

CHESTER G. & BERTHA W. OTT
#R-87-253
Item #5, Cycle IV, 1986-87
2nd District
0.77 acre

August 27, 1986 Petition Filed

John O. Selland, Esquire
Seland and Jednorski
25 W. Chesapeake Avenue
Towson, MD 21204

Counsel for Petitioners

Chester G. & Bertha W. Ott
Rt. 1, Box 794
Harpers Ferry, WV 25425

Petitioners

James Earl Kraft
Baltimore County Board of Education
940 York Road 21204

Phyllis Cole Friedman, Esquire People's Counsel

Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

5. There was error made when the Comprehensive Zoning Maps of 1984 was adopted in that it "sandwiched" a DR-3.5 zone between a heavy commercial zone of BR and an office zone of RO.

6. There was error made when the Comprehensive Zoning Map of 1984 was adopted in that an arbitrary decision was made to permit BR zoning east of these mini storage warehouses to Offutt Road and to only permit RO zoning west of the mini storehouses up to Chapman Road.

WHEREFORE, your Petitioners respectfully pray that the Board of Appeals grant a reclassification in accordance with the Petition filed herein as well as other reasons to be given at the time of hearing.

(This Petition is being filed simultaneously and in concert with a Petition filed on adjacent property at 9207 Liberty Road.)

John O. Selland
Seland and Jednorski
25 W. Chesapeake Avenue
Suite 204
Towson, Maryland 21204
321-8200

Attorneys for Petitioners

SEILAND & JEDNORSKI
ATTORNEYS AT LAW
SUITE 204
25 W. CHESAPEAKE AVE.
TOWSON, MD 21204
(301) 321-8200

IN THE MATTER OF
CHESTER G. OTT and
BERTHA W. OTT, his wife
PETITION FOR RECLASSIFICATION
* * * * *
MEMORANDUM IN SUPPORT OF
RECLASSIFICATION PETITION

BEFORE THE
BOARD OF APPEALS
OF BALTIMORE COUNTY
Case No.: * * * * *

Your Petitioners, Chester G. Ott and Bertha W. Ott, his wife, in support of the Reclassification Petition and in accordance with the Baltimore County Code, respectfully say:

1. In the adoption of the Comprehensive Zoning Map of 1984 the Baltimore County Council erroneously zoned subject property at 9205 Liberty Road as RO, DR-3.5 and BR classifications.

2. Subject property fronts on Liberty Road with an existing RO zoning to a depth of approximately two hundred ten (210) feet with the balance of the depth of the property zoned DR-3.5 with the exception of a triangular portion of the property at the rear south east corner which is zoned BR.

3. Subject property lies in an area north of Offutt Road and south of Chapman Road which contains high use commercial property including mini storage warehouses abutting the property on the east and along its southwest property line with BR zoning with a post office, nursing home, and photography shop, Midas Muffler Shop, service station and other BR zoning to the immediate east; and with a service station, restaurant, Ford automobile agency, small shopping center and other BR zoning adjacent to Chapman Road and preceeding west along Liberty Road.

4. There was error made when the Comprehensive Zoning Map of 1984 was adopted in that this property contained an erroneous BR zoning on a triangular section of its southeast corner which occurred from a drafting mistake made on the 1971 map and repeated in the subsequent zoning maps.

SEILAND & JEDNORSKI
ATTORNEYS AT LAW
SUITE 204
25 W. CHESAPEAKE AVE.
TOWSON, MD 21204
(301) 321-8200



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180
April 10, 1987

J. Michael Recher, Esquire
SEILAND AND JEDNORSKI
25 West Chesapeake Avenue
Towson, MD 21204

RE: Case No. R-87-252
Steven R. Henderson, et ux
Case No. R-87-253
Chester G. Ott, et ux

Dear Mr. Recher:

Enclosed is a copy of the Opinion and Order passed today by the County Board of Appeals in the subject cases.

