Public Sewer

COMMENTS ARE AS FOLLOWS:

Soil percolation tests are required; a minimum of two test are required within a designated 10,000 square foot sewage disposal reserve area. For further information regarding these requirements, contact this office at 494-2762.

Soil percolation test have been conducted. Revised plans, must be submitted prior to approval of plat, are not required and the plat can be approved as submitted. Contact this office for more complete information, 494-2762.

Public sewers, public water, must be utilized and/or extended to serve the property.

A Hydrogeological Study and Environmental Effects Report for this subdivision, must be submitted, is not required, is incomplete and must be revised, has/have been reviewed and approved.

A Water Appropriation Permit Application, must be submitted, has been submitted. NOTE: Greater than 33 lots necessitates a public hearing with Water Resources Administration as part of the permit process.

It is recommended the plan, be approved as submitted, be approved as submitted subject to the following conditions noted: on the attached maps dated 6-2-86

It is recommended this plan not be approved at this time. See revisions and/or comments.

REVISIONS AND/OR COMMENTS:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Brooks Stafford, Director
Environmental Support Services

Date: June 2, 1986

FROM: Roch. Penell
Waste and Water Quality Management

SUBJECT: ENVIRONMENTAL EFFECTS REPORT Oak Forest Retail Ctr

CRG MEETING June 12, 1986 2:30 pm (Date) (Time)

PLAN REVIEW NOTES

1. Two commercial buildings on 0.97 acres (Describe Site)

2. Public water and Public sewer is proposed.

3. No streams (Describe streams on-site)

5. No wetlands (Describe wetland soils on-site)

6. Storm Water Management is not required.

7. 0.43 proposed impervious area.

RESPONSES

The Environmental Effects Report is not approved. In order to receive approval, the following checked items/conditions must be met.

The Environmental Effects report is approved, subject to the following checked items/conditions.

A. No development is allowed in (Soil/name & symbol)

B. A revised site plan indicating no development in must be submitted.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James A. Markle Date: June 5, 1986

FROM: Charles K. Weiss

SUBJECT: Oak Forest Retail Center
Harford Road & Oak Forest Drive
CRG 6/12/86

Baltimore County does not provide commercial refuse collection. However, since no plan is provided, we cannot offer comment.

CKW/KRA/ms

**DEPARTMENT OF TRAFFIC ENGINEERING
BALTIMORE COUNTY, MARYLAND**

TO: Mr. James Markle Date: June 11, 1986

FROM: C. Richard Moore

SUBJECT: C.R.G. Comments

PROJECT NAME: Oak Forest Retail Center C.R.G. PLAN: X

PROJECT NUMBER & DISTRICT: 14 C 6 86100 DEVELOPMENT PLAN:

LOCATION: Harford Road & Oak Forest Road RECORD PLAT:

This department has no comment on the proposed plan.

C. Richard Moore
Deputy Director
Department of Traffic Engineering

CRW/GMJ/bza

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James A. Markle, Chief
Bureau of Public Services

FROM: Walter J. Rasmussen, Chief
Bureau of Land Acquisition

SUBJECT: County Review Group Agenda
for June 12, 1986

Date: June 3, 1986

As requested, we have reviewed and researched the data provided by the developers for the following CRG plans:

- | | |
|-----------------------------|------------|
| 1. Greenspring East | CRG #86127 |
| 2. Hunt Valley Golf Club | CRG #86091 |
| 3. Brent Nursing Home | CRG #86123 |
| 4. Hollow Brook Manor | CRG #86120 |
| 5. Oak Forest Retail Center | CRG #86100 |

Our findings indicate that the developers have not encroached upon any Baltimore County, Maryland owned properties.

However, our findings do indicate a discrepancy in the information provided along the northeast boundary of the property of the Greenspring East CRG Plan. Please note corrections on the attached drawings and deed.

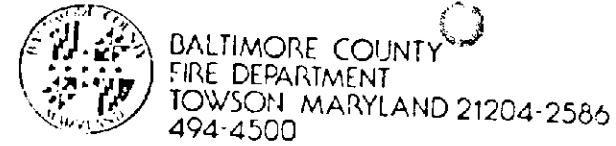
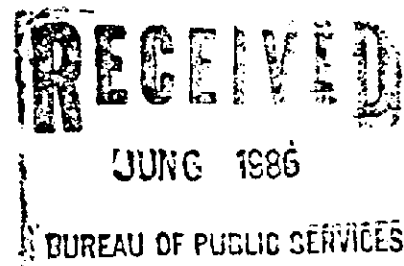
If you have any questions, please feel free to contact me at 494-3251.

Walter J. Rasmussen
Walter J. Rasmussen, Chief
Bureau of Land Acquisition

WJR:SMY:LMB:dms

Attachments

cc: Harry J. Pistel



PAUL H. REINCKE
CHIEF

BALTIMORE COUNTY, MARYLAND

DATE: JUNE 2, 1986

SUBJECT: SUBDIVISION REVIEW COMMENTS

FROM: BALTIMORE COUNTY FIRE DEPARTMENT, FIRE PREVENTION
BUREAU, PLANS REVIEW DIVISION
CAPTAIN JOSEPH KELLY

PROJECT NAME: OAK FOREST RETAIL CENTER

PROJECT NUMBER: CRG AGENDA 5/12/86, 2:30PM

LOCATION: HARFORD ROAD AND OAK FOREST DRIVE

DISTRICT # 14

COMMENTS:

CRG 01
PROPOSED BUILDINGS SHALL BE DESIGNED AND CONSTRUCTED SO AS TO MEET THE APPLICABLE PROVISIONS OF THE FIRE PREVENTION CODE AND THE NFPA 101 LIFE SAFETY CODE, 1981 EDITION.

CRG 09
ALL FIRE HYDRANT SPACING SHALL BE IN ACCORDANCE WITH THE BALTIMORE COUNTY STANDARD DESIGN MANUAL, SEC 2.4.4, FIRE HYDRANTS. ADD HYDRANT AT HARFORD AND OAK FOREST DRIVE.

CRG MEETING OF JUNE 12, 1986
OAK FOREST RETAIL CENTER

1) A SWM waiver was recommended for this site on 5/12/86 as long as the southwestern easement is directed to Oak Forest Drive. The northeastern 0.27 acres drains into the existing ditch.

Thomas L. Chisholm
5/23/86

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: OFFICE OF PLANNING AND ZONING

DATE: June 12, 1986

PROJECT NAME: Oak Forest Retail Center	PLAN
COUNCIL & ELECTION DISTRICT XIV-225	PLAN EXTENSION
	REVISED PLAN
	PLAT

The Office of Planning has reviewed the revised subject plan received in this office on June 6, 1986 and submits the following comments:

1. This CRG plan has been revised since the original submission. The plan should include a revision date and a list of changes.
2. The landscape calculations are correct. The plan must show the required 8' planting areas along public street and property lines which abut residential zones or premises, including the eastern property line adjacent to the Bartoli residence. A modification to the required 8' planting area could be requested. A combination of planting and an attractive fence/or berm could be provided in lieu of the planting strip.
3. Screening of the parking areas is required along Harford Road and Oak Forest Drive. This required screening should be identified on the plan.
4. A final landscape plan must be approved by this office prior to issuance of any building permits.

Gary Kerns
Gary Kerns

CPS-008

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: ZONING OFFICE

DATE: June 12, 1986

PROJECT NAME: Oak Forest Retail Center
LOCATION: NE and SE/cor. of Harford Rd. and Oak Forest Dr.
DISTRICT: 14th Election District

PLAN: 4/21/86
REV: 6/6/86
REV: ☒
REVISED PLAN KEY:
COMPLIANCE WITH COMMENT CHECKED
NON-COMPLIANCE IS CIRCLED
ADDITIONAL COMMENTS ADDED LAST

1. A special hearing for commercial parking in a residential zone Case No. 72-296-SPH was granted by the Zoning Commissioner on 3/13/73. If construction has not occurred, the time for utilization of the special hearing expired 3/13/75 and all of the development would have to be located in the B.L.-C.C.C. Zone or another special hearing should be requested.
2. Amenity Open Space required ratio is .2 for the B.L.-C.C.C. Zone. This calculation and area should be shown on the plan. Separate figures for each site only including the B.L.-C.C.C.
3. Include bearings on the property boundary and include the S. 409.4 notes concerning the parking in the B.L. S.5 Zone (both were included on the original plan). Also, correct the existing zoning to include C.C.C. after B.L. Also, include the buildings existing on the same side of Harford Road adjoining the side of both parcels (as shown on the original plan).
4. Correct zone line

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Coordinator

COUNTY REVIEW GROUP MEETING MINUTES
Thursday, June 12, 1986

XIV-225

OAK FOREST RETAIL CENTER

COUNTY REVIEW GROUP - THOSE PRESENT*

Robert E. Covahey, Chairman - Dept. of Public Works
Gary Kerns, Co-Chairman - Office of Current Planning

Agency Representatives

Bob Sauerwald - Fire Department
Dwight Little - Developers Engineering Division

Developer and/or Representatives

A. J. Vittti - VTA Associates, Inc.
J. Scott Dallas - VTA Associates, Inc.
Anthony G. Padussis - Padussis and Padussis

*Interested Citizens - See Attached

Mr. Covahey opened the meeting at 2:30 p.m., introduced the staff, and explained the purpose of the meeting.

Mr. Vittti presented the plan.

Mr. Kerns summarized the staff comments submitted from the Bureau of Sanitation, Office of Planning, Office of Zoning, Developers Engineering Division, Health Department, State Highway Administration, Dept. of Recreation & Parks, Storm Water Management Review, Fire Department, Traffic Engineering. These comments have been made a part of these minutes, and a copy was also given to the developer and developer's engineer.

The staff comments to be addressed are as follows:

Planning requested that the plan include a revision date and list of changes. The plan must show the required 8' planting areas. Screening of the parking areas is required along Harford Road and Oak Forest Drive. A modification of the 8' planting area may be requested. Zoning indicated that another special hearing would be required for commercial parking in a residential zone. The amenity open space calculations must be clarified and both calculations and A.C.S. shown on the plan. Include bearings on property boundary and parking notes. Correct the zone line and existing zoning designation. Show existing buildings on adjacent properties. Storm Water Management recommended a waiver with the condition that drainage be directed from the site as required by the County. Fire Department required that a hydrant be added at Harford Road and Oak Forest Drive.

The citizens were invited to comment:

Mr. Connelly asked what type of retail covenant has expired. He explained that

COUNTY REVIEW GROUP MEETING MINUTES

-2-

June 12, 1986

OAK FOREST RETAIL CENTER

changes in the neighborhood had increased traffic. He stated that Oak Forest residents don't usually oppose development, but were concerned about the traffic situation. He presented a list of recommendations for improving traffic in the area and a copy is included in this file. The list included problems with parking and drainage in addition to traffic recommendations. Mr. Bartoli expressed concern about runoff from the site parking lot adjacent to his home. He also stated that parking is a problem. Mrs. Connelly stated that there are many children in the area and she was concerned about their safety and the traffic on Oak Forest Drive. Mr. McGuire explained the existing drainage conditions in the area in detail. Recently installed drains have helped; however, problems still exist such as runoff from the V.F.W. and the Glasser site. The method of draining this site and method of coordinating with the existing drainage is critical to the neighborhood. He also inquired about the extent of highway improvements, the location of the street lights, the number and locations of proposed dumpsters, and the parking in the residential zone.

All of the issues were then discussed. The developer objected to some of the zoning comments. It was suggested that he explore other means of access to the property.

CONCLUSION: The meeting was continued for additional study of the drainage conditions, exploration of the possibility of combination of access from Harford Road with the State and Traffic Engineering, and the resolution of the proposed parking in a residential zone. The meeting was adjourned at 3:50 p.m.

R.E.C.

COUNTY REVIEW GROUP MEETING AGENDA
June 12, 1986
2:30 p.m.

1. Convene Meeting
2. Introductory statement concerning aims and goals of development regulations
3. Introduction of County representatives
4. Presentation of Plan by developer's representative
5. Comments of County agencies
6. Citizens' comments or questions
7. Developer's response
8. County Review Group decision
9. Adjourn meeting

SIGN IN

Name	Address
<i>Robert L. Bryce</i>	3017 Oak Forest Dr.
<i>Wm. B. McGuire</i>	3034 Oak Forest Dr.
<i>Ernest W. Hughes</i>	3030 Oak Forest Dr.
<i>Dino Bartoli</i>	3011 Oak Forest Dr.
<i>John J. Connelly</i>	3052 Oak Forest Dr.
<i>Mary E. Connelly</i>	3052 Oak Forest Dr.

CHURCH - 30 cars - approx. Church Services & Other Functions

SFE ATTACH - CAPNEY RESIDENT - 3200 SUMMIT AVE.

383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Please see the C.R.G. comments for this site.

Michael S. Flanigan
Traffic Engineer Associate II

MSF:1t

/m3

BY: C. E. Burnham, Chief
Building Plans Reviewer

Address _____

Eleanor Rowins
3045 Oak Forest Dr.
Address

Zoning Commission
111 W. Chesapeake Avenue
Towson, Maryland 21204

Ref.: Case 87-191-SPH
Item#: 87

Gentlemen:

In reference to the above mentioned case, we the undersigned do strongly object to the change in zoning, from Residential 5.5 DR. to Business Parking, of lot #52, as shown on V T Associates, Inc., dated April 21, 1986. Located 180' SE of the Center Line of Harford Road, 14th Election District, 6-Councilmanic District in the Estate of Mary E. Isaac.

The objections are based on three already existing problems now present at this location that can only be worsened with the addition of said parking facility. These being: 1) traffic, 2) pollution and 3) increased debris. This can be substantiated by looking at any of the many established parking areas in the Parkville community.

We the residents of OAK FOREST DRIVE are concerned that the land in question is at this time, already being violated by a driveway used by refuse disposal trucks and a pipeline used for sump-pump run off of the buildings located SW of said property, that empties directly onto OAK FOREST DRIVE. This causes hazardous road conditions both winter and summer. In meetings held with both previous and present owners of said property, permission has not been granted for above mentioned occurrences.