Sincerely,

Kathi C. Weidenhammer
Kathi C. Weidenhammer (P)
Administrative Secretary

Encl.

cc: Mr. & Mrs. Steven R. Henderson
Mr. & Mrs. Chester G. Ott
James Earl Kraft
Phyllis Cole Friedman, Esquire
Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

RECEIVED
APR 10 1987
ZONING OFFICE

Case No. R-87-252
Steven R. Henderson, et ux
Case No. R-87-253
Chester G. Ott, et ux

B.R. be and are hereby DENIED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

Lawrence E. Schmidt, Acting Chairman

Patricia Philips

Leroy B. Spurrer

Case No. R-87-252
Steven R. Henderson, et ux
Case No. R-87-253
Chester G. Ott, et ux

economic return may be obtained from another zoning classification does not justify reclassification from the present zoning. For so long as some viable use is allowed under the present zoning, it should be retained. The Board does note, however, the petitioners' argument that the unusual configuration of the adjoining B.R. zoning merits consideration of these petitions. However, in that the County Council and planning staff considered these very sites in the last map process, we cannot grant these petitions unless manifest error was made. The Board must conclude that error does not exist under these circumstances and therefore the petitions should be denied. Additionally, the Board takes cognizance of the Master Plan for the County which is not consistent with that zoning sought by these petitioners. The Board also notes the apparent error made during the last Comprehensive Map Process which allowed a small slice of B.R. zoning to be added to the Ott property. This was apparently an oversight or error made in drafting. As the practical effects of this error are minimal, the Board finds it unnecessary to further consider that issue.

For the foregoing reasons, the Board concludes that the petitioners have not proved error and will therefore order that their petitions be denied.

ORDER

It is therefore this 10th day of April, 1987 by the County Board of Appeals of Baltimore County ORDERED that the petitions for zoning reclassification of property located on the southwest side of Liberty Road, 460 feet southeast of the center line of Chapman Road (9207 Liberty Road) and of property located on the southwest side of Liberty Road, 540 feet southeast of the center line of Chapman Road (9205 Liberty Road) from R.O. and D.R. 3.5 to

IN THE MATTER OF
THE APPLICATION OF
STEVEN R. HENDERSON, ET UX
SW/S LIBERTY ROAD, 460' SE
C/1 CHAPMAN ROAD
(9207 LIBERTY ROAD)
AND
THE APPLICATION OF
CHESTER G. OTT, ET UX
SW/S LIBERTY ROAD, 540' SE
C/1 CHAPMAN ROAD
(9205 LIBERTY ROAD)
FOR RECLASSIFICATION FROM
D.R. 3.5/R.O. to B.R.
2nd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. R-87-252
AND
CASE NO. R-87-253

OPINION

These matters come before the Board as petitions for reclassifications, seeking a change in the current zoning of the properties from R.O. and D.R. 3.5 to B.R. The cases were consolidated for hearing in that the properties are adjacent and identical relief is sought. The properties are located along Liberty Road at 9205 and 9207 Liberty Road. Each property has approximately 80-foot frontage along Liberty Road and extends 400 feet deep.

In support of the petitions, the property owners produced two witnesses, Richard L. Smith and Bernard Semon. Mr. Smith, an expert in zoning, site planning, and engineering, testified as a project manager employed by Kilde Consultants, Inc. He testified that the current zoning on the properties was in error. As a basis for this opinion, the witness cited the extensive B.R. zoning in the area which immediately abuts the Ott property and extends southeasterly along Liberty Road. This zoning further extends southerly and in effect wraps around the rear of the subject site. Mr. Smith also opined that the area was not comprehensively zoned. This opinion was reached in view of the various mixes in zoning throughout the area. Mr. Semon, an expert in the area of real estate appraisal, testified as to the properties' current uses and that the present

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Chairman,
TO: William F. Rickett - Appeals Board Date: December 1, 1986
FROM: Charles E. Burnham, Plans Review Chief, Department of Permits & Licenses
SUBJECT: October, 1986 - April, 1987 Zoning Reclassification - Cycle IV

Item # 5 Property Owners: Chester G. and Bertha W. Ott
Contract Purchasers:
Location: SW/S Liberty Road, #9205, 540' SE
C/1 Chapman Road
Existing Zoning: D.R. 3.5, R.O.
Proposed Zoning: B.R.
Acres: 0.77
District: 2nd.

Any change of use shall require a change of use and occupancy permit. All such structures or buildings shall comply to the Baltimore County Building Code as amended by Council Bill #17-85 or the codes in effect at the time of change.

CEB/vw

Case No. R-87-252
Steven R. Henderson, et ux
and
Case No. R-87-253
Chester G. Ott, et ux

2.

zoning economically restricted the development of these properties from their highest and best use. For these reasons, he felt the zoning to be in error.

In opposition to the petitions, People's Counsel produced James G. Hoswell, a planner with the Office of Planning & Zoning. Mr. Hoswell stated that the current zoning does afford a reasonable use for the properties. He added that the Council, through the planning staff, had considered the zoning options available for these properties during the last Comprehensive Map Process and had selected the current R.O./D.R. 3.5 designations. A granting of the petitions, per Mr. Hoswell, would constitute a commercial strip along this corridor which Mr. Hoswell and his staff opposes. Also testifying in opposition to the petitions were two neighborhood residents, Mrs. Klohr and Mr. Stang. They fear the increasing commercialization of the area. Further, James Janis representing the Liberty Development Corporation opined that Association's opposition to the petitions. Specifically, he anticipated an access problem on this site should it be allowed to develop commercially and also cited the abundance of commercial zoning already in existence in this area.

As in all reclassification petitions, this Board is bound to review the petition pursuant to the mandate of Section 2-58.1 of the Baltimore County Code. This section provides that the petition cannot be granted and reclassification allowed unless the Board finds that there has been substantial change in the neighborhood or that the last classification of the property was in error. There was no allegation that the neighborhood has changed since the last Comprehensive Map Process. Insofar as error, the Board must reject the petitioners' claim of economic-induced error. That is, merely because a higher

PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS 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 (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an RO & DR-2-5 zone to an BR zone, for the reasons given in the attached statement, and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for _____

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

MAP 11171
E.D. 2
DATE 5-17-87
200
1000
DP

Property is to be posted and advertised as prescribed by The Baltimore County Code.

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

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
Bertha W. Ott
(Type or Print Name)
Signature
Chester G. Ott
(Type or Print Name)
Signature
Rt. 1 Box 794
Address
Harpers Ferry, W. VA. 25425
City and State

Attorney for Petitioner:
John O. Seiland &
Seiland and Jednorski
(Type or Print Name)
Signature
25 W. Chesapeake Ave.
Address
Towson, Maryland 21204
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
John O. Seiland
Name
25 W. Chesapeake Ave. 321-8200
Address
Phone No.

Attorney's Telephone No.: 321-8200

BABO-Form 1

Page Two
Item No. 5, Cycle IV
March 9, 1987

If you have any questions concerning the enclosed comments, please feel free to contact the Zoning Office at 494-3391 or the commenting agency.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:kbb (MS018)

Enclosures

cc: Kilde Consultants, Inc.
1020 Cromwell Bridge Road
Towson, Maryland 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

March 9, 1987

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

John O. Seiland, Esquire
Seiland and Jednorski
25 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Item No. 5 - Cycle IV
Case No. R-87-253
Petitioner: Bertha W. Ott, et ux
Reclassification Petition

Dear Mr. Seiland:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the October-April reclassification cycle (Cycle IV). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and/or commenting agencies' standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office on or before March 17, 1987. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

In view of the fact that the submitted site plan does not indicate a proposed use at this time, the comments from this Committee are general in nature. If the request is granted and an additional hearing is required at a later date, more detailed comments will be submitted at that time.

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

CYCLE IV OCT. TO APR. 1986-87

OCTOBER 15, 1986

Re: Zoning Advisory Meeting of OCTOBER 14, 1986
Item # CYCLE IV - #5
Property Owner: CHESTER G. & BERTHA W. OTT
Location: OTT
SW/5 LIBERTY RD. 540' SE &
CHAPMAN RD. (KA 9205 LIBERTY 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.

- (X) There are no site planning factors requiring comment, AT THIS TIME.
- (X) A County Review Group Meeting is required.
- () A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development 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 _____
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by 8111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____
- (X) The property is located in a traffic area controlled by a "D" level intersection as defined by 8111 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- (X) Additional comments:
IF SUBJECT PROPERTY IS REZONED ANY FUTURE DEVELOPMENT OF THE SITE MUST MEET THE REQUIREMENTS OF BALTIMORE COUNTY DEVELOPMENT REGULATIONS.

cc: James Hoswell

David Fields, Acting Chief
Current Planning and Development

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Walter Hackett, Chairman
TO: Board of Appeals
Office of Planning and Zoning
FROM: Jan. H. Forrest
Date: December 9, 1986
SUBJECT: Reclassification Petitions - Cycle IV

This office is unable at this time to make comments regarding the seventeen properties listed for zoning reclassification without more detailed information on the attached plats.