It is for these reasons we respectfully ask that the Zone Change be denied.

H. Nimmick
3048 Oak Forest Dr.
Address 3048 Oak Forest Dr.

Bruce F. Hanzel
3048 Oak Forest Dr.
Address 3048 Oak Forest Dr.

John C. Hammer
3044 Oak Forest Dr.
Address 3044 Oak Forest Dr.

Helen Nemzel
3042 Oak Forest Dr.
Address 3042 Oak Forest Dr.

Mary E. Hammer
3048 Oak Forest Dr.
Address 3048 Oak Forest Dr.

Louise Redel
3040 Oak Forest Dr.
Address 3040 Oak Forest Dr.

Althea F. Zeiler
3055 Oak Forest Dr.
Address 3055 Oak Forest Dr.

Charles F. Zeiler
3055 Oak Forest Dr.
Address 3055 Oak Forest Dr.

Zoning Commission
111 W. Chesapeake Avenue
Towson, Maryland 21204

Ref.: Case 87-191-SPH
Item#: 87

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We the residents of OAK FOREST DRIVE are concerned that the land in question is at this time, already being violated by a driveway used by refuse disposal trucks and a pipeline used for sump-pump run off of the buildings located SW of said property, that empties directly onto OAK FOREST DRIVE. This causes hazardous road conditions both winter and summer. In meetings held with both previous and present owners of said property, permission has not been granted for above mentioned occurrences.

It is for these reasons we respectfully ask that the Zone Change be denied.

Edward G. W. Wynn
3041 Oak Forest Dr.
Address 3041 Oak Forest Dr.

John Yspruch
3047 Oak Forest Dr.
Address 3047 Oak Forest Dr.

Mary C Lee
3048 Oak Forest Dr.
Address 3048 Oak Forest Dr.

Althea F. Zeiler
3055 Oak Forest Dr.
Address 3055 Oak Forest Dr.

John Yspruch
3047 Oak Forest Dr.
Address 3047 Oak Forest Dr.

William H. Felt
3046 Oak Forest Dr.
Address 3046 Oak Forest Dr.

Zoning Commission
111 W. Chesapeake Avenue
Towson, Maryland 21204

Ref.: Case 87-191-SPH
Item#: 27

Gentlemen:

In reference to the above mentioned case, we the undersigned do strongly object to the change in zoning, from Residential 5.5 DR. to Business Parking, of lot #52, as shown on V T Associates, Inc., dated April 21, 1986. Located 180' SE of the Center Line of Harford Road, 14th Election District, 6-Councilmanic District in the Estate of Mary E. Isaac.

The objections are based on three already existing problems now present at this location that can only be worsened with the addition of said parking facility. These being: 1) traffic, 2) pollution and 3) increased debris. This can be substantiated by looking at any of the many established parking areas in the Parkville community.

We the residents of OAK FOREST DRIVE are concerned that the land in question is at this time, already being violated by a driveway used by refuse disposal trucks and a pipeline used for sump-pump run off of the buildings located SW of said property, that empties directly onto OAK FOREST DRIVE. This causes hazardous road conditions both winter and summer. In meetings held with both previous and present owners of said property, permission has not been granted for above mentioned occurrences.

It is for these reasons we respectfully ask that the Zone Change be denied.

Mary E. Connelly
3054 Oak Forest Dr.
Address 3054 Oak Forest Dr.

John J. Connelly
3054 Oak Forest Dr.
Address 3054 Oak Forest Dr.

Althea F. Zeiler
3055 Oak Forest Dr.
Address 3055 Oak Forest Dr.

Liford S. Schemm
3059 Oak Forest Dr.
Address 3059 Oak Forest Dr.

Althea F. Zeiler
3055 Oak Forest Dr.
Address 3055 Oak Forest Dr.

Althea F. Zeiler
3055 Oak Forest Dr.
Address 3055 Oak Forest Dr.

Althea F. Zeiler
3055 Oak Forest Dr.
Address 3055 Oak Forest Dr.

Althea F. Zeiler
3055 Oak Forest Dr.
Address 3055 Oak Forest Dr.

Zoning Commission
111 W. Chesapeake Avenue
Towson, Maryland 21204

Ref.: Case 87-191-SPH
Item#: 87

Gentlemen:

In reference to the above mentioned case, we the undersigned do strongly object to the change in zoning, from Residential 5.5 DR. to Business Parking, of lot #52, as shown on V T Associates, Inc., dated April 21, 1986. Located 180' SE of the Center Line of Harford Road, 14th Election District, 6-Councilmanic District in the Estate of Mary E. Isaac.

The objections are based on three already existing problems now present at this location that can only be worsened with the addition of said parking facility. These being: 1) traffic, 2) pollution and 3) increased debris. This can be substantiated by looking at any of the many established parking areas in the Parkville community.

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It is for these reasons we respectfully ask that the Zone Change be denied.

Margaret S. Jaramko
3040 Oak Forest Dr.
Address 3040 Oak Forest Dr.

Margaret S. Jaramko
3040 Oak Forest Dr.
Address 3040 Oak Forest Dr.

Helen M. Brice
3017 Oak Forest Dr.
Address 3017 Oak Forest Dr.

Robert L. Brice
3017 Oak Forest Dr.
Address 3017 Oak Forest Dr.

Mary E. Connelly
3054 Oak Forest Dr.
Address 3054 Oak Forest Dr.

Mary E. Connelly
3054 Oak Forest Dr.
Address 3054 Oak Forest Dr.

Althea F. Zeiler
3055 Oak Forest Dr.
Address 3055 Oak Forest Dr.

Althea F. Zeiler
3055 Oak Forest Dr.
Address 3055 Oak Forest Dr.

Zoning Commission
111 W. Chesapeake Avenue
Towson, Maryland 21204

Ref.: Case 87-191-SPH
Item#: 87

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It is for these reasons we respectfully ask that the Zone Change be denied.

Laura E. Stelzer
3005 Oak Forest Dr.
Address 3005 Oak Forest Dr.

Margaret M. Stelzer
3008 Oak Forest Dr.
Address 3008 Oak Forest Dr.

John H. Eulich
3015 Oak Forest Dr.
Address 3015 Oak Forest Dr.

John H. Eulich
3015 Oak Forest Dr.
Address 3015 Oak Forest Dr.

Carolyn D. Tansley
3013 Oak Forest Dr.
Address 3013 Oak Forest Dr.

Patricia Koski
3020 Oak Forest Dr.
Address 3020 Oak Forest Dr.

Frederick B. Landis
3022 Oak Forest Dr.
Address 3022 Oak Forest Dr.

Frederick B. Landis
3022 Oak Forest Dr.
Address 3022 Oak Forest Dr.

Zoning Commission
111 W. Chesapeake Avenue
Towson, Maryland 21204

Ref.: Case 87-191-SPH
Item#: 87

Gentlemen:

In reference to the above mentioned case, we the undersigned do strongly object to the change in zoning, from Residential 5.5 DR. to Business Parking, of lot #52, as shown on V T Associates, Inc., dated April 21, 1986. Located 180' SE of the Center Line of Harford Road, 14th Election District, 6-Councilmanic District in the Estate of Mary E. Isaac.

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It is for these reasons we respectfully ask that the Zone Change be denied.

Shirley K. Jann
3026 Oak Forest Dr.
Address 3026 Oak Forest Dr.

Diane S. Dady
3010 Oak Forest Dr.
Address 3010 Oak Forest Dr.

Frederick B. Landis
3022 Oak Forest Dr.
Address 3022 Oak Forest Dr.

Frederick B. Landis
3022 Oak Forest Dr.
Address 3022 Oak Forest Dr.

Mary B. Meier
3019 Oak Forest Dr.
Address 3019 Oak Forest Dr.

Michael Mesick
3019 Oak Forest Dr.
Address 3019 Oak Forest Dr.

Russell P. Hatch
3025 Oak Forest Dr.
Address 3025 Oak Forest Dr.

Russell P. Hatch
3025 Oak Forest Dr.
Address 3025 Oak Forest Dr.

Zoning Commission
111 W. Chesapeake Avenue
Towson, Maryland 21204

Ref.: Case 87-191-SPH
Item#: 87

Gentlemen:

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This can be substantiated by looking at any of the many already established parking areas in the Parkville community.

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It is for these reasons we respectfully ask that the Zone Change be denied.

Elisabeth G. Gentry
3046 Oak Forest Dr.
Address 3046 Oak Forest Dr.

William F. Muller
3051 Oak Forest Dr.
Address 3051 Oak Forest Dr.

William F. Muller
3051 Oak Forest Dr.
Address 3051 Oak Forest Dr.

Althea F. Zeiler
3055 Oak Forest Dr.
Address 3055 Oak Forest Dr.

Althea F. Zeiler
3055 Oak Forest Dr.
Address 3055 Oak Forest Dr.

Althea F. Zeiler
3055 Oak Forest Dr.
Address 3055 Oak Forest Dr.

PETITION IN OPPOSITION TO BUSINESS PARKING IN A RESIDENTIAL ZONE

The undersigned, resident(s) and/or legal owner(s) of property situate in the Fourteenth Election District of Baltimore County, State of Maryland, residing on OAK FOREST DRIVE in Parkville, do hereby oppose the Petition for Special Hearing before the Zoning Commissioner of Baltimore County, Case No. 87-191-SPH, for approval of BUSINESS PARKING IN A RESIDENTIAL ZONE affecting property on the Southwest side of OAK FOREST DRIVE, 180' Southeast of the center line of HARFORD ROAD, because I/WE strongly feel that the granting of such approval would ADVERSELY AFFECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE of our locality and residential community, THIS 31st day of October, 1986.

Dino Bartoli
Address 3011 Oak Forest Dr.

Linda J. Bartoli
Address 3011 Oak Forest Dr.

John W. Bartoli
Address 3025 Oak Forest Dr.

John W. Bartoli
Address 3025 Oak Forest Dr.

John W. Bartoli
Address 3004 Oak Forest Dr.

John W. Bartoli
Address 3006 Oak Forest Dr.

Adam J. Lack
Address 3014 Oak Forest Dr.

Emma R. Lack
Address 3014 Oak Forest Dr.

Margaret S. Jaramko
Address 3016 Oak Forest Dr.

Margaret S. Jaramko
Address 3016 Oak Forest Dr.

Helen M. Brice
Address 3017 Oak Forest Dr.

Robert L. Brice
Address 3017 Oak Forest Dr.

PETITION IN OPPOSITION TO BUSINESS
PARKING IN A RESIDENTIAL ZONE

The undersigned, resident(s) and/or legal owner(s) of property situate in the Fourteenth Election District of Baltimore County, State of Maryland, residing on OAK FOREST DRIVE in Parkville, do hereby oppose the Petition for Special Hearing before the Zoning Commissioner of Baltimore County, Case No. 87-191-SPH, for approval of BUSINESS PARKING IN A RESIDENTIAL ZONE affecting property on the Southwest side of OAK FOREST DRIVE, 180' Southeast of the center line of HARFORD ROAD, because I/WE strongly feel that the granting of such approval would ADVERSELY AFFECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE of our locality and residential community, THIS 31st day of October, 1986.

<u>Mary E. Connelly</u> Address <u>3052 Oak Forest Dr.</u> <u>Balto, Md. 21234</u>	<u>John J. Connelly</u> Address <u>3052 Oak Forest Dr.</u> <u>Baltimore County Md 21234</u>
<u>J. Kenneth O'Brien</u> Address <u>3059 Oak Forest Dr.</u> <u>Baltimore, Md 21234</u>	<u>L. Joann O'Brien</u> Address <u>3059 Oak Forest Dr.</u> <u>Balto. Md. 21234</u>
<u>Carol J. Horsley</u> Address <u>3057 Oak Forest Dr.</u> <u>Baltimore, Md 21234</u>	<u>W. A. Carol H. O'Hare</u> Address _____ _____
<u>Nancy K. Rubeling</u> Address <u>3054 Oak Forest Dr.</u> <u>Balto. Md 21234</u>	<u>Albert H. Rubeling</u> Address <u>3054 Oak Forest Dr.</u> _____

PETITION IN OPPOSITION TO BUSINESS
PARKING IN A RESIDENTIAL ZONE

The undersigned, resident(s) and/or legal owner(s) of property situate in the Fourteenth Election District of Baltimore County, State of Maryland, residing on OAK FOREST DRIVE in Parkville, do hereby oppose the Petition for Special Hearing before the Zoning Commissioner of Baltimore County, Case No. 87-191-SPH, for approval of BUSINESS PARKING IN A RESIDENTIAL ZONE affecting property on the Southwest side of OAK FOREST DRIVE, 180' Southeast of the center line of HARFORD ROAD, because I/WE strongly feel that the granting of such approval would ADVERSELY AFFECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE of our locality and residential community, THIS 31st day of October, 1986.

<u>Agnes Beck</u> Address <u>3052 Oak Forest Dr.</u> <u>Balto. Md 21234</u>	<u>John C. Hansen</u> Address <u>3044 Oak Forest Dr.</u> <u>Balto. Md.</u>
<u>H. Hamel</u> Address <u>3044 Oak Forest Dr.</u> <u>Balto. Md. 21234</u>	<u>Helen Nemzek</u> Address <u>3042 Oak Forest Dr.</u> <u>Balto. Md. 21234</u>
<u>Kevin F. Hamel</u> Address <u>3048 Oak Forest Dr.</u> <u>Balto, Md 21234</u>	<u>Louise Redel</u> Address <u>3040 Oak Forest Dr.</u> <u>Balto. Md 21234</u>
<u>Mary E. Hamel</u> Address <u>3044 Oak Forest Dr.</u> <u>Balto. Md. 21234</u>	<u>Balto. Md 21234</u> Address _____ _____

PETITION IN OPPOSITION TO BUSINESS
PARKING IN A RESIDENTIAL ZONE

The undersigned, resident(s) and/or legal owner(s) of property situate in the Fourteenth Election District of Baltimore County, State of Maryland, residing on OAK FOREST DRIVE in Parkville, do hereby oppose the Petition for Special Hearing before the Zoning Commissioner of Baltimore County, Case No. 87-191-SPH, for approval of BUSINESS PARKING IN A RESIDENTIAL ZONE affecting property on the Southwest side of OAK FOREST DRIVE, 180' Southeast of the center line of HARFORD ROAD, because I/WE strongly feel that the granting of such approval would ADVERSELY AFFECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE of our locality and residential community, THIS 31st day of October, 1986.