If you have any questions concerning this matter, you may contact Mr. Gerard A. Zitnik at 494-2762.

Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

JJF:pb

Maryland Department of Transportation

State Highway Administration

JAN 28 1987

ZONING OFFICE

January 6, 1987

Mr. William Hackett
Chairman
Board of Appeals
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Item # 5
Property Owner: Chester G. and Bertha W. Ott
Contract Purchaser:
Location: SW/5 Liberty Road (Maryland Route 26)
#9205, 540' SE centerline
Chapman Road
Existing Zoning: D.R.
3.5, R.O.
Election District: 2nd
Acres: 0.77
Proposed Zoning: B.R.

Att: James Dyer
October, 1986-April 1987
Zoning Reclassification
Cycle IV

Dear Mr. Hackett:

On review of the zoning submittal of November, 1986 the State Highway Administration Bureau of Engineering Access Permits will require the proposed right-of-way line for Liberty Road, Maryland Route 26, to be shown on a revised site plan.

Be advised, the right-of-way limits shown are tentative and subject to final design phase.

If you have any questions or desire any additional information for this segment of Liberty Road, Maryland Route 26, please contact this office or Mr. Dave Guignet of State Highway Administration-Bureau of Highway Design.

Very truly yours,

Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GW:es

cc: J. Ogle
John O. Seiland, Esq.

attachment

My telephone number is 301-333-1350
Telephone 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

Maryland Department of Transportation

State Highway Administration

RECEIVED
NOV 21 1986

ZONING OFFICE

November 18, 1986

Mr. William Hackett
Chairman
Board of Appeals
County Office Building
Towson, Maryland 21204

RE: Baltimore County
Item # 5
Property Owner: Chester G. and Bertha W. Ott
Location: SW/5 Liberty Rd. (Route 26) #9205, 540' SE centerline Chapman Rd
Existing Zoning: D.R.
3.5, R.O.
Election District: 2nd
Acres: 0.77
Proposed Zoning B.R.

Att: James Dyer
October, 1986-April, 1987
Zoning Reclassification
Cycle IV

Dear Mr. Hackett:

On review of the submittal of 6/10/86 for reclassification of property at #9205 Liberty Road, Route 26, the State Highway Administration offers the following comments.

With two (2) adjoining properties #9205 and #9207 requesting a zoning reclassification, the S.H.A. Bureau of Engineering Access Permits strongly recommends to Baltimore County that any and all commercial development with access to Liberty Road, Route 26 be by way of a in-common entrance.

Be advised, the S.H.A. Bureau of Project Development Division is studying improvements to Liberty Road, Route 26, to upgrade the roadway to a five (5) lane section from west of Marriottsville Road to Offutt Road.

However, any change of the existing residential use to commercial use will require S.H.A. improvements through S.H.A. Permit with the posting of a bond or Letter of Credit to guarantee construction.