<u>John B. McQuinn</u> Address <u>3034 Oak Forest Dr.</u> <u>Emeline E. McQuinn</u>	<u>Emeline E. McQuinn</u> Address <u>3013 Oak Forest Dr.</u> _____
<u>Josephine D. Buzek</u> Address <u>3030 Oak Forest Dr.</u> _____	<u>Patricia Koski</u> Address <u>3026 Oak Forest Dr.</u> _____
<u>Helen M. Fowler</u> Address <u>3028 Oak Forest Dr.</u> <u>Nancy E. Evers</u>	<u>Frederick B. Landis</u> Address <u>3022 Oak Forest Dr.</u> <u>Robert L. Landis</u>
<u>John H. Evers</u> Address <u>3015 Oak Forest Dr.</u> _____	<u>3024 Oak Forest Dr.</u> Address <u>3026 Oak Forest Dr.</u> <u>Anna K. Saw</u>

PETITION IN OPPOSITION TO BUSINESS
PARKING IN A RESIDENTIAL ZONE

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<u>John B. McQuinn</u> Address <u>3034 Oak Forest Dr.</u> <u>Emeline E. McQuinn</u>	<u>Michael Meisick</u> Address <u>3019 Oak Forest Dr.</u> <u>Mary B. Meisick</u>
<u>Josephine D. Buzek</u> Address <u>3030 Oak Forest Dr.</u> _____	<u>Russell P. Hatch</u> Address <u>3027 Oak Forest Dr.</u> _____
<u>Helen M. Fowler</u> Address <u>3028 Oak Forest Dr.</u> _____	Address _____ _____
<u>Diane S. Dady</u> Address <u>3010 Oak Forest Dr.</u> <u>Rudolph S. Dady</u>	Address _____ _____

PETITION IN OPPOSITION TO BUSINESS
PARKING IN A RESIDENTIAL ZONE

The undersigned, resident(s) and/or legal owner(s) of property situate in the Fourteenth Election District of Baltimore County, State of Maryland, residing on OAK FOREST DRIVE in Parkville, do hereby oppose the Petition for Special Hearing before the Zoning Commissioner of Baltimore County, Case No. 87-191-SPH, for approval of BUSINESS PARKING IN A RESIDENTIAL ZONE affecting property on the Southwest side of OAK FOREST DRIVE, 180' Southeast of the center line of HARFORD ROAD, because I/WE strongly feel that the granting of such approval would ADVERSELY AFFECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE of our locality and residential community, THIS 31st day of October, 1986.

<u>Ronnie L. Parker</u> Address <u>3021 Oak Forest Dr.</u> _____	<u>Josephine D. Buzek</u> Address <u>3030 Oak Forest Dr.</u> _____
<u>Mary Ellen Codd</u> Address <u>3029 Oak Forest Dr.</u> _____	<u>Helen M. Fowler</u> Address <u>3028 Oak Forest Dr.</u> _____
<u>Blanche E. W. Taylor</u> Address <u>3032 Oak Forest Dr.</u> _____	<u>Louis E. Stelger</u> Address <u>3008 Oak Forest Dr.</u> _____
<u>Ernest W. Taylor</u> Address <u>3034 Oak Forest Dr.</u> _____	<u>Margaret N. Steigler</u> Address <u>3012 Oak Forest Dr.</u> _____
<u>John B. McQuinn</u> Address <u>3034 Oak Forest Dr.</u> <u>Emeline E. McQuinn</u>	<u>John S. Dady</u> Address <u>3010 Oak Forest Dr.</u> <u>Nancy S. Dady</u>

PETITION IN OPPOSITION TO BUSINESS
PARKING IN A RESIDENTIAL ZONE

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<u>Charles L. Zeller</u> Address <u>3055 Oak Forest Dr.</u> <u>Altha F. Zeller</u>	<u>Charles Kucera</u> Address <u>3049 Oak Forest Dr.</u> <u>Paul A. Rowers</u>
<u>W. Howard Zerkow</u> Address <u>3053 Oak Forest Dr.</u> _____	<u>3045 Oak Forest Dr.</u> Address _____ _____
<u>Howard B. Henderson</u> Address <u>3038 Oak Forest Dr.</u> _____	<u>Clarence Rowers</u> Address <u>3045 Oak Forest Dr.</u> _____
<u>Edmund G. W. Wynn</u> Address <u>3041 Oak Forest Dr.</u> <u>Baltimore, Md. 21234</u>	_____

PETITION IN OPPOSITION TO BUSINESS
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<u>Mary C. Lee</u> Address <u>3058 Oak Forest Dr.</u> _____	<u>Elvis J. Fritz</u> Address <u>3046 Oak Forest Dr.</u> _____
<u>Alice Yaprach</u> Address <u>3047 Oak Forest Dr.</u> _____	<u>William F. Miller</u> Address <u>3051 Oak Forest Dr.</u> _____
<u>John Yaprach</u> Address <u>3047 Oak Forest Dr.</u> _____	<u>W. Bladen Cobble</u> Address <u>3050 Oak Forest Dr.</u> _____
<u>William W. Fritz</u> Address <u>3046 Oak Forest Dr.</u> _____	<u>Michael E. Fritz</u> Address <u>3050 Oak Forest Dr.</u> _____

Magill Yerman & Better
AND COMPANY REALTORS
Homes and Gardens

November 9, 1986

☐ CORPORATE OFFICES
Magill Yerman Building
201 E. Howard Street
Baltimore, MD 21202
Telephone (301) 234-1300

☐ RELOCATION CENTER
1302 Belmont Avenue
Lutherville, MD 21093
Telephone (301) 824-4700
So. Free Road, C-40208

☐ BRANCH OFFICES

☐ METROPOLITAN BALTIMORE

☐ BELTWAY AT CHARLES

☐ CONDOMINIUM DIVISION

☐ PRINCE HARBOR

☐ PERRY HALL

☐ PINEVILLE

☐ ROLAND PARK

☐ BEL AIR

☐ FALLSTON

☐ HOWARD COUNTY

☐ COLUMBIA LAKEFRONT

☐ LAUREL

☐ OCEAN CITY

☐ WILLIAMSBURG PLAZA

Ms. C. Onorato
2826 Topaz Road
Baltimore, Maryland 21234

Dear Ms. Onorato:

As per your request, I've prepared a brief Market Analysis for the property 3011 Oak Forest Road, Baltimore, Maryland, 21234. As indicated on my Market Analysis, I would suggest that \$88,500 would be a fair market price.

In my opinion the rezoning of the residential zoning on the adjacent lot to allow business parking can reduce the property value by as much as ten thousand dollars.

If you wish a more refined appraisal, I suggest you consult a certified appraiser.

If I can be of any help in the future, please feel free to call me anytime.

Sincerely,

Fred Oltmanns
Fred Oltmanns

FO:jms

3/18/87

On this date, I telephoned VIA Associates, Inc. and spoke to a Mr. Jonathan Dallas, who informed me that Mr. Tony Vittit had been "fired" from this firm and was no longer there and the "Oak Forest Job" went with Mr. Vittit. He suggested we try and reach Mr. Vittit in c/o of the Padoussis/Padoussis' at 11117 Old Carriage Road, Glen Arm, Maryland 21057 re this zoning case.

B. du Bois

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 22, 1986

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

000

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

Mr. Ralph W. Simmers, Jr.
6700 Loch Raven Blvd.
Baltimore, Maryland 21239

RE: Item No. 87 - Case No. 87-191-SPH
Petitioner: Estate of Mary E. Isaac
Petition for Special Hearing

Dear Mr. Simmers:

The Zoning Plans Advisory Committee and the County Review Group (CRG) have both reviewed the plans submitted with the above-referenced petition. The comments from the CRG have been added to those of the Zoning Plans Advisory Committee and are part of this case file. They 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 Commission with recommendations as to the suitability of the requested zoning.

This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204

Maryland Department of Transportation

State Highway Administration

William K. Hallmann
Secretary
Hal Kassoff
Administrator

September 10, 1986

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

Re: ZAC Meeting of 9-9-86
ITEM: #87.
Property owner: Ralph W. Simmers, Jr. (Estate of Mary E. Isaac)
Location: SW/S Oak Forest Drive, 180 feet SE centerline Harford Rd. (Route 147)
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to approve business parking in a residential zone
Area: 5575 Square Feet
District: 14th Election District

RECEIVED
SEP 12 1986

ZONING OFFICE

Dear Mr. Jablon:

On review of the submittal of 4-1-86 and field inspection, the State Highway Administration finds all access to the site by way of Oak Forest Drive under Baltimore County review and approval.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383 7555 Baltimore Metro - 565 0451 D.C. Metro - 1 800 492 5062 Statewide Toll Free
P.O. Box 717 707 North Calvert St., Baltimore, Maryland 21203 - 0717



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERDER
DIRECTOR

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

OCTOBER 17, 1986

Re: Zoning Advisory Meeting of SEPTEMBER 9, 1986
Item # 87
Property Owner: RALPH W. SIMMERS, JR.
Location: (ESTATE OF MARY E. ISAAC)
SW/S OAK FOREST DRIVE, 180' SE & OF
HARFORD RD.

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.

- () There are no site planning factors requiring comment.
- (X) 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.
- (X) 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 Regulations.
- () 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
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- (X) 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:

David Fields, Acting Chief
Current Planning and Development

cc: James Hoswell



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

October 2, 1986

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

Item No. 87 -ZAC- Meeting of September 9, 1986
Property Owner: Ralph W. Simmers, Jr. (Estate of Mary F. Isaac)
Location: SW/S Oak Forest Drive, 180 feet SE centerline Harford Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to approve business parking in a residential zone
Area: 5575 square feet
District: 14th Election District

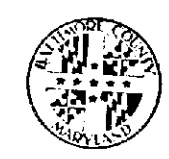
Dear Mr. Jablon:

Please see the C.R.G. comments for this site.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

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

September 5, 1986

RE: Property Owner: Ralph W. Simmers, Jr. (Estate of Mary E. Isaac)
Location: SW/S Oak Forest Drive, 180' SE centerline Harford Road
Item No.: 87

Zoning Agenda: Meeting of 9/9/86

Congratulations

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

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at

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.

- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

- () 6. Site plans are approved, as drawn.

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

REVIEWER: *Paul H. Reincke*
Planning Group
Special Inspection Division

Noted and Approved: *John F. O'Neill*
Fire Prevention Bureau

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

September 16, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 87 Zoning Advisory Committee Meeting are as follows:

Property Owner: Ralph W. Simmers, Jr. (Estate of Mary E. Isaac)
Location: SW/S Oak Forest Drive, 180 feet SE c/l Harford Rd.
District: 14th.

APPLICABLE ITEMS ARE CIRCLED:

- () All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Age (A.M.S.1. #117-1 - 1980) and other applicable Codes and Standards.
- () A building and other miscellaneous permits shall be required before the start of any construction.
- () Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- () Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Registered seals are not acceptable.
- (X) Bldg. "B" All Use Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-4 Use Groups require a one hour wall if closer than 1'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.2, Section 101.2 and Table 101.2. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- () The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- () The requested variance appears to conflict with Section(s) of the Baltimore County Building Code.
- () When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The Change of Use Group are from Use to Use, or to Mixed Use. See Section 312 of the Building Code.
- () The proposed project appears to be located in a Flood Plain. Flood/Riverine. Please see the attached copy of Section 510.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (X) Comments: See Section 313.0 for mixed uses and fire separations. Provide Handicapped Code compliance. If habitable space is below grade, see Sections 1105.6 and 1702.15.
- () These abbreviated 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 review of any permit. If desired, the applicant may obtain additional information by visiting Room 101 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

L/27/86

Jecco Company Inc.

PERRING PLAZA SHOPPING CENTER
1971 E. JOPPA RD.
BALTIMORE, MARYLAND 21234
(301) 661-4394 OR 426-3562

August 7, 1986

Mr. Arnold Jablon
Zoning Commissioner of Baltimore County
County Office Building
Suite 109
Towson Md. 21204

RE: Petition for Special Hearing SW/S of Oak Forest Drive, 152 SE of Harford Road-14th District Baltimore County. Owner Estate of Mary E. Isaac (Personal Representative Ralph W. Simmers Jr.

Dear Mr. Jablon,

Please be advised that our office represents the hereof petitioner, in the sale of the referenced property. The subject property has been sold by the Owner under a contract of sale subject to Balto. County Approval for Retail & Office Building Development use of the property.

Pursuant to same a C.R.G. Meeting was held on June 12, 1986 and a plan of development was submitted which was in order with the County Departments plus the local people and adjacent property Owners.

However a Major zoning issue was raised by Mr. Carl Richards representing the Zoning Department to the effect that (The special Exception that was granted in 1973 to allow off street parking in a residential zone had expired. Mr. Richards stated the reason to be that no action had been taken on the property within (2) Years after the hearing.

In keeping with this problem developing at the C.R.G. hearing, all other discussions were completed as to the plan development of the property and it was agreed by the parties thereto that final completion of the said hearing would be postponed until the zoning problem was resolved.

It is the property Owner's feeling that do to the way the wording of the Order to permit off-street parking on the referenced property was granted back in March 1973, (See attached Order Page (3) under lined) there was no reason for them to believe same had a time limit to the granting of the Off-Street-Parking on the Property in a Residential Zone, for the Order does very simply state (FROM AND AFTER THE DATE OF THIS ORDER, TO PERMIT OFF-STREET PARKING IN A RESIDENTIAL ZONE, SUBJECT TO THE APPROVAL OF A SITE PLAN BY THE STATE HIGHWAY ADMINISTRATION, THE DEPARTMENT OF PUBLIC WORKS, AND THE OFFICE OF PLANNING AND ZONING).

DINENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DINENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRESCHI, P.A.

RECEIVED

APR 30 1987

ZONING OFFICE

April 29, 1987

Arnold Jablon
Zoning Commissioner for
Baltimore County
County Office Building
Towson, Maryland 21204

RE: Case No.: 87-191-SPH
My File No.: 87-26
ESTATE OF MARY E. ISAAC

Dear Mr. Commissioner:

I met with Mr. Carl Richards of your office on Monday, April 27, 1987, with reference to the above-captioned matter.

As you recall, this matter was heard back in November of 1986 at which time you continued the special hearing for a use permit in a residential zone. You afforded the property owner the opportunity to file for a variance from the parking regulations.

It was my understanding that this matter would be heard again in the alternative, meaning that either the use permit for parking in a residential zone might be granted or the variance for parking from the zoning regulations might be granted.

The Petition for Variance has been filed but Mr. Richards raises certain issues as to the plans prepared as submitted and heard by you in November 1987 with the notations of the request for a variance.

I have discussed this matter with Mr. Richards and understand that there is an error in the description that was submitted with the request for a variance. I will have the engineer make this clear but in the meantime, it is requested that Mr. Richards be apprised of the position of the Commissioner relative to these Petitions in that, there has been no decision on the use permit for parking in a residential zone and said hearing has been continued until such time as the Petition for Variance is filed and to be heard, consolidated with the request for use permit for parking in a residential zone.

DINENNA, MANN & BRESCHI
Attorneys At Law

Arnold Jablon
Zoning Commissioner for
Baltimore County
Page 2
April 29, 1987

Thank you for your cooperation in this matter.

Very truly yours,
S. ERIC DINENNA

SED:kar

cc: Mr. Carl Richards
Mr. Robert P. Padousis
Mr. Anthony G. Padussis

DINENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DINENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRESCHI, P.A.

SUITE 600
MERCANTILE TOWSON BUILDING
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(301) 296-6820

April 15, 1987

Arnold Jablon
Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

RE: Case No.: 87-191-SPH
Harford Road and Oak Forest
Drive
My File No.: 87-26

Dear Mr. Commissioner:

Please have this letter serve as my entrance of appearance on behalf of the property owners concerning the above-captioned matter.

The Estate of Mary E. Isaac no longer owns the property and the Estate conveyed to the following persons on December 31, 1986, the right, title and interest: Robert P. Padousis and Anthony G. Padussis.

From what I have been advised, it appears that we may have to request a variance from the parking regulations in order for a reasonable development of the property.

My clients advise me that you sent a letter to them indicating that they had until April 20, 1987, to make a move concerning the continued hearing from November 10, 1986, or you would dismiss the original Petition.

I would respectfully request a 30-day extension in order that plans be prepared and signatures obtained for the variance request.

Thank you for your cooperation in this matter.

Very truly yours,
S. ERIC DINENNA

SED:kar
cc: Mr. Robert P. Padousis
Mr. Anthony G. Padussis

ZONING OFFICE

JECO COMPANY, INC. REAL ESTATE - BUSINESS - SALES & FINANCING

PERRING PLAZA SHOPPING CENTER
1971 E. JOPPA RD.
BALTIMORE, MARYLAND 21234
(301) 661-4394 OR 426-3562

March 20, 1987

RECEIVED

MAR 24 1987

ZONING OFFICE

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County Office of Planning and Zoning
Towson Md. 21204

RE: Petition for Special Hearing S/W Oak Forest Dr., 180'S/E of the C/I of Harford Rd., 14th Election District, 6th Councilmanic District, Case No. 87-191-SPH

Dear Mr. Jablon,

I thank you for your letter of March 18, 1987 regarding the hereof referenced matter.

Please be advised that we plan to file the Petition for Variance Parking in this prior to April 20, 1987.

As to the sign and post referenced in your letter I am surprised for same was returned by Mr. Ralph W. Simmer Jr. the same day. I have contacted Mr. Simmer who is to give you a call regarding same.

May I thank you for your time and attention to this matter.

Sincerely yours,

James E. Cumbest Jr.

JEC/vw



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 18, 1987

Mr. James E. Cumbest, Jr.
JECO COMPANY, INC.
Perring Plaza Shopping Center
1971 East Joppa Road
Baltimore, Maryland 21234

RE: PETITION FOR SPECIAL HEARING
SW/S Oak Forest Dr., 180' SE of the C/I of Harford Rd.
14th Election District - 6th Councilmanic District
Estate of Mary E. Isaac - Petitioner
Case No. 87-191-SPH

Dear Mr. Cumbest:

On November 10, 1986, a hearing was held before me in connection with the above-entitled zoning case, at which time, I continued the matter to permit you to file a Petition for Variance for parking. On this date, a review of my file reveals that you have not yet filed the said variance papers with our office, and if these papers are not filed with the Zoning Office by April 20th, I will dismiss this matter with prejudice.

Also, I note that the sign and post were not returned to our office on November 10th, as you were requested to do. If these materials are not returned to the Zoning Office (Room 113, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland) by April 20th, you will be billed by our office for a \$25.00 lost sign and post fee, payable to "Baltimore County, Maryland."

If you have any questions concerning the above, please feel free to contact Miss du Bois, Zoning Office, at 494-3394 or me at the above-listed telephone number.

Very truly yours,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:med

ccs: See page 2



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 18, 1987

Mr. James E. Cumbest, Jr.
JECO COMPANY, INC.
Perring Plaza Shopping Center
1971 East Joppa Road
Baltimore, Maryland 21234

RE: PETITION FOR SPECIAL HEARING
SW/S Oak Forest Dr., 180' SE of the C/I of Harford Rd.
14th Election District - 6th Councilmanic District
Estate of Mary E. Isaac - Petitioner
Case No. 87-191-SPH

Dear Mr. Cumbest:

On November 10, 1986, a hearing was held before me in connection with the above-entitled zoning case, at which time, I continued the matter to permit you to file a Petition for Variance for parking. On this date, a review of my file reveals that you have not yet filed the said variance papers with our office, and if these papers are not filed with the Zoning Office by April 20th, I will dismiss this matter with prejudice.

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If you have any questions concerning the above, please feel free to contact Miss du Bois, Zoning Office, at 494-3394 or me at the above-listed telephone number.

Very truly yours,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:med

ccs: See page 2

Mr. James E. Cumbest, Jr.
JECO COMPANY, INC.

March 18, 1987
Page 2

ccs: Estate of Mary E. Isaac
c/o Mr. Ralph W. Simmer, Jr.
6700 Loch Raven Boulevard
Baltimore, Maryland 21239

Walter J. Ballestros, Esquire
P.O. Box 27444
Towson, Maryland 21285

Mr. Tony Vitti
(formerly of VTA Associates, Inc.)
c/o Messrs. Anthony G. Padussis
Robert P. Padousis
11117 Old Carriage Road
Glen Arm, Maryland 21057

I then discussed the matter with you and you confirmed the hereof position of the Zoning Department, with the only way to resolve the matter and obtain the Off-Street-Parking-Permit-Back on the property was to re-file for a Special Hearing to have same granted once again.

In keeping with same attached please find the following:

- Please note : That do to this unforeseen problem the existing contract of sale on the property has had to be extended. The Owner would like to complete the sale of the property and the Buyer would like to see the herein stated zoning problem resolved so he may continue the planned development process with Baltimore County. Both Parties have asked that I respectfully request do to the unfortunate circumstances involved, that I try to schedule the requested Hearing as soon as possible.

CC/Ralph W. Simmers Jr.

Sincerely Yours,
James E. Gumbest Jr.
JEC/ww.

290 C.W.B. JR. 11/61/290

57-191 SPM
3/17/87
P.O. Box 27444
Tucson, AZ 85728
(Mail him Copy of
Final Order please)
med

James Lambert, Jr., 7 years common, 1st order
help breeder, 1st 7 order -
Tony Vetter, 1st 7 V.T. Associates
and spouse, not interested
Walter J. Kallert, 1st
my Dms + Carolyn Kallert,
resident of 1st adjacent, + my
contrast purchase Bredline + Annette

1st -
guy Harford Rd + Oak Forest Dr - guy
+ small blg, each front on 2 yards
on Harford Rd - small DC - could bld pending
outside of ID - office + related - guy
guy - rear of 1st blg in DC 5.5 -
in case 72-296 SPM - great but project
will want forward - 10 years in DC zone -
appropriately buffer provided, to meet 10 years
to utility, parking requirements - w/o parking
site unduly able - 14 in DC -
cross - in business 16 years -

John Conally - 305 Oak Forest Dr - lived here for 15 years -
petition against - other available parking in area -

Mr. Mary Conally - concerned w/ traffic + safety -

William Maguire - 303 Oak Forest Dr - 35 years lived here -
drainage - 10 additional years will add to congestion -
drainage has nothing to do w/ drainage

Dms Bredline - lived here 78 years - 1st 7 adjacent -
14' - 16' between house + prop line -

John Smith - run off ditch -

100-915-10119
 DEED
 THIS DEED dated March 1, 1985, from RALPH W. SIMMERS, JR.,
 RALPH W. SIMMERS III and SYRERHAN GEORGE SIMMERS, Personal Repre-
 sentatives of the Estate of WARY E. ISAAC, deceased, Grantors, to
 RALPH W. SIMMERS III and STEPHAN GEORGE SIMMERS, Trustees,
 Grantees.
 MARY E. ISAAC, late of Montgomery County, Maryland, died on
 March 7, 1984, leaving a will which was admitted to probate in
 the Register of Wills for Montgomery County. The Will, which is
 recorded in Wills Liber 798 folio 415 of the Register of Wills
 for that County, devised the property described below to the
 Grantees.
 RALPH W. SIMMERS, JR., RALPH W. SIMMERS III and STEPHAN
 GEORGE SIMMERS, the Personal Representatives of the Estate of
 MARY E. ISAAC, deceased, (Estate Docket No. 091-03-84) have dis-
 tributed the real property described below to the Grantees pursuant
 to the First Administration Account of the Estate filed by the
 Personal Representatives and approved by the Orphan's Court of
 Montgomery County on March 1, 1985, and are executing this Deed of
 testamentary distribution to evidence the title of the Grantees.
 The Grantors, for no consideration, grant and convey to the
 Grantees their successors and assigns, in fee simple, the twelve
 lots of ground located in Baltimore County, Maryland, described
 as follows:
 BEGINNING FOR THE FIRST, all that lot or parcel of ground
 located in Baltimore County, State of Maryland, the improvements
 thereon being known as No. 6716 Collinsdale Road whereby was
 reserved by lease thereof, issuing and payable out of said lot of
 ground the annual rent of \$150 payable in equal semi-annual install-
 ments of \$75 on the 15th day of January and July in each and every
 year.
 For title see: Lease dated January 12, 1959 and recorded
 among the Land Records of Baltimore County; Deed dated February 9,
 1959 and recorded among the Land Records of Baltimore County in
 Liber WNR No. 3484 folio 572.
 BEGINNING FOR THE SECOND, all that lot or parcel of ground
 located in Baltimore County, State of Maryland, the improvements
 thereon being known No. 6718 Collinsdale Road whereby was reserved
 by lease thereof, issuing and payable out of said lot of ground
 of \$75 on the 23rd of January and July in each and every year.
 For title see: Lease dated January 23, 1959 recorded among
 the Land Records of Baltimore County in Liber WNR No. 3450 folio
 597; Deed dated August 31, 1959 and recorded among the Land Records
 of Baltimore County in Liber WNR No. 3586 folio 242.
 BEGINNING FOR THE THIRD, all that lot or parcel of ground
 located in Baltimore County, State of Maryland, the improvements
 thereon being known as No. 6721 Collinsdale Road whereby was reserved
 by lease thereof, issuing and payable out of said lot of
 ground the annual rent of \$150 payable in equal semi-annual install-
 ments of \$75 on the 16th of June and December in each and every
 year.
 For title see: Lease dated December 16, 1958 and recorded
 among the Land Records of Baltimore County in Liber WNR No. 3470
 folio 408; Deed dated August 11, 1959 and recorded among the Land
 Records of Baltimore County in Liber WNR No. 3586 folio 242.
 TRANSFERRED TO GRANTEES
 BY DEED DATED MARCH 1, 1985
 RALPH W. SIMMERS, JR. RALPH W. SIMMERS III STEPHAN GEORGE SIMMERS
 Grantors
 RALPH W. SIMMERS III STEPHAN GEORGE SIMMERS
 Trustees
 22-

2-11-88

MARY E. SIMMERS : IN THE CIRCUIT COURT
 : FOR BALTIMORE COUNTY
 VS. : IN EQUITY
 : DOCKET 78 FOLIO 362
 BARBARA REDEL ET AL. : CASE NO. 55286

: : : : :

D E C R E E

This cause of action standing ready for hearing on the Bill of Complaint for Declaratory Decree seeking the termination of certain restrictions heretofore imposed upon parcels of ground shown on the Plat of "Oak Forest" situate in Baltimore County, Maryland, the Answer of certain parties Defendant, the Decrees Pro Confesso against other parties Defendant, the Exhibits, Testimony and all other matters having been read and considered by the Court, and it appearing to the Court that the changed circumstances and the altered character of the neighborhood would render it inequitable and oppressive to enforce the covenants, agreements and restrictions imposed upon said property under and by virtue of a deed dated May 15, 1941, and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 1161 folio 290, it is thereupon this 13th day of February, 1967, by the Circuit Court for Baltimore County, in Equity, ADJUDGED, ORDERED and DECREED that the hereinabove mentioned covenants, agreements and restrictions, be and they are hereby declared terminated, null, void and unenforceable as to all those five lots or parcels of land known and designated as Lots Nos. 1, 2, 53, 54 and 55 as shown on the Plat of "Oak Forest", which Plat is recorded among the Land Records of Baltimore County in Plat Book C.W.B.Jr. No. 12 folio 110, or so much thereof as is now vested in the Complainant, Mary E. Simmers, widow, MAR 13 1967

- 2 -

under and by virtue of a deed to her from Ralph W. Simmers, Jr. and Jean H. Simmers, his wife, dated June 18, 1956, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2959 folio 277; it being further ADJUDGED, ORDERED and DECREED, however, that said parcels of land be and they are hereby declared to be subject to the zoning regulations for Baltimore County now applicable to said lot and to the limitations, terms and conditions fully set forth in an Agreement dated February 2, 1966, and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4612 folio 390, by and between Mary E. Simmers, party of the first part, and Barbara Redel et al., parties of the second part; and

It is further ORDERED that the said Mary E. Simmers pay the costs of these proceedings.

JUDGE

Approved for Decree on
 February 17th 1967.

MASTER

I HEREBY CERTIFY that the foregoing is a true copy taken from the Equity records of the Circuit Court as recorded in Liber CHAY No. 78 Folio 362 Signed and seal affixed this

6th day of November 1986

Clerk of the Circuit Court for
 Baltimore County

Edw A Ferrari

Ralph W Simmers (Seal)

State of Maryland City of Baltimore to wit

I Herby Certify That on this 15th day of May 1941 before me the subscriber a Notary Public of the State of Maryland in and for the City of Baltimore aforesaid personally appeared F F Ernest Sack President of the within named Grantor and acknowledged this deed to be the act of said body corporate And at the same time personally appeared Ralph W Simmers and acknowledged this deed to be his act

As Witness my hand and Notarial Seal

(Notarial Seal)

Edw A Ferrari (Seal)

Notary Public

Recorded May 20 1941 at 2.20 P M and exd per C Willing Browne Jr Clerk

180987) This Mortgage Made this 15th day of May in the year nineteen hundred and forty one by Ralph W Simmers and Mary E Simmers his wife to) wife Mortgageors of Baltimore City in the State of Maryland of the George Sacks & Sons Inc) first part and George Sack & Sons Inc of the State of Maryland Mortgagees of the second part

Whereas the said Mortgageors stand bona fide indebted unto the said Mortgagees in the full and just sum of Twenty one Thousand Five Hundred (\$21,500.00) Dollars said sum being a part of the purchase price of the herein described premises which said principal sum of money the said Mortgageors hereby covenant and agree to pay unto the said Mortgagees one year from date hereof together with interest to accrue thereon at the rate of six percent per annum payable semi annually and

Whereas it is agreed that at any time before default hereunder or maturity hereof the said Mortgageors shall be entitled to have released from the operation of this Mortgage either or all of the lots comprising the herein described property upon the payment of the sum of One Thousand (\$1,000.00) Dollars for each lot so released together with the interest upon the mortgaged debt to the date of said payment and

Whereas it was a condition precedent to the granting of the aforesaid loan that it be secured by mortgage whereby these presents are executed

Now This Mortgage Witnesseth that in consideration of the premises and the sum of One Dollar the said Mortgageors do grant and convey unto the said Mortgagees its successors and assigns in fee simple all that lot or parcel of ground situate and lying in Baltimore County aforesaid and described as follows

Beginning for the same at a stone now planted at the beginning of that tract of land described in a deed from H Courteney Jenifer to William Bowman recorded among the Land Records of Baltimore County in Liber W H M No 661 folio 171 and running thence binding reverse-ly on the east or south 40 degrees east 30.95 perch line in said description as the same now bears to the true meridian north 44 degrees 45 minutes west 476.04 feet to the southeast side of Harford Road as widened to 60 feet thence running southwesterly binding on the southeast side of Harford Road 246.50 feet to a point 18 feet southwest measured at right angles to the second line in deed Jenifer to Bowman above referred to thence running parallel with said line south 44 degrees 45 minutes east 1406.20 feet to a stone at the south corner of the land now owned by Kinslin thence running and binding on the southeast outline of said

Harford Rd. & Oak Forest Drive
Baltimore Co., Md. LIBER 4612 PAGE 390. *Recorded 2/12/16*

THIS AGREEMENT made this 2nd day of February, 1966, by and between

Mary E. Simmer, hereinafter referred to as the party of the first part and Barbara Redel, Dino J. Bartoli, Carolyn A. Bartoli, Henry E. Heinze, Mildred E. Heinze, Mary Jane Ireland, Martin Skane, Katherine E. Skane, Joseph J. Svoboda, Mary C. Svoboda, J. Robert Cala, Joan R. Cala, Louis G. Parker, Jr., Jeanne Parker, Earl Gillespie Simmers, Ivelyn S. Simmers, Joseph M. Puleo, Angela P. Puleo, Hattie May Wood, Edward D. Harsley, Marie T. Harsley, Nicholas J. Cogelia, Mary J. Cogelia, Carl A. Rowens, Mary V. Rowens, John A. Urspruch, Alice E. Urspruch, Charles L. Reeves, Mabel L. Reeves, William F. Miller, Theresa F. Miller, William H. Gerstmyer, Eunice Gerstmyer, Charles P. Zeiler, Althia Zeiler, Theresa A. Rettschulte, Ernest F. Rettschulte, A. Herman Rolfe, Ann M. Rolfe, Thomas F. Griffith, Jr., Joan C. Griffith, Joseph A. Beck, Agnes Beck, Albert W. Rubeling, Marge K. Rubeling, John Joseph Connelly, Mary E. Connelly, W. Gordon Ebley, Mildred I. Ebley, Erwin F. Hamel, Hilda J. Hamel, William H. Fritz, Elsie G. Fritz, John C. Hammen, Mary E. Hammen, John Edward Redel, Mary Louise Redel, Louis G. Parker, Sr., Anna M. Parker, Howard B. Henderson, Mildred Henderson, William B. McGuire, Evelyn E. McGuire, Ernest W. Nagle, Blanch W. Nagle, Elmer L. Cunningham, Viola G. Cunningham, Richard Lewis Fowler, Helen E. Fowler, Frederick S. German, Hilda A. German, Frederick B. Landis, Ruth E. Landis, George F. Jacob, Hilda W. Jacob, Ronald M. Davis, Anna Davis, Iwan Jaremk, Margaret Jaremk, Ernest W. Christopher, Gertrude Christopher, James K. Eney, Katherine E. Eney, Mary E. Eney, David V. Irwin, Evelyn L. Irwin, Joseph C. Hofer, Margaret Hofer, Katherine Hofer, Ethel Mae Evans, William E. Ferrell, Joanne K. Ferrell, George J. Wendelker, Jr., Gertrude J. Wendelker, Carroll E. Kreiger, Ethel E. Kreiger, Lawrence W. Evans, Adam F. Sack, Emma R. Sack, hereinafter referred to as the parties of the second part.

WITNESSETH:

WHEREAS: Ralph W. Simmers owned a tract of land in the 14th Election District of Baltimore County, State of Maryland known as Oak Forest Drive and recorded among the Land Records of Baltimore County in Plat Book C.W.B. No. 12, page 110.

WHEREAS: Restrictions were placed upon the landsome of which limited the free use of the land.

WHEREAS: Ralph W. Simmers improved and developed by the construction of home sites all of the lots of land set forth on the recorded Plat except and saving lots known as Lots 1, 2, 52, 53, 54, and 55, and lots 1 and 2 being

EXHIBIT (3) TO CONTRACT OF SALE DATED 2/12/16

BUYER *Anthony B. Puleo*SELLER *Ralph W. Simmers*

TRANSFER TAX NOT REQUIRED

5.8.66

JAN 11 1966

RECORDED

LIBER 4612 PAGE 391

Copy of Deed Restriction on property
Harford Rd. & Oak Forest Dr.
Baltimore Co., Md. LIBER 4612 PAGE 391

situate on the Northeast corner of Oak Forest Drive and Harford Road and said lots 52, 53, and 54 and 55 being situate on the southeast corner of Oak Forest Drive and Harford Road.

WHEREAS: Ralph W. Simmers departed this life on the 23rd day of May, 1951, and the heirs and assigns of Ralph W. Simmers are still seized and possessed of the aforesaid six lots.

WHEREAS: The Heirs and Assigns of Ralph W. Simmers, to wit, Mary E. Simmers, his widow, is desirous of developing the aforementioned six (6) lots according to their present use potential and market value.

WHEREAS: The parties of the second part recognize and understand the present use potential and market value but are desirous of protecting their neighborhood and homes to the highest extent possible under the conditions now and then existing.

NOW THEREFORE, THIS AGREEMENT, WITNESSETH: That in consideration of the payment of Five (\$5.00) Dollars, in hand, each to the other paid, and other good and valuable considerations, the party of the first part covenants and agrees with the parties of the second part, and the parties of the second part covenant and agree with the party of the first part, that the restrictions running with the Land as contained in the Deed dated May 15, 1941, and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr., 1161 folio 290 that limit and restrict the free commercial use of the lots 1, 2, 52, 53, 54, and 55 of Oak Forest Drive, said lots being part of the land development recorded among the Land Records of Baltimore County in Plat Book C.W.B. No. 12 page 110 will not be applicable thereto to the extent that the party of the first part, her heirs and assigns are permitted to build and develop improvements thereon for commercial use; said commercial use to be of the type designated by the Baltimore County Zoning Code as Business Local (BL) except that the following uses will not be permitted:

Convalescent home, tourist home, general public parking, lot where a fee is charged, bowling alley, dress making and millinery shop, dry-cleaning establishment and electrical contents and repair shop, funeral establishment, garden shop, hand laundry, laundromat, (self-service laundry, pet shop, picnic grove, public utility service center, shoe repair, social club, swimming pool, tailor shop, tavern, filling station, garage service station, miniature golf course, hotel, laboratory and wireless transmitting station.

THAT developments, construction and erection of improvements thereon will be in accordance with the applicable building Code for Baltimore County

then and there in existence and applicable.

EXHIBIT (3) TO CONTRACT OF SALE DATED 2/12/16

BUYER *Anthony B. Puleo*SELLER *Ralph W. Simmers*

That the parties hereto covenant and agree that twenty (20) years from

the date of the signing hereof a review of the terms and conditions set forth herein will be held for the purpose of determining whether or not the uses limited herein can be expanded; that in the event a review is not held, the restrictions running with the land will be deemed to have been waived and extinguished by the parties hereto and their heirs and assigns:

WITNESS THE HANDS AND SEALS OF THE PARTIES:

Ralph W. Simmers (SEAL)
MAY E. SIMMERS

Barbara Redel (SEAL)
BARBARA REDEL

Dino J. Bartoli (SEAL)
DINO J. BARTOLI

Carolyn A. Bartoli (SEAL)
CAROLYN A. BARTOLI

Henry E. Heinze (SEAL)
HENRY E. HEINZE

Mildred E. Heinze (SEAL)
MILDRED E. HEINZE

Mary Jane Ireland (SEAL)
MARY JANE IRELAND

Martin Skane (SEAL)
MARTIN SKANE

Katherine E. Skane (SEAL)
KATHERINE E. SKANE

Joseph J. Svoboda (SEAL)
JOSEPH J. SVOBODA

Mary C. Svoboda (SEAL)
MARY C. SVOBODA

J. Robert Cala (SEAL)
J. ROBERT CALA

Joanne K. Ferrell (SEAL)
JOANNE K. FERRELL

Jeanne Parker (SEAL)
JEANNE PARKER

Earl Gillespie (SEAL)
EARL GILLESPIE

and others

EXHIBIT (3) TO CONTRACT OF SALE
DATED 2/12/16
BUYER *Anthony B. Puleo*
SELLER *Ralph W. Simmers*
RECORDED 3.3.66

of Baltimore County in Liber W H M No 661 folio 171 and running thence binding reversely on the last or south 40 degrees east 30.95 perch line in said description as the same now bears to the true meridian north 44 degrees 45 minutes west 476.04 feet to the southeast side of Harford Road as widened to 60 feet thence running southwesterly binding on the southeast side of Harford Road 246.30 feet to a point 18 feet southwest measured at right angles to the second line in deed Janifer to Bowman above referred to thence running parallel with said line South 44 degrees 48 minutes east 1406.20 feet to a stone at the south corner of the land now owned by Kinlein thence running and binding on the southeast outline of said land north 43 degrees 29 minutes east 239.80 feet to the east corner of said land and thence running and binding on the northeast outline of said land north 44 degrees 45 minutes west 972.60 feet to the place of beginning

Saving and Excepting therefrom the following lots or parcels of ground

Beginning for the first at a point in the second or north 40 degrees west 85.10 perch line of that tract of land which by deed dated July 18 1894 and recorded among the Land Records of Baltimore County in Liber L M B No 205 folio 392 was conveyed by Richard Swormstedt and wife to Michael Kinlein at the distance of 1245 feet from the beginning of said line and running thence north 45 degrees 15 minutes east 18 feet thence running north 44 degrees 48 minutes west 165 feet to the southeast side of Harford Road thence running southwesterly binding on the southeast side of Harford Road as now located 60 feet wide 18.50 feet to intersect the north 40 degrees west 85.10 perch line in deed above referred to and thence running and binding reversely on part of said line south 44 degrees 48 minutes east 161.20 feet to the place of beginning

Beginning for the second at a point in the second or north 40 degrees west 85.10 perch line of that tract of land which by deed dated July 18 1894 and recorded among the Land Records of Baltimore County in Liber L M B No 205 folio 392 was conveyed by Richard Swormstedt and wife to Michael Kinlein at the distance of 479 feet from the beginning of said line and running thence with and binding on part of said line north 44 degrees 48 minutes west 225 feet thence leaving said outline and running for new division lines the three following courses and distances viz north 45 degrees 15 minutes east 100.50 feet to the southwest side of Oak Forest Drive thence binding on the southwest side of Oak Forest Drive as now located 40 feet wide south 44 degrees 45 minutes west 225 feet and thence running parallel with the second line in this description south 45 degrees 15 minutes west 100.40 feet to the place of beginning