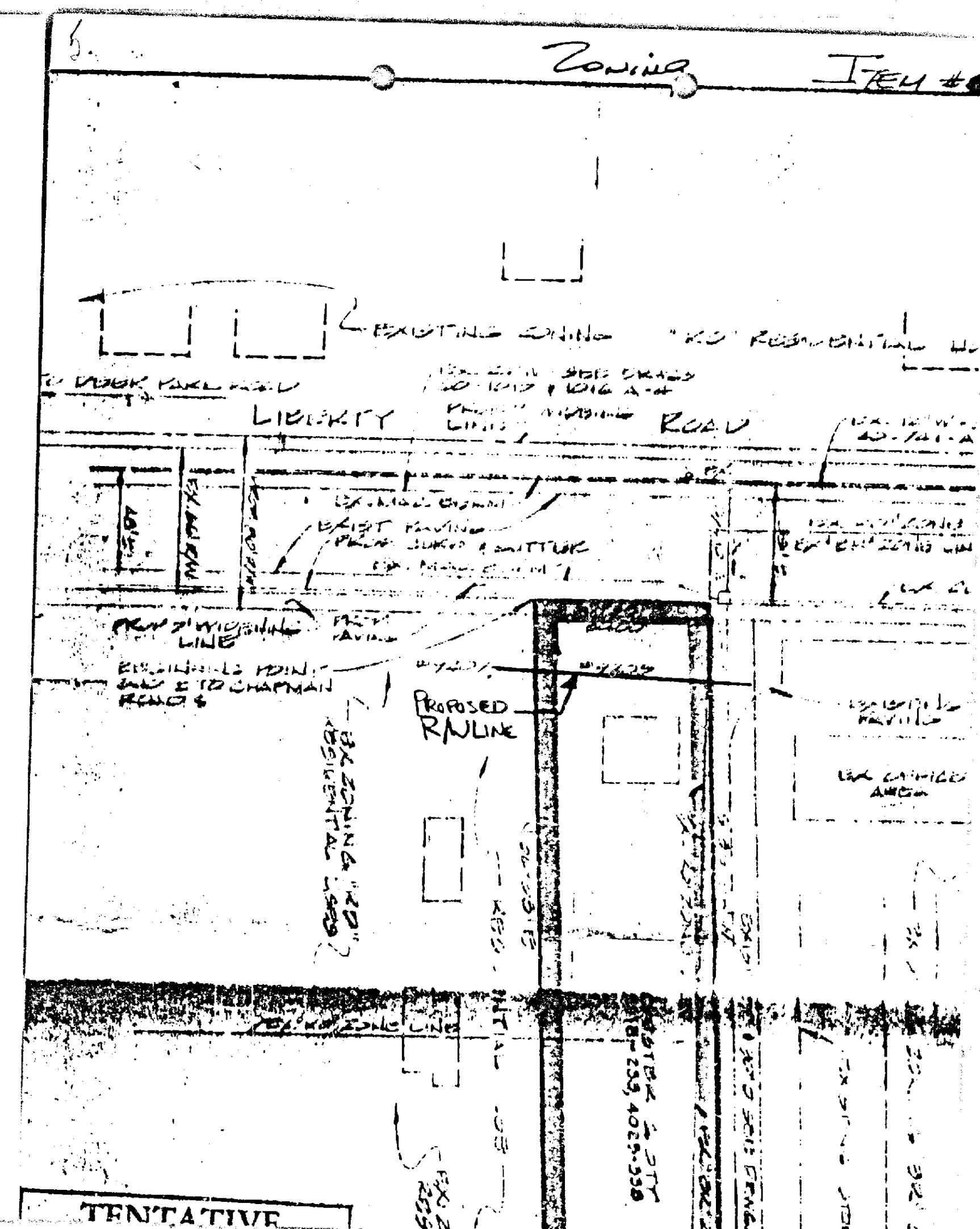
Very truly yours,

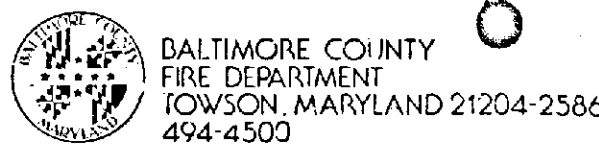
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GW:es

cc: J. Ogle

My telephone number is 301-333-1350
Telephone 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





PAUL H. REINCKE
CHIEF
October 22, 1986

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

Attention: William Hackett
Chairman, County Board of Appeals

RE: Property Owner: Chester G. and Bertha W. Ott

Location: SW/S Liberty Road, #9205, 540' SE centerline Chapman Road

Item No.: 5 Zoning Agenda: Cycle IV

Gentlemen:

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

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

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of 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: *John F. O'Neill* Noted and Approved:
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

DESCRIPTION OF PROPERTY
LOCATED AT 9205 LIBERTY ROAD
SECOND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

THIS DESCRIPTION IS FOR RECLASSIFICATION OF THE PROPERTY
FROM 'RO' AND 'DR-3.5' TO 'BR'.

BEGINNING FOR THE SAME at a point located on the southwest side of Liberty Road, 540 feet, more or less, southeast of the centerline of Chapman Road, thence binding on the southwest side of Liberty Road (1) South 50 degrees 30 minutes East 80.00 feet, (2) South 36 degrees 58 minutes West 482.60 feet, to intersect the southwest property line of the tract and the existing 'DR-3.5'/'BR' zone line as shown on Baltimore County Zoning Map NW71; thence continuing to bind on the 'BR' Zone Line and said property line (3) North 50 degrees 07 minutes West 80.09 feet, thence (4) North 36 degrees 58 minutes East 481.60 feet to the place of beginning.

SAVING AND EXCEPTING from this description that portion of the tract currently zoned 'BR'.

CONTAINING 0.77 acres of land, more or less.