Being the same property described in a deed of even date herewith from Michael A Kinlein et al to Ralph W Simmers and recorded or intended to be recorded prior hereto among the Land Records of Baltimore County

Being all of the lots of ground except Lots 27 28 and 33 as shown on a plat of Oak Forest dated May 14th 1941 prepared by Willard M Lee surveyor and recorded or intended to be recorded among the Land Records of Baltimore County immediately prior hereto

Together with the improvements thereon and the rights and appurtenances thereto belonging and appertaining

To Have And To Hold the above granted property unto the Grantee its successors and assigns forever in fee simple subject however to the following covenants agreements conditions easements restrictions and charges which it is hereby covenanted and agreed shall be binding upon the Grantee their heirs and assigns and upon the Grantee its successors and assigns and upon all of the above described land

A No structures shall be erected altered placed or permitted to remain on any building lot other than one detached single family dwelling not to exceed two and one half stories in height and a private garage for not more than two cars

B No building shall be erected placed or altered on any building plot in this subdivision until the building plans specifications and plot plan showing the location of such building have been approved in writing by a majority of a committee composed of Ralph W Simmers Ernest C Cooper and Samuel Harback or their authorized representative for conformity and harmony of external design and existing structures in the subdivision and as to location of the building with respect to property and building setback lines In the case of the death of any member or members of said committee the surviving members or member shall have authority to approve or disapprove such design and location If the aforesaid committee or their authorized representatives fails to approve or disapprove such design and location within 30 days after plans have been submitted to it or if no suit to enjoin the erection of such building or the making of such alterations has been commenced prior to the completion thereof such approval will not be required Said Committee or their authorized representative shall act without compensation Said committee shall act and serve until January 1 1947 at which time the then record owners of a majority of the lots which are subject to the covenants herein set forth may designate in writing duly recorded among the land records their authorized representative who thereafter shall have all of the powers subject to the same limitations as were previously delegated herein to the aforesaid committee

C No building shall be located nearer to the front lot line or to the side street line than the building setback lines shown on the recorded plat In any event no building shall be erected on any lot nearer than 25 feet from the front lot line nor nearer than 15 feet to any side street line No building except a detached garage or other outbuilding located 75 feet or more from the front line shall be nearer than 2 feet to any side line No residence or attached appurtenances shall be erected on any lot farther than 30 feet from the front lot line

D No residential structure shall be erected or placed on any building lot which lot has an area of less than 5000 square feet or a width of less than 50 feet at the front building setback line as shown on the recorded plat

E No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood

F No trailer basement tent shack garage barn or other outbuilding erected in the tract shall at any time be used as a residence temporarily or permanently nor shall any structure of a temporary character be used as a residence

G No dwelling costing less than \$3,000.00 shall be permitted on any lot in the tract the ground floor area of the main structure exclusive of one story open porches and garages shall not be less than 700 square feet in the case of a one story structure nor less than 500 square feet in the case of one and one half two or two and one half story structure

H An easement is reserved over the rear five feet of each lot for utility installation and maintenance

I No persons of any race other than the white race shall use or occupy any building or any lot except that this covenant shall not prevent occupancy by domestic servants of a different race domiciled with an owner or tenant

J No poultry hogs cattle or other live stock shall be kept on any lot nor shall there be

more than one pet cat and/or pet dog kept on any lot

And the said Grantors hereby covenant that they will warrant specially the property hereby granted and conveyed and that they will execute such further assurances of said property as may be requisite

Witness our hands and seals

Test
Edw A Ferrari
Ralph W Simmers (Seal)
Mary E Simmers (Seal)

State of Maryland City of Baltimore to wit

I Herely Certify That on this 15th day of May 1941 before me the subscriber a Notary Public of the State of Maryland in and for the City of Baltimore aforesaid personally appeared Ralph W Simmers and Mary E Simmers his wife the above named Grantors and they acknowledged the foregoing deed to be their act

As Witness my hand and Notarial Seal

(Notarial Seal)

Edw A Ferrari
Notary Public

Recorded May 20 1941 at 2:20 P M and exd per C Willing Browne Jr Clerk

180986) This Deed Dated this 15th day of May 1941 by and between
George Sack & Sons Inc) George Sack & Sons Inc a body corporate of the State of Maryland
Deed to) Grantor and Ralph W Simmers Grantee
Ralph W Simmers) Witnesseth That in consideration of the sum of Five Dollars
and other valuable considerations the receipt of which is hereby acknowledged the said Grantor doth grant and convey unto the said Grantee his heirs and assigns subject to the covenants agreements easements restrictions and conditions hereinafter made a part of this deed by reference thereto all of the following described property except lots 27 28 and 33 as shown on a plat of Oak Forest which plat is recorded or intended to be recorded prior hereto among the Land Records of Baltimore County which plat and endorsements thereon are hereby referred to and made a part of this deed

Beginning for the same at a stone now planted at the beginning of that tract of land described in a deed from H Courtney Jenifer to William Bowman recorded among the Land Records of Baltimore County in Liber W H M No 661 folio 171 and running thence binding reversely on the last or south 40 degrees east 30.95 perch line in said description as the same now bears to the true meridian north 44 degrees 45 minutes west 476.04 feet to the southeast side of Harford Road as widened to 60 feet thence running southwesterly binding on the southeast side of Harford Road 246.30 feet to a point 18 feet southwest measured at right angles to the second line in deed Janifer to Bowman above referred to thence running parallel with said line south 44 degrees 48 minutes east 1406.20 feet to a stone at the south corner of the land now owned by Kinlein thence running and binding on the southeast outline of said land north 43 degrees 29 minutes east 239.80 feet to the east corner of said land and thence running and binding on the northeast outline of said land north 44 degrees 45 minutes west 972.60 feet to the place of beginning

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Beginning for the first at a point in the second or north 40 degrees west 85.10 perch line of that tract of land which by deed dated July 18 1894 and recorded among the Land Records of Baltimore County in Liber L M B No 205 folio 392 was conveyed by Richard Swormstedt and wife

to Michael Kinlein at the distance of 1245 feet from the beginning of said line and running thence north 45 degrees 15 minutes east 18 feet thence running north 44 degrees 48 minutes west 165 feet to the southeast side of Harford Road thence running southwesterly binding on the southeast side of Harford Road as now located 60 feet wide 18.50 feet to intersect the north 40 degrees west 85.10 perch line in deed above referred to and thence running and binding reversely on part of said line south 44 degrees 48 minutes east 161.20 feet to the place of beginning

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Being the same property described in a deed of even date herewith from Ralph W Simmers and wife to the said Grantor and recorded or intended to be recorded prior hereto among the Land Records of Baltimore County

Together with the buildings and improvements thereon erected made or being and all and every the rights ways waters privileges appurtenances and advantages to the same belonging or in anywise appertaining

To Have And To Hold the above granted property unto the said Grantee his heirs and assigns forever in fee simple subject however to and with the benefit of all the covenants agreements easements restrictions conditions and charges set forth in the deed and agreement between Ralph W Simmers and wife and the said Grantor of even date herewith and duly recorded among the Land Records of Baltimore County concurrent with said plat of Oak Forest which covenants agreements easements restrictions conditions and charges are expressly made a part of this deed and which it is hereby covenanted and agreed shall be binding upon said Grantee his heirs and assigns

And the said Grantor covenants that subject to the above covenants agreements easements restrictions conditions and charges it will warrant specially the property hereby granted and conveyed and that it will execute such other or further assurances of said land as may be requisite

And the said Grantee joins herein for the purpose of evidencing his acceptance of this deed and covenants and agrees with the Grantor its successors and assigns that he will hold and convey the lots and parcel of land hereby conveyed subject to all and singular the covenants agreements easements restrictions conditions and charges set out in the said deed and agreement

As Witness the seal of the said Grantor and the signature of T F Ernest Sack its president and the hand and seal of the Grantee

Test

(Corporate Seal)

Edw A Ferrari

GEORGE SACK & SONS INC
By T F Ernest Sack
President

Mr. Ralph W. Simmers, Jr.
6700 Loch Raven Boulevard
Baltimore, Maryland 21239

September 26, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
SW/S of Oak Forest Dr., 180' SE of the c/l
of Harford Rd.
14th Election District
Estate of Mary E. Isaac - Petitioner
Case No. 87-191-SPH

TIME: 10:45 a.m.