RLS/aeb KCI Job Order No. 01-86116 June 12, 1986
Revised August 22, 1986



PETITION FOR RECLASSIFICATION

Case No. R-87-253

LOCATION: Southwest Side of Liberty Road, 540 feet Southeast of the Centerline of Chapman Road (9205 Liberty Road)

PUBLIC HEARING: Tuesday, March 24, 1987, at 10:00 a.m.

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing:
To reclassify the property from an R.O. and D.R. 3.5 Zone to a B.R. Zone

All that parcel of land in the 2nd Election District of Baltimore County

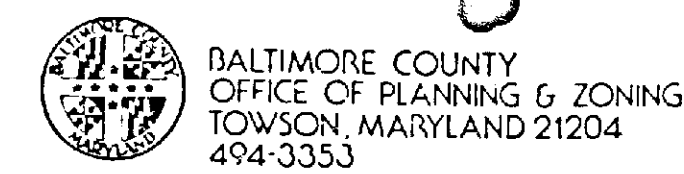
BEGINNING FOR THE SAME at a point located on the southwest side of Liberty Road, 540 feet, more or less, southeast of the centerline of Chapman Road, thence binding on the southwest side of Liberty Road (1) South 50 degrees 30 minutes East 80.00 feet, (2) South 36 degrees 58 minutes West 482.60 feet, to intersect the southwest property line of the tract and the existing 'DR-3.5'/'BR' zone line as shown on Baltimore County Zoning Map NW71; thence continuing to bind on the 'BR' Zone Line and said property line (3) North 50 degrees 07 minutes West 80.09 feet, thence (4) North 36 degrees 58 minutes East 481.60 feet to the place of beginning.

SAVING AND EXCEPTING from this description that portion of the tract currently zoned 'BR'.

CONTAINING 0.77 acres of land, more or less.

Being the property of Chester G. Ott, et ux
as shown on the plat plan filed with the Zoning Department.

BY ORDER OF
WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS
BALTIMORE COUNTY



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. KING
DEPUTY ZONING COMMISSIONER

March 18, 1987

J. Michael Reher, Esquire
Seiland and Jednorski
25 West Chesapeake Avenue
Towson, Maryland 21204

RE: PETITION FOR RECLASSIFICATION
SW/S Liberty Rd., 540' SE of the c/l of Chapman Rd.
(9205 Liberty Rd.)
2nd Election District - 2nd Councilmanic District
Chester G. Ott, et ux - Petitioners
Case No. R-87-253

Dear Mr. Reher:

This is to advise you that \$277.28 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 RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

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

No. 33158

DATE: 3/18/87 ACCOUNT: 221-1011-200
AMOUNT: \$ 277.28
RECEIVED FROM: Seiland & Jednorski, P.A., Suite 204, 25 W. Chesapeake Ave., Towson, Md. 21204
FOR: ADVERTISING & POSTING - R-87-253
VALIDATION OR SIGNATURE OF CASHIER

LEGAL NOTICES

PETITION FOR ZONING RECLASSIFICATION

Case No. R-87-253

LOCATION: Southwest Side of Liberty Road, 540 feet Southeast of the Centerline of Chapman Road (9205 Liberty Road)

PUBLIC HEARING: Tuesday, March 24, 1987, at 10:00 a.m.

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

To reclassify the property from an R.O. and D.R. 3.5 Zone to a B.R. Zone

All that parcel of land in the 2nd Election District of Baltimore County

BEGINNING for the same at a point located on the southwest side of Liberty Road, 540 feet, more or less, southeast of the centerline of Chapman Road, thence binding on the southwest side of Liberty Road (1) South 50 degrees 30 minutes East 80.00 feet, (2) South 36 degrees 58 minutes West 482.60 feet, to intersect the southwest property line of the tract and the existing 'DR-3.5'/'BR' zone line as shown on Baltimore County Zoning Map NW71; thence continuing to bind on the 'BR' Zone Line and said property line (3) North 50 degrees 07 minutes West 80.09 feet, thence (4) North 36 degrees 58 minutes East 481.60 feet to the place of beginning.

SAVING AND EXCEPTING from this description that portion of the tract currently zoned 'BR'.

CONTAINING 0.77 acres of land, more or less.

Being the property of Chester G. Ott, et ux, as shown on the plat plan filed with the Zoning Department.

BY ORDER OF
WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS
BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

85870

Pikesville, Md., March 4, 1987

ERTIFY, that the annexed advertisement in the NORTHWEST STAR, a weekly published in Pikesville, Baltimore land before the 24th day of 1987

publication appearing on the day of 1987

publication appearing on the day of 1987

publication appearing on the day of 1987

THE NORTHWEST STAR

Phyllis Cole Friedman
manager

Cost of Advertisement \$28.80

IN THE MATTER OF THE PETITION : BEFORE THE COUNTY BOARD OF APPEALS
FOR RECLASSIFICATION FROM D.R. 3.5 : OF BALTIMORE COUNTY
& R.O. TO B.R. ZONE
SW/S Liberty Rd., 49205, 540' SE :
of C/L of Chapman Rd., 2nd Dist. :
CHESTER G. & BERTHA W. OTT, : Case No. R-87-253 (Item 5, Cycle IV)
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

COUNTY BOARD OF APPEALS
187 JAN 31 P 1987

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 February, 1987, a copy of the foregoing Entry of Appearance was mailed to John O. Seiland, Esquire, and Seiland and Jednorski, 25 W. Chesapeake Ave., Towson, MD 21204, Attorneys for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

PETITION FOR RECLASSIFICATION

Case No. R-87-253

LOCATION: Southwest Side of Liberty Road, 540 feet Southeast of the Centerline of Chapman Road (9205 Liberty Road)

PUBLIC HEARING: Tuesday, March 24, 1987, at 10:00 a.m.

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

To reclassify the property from an R.O. and D.R. 3.5 Zone to a B.R. Zone

All that parcel of land in the 2nd Election District of Baltimore County

BEGINNING for the same at a point located on the southwest side of Liberty Road, 540 feet, more or less, southeast of the centerline of Chapman Road, thence binding on the southwest side of Liberty Road (1) South 50 degrees 30 minutes East 80.00 feet, (2) South 36 degrees 58 minutes West 482.60 feet, to intersect the southwest property line of the tract and the existing 'DR-3.5'/'BR' zone line as shown on Baltimore County Zoning Map NW71; thence continuing to bind on the 'BR' Zone Line and said property line (3) North 50 degrees 07 minutes West 80.09 feet, thence (4) North 36 degrees 58 minutes East 481.60 feet to the place of beginning.

SAVING AND EXCEPTING from this description that portion of the tract currently zoned 'BR'.

CONTAINING 0.77 acres of land, more or less.

Being the property of Chester G. Ott, et ux, as shown on the plat plan filed with the Zoning Department.

BY ORDER OF
WILLIAM T. HACKETT
Chairman
County Board of Appeals
Baltimore County
3001 Mar 5

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 5, 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 March 5, 1987.

THE JEFFERSONIAN,

Publisher

Cost of Advertising

John O. Seiland
John O. Seiland
Esquire
25 West Chesapeake Avenue
Towson, Maryland 21204

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

R-87-253

District 2nd

Date of Posting 3-3-87

Posted for: Reclassification

Petitioner: Chester G. Ott, et ux

Location of property: SW/S of Liberty Road, 540' SE of the c/l of Chapman Road (9205 Liberty Road)

Location of Signs: 4th front of 9205 Liberty Road

Remarks:

Posted by: *John O. Seiland*

Date of return: 3-6-87

Number of Signs: 1

NOTICE OF HEARING

RE: PETITION FOR RECLASSIFICATION
SW/S Liberty Rd., 540' SE of the c/l of Chapman Rd.
(9205 Liberty Rd.)
2nd Election District - 2 C.D.
Chester G. Ott, et ux - Petitioners
Case No. R-87-253

TIME: 10:00 a.m.