DATE: Monday, November 10, 1986

PLACE: Room 301, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

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

No. 025863
check # 4534

DATE 1/26/86 ACCOUNT ROL 415-00.0

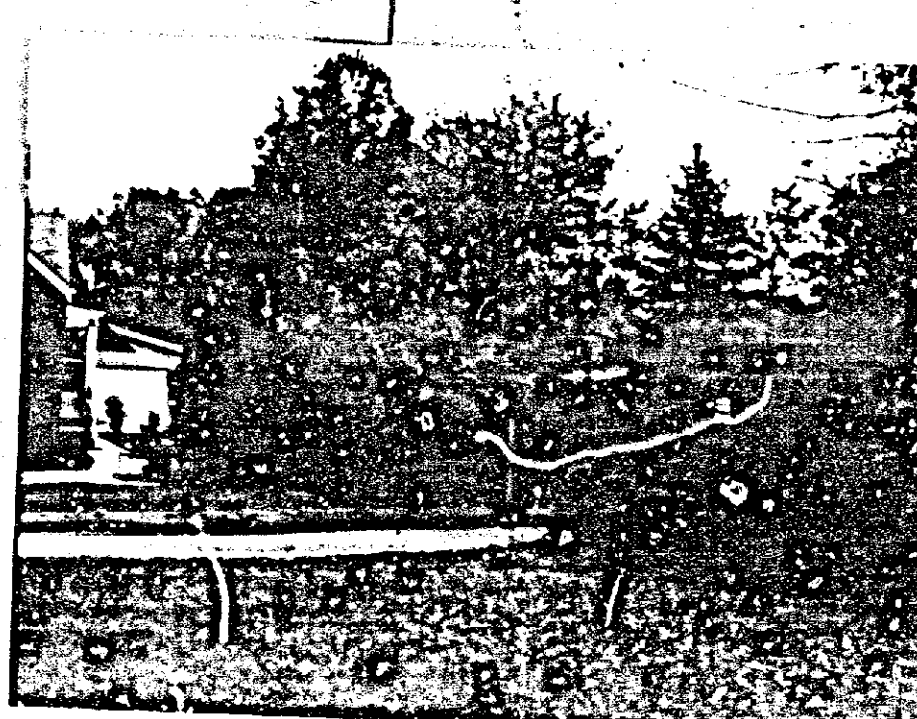
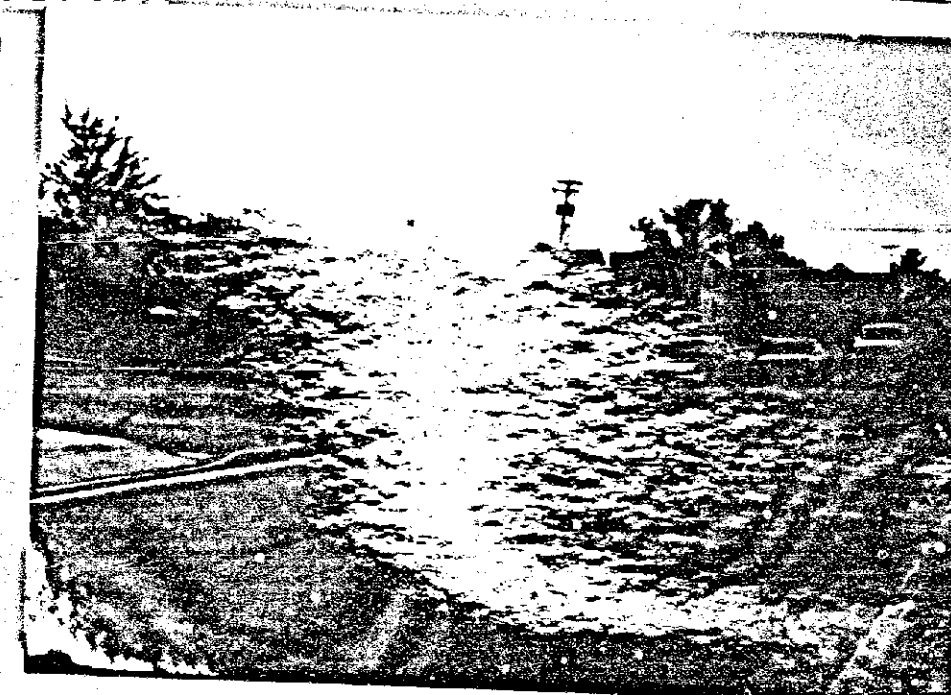
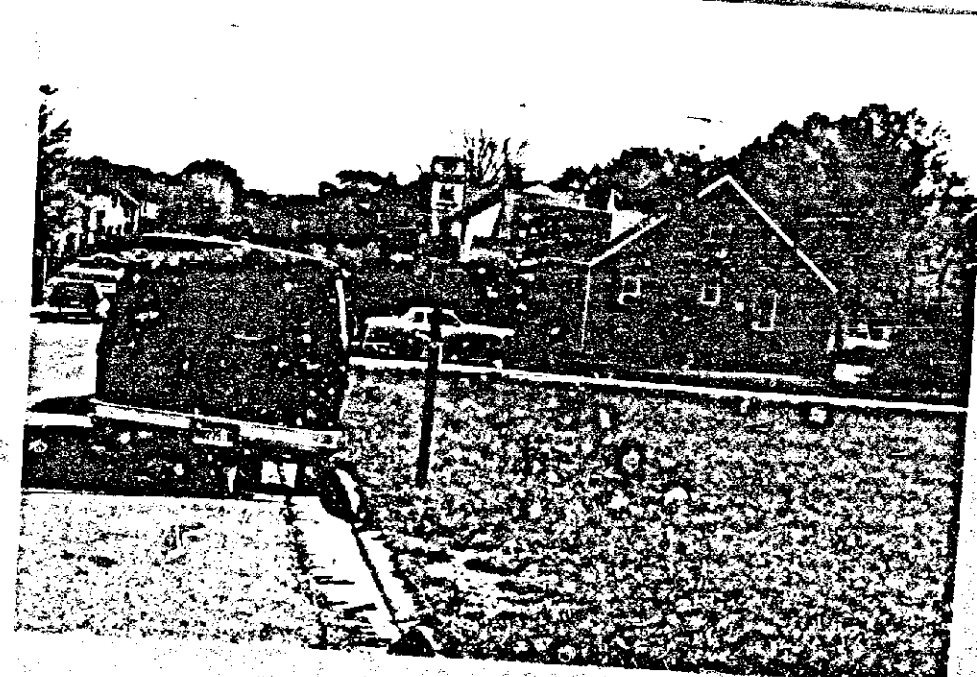
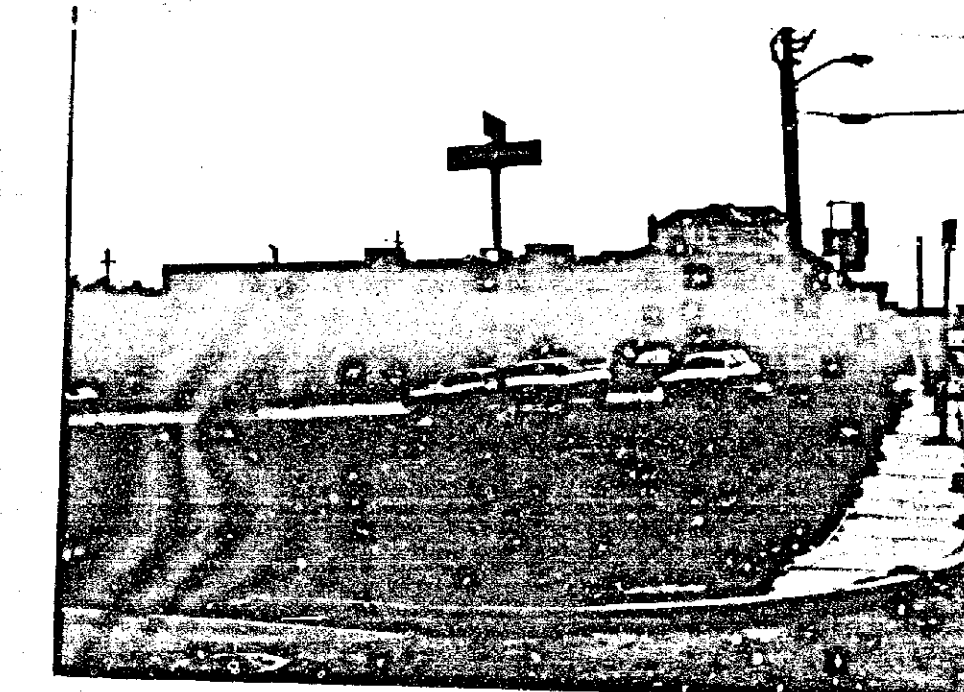
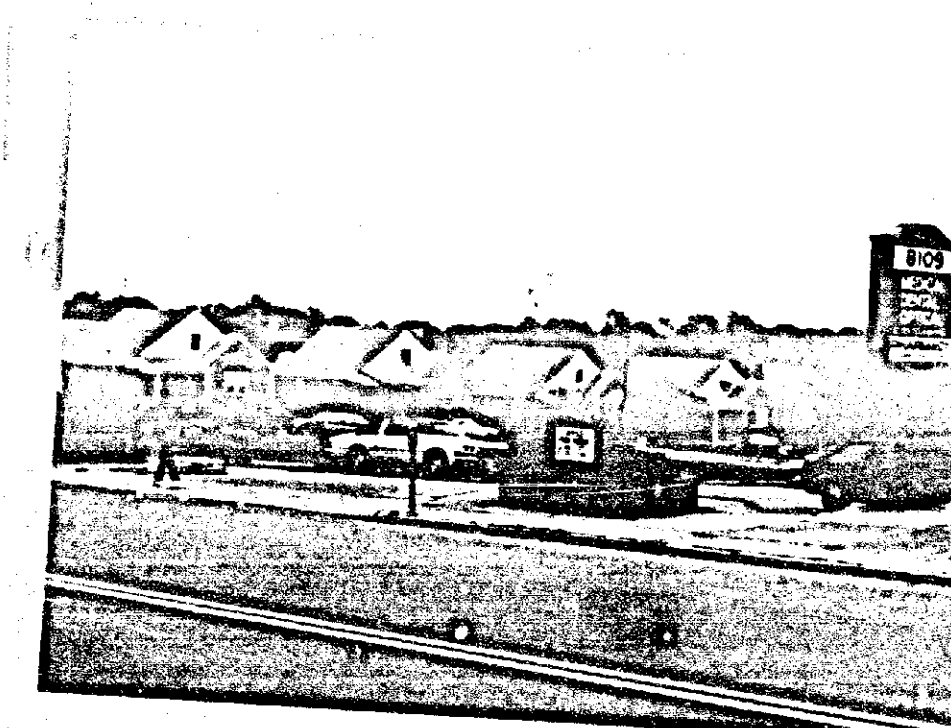
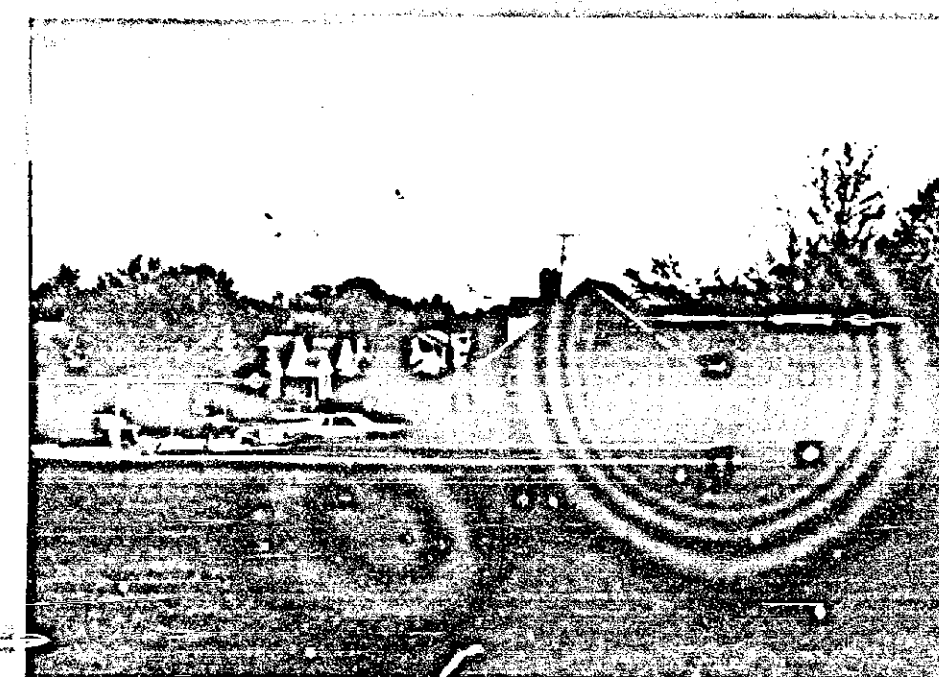
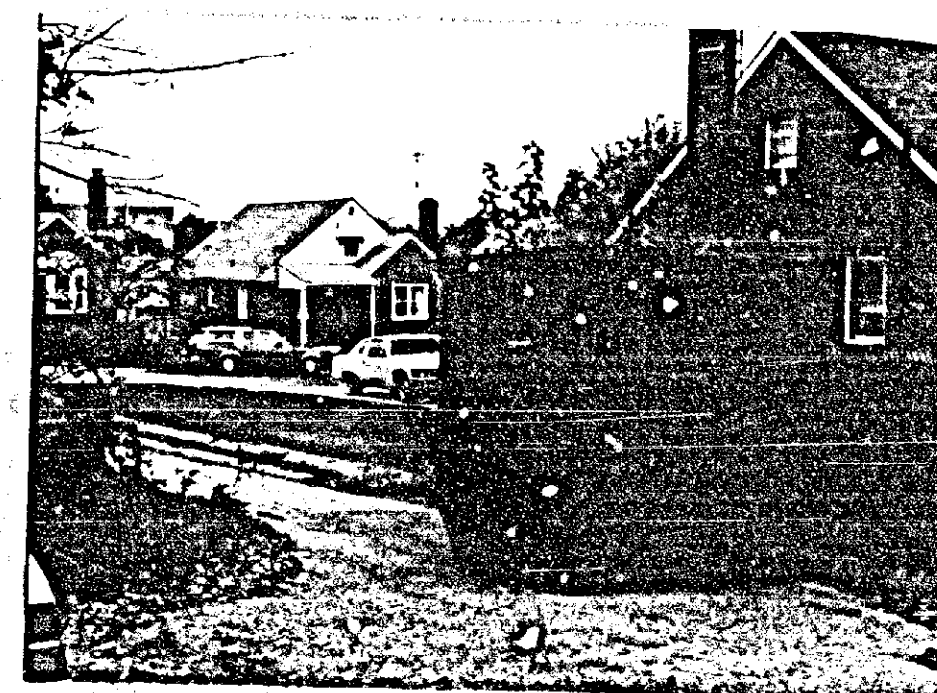
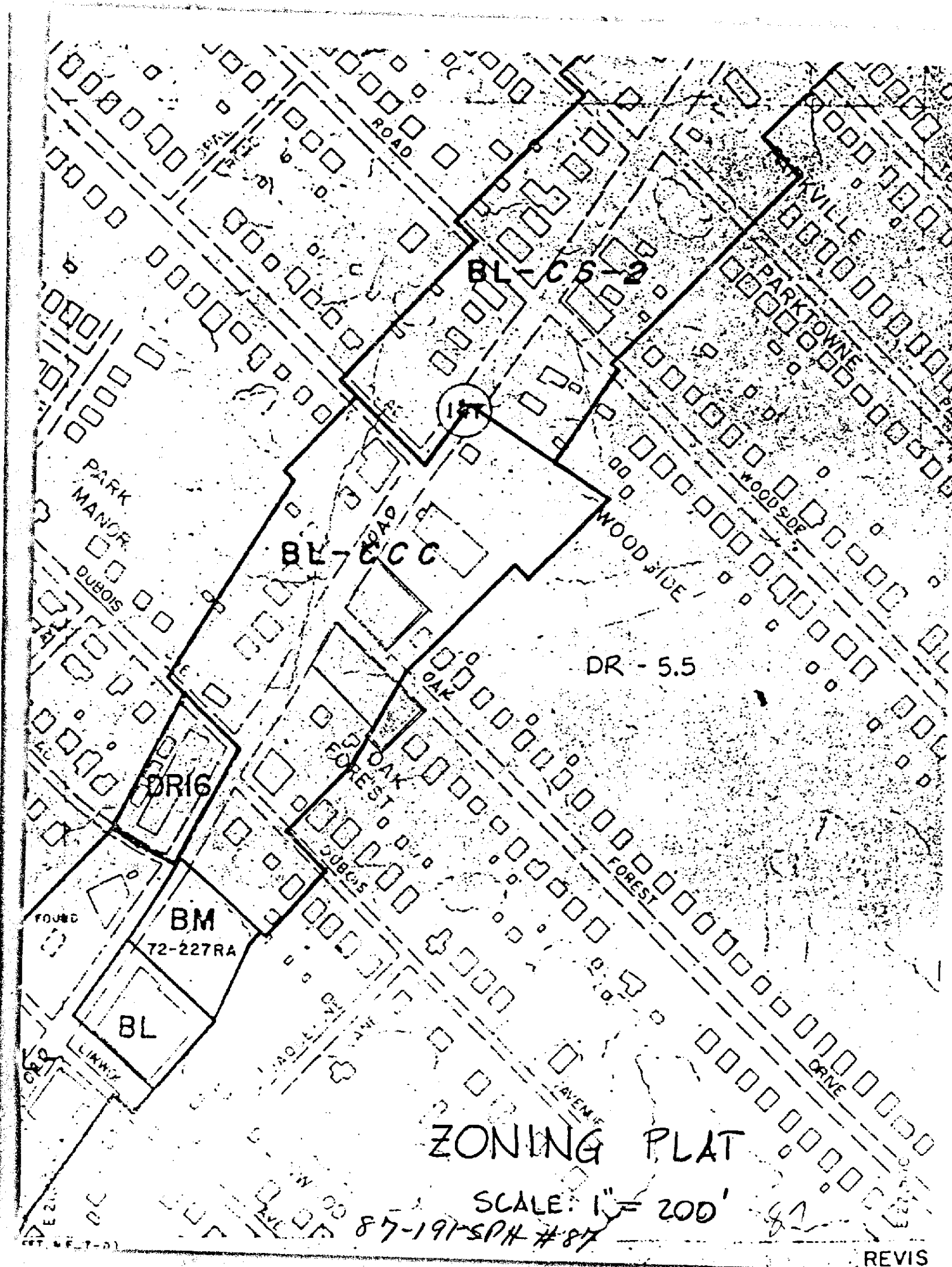
RALPH SIMMERS MOUNT \$ 100.00