DATE: Tuesday, March 24, 1987

PLACE: Room 218, Courthouse, Towson, Maryland

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

No. 325885

DATE: 3/27/87 ACCOUNT: 31-615

AMOUNT: \$ 120.00

RECEIVED FROM: Chester G. Ott

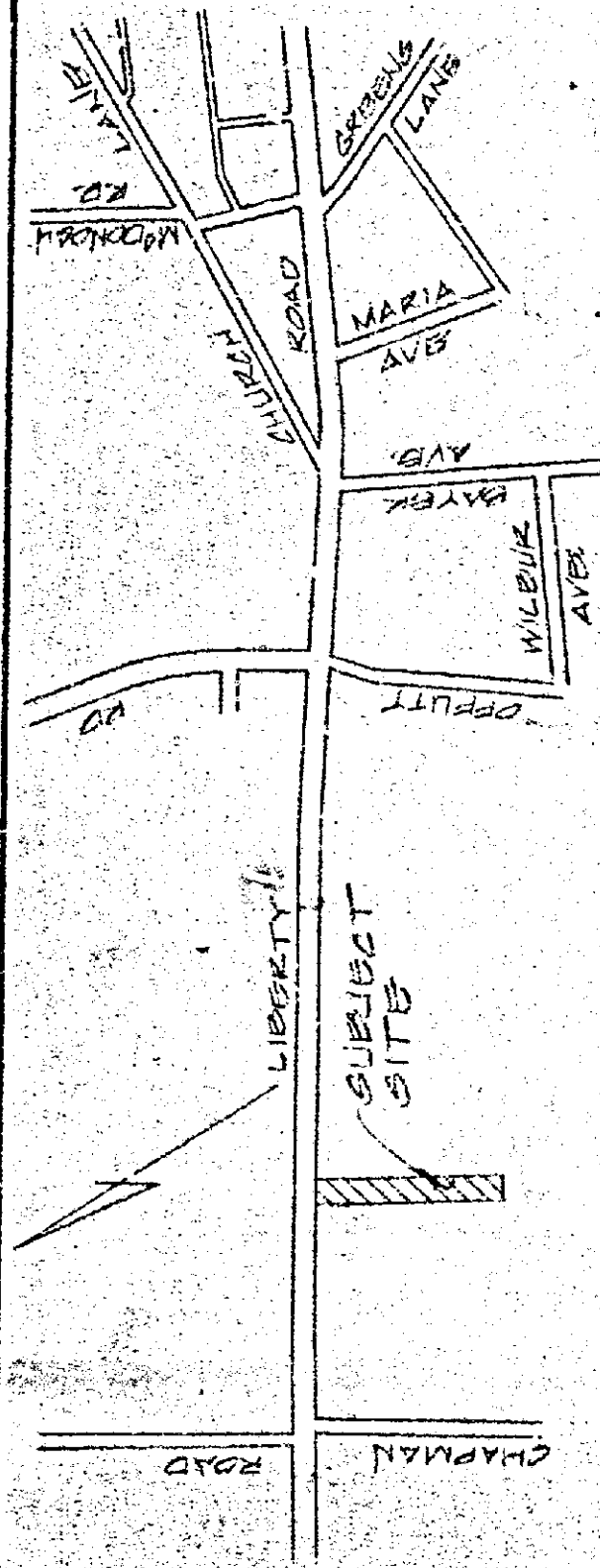
FOR: Fee For Reclassification

6 BOSC ***** 277287

VALIDATION OR SIGNATURE OF CASHIER

JOHN O. SEILAND
Chairman
1 of Appeals

ZONING OFFICE FOR ADVERTISING (1) A WEEK BEFORE THE HEARING. THIS ZONING OFFICE ON THE DAY OF THE



LOCATION PLAN
SCALE: 1"=500'

- GENERAL NOTES**
1. AREA OF PROPERTY = 0.83 AC. ±
 2. GROSS AREA OF PROPERTY = 0.93 AC. ±
 3. NET AREA OF PROPERTY = 0.83 AC. ±
 4. EXISTING ZONING OF PROPERTY "RO" RESIDENTIAL
 5. EXISTING USE OF PROPERTY "RESIDENTIAL"
 6. PROPOSED ZONING OF PROPERTY "BR"
 7. SITE HAS PRIVATE WATER
 8. SITE HAS PRIVATE SEWAGE SYSTEM
 9. SITE IS LOCATED IN THE "GWINNS FALLS" DRAINAGE AREA
 10. AREA REQUESTING RECLASSIFICATION = 0.77 AC. ±



John H. Hargis

Item 5
cycle 11

PLAT TO ACCOMPANY PETITION
FOR
RECLASSIFICATION OF PROPERTY
AT
9205 LIBERTY ROAD
ELECTION DISTRICT 2 BALTIMORE CO., MD
SCALE: 1"=500'

COUNCILMANIC DISTRICT 2
J.D. 06113

OWNER
MR. CHESTER A. OTT
RT. 1 BOX 192
HARPER'S FOREST, WEST VIRGINIA 25425

KUDE CONSULTANTS, INC.
OPENING BRANCHES
BALTIMORE, MARYLAND