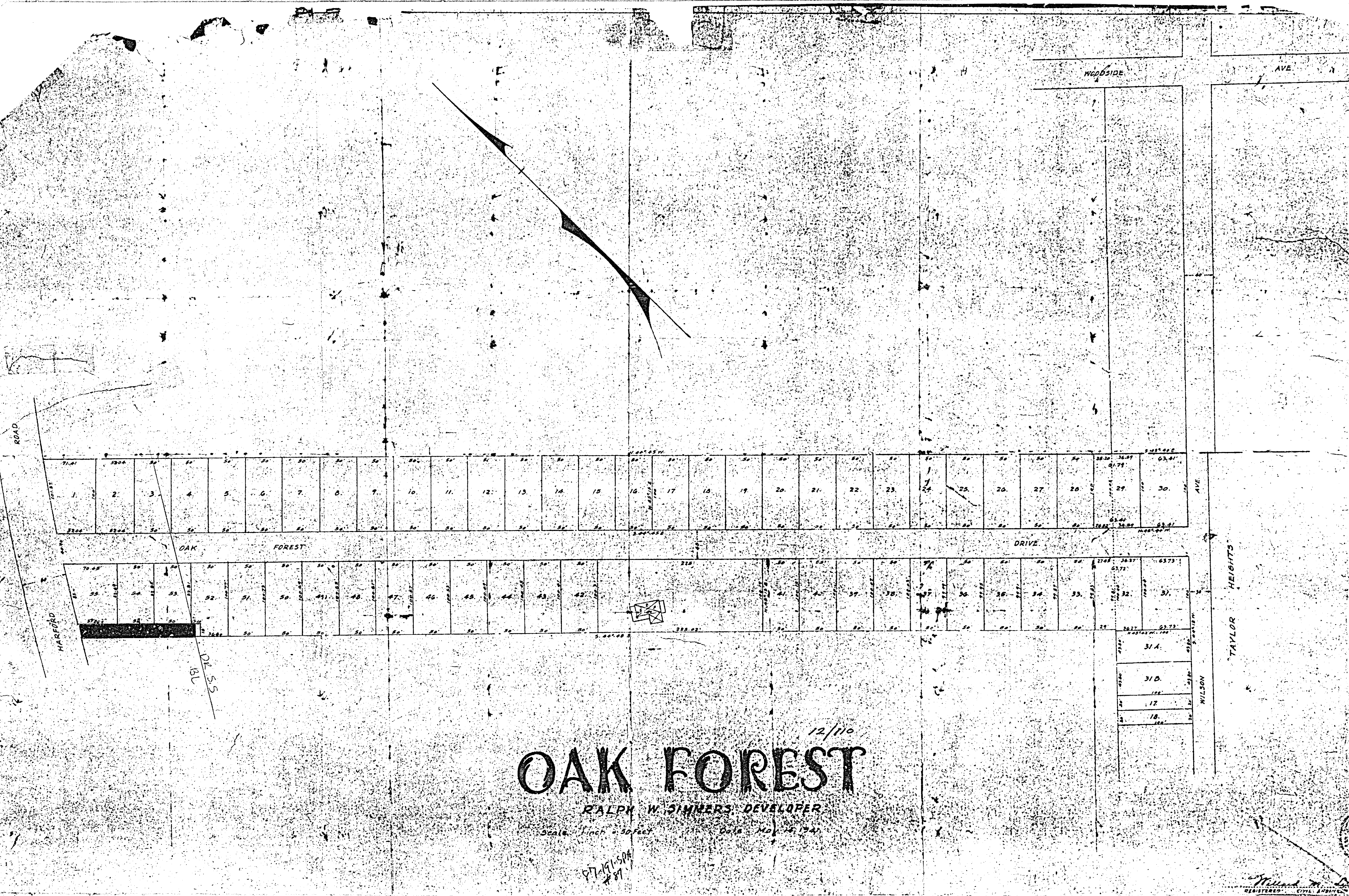
RECEIVED FROM *[Signature]*

FOR SPECIAL HEARING FEE

87-191-SPH #87

VALIDATION OR SIGNATURE OF CASHIER





OAK FOREST

RALPH W. SIMMERS, DEVELOPER

Scale: 1 inch = 50 feet

Date: May 14, 1941

57-191-50#
#89

2-11-27

STATE OF MISSISSIPPI
JUDICIAL DEPARTMENT

HYDROLOGIC SOIL GROUPING	SOIL TYPES & LIMITATIONS			
	TYPE	CLASS	BUILDINGS WITHOUT BASEMENTS	PARKING AREAS
C	LYB	SILTY LOAM CLAY	SEVERE: SUBSOIL SHRINKAGE & INSTABILITY	SEVERE: SUBSOIL SHRINKAGE & INSTABILITY

LYB - LOAMY & CLAYEY LAND - 0 to 5% SLOPES

GENERAL NOTES:

- THIS SITE LIES WITHIN:
 - ELECTION DISTRICT #14
 - COUNCILMANIC DISTRICT #6
 - CENSUS TRACT # 4401
 - WATERSHED #22
 - SUBSEWERED #3
- EXISTING LAND IS OPEN GRASS FIELD.
- THERE ARE NO HISTORIC SITES, WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, OR HAZARDOUS MATERIALS ON THIS SITE.
- LANDSCAPING TO BE ACCOMPLISHED IN ACCORDANCE WITH LANDSCAPING MANUAL REQUIREMENTS.
- AVERAGE DAILY TRIPS = 577
- STREET LIGHTS DENOTED BY: ▲
MOUNTING HEIGHT SHALL BE ABOVE 14'.
- NUMBER OF PARKING SPACES SHOWN THUSLY-⊙
- ALL STANDARD PARKING SPACES ARE 8.5' x 18' MIN.
- ALL HANDICAPPED PARKING SPACES ARE 12' x 18'.
- EXISTING USE OF SITE: VACANT
- PROPOSED USE OF SITE: RETAIL & OFFICES
- FLOOR AREA RATIO PERMITTED: 3.0
- FLOOR AREA RATIO PROPOSED:
 $9,000' / 42,400' = 0.21$
- TOTAL GROSS AREA OF SITE: 0.97 AC ±
- NET AREA OF SITE: 0.67 AC ±
- % OF BLDG. COVERAGE OF SITE: 11%
- STORM WATER MANAGEMENT WAIVER HAS BEEN GRANTED.
- EX. ZONING OF SITE IS B.L. & OR. S.3 (SPH. 72.296)
- LANDSCAPE PLANTING REQUIRED:
 - TREE / 40 LF RD. FRONTAGE: 511.4 / 40 = 12.79
 - TREE / 12 PARKING SPACES: 39 / 12 = 3.25
 TOTAL REQUIRED PLANTINGS: 16.04 - 17
- EXISTING USE ON THE WESTERNMOST SIDE OF HARFORD ROAD IS RETAIL.
- AMENITY OPEN SPACE

BLDG. 'A'	REQ'D: 5520 x 0.2 = 1104 SF ±
PROVIDED:	3000 SF ±
BLDG. 'B'	REQ'D: 3480 x 0.2 = 696 SF ±
PROVIDED:	2800 SF ±

NOTE: PRIOR TO ISSUANCE OF BUILDING PERMIT,
CROSS EASEMENTS FOR PARKING WILL BE RECORDED.

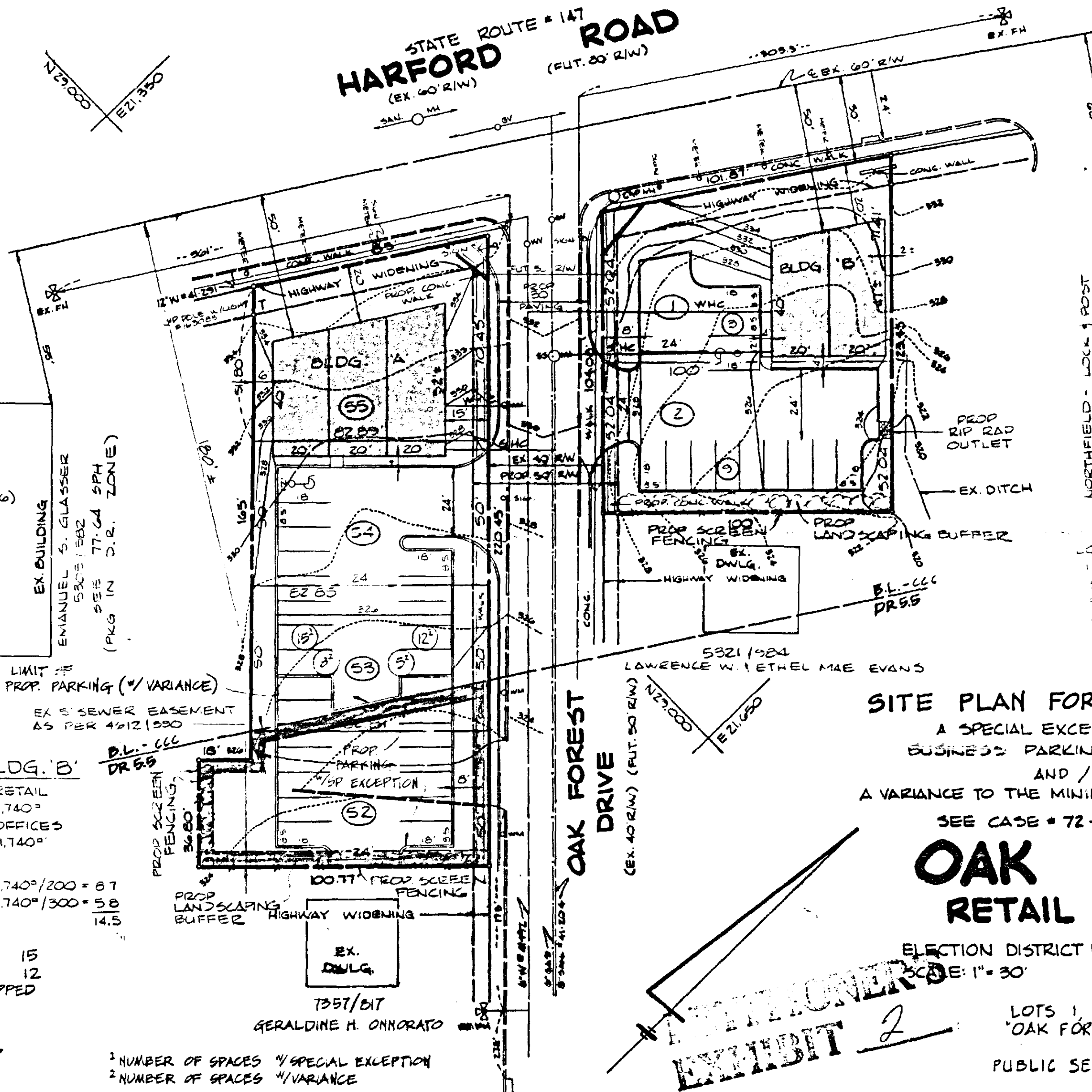
- EMPLOYEE PARKING FOR BLDG. B TO BE PROVIDED ON BLDG. 'A' PARKING LOT.
- ALL OUTDOOR LIGHTING IS TO BE DIRECTED AWAY FROM RESIDENTIAL BLDGS.

	BLDG. 'A'	BLDG. 'B'
1. PROP. USE OF BUILDING (1ST. FLOOR) SF	2,760'	1,740'
PROP. USE OF BUILDING (LOWER LEVEL) SF	2,760'	1,740'
2. REQUIRED PARKING (1ST. FLOOR)	$2760' / 200 = 13.8$	$1740' / 200 = 8.7$
(LOWER LEVEL)	$2760' / 300 = 9.2$	$1740' / 300 = 5.8$
	23	14.5
3. PROPOSED PARKING		
WITH SPECIAL EXCEPTION	24	15
WITH VARIANCE	13	12
(BOTH SCHEMES INCLUDE 2 SPACES FOR THE HANDICAPPED)		

REASON FOR VARIANCE:

VARIANCE FROM SECT. 409.2 TO PERMIT 25 SPACES
IN LIEU OF THE REQUIRED 38 SPACES.

1. NUMBER OF SPACES w/ SPECIAL EXCEPTION
2. NUMBER OF SPACES w/ VARIANCE



LOCATION MAP

SCALE: 1" = 500'

- The land on and next adjacent to be shown on any map or street from the business or industry involved. (B.C.R.A., 1955; Resolution, November 21, 1954.)
- Only passenger vehicles, including buses, may use the parking area. (B.C.R.A., 1955; Resolution, November 21, 1954.)
- No loading, unloading, or any use other than parking shall be permitted. (B.C.R.A., 1955; Resolution, November 21, 1954.)
- Lighting shall be regulated as to location, direction, hours of illumination, glare, and intensity, as required. (B.C.R.A., 1955; Resolution, November 21, 1954.)
- Screening shall be provided in accordance with the Baltimore County Landmarks Manual adopted pursuant to Ordinance 23-105 of Title 22 of the Baltimore County Code. (Resolution, November 21, 1954; No. 31, 1954.)
- A good section, properly drained, shall be required. (B.C.R.A., 1955; Paragraph 479.4; Resolution, November 21, 1954.)
- A satisfactory plan showing parking arrangement and vehicular access must be provided. (Resolution, November 21, 1954.)
- Method and time of operation, provision for maintenance, and permitted hours of use shall be specified, and regulated as required. (B.C.R.A., 1955; Paragraph 489.4; Resolution, November 21, 1954.)

LOT #	PROPERTY ACCOUNT #
1	141031675
2	141031675
3	141031675
4	141031675
5	141031675

SITE PLAN FOR ZONING HEARING

A SPECIAL EXCEPTION TO ALLOW
BUSINESS PARKING IN A DR 5.5 ZONE

AND / OR

A VARIANCE TO THE MINIMUM PARKING REQUIREMENTS

SEE CASE # 72-296 SPH (EXPIRED)

OAK FOREST RETAIL CENTER

ELECTION DISTRICT 14

SCALE: 1" = 30'

MAY 22, 1987

BALTIMORE COUNTY, MD.

LOTS 1, 2, 52, 53, 54 & 55
'OAK FOREST' PLAT 12/110

PUBLIC SERVICES C.R.G. # 86100

87

87-191-SPH

VITTI, ROBEL & ASSOCIATES, INC.

ENGINEERING & SURVEYING
216 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
821-9441



Mark L. Robel
MARK L. ROBEL
MD. REG. P.E. # 339

5-22-87
DATE

APPLICANT

ROBERT P. PADUSSIS
ANTHONY G. PADUSSIS
1117 OLD CARRIAGE ROAD
GLEH ARM, MARYLAND 21057

OWNER

ROBERT P. PADUSSIS
ANTHONY G. PADUSSIS
1117 OLD CARRIAGE ROAD
GLEH ARM, MARYLAND 21057
DEED REFERENCE: 7371/392